

# SENATE BILL 162

P5  
SB 362/06 – EHE

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By: **Senators Brochin, Colburn, and Kittleman**  
Introduced and read first time: January 19, 2012  
Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Congressional Districting Process**

3 FOR the purpose of providing a process for the establishment of congressional districts  
4 in Maryland for the electing of members of Congress; establishing criteria to be  
5 used in creating congressional districts; directing that public hearings be held at  
6 certain times for certain purposes; establishing the responsibilities of the  
7 Department of Legislative Services regarding congressional districting;  
8 directing the Department to hold certain hearings in accordance with specific  
9 criteria and to prepare certain congressional districting plans at certain times;  
10 establishing the process by which the General Assembly shall consider and act  
11 on congressional districting legislation in a regular or special session; directing  
12 when a special session is required for congressional districting; creating a  
13 temporary redistricting advisory commission; providing for the membership of  
14 the commission and the qualifications of its members; providing for the  
15 functions of the commission; and generally relating to the establishment of  
16 districts in Maryland for the election of members of Congress.

17 BY adding to  
18 Article – Election Law  
19 Section 8–6A–01 through 8–6A–07 to be under the new subtitle “Subtitle 6A.  
20 Congressional Districting Process”  
21 Annotated Code of Maryland  
22 (2010 Replacement Volume and 2011 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article – Election Law**

26 **SUBTITLE 6A. CONGRESSIONAL DISTRICTING PROCESS.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 **8-6A-01.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
3 INDICATED.

4 (B) "COMMISSION" MEANS A TEMPORARY REDISTRICTING ADVISORY  
5 COMMISSION.

6 (C) "DEPARTMENT" MEANS THE DEPARTMENT OF LEGISLATIVE  
7 SERVICES.

8 **8-6A-02.**

9 (A) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE  
10 YEAR IMMEDIATELY FOLLOWING THE DECENNIAL UNITED STATES CENSUS,  
11 THE DEPARTMENT SHALL:

12 (I) OBTAIN THE CENSUS DATA FROM THE UNITED STATES  
13 BUREAU OF THE CENSUS IN ACCORDANCE WITH P.L. 94-171; AND

14 (II) USE THE DATA TO PREPARE A DISTRICTING PLAN FOR  
15 CONGRESSIONAL DISTRICTS AS REQUIRED IN THIS SECTION.

16 (2) THE DISTRICTING PLAN SHALL BE PREPARED IN TIME FOR  
17 INTRODUCTION TO THE GENERAL ASSEMBLY ON THE FIRST DAY OF ITS  
18 REGULAR SESSION IN THE SECOND YEAR FOLLOWING THE U.S. CENSUS.

19 (3) WHEN THE SECOND YEAR FOLLOWING A U.S. CENSUS IS A  
20 PRESIDENTIAL ELECTION YEAR, THE PLAN SHALL BE PREPARED IN TIME FOR  
21 INTRODUCTION AT A SPECIAL SESSION IN THE EVENT A SPECIAL SESSION IS  
22 CALLED FOR THE PURPOSE OF ESTABLISHING A CONGRESSIONAL DISTRICTING  
23 PLAN.

24 (B) (1) (I) CONGRESSIONAL DISTRICTS SHALL BE ESTABLISHED  
25 ON THE BASIS OF POPULATION.

26 (II) EACH DISTRICT SHALL HAVE A POPULATION AS NEARLY  
27 EQUAL AS PRACTICABLE TO THE IDEAL DISTRICT POPULATION, DERIVED BY  
28 DIVIDING THE POPULATION OF THE STATE AS DETERMINED BY THE U.S.  
29 CENSUS BY THE NUMBER OF DISTRICTS IN THE STATE AS APPORTIONED BY THE  
30 U.S. CONGRESS.

1           (2) (I) NO CONGRESSIONAL DISTRICT SHALL BE DRAWN FOR  
2 THE PURPOSE OF FAVORING A POLITICAL PARTY, ELECTED OFFICIAL, OR  
3 OTHER PERSON OR GROUP, OR FOR THE PURPOSE OF AUGMENTING OR  
4 DILUTING THE VOTING STRENGTH OF A LANGUAGE OR RACIAL MINORITY  
5 GROUP.

6           (II) IN ESTABLISHING DISTRICTS, NO USE SHALL BE MADE  
7 OF ADDRESSES OF ELECTED OFFICIALS, POLITICAL AFFILIATIONS OF  
8 REGISTERED VOTERS, PREVIOUS ELECTION RESULTS, POLLING DATA,  
9 PROPOSED DISTRICTING MAPS PREPARED BY PERSONS NOT EMPLOYED BY THE  
10 DEPARTMENT, AND DEMOGRAPHIC INFORMATION, OTHER THAN POPULATION  
11 HEAD COUNTS, EXCEPT AS REQUIRED BY THE CONSTITUTION OR LAWS OF THE  
12 UNITED STATES.

13           (C) (1) CONGRESSIONAL DISTRICTS SHALL BE COMPACT IN FORM  
14 AND CONSIST OF ADJOINING TERRITORY.

15           (2) THE CHESAPEAKE BAY MAY NOT BE CONSIDERED TO BE A  
16 BARRIER TO CONTIGUITY.

17           (3) AREAS THAT MEET ONLY AT THE POINTS OF ADJOINING  
18 CORNERS ARE NOT CONTIGUOUS.

19           (4) WHERE PRACTICABLE, DUE REGARD SHALL BE GIVEN TO THE  
20 BOUNDARIES OF POLITICAL SUBDIVISIONS, COMMUNITIES OF INTEREST, AND  
21 INFORMATION RECEIVED FROM CITIZENS DURING PUBLIC HEARINGS.

22 8-6A-03.

23           (A) THERE IS A TEMPORARY REDISTRICTING ADVISORY COMMISSION.

24           (B) (1) THE COMMISSION SHALL CONSIST OF NINE MEMBERS.

25           (2) BY FEBRUARY 1 OF THE FIRST YEAR FOLLOWING THE U.S.  
26 CENSUS, EIGHT MEMBERS SHALL BE APPOINTED AS FOLLOWS:

27                   (I) FOUR APPOINTED BY THE GOVERNOR;

28                   (II) TWO APPOINTED BY THE PRESIDENT OF THE SENATE;

29 AND

30                   (III) TWO APPOINTED BY THE SPEAKER OF THE HOUSE OF  
31 DELEGATES.

1           **(3) COMMISSION MEMBERSHIP SHALL REFLECT THE**  
2 **GEOGRAPHICAL, GENDER, AND ETHNIC DIVERSITY OF THE MARYLAND**  
3 **POPULATION AND AT LEAST THREE MEMBERS OF THE COMMISSION SHALL BE**  
4 **MEMBERS OF THE DOMINANT MINORITY PARTY.**

5           **(4) (I) WITHIN 30 DAYS OF THEIR APPOINTMENTS TO THE**  
6 **TEMPORARY REDISTRICTING ADVISORY COMMISSION, BUT NOT LATER THAN**  
7 **MARCH 1 OF THAT YEAR, THE COMMISSION MEMBERS SHALL SELECT, BY VOTE**  
8 **OF AT LEAST FIVE OF THE MEMBERS, THE NINTH COMMISSION MEMBER, WHO**  
9 **SHALL SERVE AS CHAIR.**

10           **(II) IF THE COMMISSION IS UNABLE TO SELECT THE NINTH**  
11 **MEMBER, THE GOVERNOR SHALL MAKE THE APPOINTMENT.**

12           **(5) A VACANCY ON THE COMMISSION SHALL BE FILLED BY THE**  
13 **GOVERNOR IN CONSULTATION WITH THE PRESIDING OFFICERS WITHIN 15 DAYS**  
14 **AFTER THE VACANCY OCCURS.**

15           **(6) AN INDIVIDUAL MAY NOT BE APPOINTED TO OR SERVE ON THE**  
16 **COMMISSION IF THE INDIVIDUAL:**

17           **(I) HOLDS AN ELECTIVE OR APPOINTIVE OFFICE IN THE**  
18 **EXECUTIVE OR LEGISLATIVE BRANCH OF THE FEDERAL, STATE, OR A LOCAL**  
19 **GOVERNMENT;**

20           **(II) HOLDS A POLITICAL PARTY OFFICE;**

21           **(III) IS A REGISTERED LOBBYIST; OR**

22           **(IV) IS A RELATIVE BY BLOOD OR MARRIAGE OF, OR IS**  
23 **EMPLOYED BY, A PERSON WHO HOLDS AN ELECTIVE OR APPOINTIVE OFFICE IN**  
24 **THE EXECUTIVE OR LEGISLATIVE BRANCH OF THE FEDERAL, STATE, OR A**  
25 **LOCAL GOVERNMENT, OR A POLITICAL PARTY OFFICE, OR IS A REGISTERED**  
26 **LOBBYIST.**

27           **(7) A MEMBER OF THE COMMISSION OR A RELATIVE OF A**  
28 **MEMBER OF THE COMMISSION MAY NOT HOLD A STATE OR FEDERAL ELECTIVE**  
29 **OR APPOINTIVE OFFICE, OR BE A REGISTERED LOBBYIST, FOR A PERIOD OF 3**  
30 **YEARS FROM THE DATE THE LEGISLATION CREATING THE NEW DISTRICTS IS**  
31 **SIGNED INTO LAW.**

1           **(8) MEMBERS OF THE COMMISSION MAY NOT RECEIVE A SALARY**  
2 **BUT ARE ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD**  
3 **STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

4 **8-6A-04.**

5           **THE COMMISSION SHALL:**

6           **(1) DETERMINE THE LOCATION OF PUBLIC MEETINGS REQUIRED**  
7 **BY § 8-6A-05 OF THIS SUBTITLE;**

8           **(2) CONDUCT PUBLIC MEETINGS; AND**

9           **(3) ON RECEIVING A WRITTEN REQUEST FROM THE**  
10 **DEPARTMENT, PROVIDE DIRECTION TO THE DEPARTMENT ON ANY ISSUE FOR**  
11 **WHICH THERE IS NO CLEAR APPLICABLE GUIDELINE FOR THE REQUIREMENTS**  
12 **OF A CONGRESSIONAL DISTRICTING PLAN AS PROVIDED IN § 8-6A-02 OF THIS**  
13 **SUBTITLE.**

14 **8-6A-05.**

15           **(A) THERE SHALL BE TWO ROUNDS OF PUBLIC HEARINGS TO OBTAIN**  
16 **CITIZEN INPUT FOR THE DISTRICTING PROCESS.**

17           **(B) BEFORE BEGINNING WORK ON NEW DISTRICT MAPS, AND BETWEEN**  
18 **APRIL 16 AND MAY 31 OF THE FIRST YEAR FOLLOWING THE U.S. CENSUS, 12**  
19 **PUBLIC MEETINGS SHALL BE HELD IN DIFFERENT GEOGRAPHIC REGIONS**  
20 **ACROSS THE STATE TO RECEIVE INFORMATION FROM CITIZENS REGARDING**  
21 **THE ADVANTAGES AND DISADVANTAGES OF EXISTING DISTRICT LINES AND ANY**  
22 **OTHER INFORMATION CITIZENS BELIEVE USEFUL IN DEVELOPING NEW**  
23 **DISTRICT MAPS.**

24           **(C) AFTER DEVELOPING PRELIMINARY DISTRICT MAPS, BETWEEN**  
25 **SEPTEMBER 16 AND OCTOBER 31 OF THE FIRST YEAR FOLLOWING THE U.S.**  
26 **CENSUS, 12 PUBLIC MEETINGS SHALL BE HELD IN DIFFERENT GEOGRAPHIC**  
27 **REGIONS ACROSS THE STATE TO RECEIVE COMMENTS FROM CITIZENS**  
28 **REGARDING THE PRELIMINARY DISTRICTING MAPS.**

29           **(D) PUBLIC MEETINGS SHALL BE CONDUCTED BY THE COMMISSION IN**  
30 **ACCORDANCE WITH TITLE 10, SUBTITLE 5 OF THE STATE GOVERNMENT**  
31 **ARTICLE.**

1           **(E) (1) THE DEPARTMENT SHALL PROVIDE PUBLIC NOTICE OF THE**  
2 **MEETING, INCLUDING:**

3                   **(I) THE PURPOSE, LOCATION, DATE, AND TIME OF THE**  
4 **MEETING;**

5                   **(II) THE TERMS AND CONDITIONS FOR SPEAKING AT THE**  
6 **MEETING AND PROVIDING WRITTEN COMMENT; AND**

7                   **(III) INFORMATION ABOUT HOW TO OBTAIN AND INSPECT**  
8 **COPIES OF THE MAPS.**

9           **(2) NOTICE OF THE MEETINGS SHALL BE PROVIDED:**

10                   **(I) AT LEAST 7 DAYS BEFORE EACH PUBLIC MEETING ON**  
11 **THE GENERAL ASSEMBLY WEB SITE;**

12                   **(II) WITHIN 7 TO 10 DAYS BEFORE EACH PUBLIC MEETING**  
13 **AND THE DAY BEFORE EACH PUBLIC MEETING BY ADVERTISEMENT IN A MAJOR**  
14 **NEWSPAPER OF GENERAL CIRCULATION SERVING THE GEOGRAPHICAL AREA**  
15 **WHERE THE MEETING WILL BE HELD; AND**

16                   **(III) WITHIN 7 TO 10 DAYS BEFORE EACH PUBLIC MEETING**  
17 **BY DELIVERY TO THE NEWS MEDIA SERVING THE GEOGRAPHICAL AREA WHERE**  
18 **THE MEETING WILL BE HELD.**

19           **(F) (1) MAPS OF THE EXISTING CONGRESSIONAL DISTRICTS SHALL**  
20 **BE MADE AVAILABLE TO THE PUBLIC FOR THE FIRST ROUND OF PUBLIC**  
21 **MEETINGS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.**

22                   **(2) MAPS SHOWING PRELIMINARY PROPOSED DISTRICTS SHALL**  
23 **BE MADE AVAILABLE TO THE PUBLIC FOR THE SECOND ROUND OF PUBLIC**  
24 **MEETINGS REQUIRED BY SUBSECTION (C) OF THIS SECTION.**

25                   **(3) MAPS SHALL:**

26                   **(I) BE POSTED ON THE GENERAL ASSEMBLY WEB SITE;**

27                   **(II) BE PROVIDED TO EACH PUBLIC LIBRARY IN THE STATE**  
28 **AND RETAINED BY EACH LIBRARY AS REFERENCE MATERIALS; AND**

29                   **(III) BE PROVIDED FOR PUBLIC INSPECTION AT EACH**  
30 **PUBLIC MEETING.**

1           **(G) (1) PUBLIC MEETINGS SHALL BE HELD AT FACILITIES THAT ARE**  
2 **FULLY ACCESSIBLE AND COMPLIANT WITH THE AMERICANS WITH DISABILITIES**  
3 **ACT AND THAT HAVE A SEATING CAPACITY OF AT LEAST 500.**

4           **(2) THE MEETINGS SHALL:**

5                   **(I) BE HELD ON A TUESDAY, WEDNESDAY, OR THURSDAY**  
6 **EVENING; AND**

7                   **(II) BE SCHEDULED, WHEN PRACTICABLE, TO AVOID**  
8 **CONFLICT WITH RELIGIOUS HOLIDAYS.**

9           **(H) (1) INDIVIDUALS WHO WISH TO SPEAK AT A PUBLIC MEETING**  
10 **MUST RECORD THEIR NAME AND ADDRESS ON A SPEAKER SIGN-UP LIST**  
11 **PROVIDED BY THE DEPARTMENT.**

12                   **(2) INDIVIDUALS WHO HAVE RECORDED THEIR NAMES ON THE**  
13 **SPEAKER SIGN-UP LIST SHALL BE GIVEN AN OPPORTUNITY TO SPEAK IN THE**  
14 **ORDER IN WHICH THEY ARE LISTED.**

15                   **(3) (I) INDIVIDUALS WHO HAVE RECORDED THEIR NAMES ON**  
16 **THE SPEAKER SIGN-UP LIST SHALL HAVE THE RIGHT TO SPEAK FOR A MINIMUM**  
17 **OF 2 MINUTES.**

18                           **(II) NO SPEAKER SHALL BE GIVEN MORE THAN 3 MINUTES**  
19 **TO SPEAK WITHOUT THE CONSENT OF A MAJORITY OF THE COMMISSION**  
20 **MEMBERS WHO ARE PRESENT.**

21           **(I) (1) (I) THE DEPARTMENT SHALL KEEP A RECORD OF EACH**  
22 **PUBLIC MEETING.**

23                           **(II) THE RECORD SHALL INCLUDE THE SPEAKER SIGN-UP**  
24 **LIST, WRITTEN COMMENTS RECEIVED FROM THE PUBLIC, AND A SUMMARY OR**  
25 **TRANSCRIPT OF THE ORAL TESTIMONY.**

26                   **(2) THE DEPARTMENT SHALL DELETE ANY INFORMATION**  
27 **PROHIBITED BY § 8-6A-02(B)(2)(II) OF THIS SUBTITLE FROM THE WRITTEN**  
28 **COMMENTS RECEIVED FROM THE PUBLIC AND THE SUMMARY OR TRANSCRIPT**  
29 **OF ORAL TESTIMONY.**

30                   **(3) (I) AT THE CONCLUSION OF EACH ROUND OF PUBLIC**  
31 **MEETINGS, THE DEPARTMENT SHALL PUBLISH A COMPILATION OF THE**

1 WRITTEN RECORDS AND ORAL TESTIMONY IN ACCORDANCE WITH THE  
2 REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION.

3 (II) COPIES OF THE COMPILATION SHALL BE MADE  
4 AVAILABLE TO PUBLIC LIBRARIES ACROSS THE STATE AND ON THE GENERAL  
5 ASSEMBLY WEB SITE NO LATER THAN AUGUST 1 AFTER THE FIRST ROUND OF  
6 PUBLIC MEETINGS AND NO LATER THAN JANUARY 1 AFTER THE SECOND ROUND  
7 OF PUBLIC MEETINGS.

8 **8-6A-06.**

9 (A) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL:

10 (1) PROVIDE OVERSIGHT OF THE DISTRICTING PROCESS;

11 (2) HANDLE ALL COMMUNICATIONS BETWEEN THE DEPARTMENT  
12 AND THE COMMISSION, THE MEDIA, AND THE PUBLIC; AND

13 (3) ESTABLISH PROCEDURES TO COMPLETE THE DISTRICTING  
14 WORK OF THE DEPARTMENT AS REQUIRED BY THIS SUBTITLE.

15 (B) (1) THE EXECUTIVE DIRECTOR SHALL CREATE A PUBLIC  
16 MEETING WORKGROUP AND A PLAN DEVELOPMENT WORKGROUP.

17 (2) THE PUBLIC MEETING WORKGROUP SHALL:

18 (I) MAKE ALL NECESSARY ARRANGEMENTS;

19 (II) PUBLISH NOTICES;

20 (III) ASSIST WITH CONDUCTING THE PUBLIC MEETINGS;

21 (IV) KEEP ALL RECORDS OF THE PUBLIC MEETINGS; AND

22 (V) SUMMARIZE ORAL TESTIMONY, AS REQUIRED BY §  
23 **8-6A-05** OF THIS SUBTITLE.

24 (3) THE PLAN DEVELOPMENT WORKGROUP SHALL:

25 (I) COMPILE AND ANALYZE POPULATION DATA;



1                   **(II) REVIEW AND INCORPORATE PUBLIC INPUT AS**  
2 **CONTAINED IN A REDACTED COMPILATION PREPARED BY THE PUBLIC MEETING**  
3 **WORKGROUP; AND**

4                   **(III) DRAFT AND PUBLISH DISTRICTING MAPS AS REQUIRED**  
5 **BY THIS SUBTITLE.**

6           **(C) EXCEPT FOR THE EXECUTIVE DIRECTOR, NO PERSON MAY BE**  
7 **INVOLVED IN THE WORK OF BOTH WORKGROUPS.**

8           **(D) EMPLOYEES OF THE DEPARTMENT MAY NOT PROVIDE OR**  
9 **COMMUNICATE ANY INFORMATION ABOUT THE DETAILS OF ANY**  
10 **CONGRESSIONAL DISTRICTING PLAN TO ANY PERSON EXCEPT THE EXECUTIVE**  
11 **DIRECTOR OR MEMBERS OF THE WORKGROUP TO WHICH THEY ARE ASSIGNED.**

12 **8-6A-07.**

13           **(A) THE DEPARTMENT SHALL PRESENT THE CONGRESSIONAL**  
14 **DISTRICTING PLAN TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF**  
15 **THE HOUSE OF DELEGATES, WHO SHALL INTRODUCE THE PLAN AS A BILL IN**  
16 **THE TWO HOUSES OF THE GENERAL ASSEMBLY ON THE FIRST DAY OF REGULAR**  
17 **SESSION IN THE SECOND YEAR FOLLOWING THE DECENNIAL U.S. CENSUS.**

18           **(B) (1) (I) EACH HOUSE SHALL CONSIDER THE BILL ON SECOND**  
19 **READING AS A COMMITTEE OF THE WHOLE AND BRING THE BILL TO A FINAL**  
20 **VOTE NOT LATER THAN THE 10TH DAY OF THE SESSION.**

21                   **(II) THE BILL SHALL BE BROUGHT TO A VOTE UNDER A**  
22 **RULE OR PROCEDURE THAT PROHIBITS AMENDMENTS EXCEPT FOR TECHNICAL**  
23 **CORRECTIONS THAT PRESERVE THE INTENTION OF THE PLAN.**

24           **(2) (I) AFTER A VOTE IN EACH HOUSE, IF THE BILL FAILS TO**  
25 **BE APPROVED BY A CONSTITUTIONAL MAJORITY IN EITHER HOUSE, THE**  
26 **SECRETARY OF THE SENATE OR THE CHIEF CLERK OF THE HOUSE OF**  
27 **DELEGATES, AS THE CASE MAY BE, SHALL IMMEDIATELY PROVIDE THE**  
28 **DEPARTMENT ANY INFORMATION AS DIRECTED BY THEIR RESPECTIVE**  
29 **CHAMBERS REGARDING THE REASONS THAT THE PLAN WAS NOT APPROVED.**

30                   **(II) THE DEPARTMENT SHALL IMMEDIATELY PREPARE A**  
31 **BILL EMBODYING A SECOND CONGRESSIONAL DISTRICTING PLAN, TAKING INTO**  
32 **ACCOUNT THE REASONS CITED BY THE SENATE OR THE HOUSE OF DELEGATES**  
33 **FOR THE FAILURE OF THE FIRST BILL TO THE EXTENT PRACTICABLE TO DO SO**  
34 **WITHIN THE REQUIREMENTS OF § 8-6A-02 OF THIS SUBTITLE.**

1           **(C) (1) (I) NOT LATER THAN THE 17TH DAY OF THE SESSION, THE**  
2 **DEPARTMENT SHALL PRESENT THE SECOND CONGRESSIONAL DISTRICTING**  
3 **PLAN TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE**  
4 **OF DELEGATES, WHO SHALL INTRODUCE THE PLAN AS A BILL IN THE TWO**  
5 **HOUSES OF THE GENERAL ASSEMBLY ON THAT DAY.**

6                   **(II) THE SAME PROCESS SHALL BE FOLLOWED AS SET**  
7 **FORTH IN SUBSECTION (B) OF THIS SECTION, EXCEPT THE SECOND**  
8 **CONGRESSIONAL DISTRICTING PLAN BILL SHALL BE BROUGHT TO A FINAL VOTE**  
9 **NOT LATER THAN THE 24TH DAY OF THE SESSION.**

10           **(2) (I) AFTER A VOTE IN EACH HOUSE, IF THE SECOND BILL**  
11 **FAILS TO BE APPROVED BY A CONSTITUTIONAL MAJORITY IN EITHER HOUSE,**  
12 **THE SECRETARY OF THE SENATE OR THE CHIEF CLERK OF THE HOUSE OF**  
13 **DELEGATES, AS THE CASE MAY BE, SHALL IMMEDIATELY PROVIDE THE**  
14 **DEPARTMENT ANY INFORMATION AS DIRECTED BY THEIR RESPECTIVE**  
15 **CHAMBERS REGARDING THE REASONS THAT THE PLAN WAS NOT APPROVED.**

16                   **(II) THE DEPARTMENT SHALL IMMEDIATELY PREPARE A**  
17 **BILL EMBODYING A THIRD CONGRESSIONAL DISTRICTING PLAN, TAKING INTO**  
18 **ACCOUNT THE REASONS CITED BY THE SENATE OR THE HOUSE OF DELEGATES**  
19 **FOR THE FAILURE OF THE SECOND BILL TO THE EXTENT PRACTICABLE TO DO**  
20 **SO WITHIN THE REQUIREMENTS OF § 8-6A-02 OF THIS SUBTITLE.**

21                   **(III) THE THIRD PLAN SHALL BE PRESENTED TO THE**  
22 **PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES,**  
23 **WHO SHALL INTRODUCE THE PLAN AS A BILL IN THE TWO HOUSES OF THE**  
24 **GENERAL ASSEMBLY NOT LATER THAN THE 31ST DAY OF THE SESSION.**

25                   **(IV) THE THIRD BILL MAY BE SUBJECT TO AMENDMENT IN**  
26 **THE SAME MANNER AS OTHER BILLS; HOWEVER, THE AMENDMENTS SHALL**  
27 **CONFORM TO THE REQUIREMENTS OF § 8-6A-02 OF THIS SUBTITLE AND TO ANY**  
28 **DIRECTION PROVIDED BY THE TEMPORARY REDISTRICTING ADVISORY**  
29 **COMMISSION UNDER § 8-6A-04 OF THIS SUBTITLE.**

30           **(D) (1) IF A SPECIAL SESSION IS NECESSARY TO ESTABLISH**  
31 **CONGRESSIONAL DISTRICTS AS DESCRIBED IN § 8-6A-02(A) OF THIS SUBTITLE,**  
32 **THE SAME PROCESS SHALL BE USED AS DESCRIBED IN §§ 8-6A-05 AND 8-6A-06**  
33 **OF THIS SUBTITLE AND SUBSECTIONS (A), (B), AND (C) OF THIS SECTION.**

34                   **(2) IF A SPECIAL SESSION IS CONVENED AS PROVIDED IN**  
35 **PARAGRAPH (1) OF THIS SUBSECTION:**

1                   **(I) THE FIRST DISTRICTING PLAN BILL SHALL BE BROUGHT**  
2 **TO A VOTE NOT LATER THAN THE 5TH DAY OF THE SPECIAL SESSION;**

3                   **(II) A SECOND DISTRICTING PLAN BILL SHALL BE**  
4 **INTRODUCED ON THE 10TH DAY OF THE SPECIAL SESSION AND BROUGHT TO A**  
5 **VOTE NOT LATER THAN THE 15TH DAY OF THE SPECIAL SESSION; AND**

6                   **(III) A THIRD DISTRICTING PLAN BILL SHALL BE**  
7 **INTRODUCED NOT LATER THAN THE 20TH DAY OF THE SPECIAL SESSION.**

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2012.