

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 21-0019

Introduced by: Councilmembers Burnett, Cohen, Dorsey, Stokes, Glover, Ramos
Introduced and read first time: January 11, 2021
Assigned to: Rules and Legislative Oversight Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: June 8, 2021

AN ORDINANCE CONCERNING

Baltimore City Office of LGBTQ Affairs

FOR the purpose of establishing a Baltimore City Office of LGBTQ Affairs; defining certain terms; providing for the appointment of the Director of the Office; establishing the duties of the Office; providing for the staff and budget of the Office; establishing a LGBTQ Commission to advise and collaborate with the Office; ~~proving~~ providing for the appointment, structure, and governance of the Commission; requiring the Director, Commission members, and staff of the Office to file financial disclosures under the Ethics Code; and requiring that the Office submit an annual report to the Mayor and City Council.

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Sections 57-1 through 57-10, to be under the new subtitle,
“Subtitle 57. Office of LGBTQ Affairs”
Baltimore City Code
(Edition 2000)

BY adding

Article 8 - Ethics
Section(s) 7-8(27)
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 57. OFFICE OF LGBTQ AFFAIRS

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.

Council Bill 21-0019

1 **§ 57-1. DEFINITIONS.**

2 (A) *IN GENERAL.*

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

4 (B) *COMMISSION.*

5 “COMMISSION” MEANS THE BALTIMORE CITY LGBTQ COMMISSION.

6 (C) *DIRECTOR.*

7 “DIRECTOR” MEANS THE DIRECTOR OF THE OFFICE OF LGBTQ AFFAIRS.

8 (D) *LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER; LGBTQ.*

9 “LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER” OR “LGBTQ” MEANS
10 INDIVIDUALS WHO IDENTIFY THEMSELVES AS LESBIAN, GAY, BISEXUAL, TRANSGENDER, OR
11 QUEER, OR INDIVIDUALS WHO ARE EXPLORING THEIR SEXUALITY OR SEXUAL IDENTITY OR
12 WHO ARE CONCERNED ABOUT APPLYING A SOCIAL LABEL TO THEMSELVES RELATED TO
13 THEIR SEXUALITY OR SEXUAL IDENTITY.

14 (E) *OFFICE.*

15 “OFFICE” MEANS THE BALTIMORE CITY OFFICE OF LGBTQ AFFAIRS.

16 **§ 57-2. {RESERVED}**

17 **§ 57-3. OFFICE ESTABLISHED.**

18 THERE IS A BALTIMORE CITY OFFICE OF LGBTQ AFFAIRS.

19 **§ 57-4. DIRECTOR.**

20 (A) *IN GENERAL.*

21 THE DIRECTOR IS RESPONSIBLE FOR THE ADMINISTRATION AND OVERSIGHT OF THE
22 OFFICE.

23 (B) *APPOINTMENT.*

24 THE DIRECTOR IS APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE IV, § 6 OF
25 THE CITY CHARTER.

26 **§ 57-5. {RESERVED}**

Council Bill 21-0019

1 **§ 57-6. LGBTQ COMMISSION.**

2 (A) *ESTABLISHED.*

3 THERE IS A BALTIMORE CITY LGBTQ COMMISSION WITHIN THE OFFICE.

4 (B) *DUTIES OF COMMISSION.*

5 THE COMMISSION SHALL:

6 (1) ADVISE THE OFFICE AND THE MAYOR AND CITY COUNCIL ON ISSUES RELATING TO
7 THE LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER COMMUNITY; AND

8 (2) COLLABORATE AND CONSULT WITH THE OFFICE ON MATTERS RELATING TO THE
9 DISCHARGE OF THE OFFICE'S DUTIES.

10 (C) *COMPOSITION.*

11 (1) *IN GENERAL.*

12 THE COMMISSION COMPRISES AT LEAST 14 MEMBERS BUT NO MORE THAN 25 MEMBERS
13 APPOINTED BY THE MAYOR IN ACCORDANCE WITH ARTICLE IV, § 6 OF THE CITY
14 CHARTER WITH:

15 (I) 2 MEMBERS NOMINATED BY THE CITY COUNCIL PRESIDENT; AND

16 (II) 2 MEMBERS NOMINATED BY THE COMPTROLLER.

17 (2) *DIVERSITY.*

18 (I) THE MAYOR SHALL APPOINT COMMISSION MEMBERS TO REPRESENT THE DIVERSITY
19 OF PEOPLE AND IDEAS WITHIN THE BALTIMORE LESBIAN, GAY, BISEXUAL,
20 TRANSGENDER, AND QUEER COMMUNITY.

21 (II) THE COMMISSION SHALL INCLUDE, AT A MINIMUM, REPRESENTATION FROM
22 LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER COMMUNITY
23 ORGANIZATIONS REPRESENTING HEALTH, SOCIAL SERVICE, RELIGIOUS, AND HUMAN
24 RIGHTS ISSUES AND ITS MEMBERS SHALL BE REPRESENTATIVE OF THE DIVERSITY IN
25 THE COMMUNITY WITH REGARD TO SOCIOECONOMIC STATUS, RELIGION, RACE,
26 ETHNICITY, GENDER IDENTIFICATION, AGE, AND FAMILIES.

27 (C) *TERMS.*

28 (1) COMMISSION MEMBERS SERVE A TERM OF 4 YEARS, CONCURRENT WITH THE TERMS OF
29 THE MAYOR AND THE CITY COUNCIL.

30 (2) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS
31 APPOINTED AND QUALIFIES.

Council Bill 21-0019

1 (3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM OR TO SUCCEED A
2 MEMBER WHO IS HOLDING OVER SERVES ONLY FOR THE REMAINDER OF THAT TERM.

3 (D) *COMPENSATION; EXPENSES.*

4 THE MEMBERS OF THE COMMISSION:

5 (1) SERVE WITHOUT COMPENSATION; BUT

6 (2) ARE ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN THE
7 PERFORMANCE OF THEIR DUTIES, AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

8 (E) *CHAIR.*

9 (1) THE COMMISSION SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS.

10 (2) THE TERM OF THE CHAIR IS 1 YEAR.

11 (3) THE CHAIR MAY BE REELECTED.

12 (F) *MEETINGS; QUORUM.*

13 (1) THE COMMISSION SHALL MEET AT LEAST MONTHLY.

14 (2) A MAJORITY OF THE MEMBERS OF THE COMMISSION CONSTITUTES A QUORUM FOR THE
15 TRANSACTION OF BUSINESS.

16 **§ 57-7. {RESERVED}**

17 **§ 57-8. STAFF AND BUDGET.**

18 (A) *STAFF.*

19 THE OFFICE MAY EMPLOY STAFF IN ACCORDANCE WITH THE ORDINANCE OF ESTIMATES.

20 (B) *BUDGET.*

21 THE OFFICE MAY EXPEND FUNDS AUTHORIZED IN THE ORDINANCE OF ESTIMATES OR ANY
22 SUPPLEMENTAL APPROPRIATIONS.

23 **§ 57-9. DUTIES OF THE OFFICE.**

24 IN COLLABORATION AND CONSULTATION WITH THE COMMISSION, THE OFFICE SHALL:

25 (1) DEVELOP PROPOSED CITY POLICY REGARDING CIVIL RIGHTS ISSUES AFFECTING
26 LGBTQ PEOPLE;

27 (2) COORDINATE AND PARTICIPATE IN THE IMPLEMENTATION OF POLICIES AND PROGRAMS
28 CONSISTENT WITH THE CITY'S DIVERSITY AND EQUITY GOALS;

Council Bill 21-0019

- 1 (3) COORDINATE AMONG CITY DEPARTMENTS, AGENCIES, OFFICES, BOARDS, AND
2 COMMISSIONS TO IMPROVE LGBTQ ACCESS TO CITY SERVICES AND TO PROMOTE
3 EQUALITY AND SAFETY FOR LGBTQ PEOPLE;
- 4 (4) SUPPORT THE GROWTH AND DEVELOPMENT OF THE CITY’S LGBTQ COMMUNITIES;
- 5 (5) REVIEW PROPOSED LEGISLATION REFERRED TO THE OFFICE BY THE CITY COUNCIL,
6 ASSESSING ITS PROBABLE EFFECT ON CITY LGBTQ COMMUNITIES;
- 7 (6) SERVE AS LIAISON BETWEEN THE CITY’S LGBTQ COMMUNITIES AND THE CITY; AND
- 8 (7) PERFORM ANY OTHER DUTY REQUIRED BY THE MAYOR.

9 **§ 57-10. ANNUAL REPORT.**

10 ON OR BEFORE JUNE 30 OF EACH YEAR, THE OFFICE SHALL SUBMIT A REPORT TO THE MAYOR
11 AND CITY COUNCIL DETAILING:

- 12 (1) THE ACTIVITIES OF THE OFFICE AND THE COMMISSION; AND
- 13 (2) ANY SPECIFIC POLICY OR LEGISLATIVE PROPOSALS TO ADVANCE THE NEEDS OF
14 LGBTQ COMMUNITIES IN BALTIMORE OR THE GOALS OF THE OFFICE.

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 ***(27) LGBTQ AFFAIRS, OFFICE OF***

- 23 (I) DIRECTOR.
- 24 (II) MEMBERS OF THE LGBTQ COMMISSION.
- 25 (III) ALL NON-CLERICAL EMPLOYEES.

26 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
27 are not law and may not be considered to have been enacted as a part of this or any prior
28 Ordinance.

29 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
30 after the date it is enacted.

Council Bill 21-0019

Certified as duly passed this 14 day of June, 2021



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 14 day of June, 2021



Chief Clerk

Approved this 30th day of Jun, 2021



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 17th Day of June, 2021.

Elena R DiPietro

Chief Solicitor