

By: Reynolds

H.J.R. No. 140

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the  
2 reapportionment of congressional districts and the creation,  
3 function, and duties of the Texas Congressional Redistricting  
4 Commission.

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

6 SECTION 1. Article III, Texas Constitution, is amended by  
7 adding Sections 28a and 28b to read as follows:

8 Sec. 28a. (a) In this section:

9 (1) "Commission" means the Texas Congressional  
10 Redistricting Commission established under Section 28b of this  
11 article.

12 (2) "Redistricting plan" means a redistricting plan  
13 for the election of the members of the United States House of  
14 Representatives elected from this state.

15 (3) "Redistricting year" means a year ending in the  
16 numeral one.

17 (b) Except as otherwise provided by this section, the  
18 legislature exercises the authority of this state to adopt a  
19 redistricting plan for the election of the members of the United  
20 States House of Representatives elected from this state.

21 (c) The legislature shall pass a bill that includes a  
22 redistricting plan not later than September 30 of each  
23 redistricting year. The legislature must pass the bill by an  
24 affirmative vote of at least three-fifths of the members of each

1 house of the legislature, including at least:

2 (1) one-half of the members of each house of the  
3 legislature who represent the largest political party in that  
4 house; and

5 (2) one-half of the members of each house of the  
6 legislature who represent the second largest political party in  
7 that house.

8 (d) The commission shall adopt a redistricting plan if the  
9 legislature fails to pass a redistricting plan in a redistricting  
10 year as provided by Subsection (c) of this section. The commission  
11 must adopt the plan not later than October 31 of that redistricting  
12 year by the affirmative vote of at least four members of the  
13 commission, including at least:

14 (1) two members of the commission who represent the  
15 largest political party in the legislature; and

16 (2) two members of the commission who represent the  
17 second largest political party in the legislature.

18 (e) A redistricting plan adopted by the commission under  
19 Subsection (d) of this section must be filed with the secretary of  
20 state.

21 (f) The legislature shall pass a bill that includes a  
22 redistricting plan if the commission fails to adopt a redistricting  
23 plan in a redistricting year as provided by Subsection (d) of this  
24 section. The legislature must pass the plan not later than November  
25 30 of that redistricting year by the vote required by Subsection (c)  
26 of this section.

27 (g) A redistricting plan passed by the legislature or

1 adopted by the commission under this section takes effect December  
2 1 of the redistricting year in which the plan is passed or adopted  
3 and remains in effect until December 1 of the next redistricting  
4 year.

5 (h) The legislature may not pass, and the commission may not  
6 adopt, a redistricting plan unless a joint committee of the  
7 legislature or the commission, as applicable, has held at least two  
8 public hearings on the plan at which members of the public are given  
9 an opportunity to testify.

10 (i) A redistricting plan passed by the legislature or  
11 adopted by the commission must comply with the requirements of this  
12 constitution and the United States Constitution.

13 (j) The Supreme Court of Texas has exclusive and original  
14 jurisdiction in all cases arising under this section.

15 Sec. 28b. (a) In this section, "redistricting year" has the  
16 meaning assigned by Section 28a of this article.

17 (b) The Texas Congressional Redistricting Commission is  
18 established and consists of the following seven members:

19 (1) the governor;

20 (2) the lieutenant governor;

21 (3) the speaker of the Texas House of Representatives;

22 (4) one person appointed by the lieutenant governor;

23 (5) one person appointed by the speaker of the Texas  
24 House of Representatives;

25 (6) one person appointed by the largest political  
26 party represented in the Texas House of Representatives of which  
27 the speaker of that house is not a member; and

1           (7) one person appointed by the largest political  
2 party represented in the Texas Senate of which the lieutenant  
3 governor is not a member.

4           (c) A member of the commission must be a resident of this  
5 state. A person is not eligible to serve as a member of the  
6 commission if the person is a member of the United States Congress.

7           (d) A member of the commission appointed under Subsection  
8 (b)(4), (5), (6), or (7) serves a two-year term that begins on  
9 February 1 of a redistricting year.

10           (e) The two largest political parties represented in the  
11 legislature shall each designate a member of the commission to  
12 serve as a co-chair of the commission.

13           (f) A member of the commission is not entitled to receive  
14 compensation for service on the commission but is entitled to  
15 reimbursement for actual and necessary expenses incurred in  
16 performing the duties of the commission.

17           (g) The commission may employ staff to assist the commission  
18 in the performance of the duties of the commission.

19           (h) The legislature shall appropriate sufficient money for  
20 the payment of the expenses of members of the commission and any  
21 staff employed by the commission.

22           SECTION 2. This proposed constitutional amendment shall be  
23 submitted to the voters at an election to be held November 5, 2019.  
24 The ballot shall be printed to permit voting for or against the  
25 proposition: "The constitutional amendment providing for the  
26 reapportionment of congressional districts and the creation,  
27 function, and duties of the Texas Congressional Redistricting

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1 Commission."