

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 23-0353**

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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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Committee Report: Favorable with Amendments  
Council action: Adopted  
Read second time: May 1, 2023

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**AN ORDINANCE CONCERNING**

1                                   **Community Reinvestment and Reparations Commission**

2   FOR the purpose of creating the Community Reinvestment and Reparations Commission to  
3     ~~distribute~~ determine the use of certain funds in accordance with State law; establishing the  
4     purpose and duties of the Commission; providing for the composition of the Commission;  
5     requiring certain reports; defining certain terms; requiring certain individuals file certain  
6     financial disclosures; and generally relating to the Community Reinvestment and Reparations  
7     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.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.

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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) *DIRECT.*

26 “DIRECT” MEANS TO CARRY OUT THE ORGANIZING, ENERGIZING, AND SUPERVISING OF  
27 FUNDS DISBURSED TO THE CITY PURSUANT TO § 13-4601 {“COMMUNITY  
28 REINVESTMENT AND REPAIR FUND”} OF THE STATE HEALTH-GENERAL ARTICLE .

29 (H) ~~(G)~~ *FUND.*

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

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1        (I) ~~(H)~~ *LOW-INCOME COMMUNITY.*

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

4        (J) ~~(I)~~ *STRUCTURAL RACISM.*

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

8        (K) ~~(J)~~ *WHITE SUPREMACY.*

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

11        **§ 59-2. COMMISSION CREATED; PURPOSE; DUTIES.**

12        (A) *ESTABLISHED.*

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

15        (B) *PURPOSE.*

16            THE PURPOSE OF THE COMMISSION IS TO ~~DISTRIBUTE~~ DETERMINE THE USE OF THE FUNDS  
17            DISBURSED TO BALTIMORE CITY FROM THE STATE COMMUNITY REINVESTMENT AND  
18            REPAIR FUND, DIRECT THE EXPENDITURES APPROPRIATED FOR THOSE USES, AND SUBMIT  
19            ANY REPORTS REQUIRED IN ACCORDANCE WITH TITLE 13, SUBTITLE 46 {“COMMUNITY  
20            REINVESTMENT AND REPAIR FUND”} OF THE STATE HEALTH - GENERAL ARTICLE.

21        (C) *DUTIES.*

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

25            (1) ESTABLISH THE PURPOSES FOR WHICH MONEY FROM THE FUND MAY BE USED IN  
26            ACCORDANCE WITH TITLE 13, SUBTITLE 46 {“COMMUNITY REINVESTMENT AND  
27            REPAIR FUND”} OF THE STATE HEALTH - GENERAL ARTICLE;

28            (2) ~~ALLOCATE~~ DIRECT THE EXPENDITURES APPROPRIATED FOR SUPPLEMENTAL  
29            FUNDING TO COMMUNITY-BASED ORGANIZATIONS FOR SERVICES AND PROGRAMS  
30            INTENDED TO BENEFIT LOW-INCOME COMMUNITIES IN ACCORDANCE WITH STATE  
31            LAW;

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1           ~~(3) ALLOCATE SUPPLEMENTAL FUNDING TO COMMUNITY-BASED ORGANIZATIONS FOR~~  
2           ~~SERVICES AND PROGRAMS INTENDED TO ADDRESS THE EFFECTS OF THE~~  
3           ~~DISPROPORTIONATE ENFORCEMENT OF THE CANNABIS PROHIBITION BEFORE JULY~~  
4           ~~1, 2022 IN DIRECTING EXPENDITURES AS EMPOWERED UNDER PARAGRAPH 2 OF~~  
5           ~~THIS SUBSECTION, PRIORITIZE COMMUNITY-BASED ORGANIZATIONS THAT HAVE~~  
6           ~~BEEN HISTORICALLY UNDERFUNDED; AND~~

7           ~~(4) PREPARE AND PUBLISH THE BIENNIAL REPORT REQUIRED BY STATE LAW.~~

8           ~~(4) MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL REGARDING~~  
9           ~~REPAIRING THE DAMAGE DONE TO COMMUNITIES DETERMINED BY THE OFFICE OF~~  
10           ~~THE ATTORNEY GENERAL TO HAVE BEEN THE MOST IMPACTED BY~~  
11           ~~DISPROPORTIONATE ENFORCEMENT OF THE CANNABIS PROHIBITION IN BALTIMORE~~  
12           ~~CITY BEFORE JULY 1, 2022; AND~~

13           ~~(5) MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL REGARDING~~  
14           ~~REPAIRING THE DAMAGE DONE BY STRUCTURALLY RACIST AND WHITE~~  
15           ~~SUPREMACIST POLICIES TO RACIAL AND ETHNIC MINORITY COMMUNITIES IN~~  
16           ~~BALTIMORE CITY.~~

17  
18           ~~(D) USE OF FUNDS.~~

19           ~~THE COMMISSION SHALL DISTRIBUTE FUNDS IN ACCORDANCE WITH THE PROVISIONS OF~~  
20           ~~§ 13-4601(A)(6) OF THE STATE HEALTH GENERAL ARTICLE.~~

21           **§ 59-3. MEMBERS.**

22           (A) *IN GENERAL.*

23           (1) THE COMMISSION ~~COMPRISES~~ IS COMPRISED OF 17 MEMBERS.

24           (2) OF THESE:

25                   (i) 16 MEMBERS ARE APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE  
26                   IV, § 6 OF THE BALTIMORE CITY CHARTER; AND

27                   (ii) 1 MEMBER SHALL BE THE BALTIMORE CITY COMPTROLLER OR THE  
28                   COMPTROLLER'S DESIGNEE, SERVING AS AN EX OFFICIO MEMBER.

29           (B) *APPOINTED MEMBERS: QUALIFICATIONS.*

30           OF THE 16 MEMBERS APPOINTED BY THE MAYOR:

31           (1) 1 MEMBER MUST BE APPOINTED FROM EACH OF THE 14 COUNCIL DISTRICTS;

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

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

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1 (C) CITY COUNCIL CANDIDATES.

2 (1) EACH MEMBER OF THE CITY COUNCIL AND THE CITY COUNCIL PRESIDENT SHALL  
3 PROPOSE 1 CANDIDATE TO THE MAYOR FOR THE MAYOR'S CONSIDERATION FOR  
4 APPOINTMENT TO THE COMMISSION.

5 (2) THE MAYOR SHALL CONSIDER THE CANDIDATES PROPOSED BY THE CITY COUNCIL FOR  
6 APPOINTMENT TO THE BOARD AND MAY NOMINATE THE CANDIDATES AT THE  
7 MAYOR'S DISCRETION IN ACCORDANCE WITH CITY CHARTER ARTICLE IV, § 6.

8 (3) IF THE MAYOR REJECTS A CANDIDATE PROPOSED BY THE CITY COUNCIL, THE MAYOR  
9 MUST PROVIDE A WRITTEN RESPONSE TO THE CITY COUNCIL JUSTIFYING WHY THE  
10 MAYOR REJECTED THE CANDIDATE.

11 ~~(C) APPOINTED MEMBERS; OTHER REQUIREMENTS.~~

12 (D) ~~(H)~~ GENERAL KNOWLEDGE.

13 AN INDIVIDUAL WHO IS ~~INTERESTED IN BECOMING AN APPOINTED MEMBER OF THE~~  
14 ~~COMMISSION MUST SUBMIT AN APPLICATION DESCRIBING THE INDIVIDUAL'S~~  
15 APPOINTED TO THE COMMISSION MUST HAVE A DEMONSTRATED KNOWLEDGE OF 1 OR  
16 MORE OF THE FOLLOWING:

17 (1) ~~(H)~~ THE HISTORY OF THE RESISTANCE OF PEOPLE OF AFRICAN DESCENT TO  
18 WHITE SUPREMACY, ENSLAVEMENT, JIM CROW LAWS, AND OTHER EXAMPLES  
19 OF RACIAL VIOLENCE AND DISCRIMINATION;

20 (2) ~~(H)~~ THE HISTORY OF THE RESISTANCE OF RACIAL, ETHNIC, AND OTHER  
21 MINORITY GROUPS AGAINST DISCRIMINATION, VIOLENCE, AND INEQUALITY;

22 (3) ~~(H)~~ THE NEEDS OF INDIVIDUALS RETURNING TO THE COMMUNITY AFTER  
23 INCARCERATION;

24 (4) ~~(H)~~ THE IMPACT OF THE DISPROPORTIONATE ENFORCEMENT OF DRUG LAWS ON  
25 THE QUALITY OF LIFE EXPERIENCE BY RACIAL AND ETHNIC MINORITIES,  
26 ESPECIALLY PEOPLE OF AFRICAN DESCENT, INCLUDING SPECIALIZATION IN:

27 (I) ~~(A)~~ THE DISRUPTION OF FAMILIES;

28 (II) ~~(B)~~ EXPOSURE TO THE PRISON SYSTEM;

29 (III) ~~(C)~~ TRAUMA EXPERIENCED AS A RESULT OF COMMUNITY AND POLICE  
30 VIOLENCE; OR

31 (IV) ~~(D)~~ ANOTHER SIMILAR FACTOR CONTRIBUTING TO QUALITY OF LIFE;  
32 AND

33 (5) ~~(V)~~ METHODS FOR DELIVERING COMMUNITY INVESTMENT THAT EMPOWER  
34 MARGINALIZED PEOPLE TO HAVE A VOICE IN THE DISTRIBUTION OF  
35 RESOURCES.

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1           ~~(2) APPLICATION.~~

2           ~~THE APPLICATION OF A PROSPECTIVE MEMBER MUST BE IN THE FORM REQUIRED BY~~  
3           ~~THE MAYOR.~~

4   **§ 59-4. TERMS; CHAIR; REMOVAL.**

5           (A) *TERMS OF APPOINTED MEMBERS.*

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

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

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

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

14          (B) *COMMISSION CHAIR.*

15          ONE MEMBER OF THE COMMISSION SHALL BE ELECTED AS CHAIR BY MAJORITY VOTE OF  
16          THE MEMBERS OF THE COMMISSION.

17          (C) *REMOVAL.*

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

20   **§ 59-5. COMPENSATION; EXPENSES; STAFF.**

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

24          (A) *COMPENSATION.*

26          EACH MEMBER OF THE COMMISSION SHALL BE COMPENSATED AS PROVIDED FOR IN THE  
27          ORDINANCE OF ESTIMATES.

28          (B) *EXPENSES.*

29          EACH MEMBER MAY BE REIMBURSED FOR NECESSARY AND PROPER EXPENSES INCURRED IN  
30          THE PERFORMANCE OF THE MEMBER'S DUTIES.

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1        (C) STAFF.

2                THE COMMISSION SHALL HAVE SUCH STAFF AS PROVIDED FOR IN THE ORDINANCE OF  
3                ESTIMATES TO ASSIST THE COMMISSION IN FULFILLING ITS DUTIES AS PROVIDED FOR  
4                UNDER § 59-2 {"COMMISSION CREATED; PURPOSE; DUTIES"} OF THIS SUBTITLE.

5        **§ 59-6. MEETINGS.**

6                (A) *IN GENERAL.*

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

9                (B) *QUORUM.*

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

11                (C) *VOTING.*

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

14        **§ 59-7. BIENNIAL REPORT.**

15                (A) *IN GENERAL.*

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

19                (B) *RECIPIENTS.*

20                THE COMMISSION SHALL SUBMIT THE REPORT TO THE FOLLOWING RECIPIENTS:

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

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1 (C) CONTENTS.

2 THE REPORT REQUIRED BY THIS SECTION SHALL INCLUDE:

3 (1) RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL REGARDING REPAIRING  
4 THE DAMAGE DONE TO COMMUNITIES DETERMINED BY THE OFFICE OF THE  
5 ATTORNEY GENERAL TO HAVE BEEN THE MOST IMPACTED BY DISPROPORTIONATE  
6 ENFORCEMENT OF THE CANNABIS PROHIBITION IN BALTIMORE CITY BEFORE JULY  
7 1, 2022; AND

8 (2) RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL REGARDING REPAIRING  
9 THE DAMAGE DONE TO RACIAL AND ETHNIC MINORITY COMMUNITIES IN  
10 BALTIMORE CITY BY STRUCTURALLY RACIST AND WHITE SUPREMACIST POLICIES.

11 **§ 59-8. RULES AND REGULATIONS.**

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

15 **Article 8. Ethics**

16 **Subtitle 7. Financial Disclosure**

17 ***Part II. Who Must File***

18 **§ 7-8. Persons required to file – Agency officials and staff.**

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

21 . . .

22 (6A) *COMMUNITY REINVESTMENT AND REPARATIONS COMMISSION.*

23 (I) MEMBERS OF COMMISSION.

24 (II) ALL NON-CLERICAL EMPLOYEES.

25 **SECTION 2. AND BE IT FURTHER ORDAINED**, That, prior to the ~~first allocation of funds by the~~  
26 ~~Commission;~~ Commission’s first recommendations for the allocation of funds, the City Council  
27 shall convene 1 or more hearings to allow residents of Baltimore to testify as to the effect of the  
28 prohibition of cannabis on themselves, their families, and their communities.

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

31 (1) the convening of the Commission;

32 (2) the activities of the Commission;



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- 1           (3) the funding priorities identified by the Commission;
- 2           (4) the policy recommendations developed by the Commission; and
- 3           (5) the proposed amount of compensation for members of the Commission, as
- 4                 determined by the Department of Human Resources.

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

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Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City