

AN ACT proposing an amendment to Section 33 of the Constitution of Kentucky relating to redistricting.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. It is proposed that Section 33 of the Constitution of Kentucky be amended to read as follows:

(1) The ~~first~~ General Assembly ~~after the adoption of this Constitution~~ shall divide the State into thirty-eight Senatorial Districts, and one hundred Representative Districts, ***at least once every ten years during the first even-numbered year regular session following receipt of the decennial census data from the United States Census Bureau.***

(2) ***In dividing the State, the General Assembly shall create districts of contiguous counties or parts of counties, as permitted by this section, that are*** as nearly equal in population as ***is required by the United States Constitution.***

(3) ***The General Assembly may only divide***~~be without dividing~~ any county ***that in its judgment is reasonably necessary to divide to achieve the population equality required by subsection (2) of this section, provided that any divided county shall first be given as many whole districts as it has sufficient population to constitute and shall be divided into the fewest districts possible***~~, except where a county may include more than one district, which districts shall constitute the Senatorial and Representative Districts for ten years. Not more than two counties shall be joined together to form a Representative District: Provided, In doing so the principle requiring every district to be as nearly equal in population as may be shall not be violated. At the expiration of that time, the General Assembly shall then, and every ten years thereafter, redistrict the State according to this rule, and for the purposes expressed in this section. If, in making said districts, inequality of population should be unavoidable, any advantage resulting therefrom shall be given to districts having the largest territory. No part of a county shall be added to another county to make a district, and the counties forming a district shall be contiguous~~.

(4) Senatorial or Representative Districts established by an Act of the General Assembly shall be used for any election following the effective date of the Act, whether to fill a vacant seat or expiring term, and all elections for the General Assembly and the qualifications for an election shall be governed by the number assigned to the districts.

(5) Members of the General Assembly shall represent the district number for which they were elected, and the geographical area contained therein, as defined by, and on the effective date of, the latest Act of the General Assembly that establishes Senatorial or Representative Districts, or both.

(6) Notwithstanding any other section of the Constitution of Kentucky or the Kentucky Revised Statutes to the contrary, if the General Assembly fails to divide the State into Senatorial and Representative Districts by April 15 of the first even-numbered year regular session following receipt of the decennial census data, the General Assembly shall remain in session for the sole purpose of enacting redistricting legislation consistent with this section and considering any gubernatorial veto of such legislation, provided that the members of the General Assembly shall receive no compensation or expense allowances beyond April 15.

→Section 2. This amendment shall be submitted to the voters of the Commonwealth for their ratification or rejection at the time and in the manner provided for under Sections 256 and 257 of the Constitution and under KRS 118.415. The question to be submitted to the voters shall read as follows: "Are you in favor of clarifying the standards for redistricting the state into Senatorial and Representative districts to give the General Assembly the authority to divide counties to accommodate population equality standards, and of requiring the General Assembly to remain in session, without pay to the members, if it fails to divide the state into districts by April 15 of the first even-numbered year regular session following receipt of the decennial census data?"