

1 AN ACT relating to legislative redistricting challenges.

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

3 ➔Section 1. KRS 5.005 is amended to read as follows:

- 4 (1) An action challenging the constitutionality of any legislative district created by this  
5 chapter shall be brought ***before a Circuit Court panel of three (3) judges, as***  
6 ***convened pursuant to this section***~~[in Franklin Circuit Court]~~, which shall have  
7 exclusive ***jurisdiction***~~[venue]~~ in all matters relating to redistricting.
- 8 (2) The Secretary of State shall be named as a defendant in any action challenging the  
9 constitutionality of any legislative district created by this chapter.
- 10 (3) The Legislative Research Commission may intervene as a matter of right in any  
11 action challenging the constitutionality of any legislative district created by this  
12 chapter.

13 ***(4) (a) Petitions to challenge the constitutionality of any legislative district created***  
14 ***by this chapter may be filed with the Circuit Court clerk in the judicial***  
15 ***circuit where the petitioner resides.***

16 ***(b) The circuit clerk shall at once certify the challenge to the Chief Justice of***  
17 ***the Kentucky Supreme Court. Within twenty (20) days of the certification,***  
18 ***the Chief Justice shall randomly select three (3) current or retired Circuit***  
19 ***Judges to convene as a panel. No judge serving on the panel shall be from***  
20 ***the same Supreme Court district as any other judge serving on the panel.***

21 ***(c) Any judge selected for the panel shall have all the powers and***  
22 ***responsibilities of a regular judge of the court. In addition, one (1) of the***  
23 ***randomly selected judges shall be named by the Chief Justice as the chief***  
24 ***judge for the panel.***

25 ***(d) 1. The chief judge may grant a temporary restraining order on a specific***  
26 ***finding, based on evidence submitted, that specified irreparable***  
27 ***damage will result if the order is not granted. The order shall remain***

1                   *in force only until the full panel hears and determines any petition for*  
2                   *a preliminary injunction.*

3                   *2. Any action of a single judge pursuant to this section may be reviewed*  
4                   *by the full panel at any time before a final judgment is issued in the*  
5                   *challenge for which the panel was convened.*

6                   *(e) 1. The challenge shall be heard and any orders shall be entered in the*  
7                   *judicial circuit in which the petition was filed;*

8                   *2. If subsequent challenges to the same legislative redistricting plan are*  
9                   *filed in the same or any other Circuit Court while the initial challenge*  
10                   *is pending, the challenges shall be consolidated and tried together.*

11                   *(f) The panel shall decide the challenge by concurring vote of a majority of its*  
12                   *judges, and the decision shall be subject to the same rights of appeal as in*  
13                   *other civil actions.*

14                   *(g) A retired justice or judge serving on a panel convened under this section*  
15                   *shall be compensated as provided by KRS 21A.110.*