

By: Darby

H.B. No. 2

A BILL TO BE ENTITLED

AN ACT

relating to the composition of districts for the election of members of the Texas Senate.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The interim redistricting plan used to elect members of the Texas Senate in 2012 ordered by the United States District Court for the Western District of Texas on February 28, 2012, in the case of Davis, et al. v. Perry, et al. (No. SA-11-CV-788), and identified as PLANS172 on the redistricting computer system operated by the Texas Legislative Council, is hereby ratified and adopted as the permanent plan for districts used to elect members of the Texas Senate.

SECTION 2. In making this enactment the legislature finds that:

(1) the United States District Court for the Western District of Texas properly applied the decision of the United States Supreme Court on January 20, 2012, in Perry, et al. v. Perez, et al., 565 U.S. ____ (2012) (per curiam), in the creation of the district court's interim plan for Texas Senate districts for use in the 2012 elections;

(2) the district court's interim plan for Texas Senate districts complies with all federal and state constitutional provisions or laws applicable to redistricting plans, including the federal Voting Rights Act; and

1 (3) the adoption of the district court's interim plan
2 for Texas Senate districts as a permanent plan by the Texas
3 Legislature will:

4 (A) diminish the expense of further time and
5 money by all parties in Texas' ongoing redistricting litigation;

6 (B) avoid disruption of the upcoming election
7 cycle; and

8 (C) provide certainty and continuity to the
9 citizens of Texas regarding the districts used to elect members of
10 the Texas Senate.

11 SECTION 3. Chapter 1315 (S.B. 31), Acts of the 82nd
12 Legislature, Regular Session, 2011 (Article 193e, Vernon's Texas
13 Civil Statutes), is repealed.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect on the 91st day after the last day of the
19 legislative session.