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By:  González of Dallas H.J.R. No. 124

A JOINT RESOLUTION

proposing a constitutional amendment establishing procedures for public involvement in redistricting of state legislative districts and congressional districts.

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

SECTION 1.  The Texas Constitution is amended by adding Article XVIII to read as follows:

ARTICLE XVIII

Sec. 1.  In this article:

(1)  "Redistricting plan" means a plan for dividing this state into senatorial districts, representative districts, or congressional districts.

(2)  "Website" means an Internet website under Section 2 of this article.

Sec. 2.  (a) The legislature shall ensure that, as soon as practicable after a federal decennial census is taken but not later than February 1 of the year following the year in which that census is taken, the public has access to an Internet website with information about the legislature's redistricting activities based on that census.

(b)  The legislature shall ensure that the website:

(1)  is continuously updated to provide advance notice of public hearings, committee meetings, and legislative debates on redistricting plans;

(2)  contains the most recent available information regarding voting age population, voter registration, and election returns for election precincts and census tracts in this state, including detailed maps depicting that information;

(3)  allows individuals to submit comments on any redistricting plan being considered by the legislature and to submit questions, comments, and other information regarding the legislature's redistricting activities; and

(4)  includes any other information required under this article.

(c)  Except as otherwise provided by this subsection, the legislature shall ensure that any comment submitted to the website by a member of the public regarding a redistricting plan or otherwise related to redistricting is publicly available on the website not later than 72 hours after submission. The legislature may exclude from the website obscene, threatening, harassing, or similarly offensive comments or comments unrelated to redistricting but shall provide copies of those comments to adult members of the public on request.

(d)  The legislature shall ensure that the information required to be included on the website relating to the legislature's redistricting activities based on a federal decennial census remains accessible to the public on that website until the website relating to the legislature's redistricting activities based on the next federal decennial census is established.

Sec. 3.  During the 60 days after the day this state receives notice of the apportionment of United States representatives and before considering any redistricting plan, the standing committees of the senate and the house of representatives with primary jurisdiction over redistricting shall solicit input from members of the public regarding the legislature's criteria and procedures for considering redistricting plans by:

(1)  publishing and posting on the website those criteria and procedures;

(2)  holding public hearings in the manner provided by Section 6 of this article; and

(3)  publishing and posting on the website a transcript of or link to a video recording of each hearing not later than the seventh day after conclusion of the hearing.

Sec. 4.  (a) A committee of the senate shall post the information required by Subsections (b) and (c) of this section regarding a redistricting plan at least 10 days before reporting a senate bill to enact the plan from the committee. A committee of the house of representatives shall post the information required by Subsections (b) and (c) of this section regarding a redistricting plan at least 10 days before reporting a house bill to enact the plan from the committee.

(b)  For each plan subject to Subsection (a) of this section, a committee shall post on the website and, if practicable, publish in newspapers of general circulation throughout the state:

(1)  a map showing each district in the plan;

(2)  for each district in the plan:

(A)  the total population and voting age population of the district, including a breakdown of those populations by race and by membership in language minority groups; and

(B)  the number of registered voters in the district including, to the extent available, a breakdown of that number by political party affiliation, race, and membership in language minority groups;

(3)  a statement explaining the committee's reasons for proposing adoption of the plan and reasons why the proposed adoption will best serve the public interest;

(4)  any dissenting statement provided by a member of the committee who did not approve the plan; and

(5)  notice that members of the public may submit comments regarding the plan through the website, at a public hearing, or by any other available means.

(c)  A committee shall post on the website a machine-readable file containing the information described by Subsections (b)(1) and (2) of this section.

(d)  A committee shall hold public hearings on a proposed redistricting plan in the manner required by Section 7 of this article.

(e)  A committee shall publish and post on the website a transcript of or link to a video recording of each hearing not later than the seventh day after conclusion of the hearing.

(f)  A new or amended version of a redistricting plan that has previously been subject to notice or a hearing under this section is separately subject to the requirements of Subsections (a) and (d) of this section unless the committee determines that compliance with those requirements is likely to prevent adoption of the plan before the end of the legislative session.

Sec. 5.  Not later than the seventh day after the day the legislature passes a bill enacting a redistricting plan, the legislature shall post on the website and, if practicable, publish in newspapers of general circulation throughout the state:

(1)  a map showing each district in the plan;

(2)  for each district in the plan:

(A)  the total population and voting age population of the district, including a breakdown of those populations by race and by membership in language minority groups; and

(B)  the number of registered voters in the district including, to the extent available, a breakdown of that number by political party affiliation, race, and membership in language minority groups;

(3)  statements by the president of the senate and the speaker of the house of representatives explaining the legislature's reasons for adopting the plan and reasons why adoption of the plan will best serve the public interest; and

(4)  any dissenting statement provided by a member of the legislature who did not approve the plan.

Sec. 6.  (a) This section applies to the hearings required by Section 3 of this article.

(b)  The standing committees of the senate and the house of representatives with primary jurisdiction over redistricting shall jointly hold at least five public hearings on redistricting criteria and procedures before considering any redistricting plan.

(c)  The committees shall hold each joint hearing in a different congressional district in this state, including one joint hearing in the congressional district with the greatest change in population since the previous congressional apportionment. The committees shall consider holding other joint hearings in congressional districts that have experienced large changes in population.

(d)  The committees shall provide public notice at least seven days before each joint hearing. The notice must include the time and location of the joint hearing and notice that members of the public may provide comments on the criteria and procedures the committees will use to consider redistricting plans and on other issues related to redistricting.

(e)  The committees shall allow individuals at remote locations throughout the state to view and provide public testimony at the joint hearings by videoconference.

Sec. 7.  (a) This section applies to the hearings required by Section 4(d) of this article.

(b)  Except as otherwise provided by this subsection, a committee of the senate shall hold at least five public hearings on a senate bill to enact a redistricting plan before reporting the bill from the committee and a committee of the house of representatives shall hold at least five public hearings on a house bill to enact a redistricting plan before reporting the bill from the committee. A committee may hold fewer than five hearings if the committee determines that holding one or more of the hearings is likely to prevent adoption of the plan before the end of the legislative session.

(c)  Except as otherwise provided by this subsection, a committee shall hold each hearing in a different congressional district in this state, including one hearing in the congressional district with the greatest change in population since the previous decennial congressional apportionment. If the committee is unable to hold hearings throughout the state, the committee shall allow public participation in the hearings from various congressional districts throughout this state by videoconference.

(d)  A committee shall provide public notice at least seven days before each hearing. The notice must include the time and location of the hearing, notice that members of the public may attend the hearing and provide comments on the plan, and notice that members of the committee will be available at the hearing to explain the reasons why adoption of the plan will best serve the public interest.

(e)  A committee shall allow individuals at remote locations throughout the state to view and provide public testimony at the hearings by videoconference.

SECTION 2.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 2019. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment establishing procedures for public involvement in redistricting of state legislative districts and congressional districts."