

**CITY OF BALTIMORE
COUNCIL BILL 24-0492
(First Reader)**

Introduced by: Councilmember Cohen

Introduced and read first time: February 12, 2024

Assigned to: Rules and Legislative Oversight Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Board of Elections, Office of Equity and Civil Rights

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Redistricting Commission – Establishment**

3 FOR the purpose of establishing the composition of the Redistricting Commission; creating the
4 application and nomination process for members of the Commission; requiring the
5 Commission to select a certain consultant; establishing certain qualifications for the
6 consultant; creating leadership and procedural requirements for the Commission; defining
7 certain terms; generally relating to the Baltimore City Council redistricting process; making
8 this Ordinance contingent on the ratification of a certain City Charter amendment by a certain
9 date; and providing for a special effective date.

10 BY adding

11 Article 1 - Mayor, City Council, and Municipal Agencies
12 Sections 59-1 to 59-11, to be under the new subtitle designation,
13 “Subtitle 59. Redistricting Commission”
14 Baltimore City Code
15 (Edition 2000)

16 By adding

17 Article 8 - Ethics
18 Section 7-8 (37a)
19 Baltimore City Code
20 (Edition 2000)

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

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

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Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

SUBTITLE 59. REDISTRICTING COMMISSION

PART I. GENERAL PROVISIONS

§ 59-1. DEFINITIONS.

(A) *IN GENERAL.*

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

(B) *COMMISSION.*

“COMMISSION” MEANS THE BALTIMORE CITY REDISTRICTING COMMISSION.

(C) *DRAFT REDISTRICTING PLAN.*

“DRAFT REDISTRICTING PLAN” MEANS THE INITIAL PROPOSED CITY COUNCIL DISTRICT BOUNDARIES DRAWN AND PUBLISHED BY THE COMMISSION.

(D) *MAPPING CONSULTANT.*

“MAPPING CONSULTANT” MEANS THE INDIVIDUAL HIRED BY THE COMMISSION TO MAP, MODEL, AND ANALYZE REDISTRICTING DATA.

(E) *QUALIFIED APPLICANT.*

“QUALIFIED APPLICANT” MEANS AN INDIVIDUAL WHO APPLIES TO BE A MEMBER OF THE COMMISSION AND MEETS THE CRITERIA DESCRIBED IN § 59-5 {“APPLICANT QUALIFICATIONS”} AND § 59-6 {“APPLICANT DISQUALIFICATIONS”} OF THIS SUBTITLE.

(F) *REDISTRICTING PLAN.*

“REDISTRICTING PLAN” MEANS THE FINAL CITY COUNCIL DISTRICT BOUNDARIES ESTABLISHED UNDER ARTICLE VII, §§ 156 {“MAYORAL ACTION”} AND 157 {“ADDITIONAL COMMISSION RESPONSIBILITIES”} OF THE CITY CHARTER.

(G) *YEAR OF ESTABLISHMENT.*

“YEAR OF ESTABLISHMENT” MEANS THE CALENDAR YEAR IN WHICH REDISTRICTING DATA IS PUBLISHED BY THE UNITED STATES CENSUS BUREAU.

(H) *YEAR OF IMPLEMENTATION.*

“YEAR OF IMPLEMENTATION” MEANS THE CALENDAR YEAR IMMEDIATELY FOLLOWING THE YEAR OF ESTABLISHMENT.

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§ 59-2. COMMISSION; PURPOSE.

(A) IN GENERAL.

CITY CHARTER ARTICLE VII, § 151 {"COMMISSION ESTABLISHED"} ESTABLISHES THE BALTIMORE CITY REDISTRICTING COMMISSION.

(B) PURPOSE.

THE PURPOSE OF THIS SUBTITLE IS TO PROVIDE FOR THE FOLLOWING:

- (1) THE COMPOSITION AND OPERATION OF THE COMMISSION;
- (2) THE APPLICATION AND APPOINTMENT PROCESS FOR COMMISSIONERS; AND
- (3) THE FINANCIAL DISCLOSURE REQUIREMENTS FOR COMMISSIONERS.

PART II. COMPOSITION; QUALIFICATIONS; DISCLOSURES

§ 59-3. COMPOSITION; APPLICATION AND APPOINTMENT PROCESS.

(A) IN GENERAL.

THE COMMISSION SHALL BE COMPRISED OF:

- (1) A MEMBER FROM EACH DISTRICT OF THE CITY COUNCIL;
- (2) A MEMBER WHO REPRESENTS THE CITY AS A WHOLE; AND
- (3) 2 SUBJECT MATTER EXPERTS.

(B) COMPOSITION.

- (1) THE COMMISSION SHALL REFLECT THE DIVERSITY OF THE CITY, INCLUDING ITS RACIAL, ETHNIC, CULTURAL AND GENDER DEMOGRAPHICS.
- (2) THE COMPOSITION OF THE COMMISSION SHALL BE DETERMINED BY THE APPLICATION PROCESS DESCRIBED IN THIS SECTION.
- (3) OF THE 2 SUBJECT MATTER EXPERTS ON THE COMMISSION:
 - (I) 1 SHALL BE FROM A BALTIMORE CITY-BASED ORGANIZATION FOCUSED ON EQUITY AND THE COLLECTION OF DATA;
 - (II) 1 SHALL BE A MEMBER OF THE FACULTY AT A BALTIMORE CITY INSTITUTION OF HIGHER LEARNING WHO SPECIALIZES IN:

(A) LAW;

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1 (B) PUBLIC POLICY;

2 (C) PUBLIC ADMINISTRATION; OR

3 (D) POLITICAL SCIENCE;

4 (III) BOTH SHALL BE EMPLOYED BY AN INSTITUTION LOCATED IN BALTIMORE CITY;

5 (IV) BOTH SHALL HAVE VOTING MEMBERSHIP ON THE COMMISSION; AND

6 (V) BOTH SHALL BE APPOINTED BY THE OTHER MEMBERS OF THE COMMISSION.

7 (C) *APPLICATION PROCESS.*

8 (1) *APPLICATION.*

9 (I) AN APPLICATION TO BE A MEMBER OF THE COMMISSION, IN THE FORM
10 REQUIRED BY THE COMPTROLLER, MUST BE SUBMITTED TO THE COMPTROLLER
11 BY JULY 1 OF THE YEAR OF ESTABLISHMENT.

12 (II) THE COMPTROLLER SHALL SCREEN AN APPLICANT FOR THE CRITERIA
13 DESCRIBED IN § 59-5 {"APPLICANT QUALIFICATIONS"} AND § 59-6
14 {"APPLICANT DISQUALIFICATIONS"} OF THIS SUBTITLE.

15 (2) *PUBLIC NOTICE AND COMMENT.*

16 (I) BY SEPTEMBER 1 OF THE YEAR OF ESTABLISHMENT, THE COMPTROLLER SHALL
17 POST ON THE COMPTROLLER'S WEBSITE THE NAMES OF THE APPLICANTS
18 SELECTED PURSUANT TO PARAGRAPH (1)(II) OF THIS SUBSECTION FOR A 30-DAY
19 PUBLIC REVIEW AND COMMENT PERIOD.

20 (II) APPLICANTS MAY ONLY BE EVALUATED BASED ON THOSE CRITERIA IN § 59-5
21 {"APPLICANT QUALIFICATIONS"} AND § 59-6 {"APPLICANT
22 DISQUALIFICATIONS"} OF THIS SUBTITLE.

23 (3) *SELECTION.*

24 FOLLOWING THE 30-DAY PUBLIC REVIEW AND COMMENT PERIOD, THE OFFICE OF THE
25 COMPTROLLER SHALL RANDOMLY SELECT:

26 (I) 1 COMMISSIONER FROM EACH EXISTING DISTRICT OF THE CITY COUNCIL; AND

27 (II) 1 COMMISSIONER TO REPRESENT THE CITY AS A WHOLE.

28 (4) *CONTINGENCY.*

29 IF THERE ARE NO QUALIFIED APPLICANTS FROM A DISTRICT, THE COMPTROLLER SHALL
30 RANDOMLY SELECT ANOTHER QUALIFIED APPLICANT TO REPRESENT THE CITY AS A
31 WHOLE.

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1 (D) *VACANCIES.*

2 IF A VACANCY ON THE COMMISSION OCCURS, THE COMPTROLLER SHALL FILL THE
3 VACANCY BY SELECTING A QUALIFIED APPLICANT AT RANDOM FROM THE POOL OF
4 APPLICANTS FROM THE SAME DISTRICT AS THE VACANCY.

5 **§ 59-4. MAPPING CONSULTANT.**

6 (A) *IN GENERAL.*

7 THE COMMISSION SHALL SELECT A MAPPING CONSULTANT TO AID THE COMMISSION IN
8 DEVELOPING A REDISTRICTING PLAN.

9 (B) *NONVOTING MEMBER.*

10 THE MAPPING CONSULTANT SHALL SERVE AS A NONVOTING MEMBER OF THE COMMISSION.

11 (C) *SOLICITATION OF PROPOSALS.*

12 BEFORE SELECTING A MAPPING CONSULTANT TO BE A MEMBER OF THE COMMISSION, THE
13 COMMISSION MUST SOLICIT PROPOSALS FROM QUALIFIED MAPPING CONSULTANTS.

14 (D) *EVALUATION OF CANDIDATES.*

15 THE COMMISSION SHALL EVALUATE A PROPOSAL SUBMITTED UNDER SUBSECTION (C) OF
16 BASED ON FACTORS INCLUDING:

- 17 (1) TECHNICAL PROFICIENCY;
- 18 (2) RELEVANT EXPERIENCE; AND
- 19 (3) PROPOSED METHODOLOGY.

20 (E) *DEADLINE.*

21 THE MAPPING CONSULTANT SHALL BE SELECTED BY FEBRUARY 1 OF THE YEAR OF
22 IMPLEMENTATION.

23 (F) *FEE.*

24 THE OFFICE OF THE MAYOR SHALL PAY ANY AND ALL FEES ASSOCIATED WITH FINDING
25 AND RETAINING THE MAPPING CONSULTANT.

26 **§ 59-5. APPLICANT QUALIFICATIONS.**

27 A QUALIFIED APPLICANT SHALL:

- 28 (1) MAINTAIN PRIMARY RESIDENCY IN THE CITY; AND
- 29 (2) HAVE BEEN REGISTERED TO VOTE IN THE CITY FOR AT LEAST 8 CONSECUTIVE YEARS.

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§ 59-6. APPLICANT DISQUALIFICATIONS.

AN INDIVIDUAL IS NOT ELIGIBLE TO SERVE AS A MEMBER OF THE COMMISSION IF THE INDIVIDUAL:

(1) IS, BECOMES, OR, DURING THE 2 YEARS PRECEDING APPLYING TO BE A COMMISSIONER, SERVED AS AN ELECTED OFFICIAL OF:

(I) THE STATE; OR

(II) THE CITY;

(2) IS OR BECOMES A CANDIDATE FOR ELECTED PUBLIC OFFICE OF:

(I) THE STATE;

(II) THE CITY; OR

(III) ANY COUNTY OR MUNICIPALITY OF THE STATE.

(3) IS OR BECOMES AN ELECTED OFFICIAL'S:

(I) SPOUSE;

(II) PARENT;

(III) CHILD; OR

(IV) SIBLING;

(4) IS OR BECOMES AN EMPLOYEE OF:

(I) THE STATE;

(II) THE CITY; OR

(III) ANY STATE OR CITY AGENCY, INSTRUMENTALITY, OR ANY OTHER UNIT OF A STATE ENTITY EXCEPT:

(A) A STATE COLLEGE;

(B) A STATE UNIVERSITY; OR

(C) ANOTHER INSTITUTION OF HIGHER EDUCATION;

(5) IS OR BECOMES A RESPONSIBLE OFFICER, AS DEFINED IN § 1-101(MM) OF THE STATE ELECTION LAW ARTICLE;

(6) IS OR BECOMES EMPLOYED BY THE STATE OR CITY IN ANY CAPACITY;

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1 (7) IS OR BECOMES A PAID CONSULTANT EMPLOYED BY THE STATE OR CITY IN ANY
2 CAPACITY;

3 (8) IS, BECOMES, OR, DURING THE 2 YEARS PRECEDING APPLYING TO BE A COMMISSIONER,
4 IS EMPLOYED AS A LOBBYIST UNDER:

5 (I) THE STATE GENERAL PROVISIONS ARTICLE, TITLE 5 {"MARYLAND PUBLIC
6 ETHICS LAW"};

7 (II) ARTICLE 8, SUBTITLE 8 {"LOBBYING"} OF THE CITY CODE; OR

8 (III) THE ETHICS CODE OF ANY POLITICAL SUBDIVISION OF THE STATE;

9 (9) IS OR BECOMES ASSOCIATED WITH A BUSINESS ENTITY AS DESCRIBED IN ARTICLE 8,
10 § 6-6 {"PROHIBITED PARTICIPATION"} OF THE CITY CODE;

11 (10) SERVES OR, DURING THE 2 YEARS PRECEDING APPLYING TO BE A COMMISSIONER,
12 SERVED AS ANY OF THE FOLLOWING FOR A POLITICAL PARTY:

13 (I) AN EMPLOYEE;

14 (II) A PAID CONSULTANT; OR

15 (III) AN APPOINTED MEMBER OF THE POLITICAL PARTY'S CENTRAL COMMITTEE; OR

16 (11) WAS OR IS CONVICTED OF ANY OFFENSE INCLUDED IN TITLE 9 {"CRIMES AGAINST
17 PUBLIC ADMINISTRATION"} OF THE STATE CRIMINAL LAW ARTICLE OR TITLE 16
18 {"OFFENSES AND PENALTIES"} OF THE STATE ELECTION LAW ARTICLE.

19 **§ 59-7. FINANCIAL DISCLOSURES FOR COMMISSIONERS.**

20 (A) *IN GENERAL.*

21 A COMMISSIONER SHALL FILE A FINANCIAL DISCLOSURE IN ACCORDANCE WITH ARTICLE 8,
22 SUBTITLE 7 {"FINANCIAL DISCLOSURE"} OF THE CITY CODE.

23 (B) *WHEN REQUIRED.*

24 A COMMISSIONER SHALL FILE FINANCIAL DISCLOSURES FOR EACH OF THE FOLLOWING
25 YEARS:

26 (1) THE YEAR OF ESTABLISHMENT;

27 (2) THE YEAR OF IMPLEMENTATION; AND

28 (3) THE YEAR FOLLOWING THE YEAR OF IMPLEMENTATION.

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PART III. COMMISSION ADMINISTRATION

§ 59-8. OFFICERS.

(A) *CHAIR.*

THE COMMISSION SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS NO LATER THAN DECEMBER 31 OF THE YEAR OF ESTABLISHMENT.

(B) *ADDITIONAL OFFICERS.*

THE COMMISSION MAY ELECT A VICE-CHAIR AND OTHER OFFICERS FROM AMONG ITS MEMBERS, IF NECESSARY.

(C) *EXCLUSIONS.*

THE FOLLOWING MEMBERS OF THE COMMISSION MAY NOT SERVE AS AN OFFICER:

(1) THE MAPPING CONSULTANT; AND

(2) THE SUBJECT MATTER EXPERTS.

§ 59-9. MEETINGS.

(A) *QUORUM.*

A MAJORITY OF THE COMMISSION CONSTITUTES A QUORUM.

(B) *VOTES FOR ACTION.*

A MAJORITY VOTE OF THE QUORUM IS NEEDED FOR ANY ACTION BY THE COMMISSION.

(C) *OPEN MEETINGS.*

ALL MEETINGS OF THE COMMISSION MUST BE CONDUCTED IN ACCORDANCE WITH THE OPEN MEETINGS ACT, TITLE 3 OF THE STATE GENERAL PROVISIONS ARTICLE.

(D) *SCHEDULE.*

THE COMMISSION SHALL CONDUCT MEETINGS ONCE A MONTH UNTIL THE COMMISSION IS DISSOLVED.

§ 59-10. EXPENSES; COMPENSATION.

(A) *EXPENSES.*

AS ALLOCATED IN THE ORDINANCE OF ESTIMATES, THE COMMISSION SHALL HAVE FUNDING FOR RESOURCES TO ENABLE THE EFFECTIVE EXECUTION OF ITS DUTIES, INCLUDING:

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1 (1) THE USE OF TECHNOLOGICAL TOOLS AND SERVICES; AND

2 (2) OTHER NECESSARY EXPENDITURES RELATED TO THE REDISTRICTING PROCESS.

3 (B) *COMPENSATION.*

4 WITH THE EXCEPTION OF THE MAPPING CONSULTANT, A MEMBER OF THE COMMISSION
5 MAY NOT RECEIVE A SALARY OR OTHER COMPENSATION FOR CARRYING OUT THE
6 MEMBER'S DUTIES.

7 **PART IV. REDISTRICTING PLAN**

8 **§ 59-11. PUBLIC NOTICE AND COMMENT.**

9 (A) *PURPOSE.*

10 AT THE PUBLIC HEARINGS HELD PURSUANT TO THIS SUBSECTION, THE COMMISSION SHALL:

11 (1) DEFINE COMMUNITY PRIORITIES;

12 (2) IDENTIFY KEY GEOGRAPHIC AREAS THAT SHOULD REMAIN WITHIN A SINGLE CITY
13 COUNCIL DISTRICT; AND

14 (3) SOLICIT COMMUNITY INPUT.

15 (B) *BEFORE PUBLICATION OF DRAFT.*

16 BEFORE PUBLISHING THE DRAFT REDISTRICTING PLAN, THE COMMISSION SHALL HOLD AT
17 LEAST 2 PUBLIC HEARINGS.

18 (C) *AFTER PUBLICATION OF DRAFT.*

19 (1) *IN GENERAL.*

20 AFTER PUBLISHING THE DRAFT REDISTRICTING PLAN THE COMMISSION SHALL HOLD AT
21 LEAST 1 PUBLIC HEARING IN EACH DISTRICT OF THE CITY COUNCIL.

22 (2) *REQUIREMENTS.*

23 (I) THE COMMISSION SHALL PUBLICIZE THE DATE AND LOCATION OF EACH
24 HEARING AT LEAST 2 WEEKS IN ADVANCE.

25 (II) 1/3 OF THE MEMBERS OF THE COMMISSION MUST BE PRESENT AT EACH
26 HEARING.

27 (III) EACH COMMISSIONER SHALL ATTEND NO FEWER THAN 4 PUBLIC HEARINGS.

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1 (D) *BEFORE AUGUST 31 OF THE YEAR OF IMPLEMENTATION.*

2 BEFORE AUGUST 31 OF THE YEAR OF IMPLEMENTATION THE COMMISSION SHALL HOLD AT
3 LEAST 1 PUBLIC HEARING IN EACH DISTRICT OF THE CITY COUNCIL.

4 **Article 8. Ethics**

5 **Subtitle 7. Financial Disclosure**

6 **§ 7-8. Persons required to file – Agency officials and staff.**

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

9 . . .

10 (37A) *REDISTRICTING COMMISSION.*

11 (I) MEMBERS OF THE COMMISSION.

12 (II) ALL NON-CLERICAL EMPLOYEES HIRED BY THE COMMISSION OR ASSIGNED TO THE
13 COMMISSION.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance shall take effect contingent
15 on the ratification of an amendment to the City Charter that establishes a Redistricting
16 Commission by the voters of the City at the 2024 general election.

17 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if an amendment to the City Charter that
18 establishes a Redistricting Commission is ratified at the 2024 general election, this Ordinance
19 shall take effect January 1, 2025.