



Legislation Text

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**Explanation:** Capitals indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

\* **Warning:** This is an unofficial, introductory copy of the bill.  
The official copy considered by the City Council is the first reader copy.

**Introductory\***

**City of Baltimore  
Council Bill**

Introduced by: Councilmember Cohen

A Bill Entitled

An Ordinance concerning  
**Redistricting Commission - Establishment**

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

By adding

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

By adding

Article 8 - Ethics  
Section 7-8 (37a)  
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 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.

### § 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;
    - (B) public policy;
    - (C) public administration; or
    - (D) political science;
  - (iii) both shall be employed by an institution located in Baltimore City;
  - (iv) both shall have voting membership on the Commission; and
  - (v) both shall be appointed by the other members of the Commission.

(c) *Application process.*

(1) *Application.*

- (i) An application to be a member of the Commission, in the form required by the Comptroller, must be submitted to the Comptroller by July 1 of the year of establishment.
- (ii) The Comptroller shall screen an applicant for the criteria described in § 59-5 {"Applicant qualifications"} and § 59-6 {"Applicant disqualifications"} of this subtitle.

(2) *Public notice and comment.*

- (i) By September 1 of the year of establishment, the Comptroller shall post on the Comptroller's website the names of the applicants selected pursuant to paragraph (1)(ii) of this subsection for a 30-day public review and comment period.
- (ii) Applicants may only be evaluated based on those criteria in § 59-5 {"Applicant qualifications"} and § 59-6 {"Applicant disqualifications"} of this subtitle.

(3) *Selection.*

Following the 30-day public review and comment period, the Office of the Comptroller shall randomly select:

- (i) 1 commissioner from each existing District of the City Council; and
- (ii) 1 commissioner to represent the City as a whole.

(4) *Contingency.*

If there are no qualified applicants from a district, the Comptroller shall randomly select another qualified applicant to represent the City as a whole.

(d) *Vacancies.*

If a vacancy on the Commission occurs, the Comptroller shall fill the vacancy by selecting a qualified applicant at random from the pool of applicants from the same district as the vacancy.

**§ 59-4. Mapping consultant.**

(a) *In general.*

The Commission shall select a mapping consultant to aid the Commission in developing a redistricting plan.

(b) *Nonvoting member.*

The mapping consultant shall serve as a nonvoting member of the Commission.

(c) *Solicitation of proposals.*

Before selecting a mapping consultant to be a member of the Commission, the Commission must solicit proposals from qualified mapping consultants.

(d) *Evaluation of candidates.*

The Commission shall evaluate a proposal submitted under subsection (c) of based on factors including:

- (1) technical proficiency;
- (2) relevant experience; and
- (3) proposed methodology.

(e) *Deadline.*

The mapping consultant shall be selected by February 1 of the year of implementation.

(f) *Fee.*

The Office of the Mayor shall pay any and all fees associated with finding and retaining the mapping consultant.

**§ 59-5. Applicant qualifications.**

A qualified applicant shall:

- (1) maintain primary residency in the City; and
- (2) have been registered to vote in the City for at least 8 consecutive years.

**§ 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;
- (7) is or becomes a paid consultant employed by the State or City in any capacity;
- (8) is, becomes, or, during the 2 years preceding applying to be a commissioner, is employed as a lobbyist under:
  - (i) the State General Provisions Article, Title 5 {“Maryland Public Ethics Law”};
  - (ii) Article 8, Subtitle 8 {“Lobbying”} of the City Code; or
  - (iii) the ethics code of any political subdivision of the State;
- (9) is or becomes associated with a business entity as described in Article 8, § 6-6 {“Prohibited participation”} of the City Code;
- (10) serves or, during the 2 years preceding applying to be a commissioner, served as any of the following for a political party:
  - (i) an employee;
  - (ii) a paid consultant; or
  - (iii) an appointed member of the political party’s central committee; or
- (11) was or is convicted of any offense included in Title 9 {“Crimes Against Public Administration”} of the State Criminal Law article or Title 16 {“Offenses and Penalties”} of the State Election Law article.

**§ 59-7. Financial disclosures for Commissioners.**

- (a) *In general.*

A commissioner shall file a financial disclosure in accordance with Article 8, subtitle 7 {"Financial Disclosure"} of the City Code.

(b) *When required.*

A commissioner shall file financial disclosures for each of the following years:

- (1) the year of establishment;
- (2) the year of implementation; and
- (3) the year following the year of implementation.

### **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:

- (1) the use of technological tools and services; and
- (2) other necessary expenditures related to the redistricting process.

(b) *Compensation.*

With the exception of the mapping consultant, a member of the Commission may not receive a salary or other compensation for carrying out the member's duties.

**Part IV. Redistricting plan**

**§ 59-11. Public notice and comment.**

(a) *Purpose.*

At the public hearings held pursuant to this subsection, the Commission shall:

- (1) define community priorities;
- (2) identify key geographic areas that should remain within a single City Council district; and
- (3) solicit community input.

(b) *Before publication of draft.*

Before publishing the draft redistricting plan, the Commission shall hold at least 2 public hearings.

(c) *After publication of draft.*

(1) *In general.*

After publishing the draft redistricting plan the Commission shall hold at least 1 public hearing in each district of the City Council.

(2) *Requirements.*

- (i) The Commission shall publicize the date and location of each hearing at least 2 weeks in advance.
- (ii) 1/3 of the members of the Commission must be present at each hearing.
- (iii) Each Commissioner shall attend no fewer than 4 public hearings.

(d) *Before August 31 of the year of implementation.*

Before August 31 of the year of implementation the Commission shall hold at least 1 public hearing in each district of the City Council.

## **Article 8. Ethics**

### **Subtitle 7. Financial Disclosure**

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

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

...

(37a) *Redistricting Commission.*

(i) Members of the Commission.

(ii) All non-clerical employees hired by the Commission or assigned to the Commission.

**Section 2. And be it further ordained,** That this Ordinance shall take effect contingent on the ratification of an amendment to the City Charter that establishes a Redistricting Commission by the voters of the City at the 2024 general election.

**Section 3. And be it further ordained,** That if an amendment to the City Charter that establishes a Redistricting Commission is ratified at the 2024 general election, this Ordinance shall take effect January 1, 2025.