

## **BILL ANALYSIS**

Senate Research Center  
82R13262 TJB-F

S.J.R. 43  
By: Rodriguez  
Redistricting  
4/30/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, there are no specific Texas laws regarding U.S. congressional redistricting, neither in Texas statutes nor the Texas Constitution. Historically, redistricting of congressional districts has been a legislative responsibility under the general legislative power granted by Section 1, Article III, of the Texas Constitution.

This joint resolution will establish fair redistricting principles and related procedures for future redistrictings of congressional districts by the legislature.

This resolution establishes the legislature's authority over the redistricting of congressional districts. The goal of redistricting will be to provide fair and effective representation for the people of Texas in their communities of interest, from local to regional. Compliance with these principles will enhance public esteem for the legislature and maintain their confidence in the integrity of the redistricting process.

S.J.R. 43 proposes a constitutional amendment to establish certain principles and procedures for the drawing of congressional districts.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article III, Texas Constitution, by adding Section 28-a, as follows:

Sec. 28-a. (a) Provides that the legislature's authority established by Section 1 of this article includes the authority to enact congressional redistricting plans for this state following a federal decennial census. Requires the legislature, when enacting a congressional plan, to comply with the following principles to the extent practicable and authorized by law:

- (1) districts must keep intact identifiable communities of interest defined by social, economic, racial, ethnic, cultural, industrial, commercial, or geographic commonalities;
- (2) districts must respect the integrity of the state's basic geographical regions;
- (3) districts must be geographically compact and composed of convenient contiguous territory;
- (4) districts must be coterminous with the boundaries of counties and municipalities and not unnecessarily divide counties or municipalities;
- (5) districts must be composed solely of undivided census tracts;

(6) districts may not be drawn based on partisan political considerations or with intent to favor or disfavor any specific person, political party, or other organization;

(7) districts must be as nearly equal in population as practicable and feasible in accordance with these principles; and

(8) redistricting plans must comply with state and federal constitutional requirements.

(b) Provides that the Supreme Court of Texas has original jurisdiction of a legal challenge to a congressional redistricting plan enacted by the legislature.

(c) Prohibits the legislature from redistricting this state's congressional districts more than once following each federal decennial census, except to replace a plan ordered by a court with a plan enacted by the legislature.

SECTION 2. Requires that the proposed constitutional amendment to be submitted to the voters at an election be held November 8, 2011. Sets forth the language required of the ballot.