

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 594

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE COMMISSION FOR REAPPORTIONMENT; AMENDING SECTION
2 72-1501, IDAHO CODE, TO DELETE LANGUAGE ALLOWING A COMMISSION FOR
3 REAPPORTIONMENT TO BE RECONVENED AND TO MAKE TECHNICAL CORRECTIONS;
4 AND AMENDING SECTION 72-1508, IDAHO CODE, TO PROVIDE THAT ANY LEGAL
5 CHALLENGE TO THE REAPPORTIONMENT PLAN AS CONTAINED IN THE COMMISSION'S
6 FINAL REPORT WILL BE HEARD ON AN EXPEDITED BASIS BY THE IDAHO SUPREME
7 COURT, TO PROVIDE PROCEDURES IF THE IDAHO SUPREME COURT IS UNABLE
8 TO COMPLETE REVIEW OF A CONTESTED PLAN BY A TIME CERTAIN, TO PROVIDE
9 PROCEDURES FOR THE LEGISLATURE IF CERTAIN CIRCUMSTANCES OCCUR AND TO
10 MAKE A TECHNICAL CORRECTION.
11

12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. That Section 72-1501, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 72-1501. COMMISSION FOR REAPPORTIONMENT. ~~(1)~~ A commission for
16 reapportionment shall be organized, upon the order of the secretary of
17 state, in the event that: (a) ~~A~~ a court of competent jurisdiction orders a
18 redistricting of an existing state legislative or congressional plan; or (b)
19 ~~in~~ a year ending in one (1), a new federal census is available, in which case
20 an order shall be issued no earlier than June 1.

21 ~~(2) A commission formed pursuant to paragraph (1)(b) of this section~~
22 ~~shall be reconvened if, prior to the next general election, a court of~~
23 ~~competent jurisdiction orders the plan adopted by that commission to be~~
24 ~~revised.~~

25 SECTION 2. That Section 72-1508, Idaho Code, be, and the same is hereby
26 amended to read as follows:

27 72-1508. FINAL REPORT. The final report of the commission shall be
28 filed with the office of the secretary of state not more than ninety (90)
29 days after the commission has been organized. ~~At~~ Any legal challenge to the
30 reapportionment plan as contained in the commission's final report will be
31 heard on an expedited basis by the Idaho supreme court. If all challenges are
32 considered and disposed of no later than the beginning of the next regular or
33 special session of the legislature, the secretary of state shall transmit a
34 copy of the report to the president of the senate and the speaker of the house
35 of representatives, which shall be spread upon the journals. If the Idaho
36 supreme court is unable to complete its judicial review of any contested plan
37 prior to the next regular or special session of the legislature, or, requires
38 changes to be made to the final plan, the legislature shall review the final
39 plan and make changes deemed necessary to bring the plan into compliance
40 with all applicable provisions of law. The legislature shall have no

1 more than forty-five (45) days after the beginning of a regular or special
2 session to modify the final report and adopt a plan for reapportionment.
3 Upon legislative adoption of a plan, the Idaho supreme court will receive
4 the proposed plan from the legislature, duly adopted by the passage of a
5 concurrent resolution by both the house of representatives and the senate
6 and commence an expedited judicial review of the reapportionment plan,
7 including any challenges brought by aggrieved parties. If the Idaho supreme
8 court is unable to dispense with all issues relating to the reapportionment
9 plan by January 1 of the year for filing legislative candidate declarations,
10 the next election will be conducted under the previous reapportionment plan.