

1 AN ACT relating to election districts.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
4 READ AS FOLLOWS:

5 *As used in Sections 1 to 12 of this Act:*

6 *(1) "Commission" means the Advisory Redistricting Commission;*

7 *(2) "Commissioner" means a person who is selected or appointed as a member of the*  
8 *Advisory Redistricting Commission;*

9 *(3) "Local government" means any of the following:*

10 *(a) City government;*

11 *(b) County government;*

12 *(c) Urban-county government;*

13 *(d) Charter county government;*

14 *(e) Consolidated local government; or*

15 *(f) Unified local government;*

16 *(4) "Major political party" means either of the two (2) political parties with the*  
17 *largest representation in the General Assembly;*

18 *(5) "Population" means the most recent United States Census data collected under*  
19 *Pub. L. No. 94-171; and*

20 *(6) "Redistricting" means the drawing of boundary lines for election districts in*  
21 *order to achieve, as nearly as possible, equal population among the election*  
22 *districts.*

23 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
24 READ AS FOLLOWS:

25 *(1) The Advisory Redistricting Commission is hereby created as a permanent*  
26 *commission for the purpose of drawing and adopting redistricting plans after*  
27 *each decennial census, or as required by law, for each of the following districts:*

1       (a) State senatorial districts;

2       (b) State representative districts; and

3       (c) Congressional districts.

4       (2) The commission shall consist of fifteen (15) commissioners appointed in  
5       accordance with Section 3 of this Act. Each commissioner shall:

6       (a) Be registered and eligible to vote in the Commonwealth of Kentucky;

7       (b) Not currently, nor in the past six (6) years, have been any of the following:

8               1. A declared candidate for any partisan elective office;

9               2. A partisan elected official or person appointed to fill a vacancy in any  
10              partisan elective office;

11              3. An officer or member of the governing body of any national, state, or  
12              local political party;

13              4. A paid partisan consultant or an employee of any partisan elected  
14              official or partisan political candidate, part of a partisan political  
15              candidate's campaign, or a political action committee;

16              5. An employee of the General Assembly, including employees of the  
17              Legislative Research Commission; or

18              6. A legislative agent as defined in KRS 6.611, legislative agent employer  
19              as defined in KRS 6.611, executive agency lobbyist, or any other  
20              person employed as a lobbyist as defined in KRS 11A.010;

21       (c) Not the parent, stepparent, child, stepchild, sibling, or spouse of any  
22       individual who is disqualified from serving as a commissioner under  
23       paragraph (b) of this subsection;

24       (d) Not otherwise be ineligible for appointed or elective office;

25       (e) Have voted in at least two (2) of the last three (3) statewide elections;

26       (f) Not have donated more than two thousand dollars (\$2,000), in sum and for  
27       the same election, to an elected candidate, a candidate's political action

- 1           committee or permanent committee, a caucus campaign committee, or an  
2           executive committee;  
3           (g) Not have switched political party affiliation within the five (5) years  
4           preceding the appointment;  
5           (h) Not have lived in the same household or shared the same residential address  
6           with any individual who is disqualified from serving as a commissioner  
7           under paragraph (b) of this subsection; and  
8           (i) Attest under oath that he or she meets the qualifications set forth in this  
9           section.

10           ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
11 READ AS FOLLOWS:

12           (1) In accordance with the requirements of this section and Section 2 of this Act, not  
13           later than July 15 of the year of the federal decennial census, and decennially  
14           thereafter:

15           (a) 1. Eight (8) commissioners shall be appointed as follows:

16                   a. Two (2) members appointed by the President of the Senate;

17                   b. Two (2) members appointed by the Speaker of the House of  
18                   Representatives;

19                   c. Two (2) members appointed by the Minority Leader of the  
20                   Senate; and

21                   d. Two (2) members appointed by the Minority Leader of the House  
22                   of Representatives.

23           2. Commissioners appointed by the members of the General Assembly  
24           pursuant to subparagraph 1. of this paragraph shall include  
25           representation of at least one (1) commissioner from each  
26           congressional district of this state. If the appointing authority cannot  
27           mutually agree to this requirement, the President of the Senate shall

1 appoint commissioners who reside in the First and Second  
2 Congressional Districts, the Speaker of the House of Representatives  
3 shall appoint commissioners who reside in the Third and Fourth  
4 Congressional Districts, the Minority Leader of the Senate shall  
5 appoint one (1) of his or her two (2) appointees to be a commissioner  
6 who resides in the Fifth Congressional District, and the Minority  
7 Leader of the House of Representatives shall appoint one (1) of his or  
8 her two (2) appointees to be a commissioner who resides in the Sixth  
9 Congressional District; and

10 (b) The Secretary of State shall:

- 11 1. Issue a call to convene the commission;
- 12 2. Prescribe and furnish applications for the position of redistricting  
13 commissioner to be made available to residents of this state by  
14 publishing notice of the commission, with application forms, on the  
15 internet and in two (2) or more newspapers of general circulation in  
16 the state. The Secretary of State shall also issue press releases to  
17 various media outlets, including radio and television stations servicing  
18 residents of this state. The applications, publications, and press  
19 releases shall provide Kentucky residents with information on the  
20 commission's objectives and obligations, the requirements of Section 2  
21 of this Act, the process by which residents can apply, and a point of  
22 contact for direct questions;
- 23 3. Mail additional applications as prescribed under subparagraph 2. of  
24 this paragraph to five thousand (5,000) registered voters of this state,  
25 selected at random and witnessed by a classified employee of the  
26 Secretary of State's office, of which one thousand (1,000) registered  
27 voters shall be registered with one (1) major political party, one

1                    thousand (1,000) registered voters shall be registered with a different  
2                    and contrasting major political party, and three thousand (3,000)  
3                    registered voters shall not be registered with either major political  
4                    party;

5                    4. Require applicants to attest, under the validity of signature and  
6                    penalty of perjury, whether they are registered with one (1) of the two  
7                    (2) major political parties or whether they are not registered with  
8                    either major political party; and

9                    5. Require applicants to attest, under the validity of signature and  
10                   penalty of perjury, that they meet the qualifications set forth in  
11                   subsection (2) of Section 2 of this Act.

12                   (2) No sooner than August 10 but not later than August 15, of the year of the federal  
13                   decennial census, and decennially thereafter, from all applications submitted  
14                   under subsection (1)(b) of this section, the Secretary of State shall:

15                   (a) Eliminate incomplete applications and applications of persons who do not  
16                   meet the requirements established in subsection (1)(b) of this section and  
17                   subsection (2) of Section 2 of this Act, based solely on the information  
18                   contained within the applications;

19                   (b) Randomly select forty (40) qualifying applicants, of which ten (10)  
20                   applicants shall be selected from one (1) pool of applicants registered with  
21                   one (1) of the two (2) major political parties, ten (10) applicants shall be  
22                   selected from the pool of applicants who are registered from the different  
23                   and contrasting major political party, and twenty (20) applicants shall be  
24                   selected from the pool of applicants who are not registered with either of the  
25                   two (2) major political parties. The random selection shall be witnessed by a  
26                   classified employee of the Secretary of State's office;

27                   (c) Inform the forty (40) qualifying applicants that they have been randomly

- 1           selected and that their applications will be delivered to the eight (8)  
2           commissioners appointed by the General Assembly for potential  
3           appointment as a commissioner; and  
4           (d) Deliver the applications of the qualifying forty (40) applicants to the  
5           commissioners appointed by the General Assembly under subsection (1)(a)  
6           of this section.
- 7           (3) (a) Not later than September 1 of the year of the federal decennial census, and  
8           decennially thereafter, the commissioners appointed by the General  
9           Assembly shall appoint an additional seven (7) commissioners from the  
10           forty (40) applicants referred by the Secretary of State.
- 11           (b) Two (2) commissioners shall be appointed from one (1) pool of applicants  
12           registered with one (1) of the two (2) major political parties, two (2)  
13           commissioners shall be appointed from the pool of applicants from the  
14           different and contrasting major political party, and three (3) applicants  
15           shall be appointed from the pool of applicants who are not registered with  
16           either of the two (2) major political parties.
- 17           (c) Each of the seven (7) commissioners appointed under this subsection shall  
18           be appointed with the affirmative roll-call vote of no less than five (5) of the  
19           commissioners appointed by the General Assembly.
- 20           (d) As part of the appointment process of the additional seven (7)  
21           commissioners, the commissioners appointed by the General Assembly may  
22           request essays and letters of recommendation from, and interview any or all  
23           of, the forty (40) applicants for a determination of appointment.
- 24           (4) Not later than September 1 of the year of the federal decennial census, and  
25           decennially thereafter, the process for the random selection of additional  
26           commissioners by the Secretary of State and the appointment of seven (7)  
27           additional commissioners by commissioners appointed by the General Assembly,

1 shall be completed in accordance with the requirements of this section and  
2 subsection (2) of Section 2 of this Act.

3 (5) The commission membership shall be inclusive of any person or group of people  
4 representing a political party, those without affiliation to a political party, rural  
5 or urban, and include persons of racial and linguistic minorities.

6 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
7 READ AS FOLLOWS:

8 (1) The terms of the commissioners shall expire once the commission has completed  
9 its obligations for a census cycle or as otherwise required by law. Commissioners  
10 may be reappointed or selected for the subsequent decennial census to serve as  
11 commissioners. If vacancies occur, appointments to fill a vacancy shall occur not  
12 more than fourteen (14) calendar days after the vacancy of a commissioner's  
13 seat.

14 (2) If a commissioner who was appointed by a member of the General Assembly  
15 under subsection (1)(a) of Section 3 of this Act vacates his or her seat on the  
16 commission, the appointing authority of the commissioner shall fill the vacancy  
17 in accordance with the requirements of subsection (2) of Section 2 of this Act and  
18 subsections (1) and (5) of Section 3 of this Act.

19 (3) (a) If a vacancy occurs in a seat held by a commissioner who was selected at  
20 random and appointed by the commissioners appointed by the General  
21 Assembly under subsections (2) and (3) of Section 3 of this Act, then the  
22 vacancy shall be filled by the Secretary of State in accordance with  
23 subsection (5) of Section 3 of this Act.

24 (b) A commissioner appointed under this subsection shall be selected from any  
25 of the original forty (40) applicants who were randomly selected but not  
26 appointed.

27 (c) The person to be appointed to the vacant position shall be derived from the

1           same pool of applicants who are registered with a major political party, or  
2           lack thereof, as that of the original commissioner.

3           (d) The Secretary of State may request essays and letters of recommendation  
4           from, and interview any or all of, the remaining applicants who were not  
5           appointed from the original forty (40) for a determination of appointment.

6           (4) A commissioner's seat shall become vacant upon the occurrence of any of the  
7           following:

8           (a) Death or mental incapacity of the commissioner;

9           (b) The Secretary of State's receipt of the commissioner's written resignation,  
10           which shall be forwarded to the commission;

11           (c) The commissioner's violation of subsection (3) of Section 6 of this Act or  
12           Section 11 of this Act;

13           (d) The commissioner ceases to be qualified to serve as a commissioner under  
14           Sections 1 to 12 of this Act; or

15           (e) The commissioner is removed from service after written notice and an  
16           opportunity for the commissioner to respond, by an affirmative roll-call vote  
17           of nine (9) of the commissioners finding substantial neglect of duty, gross  
18           misconduct in office, or inability to discharge the duties of the office.

19           ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
20 READ AS FOLLOWS:

21           (1) The commission shall be attached to the Legislative Research Commission. If  
22           funds are not available for the purpose of Sections 1 to 12 of this Act, the costs  
23           shall be deemed a necessary government expense and shall be paid from the  
24           general fund surplus account under KRS 48.700 or the budget reserve trust fund  
25           under KRS 48.705.

26           (2) The commission may carry out the following functions, operations, and activities  
27           in fulfillment of Sections 1 to 12 of this Act, which activities shall include but not



- 1 be limited to:
- 2 (a) Retaining or contracting independent and nonpartisan subject matter
- 3 experts and legal counsel;
- 4 (b) Conducting hearings and meetings;
- 5 (c) Publishing notices and maintaining a record of the commission's
- 6 proceedings;
- 7 (d) Purchasing equipment and computer software;
- 8 (e) Hiring administrative staff; and
- 9 (f) Any other activity necessary for the commission to conduct its business.
- 10 (3) The commission shall furnish reports of expenditures on a quarterly basis to the
- 11 secretary of the Finance and Administration Cabinet and to the Legislative
- 12 Research Commission and shall be subject to annual audit as provided by law.
- 13 (4) For each day that there is a commission meeting or hearing, and each day during
- 14 which the commissioner is working in fulfillment of his or her obligations, each
- 15 commissioner shall receive as compensation not more than two hundred dollars
- 16 (\$200) per eight (8) hour work day. If a commissioner works less than eight (8)
- 17 hours in a day, the two hundred dollars (\$200) compensation shall be prorated to
- 18 correspond with the number of hours worked by the commissioner. In addition to
- 19 compensation as a member of the commission, each commissioner shall be
- 20 reimbursed for actual and necessary expenses directly related to meetings and
- 21 hearings of the commission.
- 22 (5) The commission shall inform the Legislative Research Commission if the
- 23 commission determines that funds or other resources provided for operation of
- 24 the commission are not adequate.
- 25 (6) The Legislative Research Commission shall furnish, under the direction of the
- 26 commission, all technical services that the commission deems necessary.

27 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO

1 READ AS FOLLOWS:

2 (1) Each commissioner shall perform his or her duties in a manner that is impartial  
3 and reinforces public confidence in the integrity of the redistricting process.

4 (2) The commissioners, staff, attorneys, and consultants shall not discuss  
5 redistricting matters with members of the public outside of an open meeting or  
6 hearing of the commission, except that a commissioner may communicate about  
7 redistricting matters with members of the public to gain information relevant to  
8 the performance of his or her duties, if communication occurs in writing, or at a  
9 previously publicly noticed forum, hearing, or any other meeting held open to the  
10 general public.

11 (3) Commissioners, staff, attorneys, experts, and consultants shall not directly or  
12 indirectly solicit or accept any gift or loan of money, goods, services, or other  
13 thing of value greater than twenty dollars (\$20) for the benefit of any person or  
14 organization, which may influence the manner in which the commissioner, staff,  
15 attorney, expert, or consultant performs his or her duties.

16 (4) On or before September 1 during the year of the federal decennial census, a  
17 quorum of the commission shall consist of eight (8) commissioners. After  
18 September 1 of the year of the federal decennial census, and decennially  
19 thereafter, nine (9) commissioners shall constitute a quorum. All meetings and  
20 hearings shall require a quorum. A meeting or hearing of the commission shall  
21 not be held without twenty-four (24) hours notice to all members of the  
22 commission. All votes cast by the commission shall be recorded through a roll-  
23 call vote.

24 (5) The commission shall conduct its meetings and hearings in a manner that invites  
25 wide public participation throughout the state. The commission shall use  
26 technology to provide public observation and meaningful public participation in  
27 the redistricting process during all meetings and hearings.

1 (6) The commission shall adopt the most recent edition of Mason's Manual of  
2 Legislative Procedure as the source of rules of decisions and procedures in all  
3 cases not otherwise provided for in the operations of its respective duties and  
4 obligations in accordance with Sections 1 to 12 of this Act.

5 (7) All records of the commission shall be considered open records under KRS  
6 61.870 to 61.884. All records and other information generated by the commission  
7 pursuant to Section 5 of this Act shall be made available to the public on the  
8 website established in KRS 7.505. The commission shall conduct all of its  
9 business in open meetings and open hearings under KRS 61.805 to 61.850.

10 (8) A decision on the dismissal or retention of paid staff or consultants requires the  
11 affirmative roll-call vote of at least nine (9) commissioners.

12 (9) The commission shall have the authority to be included as the recipient of the  
13 census data as supplied by the United States Census Bureau.

14 (10) The commission shall elect its own chair, who is a then-current voting  
15 commissioner, by an affirmative roll-call vote of at least nine (9) commissioners.  
16 The chair shall have the authority to select his or her vice chair, who shall also be  
17 a then-current voting member of the commission.

18 (11) The commission shall select a secretary, who shall be a nonvoting member while  
19 serving as secretary, by an affirmative roll-call vote of at least nine (9)  
20 commissioners, who shall keep a public record of all proceedings of the  
21 commission.

22 (12) The commission shall have the authority to consult and work with staff of the  
23 Legislative Research Commission, which shall include the sharing of any data or  
24 software.

25 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
26 READ AS FOLLOWS:

27 (1) Not later than September 15 in the year immediately following the federal

1 decennial census, and decennially thereafter, the commission shall adopt  
2 redistricting plans as required by Sections 1 to 12 of this Act for each of the  
3 following types of districts:

4 (a) State senatorial districts;

5 (b) State representative districts; and

6 (c) Congressional districts.

7 (2) (a) Before the commissioners draft any proposed plans, the commission may  
8 provide testimony and hold hearings before the Interim Joint Committee on  
9 State Government.

10 (b) Once the commission receives the census data on the population as defined  
11 in Section 1 of this Act, the commission shall hold at least twelve (12) public  
12 hearings throughout the state for the purpose of informing the public about  
13 the redistricting process and the purpose and responsibilities of the  
14 commission, and to solicit information from the public about potential  
15 plans.

16 (c) The commission shall hold:

17 1. One (1) of the public hearings in each of the following jurisdictions:  
18 Hodgenville, Paducah, Owensboro, Bowling Green, Lexington,  
19 Covington, Ashland, Pikeville, Somerset, and Hazard; and

20 2. Two (2) of the public hearings in Louisville.

21 (d) The commission shall receive for consideration written submissions of  
22 proposed redistricting plans from any resident of the Commonwealth. The  
23 submission of plans shall include all of the supporting documents described  
24 in subsection (1) of Section 8 of this Act. These written submissions shall be  
25 public records and shall be readily available to the public.

26 (3) (a) Each commissioner shall be limited to proposing one (1) redistricting plan  
27 for each type of district, which may include those plans submitted by

- 1 residents of the Commonwealth under subsection (2) of this section.
- 2 (b) Each proposed plan shall be submitted to the secretary of the commission  
3 no later than July 1 in the year immediately following the federal decennial  
4 census, and decennially thereafter.
- 5 (c) After all proposed redistricting plans for each type of district are submitted,  
6 the commission shall publish, for notice and comment, the proposed  
7 redistricting plans with the required supporting materials pursuant to  
8 subsection (1) of Section 8 of this Act. The commission shall respond to all  
9 comments in an official capacity of record that is readily available to the  
10 public before voting to adopt any proposed plan. In addition, the proposed  
11 redistricting plans with the required supporting materials shall be published  
12 on the internet, and the commission shall issue press releases to two (2) or  
13 more newspapers of general circulation in the state, and radio and  
14 television stations servicing residents of this state, announcing the  
15 availability of the redistricting plans and required materials for public  
16 review.
- 17 (d) Before voting to adopt any proposed plan, the commission shall hold at least  
18 twelve (12) public hearings throughout this state for the purpose of  
19 soliciting comments from the public about the proposed plans. Each of the  
20 proposed plans shall include the required supporting materials pursuant to  
21 subsection (1) of Section 8 of this Act.
- 22 (e) The commission shall hold:
- 23 1. One (1) of the public hearings in each of the following jurisdictions:  
24 Hodgenville, Paducah, Owensboro, Bowling Green, Lexington,  
25 Covington, Ashland, Pikeville, Somerset, Hazard; and  
26 2. Two (2) of the public hearings in Louisville.

27 ➔SECTION 8. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO

1 READ AS FOLLOWS:

2 (1) Each proposed redistricting plan shall include but not be limited to the following:

3 (a) Census data to verify the population of each district, which shall include  
4 percentage deviation from the average district population for every district  
5 with a justification of any deviation;

6 (b) Reference materials;

7 (c) Maps and legal descriptions that include the political subdivisions of local  
8 governments;

9 (d) Man-made features, and features such as waterways, which form the  
10 boundaries of the districts;

11 (e) Programming information used to produce and test the plan; and

12 (f) Any other supporting materials or underlying data that was used in the  
13 formation of each plan as required by subsection (2) of this section.

14 (2) The commission shall abide by the following criteria in proposing and adopting  
15 each plan:

16 (a) Districts shall be of equal population, with minimum percentages of  
17 deviation, as mandated by the United States Constitution and Section 33 of  
18 the Constitution of Kentucky, and shall comply with the Voting Rights Act  
19 of 1965, as amended, applicable federal laws, and applicable state laws;

20 (b) Districts shall accommodate for relative rates for future growth such that  
21 districts in growth areas have a population in the lower range of the ideal  
22 population;

23 (c) Districts shall be geographically contiguous;

24 (d) Districts shall reflect the state's diverse population and communities of  
25 interest. Communities of interest may include but not be limited to  
26 populations that share cultural and historical characteristics, and social  
27 and economic interests. Communities of interest shall not include

- 1 relationships with political parties, incumbents, or political candidates;
- 2 (e) Districts shall not provide a disproportionate advantage to any political
- 3 party;
- 4 (f) 1. Districts shall not favor or disfavor an incumbent elected official or
- 5 any candidate.
- 6 2. A district shall not be drawn in a way that would move an incumbent
- 7 out of his or her district.
- 8 3. If there is a conflict between subparagraphs 1. and 2. of this
- 9 paragraph, subparagraph 2. shall prevail;
- 10 (g) Districts shall reflect consideration of local governments' boundaries;
- 11 (h) Districts shall consider arterial highways and other corridors when defining
- 12 district boundaries;
- 13 (i) Districts shall be reasonably compact;
- 14 (j) Consideration of political party affiliation and voting history of citizens of
- 15 the Commonwealth may be used as an available source, but shall not be an
- 16 established criteria from which districts are drawn; and
- 17 (k) Previous election results may be used as an available source, but shall not
- 18 be an established criteria from which districts are drawn.
- 19 (3) The commission shall adhere to the following procedure in adopting each plan:
- 20 (a) Not later than September 15 of the year immediately after the federal
- 21 decennial census, and decennially thereafter, the commission shall adopt a
- 22 redistricting plan for each type of district. Before voting to adopt any
- 23 proposed plan, the commission shall ensure that each proposed plan is
- 24 tested, using appropriate technology, for compliance with the criteria
- 25 described in subsection (2) of this section. Each proposed plan that will be
- 26 voted on shall include the required supporting materials under subsection
- 27 (1) of this section;

1 (b) Before voting to adopt any proposed plan, the commission shall allow not  
2 less than seven (7) calendar days' public notice of each proposed plan that  
3 will be voted on, and the date, time, and location the vote will occur;

4 (c) A final decision of the commission to adopt a redistricting plan shall require  
5 the affirmative roll-call vote of nine (9) of the commissioners. If no plan  
6 satisfies this requirement for a type of district, the commission shall use the  
7 following procedure to adopt a plan for that type of district:

8 1. Each commissioner may submit one (1) proposed redistricting plan for  
9 each type of district to the full commission for consideration, which  
10 may include those plans submitted by residents of this state under  
11 subsection (2) of Section 7 of this Act; and

12 2. Each commissioner shall rank each plan submitted according to  
13 preference. Each plan shall be assigned a point value inverse to its  
14 ranking among the number of choices, giving the lowest-ranked plan  
15 one (1) point and the highest-ranked plan a point value equal to the  
16 number of plans submitted. The commission shall then adopt the  
17 redistricting plans receiving the highest total points. If plans are tied  
18 for the highest point total, the plan receiving the lowest total points  
19 shall not be considered and the process of adoption shall repeat, in  
20 accordance with this subsection, until a plan is adopted.

21 (4) Not later than October 1 in the year immediately after the federal census, and  
22 decennially thereafter, the commission shall:

23 (a) Publish the adopted plans on the internet, which shall include the required  
24 supporting materials pursuant to subsection (1) of this section. In addition,  
25 the commission shall issue a press release to two (2) or more newspapers of  
26 general circulation in the state, and radio and television stations servicing  
27 residents of this state, announcing availability of the plans, explaining



1           where they can be located on the internet, and describing how the  
2           legislature will consider the plans; and  
3           **(b) Issue a report that is delivered to the Legislative Research Commission,**  
4           which shall explain the basis on which the commission made its decisions in  
5           achieving compliance with plan requirements and shall include but not be  
6           limited to the required supporting materials pursuant to subsection (1) of  
7           this section. A commissioner who votes against a redistricting plan may  
8           submit a dissenting report which shall be issued with the commission's  
9           report.

10           ➔SECTION 9. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
11 READ AS FOLLOWS:

12           **(1) The Legislative Research Commission shall refer the adopted redistricting plans**  
13           to the Interim Joint Committee on State Government for its review and  
14           consideration at its October or November meeting, and the Interim Joint  
15           Committee on State Government may hold additional meetings as deemed  
16           necessary. The Interim Joint Committee on State Government may recommend  
17           enactment or rejection of the commission's adopted redistricting plans to the  
18           General Assembly during the next regular session or extraordinary session called  
19           by the Governor for the purposes of redistricting.

20           **(2) Following the review of the Interim Joint Committee on State Government, and**  
21           during the next regular session of the General Assembly or an extraordinary  
22           session called by the Governor for the purposes of redistricting, the General  
23           Assembly shall consider the commission's redistricting plans for enactment into  
24           law. The General Assembly may enact or reject the commission's redistricting  
25           plans, but may not alter or amend the plans except for technical amendments,  
26           which do not alter or amend the substance of the plans.

27           **(3) The Committee on Committees of both the House of Representatives and the**

1       Senate shall refer the redistricting plans to the House Standing Committee on  
2       State Government and the Senate Standing Committee on State and Local  
3       Government, respectively.

4       (4) If the General Assembly does not enact the commission's adopted redistricting  
5       plans, with each plan being separately considered, by the first Tuesday after the  
6       fourth Monday of the year following the commission's submission of the plans to  
7       the Legislative Research Commission, the General Assembly or either chamber  
8       rejecting the plans, shall return the rejected plans to the commission and request  
9       development of new plans for the redistricting of the districts. Each chamber of  
10       the General Assembly that rejects the plans shall communicate to the commission  
11       its reasons for not enacting the adopted redistricting plans, and may provide  
12       recommendations.

13       (5) After the return of the redistricting plans, the commission shall then draft a  
14       second set of plans for the redistricting of districts within fourteen (14) business  
15       days of the General Assembly's return of the first set of plans, which shall include  
16       the reasons why, if applicable, for not including the recommendations of the  
17       General Assembly.

18       (6) If the General Assembly does not enact the commission's second set of  
19       redistricting plans within fourteen (14) business days of the commission's  
20       submission of the second set of redistricting plans, the General Assembly or  
21       either chamber rejecting shall, within seven (7) business days, return the second  
22       set of plans to the commission and communicate to the commission its reasons  
23       for not enacting the second set of redistricting plans. The General Assembly is  
24       then permitted to enact its own legislation regarding the redistricting of districts.

25       (7) The General Assembly shall separately consider enactment or rejection of the  
26       commission's redistricting plans for the House and Senate state legislative  
27       districts, and the United States Congressional districts.

1        ➔SECTION 10. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
2 READ AS FOLLOWS:

3 (1) Notwithstanding any other provision of law, an employer shall not discharge,  
4 threaten to discharge, intimidate, coerce, or retaliate against any employee  
5 because of the employee's membership on the commission as a commissioner,  
6 attendance or scheduled attendance, or any other personal obligation that  
7 requires the employee to be absent from any services or employment in which he  
8 or she is then engaged, for a reasonable time, while in service of the commission.

9 (2) The commission, and all of its responsibilities, operations, functions, contractors,  
10 consultants, and employees, shall not be subject to change, transfer,  
11 reorganization, or reassignment and shall not be altered or abrogated in any  
12 manner whatsoever by the General Assembly. No other body shall be established  
13 by law to perform functions that are the same or similar to those granted to the  
14 commission in Sections 1 to 12 of this Act.

15        ➔SECTION 11. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
16 READ AS FOLLOWS:

17 (1) A person shall not influence or attempt to influence a commissioner by coercion,  
18 bribe, favor, promise, inducement, or otherwise, related to any duty undertaken  
19 by a commissioner in his or her capacity as a commissioner.

20 (2) Commission members, staff, attorneys, experts, and consultants shall not directly  
21 or indirectly solicit or accept any gift or loan of money, goods, services, or other  
22 thing of value greater than twenty dollars (\$20) for the benefit of any person or  
23 organization, which may influence the manner in which the commission member,  
24 staff, attorney, expert, or consultant performs his or her duties.

25 (3) Any person found guilty of violating this section shall be guilty of a violation and  
26 shall be subject to a fine of not more than twenty thousand dollars (\$20,000).

27 (4) Comments or suggestions at public hearings or public meetings shall not be

1        *considered a violation under this section.*

2        ➔SECTION 12. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO  
3 READ AS FOLLOWS:

4        *If any provision of Sections 1 to 12 of this Act or the application thereof to any person*  
5        *or circumstance is held invalid, the invalidity shall not affect other provisions or*  
6        *applications of Sections 1 to 12 of this Act that can be given effect without the invalid*  
7        *provision or application, and to this end the provisions of Sections 1 to 12 of this Act*  
8        *are severable.*

9        ➔Section 13. KRS 5.005 is amended to read as follows:

10       (1) An action challenging the constitutionality of any legislative district created by this  
11       chapter shall be brought in the Circuit Court of the county where the plaintiff  
12       resides.

13       (2) The **Advisory Redistricting Commission**~~[Secretary of State]~~ shall be named as a  
14       defendant in any action challenging the constitutionality of any legislative district  
15       created by this chapter.

16       (3) The Legislative Research Commission may intervene as a matter of right in any  
17       action challenging the constitutionality of any legislative district created by this  
18       chapter.

19       ➔Section 14. This Act may be cited as the Fair Maps Act.