

1 AN ACT relating to redistricting.

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 11 of this Act:*

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

7 *(2) "Commissioner" means a person who is selected as a member of the Citizens*
8 *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 Citizens 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 thirteen (13) commissioners who shall:
- 5 (a) Be registered and eligible to vote in the Commonwealth of Kentucky;
- 6 (b) Not currently or in the past six (6) years, been any of the following:
- 7 1. A declared candidate for any partisan elective office;
- 8 2. A partisan elected official or person appointed to fill a vacancy in any
- 9 partisan elective office;
- 10 3. An officer or member of the governing body of a national, state, or
- 11 local political party;
- 12 4. A paid partisan consultant or an employee of any partisan elected
- 13 official or partisan political candidate, a partisan political candidate's
- 14 campaign, or a political action committee;
- 15 5. An employee of the General Assembly or the Legislative Research
- 16 Commission; or
- 17 6. A legislative agent as defined in KRS 6.611, a legislative agent's
- 18 employer as defined in KRS 6.611, an executive agency lobbyist as
- 19 defined in KRS 11A.201, or any other person employed as a lobbyist as
- 20 defined in KRS 11A.010;
- 21 (c) Not be 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 be otherwise ineligible for appointed or elected 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 party affiliation within the five (5) years preceding the
4 appointment;

5 (h) Not live, or in the previous five (5) years have lived, in the same household
6 or shared the same residential address with any individual who is
7 disqualified from serving as a commissioner under paragraph (b) of this
8 subsection; and

9 (i) Attest under oath that he or she meets the qualifications set forth in this
10 section.

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

13 (1) The process of selecting commissioners shall be determined by the Secretary of
14 State in accordance with this section.

15 (2) The Secretary of State shall:

16 (a) Prescribe the form of the application for the position of commissioner and
17 make the application available to the general public no later than January 1
18 of the year of the federal decennial census, and decennially thereafter,
19 circulating the application in a manner that invites wide public
20 participation from different regions of the state;

21 (b) Make the application available on the Secretary of State's website and mail
22 the application to ten thousand (10,000) registered voters, at random, by
23 January 1 of the year of the federal decennial census;

24 (c) Publish notice in two (2) or more newspapers of general circulation in this
25 state and also issue press releases to various media outlets, including radio
26 and television stations servicing residents of this state, to provide
27 Kentuckians with information regarding:

- 1 1. The commission's objectives and obligations;
- 2 2. The qualifications established for commissioners in Section 2 of this
- 3 Act;
- 4 3. The process by which residents of this state who are interested in
- 5 becoming a commissioner can submit an application; and
- 6 4. A point of contact where residents of this state can direct questions;
- 7 (d) Between March 1 and April 1 of the year of the federal decennial census,
- 8 and decennially thereafter, mail additional applications as prescribed under
- 9 paragraph (b) of this subsection, to five thousand (5,000) registered voters
- 10 of this state, selected at random, and witnessed by a classified employee of
- 11 the Secretary of State's Office, of whom one thousand (1,000) shall be
- 12 voters registered with one (1) major political party, one thousand (1,000)
- 13 shall be registered voters with a different and contrasting major political
- 14 party, and three thousand (3,000) shall be voters who are not registered with
- 15 either major political party;
- 16 (e) Require each applicant to state on the application whether he or she is
- 17 affiliated with one (1) of the two (2) major political parties or does not
- 18 affiliate with either major political party; and
- 19 (f) Require each applicant to attest, under the validity of signature and penalty
- 20 of perjury, that he or she meets the qualifications set forth in subsection (2)
- 21 of Section 2 of this Act.
- 22 (3) The Secretary of State shall accept applications for commissioner until June 1 of
- 23 the year of the federal decennial census.
- 24 (4) Between June 1 and July 1 of the year of the federal decennial census, and
- 25 decennially thereafter, from all applications submitted, the Secretary of State
- 26 shall:
- 27 (a) Eliminate incomplete applications and applications of persons who do not

1 meet the requirements in subsection (2) of this section and Section 2 of this
2 Act, based solely on the information contained within the applications;

3 (b) Divide the remaining applications into three (3) separate pools, of which:

4 1. One (1) pool shall consist of applications affiliated with one (1) of the
5 major political parties;

6 2. One (1) pool shall consist of applications of the different and
7 contrasting major political party; and

8 3. One (1) pool shall consist of applications that are not registered with
9 either of the two (2) major political parties;

10 (c) 1. Randomly select, as witnessed by a merit employee of the Secretary of
11 State's Office, two hundred (200) qualifying applicants, of whom sixty
12 (60) shall be selected from the pool of applicants registered with one
13 (1) of the two (2) major political parties, sixty (60) shall be selected
14 from the pool of applicants who are registered from the different and
15 contrasting major political party, and eighty (80) shall be selected
16 from the pool of applicants who are not registered with either of the
17 two (2) major political parties.

18 2. Fifty percent (50%) of each pool shall consist of qualifying applicants
19 who returned a mailed application. If fewer than thirty (30) qualifying
20 applicants affiliated with a major political party have applied to serve
21 on the commission in response to the random mailings or fewer than
22 forty (40) qualifying nonaffiliated applicants have applied to serve on
23 the commission in response to the mailings, the balance of the pool
24 with an insufficient number of mailed applications shall be populated
25 from the balance of qualifying applicants to that pool who applied
26 through other means.

27 3. The random selection process used by the Secretary of State to fill the

1 selection pools shall use accepted statistical weighting methods to
2 ensure that the pools, as closely as possible, mirror the geographic and
3 demographic makeup of the state; and

4 (d) Submit the randomly selected qualifying applications to the following:

- 5 1. President of the Senate;
- 6 2. Speaker of the House of Representatives;
- 7 3. The Minority Leader of the Senate; and
- 8 4. The Minority Leader of the House of Representatives.

9 (5) By August 1 of the year of the federal decennial census, and decennially
10 thereafter, the President of the Senate, Minority Leader of the Senate, Speaker of
11 the House of Representatives, and Minority Leader of the House of
12 Representatives may each strike five (5) applicants from any pool or pools.

13 (6) By September 1 of the year of the federal decennial census, and decennially
14 thereafter, the Secretary of State shall randomly draw the names of four (4)
15 commissioners from each of the two (2) pools affiliating with a major political
16 party, and five (5) commissioners from the pool of remaining nonaffiliated
17 applicants.

18 (7) The commission membership shall be inclusive of any person or group of people
19 representing a political party, without affiliation to a political party, from a rural
20 or urban area, or of a racial or linguistic minority.

21 (8) By October 15 of the year of the federal decennial census, and decennially
22 thereafter, the Secretary of State shall issue a call convening the commission.

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

25 (1) The terms of the commissioners shall expire once the commission has completed
26 its obligations for a census cycle or as otherwise required by law.

27 (2) If a vacancy occurs, the Secretary of State shall, within fourteen (14) calendar

1 days, fill the vacancy by randomly drawing a name from the remaining qualifying
2 applicants in the selection pool from which the commissioner was originally
3 selected.

4 (3) A commissioner's office shall become vacant upon the occurrence of any of the
5 following:

6 (a) Death of the commissioner;

7 (b) Mental incapacity of the commissioner;

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

10 (d) The commissioner's violation of subsection (3) of Section 6 of this Act or
11 Section 10 of this Act;

12 (e) The commissioner ceases to be qualified to serve as a commissioner under
13 Sections 1 to 11 of this Act; or

14 (f) The commissioner's substantial neglect of duty, gross misconduct in office,
15 or inability to discharge the duties of the office.

16 A commissioner shall be removed under paragraph (b), (d), (e), or (f) of this
17 subsection only after written notice and an opportunity to respond, by an
18 affirmative roll call vote of at least nine (9) commissioners.

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 for
22 administrative purposes only. If funds are not available for the purposes of
23 Sections 1 to 11 of this Act, the costs shall be deemed a necessary government
24 expense and shall be paid from the general fund surplus account under KRS
25 48.700 or the budget reserve trust fund under KRS 48.705.

26 (2) The General Assembly shall appropriate funds sufficient to compensate the
27 commissioners and to enable the commission to carry out its duties, functions,

- 1 operations, and activities under Sections 1 to 11 of this Act.
- 2 (3) The commission may carry out the following functions, operations, and activities
3 in fulfillment of Sections 1 to 11 of this Act:
- 4 (a) Retaining or contracting independent and nonpartisan subject matter
5 experts and legal counsel;
- 6 (b) Procuring and contracting with vendors to perform the responsibilities of
7 the commission;
- 8 (c) Having legal standing to prosecute an action regarding the adequacy of
9 resources provided for the operation of the commission, and to defend any
10 action regarding an adopted plan;
- 11 (d) Conducting hearings and meetings;
- 12 (e) Publishing notices and maintaining a record of the commission's
13 proceedings;
- 14 (f) Purchasing equipment and computer software;
- 15 (g) Hiring administrative staff, and other staff and consultants, including legal
16 representation; and
- 17 (h) Any other activity necessary for the commission to conduct its business or
18 fulfill its duties under Sections 1 to 11 of this Act.
- 19 (4) The commission shall furnish reports of expenditures on a quarterly basis to the
20 secretary of the Finance and Administration Cabinet and to the Legislative
21 Research Commission and shall be subject to annual audit as provided by law.
- 22 (5) For each day that there is a commission meeting or hearing, and each day during
23 which the commissioner is working in fulfillment of his or her obligations, each
24 commissioner shall receive as compensation not more than two hundred dollars
25 (\$200) per a seven and a half (7.5) hour work day. If a commissioner works less
26 than seven and a half (7.5) hours in a day, the two hundred dollars (\$200)
27 compensation shall be prorated to correspond with the number of hours worked

1 by the commissioner. In addition to compensation as a member of the
2 commission, each commissioner shall be reimbursed for actual and necessary
3 expenses directly related to meetings and hearings of the commission.

4 (6) The commission shall inform the Legislative Research Commission if the
5 commission determines that funds or other resources provided for operation of
6 the commission are not adequate.

7 (7) The Legislative Research Commission shall furnish, under the direction of the
8 commission, all technical services that the commission deems necessary.

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

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

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

20 (3) Commissioners, staff, attorneys, experts, and consultants shall not directly or
21 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 a commissioner, staff,
24 attorney, expert, or consultant performs his or her duties.

25 (4) A quorum of the commission shall consist of nine (9) commissioners. All
26 meetings and hearings shall require a quorum. A meeting or hearing of the
27 commission shall not be held without twenty-four (24) hours' notice to all

- 1 commissioners. All votes cast by the commission shall be recorded through a roll
2 call vote.
- 3 (5) The commission shall conduct its meetings and hearings in a manner that invites
4 wide public participation throughout the state. The commission shall use
5 technology to provide public observation and meaningful public participation in
6 the redistricting process during all meetings and hearings.
- 7 (6) The commission may adopt its own procedures, but shall refer to Mason's
8 Manual of Legislative Procedure, Newest Edition, as the source of rules of
9 decisions and procedures in all cases not otherwise provided for in the operations
10 of its respective duties and obligations in accordance with Sections 1 to 11 of this
11 Act.
- 12 (7) All records of the commission shall be considered open records under KRS
13 61.870 to 61.884. All records and other information generated by the commission
14 pursuant to Section 5 of this Act shall be made available to the public on the
15 website established in KRS 7.505. The commission shall conduct all of its
16 business at open meetings and open hearings in accordance with KRS 61.805 to
17 61.850.
- 18 (8) A decision on the dismissal or retention of paid staff or consultants shall require
19 the affirmative roll call vote of at least nine (9) commissioners.
- 20 (9) The commission shall be included as the recipient of the census data as supplied
21 by the United States Census Bureau.
- 22 (10) The commission shall elect its own chair, who shall be a current commissioner,
23 by an affirmative roll call vote of at least nine (9) commissioners. The chair shall
24 have the authority to select his or her vice chair, who shall also be a current
25 commissioner.
- 26 (11) Upon a finding of substantial neglect of duty, gross misconduct in office, or
27 inability to discharge the duties of the office, the commission may remove the

1 chair by an affirmative vote of at least (9) commissioners in accordance with
 2 subsection (3) of Section 4 of this Act.

3 (12) The commission shall select a secretary, who shall also be a current
 4 commissioner, by an affirmative roll call vote of at least nine (9) commissioners,
 5 and the secretary shall keep a public record of all proceedings of the commission.

6 (13) The commission may consult and work with staff of the Legislative Research
 7 Commission, which shall include the sharing of any data or software.

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

10 (1) Not later than September 15 in the year immediately following the federal
 11 decennial census, and decennially thereafter, the commission shall adopt
 12 redistricting plans as required by Sections 1 to 11 of this Act for each of the
 13 following types of districts:

14 (a) State senatorial districts;

15 (b) State representative districts; and

16 (c) Congressional districts.

17 (2) (a) Before commissioners draft any proposed plans, the commission may
 18 provide testimony during meetings of the Interim Joint Committee on State
 19 Government.

20 (b) Once the commission receives the census data for the population as defined
 21 in Section 1 of this Act, the commission shall hold at least twelve (12) public
 22 hearings throughout the state for the purpose of:

23 1. Informing the public about the redistricting process and the purpose
 24 and responsibilities of the commission; and

25 2. Soliciting information from the public about potential plans.

26 (c) The commission shall hold:

27 1. One (1) of the twelve (12) public hearings in each of the following

1 jurisdictions: Hodgenville, Paducah, Owensboro, Bowling Green,
2 Lexington, Covington, Ashland, Pikeville, Somerset, and Hazard; and
3 2. Two (2) of the twelve (12) public hearings in Louisville.

4 (d) The commission may receive for consideration written submissions of
5 proposed redistricting plans from any resident of the Commonwealth. The
6 submission of plans shall include all of the supporting documents described
7 in subsection (1) of Section 8 of this Act. The written submissions shall be
8 public records and shall be readily available to the public.

9 (3) (a) Each commissioner shall be limited to proposing one (1) redistricting plan
10 for each type of district, which may include those plans submitted by
11 residents of the Commonwealth under subsection (2) of this section.

12 (b) Each proposed plan shall be submitted to the secretary of the commission
13 no later than July 1 of the year immediately following the federal decennial
14 census, and decennially thereafter.

15 (c) After all proposed redistricting plans for each type of district are submitted,
16 the commission shall publish, for notice and comment, the proposed
17 redistricting plans with the required supporting materials pursuant to
18 subsection (1) of Section 8 of this Act. The commission shall respond to all
19 comments in an official capacity of record that is readily available to the
20 public before voting to adopt any proposed plan. In addition, the proposed
21 redistricting plans with the required supporting materials shall be published
22 on the Internet, and the commission shall issue press releases to two (2) or
23 more newspapers of general circulation in the state, and radio and
24 television stations servicing residents of this state, announcing the
25 availability of the redistricting plans and required materials for public
26 review.

27 (d) Before voting to adopt any proposed plan, the commission shall hold at least

1 twelve (12) public hearings throughout this state, pursuant to subsection
2 (2)(c) of this section, for the purpose of soliciting comments from the public
3 about the proposed plans. Each of the proposed plans shall include the
4 required supporting materials pursuant to subsection (1) of Section 8 of this
5 Act.

6 ➔SECTION 8. A NEW SECTION OF KRS CHAPTER 5 IS CREATED TO
7 READ AS FOLLOWS:

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

9 (a) Census data verifying the population of each district, which shall include
10 percentage deviation from the average district population for every district
11 with a justification of any deviation;

12 (b) Reference materials;

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

15 (d) Man-made features, such as waterways, which form the boundaries of the
16 districts;

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

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

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

22 (a) Districts shall be of equal population, with minimum percentages of
23 deviation, as mandated by the United States Constitution and Section 33 of
24 the Kentucky Constitution, and shall comply with the Voting Rights Act of
25 1965, as amended, applicable federal laws, and applicable state laws;

26 (b) Districts shall be geographically contiguous;

27 (c) Districts shall reflect the state's diverse population and communities of

1 interest. Communities of interest may include but not be limited to
2 populations that share cultural, historical characteristic, social, and
3 economic interests. Communities of interest shall not include relationships
4 with political parties, incumbents, or political candidates;

5 (d) Districts shall not provide a disproportionate advantage to any political
6 party;

7 (e) Districts shall not favor or disfavor an incumbent elected official or any
8 candidate;

9 (f) Districts shall reflect consideration of local governments' boundaries;

10 (g) Districts shall be reasonably compact;

11 (h) Consideration of party affiliation and voting history of citizens of the
12 Commonwealth may be used as an available source, but shall not be an
13 established criteria from which districts are drawn; and

14 (i) Previous election results may be used as an available source, but shall not
15 be an established criteria from which districts are drawn.

16 (3) The commission shall adhere to the following procedure in adopting each plan:

17 (a) Not later than September 15 of the year immediately after the federal
18 decennial census, and decennially thereafter, the commission shall adopt a
19 redistricting plan for each type of district. Before voting to adopt any
20 proposed plan, the commission shall ensure that each proposed plan is
21 tested, using appropriate technology, for compliance with the criteria
22 described in subsection (2) of this section. Each proposed plan that will be
23 voted on shall include the required supporting materials under subsection
24 (1) of this section;

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

- 1 (c) A final decision of the commission to adopt a redistricting plan shall require
2 the affirmative roll-call vote of at least ten (10) commissioners. If no plan
3 satisfies this requirement for a type of district, the commission shall use the
4 following procedure to adopt a plan for that type of district:
- 5 1. Each commissioner may submit one (1) proposed redistricting plan for
6 each type of district to the full commission for consideration, which
7 may include those plans submitted by residents of this state under
8 subsection (2) of Section 7 of this Act; and
- 9 2. Each commissioner shall rank each plan submitted according to
10 preference. Each plan shall be assigned a point value inverse to its
11 ranking among the number of choices, giving the lowest-ranked plan
12 one (1) point and the highest-ranked plan a point value equal to the
13 number of plans submitted. The commission shall then adopt the
14 redistricting plans receiving the highest total points. If plans are tied
15 for the highest point total, the plan receiving the lowest total points
16 shall not be considered and the process of adoption shall repeat, in
17 accordance with this subsection, until a plan is adopted.
- 18 (4) Not later than October 1 in the year immediately after the federal decennial
19 census, and decennially thereafter, the commission shall:
- 20 (a) Submit the adopted plans to the Secretary of State, who shall publish the
21 plans, including the required supporting materials pursuant to subsection
22 (1) of this section on the Secretary of State's website; and
- 23 (b) Issue a press release to two (2) or more newspapers of general circulation in
24 the state, and radio and television stations servicing residents of this state,
25 announcing availability of the plans and explaining where they can be
26 located on the Secretary of State's website.
- 27 (5) Not later than October 1 in the year immediately after the federal decennial

1 census, and decennially thereafter, the commission shall issue a report that is
2 delivered to the Legislative Research Commission, which shall explain the basis
3 on which the commission made its decisions in achieving compliance with plan
4 requirements and shall include but not be limited to the required supporting
5 materials pursuant to subsection (1) of this section. A commissioner who votes
6 against a redistricting plan may submit a dissenting report which shall be issued
7 with the commission's report.

8 (6) An adopted plan shall become law sixty (60) days after its publication by the
9 Secretary of State. The Secretary of State shall keep a public record of all
10 proceedings of the commission and shall publish and distribute each plan and
11 required documentation.

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

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

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

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

- 1 (1) A person shall not influence or attempt to influence a commissioner by coercion,
 2 bribe, favor, promise, inducement, or otherwise, related to any duty undertaken
 3 by a commissioner in his or her capacity as a commissioner of the commission.
- 4 (2) Commissioners, staff, attorneys, experts, and consultants shall not directly or
 5 indirectly solicit or accept any gift or loan of money, goods, services, or other
 6 thing of value greater than twenty dollars (\$20) for the benefit of any person or
 7 organization, which may influence the manner in which the commissioners, staff,
 8 attorney, expert, or consultant performs their duties.
- 9 (3) Any person found guilty of violating this section shall be guilty of a violation and
 10 shall be subject to a fine of not more than twenty thousand dollars (\$20,000).
- 11 (4) Comments or suggestions at public hearings or public meetings shall not be
 12 considered a violation under this section.

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

15 If any provision of Sections 1 to 11 of this Act or the application thereof to any person
 16 or circumstance is held invalid, the invalidity shall not affect other provisions or
 17 applications of Sections 1 to 11 of this Act that can be given effect without the invalid
 18 provision or application, and to this end the provisions of Sections 1 to 11 of this Act
 19 are severable.

20 ➔Section 12. KRS 5.005 is amended to read as follows:

- 21 (1) An action challenging the constitutionality of any legislative district created by this
 22 chapter shall be brought in the Circuit Court of the county where the plaintiff
 23 resides.
- 24 (2) The Secretary of State shall be named as a defendant in any action challenging the
 25 constitutionality of any legislative district created by this chapter.
- 26 (3) The Citizens Redistricting Commission~~[Legislative Research Commission]~~ may
 27 intervene as a matter of right in any action challenging the constitutionality of any

1 legislative district created by this chapter.

2 ➔Section 13. The following KRS section is repealed:

3 5.031 Review and redrawing of precinct boundaries for legislative districts following

4 1996 Regular Session redistricting.