

Amend **HB 4** by adding the following appropriately numbered ARTICLE to the bill and renumbering the ARTICLES of the bill accordingly:

ARTICLE ____

SECTION 1. The heading to Title 5, Government Code, is amended to read as follows:

TITLE 5. OPEN GOVERNMENT; ETHICS; CONGRESSIONAL REDISTRICTING

SECTION 2. Title 5, Government Code, is amended by adding Subtitle C to read as follows:

SUBTITLE C. CONGRESSIONAL REDISTRICTING

CHAPTER 581. TEXAS REDISTRICTING COMMISSION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 581.001. DEFINITIONS. In this chapter:

(1) "Census year" means a calendar year in which the United States decennial census is taken.

(2) "Commission" means the Texas Redistricting Commission.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 581.051. POWERS AND DUTIES OF COMMISSION. The commission has the sole responsibility to create districts for the election of members of the United States House of Representatives from this state.

SUBCHAPTER C. MEMBERSHIP

Sec. 581.101. ELIGIBILITY. (a) Except as otherwise provided by this subchapter, a Texas voter who is older than 25 years of age is eligible for membership on the commission.

(b) An applicant for appointment to the commission must submit an application to the secretary of state.

(c) An applicant for appointment by members of the legislature belonging to a political party must have voted in that party's previous four primary elections. An applicant for appointment as an independent member may not have voted consecutively in the same political party's primary election during the previous three primary elections.

(d) An applicant is ineligible for membership on the commission if the applicant:

(1) holds a public office;

(2) has held a public office in the four years preceding appointment to the commission;

(3) is running for public office;

(4) is working under an elected official;

(5) is working for a political campaign for state or federal office; or

(6) is a registered state or federal lobbyist.

(e) A commission member may not:

(1) run for public office during the member's term;

(2) run for public office during the two years following the adoption of a redistricting plan by the commission;

(3) work under an elected official during the member's term;

(4) work for or contribute to a campaign for state or federal office during the member's term; or

(5) register as a state or federal lobbyist during the member's term.

Sec. 581.102. MEMBERSHIP AND TERMS. (a) The commission consists of nine members chosen from eligible applicants under Section 581.101.

(b) Eight members of the commission shall be appointed in a bipartisan manner by the legislature, as follows:

(1) two members are appointed by a majority vote of the members of the Texas House of Representatives belonging to the political party with the most members in the house of representatives;

(2) two members are appointed by a majority vote of the members of the Texas House of Representatives belonging to the political party with the second highest number of members in the house of representatives;

(3) two members are appointed by a majority vote of the members of the Texas Senate belonging to the political party with the most members in the senate; and

(4) two members are appointed by a majority vote of the members of the Texas Senate belonging to the political party with the second highest number of members in the senate.

(c) The ninth member of the commission shall be chosen from

among the independent applicants by the eight members appointed by the legislature. The appointment requires at least five votes and shall be made not later than the 30th day after the commission convenes. The ninth member serves as a nonvoting presiding officer, except that the member shall vote to break any tie vote on the final adoption of a redistricting plan.

(d) At least one member of the commission chosen by members of each chamber of the legislature must reside in a county that is not part of a metropolitan statistical area as defined by the United States Office of Management and Budget.

(e) Commission members serve three-year terms that begin on February 1 of the year following the census year. The commission may vote to terminate their terms early and dissolve following the adoption of all redistricting plans.

(f) The commission shall convene on the first business day in February of the year following the census year and at other times necessary to fulfill its obligations.

(g) Vacancies on the commission shall be filled not later than the 20th day after the vacancy occurs in the same manner as the vacated position is filled under Subsections (b) and (c).

(h) If the appointments under Subsection (b) are not made by February 1 of the year following the census year, the caucus of the political party whose members are responsible for the appointment shall appoint the commission member not later than February 11. If the commission fails to appoint its presiding officer when required, the supreme court shall make the appointment not later than March 15.

(i) Members of the commission must take a constitutional oath of office.

SUBCHAPTER D. OPERATION OF THE COMMISSION

Sec. 581.151. FUNDING AND RESOURCES. (a) The legislature shall appropriate sufficient money for the compensation and payment of the expenses of commission members and any staff employed by the commission.

(b) The commission shall be provided access to statistical or other information compiled by the state or its political subdivisions as necessary to perform the commission's duties.

(c) The Texas Legislative Council shall provide the technical staff and clerical services that the commission needs to prepare redistricting plans.

(d) After the commission suspends operations, the secretary of state becomes the custodian of its official records for purposes of election administration. Any unexpended money from an appropriation to the commission reverts to the general revenue fund.

Sec. 581.152. PROCEDURE. (a) The commission shall adopt its own procedural rules. The adoption of a final redistricting plan by the commission requires at least five votes.

(b) The commission shall adopt each redistricting plan not later than November 15 of the year following the census year.

(c) If the commission does not adopt a plan before November 16 of the year following the census year, the Texas Supreme Court shall adopt a plan not later than December 30.

(d) The commission shall submit each adopted redistricting plan to the governor, the secretary of state, and the presiding officer of each chamber of the legislature.

Sec. 581.153. CHALLENGES TO PLAN. (a) After a redistricting plan has been adopted by the commission or the Texas Supreme Court, any aggrieved person may file a petition with the Texas Supreme Court to challenge the plan.

(b) If the final judgment of a state or federal court invalidates all or part of a redistricting plan or otherwise makes it unenforceable, the commission shall reconvene to modify and adopt a new plan before January 31 of the next year.

(c) The commission may reconvene on the motion of at least four members filed with the secretary of state any time after a redistricting plan has been adopted to modify the plan and at other times necessary to fulfill its obligations under the constitution.

Sec. 581.154. PLAN REQUIREMENTS. To the extent practicable to comply with federal law, a redistricting plan adopted by the commission must be composed of:

- (1) districts contiguous with one another;
- (2) districts of nearly equal population; and
- (3) districts that are compact and convenient, and

separated from adjoining districts by natural geographic barriers, artificial barriers, or political subdivision boundaries.

Sec. 581.155. PLAN REPORT. (a) Each redistricting plan the commission adopts must include a report, given to the secretary of state, that includes:

(1) the total population of each district with its deviation from the average district population;

(2) an explanation of the criteria used for the redistricting plan, with a justification of the deviation from the average district population for each district;

(3) a map for each district;

(4) a financial statement disclosing all expenditures made by the commission; and

(5) relevant information developed by the commission in carrying out its duties, including maps, data, meeting minutes, written communications, and other information.

(b) The secretary of state shall make a copy of the report available to the public.

SECTION 3. This article takes effect January 1, 2030.