

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*
Advisory Redistricting Commission;

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

9 *(a) City government;*

10 *(b) County government;*

11 *(c) Urban-county government;*

12 *(d) Charter county government;*

13 *(e) Consolidated local government; or*

14 *(f) Unified local government;*

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

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

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

18 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO

19 READ AS FOLLOWS:

20 *(1) The Advisory Redistricting Commission is hereby created as a permanent*
commission for the purpose of drawing and adopting redistricting plans after
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.