

## **BILL ANALYSIS**

Senate Research Center  
76R7623 JSA-F

S.B. 837  
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As Filed

### **DIGEST**

Currently, the Texas Constitution requires the legislature to apportion Texas after the publication of the U.S. decennial census. A redistricting commission could redistrict state legislative, congressional, and judicial districts with independent, bipartisan citizens. Members of the commission would be appointed by the respective political caucuses of the House and Senate, who would each elect one voting member. These four voting members would select a nonvoting chairman. Three votes would be required to adopt a plan, with the requirement that districts be compact, contiguous, and have a community interest. S.B. 837 establishes the Texas Redistricting Commission.

### **PURPOSE**

As proposed, S.B. 837 establishes the Texas Redistricting Commission.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Redistricting Commission in SECTION 1 (Sec. 307.006, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 3A, Government Code, by adding Chapter 307, as follows:

#### **CHAPTER 307. TEXAS REDISTRICTING COMMISSION**

Sec. 307.001. DEFINITIONS. Defines “commission” and “plan.”

Sec. 307.002. OATH. Requires each person appointed to the Texas Redistricting Commission (commission) to take the constitutional oath of office.

Sec. 307.003. ELIGIBILITY. Provides that eligibility of a person to serve on the commission is as prescribed by Section 28, Article III, Texas Constitution.

Sec. 307.004. POLITICAL ACTIVITIES PROHIBITED. Prohibits certain political activities for a member of the commission.

Sec. 307.005. OPERATION OF COMMISSION. Requires the legislature to fund the commission. Requires the commission to have access to statistical information. Requires the Texas Legislative Council to provide the commission with technical staff and clerical services.

Sec. 307.006. DUTIES. Sets forth the duties of the commission, including adopting rules to carry out its duties and acting as the legislature’s official recipient of census data.

Sec. 307.007. REDISTRICTING PLAN; FORM. Requires the commission to publish a report for each redistricting plan or modification plan, employing certain criteria, and make a copy available to the public.

Sec. 307.008. REDISTRICTING PLAN STANDARDS. Requires a redistricting plan adopted by the commission to conform to certain Texas constitutional standards.

Sec. 307.009. SUBMISSION OF PLAN. Requires the commission to submit each plan to the

governor, secretary of state, and presiding officer of each house of the legislature.

Sec. 307.010. CESSATION OF OPERATIONS. Requires the commission to conclude and suspend its activities following the adoption of the commission's plan, until the commission reconvenes as provided by certain constitutional provisions. Requires the commission to prepare a financial statement. Requires the commission's official record to contain all relevant information developed by the commission. Requires the secretary of state to become the custodian of the commission's records after the commission suspends operations. Provides that unexpended funds revert to the general revenue fund.

Sec. 307.011. CHALLENGES TO PLAN. Authorizes any registered voter to challenge a commission's plan after the plan adoption, by filing a petition with the supreme court. Authorizes the supreme court to consolidate petitions and to give them preference over all other matters.

Sec. 307.012. RECONVENING OF COMMISSION FOR REAPPORTIONMENT OF JUDICIAL DISTRICTS. Requires the commission to reconvene within a certain time of the Judicial Districts Board failing to make certain statewide reapportionments of judicial districts. Requires the commission to complete the reapportionment of judicial districts within the time provided by the Texas Constitution. Provides that the reapportionment becomes effective as provided by Sections 24.948 and 24.949. Requires the commission to conclude its business and suspend its operations within a certain period of time after the effective date of reapportionment, unless the supreme court grants additional time.

SECTION 2. Amends Section 24.945(e), Government Code, to prohibit the Texas Redistricting Commission, rather than the Legislative Redistricting Board, from performing certain judicial redistricting actions. Makes conforming changes.

SECTION 3. Amends Section 24.946(a), Government Code, to require the Texas Redistricting Commission to make a statewide reapportionment of the judicial districts not later than the 90th day, rather than the 150th day, after the final day for the Judicial Districts Board to make the reapportionment. Makes a conforming change.

SECTION 4. Effective date: January 1, 2001, only if the voters approve the constitutional amendment to establish the Texas Redistricting Commission.