



March 29, 2021

SUMMARY OF ORIGINAL BILL: Establishes a three-judge panel, comprised of judges from the court of appeals appointed by the Chief Justice of the Supreme Court, to adjudicate cases challenging state legislative or congressional districts in the chancery court of Davidson County. Specifies the judges are appointed from each grand division and cannot be a former member of the General Assembly.

Establishes the statute of limitations for any action filed as one year after the date of the first statewide general election following the enactment of the public chapter that apportioned or redistricted the state legislative or congressional districts being challenged. Authorizes that any party dissatisfied with the final judgment of the three-judge panel may appeal to the Supreme Court within 30 days from the entry of the judgment.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006029): Deletes and rewrites all language after the enacting clause such that the substantive changes are: establishes that redistricting cases will be heard in the chancery court of the county in which the action was filed; deletes the language establishing the statute of limitations for an action challenging redistricted districts as one year after the first general election; and adds language preventing a court from imposing a substitute redistricting plan unless the court gives the General Assembly a period of time to remedy any defects identified by the court. Requires the court to consider whether the General Assembly is in session or not when setting the time period.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- The panel is comprised of the presiding judge of the county in which the action is filed, and two judges from each remaining grand division.

- The redistricting for state legislative and congressional districts takes place following the release of the United States Census every ten years.
- Following the latest redistricting in 2012, pursuant to Public Chapter 512 (2012), there was only one lawsuit related to process filed, *Moore v. Tennessee*.
- Given the few expected cases filed, there will be no additional personnel or resources necessary.
- Any fiscal impact can be absorbed within existing judicial resources.
- It is assumed that any court that finds defect in a redistricting plan passed by the General Assembly will consider a timeframe to remedy such defects within the annual legislative session; therefore, no additional travel reimbursement will be required for legislative members.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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