

1 AN ACT proposing to amend the Constitution of Kentucky relating to redistricting.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. Are you in favor of creating a new section and amending Section 33
4 of the Constitution of Kentucky to establish a Citizens Redistricting Commission to be
5 randomly selected by the Secretary of State, which will create and adopt redistricting
6 plans for state senatorial, state representative, and congressional districts every 10 years,
7 ending the current practice of creation and adoption of redistricting plans by the General
8 Assembly?

9 ➔SECTION 2. IT IS PROPOSED THAT A NEW SECTION BE ADDED TO
10 THE CONSTITUTION OF KENTUCKY TO READ AS FOLLOWS:

11 *(1) An independent citizens redistricting commission for state legislative and*
12 *congressional districts is hereby established as a permanent commission of the*
13 *legislative branch and shall be known as the Citizens Redistricting Commission. The*
14 *commission shall consist of thirteen commissioners, and shall adopt a redistricting*
15 *plan for State Senatorial Districts, State Representative Districts, and Congressional*
16 *Districts.*

17 *(2) The Secretary of State shall randomly select the thirteen commissioners by*
18 *selection pools, in a manner using statistical weighting methods to ensure that each*
19 *pool, as closely as possible, mirrors the geographic and demographic makeup of the*
20 *Commonwealth.*

21 *(3) The commission shall have the exclusive authority to compose and adopt*
22 *plans, seek experts and legal counsel, conduct hearings and meetings, purchase*
23 *software and equipment, hire staff and consultants, and engage in any other activity*
24 *necessary to assist the commission in its preparation of State Senatorial plans, State*
25 *Representative plans, or Congressional plans.*

26 *(4) The commission shall have legal standing to prosecute and defend any*
27 *action regarding an adopted plan.*

1 (5) The commission may elect its own chairperson and make its own rules of
2 procedure. Any amendments or changes to a law or procedure relating to the adoption
3 of the redistricting plan or selection of commissioners shall require an affirmative vote
4 of at least ten commissioners.

5 (6) The General Assembly may create or amend laws to assist the commission
6 in the performance of its duties, but it shall not create or amend any law that would
7 alter the number of votes required to adopt a plan, alter the selection process of the
8 commissioners, or otherwise prevent the commission from performing its constitutional
9 duties under this section or Section 33 of this Constitution.

10 (7) The commission shall hold at least twelve public hearings throughout the
11 Commonwealth for the purpose of:

12 (a) Informing the public about the redistricting process and the purpose and
13 responsibilities of the commission; and

14 (b) Soliciting information from the public about potential plans.

15 (8) A redistricting plan shall be adopted if at least ten commissioners vote to
16 adopt the plan. If a plan cannot attain an affirmative vote of ten commissioners, then
17 each commissioner shall rank the submitted plans by preference, and the plan with the
18 highest point total shall be adopted. The commission shall submit adopted plans and
19 any material reports, reference materials, and data used in drawing the plan, including
20 any programming information used to produce and test the plan, to the Secretary of
21 State. A redistricting plan adopted by the commission shall be published by the
22 Secretary of State and shall become law sixty days after publication.

23 (9) Under no circumstances shall any body other than the commission adopt a
24 redistricting plan or plans for this Commonwealth.

25 (10) The Kentucky Supreme Court, in the exercise of original jurisdiction, shall
26 direct the Secretary of State or the commission to perform their respective duties under
27 this section and Section 33 of this Constitution, and may review a challenge to any

1 plan adopted by the commission. The Supreme Court shall remand a plan to the
2 commission for further action if the plan fails to comply with the requirements of the
3 United States Constitution, the Constitution of Kentucky, or any other applicable law.

4 ➔Section 3. It is proposed that Section 33 of the Constitution of Kentucky be
5 amended to read as follows:

6 The Citizens Redistricting Commission~~[first General Assembly after the adoption~~
7 ~~of this Constitution]~~ shall divide the State into thirty-eight Senatorial Districts, and one
8 hundred Representative Districts, as nearly equal in population as may be without
9 dividing any county, except where a county may include more than one district, which
10 districts shall constitute the Senatorial and Representative Districts for ten years.~~[Not~~
11 ~~more than two counties shall be joined together to form a Representative District:~~
12 ~~Provided, In doing so the principle requiring every district to be as nearly equal in~~
13 ~~population as may be shall not be violated.]~~ At the expiration of that time, the Citizens
14 Redistricting Commission~~[General Assembly]~~ shall then, and every ten years thereafter,
15 redistrict the State according to this rule, and for the purposes expressed in this section.~~[~~
16 ~~If, in making said districts, inequality of population should be unavoidable, any~~
17 ~~advantage resulting therefrom shall be given to districts having the largest territory. No~~
18 ~~part of a county shall be added to another county to make a district, and]~~ The counties
19 forming a district shall be contiguous.

20 ➔Section 4. This amendment shall be submitted to the voters of the
21 Commonwealth for their ratification or rejection at the time and in the manner provided
22 for under Sections 256 and 257 of the Constitution, KRS 118.415, and Sections 5 and 6
23 of this Act.

24 ➔Section 5. Notwithstanding any provision of KRS 118.415 to the contrary, the
25 Secretary of State shall cause the entirety of the question in Section 1 of this Act and the
26 entirety of the proposed amendment to the Constitution of Kentucky contained in
27 Sections 2 and 3 of this Act to be published at least one time in a newspaper of general

1 circulation published in this state, and shall also cause to be published at the same time
2 and in the same manner the fact that the amendment will be submitted to the voters for
3 their acceptance or rejection at the next regular election at which members of the General
4 Assembly are to be voted for. The publication required by this section and KRS 118.415
5 shall be made no later than the first Tuesday in August preceding the election at which
6 the amendment is to be voted on.

7 ➔Section 6. Notwithstanding any provision of KRS 118.415 to the contrary, the
8 Secretary of State, not later than the second Monday after the second Tuesday in August
9 preceding the next regular election at which members of the General Assembly are to be
10 chosen in a year in which there is not an election for President and Vice President of the
11 United States, or not later than the Thursday after the first Tuesday in September
12 preceding a regular election in a year in which there is an election for President and Vice
13 President of the United States, shall certify the entirety of the question in Section 1 of this
14 Act and the entirety of the proposed amendment to the Constitution of Kentucky
15 contained in Sections 2 and 3 of this Act to the county clerk of each county, and the
16 county clerk shall have the entirety of the question and the amendment, as so certified,
17 indicated on the ballots provided to the voters in paper or electronic form as applicable to
18 the voting machines in use in each county or precinct.