A RESOLUTION

- Proposing an amendment to the Constitution of the State of Georgia so as to provide procedures and standards for legislative and congressional reapportionment; to provide for
- 3 related matters; to provide for the submission of this amendment for ratification or rejection;
- 4 and for other purposes.

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BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

Article II of the Constitution is amended by adding a new Section IV to read as follows:

8 "SECTION IV.

LEGISLATIVE AND CONGRESSIONAL REAPPORTIONMENT

Paragraph I. Legislative and congressional reapportionment. (a) Senatorial and representative districts. The General Assembly in the second year following each federal decennial census, by general law, shall reapportion the state in accordance with this Constitution and the Constitution of the United States. The General Assembly shall reapportion the state into a number of congressional districts equal to the number of congressional districts allocated to the state under the United States Constitution and federal law. The General Assembly shall also reapportion the state into not less than 30 nor more than 56 consecutively numbered senatorial districts of either contiguous, overlapping, or identical territory, and into not less than 120 nor more than 180 consecutively numbered representative districts of either contiguous, overlapping, or identical territory. The Governor, by proclamation, shall reconvene the General Assembly in a special reapportionment session following the adjournment sine die of the regular session of the General Assembly in the second year following each federal decennial census, which shall not exceed 30 consecutive days, during which no other business shall be transacted, and it shall be the mandatory duty of the General Assembly to adopt a general law reapportioning the state as required by this subparagraph.

26 (b) Failure of General Assembly to reapportion; judicial reapportionment. In the event
27 that the special reapportionment session of the General Assembly finally adjourns without
28 enacting a general reapportionment Act or if the Governor vetoes such Act, the Attorney
29 General shall, within five days, petition the Supreme Court to make such reapportionment.
30 Not later than the sixtieth day after the filing of such petition, the Supreme Court shall file
31 with the Secretary of State an order making such reapportionment.

- (c) Judicial review of reapportionment. Within 15 days after the passage of a general reapportionment Act, the Attorney General shall petition the Supreme Court for a declaratory judgment determining the validity of the reapportionment. The Supreme Court, in accordance with its rules, shall permit adversary interests to present their views and, within 30 days from the filing of the petition, shall enter its judgment.
- (d) Effect of judgment on reapportionment; special reapportionment session. A judgment of the Supreme Court determining the general reapportionment Act to be valid shall be binding upon all the citizens of the state. Should the Supreme Court determine that the general reapportionment Act made by the General Assembly is invalid, the Governor, by proclamation, shall reconvene the General Assembly within five days thereafter in a special reapportionment session which shall not exceed 15 consecutive days, during which the General Assembly shall enact a general reapportionment Act conforming to the judgment of the Supreme Court.
- (e) Special reapportionment session; review of reapportionment. Within 15 days after the adjournment of a special reapportionment session resulting from a determination by the Supreme Court that a general reapportionment Act is invalid, the Attorney General shall file a petition in the Supreme Court setting forth the general reapportionment Act enacted by the General Assembly, or if none has been adopted, reporting that fact to the court. Consideration of the validity of a general reapportionment Act shall be had as provided for in cases of such general reapportionment Act enacted at a special reapportionment session as provided in subparagraph (c) of this Paragraph.
- (f) Judicial reapportionment. Should a special reapportionment session, resulting from a determination by the Supreme Court that a general reapportionment Act is invalid, fail to adopt a general reapportionment Act as required by this Paragraph or should the Supreme Court determine that the general reapportionment Act that was enacted in such special reapportionment session is invalid, the court shall, not later than 60 days after receiving the petition of the Attorney General, file with the Secretary of State an order making such reapportionment.
 - (g) Standards for establishing district boundaries. In establishing district boundaries:

 (1) No reapportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent

63	or result of denying or abridging the equal opportunity of racial or language minorities
64	to participate in the political process or to diminish their ability to elect representatives
65	of their choice; and districts shall consist of contiguous territory; and
66	(2) Districts shall be as nearly equal in population as is practicable; districts shall be
67	compact; and districts shall, where feasible, utilize existing political and geographica
68	boundaries."
69	SECTION 2.
70	The above proposed amendment to the Constitution shall be published and submitted as
71	provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
72	above proposed amendment shall have written or printed thereon the following:
73	"() YES Shall the Constitution of Georgia be amended so as to provide procedures for
74	() NO legislative and congressional reapportionment?"
75	All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
76	All persons desiring to vote against ratifying the proposed amendment shall vote "No." I
77	such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
78	become a part of the Constitution of this state