

House Resolution 1773

By: Representatives Oliver of the 83<sup>rd</sup>, Porter of the 143<sup>rd</sup>, and Hugley of the 133<sup>rd</sup>

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide for the creation of the Citizens´  
 2 Redistricting Commission; to provide for its membership, duties, and procedures; to provide  
 3 for the submission of a redistricting plan for approval by the General Assembly; to provide  
 4 for procedures for the consideration of such plan; to provide for related matters; to provide  
 5 for the submission of this amendment for ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 7 SECTION 1.

8 Article III, Section II, Paragraph II of the Constitution is amended by revising such paragraph  
 9 as follows:

10 "Paragraph II. *Apportionment of General Assembly.* (a) The General Assembly shall  
 11 apportion the Senate and House districts. Such districts shall be composed of contiguous  
 12 territory. The apportionment of the Senate and of the House of Representatives shall be  
 13 changed by the General Assembly as necessary after each United States decennial census.

14 (b) No later than January 31 of the year following the year in which a United States  
 15 decennial census is conducted, there shall be constituted the Citizens´ Redistricting  
 16 Commission. The commission shall be composed of seven members appointed as follows:

17 (1) One member appointed by the Lieutenant Governor;

18 (2) One member appointed by the minority leader of the Senate;

19 (3) One member appointed by the Speaker of the House of Representatives;

20 (4) One member appointed by the minority leader of the House of Representatives;

21 (5) Two members appointed by the Governor, only one of whom may be a member of  
 22 the same political party as the Governor; and

23 (6) One member who shall be selected and appointed by the other six members of the  
 24 commission not later than March 1 of the year following the year in which a United  
 25 States decennial census is conducted.

26 Failure by the six members of the commission to agree upon a seventh member by March  
 27 1 of the year following the year in which a United States decennial census is conducted

1 shall result in the dissolution of the commission and the redistricting of congressional and  
2 legislative districts by the General Assembly without assistance from the commission.

3 (c) A person shall be eligible for appointment to serve on the commission if such person:

4 (1) Is registered to vote for federal and state offices in Georgia as of the date of such  
5 person's appointment and was registered to vote in the two most recent general elections  
6 held in Georgia;

7 (2) Is not a current member of the General Assembly and does not hold any federal or  
8 state elective office while serving on the commission; and

9 (3) Certifies and agrees at the time of such person's appointment that such person will  
10 not run as a candidate for any federal or state elective office while serving on the  
11 commission and for a period of two years thereafter.

12 (d) Vacancies on the commission shall be filled in the same manner in which the original  
13 appointment was made.

14 (e) Members of the commission shall be reimbursed for actual and reasonable expenses  
15 incurred in the performance of their duties on the commission. The General Assembly  
16 shall be authorized to provide for the payment of reasonable compensation to the members  
17 of the commission. The General Assembly shall provide adequate funding to the  
18 commission, including the employment of a competent staff, in order for the commission  
19 to carry out its duties. The General Assembly shall provide adequate funding for the  
20 representation of the commission in any litigation, and the Department of Law shall have  
21 the responsibility for such representation.

22 (f) The commission shall have the following duties:

23 (1) To create proposed congressional and House of Representatives and Senate  
24 legislative districts for submission to the General Assembly for approval or rejection;

25 (2) To conduct public hearings throughout all areas of this state prior to developing a  
26 proposed plan or making any recommendations, including at least one hearing in each  
27 congressional district in this state, after providing adequate advance notice to the public  
28 so that all interested citizens may have a reasonable opportunity to express their views  
29 with regard to redistricting plans; and

30 (3) To inform and encourage the attendance of the media at all public hearings and  
31 meetings of the commission.

32 (g) In developing proposed redistricting plans for submission to the General Assembly  
33 for approval or rejection, the commission shall adhere to the following criteria:

34 (1) The plan shall be in compliance with the Constitutions of this state and the United  
35 States;

36 (2) The plan shall be in compliance with the federal Voting Rights Act of 1965, as  
37 amended;

1 (3) The plan shall contain only contiguous districts;

2 (4) The plan shall contain districts that are as compact as possible or practicable;

3 (5) The plan shall maintain communities of interest, as determined by the commission  
4 from time to time to the extent that it is reasonably possible to do so; and

5 (6) The plan, if for congressional redistricting, shall provide for zero deviation among  
6 the districts and, if for legislative redistricting, shall provide for as close as practicable  
7 to zero deviation among the districts.

8 (h) The commission shall, no later than July 1 of the year following the year in which a  
9 United States decennial census is conducted, submit its report with a proposed  
10 congressional redistricting plan, a proposed redistricting plan for the House of  
11 Representatives, and a proposed redistricting plan for the Senate to the General Assembly  
12 for approval. Such plans shall be voted upon by the General Assembly without  
13 amendment. If either house of the General Assembly declines to approve a plan, the plan  
14 and the report shall be returned to the commission with such specific suggestions as the  
15 Senate or the House of Representatives, as applicable, believes would eliminate the basis  
16 for disapproval of the plan. The commission shall then meet and revise the plan and submit  
17 a new report and proposed plan to the General Assembly within 15 days following the  
18 disapproval of the plan. Such revised plan shall be voted upon by the General Assembly  
19 without amendment. If either house of the General Assembly declines to approve the  
20 revised plan, the General Assembly shall proceed to formulate and enact a redistricting  
21 plan on its own.

22 (i) Upon the approval or final rejection of each of the proposed plans by the General  
23 Assembly, the commission shall be dissolved."

## 24 SECTION 2.

25 The above proposed amendment to the Constitution shall be published and submitted as  
26 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
27 above proposed amendment shall have written or printed thereon the following:

28 "( ) YES Shall the Constitution of Georgia be amended so as to provide for the  
29 creation of the Citizens' Redistricting Commission for the purpose of  
30 ( ) NO assisting the General Assembly in congressional and legislative redistricting  
31 following each United States decennial census?"

32 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
33 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
34 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
35 become a part of the Constitution of this state.