

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 1 of 13

Amends Title [YES]
Second Edition

Date _____, 2024

Representative Harrison

1 moves to amend the bill on page 1, line 3, by deleting "VOTING." and substituting
2 "VOTING AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE
3 FOR AN INDEPENDENT REDISTRICTING PROCESS, TO ESTABLISH THE NORTH
4 CAROLINA CITIZENS REDISTRICTING COMMISSION, AND TO MAKE
5 CONFORMING CHANGES TO THE GENERAL STATUTES.";

6
7 and on page 1, lines 30-31, by rewriting those lines to read:

8 "SECTION 5.(a) Section 3 of Article II of the North Carolina Constitution reads as
9 rewritten:

10 "**Sec. 3. Senate districts; apportionment of Senators.**

11 The Senators shall be elected from districts. The General Assembly, ~~at the first regular session~~
12 ~~convening after the return of every decennial census of population taken by order of Congress,~~
13 ~~shall revise the senate districts and the apportionment of Senators among those districts, subject~~
14 ~~to the following requirements:~~ Assembly shall establish an independent process to revise the
15 senate districts and the apportionment of Senators among those districts pursuant to Section 25
16 of this Article.

17 (1) ~~Each Senator shall represent, as nearly as may be, an equal number of inhabitants, the~~
18 ~~number of inhabitants that each Senator represents being determined for this purpose by dividing~~
19 ~~the population of the district that he represents by the number of Senators apportioned to that~~
20 ~~district;~~

21 (2) ~~Each senate district shall at all times consist of contiguous territory;~~

22 (3) ~~No county shall be divided in the formation of a senate district;~~

23 (4) ~~When established, the senate districts and the apportionment of Senators shall remain~~
24 ~~unaltered until the return of another decennial census of population taken by order of Congress."~~

25 "SECTION 5.(b) Section 5 of Article II of the North Carolina Constitution reads as
26 rewritten:

27 "**Sec. 5. Representative districts; apportionment of Representatives.**

28 The Representatives shall be elected from districts. The General Assembly, ~~at the first regular~~
29 ~~session convening after the return of every decennial census of population taken by order of~~
30 ~~Congress, shall revise the representative districts and the apportionment of Representatives~~
31 ~~among those districts, subject to the following requirements:~~ Assembly shall establish an



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NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 2 of 13

1 independent process to revise the representative districts and the apportionment of
2 Representatives among those districts pursuant to Section 25 of this Article.

3 ~~(1) Each Representative shall represent, as nearly as may be, an equal number of~~
4 ~~inhabitants, the number of inhabitants that each Representative represents being determined for~~
5 ~~this purpose by dividing the population of the district that he represents by the number of~~
6 ~~Representatives apportioned to that district;~~

7 ~~(2) Each representative district shall at all times consist of contiguous territory;~~

8 ~~(3) No county shall be divided in the formation of a representative district;~~

9 ~~(4) When established, the representative districts and the apportionment of~~
10 ~~Representatives shall remain unaltered until the return of another decennial census of population~~
11 ~~taken by order of Congress."~~

12 **SECTION 5.(c)** Article II of the North Carolina Constitution is amended by adding
13 a new section to read:

14 **"Sec. 25. Redistricting.**

15 The General Assembly shall establish by law an independent process to revise electoral
16 districts for Congress and the General Assembly after the return of every decennial census of
17 population taken by order of Congress. The process shall meet at least all of the following
18 requirements:

19 (1) Neither the General Assembly nor the Governor shall have any role in revising
20 electoral districts for the General Assembly or the House of Representatives of the United States
21 Congress.

22 (2) Each member of the Senate and House of Representatives of the General Assembly
23 and the House of Representatives of the United States Congress shall represent, as nearly as may
24 be, an equal number of inhabitants.

25 (3) Each electoral district shall at all times consist of contiguous territory.

26 (4) When established, the electoral districts for the Senate and House of Representatives
27 of the General Assembly shall remain unaltered until the return of another decennial census of
28 population taken by order of Congress.

29 (5) Electoral districts adopted pursuant to the process shall have the force and effect of
30 acts of the General Assembly."

31 **SECTION 5.(d)** Subsection (5) of Section 22 of Article II of the North Carolina
32 Constitution reads as rewritten:

33 ~~"(5) Other exceptions.—~~Appointments to office. Every bill:

34 ~~(a) In bill in~~ (a) In bill in which the General Assembly makes an appointment or appointments
35 ~~to public office and which contains no other matter;~~
36 to public office and which contains no other matter;

37 ~~(b) Revising the senate districts and the apportionment of Senators among those~~
38 ~~districts and containing no other matter;~~
39 (b) Revising the representative districts and the apportionment of Representatives
40 among those districts and containing no other matter; or

41 ~~(c) Revising the districts for the election of members of the House of~~
42 ~~Representatives of the Congress of the United States and the apportionment~~
43 ~~of Representatives among those districts and containing no other~~

44 ~~matter;~~
45 (c) Revising the districts for the election of members of the House of
46 Representatives of the Congress of the United States and the apportionment
47 of Representatives among those districts and containing no other
48 matter;

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 3 of 13

1 ~~matter,~~ matter shall be read three times in each house before it becomes law
2 and shall be signed by the presiding officers of both houses."

3 **SECTION 5.(e)** The amendments set out in subsections (a) through (d) of this
4 Section shall be submitted to the qualified voters of the State at the statewide general election to
5 be held on November 5, 2024, which election shall be conducted under the laws then governing
6 elections in the State. The election shall be conducted in accordance with Chapter 163 of the
7 General Statutes. The question to be used in the voting systems and ballots shall be:

8 "[] FOR [] AGAINST

9 A constitutional amendment providing for an independent redistricting process for
10 electoral districts for Congress and the General Assembly. The General Assembly would
11 establish the process but have no role in the revising of districts."

12 **SECTION 5.(f)** The State Board of Elections shall certify the results of the
13 referendum conducted under this section. If a majority of votes cast on the question are in favor
14 of the amendments set out in subsections (a) through (d) of this Section, the Secretary of State
15 shall enroll the amendments among the permanent records of that office. If a majority of votes
16 cast on the question are against the amendments set out in subsections (a) through (d) of this
17 Section, the amendments shall have no effect.

18 **SECTION 5.(g)** If the certification from the State Board of Elections under Section
19 5(f) of this section reflects that a majority of votes cast on the question are in favor of the
20 amendments set out in subsections (a) through (d) of this Section, the amendments set out in
21 subsections (a) through (d) of this Section are effective upon certification.

22 **SECTION 6.(a)** Chapter 120 of the General Statutes is amended by adding a new
23 Article to read:

24 "Article 1B.
25 "Redistricting.

26 **"§ 120-4.50. Definitions.**

27 As used in this Article, unless the context requires otherwise, the following definitions shall
28 apply:

- 29 (1) Census Bureau. – The United States Bureau of the Census.
30 (2) Commission. – The North Carolina Citizens Redistricting Commission
31 established pursuant to G.S. 120-4.55.
32 (3) Communities of interest. – Contiguous and cohesive populations of persons
33 that share common social, economic, or policy interests. Communities of
34 interest shall not include common relationships with political parties or
35 political candidates. Communities of interest include, but are not limited to,
36 populations that share any of the following characteristics:
37 a. A racial, cultural, geographic, or ethnic identity.
38 b. A common history of marginalization or discrimination.
39 c. Natural resources.
40 d. Excessive damage from past or present natural disasters or pollution.
41 e. An organized decision-making body.
42 (4) Congressional districts or plans. – Districts or plans for the House of
43 Representatives of the United States Congress.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 4 of 13

- 1 (5) Federal census. – The decennial census required by federal law to be
2 conducted by the Census Bureau in every year ending in zero.
3 (6) Final plan. – A plan adopted by the Commission to be used for the purpose of
4 nominating and electing identified representatives. In accordance with Section
5 25 of Article II of the North Carolina Constitution, final plans shall have the
6 force and effect of acts of the General Assembly.
7 (7) Ideal population. – The number determined by dividing the number of
8 members in a plan into the population of the State as reported in the federal
9 census.
10 (8) Identified representative. – A member of the Senate or House of
11 Representatives of the General Assembly or a member of the House of
12 Representatives of the United States Congress.
13 (9) Legislative districts or plans. – Districts or plans for the Senate and House of
14 Representatives of the General Assembly.
15 (10) Plan. – A plan for legislative or congressional reapportionment drawn in
16 accordance with Section 25 of Article II of the North Carolina Constitution
17 and this Article.
18 (11) Preliminary plan. – An initial plan released by the Commission for public
19 input at the beginning of the redistricting cycle.
20 (12) Proposed and alternative plans. – Plans released by the Commission following
21 public input.
22 (13) Public office. – Elective State, local, or federal office.
23 (14) Relative. – An individual who is related to the person in question as father,
24 mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece,
25 husband, wife, grandfather, grandmother, father-in-law, mother-in-law,
26 son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,
27 stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or
28 half-sister.

29 **§ 120-4.55. North Carolina Citizens Redistricting Commission.**

30 (a) Establishment. – There is established the North Carolina Citizens Redistricting
31 Commission in accordance with Section 25 of Article II of the North Carolina Constitution to
32 prepare preliminary, proposed, and alternative plans and to adopt final plans for the purpose of
33 nominating and electing members of the Senate and House of Representatives of the General
34 Assembly and the House of Representatives of the United States Congress.

35 (b) Eligibility. – A resident of North Carolina is eligible to apply for membership on the
36 Commission if that person meets all of the following requirements:

- 37 (1) Has been a registered voter in North Carolina with the same party affiliation,
38 or lack thereof, for at least four years prior to commencement of service on
39 the Commission. This requirement does not apply to persons under the age of
40 25.
41 (2) Has not contributed more than two thousand dollars (\$2,000) to any candidate
42 for public office.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 5 of 13

- 1 (3) No person who has served or is serving as a member of the Commission shall
2 be eligible to hold any public office during his or her term and for three years
3 after termination of service on the Commission.
- 4 (4) Is not any of the following:
5 a. A relative of a current member of the General Assembly.
6 b. A political appointee of the General Assembly.
7 c. A staff member or legal counsel to the General Assembly.
8 d. An official of a political party or a consultant or legal counsel to a
9 political party in the United States.
- 10 (5) Has never done any of the following:
11 a. Been elected to serve in any of the following:
12 1. The General Assembly or Congress at the time of or for any
13 period of time during the eight years preceding the date of his
14 or her application.
15 2. Any other public office at the time of or for any period of time
16 during the four years preceding the date of his or her
17 application.
- 18 b. Held a political appointment.
19 c. Served as an elected or appointed officer of a political party, body, or
20 committee at any level of government in the United States.
21 d. Served as an officer, employee, or paid consultant of a political party
22 or body or of the campaign or campaign committee of a candidate for
23 public office in the United States.
24 e. Been employed by Congress.
25 f. Been convicted of any of the following crimes against a governmental
26 body of the United States or a crime with a direct connection to the
27 crimes:
28 1. Espionage.
29 2. Terrorism.
30 3. Treason.
31 4. Sabotage.
32 5. Sedition.
- 33 g. Been a member of an organization that advocates any of the crimes
34 listed in sub-subdivision f. of this subdivision or any of the following:
35 1. Overthrowing or attacking any governmental body of the
36 United States.
37 2. Preventing any official of any governmental body of the
38 United States from performing his or her official duties.
39 3. Preventing persons from exercising their rights under the laws
40 of any governmental body of the United States.
- 41 (6) Is not a legislative staffer, lobbyist, or legislative liaison.
42 (c) Membership Application; Evaluations. – Any citizen of North Carolina may apply to
43 the State Auditor to be a member of the Commission. As part of a person's application, that

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 6 of 13

1 person shall (i) disclose all relevant relationships and positions and (ii) submit to the State
2 Auditor an attestation that the person is eligible to serve as a member of the Commission pursuant
3 to subsection (b) of this section. The State Auditor shall evaluate applications to ensure they meet
4 the requirements of this section and any other requirements of State law. The State Auditor shall
5 submit all eligible applications to the North Carolina Human Relations Commission. The North
6 Carolina Human Relations Commission shall review the eligible applications and submit a
7 diverse group of up to 60 applications to the General Assembly, as follows:

8 (1) Applications submitted to the General Assembly shall reflect the State's
9 diverse races, ethnicities, nationalities, sexual orientations, socioeconomic
10 statuses, and geography.

11 (2) The North Carolina Human Relations Commission shall submit no more than
12 20 applications from persons registered in each of the following ways, as
13 reflected by the latest registration statistics published by the State Board of
14 Elections:

15 a. As affiliated with the political party with the highest number of
16 registered affiliates.

17 b. As affiliated with the political party with the second-highest number
18 of registered affiliates.

19 c. As not affiliated with either of the two political parties having the
20 highest and second-highest number of registered affiliates.

21 (3) If there are fewer than 20 applications from persons registered in accordance
22 with any sub-subdivision of subdivision (c)(2) of this section, the North
23 Carolina Human Relations Commission may submit additional eligible
24 applications to the General Assembly, as necessary, to reach a total of 60
25 applications.

26 (d) Appointment. – The Commission shall be composed of 15 members appointed from
27 the pool of candidates submitted to the General Assembly pursuant to subsection (c) of this
28 section, as follows:

29 (1) Two by the President Pro Tempore of the Senate from the pool of applications
30 that share his or her political party affiliation or lack thereof.

31 (2) Two by the minority leader in the Senate from the pool of applications that
32 share his or her political party affiliation or lack thereof.

33 (3) Two by the Speaker of the House of Representatives from the pool of
34 applications that share his or her political party affiliation or lack thereof.

35 (4) Two by the minority leader in the House of Representatives from the pool of
36 applications that share his or her political party affiliation or lack thereof.

37 (5) Seven randomly selected by the North Carolina Human Relations
38 Commission, as follows:

39 a. One from the pool of applications submitted pursuant to
40 sub-subdivision (c)(2)a. of this section.

41 b. One from the pool of applications submitted pursuant to
42 sub-subdivision (c)(2)b. of this section.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 7 of 13

1 c. Five from the pool of applications submitted pursuant to
2 sub-subdivision (c)(2)c. of this section.

3 (6) All appointing authorities shall consider the importance of diversity, as
4 defined in subdivision (c)(1) of this section, when making their appointments.

5 (e) Term of Office. – The term of office for members of the Commission shall begin on
6 July 1 of each year ending in zero. The members shall continue in office for 10 years until their
7 successors are appointed and qualified.

8 (f) Chair. – The position of chair of the Commission shall rotate every three months,
9 following a schedule randomly generated at the beginning of the redistricting cycle. No two
10 members who share the same party affiliation, or lack thereof, shall serve as chair in the same
11 six-month period. No member shall serve as chair more than once in a 12-month period.

12 (g) Removal from Office. – A member of the Commission may be removed from office,
13 as follows:

14 (1) By the authority that appointed the member for any of the following:

15 a. Failure to comply with G.S. 120-4.65.

16 b. Ineligibility pursuant to subsection (b) of this section.

17 (2) By a vote of at least 11 members of the Commission, including at least one
18 commissioner appointed from the same sub-subdivision of subdivision (c)(2)
19 of this section, in open session at any duly held meeting, for any cause that
20 renders the member incapable or unfit to discharge the duties of the office,
21 including neglect of duty or gross misconduct. All Commission member votes
22 on removal of a member pursuant to this subdivision shall be recorded in the
23 record.

24 (h) Vacancies. – Any vacancy occurring in the membership of the Commission shall be
25 filled in the manner prescribed in this section by the authority that made the initial appointment.
26 Vacancies shall be filled for the remainder of the unexpired term.

27 (i) Stipend. – Members of the Commission shall receive a stipend of one thousand two
28 hundred dollars (\$1,200) for each month that the Commission meets.

29 (j) Other Expenses. – Members of the Commission may receive travel and subsistence,
30 as follows:

31 (1) Members who are officials or employees of a State agency or unit of local
32 government, in accordance with G.S. 138-6.

33 (2) All other members at the rate established in G.S. 138-5.

34 "§ 120-4.60. Staff.

35 (a) The Commission shall be administratively housed in the Legislative Services Office
36 of the General Assembly.

37 (b) The Commission may exercise its prescribed powers independently of the General
38 Assembly and the Legislative Services Officer. In order to pay expenses incidental to
39 implementing its purposes, the Commission may enter into contracts, own property, and accept
40 funds, grants, and gifts from academic and nonprofit entities that have never contributed to
41 political parties, persons holding public office, or candidates for public office.

42 (c) The Legislative Services Officer shall provide general administrative support to the
43 Commission, including purchasing, payroll, and similar administrative services.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 8 of 13

1 (d) The Commission shall retain independent staff under contract, including an executive
2 secretary and any additional necessary supporting staff. As a whole, the political affiliations of
3 staff members, or lack thereof, shall be divided approximately into thirds among the two political
4 parties with the highest number of affiliates and among persons unaffiliated with a political party.
5 A person is ineligible to serve as a staff member to the Commission if that person would be
6 ineligible to serve as a member of the Commission pursuant to G.S. 120-4.55(b). Staff shall be
7 selected as follows:

- 8 (1) If there are at least three members appointed to the Commission from each
9 sub-subdivision of G.S. 120-4.55(c)(2), staff shall be selected by a vote of at
10 least nine members composed of at least three members appointed to the
11 Commission from each sub-subdivision of G.S. 120-4.55(c)(2).
12 (2) If there are not at least three members appointed to the Commission from each
13 sub-subdivision of G.S. 120-4.55(c)(2), staff shall be selected by a vote of all
14 of the following:
15 a. At least three members from each sub-subdivision of
16 G.S. 120-4.55(c)(2) with more than three members appointed to the
17 Commission.
18 b. A unanimous vote from each sub-subdivision of G.S. 120-4.55(c)(2)
19 with three or fewer members appointed to the Commission.

20 **"§ 120-4.65. Open meetings and public records.**

21 The Commission shall be subject to the Public Records Act, Chapter 132 of the General
22 Statutes, and the Open Meetings Law, Article 33C of Chapter 143 of the General Statutes, except
23 to the extent those enactments conflict with the below requirements:

- 24 (1) Members of the Commission and staff shall not discuss the business of the
25 Commission outside public meetings.
26 (2) If a member of the Commission violates subdivision (1) of this section, he or
27 she shall place in the public records of the Commission (i) any violating
28 written communication and (ii) a written description of any violating oral
29 communication. The written description of an oral communication must
30 include the name of the parties to the communication, the date and
31 approximate time of the communication, and a description of the nature and
32 substance of the communication.
33 (3) The Commission shall provide at least 14 days' notice prior to any meeting in
34 which votes will be taken.

35 **"§ 120-4.70. Redistricting criteria.**

36 All plans shall meet the following goals, in order of priority:

- 37 (1) Each identified representative shall represent, as nearly as may be, an equal
38 number of inhabitants.
39 (2) Compliance with the North Carolina Constitution, State law, the Constitution
40 of the United States, including the equal protection clause of the Fourteenth
41 Amendment, and federal law, to ensure that everyone, including members of
42 minority groups, have an equal opportunity to elect representatives of their
43 choice.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 9 of 13

- 1 (3) In accordance with subdivisions (1) and (2) of this section, the population for
2 a legislative district shall be within five percent (5%) of the ideal population
3 for that district. Congressional districts shall each have a population that is as
4 nearly equal as practicable to the ideal population but in all cases within
5 one-tenth of one percent (0.1%) of the ideal population for that district.
6 (4) All districts shall be contiguous. Areas that meet only at the points of
7 adjoining corners are not contiguous.
8 (5) Minimizing the number of split communities of interest with the following
9 communities of interest prioritized above all others and in the following order:
10 a. Municipalities and census designated places.
11 b. Precincts.
12 c. Counties.
13 (6) The Commission shall not consider electoral results or political considerations
14 in the preparation of a preliminary, proposed, or alternative plan. In order to
15 ensure that each citizen of the State has substantially equal voting power on
16 the basis of party affiliation, the Commission shall evaluate every proposed
17 and alternative plan after the plan is created to avoid inadvertently diminishing
18 or diluting a voter's opportunity to aggregate with likeminded voters to elect
19 a governing majority based on party affiliation. Before adopting a final plan,
20 the Commission shall revise any plan that it deems to have violated this
21 subdivision to the minimum extent necessary to remedy that violation.
22 (7) Districts shall not favor or disfavor an incumbent, and the Commission shall
23 not consider member residency in the preparation of a plan.
24 (8) To the extent practicable, all districts shall be compact. Districts should not
25 bypass nearby communities for more distant communities.

26 **§ 120-4.75. Adoption of redistricting plans by the Commission.**

- 27 (a) Duties. – The Commission shall adopt preliminary, proposed, alternative, and final
28 plans, as follows:
29 (1) If there are at least three members appointed to the Commission from each
30 sub-subdivision of G.S. 120-4.55(c)(2), plans shall be adopted by a vote of at
31 least nine members composed of at least three members appointed to the
32 Commission from each sub-subdivision of G.S. 120-4.55(c)(2).
33 (2) If there are not at least three members appointed to the Commission from each
34 sub-subdivision of G.S. 120-4.55(c)(2), plans shall be adopted by a vote of all
35 of the following:
36 a. At least three members from each sub-subdivision of
37 G.S. 120-4.55(c)(2) with more than three members appointed to the
38 Commission.
39 b. A unanimous vote from each sub-subdivision of G.S. 120-4.55(c)(2)
40 with three or fewer members appointed to the Commission.
41 (b) Special Master. – At the beginning of the redistricting cycle, the State Auditor shall
42 submit to the Commission a list of names of persons with an expertise in redistricting who are
43 qualified to serve as a special master. A person is ineligible to serve as a special master if that

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 10 of 13

1 person would be ineligible to serve as a member of the Commission pursuant to G.S. 120-4.55(b).
2 In the event a plan cannot be adopted pursuant to subsection (a) of this section, the Commission
3 shall appoint a special master from the list of names provided by the State Auditor, and the special
4 master shall draw a plan and submit the plan, along with the rationale for the plan, to the
5 Commission, which shall adopt that plan. The special master shall be appointed as follows:

6 (1) If there are at least three members appointed to the Commission from each
7 sub-subdivision of G.S. 120-4.55(c)(2), the special master shall be appointed
8 by a vote of at least nine members composed of at least three members
9 appointed to the Commission from each sub-subdivision of
10 G.S. 120-4.55(c)(2).

11 (2) If there are not at least three members appointed to the Commission from each
12 sub-subdivision of G.S. 120-4.55(c)(2), the special master shall be appointed
13 by a vote of all of the following:

14 a. At least three members from each sub-subdivision of
15 G.S. 120-4.55(c)(2) with more than three members appointed to the
16 Commission.

17 b. A unanimous vote from each sub-subdivision of G.S. 120-4.55(c)(2)
18 with three or fewer members appointed to the Commission.

19 (c) Time Line. – The Commission shall adopt all plans no later than October 1 of the year
20 following each federal census. Prior to the adoption of a plan, the Commission shall adhere to
21 the following maximum time line:

22 (1) Within 30 days of receipt of data from the Census Bureau, the Commission
23 shall hold at least 10 initial public hearings pursuant to G.S. 120-4.80.

24 (2) Within 50 days of receipt of data from the Census Bureau, the Commission
25 shall release to the public preliminary plans for revising the congressional and
26 legislative districts.

27 (3) Within 70 days of receipt of data from the Census Bureau, the Commission
28 shall hold at least an additional 10 public hearings pursuant to G.S. 120-4.80.

29 (4) Within 90 days of receipt of data from the Census Bureau, the Commission
30 shall release to the public all of the following:

31 a. Proposed plans for revising the congressional and legislative districts.

32 b. Alternative plans for revising the congressional and legislative
33 districts.

34 c. A summary of public input provided pursuant to G.S. 120-4.80.

35 (5) Within 110 days of receipt of data from the Census Bureau, the Commission
36 shall vote to adopt final plans from its proposed or alternative plans for
37 revising the congressional and legislative districts.

38 (6) If the Commission fails to adopt any plan pursuant to subdivision (5) of this
39 subsection, the Commission shall adhere to the following extended
40 maximum time line:

41 a. Within 130 days of receipt of data from the Census Bureau, the
42 Commission shall select from the list of names provided by the State
43 Auditor pursuant to subsection (b) of this section a special master to

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 11 of 13

- 1 complete the plan or plans. The Commission shall provide the special
2 master with its proposed and alternative plans and all supporting data.
3 b. Within 150 days of receipt of data from the Census Bureau, the special
4 master shall prepare and release a plan and rationale for any changes
5 from the plans released by the Commission. The special master shall
6 present the plan to the Commission.
7 c. Within 170 days of receipt of data from the Census Bureau, the
8 Commission shall hold at least 10 public hearings pursuant to
9 G.S. 120-4.80 on the plan or plans presented by the special master.
10 d. Within 180 days of receipt of data from the Census Bureau, the
11 Commission shall adopt as a final plan the plan presented by the
12 special master.
13 (7) Notwithstanding subdivisions (1) through (6) of this subsection, the
14 Commission may extend the maximum number of days between any event
15 required in this subsection by as many as seven days, up to a total of 40 days
16 over the course of a year, for good cause.

17 **"§ 120-4.80. Public input.**

- 18 (a) Public Hearings. – For each redistricting cycle, the Commission shall engage in a
19 minimum of 25 public hearings. At least one public hearing shall occur in each of the
20 metropolitan and micropolitan statistical areas of the State, as defined by the Office of
21 Management and Budget of the United States. Of the total public hearings, at least 10 hearings
22 shall occur before a preliminary plan is released to the public, and at least 10 hearings shall occur
23 after a preliminary plan is released to the public but before a proposed or alternative plan is
24 released to the public.
25 (b) Public Input. – To the extent possible, the Commission shall facilitate the ability of
26 members of the public to provide substantive comments on any plan released to the public. To
27 achieve that goal, the Commission shall provide members of the public with all of the following
28 resources:
29 (1) Sufficient time to review any plan released to the public.
30 (2) The opportunity to communicate comments, questions, and recommendations
31 on any plan released to the public, at a minimum, in person, online, and
32 through the mail. The Commission shall reserve time at the end of every
33 meeting for in-person and virtual public comment.
34 (3) Access to the same demographic data that is used by the Commission in a
35 machine-readable form.
36 (4) Access to mapping software and census data in a minimum of 30 public library
37 facilities in the State within 20 days of receipt of that data from the United
38 States Bureau of the Census.
39 (5) A public, written response to every substantive comment or recommendation
40 regarding a specific component of a plan released to the public. The response
41 shall address the viability of any recommendation and indicate whether it was
42 or will be incorporated in any other plan.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1074

FAILED

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H1074-ASTy-188 [v.2]

Page 12 of 13

- 1 (6) At the conclusion of the redistricting process, the Commission shall publish a
2 written evaluation of each final plan, including at least the following
3 information:
4 a. The impact of the plans on the ability of minority groups, including
5 racial minorities, to elect candidates of their choice.
6 b. The degree to which the plans preserve or divide communities of
7 interest.
8 c. The rationale for changes in the plans from the prior districts.
9 d. The impact of the plans on metropolitan and micropolitan areas.
10 e. A summary of the public input received by the Commission on the
11 plans.
12 (7) A website with all of the following information:
13 a. Background information on the redistricting process available in at
14 least English and Spanish on the purpose of redistricting and its impact
15 on all communities. The Commission shall provide information in
16 other languages if at least 50,000 people petition the Commission to
17 have a particular language included.
18 b. Livestreams and recordings of all public meetings in audio, video, or
19 both formats and minutes from those meetings.
20 c. Meeting announcements.
21 d. A searchable database of feedback, including public comments, and
22 plans discussed by the Commission. This information shall be made
23 available as soon as practicable after it is generated.
24 e. Plans discussed by the Commission and the data used to create those
25 plans.

26 **"§ 120-4.85. Local redistricting.**

27 The General Assembly may by law assign to the Commission the duty to prepare district
28 plans for any county, city, town, special district, and other governmental subdivision, if the
29 governing board of the unit or a court of appropriate jurisdiction so requests."

30 **SECTION 6.(b)** Notwithstanding G.S. 120-4.55(e), as enacted by this act, for any
31 redistricting that may occur prior to the return of the 2030 federal census, the term of office for
32 members of the North Carolina Citizens Redistricting Commission shall begin on January 1,
33 2025, and conclude on June 30, 2030.

34 **SECTION 6.(c)** This section is effective January 1, 2025, if a majority of votes on
35 the question are cast in favor of the amendments set out in subsections (a) through (d) of Section
36 5 of this act.

37 **SECTION 7.(a)** G.S. 120-2.3 reads as rewritten:

38 **"§ 120-2.3. Contents of judgments invalidating apportionment or redistricting acts.**

39 Every order or judgment declaring unconstitutional or otherwise invalid, in whole or in part
40 and for any reason, any ~~act of the General Assembly plan~~ that apportions or redistricts State
41 legislative or congressional districts shall find with specificity all facts supporting that
42 declaration, shall state separately and with specificity the court's conclusions of law on that
43 declaration, and shall, with specific reference to those findings of fact and conclusions of law,

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(to be filled in by
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H1074-ASTy-188 [v.2]

Page 13 of 13

1 identify every defect found by the court, both as to the plan as a whole and as to individual
2 districts."

3 **SECTION 7.(b)** G.S. 120-2.4 reads as rewritten:

4 "**§ 120-2.4. Opportunity for ~~General Assembly~~ to remedy defects.**

5 (a) ~~If the General Assembly enacts a plan apportioning or redistricting State legislative~~
6 ~~or congressional districts, districts becomes effective, in no event may a court impose its own~~
7 ~~substitute plan unless the court first gives the General Assembly North Carolina Citizens~~
8 ~~Redistricting Commission a period of time to remedy any defects identified by the court in its~~
9 ~~findings of fact and conclusions of law. That period of time shall not be less than two weeks,~~
10 ~~provided, however, that if the General Assembly is scheduled to convene legislative session~~
11 ~~within 45 days of the date of the court order that period of time shall not be less than two weeks~~
12 ~~from the convening of that legislative session.~~ weeks.

13 (a1) In the event the ~~General Assembly~~ North Carolina Citizens Redistricting Commission
14 does not act to remedy any identified defects to its plan within that period of time, the court may
15 impose an interim districting plan for use in the next general election only, but that interim
16 districting plan may differ from the previous districting plan ~~enacted by the General Assembly~~
17 only to the extent necessary to remedy any defects identified by the court.

18 (b) Notwithstanding any other provision of law or authority of the State Board of
19 Elections under Chapter 163 of the General Statutes, the State Board of Elections shall have no
20 authority to alter, amend, correct, impose, or substitute any plan apportioning or redistricting
21 State legislative or congressional districts other than a plan imposed by a court under this section
22 or a plan ~~enacted by the General Assembly~~ adopted by the North Carolina Citizens Redistricting
23 Commission."

24 **SECTION 7.(c)** G.S. 120-133 is repealed.

25 **SECTION 7.(d)** This section is effective January 1, 2025, if a majority of votes on
26 the question are cast in favor of the amendments set out in subsections (a) through (d) of Section
27 5 of this act.

28 **SECTION 8.** Except as otherwise provided, this act is effective when it becomes
29 law."

SIGNED _____
Amendment Sponsor

SIGNED _____

**The official copy of this document, with signatures
and vote information, is available in the
House Principal Clerk's Office**