

Senate Bill 20

By: Senators Parent of the 42<sup>nd</sup>, Rhett of the 33<sup>rd</sup>, James of the 35<sup>th</sup>, Butler of the 55<sup>th</sup>, Sims of the 12<sup>th</sup> and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 28 of the Official Code of Georgia Annotated, relating to  
2 apportionment of the House of Representatives and Senate and qualifications of members,  
3 so as to create the Citizens' Redistricting Commission; to provide for its membership and  
4 duties; to provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Chapter 2 of Title 28 of the Official Code of Georgia Annotated, relating to apportionment  
8 of the House of Representatives and the Senate and qualifications of members, is amended  
9 by adding a new Code section to read as follows:

10 "28-2-3.

11 (a) There is created the Citizens' Redistricting Commission which shall be established as  
12 provided in this Code section.

13 (b) The commission shall consist of seven members appointed as follows:

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

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

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

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

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

20 (6) One member who shall be selected and appointed by the other six members of the  
21 commission.

22 In the year following a United States decennial census, the Governor, Lieutenant Governor,  
23 Speaker of the House of Representatives, and minority leaders of the Senate and House of  
24 Representatives shall make their respective appointments not later than March 1 of such  
25 year, and the member to be selected by such appointees shall be selected not later than  
26 March 15 of such year. In the case of a court order directing that congressional or  
27 legislative redistricting be done, the appointments by the Governor, Lieutenant Governor,

28 Speaker of the House of Representatives, and minority leaders of the Senate and House of  
29 Representatives shall be made not later than 30 days following such order, and the member  
30 to be selected by such appointees shall be selected not later than 45 days following such  
31 order. In the event that the six members of the commission cannot agree upon a seventh  
32 member within such time periods, the seventh member shall be selected by the Georgia  
33 Supreme Court not later than 15 days following the expiration of such time periods. The  
34 seventh member shall be the chairperson of the commission.

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

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

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

41 (3) Certifies and agrees at the time of his or her appointment that he or she will not run  
42 as a candidate for any federal or state elective office while serving on the commission and  
43 for a period of two years thereafter.

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

46 (e) Members of the commission shall be reimbursed for expenses incurred in the  
47 performance of their duties on the commission in the same manner as members of the  
48 General Assembly. The General Assembly is authorized to provide for the payment of  
49 reasonable compensation to the members of the commission. The General Assembly shall  
50 provide adequate funding to the commission, including the employment of a competent  
51 staff, in order for the commission to carry out its duties. The General Assembly shall  
52 provide adequate funding for the representation of the commission in any litigation, and  
53 the Department of Law shall have the responsibility for such representation.

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

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

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

62 (3) To conduct meetings, discussions, and deliberations in public and provide ample  
63 notice of the meetings of the commission to facilitate public participation and attendance.

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

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

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

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

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

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

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

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

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

93 **SECTION 2.**

94 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 95 without such approval.

96 **SECTION 3.**

97 All laws and parts of laws in conflict with this Act are repealed.