

1 SB190
2 217246-3
3 By Senators McClendon, Gudger, Givhan, Price, Jones, Butler,
4 Weaver, Barfoot, Stutts, Marsh, Holley, Albritton, Chesteen,
5 Elliott, Allen, Scofield, Roberts, Sessions, Waggoner, Orr and
6 Reed
7 RFD: Judiciary
8 First Read: 08-FEB-22

2
3
4 ENGROSSED

5
6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to legal challenges to redistricting plans;
12 to amend Section 29-1-2.5, Code of Alabama 1975, to require
13 any legal challenge to a statewide redistricting plan to be
14 heard by a three-judge panel, comprised of a circuit court
15 judge from Montgomery and two additional circuit court judges
16 appointed by the chief justice.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Section 29-1-2.5, Code of Alabama 1975,
19 is amended to read as follows:

20 "§29-1-2.5.

21 "(a) Any legal action ~~which~~ that contests the
22 validity of any redistricting or reapportionment plan, or any
23 portion of ~~any such~~ a plan, for the state Senate, state House
24 of Representatives, United States Congress, State Board of
25 Education, or any other statewide redistricting or
26 reapportionment plan, or portion of any other statewide plan,

1 enacted by the Legislature, shall be commenced in the Circuit
2 Court of Montgomery County.

3 ~~"(b) Any legal action pending in any court other
4 than the Circuit Court of Montgomery County on July 3, 2001,
5 which contests the validity of any redistricting or
6 reapportionment plan, or any portion of any such plan, for the
7 state Senate, state House of Representatives, United States
8 Congress, State Board of Education, or any other statewide
9 redistricting or reapportionment plan, or portion of any other
10 statewide plan, enacted by the Legislature, shall be
11 transferred to or re-filed in the Circuit Court of Montgomery
12 County. Upon the filing of any legal action pursuant to this
13 section, the judge assigned to the case shall send a copy of
14 the filing to the Chief Justice of the Alabama Supreme Court.~~

15 "(c) Upon receipt of the copy of the filing, the
16 chief justice shall appoint two additional circuit court
17 judges to form a three-judge panel to hear the action. To
18 ensure that the members of the three-judge panel are appointed
19 from different regions of the state, the chief justice shall
20 appoint one of the additional circuit court judges from the
21 geographic jurisdiction of Northern District of Alabama and
22 the other additional circuit court judge from the U.S.
23 District Court for the Southern District of Alabama. The
24 appointed judges shall serve as members of the court for
25 purposes of hearing and determining the legal action.

26 "(d) When appointing the additional circuit court
27 judges to a three-judge panel pursuant to subsection (c), the

1 chief justice shall assure the panel membership is inclusive
2 and reflects the racial, gender, urban, rural, and economic
3 diversity of the state.

4 "(e) Any appeal shall be made to the Supreme Court
5 of Alabama."

6 Section 2. This act shall become effective
7 immediately following its passage and approval by the
8 Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10

11
12
13
14
15
16
17

Senate

Read for the first time and referred to the Senate
committee on Judiciary..... 08-FEB-22

Read for the second time and placed on the calen-
dar 1 amendment..... 16-FEB-22

Read for the third time and passed as amended 01-MAR-22

Yeas 23
Nays 5

Patrick Harris,
Secretary.