

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2024, Legislative Day No. 11

Bill No. 47-24

Mr. Izzy Patoka, Chairman

By the County Council, June 3, 2024

A BILL
ENTITLED

AN ACT concerning

County Charter – County Council – Composition – Number of Councilmembers

FOR the purpose of increasing the number of Councilmembers from seven to nine, beginning with the 2026 election cycle; requiring that, for the purposes of determining compensation, membership on the County Council shall be considered a full-time position; amending the number of councilmanic districts from seven to nine, beginning with the 2026 election cycle; prohibiting a revision of councilmanic districts after the 2026 general election, except following the decennial census or ratification of a Charter amendment to increase or decrease the number of councilmanic districts, requiring the formation of a Redistricting Commission upon such a ratification, and amending certain related recommendation restrictions; amending the membership of the Redistricting Commission such that one member is nominated by each Councilmember and confirmed by the County Council;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

increasing the Planning Board membership consistent with a nine member County Council; amending the number of members of the County Board of Appeals to be equal to the number of Councilmembers and amending the political party affiliation requirements; amending the number of affirmative votes necessary for the County Council to start the process of County Charter termination; revising and reconstituting the councilmanic districts to increase the number of districts to nine; amending certain terms or phrases to be gender-neutral; providing for different effective dates of amendments to Article II of the Charter and Articles V, VI, and XII of the Charter upon their ratification; revising and reconstituting the councilmanic districts of Baltimore County into nine districts, contingent upon the passage and ratification of the Charter amendments by the voters of Baltimore County; requiring certain written notification to be sent to the Baltimore County delegation to the Maryland General Assembly, contingent upon the passage and ratification of the Charter amendments by the voters of Baltimore County; and generally relating to the Baltimore County Charter and Baltimore County Council.

BY repealing and re-enacting, with amendments

Sections 201(a), 204, 206, and 207(a)-(b)
Article II – The County Council
Baltimore County Charter

BY repealing and re-enacting, with amendments

Section 522
Article V – The Administrative Services
Baltimore County Charter

BY repealing and re-enacting, with amendments

Section 601
Article VI – County Board of Appeals
Baltimore County Charter

BY repealing and re-enacting, with amendments

Section 1201

Article XII – Manner of Terminating this Charter and Making Amendments Thereto
Baltimore County Charter

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that under the authority granted to it by Section 1202 of the Baltimore
3 County Charter, Sections 201(a), 204, 206, and 207(a)-(b) of Article II – The County Council, of
4 the Baltimore County Charter, be and are hereby proposed to be repealed and re-enacted, with
5 amendments, to read as follows:

6

7

ARTICLE II – THE COUNTY COUNCIL

8

9 Section 201. Composition, Mode of Election, Etc.

10 (a) There shall be a county council of Baltimore County composed of [seven] NINE
11 members, each one of whom shall, at the time of [his] THEIR election and for two years prior
12 thereto and during [his] THEIR full term of office, reside in a different one of the [seven] NINE
13 councilmanic districts described in Section 206 of this Article.

14

15 Section 204. Compensation.

16 Compensation and allowances to be paid to members of the county council shall be set as
17 provided in § 10-302 of the Local Government Article of the Annotated Code of Maryland, as
18 amended. MEMBERSHIP ON THE COUNCIL SHALL BE CONSIDERED A FULL-TIME
19 POSITION FOR THE PURPOSE OF DETERMINING COMPENSATION.

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Section 206. Council Districts.

(A) Baltimore County is divided into [seven] NINE council districts.

(B) FOLLOWING THE 2026 GENERAL ELECTION, REVISIONS OF COUNCIL DISTRICTS MAY ONLY BE enacted in accordance with Section 207 of this Charter AND MAY ONLY OCCUR:

(1) AFTER EACH DECENNIAL CENSUS OF THE UNITED STATES; OR

(2) UPON RATIFICATION OF AMENDMENTS TO THIS CHARTER BY THE VOTERS OF BALTIMORE COUNTY TO INCREASE OR DECREASE THE NUMBER OF COUNCIL DISTRICTS.

Section 207. Revision of Councilmanic Districts.

(a) Not later than March 1 of the year after each decennial census of the United States, OR THE YEAR AFTER RATIFICATION OF AMENDMENTS TO THIS CHARTER TO INCREASE OR DECREASE THE NUMBER OF COUNCIL DISTRICTS, the County Council shall establish, by resolution, a councilmanic redistricting commission. The commission shall be composed of [five members appointed by the County Council] AN EQUAL NUMBER OF MEMBERS AS THE NUMBER OF COUNTY COUNCILMEMBERS ESTABLISHED BY THIS CHARTER, WITH ONE MEMBER NOMINATED BY EACH COUNCILMEMBER AND CONFIRMED BY THE COUNTY COUNCIL. A person who holds elective office is not eligible for appointment to the commission.

(b) The commission shall hold at least three public hearings, and, by October 15 of the year in which the commission is appointed, the commission shall recommend to the county

1 council legislation to revise, amend, or reconstitute[, but not to increase or decrease the number
2 of,] councilmanic districts in effect at such time. THE COMMISSION MAY ONLY
3 RECOMMEND TO THE COUNTY COUNCIL LEGISLATION TO INCREASE OR
4 DECREASE THE NUMBER OF COUNCILMANIC DISTRICTS IF THE COMMISSION
5 WAS CONSTITUTED PURSUANT TO SECTION 206(B)(2) OF THIS CHARTER. The
6 legislation shall provide for councilmanic districts that are compact, contiguous, and
7 substantially equal in population, and in which due regard is given to current natural, geographic,
8 and community boundaries.

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10 SECTION 2. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
11 COUNTY, MARYLAND, that under the authority granted to it by Section 1202 of the Baltimore
12 County Charter, Section 522 of Article V – The Administrative Services, Section 601 of Article
13 VI – County Board of Appeals, and Section 1201 of Article XII – Manner of Terminating this
14 Charter and Making Amendments Thereto, of the Baltimore County Charter, be and are hereby
15 proposed to be repealed and re-enacted, with amendments, to read as follows:

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17 ARTICLE V. THE ADMINISTRATIVE SERVICES

18 DIVISION 3. DEPARTMENTS IN THE ADMINISTRATIVE SERVICES

19 SUBDIVISION 1. DEPARTMENT OF PLANNING

20
21 Section 522. Organization of Office and Selection of its Components.

22 (A) The department of planning shall be composed of a director of planning who shall
23 administer the department, a planning board, a zoning commissioner and one or more deputy

1 zoning commissioners. The county executive shall appoint the director of planning, the zoning
2 commissioner, and one or more deputy zoning commissioners, subject to confirmation by the
3 county council. The zoning commissioner and each deputy zoning commissioner shall serve
4 terms expiring June 1 of the year following the election of a county executive provided by this
5 Charter or until their successors are appointed and confirmed, but they may be removed at any
6 time upon the recommendation of the county executive approved by a majority plus one of the
7 total number of county council members established by this Charter.

8 (B) The planning board shall consist of [15] 17 members serving three-year terms,
9 subject, however, to the requirement that the terms of AT LEAST five members shall end each
10 year. Eight (8) members of the planning board shall be appointed by the county executive, and
11 each member of the county council shall appoint one member who shall be a resident of the
12 councilman's district. The county executive shall appoint the chairman and vice-chairman
13 subject to confirmation by the county council. At least one planning board member shall reside
14 in each councilmanic district. No member of the planning board shall hold any other salaried
15 position in the county government while a member of the planning board.

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17 ARTICLE VI. COUNTY BOARD OF APPEALS

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19 Section 601. Appointment; Terms; Compensation.

20 There is hereby created and established a county board of appeals consisting of [seven
21 members] AN EQUAL NUMBER OF MEMBERS AS THE NUMBER OF COUNTY
22 COUNCILMEMBERS ESTABLISHED BY THIS CHARTER who shall be appointed by the
23 county council. Each member of the county council shall have the right to nominate one person

1 to serve on the board of appeals. The first board of appeals appointed after this amendment shall
2 consist of two members appointed for a term of one year, two members appointed for a term of
3 two years and three members appointed for a term of three years. Thereafter, all appointments or
4 reappointments shall be for three-year terms except that an appointment to fill a vacancy
5 occurring before the expiration of a term shall be for the remainder of the unexpired term. All
6 members of the board shall be residents of Baltimore County, and appointments shall be made so
7 no more than [five (5)] TWO-THIRDS of the members of the board shall be members of the
8 same political party. The county council shall by legislative act set the compensation of the
9 county board of appeals; provided, however, that no reduction in salary shall affect the
10 compensation of a member of the county board of appeals during his current term. The board of
11 appeals as constituted at the time of this amendment shall remain in effect until changed as
12 provided in this section of the Charter.

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14 ARTICLE XII. MANNER OF TERMINATING THIS CHARTER
15 AND MAKING AMENDMENTS THERETO
16

17 Section 1201. Termination.

18 The county council may, by legislative act approved by the affirmative vote of at least
19 [six] EIGHT members, propose the termination of this Charter and the return of the county to the
20 county commissioner form of government in effect prior to the adoption of this Charter. The
21 same proposal may be made by petition signed by twenty per centum or more of the registered
22 voters of the county, or 10,000 or more of such registered voters in case twenty per centum is
23 greater than 10,000. Such petition shall conform with the requirements of Article XIA of the

1 Constitution of the State of Maryland and shall be filed with the county executive. The question
2 so proposed by act of the county council or by petition shall be published by the county
3 executive in at least two newspapers of general circulation in the county once each month for
4 five successive months prior to the next general election or congressional election occurring after
5 the passage of such act or the filing of such petition. At such election, the question shall be
6 submitted to the voters of the county, and if the majority of votes cast on the question shall be in
7 favor of repealing this Charter, then, at the next quadrennial election, county commissioners shall
8 be elected under the public general laws of the State of Maryland. When the county
9 commissioners so elected have qualified for office, this Charter shall terminate. All laws,
10 regulations, and ordinances in effect at the termination of this Charter shall remain in force until
11 changed by action of the General Assembly of Maryland, or the board of county commissioners,
12 as provided by the Constitution and public general laws of this state.

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14 SECTION 3. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
15 COUNTY, MARYLAND that, in accordance with Sections 201 and 206 of the Baltimore
16 County Charter, the councilmanic districts of Baltimore County be and are hereby revised and
17 reconstituted into nine districts as follows:

18
19 Baltimore County is divided into nine councilmanic districts composed of the following
20 election districts or parts of districts as the districts presently exist:

21 **Council District** **Present Election District or Parts Thereof**

- 22 I. The entire 13th Election District and certain census blocks of the
23 1st Election District as set forth in Exhibit C.

- 1 II. Certain census blocks of the 1st, 2nd, 3rd, 8th, and 9th Election
2 Districts as set forth in Exhibit C.
- 3 III. The entire 5th, 6th, 7th, and 10th Election Districts and certain
4 census blocks of the 4th, 8th, 9th, and 11th, Election Districts as
5 set forth in Exhibit C.
- 6 IV. Certain census blocks of the 1st, 2nd, 3rd, 4th, and 8th Election
7 Districts as set forth in Exhibit C.
- 8 V. Certain census blocks of the 9th, 11th, 14th, and 15th Election
9 Districts as set forth in Exhibit C.
- 10 VI. Certain census blocks of the 9th and 14th Election Districts as set
11 forth in Exhibit C.
- 12 VII. The entire 12th Election District and certain census blocks of the
13 14th and 15th Election Districts as set forth in Exhibit C.
- 14 VIII. Certain census blocks of the 11th, 14th, and 15th Election
15 Districts as set forth in Exhibit C.
- 16 IX. Certain census blocks of the 2nd and 4th Election Districts as set
17 forth in Exhibit C.

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19 SECTION 4. AND BE IT FURTHER ENACTED, that a geographic representation of
20 the nine councilmanic districts, as described in Section 3 of this Act, is set forth in the 2024
21 Baltimore County Councilmanic Redistricting Map, dated June 3, 2024 and attached as “Exhibit
22 A”; a summary of the populations and demographics of the nine councilmanic districts, as
23 described in Section 3 of this Act, is set forth in the 2024 Population and Demographics

1 Summary, dated June 3, 2024 and attached as “Exhibit B”; and a report and summary of all
2 census blocks that comprise the nine councilmanic districts, as described and referenced in
3 Section 3 of this Act, is set forth in the Summary of Baltimore County Councilmanic Districts by
4 Census Block, dated June 3, 2024 and attached as “Exhibit C”.

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6 SECTION 5. AND BE IT FURTHER ENACTED, that the thirtieth day following the
7 general election on November 5, 2024, the County Executive and County Council shall send
8 written notification to the Baltimore County delegation to the Maryland General Assembly that §
9 3-2B-01 of the Education Article of the Annotated Code of Maryland relating to the composition
10 and method of election of the Baltimore County Board of Education is to be amended in
11 accordance with this Act.

12
13 SECTION 6. AND BE IT FURTHER ENACTED, that pursuant to Section 1202 of the
14 Baltimore County Charter, the question of whether or not the Charter is to be amended as
15 proposed in Sections 1 and 2 of this Act shall be submitted to the voters of Baltimore County at
16 the general election on November 5, 2024, and that this Act shall be published in at least two
17 newspapers of general circulation in the County for five successive weeks prior to the election.

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19 SECTION 7. AND BE IT FURTHER ENACTED, that upon ratification by the voters of
20 Baltimore County, Section 1 of this Act shall become effective after the thirtieth day following
21 the general election on November 5, 2024 and that Section 2 of this Act shall become effective
22 after the thirtieth day following the general election on November 3, 2026.

1 SECTION 8. AND BE IT FURTHER ENACTED, that Sections 3, 4, and 5 of this Act
2 are contingent on the passage of Sections 1 and 2 of this Act, a Charter amendment, and their
3 ratification by the voters of Baltimore County and if such passage and ratification does not occur,
4 Sections 3, 4, and 5 of this Act, with no further action required by the County Council, shall be
5 null and void.

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7 SECTION 9. AND BE IT FURTHER ENACTED, that, subject to the provisions of
8 Section 8 of this Act, Sections 3, 4, and 5 of this Act shall take effect become effective after the
9 thirtieth day following the general election on November 5, 2024 and shall be applicable to the
10 general election on November 3, 2026.