

HOUSE BILL 498

P5
HB 870/02 – HRU

CONSTITUTIONAL AMENDMENT

11r0703

By: **Delegates Elliott, Bates, Cluster, Eckardt, George, Hogan, Hough, Kach, Kipke, Krebs, McComas, McConkey, McDermott, W. Miller, Norman, O'Donnell, Ready, Serafini, and Stocksdale**

Introduced and read first time: February 7, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Legislative Districting – Single–Member Delegate Districts**

3 FOR the purpose of amending the Maryland Constitution to require that each
4 Delegate elected to the House of Delegates represent a single–member district;
5 requiring that each legislative district contain three single–member delegate
6 districts; requiring that each legislative and delegate district be of substantially
7 equal population, subject to a certain limitation; adding a new section of limited
8 duration to the Maryland Constitution to specify that certain constitutional
9 requirements apply to plans setting forth the boundaries of legislative districts
10 beginning with the plan that is prepared after a certain decennial census;
11 providing for the expiration of a certain constitutional requirement; and
12 submitting this amendment to the qualified voters of the State for their
13 adoption or rejection.

14 BY proposing an amendment to the Maryland Constitution
15 Article III – Legislative Department
16 Section 3 and 4

17 BY proposing an addition to the Maryland Constitution
18 Article XVIII – Provisions of Limited Duration
19 Section 6

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, (Three–fifths of all the members elected to each of the two Houses
22 concurring), That it be proposed that the Maryland Constitution read as follows:

23 **Article III – Legislative Department**

24 3.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 The State shall be divided by law into legislative districts for the election of
2 members of the Senate and the House of Delegates. Each legislative district shall
3 contain one (1) Senator and **SHALL BE DIVIDED INTO** three (3) [Delegates]
4 **SINGLE-MEMBER DELEGATE DISTRICTS.** [Nothing herein shall prohibit the
5 subdivision of any one or more of the legislative districts for the purpose of electing
6 members of the House of Delegates into three (3) single-member delegate districts or
7 one (1) single-member delegate district and one (1) multi-member delegate district.]
8 **EACH DELEGATE SHALL BE ELECTED FROM A SINGLE-MEMBER DELEGATE**
9 **DISTRICT.**

10 4.

11 Each legislative district **AND EACH OF ITS DELEGATE DISTRICTS** shall consist
12 of adjoining territory, be compact in form, and of substantially equal population **SO**
13 **THAT THE POPULATION OF A DISTRICT IS NOT GREATER THAN OR LESS THAN**
14 **THE IDEAL DISTRICT SIZE BY AN AMOUNT THAT IS MORE THAN TWO PERCENT OF**
15 **THE IDEAL DISTRICT SIZE.** Due regard shall be given to natural boundaries and the
16 boundaries of political subdivisions.

17 **Article XVIII – Provisions of Limited Duration**

18 **6.**

19 **(A) THIS SECTION SHALL TAKE EFFECT IF THE PROPOSED**
20 **AMENDMENTS TO ARTICLE III, §§ 3 AND 4 OF THIS CONSTITUTION THAT**
21 **APPEAR ON THE NOVEMBER, 2012 GENERAL ELECTION BALLOT ARE ADOPTED.**

22 **(B) IF THE PROPOSED AMENDMENTS TO ARTICLE III, §§ 3 AND 4 OF**
23 **THIS CONSTITUTION ARE ADOPTED AT THE 2012 GENERAL ELECTION, THE**
24 **AMENDMENTS SHALL APPLY TO THE BOUNDARIES OF THE LEGISLATIVE**
25 **DISTRICTS ESTABLISHED BEGINNING WITH THE PLAN THAT IS PREPARED AFTER**
26 **THE 2020 DECENNIAL CENSUS.**

27 **(C) THIS SECTION SHALL EXPIRE WHEN THE PLAN SETTING FORTH THE**
28 **BOUNDARIES OF THE LEGISLATIVE DISTRICTS THAT TAKES EFFECT AFTER THE**
29 **2020 DECENNIAL CENSUS BECOMES LAW.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
31 determines that the amendment to the Maryland Constitution proposed by this Act
32 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the
33 Maryland Constitution concerning local approval of constitutional amendments do not
34 apply.

35 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
36 proposed as an amendment to the Maryland Constitution shall be submitted to the

1 qualified voters of the State at the next general election to be held in November, 2012
2 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.
3 At that general election, the vote on this proposed amendment to the Constitution
4 shall be by ballot, and upon each ballot there shall be printed the words “For the
5 Constitutional Amendment” and “Against the Constitutional Amendment,” as now
6 provided by law. Immediately after the election, all returns shall be made to the
7 Governor of the vote for and against the proposed amendment, as directed by Article
8 XIV of the Maryland Constitution, and further proceedings had in accordance with
9 Article XIV.