

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 9

Short Title: Fair Maps Act. (Public)

Sponsors: Representatives Harrison, Morey, Reives, and Staton-Williams (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

January 26, 2023

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR AN INDEPENDENT REDISTRICTING PROCESS, TO ESTABLISH THE NORTH CAROLINA CITIZENS REDISTRICTING COMMISSION, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

PART I. INDEPENDENT REDISTRICTING PROCESS

SECTION 1.(a) Section 3 of Article II of the North Carolina Constitution reads as rewritten:

"Sec. 3. Senate districts; apportionment of Senators.

The Senators shall be elected from districts. ~~The General Assembly, at the first regular session convening after the return of every decennial census of population taken by order of Congress, shall revise the senate districts and the apportionment of Senators among those districts, subject to the following requirements:~~ Assembly shall establish an independent process to revise the senate districts and the apportionment of Senators among those districts pursuant to Section 25 of this Article.

(1) ~~Each Senator shall represent, as nearly as may be, an equal number of inhabitants, the number of inhabitants that each Senator represents being determined for this purpose by dividing the population of the district that he represents by the number of Senators apportioned to that district;~~

(2) ~~Each senate district shall at all times consist of contiguous territory;~~

(3) ~~No county shall be divided in the formation of a senate district;~~

(4) ~~When established, the senate districts and the apportionment of Senators shall remain unaltered until the return of another decennial census of population taken by order of Congress."~~

SECTION 1.(b) Section 5 of Article II of the North Carolina Constitution reads as rewritten:

"Sec. 5. Representative districts; apportionment of Representatives.

The Representatives shall be elected from districts. ~~The General Assembly, at the first regular session convening after the return of every decennial census of population taken by order of Congress, shall revise the representative districts and the apportionment of Representatives among those districts, subject to the following requirements:~~ Assembly shall establish an independent process to revise the representative districts and the apportionment of Representatives among those districts pursuant to Section 25 of this Article.



1 (1) ~~Each Representative shall represent, as nearly as may be, an equal number of~~
 2 ~~inhabitants, the number of inhabitants that each Representative represents being determined for~~
 3 ~~this purpose by dividing the population of the district that he represents by the number of~~
 4 ~~Representatives apportioned to that district;~~

5 (2) ~~Each representative district shall at all times consist of contiguous territory;~~

6 (3) ~~No county shall be divided in the formation of a representative district;~~

7 (4) ~~When established, the representative districts and the apportionment of~~
 8 ~~Representatives shall remain unaltered until the return of another decennial census of population~~
 9 ~~taken by order of Congress."~~

10 **SECTION 1.(c)** Article II of the North Carolina Constitution is amended by adding
 11 a new section to read:

12 **"Sec. 25. Redistricting.**

13 The General Assembly shall establish by law an independent process to revise electoral
 14 districts for Congress and the General Assembly after the return of every decennial census of
 15 population taken by order of Congress. The process shall meet at least all of the following
 16 requirements:

17 (1) Neither the General Assembly nor the Governor shall have any role in revising
 18 electoral districts for the General Assembly or the House of Representatives of the United States
 19 Congress.

20 (2) Each member of the Senate and House of Representatives of the General Assembly
 21 and the House of Representatives of the United States Congress shall represent, as nearly as may
 22 be, an equal number of inhabitants.

23 (3) Each electoral district shall at all times consist of contiguous territory.

24 (4) When established, the electoral districts for the Senate and House of Representatives
 25 of the General Assembly shall remain unaltered until the return of another decennial census of
 26 population taken by order of Congress.

27 (5) Electoral districts adopted pursuant to the process shall have the force and effect of
 28 acts of the General Assembly."

29 **SECTION 1.(d)** Subsection (5) of Section 22 of Article II of the North Carolina
 30 Constitution reads as rewritten:

31 "(5) ~~Other exceptions. Appointments to office. Every bill:~~

32 (a) ~~In bill in~~ which the General Assembly makes an appointment or appointments
 33 to public office and which contains no other ~~matter;~~

34 (b) ~~Revising the senate districts and the apportionment of Senators among those~~
 35 ~~districts and containing no other matter;~~

36 (c) ~~Revising the representative districts and the apportionment of Representatives~~
 37 ~~among those districts and containing no other matter; or~~

38 (d) ~~Revising the districts for the election of members of the House of~~
 39 ~~Representatives of the Congress of the United States and the apportionment~~
 40 ~~of Representatives among those districts and containing no other~~
 41 ~~matter,matter shall be read three times in each house before it becomes law~~
 42 ~~and shall be signed by the presiding officers of both houses."~~

43 **SECTION 1.(e)** The amendments set out in subsections (a), (b), (c), and (d) of this
 44 section shall be submitted to the qualified voters of the State at the general election in November
 45 2024, which election shall be conducted under the laws then governing elections in the State.
 46 Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General
 47 Statutes. The question to be used in the voting systems and ballots shall be:

48 "[] FOR [] AGAINST

49 A constitutional amendment providing for an independent redistricting process for
 50 electoral districts for Congress and the General Assembly. The General Assembly would
 51 establish the process but have no role in the revising of districts."

1 husband, wife, grandfather, grandmother, father-in-law, mother-in-law,
2 son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,
3 stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or
4 half-sister.

5 **"§ 120-4.55. North Carolina Citizens Redistricting Commission.**

6 (a) Establishment. – There is established the North Carolina Citizens Redistricting
7 Commission in accordance with Section 25 of Article II of the North Carolina Constitution to
8 prepare preliminary, proposed, and alternative plans and to adopt final plans for the purpose of
9 nominating and electing members of the Senate and House of Representatives of the General
10 Assembly and the House of Representatives of the United States Congress.

11 (b) Eligibility. – A resident of North Carolina is eligible to apply for membership on the
12 Commission if that person meets all of the following requirements:

13 (1) Has been a registered voter in North Carolina with the same party affiliation,
14 or lack thereof, for at least four years prior to commencement of service on
15 the Commission. This requirement does not apply to persons under the age of
16 25.

17 (2) Has not contributed more than two thousand dollars (\$2,000) to any candidate
18 for public office.

19 (3) No person who has served or is serving as a member of the Commission shall
20 be eligible to hold any public office during his or her term and for three years
21 after termination of service on the Commission.

22 (4) Is not any of the following:

23 a. A relative of a current member of the General Assembly.

24 b. A political appointee of the General Assembly.

25 c. A staff member or legal counsel to the General Assembly.

26 d. An official of a political party or a consultant or legal counsel to a
27 political party in the United States.

28 (5) Has never done any of the following:

29 a. Been elected to serve in any of the following:

30 1. The General Assembly or Congress at the time of or for any
31 period of time during the eight years preceding the date of his
32 or her application.

33 2. Any other public office at the time of or for any period of time
34 during the four years preceding the date of his or her
35 application.

36 b. Held a political appointment.

37 c. Served as an elected or appointed officer of a political party, body, or
38 committee at any level of government in the United States.

39 d. Served as an officer, employee, or paid consultant of a political party
40 or body or of the campaign or campaign committee of a candidate for
41 public office in the United States.

42 e. Been employed by Congress.

43 f. Been convicted of any of the following crimes against a governmental
44 body of the United States or a crime with a direct connection to the
45 crimes:

46 1. Espionage.

47 2. Terrorism.

48 3. Treason.

49 4. Sabotage.

50 5. Sedition.

- 1 g. Been a member of an organization that advocates any of the crimes
2 listed in sub-subdivision f. of this subdivision or any of the following:
3 1. Overthrowing or attacking any governmental body of the
4 United States.
5 2. Preventing any official of any governmental body of the
6 United States from performing his or her official duties.
7 3. Preventing persons from exercising their rights under the laws
8 of any governmental body of the United States.
9 (6) Is not a legislative staffer, lobbyist, or legislative liaison.
10 (c) Membership Application; Evaluations. – Any citizen of North Carolina may apply to
11 the State Auditor to be a member of the Commission. As part of a person's application, that
12 person shall (i) disclose all relevant relationships and positions and (ii) submit to the State
13 Auditor an attestation that the person is eligible to serve as a member of the Commission pursuant
14 to subsection (b) of this section. The State Auditor shall evaluate applications to ensure they meet
15 the requirements of this section and any other requirements of State law. The State Auditor shall
16 submit all eligible applications to the North Carolina Human Relations Commission. The North
17 Carolina Human Relations Commission shall review the eligible applications and submit a
18 diverse group of up to 60 applications to the General Assembly, as follows:
19 (1) Applications submitted to the General Assembly shall reflect the State's
20 diverse races, ethnicities, nationalities, sexual orientations, socioeconomic
21 statuses, and geography.
22 (2) The North Carolina Human Relations Commission shall submit no more than
23 20 applications from persons registered in each of the following ways, as
24 reflected by the latest registration statistics published by the State Board of
25 Elections:
26 a. As affiliated with the political party with the highest number of
27 registered affiliates.
28 b. As affiliated with the political party with the second-highest number
29 of registered affiliates.
30 c. As not affiliated with either of the two political parties having the
31 highest and second-highest number of registered affiliates.
32 (3) If there are fewer than 20 applications from persons registered in accordance
33 with any sub-subdivision of subdivision (c)(2) of this section, the North
34 Carolina Human Relations Commission may submit additional eligible
35 applications to the General Assembly, as necessary, to reach a total of 60
36 applications.
37 (d) Appointment. – The Commission shall be composed of 15 members appointed from
38 the pool of candidates submitted to the General Assembly pursuant to subsection (c) of this
39 section, as follows:
40 (1) Two by the President Pro Tempore of the Senate from the pool of applications
41 that share his or her political party affiliation or lack thereof.
42 (2) Two by the minority leader in the Senate from the pool of applications that
43 share his or her political party affiliation or lack thereof.
44 (3) Two by the Speaker of the House of Representatives from the pool of
45 applications that share his or her political party affiliation or lack thereof.
46 (4) Two by the minority leader in the House of Representatives from the pool of
47 applications that share his or her political party affiliation or lack thereof.
48 (5) Seven randomly selected by the North Carolina Human Relations
49 Commission, as follows:
50 a. One from the pool of applications submitted pursuant to
51 sub-subdivision (c)(2)a. of this section.

- 1 b. One from the pool of applications submitted pursuant to
2 sub-subdivision (c)(2)b. of this section.
- 3 c. Five from the pool of applications submitted pursuant to
4 sub-subdivision (c)(2)c. of this section.
- 5 (6) All appointing authorities shall consider the importance of diversity, as
6 defined in subdivision (c)(1) of this section, when making their appointments.
- 7 (e) Term of Office. – The term of office for members of the Commission shall begin on
8 July 1 of each year ending in zero. The members shall continue in office for 10 years until their
9 successors are appointed and qualified.
- 10 (f) Chair. – The position of chair of the Commission shall rotate every three months,
11 following a schedule randomly generated at the beginning of the redistricting cycle. No two
12 members who share the same party affiliation, or lack thereof, shall serve as chair in the same
13 six-month period. No member shall serve as chair more than once in a 12-month period.
- 14 (g) Removal from Office. – A member of the Commission may be removed from office,
15 as follows:
- 16 (1) By the authority that appointed the member for any of the following:
- 17 a. Failure to comply with G.S. 120-4.65.
- 18 b. Ineligibility pursuant to subsection (b) of this section.
- 19 (2) By a vote of at least 11 members of the Commission, including at least one
20 commissioner appointed from the same sub-subdivision of subdivision (c)(2)
21 of this section, in open session at any duly held meeting, for any cause that
22 renders the member incapable or unfit to discharge the duties of the office,
23 including neglect of duty or gross misconduct. All Commission member votes
24 on removal of a member pursuant to this subdivision shall be recorded in the
25 record.
- 26 (h) Vacancies. – Any vacancy occurring in the membership of the Commission shall be
27 filled in the manner prescribed in this section by the authority that made the initial appointment.
28 Vacancies shall be filled for the remainder of the unexpired term.
- 29 (i) Stipend. – Members of the Commission shall receive a stipend of one thousand two
30 hundred dollars (\$1,200) for each month that the Commission meets.
- 31 (j) Other Expenses. – Members of the Commission may receive travel and subsistence,
32 as follows:
- 33 (1) Members who are officials or employees of a State agency or unit of local
34 government, in accordance with G.S. 138-6.
- 35 (2) All other members at the rate established in G.S. 138-5.
- 36 **"§ 120-4.60. Staff.**
- 37 (a) The Commission shall be administratively housed in the Legislative Services Office
38 of the General Assembly.
- 39 (b) The Commission may exercise its prescribed powers independently of the General
40 Assembly and the Legislative Services Officer. In order to pay expenses incidental to
41 implementing its purposes, the Commission may enter into contracts, own property, and accept
42 funds, grants, and gifts from academic and nonprofit entities that have never contributed to
43 political parties, persons holding public office, or candidates for public office.
- 44 (c) The Legislative Services Officer shall provide general administrative support to the
45 Commission, including purchasing, payroll, and similar administrative services.
- 46 (d) The Commission shall retain independent staff under contract, including an executive
47 secretary and any additional necessary supporting staff. As a whole, the political affiliations of
48 staff members, or lack thereof, shall be divided approximately into thirds among the two political
49 parties with the highest number of affiliates and among persons unaffiliated with a political party.
50 A person is ineligible to serve as a staff member to the Commission if that person would be

ineligible to serve as a member of the Commission pursuant to G.S. 120-4.55(b). Staff shall be selected as follows:

- (1) If there are at least three members appointed to the Commission from each sub-subdivision of G.S. 120-4.55(c)(2), staff shall be selected by a vote of at least nine members composed of at least three members appointed to the Commission from each sub-subdivision of G.S. 120-4.55(c)(2).
- (2) If there are not at least three members appointed to the Commission from each sub-subdivision of G.S. 120-4.55(c)(2), staff shall be selected by a vote of all of the following:
 - a. At least three members from each sub-subdivision of G.S. 120-4.55(c)(2) with more than three members appointed to the Commission.
 - b. A unanimous vote from each sub-subdivision of G.S. 120-4.55(c)(2) with three or fewer members appointed to the Commission.

"§ 120-4.65. Open meetings and public records.

The Commission shall be subject to the Public Records Act, Chapter 132 of the General Statutes, and the Open Meetings Law, Article 33C of Chapter 143 of the General Statutes, except to the extent those enactments conflict with the below requirements:

- (1) Members of the Commission and staff shall not discuss the business of the Commission outside public meetings.
- (2) If a member of the Commission violates subdivision (1) of this section, he or she shall place in the public records of the Commission (i) any violating written communication and (ii) a written description of any violating oral communication. The written description of an oral communication must include the name of the parties to the communication, the date and approximate time of the communication, and a description of the nature and substance of the communication.
- (3) The Commission shall provide at least 14 days' notice prior to any meeting in which votes will be taken.

"§ 120-4.70. Redistricting criteria.

All plans shall meet the following goals, in order of priority:

- (1) Each identified representative shall represent, as nearly as may be, an equal number of inhabitants.
- (2) Compliance with the North Carolina Constitution, State law, the Constitution of the United States, including the equal protection clause of the Fourteenth Amendment, and federal law, to ensure that everyone, including members of minority groups, have an equal opportunity to elect representatives of their choice.
- (3) In accordance with subdivisions (1) and (2) of this section, the population for a legislative district shall be within five percent (5%) of the ideal population for that district. Congressional districts shall each have a population that is as nearly equal as practicable to the ideal population but in all cases within one-tenth of one percent (0.1%) of the ideal population for that district.
- (4) All districts shall be contiguous. Areas that meet only at the points of adjoining corners are not contiguous.
- (5) Minimizing the number of split communities of interest with the following communities of interest prioritized above all others and in the following order:
 - a. Municipalities and census designated places.
 - b. Precincts.
 - c. Counties.

- 1 (6) The Commission shall not consider electoral results or political considerations
2 in the preparation of a preliminary, proposed, or alternative plan. In order to
3 ensure that each citizen of the State has substantially equal voting power on
4 the basis of party affiliation, the Commission shall evaluate every proposed
5 and alternative plan after the plan is created to avoid inadvertently diminishing
6 or diluting a voter's opportunity to aggregate with likeminded voters to elect
7 a governing majority based on party affiliation. Before adopting a final plan,
8 the Commission shall revise any plan that it deems to have violated this
9 subdivision to the minimum extent necessary to remedy that violation.
- 10 (7) Districts shall not favor or disfavor an incumbent, and the Commission shall
11 not consider member residency in the preparation of a plan.
- 12 (8) To the extent practicable, all districts shall be compact. Districts should not
13 bypass nearby communities for more distant communities.

14 **"§ 120-4.75. Adoption of redistricting plans by the Commission.**

15 (a) Duties. – The Commission shall adopt preliminary, proposed, alternative, and final
16 plans, as follows:

- 17 (1) If there are at least three members appointed to the Commission from each
18 sub-subdivision of G.S. 120-4.55(c)(2), plans shall be adopted by a vote of at
19 least nine members composed of at least three members appointed to the
20 Commission from each sub-subdivision of G.S. 120-4.55(c)(2).
- 21 (2) If there are not at least three members appointed to the Commission from each
22 sub-subdivision of G.S. 120-4.55(c)(2), plans shall be adopted by a vote of all
23 of the following:
- 24 a. At least three members from each sub-subdivision of
25 G.S. 120-4.55(c)(2) with more than three members appointed to the
26 Commission.
- 27 b. A unanimous vote from each sub-subdivision of G.S. 120-4.55(c)(2)
28 with three or fewer members appointed to the Commission.

29 (b) Special Master. – At the beginning of the redistricting cycle, the State Auditor shall
30 submit to the Commission a list of names of persons with an expertise in redistricting who are
31 qualified to serve as a special master. A person is ineligible to serve as a special master if that
32 person would be ineligible to serve as a member of the Commission pursuant to G.S. 120-4.55(b).
33 In the event a plan cannot be adopted pursuant to subsection (a) of this section, the Commission
34 shall appoint a special master from the list of names provided by the State Auditor, and the special
35 master shall draw a plan and submit the plan, along with the rationale for the plan, to the
36 Commission, which shall adopt that plan. The special master shall be appointed as follows:

- 37 (1) If there are at least three members appointed to the Commission from each
38 sub-subdivision of G.S. 120-4.55(c)(2), the special master shall be appointed
39 by a vote of at least nine members composed of at least three members
40 appointed to the Commission from each sub-subdivision of
41 G.S. 120-4.55(c)(2).
- 42 (2) If there are not at least three members appointed to the Commission from each
43 sub-subdivision of G.S. 120-4.55(c)(2), the special master shall be appointed
44 by a vote of all of the following:
- 45 a. At least three members from each sub-subdivision of
46 G.S. 120-4.55(c)(2) with more than three members appointed to the
47 Commission.
- 48 b. A unanimous vote from each sub-subdivision of G.S. 120-4.55(c)(2)
49 with three or fewer members appointed to the Commission.

1 (c) Time Line. – The Commission shall adopt all plans no later than October 1 of the year
2 following each federal census. Prior to the adoption of a plan, the Commission shall adhere to
3 the following maximum time line:

4 (1) Within 30 days of receipt of data from the Census Bureau, the Commission
5 shall hold at least 10 initial public hearings pursuant to G.S. 120-4.80.

6 (2) Within 50 days of receipt of data from the Census Bureau, the Commission
7 shall release to the public preliminary plans for revising the congressional and
8 legislative districts.

9 (3) Within 70 days of receipt of data from the Census Bureau, the Commission
10 shall hold at least an additional 10 public hearings pursuant to G.S. 120-4.80.

11 (4) Within 90 days of receipt of data from the Census Bureau, the Commission
12 shall release to the public all of the following:

13 a. Proposed plans for revising the congressional and legislative districts.

14 b. Alternative plans for revising the congressional and legislative
15 districts.

16 c. A summary of public input provided pursuant to G.S. 120-4.80.

17 (5) Within 110 days of receipt of data from the Census Bureau, the Commission
18 shall vote to adopt final plans from its proposed or alternative plans for
19 revising the congressional and legislative districts.

20 (6) If the Commission fails to adopt any plan pursuant to subdivision (5) of this
21 subsection, the Commission shall adhere to the following extended
22 maximum time line:

23 a. Within 130 days of receipt of data from the Census Bureau, the
24 Commission shall select from the list of names provided by the State
25 Auditor pursuant to subsection (b) of this section a special master to
26 complete the plan or plans. The Commission shall provide the special
27 master with its proposed and alternative plans and all supporting data.

28 b. Within 150 days of receipt of data from the Census Bureau, the special
29 master shall prepare and release a plan and rationale for any changes
30 from the plans released by the Commission. The special master shall
31 present the plan to the Commission.

32 c. Within 170 days of receipt of data from the Census Bureau, the
33 Commission shall hold at least 10 public hearings pursuant to
34 G.S. 120-4.80 on the plan or plans presented by the special master.

35 d. Within 180 days of receipt of data from the Census Bureau, the
36 Commission shall adopt as a final plan the plan presented by the
37 special master.

38 (7) Notwithstanding subdivisions (1) through (6) of this subsection, the
39 Commission may extend the maximum number of days between any event
40 required in this subsection by as many as seven days, up to a total of 40 days
41 over the course of a year, for good cause.

42 **"§ 120-4.80. Public input.**

43 (a) Public Hearings. – For each redistricting cycle, the Commission shall engage in a
44 minimum of 25 public hearings. At least one public hearing shall occur in each of the
45 metropolitan and micropolitan statistical areas of the State, as defined by the Office of
46 Management and Budget of the United States. Of the total public hearings, at least 10 hearings
47 shall occur before a preliminary plan is released to the public, and at least 10 hearings shall occur
48 after a preliminary plan is released to the public but before a proposed or alternative plan is
49 released to the public.

50 (b) Public Input. – To the extent possible, the Commission shall facilitate the ability of
51 members of the public to provide substantive comments on any plan released to the public. To

1 achieve that goal, the Commission shall provide members of the public with all of the following
2 resources:

- 3 (1) Sufficient time to review any plan released to the public.
- 4 (2) The opportunity to communicate comments, questions, and recommendations
5 on any plan released to the public, at a minimum, in person, online, and
6 through the mail. The Commission shall reserve time at the end of every
7 meeting for in-person and virtual public comment.
- 8 (3) Access to the same demographic data that is used by the Commission in a
9 machine-readable form.
- 10 (4) Access to mapping software and census data in a minimum of 30 public library
11 facilities in the State within 20 days of receipt of that data from the United
12 States Bureau of the Census.
- 13 (5) A public, written response to every substantive comment or recommendation
14 regarding a specific component of a plan released to the public. The response
15 shall address the viability of any recommendation and indicate whether it was
16 or will be incorporated in any other plan.
- 17 (6) At the conclusion of the redistricting process, the Commission shall publish a
18 written evaluation of each final plan, including at least the following
19 information:
 - 20 a. The impact of the plans on the ability of minority groups, including
21 racial minorities, to elect candidates of their choice.
 - 22 b. The degree to which the plans preserve or divide communities of
23 interest.
 - 24 c. The rationale for changes in the plans from the prior districts.
 - 25 d. The impact of the plans on metropolitan and micropolitan areas.
 - 26 e. A summary of the public input received by the Commission on the
27 plans.
- 28 (7) A website with all of the following information:
 - 29 a. Background information on the redistricting process available in at
30 least English and Spanish on the purpose of redistricting and its impact
31 on all communities. The Commission shall provide information in
32 other languages if at least 50,000 people petition the Commission to
33 have a particular language included.
 - 34 b. Livestreams and recordings of all public meetings in audio, video, or
35 both formats and minutes from those meetings.
 - 36 c. Meeting announcements.
 - 37 d. A searchable database of feedback, including public comments, and
38 plans discussed by the Commission. This information shall be made
39 available as soon as practicable after it is generated.
 - 40 e. Plans discussed by the Commission and the data used to create those
41 plans.

42 **"§ 120-4.85. Local redistricting.**

43 The General Assembly may by law assign to the Commission the duty to prepare district
44 plans for any county, city, town, special district, and other governmental subdivision, if the
45 governing board of the unit or a court of appropriate jurisdiction so requests."

46 **SECTION 1.(h)** Notwithstanding G.S. 120-4.55(e), as enacted by this act, for any
47 redistricting that may occur prior to the return of the 2030 federal census, the term of office for
48 members of the North Carolina Citizens Redistricting Commission shall begin on January 1,
49 2025, and conclude on June 30, 2030.

50 **PART II. CONFORMING CHANGES**

1 **SECTION 2.(a)** G.S. 120-2.3 reads as rewritten:

2 "**§ 120-2.3. Contents of judgments invalidating apportionment or redistricting acts.**

3 Every order or judgment declaring unconstitutional or otherwise invalid, in whole or in part
4 and for any reason, any ~~act of the General Assembly plan~~ that apportions or redistricts State
5 legislative or congressional districts shall find with specificity all facts supporting that
6 declaration, shall state separately and with specificity the court's conclusions of law on that
7 declaration, and shall, with specific reference to those findings of fact and conclusions of law,
8 identify every defect found by the court, both as to the plan as a whole and as to individual
9 districts."

10 **SECTION 2.(b)** G.S. 120-2.4 reads as rewritten:

11 "**§ 120-2.4. Opportunity for ~~General Assembly~~ to remedy defects.**

12 (a) If ~~the General Assembly enacts~~ a plan apportioning or redistricting State legislative
13 or congressional ~~districts, districts becomes effective~~, in no event may a court impose its own
14 substitute plan unless the court first gives the General Assembly North Carolina Citizens
15 Redistricting Commission a period of time to remedy any defects identified by the court in its
16 findings of fact and conclusions of law. That period of time shall not be less than two ~~weeks,~~
17 ~~provided, however, that if the General Assembly is scheduled to convene legislative session~~
18 ~~within 45 days of the date of the court order that period of time shall not be less than two weeks~~
19 ~~from the convening of that legislative session.~~weeks.

20 (a1) In the event the General Assembly North Carolina Citizens Redistricting Commission
21 does not act to remedy any identified defects to its plan within that period of time, the court may
22 impose an interim districting plan for use in the next general election only, but that interim
23 districting plan may differ from the previous districting plan ~~enacted by the General Assembly~~
24 only to the extent necessary to remedy any defects identified by the court.

25 (b) Notwithstanding any other provision of law or authority of the State Board of
26 Elections under Chapter 163 of the General Statutes, the State Board of Elections shall have no
27 authority to alter, amend, correct, impose, or substitute any plan apportioning or redistricting
28 State legislative or congressional districts other than a plan imposed by a court under this section
29 or a plan ~~enacted by the General Assembly.~~adopted by the North Carolina Citizens Redistricting
30 Commission."

31 **SECTION 2.(c)** G.S. 120-133 is repealed.

32 **PART III. EFFECTIVE DATE**

33 **SECTION 3.(a)** If the constitutional amendments proposed by subsections (a), (b),
34 (c), and (d) of Section 1 of this act are approved by the qualified voters as provided in subsections
35 (e) and (f) of Section 1 of this act, the following shall become effective January 1, 2025:

36 (1) Subsections (g) and (h) of Section 1 of this act.

37 (2) Part II of this act.

38 **SECTION 3.(b)** Except as otherwise provided, this act is effective when it becomes
39 law.
40