

REFERENCE TITLE: house of representatives; designated seats

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HCR 2027

Introduced by
Representatives McGarr: Biasiucci, Chaplik, Dunn, Hendrix, Jones, Kolodin,
Marshall, Parker B, Smith, Willoughby, Wilmeth; Senator Wadsack

A CONCURRENT RESOLUTION

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,
2 the Senate 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 districts
11 established pursuant to this section.

12 (b) The house of representatives shall be composed of
13 two members elected from each of the thirty legislative
14 districts established pursuant to this section. BEGINNING
15 WITH THE INAUGURATION OF THE MEMBERS OF THE FIFTY-SEVENTH
16 LEGISLATURE IN 2025, THE SEATS FOR THE HOUSE OF
17 REPRESENTATIVES FROM EACH LEGISLATIVE DISTRICT SHALL BE
18 DESIGNATED "A" AND "B" IN THE ALPHABETIC ORDER OF THE
19 SURNAMES, THEN FIRST NAMES, OF THE MEMBERS ELECTED TO
20 REPRESENT THAT DISTRICT. THEREAFTER, CANDIDATES FOR THE HOUSE
21 OF REPRESENTATIVES SHALL RUN FOR AND BE ELECTED FROM EITHER
22 SEAT "A" OR SEAT "B" IN A LEGISLATIVE DISTRICT.

23 (2) ~~upon~~ ON the presentation to the governor of a
24 petition bearing the signatures of ~~not less than~~ AT LEAST
25 two-thirds of the members of each house, requesting a special
26 session of the legislature and designating the date of
27 convening, the governor shall promptly call a special session
28 to assemble on the date specified. At a special session so
29 called the subjects ~~which~~ THAT may be considered by the
30 legislature shall not be limited.

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

1 process. Within the three years previous to appointment,
2 members shall not have been appointed to, elected to, ~~or~~ or a
3 candidate for any other public office, including precinct
4 committeeman or committeewoman but not including school board
5 member or officer, and shall not have served as an officer of
6 a political party, or served as a registered paid lobbyist or
7 as an officer of a candidate's campaign committee.

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

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

29 (6) Appointments to the independent redistricting
30 commission shall be made in the order set forth below. ~~Not~~ NOT
31 later than January 31 of years ending in one, the highest
32 ranking officer elected by the Arizona house of
33 representatives shall make one appointment to the independent
34 redistricting commission from the pool of nominees, followed
35 by one appointment from the pool made in turn by each of the
36 following: the minority party leader of the Arizona house of
37 representatives, the highest ranking officer elected by the
38 Arizona senate, ~~and~~ and the minority party leader of the Arizona
39 senate. Each such official shall have a seven-day period in
40 which to make an appointment. Any official who fails to make
41 an appointment within the specified time period will forfeit
42 the appointment privilege. In the event that there are two or
43 more minority parties within the house or the senate, the
44 leader of the largest minority party by statewide party
45 registration shall make the appointment.

1 (7) Any vacancy in the above four independent
2 redistricting commission positions remaining as of March 1 of
3 a year ending in one shall be filled from the pool of nominees
4 by the commission on appellate court appointments or its
5 designee. The appointing body shall strive for political
6 balance and fairness.

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

17 (9) The five commissioners shall then select by
18 majority vote one of their members to serve as ~~vice-chair~~ VICE
19 CHAIRPERSON.

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

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

1 (12) Three commissioners, including the ~~chair~~
2 CHAIRPERSON or ~~vice-chair~~ VICE CHAIRPERSON, constitute a
3 quorum. Three or more affirmative votes are required for any
4 official action. Where a quorum is present, the independent
5 redistricting commission shall conduct business in meetings
6 open to the public, with ~~48~~ FORTY-EIGHT or more hours public
7 notice provided.

8 (13) A commissioner, during the commissioner's term of
9 office and for three years thereafter, shall be ineligible for
10 Arizona public office or for registration as a paid lobbyist.

11 (14) The independent redistricting commission shall
12 establish congressional and legislative districts. The
13 commencement of the mapping process for both the congressional
14 and legislative districts shall be the creation of districts
15 of equal population in a grid-like pattern across the state.
16 Adjustments to the grid shall then be made as necessary to
17 accommodate the goals as set forth below:

18 ~~A.~~ (a) Districts shall comply with the United States
19 Constitution and the United States voting rights act. ~~;~~

20 ~~B.~~ (b) Congressional districts shall have equal
21 population to the extent practicable, and state legislative
22 districts shall have equal population to the extent
23 practicable. ~~;~~

24 ~~C.~~ (c) Districts shall be geographically compact and
25 contiguous to the extent practicable. ~~;~~

26 ~~D.~~ (d) District boundaries shall respect communities
27 of interest to the extent practicable. ~~;~~

28 ~~E.~~ (e) To the extent practicable, district lines shall
29 use visible geographic features, city, town and county
30 boundaries, ~~;~~ and undivided census tracts. ~~;~~

31 ~~F.~~ (f) To the extent practicable, competitive
32 districts should be favored where to do so would create no
33 significant detriment to the other goals.

34 (15) Party registration and voting history data shall
35 be excluded from the initial phase of the mapping process but
36 may be used to test maps for compliance with the above goals.
37 The places of residence of incumbents or candidates shall not
38 be identified or considered.

39 (16) The independent redistricting commission shall
40 advertise a draft map of congressional districts and a draft
41 map of legislative districts to the public for comment, which
42 comment shall be taken for at least thirty days. Either or
43 both bodies of the legislature may act within this period to
44 make recommendations to the independent redistricting
45 commission by memorial or by minority report, which

1 recommendations shall be considered by the independent
2 redistricting commission. The independent redistricting
3 commission shall then establish final district boundaries.

4 (17) The provisions regarding this section are
5 self-executing. The independent redistricting commission
6 shall certify to the secretary of state the establishment of
7 congressional and legislative districts.

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

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

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

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

40 (22) Employees of the department of administration or
41 its successor shall not influence or attempt to influence the
42 district-mapping decisions of the independent redistricting
43 commission.

1 (23) Each commissioner's duties established by this
2 section expire ~~अपरा~~ ON the appointment of the first member of
3 the next redistricting commission. The independent
4 redistricting commission shall not meet or incur expenses
5 after the redistricting plan is completed, except if
6 litigation or any government approval of the plan is pending,
7 or to revise districts if required by court decisions or if
8 the number of congressional or legislative districts is
9 changed.

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