



Legislation Text

File #: 24-0492, Version: 0

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.