

REFERENCE TITLE: legislature; sixty house districts

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

## **SCR 1044**

Introduced by  
Senators Quezada: Terán

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 2, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO LEGISLATIVE DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of  
2 Representatives concurring:

3 1. Article IV, part 2, section 1, Constitution of Arizona, is  
4 proposed to be amended as follows if approved by the voters and on  
5 proclamation of the Governor:

6 1. Senate; house of representatives; members; special  
7 session on petition of members; congressional and  
8 legislative boundaries; citizen commissions

9 Section 1. ~~(1)~~ A. The senate shall be composed of one  
10 member elected from each of the thirty ~~legislative~~ SENATE  
11 districts established pursuant to this section. THE  
12 BOUNDARIES OF EACH SENATE DISTRICT SHALL BE SEPARATE FROM AND  
13 INDEPENDENT OF THE BOUNDARIES OF THE HOUSE OF REPRESENTATIVES  
14 DISTRICTS.

15 B. The house of representatives shall be composed of  
16 ~~two members~~ ONE MEMBER elected from each of the ~~thirty~~  
17 ~~legislative~~ SIXTY HOUSE districts established pursuant to this  
18 section.

19 ~~(2)~~ C. ~~Upon~~ ON the presentation to the governor of a  
20 petition bearing the signatures of not less than two-thirds of  
21 the members of each house, requesting a special session of the  
22 legislature and designating the date of convening, the  
23 governor shall promptly call a special session to assemble on  
24 the date specified. At a special session so called the  
25 subjects which may be considered by the legislature shall not  
26 be limited.

27 ~~(3)~~ D. By February 28 of each year that ends in one,  
28 an independent redistricting commission shall be established  
29 to provide for the redistricting of congressional and state  
30 legislative districts. The independent redistricting  
31 commission shall consist of five members. ~~No~~ NOT more than  
32 two members of the independent redistricting commission shall  
33 be members of the same political party. Of the first four  
34 members appointed, ~~no~~ NOT more than two shall reside in the  
35 same county. Each member shall be a registered Arizona voter  
36 who has been continuously registered with the same political  
37 party or registered as unaffiliated with a political party for  
38 three or more years immediately preceding appointment, ~~AND~~  
39 who is committed to applying ~~the provisions of~~ this section in  
40 an honest, independent and impartial fashion and to upholding  
41 public confidence in the integrity of the redistricting  
42 process. Within the three years previous to appointment,  
43 members shall not have been appointed to, elected to, ~~or~~  
44 a candidate for any other public office, including precinct  
45 committeeman or committeewoman but not including school board

1 member or officer, and shall not have served as an officer of  
2 a political party, or served as a registered paid lobbyist or  
3 as an officer of a candidate's campaign committee.

4 ~~(4)~~ E. The commission on appellate court appointments  
5 shall nominate candidates for appointment to the independent  
6 redistricting commission, except that, if a politically  
7 balanced commission exists whose members are nominated by the  
8 commission on appellate court appointments and whose regular  
9 duties relate to the elective process, the commission on  
10 appellate court appointments may delegate to such existing  
11 commission (hereinafter called the commission on appellate  
12 court appointments' designee) the duty of nominating members  
13 for the independent redistricting commission, and all other  
14 duties assigned to the commission on appellate court  
15 appointments in this section.

16 ~~(5)~~ F. By January 8 of years ending in one, the  
17 commission on appellate court appointments or its designee  
18 shall establish a pool of persons who are willing to serve on  
19 and are qualified for appointment to the independent  
20 redistricting commission. The pool of candidates shall  
21 consist of twenty-five nominees, with ten nominees from each  
22 of the two largest political parties in Arizona based on party  
23 registration, and five who are not registered with either of  
24 the two largest political parties in Arizona.

25 ~~(6)~~ G. Appointments to the independent redistricting  
26 commission shall be made in the order set forth below. No  
27 later than January 31 of years ending in one, the highest  
28 ranking officer elected by the Arizona house of  
29 representatives shall make one appointment to the independent  
30 redistricting commission from the pool of nominees, followed  
31 by one appointment from the pool made in turn by each of the  
32 following: the minority party leader of the Arizona house of  
33 representatives, the highest ranking officer elected by the  
34 Arizona senate, and the minority party leader of the Arizona  
35 senate. Each such official shall have a seven-day period in  
36 which to make an appointment. Any official who fails to make  
37 an appointment within the specified time period will forfeit  
38 the appointment privilege. ~~in the event that~~ IF there are two  
39 or more minority parties within the house or the senate, the  
40 leader of the largest minority party by statewide party  
41 registration shall make the appointment.

42 ~~(7)~~ H. Any vacancy in the above four independent  
43 redistricting commission positions remaining as of March 1 of  
44 a year ending in one shall be filled from the pool of nominees  
45 by the commission on appellate court appointments or its

1           designee. The appointing body shall strive for political  
2           balance and fairness.

3           ~~(8)~~ I. At a meeting called by the secretary of state,  
4           the four independent redistricting commission members shall  
5           select by majority vote from the nomination pool a fifth  
6           member who shall not be registered with any party already  
7           represented on the independent redistricting commission and  
8           who shall serve as chair. If the four commissioners fail to  
9           appoint a fifth member within fifteen days, the commission on  
10          appellate court appointments or its designee, striving for  
11          political balance and fairness, shall appoint a fifth member  
12          from the nomination pool, who shall serve as chair.

13          ~~(9)~~ J. The five commissioners shall then select by  
14          majority vote one of their members to serve as vice-chair.

15          ~~(10)~~ K. After having been served written notice and  
16          provided with an opportunity for a response, a member of the  
17          independent redistricting commission may be removed by the  
18          governor, with the concurrence of two-thirds of the senate,  
19          for substantial neglect of duty, gross misconduct in  
20          office, or inability to discharge the duties of office.

21          ~~(11)~~ L. If a commissioner or chair does not complete  
22          the term of office for any reason, the commission on appellate  
23          court appointments or its designee shall nominate a pool of  
24          three candidates within the first thirty days after the  
25          vacancy occurs. The nominees shall be of the same political  
26          party or status as was the member who vacated the office at  
27          the time of ~~his or her~~ appointment, and the appointment other  
28          than the chair shall be made by the current holder of the  
29          office designated to make the original appointment. The  
30          appointment of a new chair shall be made by the remaining  
31          commissioners. If the appointment of a replacement  
32          commissioner or chair is not made within fourteen days  
33          following the presentation of the nominees, the commission on  
34          appellate court appointments or its designee shall make the  
35          appointment, striving for political balance and fairness. The  
36          newly appointed commissioner shall serve out the remainder of  
37          the original term.

38          ~~(12)~~ M. Three commissioners, including the chair or  
39          vice-chair, constitute a quorum. Three or more affirmative  
40          votes are required for any official action. Where a quorum is  
41          present, the independent redistricting commission shall  
42          conduct business in meetings open to the public, with ~~48~~  
43          FORTY-EIGHT or more hours public notice provided.

1           ~~(13)~~ N. A commissioner, during the commissioner's term  
2 of office and for three years thereafter, shall be ineligible  
3 for Arizona public office or for registration as a paid  
4 lobbyist.

5           ~~(14)~~ O. The independent redistricting commission shall  
6 establish congressional and legislative districts. The  
7 commencement of the mapping process for both the congressional  
8 and legislative districts shall be the creation of districts  
9 of equal population in a grid-like pattern across the state.  
10 Adjustments to the grid shall then be made as necessary to  
11 accommodate the goals as set forth below:

12           ~~A.~~ 1. Districts shall comply with the United States  
13 Constitution and the United States voting rights act. ~~;~~

14           ~~B.~~ 2. Congressional districts shall have equal  
15 population to the extent practicable, and state legislative  
16 districts shall have equal population to the extent  
17 practicable. ~~;~~

18           ~~C.~~ 3. Districts shall be geographically compact and  
19 contiguous to the extent practicable. ~~;~~

20           ~~D.~~ 4. District boundaries shall respect communities of  
21 interest to the extent practicable. ~~;~~

22           ~~E.~~ 5. To the extent practicable, district lines shall  
23 use visible geographic features, city, town and county  
24 boundaries, ~~;~~ and undivided census tracts. ~~;~~

25           ~~F.~~ 6. To the extent practicable, competitive districts  
26 should be favored where to do so would create no significant  
27 detriment to the other goals.

28           ~~(15)~~ P. Party registration and voting history data  
29 shall be excluded from the initial phase of the mapping  
30 process but may be used to test maps for compliance with the  
31 above goals. The places of residence of incumbents or  
32 candidates shall not be identified or considered.

33           ~~(16)~~ Q. The independent redistricting commission shall  
34 advertise a draft map of congressional districts and a draft  
35 map of legislative districts to the public for comment, which  
36 comment shall be taken for at least thirty days. Either or  
37 both bodies of the legislature may act within this period to  
38 make recommendations to the independent redistricting  
39 commission by memorial or by minority report, which  
40 recommendations shall be considered by the independent  
41 redistricting commission. The independent redistricting  
42 commission shall then establish final district boundaries.

1           ~~(17)~~ R. The provisions regarding this section are  
2 self-executing. The independent redistricting commission  
3 shall certify to the secretary of state the establishment of  
4 congressional and legislative districts.

5           ~~(18)~~ S. ~~Upon~~ ON approval of this amendment, the  
6 department of administration or its successor shall make  
7 adequate office space available for the independent  
8 redistricting commission. The STATE treasurer ~~of the state~~  
9 shall make \$6,000,000 available for the work of the  
10 independent redistricting commission pursuant to the year 2000  
11 census. Unused monies shall be returned to the ~~state's~~ STATE  
12 general fund. In years ending in eight or nine after the year  
13 2001, the department of administration or its successor shall  
14 submit to the legislature a recommendation for an  
15 appropriation for adequate redistricting expenses and shall  
16 make available adequate office space for the operation of the  
17 independent redistricting commission. The legislature shall  
18 make the necessary appropriations by a majority vote.

19           ~~(19)~~ T. The independent redistricting commission, with  
20 fiscal oversight from the department of administration or its  
21 successor, shall have procurement and contracting authority  
22 and may hire staff and consultants for the purposes of this  
23 section, including legal representation.

24           ~~(20)~~ U. The independent redistricting commission shall  
25 have standing in legal actions regarding the redistricting  
26 plan and the adequacy of resources provided for the operation  
27 of the independent redistricting commission. The independent  
28 redistricting commission shall have sole authority to  
29 determine whether the Arizona attorney general or counsel  
30 hired or selected by the independent redistricting commission  
31 shall represent the people of Arizona in the legal defense of  
32 a redistricting plan.

33           ~~(21)~~ V. Members of the independent redistricting  
34 commission are eligible for reimbursement of expenses pursuant  
35 to law, and a member's residence is deemed to be the member's  
36 post of duty for purposes of reimbursement of expenses.

37           ~~(22)~~ W. Employees of the department of administration  
38 or its successor shall not influence or attempt to influence  
39 the district-mapping decisions of the independent  
40 redistricting commission.

41           ~~(23)~~ X. Each commissioner's duties established by this  
42 section expire ~~upon~~ ON the appointment of the first member of  
43 the next redistricting commission. The independent  
44 redistricting commission shall not meet or incur expenses  
45 after the redistricting plan is completed, except if

1 litigation or any government approval of the plan is pending,  
2 or to revise districts if required by court decisions or if  
3 the number of congressional or legislative districts is  
4 changed.

5 2. This measure applies for the redistricting of legislative  
6 districts that begins in 2031 and shall be fully applicable for the  
7 legislative districts used in the 2032 primary and general election and  
8 all subsequent legislative elections.

9 3. The Secretary of State shall submit this proposition to the  
10 voters at the next regular general election as provided by article XXI,  
11 Constitution of Arizona.