

House Resolution 229

By: Representatives Geisinger of the 48th, Willard of the 49th, Benfield of the 85th, Oliver of the 83rd, Day of the 163rd, and others

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 of the Constitution is amended by revising Paragraph II as follows:

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

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

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

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

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

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

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

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

25 The failure by the six members of the commission to agree upon a seventh member by
 26 March 1 of the year following the year in which a United States decennial census is
 27 conducted shall result in the dissolution of the commission and the redistricting of

28 congressional and legislative districts by the General Assembly without assistance from the
29 commission.

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

31 (1) As of the date of his or her appointment, is registered to vote for federal and state
32 offices in Georgia and was registered to vote in the two most recent general elections held
33 in Georgia;

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

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

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

41 (e) Members of the commission shall be reimbursed for actual and reasonable expenses
42 incurred in the performance of their duties on the commission. The General Assembly is
43 authorized to provide for the payment of reasonable compensation to the members of the
44 commission. The General Assembly shall provide adequate funding to the commission,
45 including the employment of a competent staff, in order for the commission to carry out
46 its duties. The General Assembly shall provide adequate funding for the representation of
47 the commission in any litigation, and the Department of Law shall have the responsibility
48 for such representation.

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

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

52 (2) Prior to developing a proposed plan or making any recommendations, to conduct
53 public hearings throughout all areas of this state, including at least one hearing in each
54 congressional district in this state, after adequate advance notice to the public so that all
55 interested citizens will have a reasonable opportunity to express their views with regard
56 to redistricting plans; and

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

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

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

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

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

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

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

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

72 (h) The commission shall, no later than July 1 of the year following the year in which a
73 United States decennial census is conducted, submit its report with a proposed
74 congressional redistricting plan, a proposed redistricting plan for the House of
75 Representatives, and a proposed redistricting plan for the Senate to the General Assembly
76 for approval. Such plans shall be voted upon by the General Assembly without
77 amendment. If either house of the General Assembly declines to approve a plan, the plan
78 and the report shall be returned to the commission with such specific suggestions as the
79 Senate or the House of Representatives, as applicable, believes would eliminate the basis
80 for disapproval of the plan. The commission shall then meet and revise the plan and submit
81 a new report and proposed plan to the General Assembly within 15 days following the
82 disapproval of the plan. Such revised plan shall be voted upon by the General Assembly
83 without amendment. If either house of the General Assembly declines to approve the
84 revised plan, the General Assembly shall proceed to formulate and enact a redistricting
85 plan on its own.

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

88 **SECTION 2.**

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

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

96 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

97 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
98 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
99 become a part of the Constitution of this state.