

**CITY OF BALTIMORE  
COUNCIL BILL 23-0353  
(First Reader)**

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Introduced by: President Mosby and Councilmember Burnett  
Introduced and read first time: February 6, 2023  
Assigned to: Economic and Community Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Human Resources

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Community Reinvestment and Reparations Commission**

3 FOR the purpose of creating the Community Reinvestment and Reparations Commission to  
4 distribute certain funds in accordance with State law; establishing the purpose and duties of  
5 the Commission; providing for the composition of the Commission; requiring certain reports;  
6 defining certain terms; requiring certain individuals file certain financial disclosures; and  
7 generally relating to the Community Reinvestment and Reparations Commission.

8 BY adding

9 Article 1 - Mayor, City Council, and Municipal Agencies  
10 Sections 59-1 to 59-8, to be under the new subtitle designation  
11 "Subtitle 59. Community Reinvestment and Reparations Commission"  
12 Baltimore City Code  
13 (Edition 2000)

14 BY adding

15 Article 8 - Ethics  
16 Section 7-8(6a)  
17 Baltimore City Code  
18 (Edition 2000)

19 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
20 Laws of Baltimore City read as follows:

21 **Baltimore City Code**

22 **Article 1. Mayor, City Council, and Municipal Agencies**

23 **SUBTITLE 59. COMMUNITY REINVESTMENT AND REPARATIONS COMMISSION**

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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1 **§ 59-1. DEFINITIONS.**

2 (A) *IN GENERAL.*

3 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

4 (B) *AREA MEDIAN INCOME.*

5 “AREA MEDIAN INCOME” MEANS THE MEDIAN HOUSEHOLD INCOME FOR AN AREA  
6 ADJUSTED FOR HOUSEHOLD SIZE, AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED  
7 STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

8 (C) *CANNABIS.*

9 “CANNABIS” HAS THE MEANING STATED IN § 5-101 {“DEFINITIONS”} OF THE STATE  
10 CRIMINAL LAW ARTICLE.

11 (D) *COMMISSION.*

12 “COMMISSION” MEANS THE COMMUNITY REINVESTMENT AND REPARATIONS  
13 COMMISSION.

14 (E) *COMMUNITY-BASED ORGANIZATION.*

15 “COMMUNITY-BASED ORGANIZATION” MEANS A PUBLIC OR PRIVATE ORGANIZATION THAT  
16 IS REPRESENTATIVE OF A COMMUNITY OR SIGNIFICANT SEGMENTS OF A COMMUNITY, AND  
17 PROVIDES EDUCATIONAL, HEALTH, OR SOCIAL SERVICES TO INDIVIDUALS IN THE  
18 COMMUNITY.

19 (F) *DEMONSTRATED KNOWLEDGE.*

20 “DEMONSTRATED KNOWLEDGE” MEANS AN INDIVIDUAL WHO HAS DISPLAYED  
21 COMPETENCY WITH A SUBJECT, AS DEMONSTRATED BY:

22 (1) PUBLISHING WRITTEN MATERIAL

23 (2) DELIVERING PROGRAMMATIC OFFERINGS TO THE PUBLIC; OR

24 (3) CREATING AND PROVIDING TO THE PUBLIC EDUCATIONAL MATERIALS.

25 (G) *FUND.*

26 “FUND” MEANS THE STATE COMMUNITY INVESTMENT AND REPAIR FUND.

27 (H) *LOW-INCOME COMMUNITY.*

28 “LOW-INCOME COMMUNITY” MEANS A COMMUNITY WHERE THE AVERAGE HOUSEHOLD  
29 INCOME IS LESS THAN 80% OF THE AREA MEDIAN INCOME.

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1 (I) *STRUCTURAL RACISM.*

2 “STRUCTURAL RACISM” MEANS A POLICY OR SET OF POLICIES THAT WIDEN THE SOCIAL  
3 AND POLITICAL DISADVANTAGES WITHIN SOCIETY FOR MEMBERS OF 1 OR MORE MINORITY  
4 GROUPS.

5 (J) *WHITE SUPREMACY.*

6 “WHITE SUPREMACY” MEANS THE BELIEF, THEORY, OR DOCTRINE THAT WHITE PEOPLE ARE  
7 SUPERIOR TO THOSE OF OTHER RACES AND THUS SHOULD DOMINATE THEM.

8 **§ 59-2. COMMISSION CREATED; PURPOSE; DUTIES.**

9 (A) *ESTABLISHED.*

10 THERE IS A COMMUNITY REINVESTMENT AND REPARATIONS COMMISSION, AS  
11 ESTABLISHED BY STATE HEALTH - GENERAL ARTICLE § 13-4601(A)(6).

12 (B) *PURPOSE.*

13 THE PURPOSE OF THE COMMISSION IS TO DISTRIBUTE THE FUNDS DISBURSED TO  
14 BALTIMORE CITY FROM THE STATE COMMUNITY REINVESTMENT AND REPAIR FUND IN  
15 ACCORDANCE WITH TITLE 13, SUBTITLE 46 {“COMMUNITY REINVESTMENT AND REPAIR  
16 FUND”} OF THE STATE HEALTH - GENERAL ARTICLE.

17 (C) *DUTIES.*

18 IN ACCORDANCE WITH THE PROVISIONS OF TITLE 13, SUBTITLE 46 {“COMMUNITY  
19 REINVESTMENT AND REPAIR FUND”} OF THE STATE HEALTH - GENERAL ARTICLE, THE  
20 MEMBERS OF THE COMMISSION SHALL:

- 21 (1) ESTABLISH THE PURPOSES FOR WHICH MONEY FROM THE FUND MAY BE USED;
- 22 (2) ALLOCATE SUPPLEMENTAL FUNDING TO COMMUNITY-BASED ORGANIZATIONS FOR  
23 SERVICES AND PROGRAMS INTENDED TO BENEFIT LOW-INCOME COMMUNITIES;
- 24 (3) ALLOCATE SUPPLEMENTAL FUNDING TO COMMUNITY-BASED ORGANIZATIONS FOR  
25 SERVICES AND PROGRAMS INTENDED TO ADDRESS THE EFFECTS OF THE  
26 DISPROPORTIONATE ENFORCEMENT OF THE CANNABIS PROHIBITION BEFORE JULY  
27 1, 2022;
- 28 (4) MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL REGARDING  
29 REPAIRING THE DAMAGE DONE TO COMMUNITIES DETERMINED BY THE OFFICE OF  
30 THE ATTORNEY GENERAL TO HAVE BEEN THE MOST IMPACTED BY  
31 DISPROPORTIONATE ENFORCEMENT OF THE CANNABIS PROHIBITION IN BALTIMORE  
32 CITY BEFORE JULY 1, 2022; AND
- 33 (5) MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL REGARDING  
34 REPAIRING THE DAMAGE DONE BY STRUCTURALLY RACIST AND WHITE

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1 SUPREMACIST POLICIES TO RACIAL AND ETHNIC MINORITY COMMUNITIES IN  
2 BALTIMORE CITY.

3  
4 (D) *USE OF FUNDS.*

5 THE COMMISSION SHALL DISTRIBUTE FUNDS IN ACCORDANCE WITH THE PROVISIONS OF  
6 § 13-4601(A)(6) OF THE STATE HEALTH - GENERAL ARTICLE.

7 **§ 59-3. MEMBERS.**

8 (A) *IN GENERAL.*

9 (1) THE COMMISSION COMPRISES OF 17 MEMBERS.

10 (2) OF THESE:

11 (I) 16 MEMBERS ARE APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE  
12 IV, § 6 OF THE BALTIMORE CITY CHARTER; AND

13 (II) 1 MEMBER SHALL BE THE BALTIMORE CITY COMPTROLLER OR THE  
14 COMPTROLLER'S DESIGNEE, SERVING AS AN EX OFFICIO MEMBER.

15 (B) *APPOINTED MEMBERS: QUALIFICATIONS.*

16 OF THE 16 MEMBERS APPOINTED BY THE MAYOR:

17 (1) 1 MEMBER MUST BE APPOINTED FROM EACH OF THE 14 COUNCIL DISTRICTS;

18 (2) AT LEAST 1 MEMBER MUST BE A SERVICE PROVIDER FOR INCARCERATED PERSONS  
19 OR PERSONS WITH A CRIMINAL RECORD; AND

20 (3) AT LEAST 1 MEMBER MUST BE A REPRESENTATIVE FROM A COMMUNITY-BASED  
21 ORGANIZATION THAT WORKS WITH LOW-INCOME COMMUNITIES.

22 (C) *APPOINTED MEMBERS; OTHER REQUIREMENTS.*

23 (1) *GENERAL KNOWLEDGE.*

24 AN INDIVIDUAL WHO IS INTERESTED IN BECOMING AN APPOINTED MEMBER OF THE  
25 COMMISSION MUST SUBMIT AN APPLICATION DESCRIBING THE INDIVIDUAL'S  
26 DEMONSTRATED KNOWLEDGE OF 1 OR MORE OF THE FOLLOWING:

27 (I) THE HISTORY OF THE RESISTANCE OF PEOPLE OF AFRICAN DESCENT TO WHITE  
28 SUPREMACY, ENSLAVEMENT, JIM CROW LAWS, AND OTHER EXAMPLES OF  
29 RACIAL VIOLENCE AND DISCRIMINATION;

30 (II) THE HISTORY OF THE RESISTANCE OF RACIAL, ETHNIC, AND OTHER MINORITY  
31 GROUPS AGAINST DISCRIMINATION, VIOLENCE, AND INEQUALITY;

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1 (III) THE NEEDS OF INDIVIDUALS RETURNING TO THE COMMUNITY AFTER  
2 INCARCERATION;

3 (IV) THE IMPACT OF THE DISPROPORTIONATE ENFORCEMENT OF DRUG LAWS ON THE  
4 QUALITY OF LIFE EXPERIENCE BY RACIAL AND ETHNIC MINORITIES, ESPECIALLY  
5 PEOPLE OF AFRICAN DESCENT, INCLUDING SPECIALIZATION IN:

6 (A) THE DISRUPTION OF FAMILIES;

7 (B) EXPOSURE TO THE PRISON SYSTEM;

8 (C) TRAUMA EXPERIENCED AS A RESULT OF COMMUNITY AND POLICE  
9 VIOLENCE; OR

10 (D) ANOTHER SIMILAR FACTOR CONTRIBUTING TO QUALITY OF LIFE; AND

11 (V) METHODS FOR DELIVERING COMMUNITY INVESTMENT THAT EMPOWER  
12 MARGINALIZED PEOPLE TO HAVE A VOICE IN THE DISTRIBUTION OF RESOURCES.

13 (2) *APPLICATION.*

14 THE APPLICATION OF A PROSPECTIVE MEMBER MUST BE IN THE FORM REQUIRED BY  
15 THE MAYOR.

16 **§ 59-4. TERMS; CHAIR; REMOVAL.**

17 (A) *TERMS OF APPOINTED MEMBERS.*

18 (1) EACH MEMBER OF THE COMMISSION SERVES A 4-YEAR TERM, CONCURRENT WITH THE  
19 MAYOR'S TERM OF OFFICE.

20 (2) AN APPOINTED MEMBER OF THE COMMISSION MAY NOT SERVE MORE THAN 2  
21 CONSECUTIVE FULL TERMS.

22 (3) A MEMBER OF THE COMMISSION APPOINTED TO FILL A VACANCY SERVES THE REST OF  
23 THE UNEXPIRED TERM.

24 (4) A MEMBER OF THE COMMITTEE CONTINUES IN OFFICE UNTIL THE MEMBER'S  
25 SUCCESSOR IS APPOINTED AND QUALIFIED.

26 (B) *COMMISSION CHAIR.*

27 ONE MEMBER OF THE COMMISSION SHALL BE ELECTED AS CHAIR BY MAJORITY VOTE OF  
28 THE MEMBERS OF THE COMMISSION.

29 (C) *REMOVAL.*

30 THE COMMISSION, WITH THE APPROVAL OF  $\frac{3}{4}$  OF ITS MEMBERS, MAY REMOVE A MEMBER  
31 FOR NEGLECT OF DUTY OR MISCONDUCT IN OFFICE.

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**§ 59-5. COMPENSATION; EXPENSES.**

EACH MEMBER OF THE COMMISSION SHALL BE COMPENSATED AS PROVIDED IN THE ORDINANCE OF ESTIMATES AND EACH MEMBER MAY BE REIMBURSED FOR NECESSARY AND PROPER EXPENSES INCURRED IN THE PERFORMANCE OF THE MEMBER'S DUTIES.

**§ 59-6. MEETINGS.**

*(A) IN GENERAL.*

THE COMMISSION MUST MEET AT THE CALL OF THE CHAIR AS FREQUENTLY AS REQUIRED TO PERFORM ITS DUTIES, BUT NOT LESS THAN 1 TIME EACH QUARTER OF THE YEAR.

*(B) QUORUM.*

A SIMPLE MAJORITY OF THE MEMBERS OF THE COMMISSION SHALL SERVE AS QUORUM.

*(C) VOTING.*

AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS NEEDED FOR ANY OFFICIAL ACTION.

**§ 59-7. BIENNIAL REPORT.**

*(A) IN GENERAL.*

BEGINNING IN 2024, ON OR BEFORE DECEMBER 1 AND EVERY 2 YEARS THEREAFTER, THE COMMISSION SHALL CREATE AND PUBLISH THE REPORT REQUIRED BY § 13-4601(B)(2)(II) OF THE STATE HEALTH - GENERAL ARTICLE.

*(B) RECIPIENTS.*

THE COMMISSION SHALL SUBMIT THE REPORT TO THE FOLLOWING RECIPIENTS:

- (1) THE MAYOR;
- (2) THE CITY COUNCIL;
- (3) THE GOVERNOR;
- (4) THE STATE BUDGET AND TAXATION COMMITTEE;
- (5) THE STATE SENATE FINANCE COMMITTEE;
- (6) THE STATE HOUSE JUDICIARY COMMITTEE;
- (7) THE STATE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE; AND
- (8) ANY OTHER ENTITY REQUIRED BY STATE LAW.

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1 **§ 59-8. RULES AND REGULATIONS.**

2 SUBJECT TO TITLE 4 {“ADMINISTRATIVE PROCEDURE ACT – REGULATIONS”} OF THE CITY  
3 GENERAL PROVISIONS ARTICLE, THE COMMISSION MAY ADOPT RULES AND REGULATIONS TO  
4 CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

5 **Article 8. Ethics**

6 **Subtitle 7. Financial Disclosure**

7 ***Part II. Who Must File***

8 **§ 7-8. Persons required to file – Agency officials and staff.**

9 The following officials and employees must file the financial disclosure statements required  
10 by this subtitle:

11 . . .

12 (6A) *COMMUNITY REINVESTMENT AND REPARATIONS COMMISSION.*

13 (I) MEMBERS OF COMMISSION.

14 (II) ALL NON-CLERICAL EMPLOYEES.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That, prior to the first allocation of funds by the  
16 Commission, the City Council shall convene 1 or more hearings to allow residents of Baltimore  
17 to testify as to the effect of the prohibition of cannabis on themselves, their families, and their  
18 communities.

19 **SECTION 3. AND BE IT FURTHER ORDAINED,** That prior to January 1, 2024, the Commission  
20 shall submit an annual report to the Mayor and City Council regarding:

21 (1) the convening of the Commission;

22 (2) the activities of the Commission;

23 (3) the funding priorities identified by the Commission;

24 (4) the policy recommendations developed by the Commission; and

25 (5) the proposed amount of compensation for members of the Commission, as  
26 determined by the Department of Human Resources.

27 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
28 after the date it is enacted.