

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, retired, or former***
19 ***Circuit Judges to convene as a panel. No judge serving on the panel shall be***
20 ***from the same Supreme Court district as any other judge serving on the***
21 ***panel.***

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

26 ***(d) 1. The chief judge may grant a temporary restraining order on a specific***
27 ***finding, based on evidence submitted, that specified irreparable***

1 damage will result if the order is not granted. The order shall remain
2 in force only until the full panel hears and determines any petition for
3 a preliminary injunction.

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

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

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

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