

House Resolution 12EX

By: Representatives Hugley of the 141st, Park of the 107th, Miller of the 62nd, Draper of the 90th, Cannon of the 58th, and others

A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Georgia so as to provide for
 2 certain minimum standards for congressional, legislative, and other state-wide apportionment
 3 or district plans; to provide for an exception; to provide that such plans shall not be drawn
 4 so as to favor or disfavor any political party or political organization, incumbent, or political
 5 candidate; to prohibit the denial or abridgement of the equal opportunity of racial minorities
 6 to participate in the political process or to elect state officeholders; to provide standing and
 7 venue for actions to challenge such amendments; to provide for related matters; to provide
 8 for the submission of this amendment for ratification or rejection; and for other purposes.

9 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Article III, Section II of the Constitution is amended by revising Paragraph II as follows:

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

16 (b)(1) This subparagraph shall apply to the apportionment of and districts for the
 17 United States Congress, the Senate, the House of Representatives, and any other plan

18 through which the entire state is divided into districts for the election of state officers by
19 the electors of the state, but shall not apply to any judicial circuit provided for in
20 Article VI.

21 (2)(A) Districts shall be composed of contiguous territory. Districts that connect on
22 only a single point shall not be contiguous.

23 (B) Each congressional district shall be drawn with a total population deviation of
24 plus or minus one person from the ideal district size. Each Senate or House of
25 Representatives district shall be drawn with a total population deviation of plus or
26 minus fifty persons from the ideal district size.

27 (C) In drawing an apportionment plan or drawing an individual district, the following
28 factors shall be considered and, whenever possible, all reasonable attempts shall be
29 made to avoid separating the following into separate districts:

30 (i) County boundaries;

31 (ii) Municipal boundaries;

32 (iii) Local school system boundaries;

33 (iv) Voting precinct boundaries; and

34 (v) Communities of interest, which shall include, but shall not be limited to,
35 populations that share cultural or historical characteristics or economic interests;
36 provided, however, that communities of interest shall not include relationships with
37 political parties or organizations, incumbents, or political candidates.

38 (D) No apportionment plan or individual district shall be drawn with the intent to
39 favor or disfavor or to have the result of favoring or disfavoring a political party or
40 organization or an incumbent, nor shall partisan considerations be used when
41 determining or establishing district criteria or guidelines.

42 (E) Districts shall not be drawn with the intent or result of denying or abridging the
43 equal opportunity of racial minorities to participate in the political process or to
44 diminish their ability to elect state officeholders of their choice.

