



Legislation Text

File #: 19-0381, **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 (Charter Amendment)

Introduced by: Councilmembers Burnett, Henry, and Pinkett

A Resolution Entitled

A Resolution of the Mayor and City Council concerning **Charter Amendment - Removal of Elected Officials**

For the purpose of providing for the removal from office by the City Council of certain City elected officials under certain circumstances; expanding the potential individuals or entities entitled to prefer charges for consideration of removal from office; conforming and clarifying related provisions; and submitting this amendment to the qualified voters of the City for adoption or rejection.

By proposing to add

Article III - City Council
Section 2(d)
Baltimore City Charter
(1996 Edition)

By proposing to amend

Article III - City Council
Sections 3(b) and 10(d)
Baltimore City Charter
(1996 Edition)

By proposing to amend

Article IV - Mayor
Section 2
Baltimore City Charter
(1996 Edition)

By proposing to amend

Article V - Comptroller
Section 2
Baltimore City Charter
(1996 Edition)

Section 1. Be it resolved by the Mayor and City Council of Baltimore, That the City Charter is proposed to be amended to read as follows:

Baltimore City Charter

Article III. City Council

§ 2. Members.

(d) *Removal.*

The City Council by a three-fourths vote of its members may remove an individual member from office for incompetency, misconduct in office, wilful neglect of duty, or felony or misdemeanor in office, on charges preferred by the Mayor, the City Council's Committee on Legislative Investigations, or by the Inspector General, and after notice of those charges and an opportunity to be heard by the City Council are given to the individual member.

§ 3. President.

(b) *Removal.*

The City Council, by a [two-thirds] three-fourths vote of its members, may remove the President of the City Council from office for incompetency, misconduct in office, wilful neglect of duty, or felony or misdemeanor in office [upon] on charges preferred by the Mayor, by the City Council's Committee on Legislative Investigations, or by the Inspector General, after notice of [such] those charges and an opportunity to be heard by the City Council are given to the President.

§ 10. Procedures; Council officers.

(d) *Judge of member qualifications[: Discipline].*

The City Council shall be judge of the election and qualifications of its members, subject to appeal by petition of the party aggrieved as provided by law. [With the concurrence of three-fourths of its members, the City Council may expel any member for disorderly behavior or misconduct in office, but not a second time for the same offense.]

Article IV. Mayor

§ 2. Removal, Vacancy, or Absence.

(a) *Removal.*

The City Council by a three-fourths vote of its members may remove the Mayor from office for incompetency, misconduct in office, wilful neglect of duty, or felony or misdemeanor in office, on charges preferred by the City Council's Committee on Legislative Investigations or by the Inspector General, and after notice of those charges and an opportunity to be heard by the City Council are given to the Mayor.

(b) [(a)] *Vacancy.*

In case of vacancy in the office of the Mayor by death, resignation, removal, or permanent disqualification, the President of the City Council shall be Mayor for the remainder of the term for which the Mayor was elected.

(c) [(b)] *Absence.*

In case of, and during, sickness, temporary disqualification or necessary absence of the Mayor, the President of the City Council shall be ex officio Mayor of the City.

Article V. Comptroller

§ 2. Removal; Vacancy.

(a) *Removal.*

The City Council by a [majority] three-fourths vote of its members may remove the Comptroller from office for incompetency, misconduct in office, wilful neglect of duty, or felony or misdemeanor in office, [upon] on charges preferred by the Mayor, by the City Council's Committee on Legislative Investigations, or by the Inspector General, and after notice of [such] those charges and an opportunity to be heard by the City Council are given to the Comptroller.

(b) *Vacancy.*

In the event of the death, resignation, or removal from office of the Comptroller, a successor, to fill out the unexpired term, shall be elected by the City Council by a majority vote of its members.

Section 2. And be it further resolved, That the City Council shall amend the Rules of the City Council of Baltimore to provide for the conduct and procedures of the notice and hearings required for removal of an elected official under this proposed amendment.

Section 3. And be it further resolved, That this proposed amendment to the City Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection, in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the City Solicitor.