

HOUSE BILL 1337

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EMERGENCY BILL

2lr2171

By: **Delegate Hornberger**

Introduced and read first time: February 11, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Elections – Delegate Contests – Repeal of Residency Prohibition and Ballot**
3 **Content Requirement**

4 FOR the purpose of repealing a certain provision of law that prohibits, in any legislative
5 district that contains more than two counties, a county or part of a county from
6 having more than one Delegate residing in the legislative district or a certain
7 subdistrict under certain circumstances; repealing a certain provision of law
8 providing for the content of a ballot for a certain election for members of the House
9 of Delegates who are required to live in a specific county; and generally relating to
10 the election of members to the House of Delegates.

11 BY repealing

12 Article – State Government
13 Section 2–201(d)
14 Annotated Code of Maryland
15 (2021 Replacement Volume)

16 BY repealing and reenacting, with amendments,

17 Article – State Government
18 Section 2–201(e) and (f)
19 Annotated Code of Maryland
20 (2021 Replacement Volume)
21 (As enacted by Joint Resolution 1 of the Acts of the General Assembly of 2022)

22 BY repealing and reenacting, with amendments,

23 Article – Election Law
24 Section 9–210(i)
25 Annotated Code of Maryland
26 (2017 Replacement Volume and 2021 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 That the Laws of Maryland read as follows:

2 **Article – State Government**

3 2–201.

4 [(d) In any legislative district which contains more than 2 counties:

5 (1) where Delegates are to be elected at large by the voters of the entire
6 district, a county, or part of a county, may not have more than 1 Delegate residing in that
7 district; and

8 (2) where Delegates are to be elected by the voters of a multimember
9 subdistrict which contains more than 2 counties or parts of more than 2 counties, a county
10 or a part of a county may not have more than 1 Delegate residing in that subdistrict.]

11 [(e) (D) (1) The descriptions of legislative districts in this subtitle, including
12 all references to:

13 (i) election districts and wards are to the geographical boundaries
14 of the election districts and wards as they existed as of April 1, 2020; and

15 (ii) precincts are to the geographical boundaries of the precincts as
16 reviewed and certified by the local board of supervisors of elections or their designees,
17 before they were reported to the U.S. Bureau of the Census as part of the 2020 Census
18 Redistricting Data Program and as those precinct lines are specifically indicated in the P.L.
19 94–171 data or shown on the P.L. 94–171 census block maps provided by the U.S. Bureau
20 of the Census and as reviewed and corrected by the Maryland Department of Planning.

21 (2) Where precincts are split between legislative districts, census tract and
22 block numbers, as indicated in the P.L. 94–171 data or shown on the P.L. 94–171 census
23 block maps provided by the U.S. Bureau of the Census and referred to in § 2–202 of this
24 subtitle, are used to define the boundaries of legislative districts.

25 [(f) (E) For purposes of elections, the provisions of this subtitle shall be
26 applicable to elections for members of the General Assembly beginning with the primary
27 and general elections of 2022 and, for purposes of representation, shall be applicable
28 beginning with the second Wednesday of January 2023.

29 **Article – Election Law**

30 9–210.

31 (i) [(1) If there is an election for members of the House of Delegates who are
32 required to live in a specific county and only a certain number of delegates may be elected
33 from that county, the ballot shall provide that a voter may not vote for more than that

1 number of candidates from that specific county.

2 (2)] In a legislative district where the delegates are to be elected by the
3 voters of a multimember subdistrict that contains more than two counties or parts of more
4 than two counties, a voter may cast a vote for the specified number of delegates to be elected
5 in the subdistrict without regard to the county of residence of the candidate.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
7 measure, is necessary for the immediate preservation of the public health or safety, has
8 been passed by a yea and nay vote supported by three-fifths of all the members elected to
9 each of the two Houses of the General Assembly, and shall take effect from the date it is
10 enacted.