

HJR 12-1
(LC 2733)
4/19/17 (DRG/ps)

Requested by Representative BARKER (at the request of Secretary of State Dennis Richardson)

**PROPOSED AMENDMENTS TO
HOUSE JOINT RESOLUTION 12**

1 On page 1 of the printed joint resolution, delete lines 3 through 30.

2 Delete pages 2 through 4 and insert:

3 **“PARAGRAPH 1.** The Constitution of the State of Oregon is amended
4 by repealing sections 6 and 7, Article IV, and by adopting the following new
5 sections 6 and 7 in lieu thereof, and by amending sections 3 and 8, Article
6 IV, such sections to read:

7 **“SECTION 6. (1) A Citizens Redistricting Commission shall be cre-**
8 **ated no later than December 31, 2020, and in each year ending in the**
9 **number zero thereafter.**

10 **“(2)(a) By August 15 in each year ending in the number nine, the**
11 **Secretary of State shall initiate an application process that promotes**
12 **a diverse and qualified applicant pool for the commission and is open**
13 **to all registered electors in this state.**

14 **“(b) The Secretary of State shall remove individuals with conflicts**
15 **of interest from the applicant pool, including:**

16 **“(A) Applicants who were, or are, related to an immediate family**
17 **member who was, in the 10 years immediately preceding the date of**
18 **application:**

19 **“(i) Appointed or elected to, or ran as a candidate for, a federal or**
20 **state office.**

21 **“(ii) An officer, employee or paid consultant of a political party or**

1 of the campaign committee of a candidate for elective federal or state
2 office.

3 “(iii) An elected or appointed member of a political party central
4 committee.

5 “(iv) A registered federal, state or local lobbyist.

6 “(v) A paid congressional or legislative employee.

7 “(vi) A contributor of \$2,000 or more to any congressional, state or
8 local candidate for elective public office in any year, with the dollar
9 amount to be adjusted on August 1, 2029, and every 10 years thereafter
10 by the cumulative change in the Consumer Price Index, or its succes-
11 sor.

12 “(B) Staff and consultants under a contract with, and any person
13 with an immediate family relationship with, the Governor, the Secre-
14 tary of State, the State Treasurer, a member of the Legislative As-
15 sembly, a member of Congress or any other individual elected to public
16 office at a statewide election.

17 “(3)(a) The Secretary of State shall establish an applicant review
18 panel consisting of three qualified independent auditors who are reg-
19 istered electors in this state. The panel shall be responsible for the
20 screening of the applicants and shall include:

21 “(A) One member who has been registered for at least three years
22 with the largest political party in this state, based on party registra-
23 tion;

24 “(B) One member who has been registered for at least three years
25 with the second largest political party in this state, based on party
26 registration; and

27 “(C) One member who has not been registered within the last three
28 years with either of the two largest political parties in this state.

29 “(b) The Secretary of State shall randomly draw names from a pool
30 of all qualified independent auditors until the names of three qualified

1 independent auditors have been drawn. After the drawing, the Secre-
2 tary of State shall notify the three qualified independent auditors
3 whose names have been drawn that they have been selected to serve
4 on the panel. If any of the three qualified independent auditors de-
5 clines to serve on the panel, the Secretary of State shall resume the
6 random drawing until three qualified independent auditors who meet
7 the requirements of this subsection have agreed to serve on the panel.

8 “(c) Members of the panel are subject to the conflict of interest
9 provisions described in paragraph (b) of subsection (2) of this section.

10 “(4) No later than March 15 in each year ending with the number
11 zero, after removing applicants with conflicts of interest from the ap-
12 plicant pool for the commission as described in paragraph (b) of sub-
13 section (2) of this section, the Secretary of State shall publicize the
14 names of the applicants remaining in the applicant pool and provide
15 copies of their applications to the applicant review panel.

16 “(5)(a) The applicant review panel shall select commission members
17 in a manner that produces a commission that is independent from
18 legislative influence and reasonably representative of this state’s di-
19 versity.

20 “(b) To qualify for service on the commission, for at least three
21 years immediately preceding the date of an applicant’s appointment,
22 the applicant must be:

23 “(A) Continuously registered to vote in this state; and

24 “(B) Registered with the same political party or unaffiliated with a
25 political party.

26 “(c) Each commission member must have voted in the last state-
27 wide general election immediately preceding the member’s application.

28 “(d) The applicant review panel shall select from the applicant pool
29 for the commission 60 qualified applicants who possess the most rele-
30 vant analytical skills, the ability to be impartial and an appreciation

1 for the diverse demographics and geography of this state. The panel
2 shall sort the selected applicants into three groups of 20, including:

3 “(A) Twenty applicants who are registered with the largest political
4 party in this state, based on party registration;

5 “(B) Twenty applicants who are registered with the second largest
6 political party in this state, based on party registration; and

7 “(C) Twenty applicants who are not registered with either of the
8 two largest political parties in this state.

9 “(6)(a) No later than May 15 in each year ending in the number
10 zero, the applicant review panel shall present its three groups of re-
11 commended applicants to the Secretary of State.

12 “(b) The members of the applicant review panel may not commu-
13 nicate with any member of the Legislative Assembly or Congress, or
14 their agents, about any matter related to the nomination process or
15 applicants prior to the presentation of recommended applicants to the
16 Secretary of State.

17 “(7) No later than July 5 in each year ending in the number zero,
18 the Secretary of State shall, at a time and place accessible to members
19 of the public, randomly draw seven names from the applicants selected
20 under paragraph (d) of subsection (5) of this section to serve on the
21 Citizens Redistricting Commission, including:

22 “(a) Two names from the remaining group of applicants registered
23 with the largest political party in this state;

24 “(b) Two names from the remaining group of applicants registered
25 with the second largest political party in this state; and

26 “(c) Three names from the remaining group of applicants who are
27 not registered with either of the two largest political parties in this
28 state.

29 “(8)(a) No later than August 15 in each year ending in the number
30 zero, the seven members of the commission selected under subsection

1 (7) of this section shall review the remaining names in the groups of
2 applicants and select, without the use of formulas or specific ratios,
3 four additional members with the relevant analytical skills and ability
4 to be impartial who reflect the diversity of this state, including but
5 not limited to racial, ethnic, geographic and gender diversity, as fol-
6 lows:

7 “(A) One member from the remaining group of applicants registered
8 with the largest political party in this state;

9 “(B) One member from the remaining group of applicants registered
10 with the second largest political party in this state; and

11 “(C) Two members from the remaining group of applicants who are
12 not registered with either of the two largest political parties in this
13 state.

14 “(b) Approval of the four additional members requires four or more
15 affirmative votes of the commission, including at least one vote cast
16 by a commission member from each of the two largest political parties
17 in this state and one vote cast by a commission member who is not
18 registered with either of the two largest political parties in this state.

19 “(9) The commission shall select, by a majority vote, one member
20 to serve as the chairperson and one member to serve as vice chair-
21 person. The chairperson and vice chairperson may not be registered
22 with the same political party.

23 “(10)(a) In the event of substantial neglect of duty or gross mis-
24 conduct in office by a commission member, or if a member is unable
25 to discharge the duties of office, the Governor may remove the mem-
26 ber, provided the Governor:

27 “(A) Serves the member with written notice;

28 “(B) Provides the member with an opportunity to respond; and

29 “(C) Obtains concurring votes from two-thirds of the members of
30 the Senate.

1 **“(b) The Governor may refer an incident of substantial neglect of**
2 **duty or gross misconduct in office by a commission member to the**
3 **Attorney General for criminal prosecution or to the appropriate ad-**
4 **ministrative agency for investigation.**

5 **“(11)(a) If a commission membership becomes vacant, the commis-**
6 **sion shall fill the vacancy within 30 days by selecting a new member**
7 **from the same group of applicants from which the vacating member**
8 **was selected.**

9 **“(b) If none of the applicants in the applicable group are available**
10 **for service, the applicant review panel shall select from the applicant**
11 **pool a new group for that political party category as provided in par-**
12 **agraph (d) of subsection (5) of this section.**

13 **“(12)(a) Commission members may not hold elected public office at**
14 **the federal, state, county or city level in this state for a period of 10**
15 **years beginning on the date of appointment.**

16 **“(b) Commission members may not hold appointive federal, state**
17 **or local public office, serve as a paid employee of Congress or the**
18 **Legislative Assembly or register as a federal, state or local lobbyist in**
19 **this state, for a period of five years beginning on the date of appoint-**
20 **ment.**

21 **“(13) Commission members shall serve a term of office that expires**
22 **upon the appointment of the first member of the succeeding commis-**
23 **sion.**

24 **“(14)(a) The commission shall hire commission staff, legal counsel**
25 **and consultants as needed. The commission shall establish clear cri-**
26 **teria for the hiring and removal of individuals, communication proto-**
27 **cols and a code of conduct. The commission shall apply the conflicts**
28 **of interest listed in paragraph (b) of subsection (2) of this section to**
29 **the hiring of commission staff, legal counsel and consultants.**

30 **“(b) The Secretary of State shall provide support functions to the**

1 **commission until the commission staff and office are fully functional.**

2 **“(c) The commission shall require that at least one of the legal**
3 **counsel hired by the commission has demonstrated extensive experi-**
4 **ence and expertise in implementation and enforcement of the federal**
5 **Voting Rights Act of 1965 (42 U.S.C. 1971 et seq.), as amended, or its**
6 **successors.**

7 **“(d) The commission shall make hiring, removal or contracting de-**
8 **isions related to commission staff, legal counsel and consultants by**
9 **seven or more affirmative votes, including at least two votes cast by**
10 **members registered with each of the two largest political parties in**
11 **this state and three votes cast by members who are not registered with**
12 **either of the two largest political parties in this state.**

13 **“(15) Notwithstanding any other provision of this Constitution, an**
14 **employer may not discharge, threaten to discharge, intimidate, coerce**
15 **or retaliate against any employee by reason of the employee’s attend-**
16 **ance or scheduled attendance at any meeting of the commission.**

17 **“(16) The Legislative Assembly shall take all steps necessary to en-**
18 **sure that a complete and accurate computerized database is available**
19 **to the commission for redistricting, and that procedures are in place**
20 **to provide ready public access to redistricting data and computer**
21 **software for drawing maps.**

22 **“(17) Members of the first commission shall be compensated at the**
23 **rate of \$300 for each day the member is engaged in commission busi-**
24 **ness. For members of each succeeding commission, the rate of com-**
25 **ensation shall be adjusted in each year ending in nine according to**
26 **the cumulative change in the Consumer Price Index, or its successor.**
27 **Members of the applicant review panel and the commission are eligible**
28 **for reimbursement of personal expenses incurred in connection with**
29 **the duties performed pursuant to this section.**

30 **“(18) As used in this section:**

1 “(a) ‘Immediate family’ means someone with whom the individual
2 has a bona fide relationship established through a blood or legal re-
3 lationship, including parents, children, siblings and in-laws.

4 “(b) ‘Qualified independent auditor’ means an individual who has
5 been a practicing auditor for at least 10 years prior to appointment to
6 the applicant review panel.

7 “SECTION 7. (1) The Citizens Redistricting Commission shall:

8 “(a) Conduct an open and transparent process on the drawing of
9 state legislative and congressional district lines, enabling full public
10 input;

11 “(b) Draw state legislative and congressional district lines according
12 to the redistricting criteria specified in this section; and

13 “(c) Conduct all business of the commission with integrity and
14 fairness.

15 “(2)(a) Seven members of the commission constitutes a quorum.

16 “(b) Official action by the commission requires an affirmative vote
17 by seven or more members.

18 “(c) Approval of the final redistricting maps described in subsection
19 (10) of this section requires seven or more affirmative votes, including
20 at least two votes cast by members registered with each of the two
21 largest political parties in this state and three votes cast by members
22 who are not registered with either of the two largest political parties
23 in this state.

24 “(d) Commission members shall act impartially and in a manner
25 that reinforces public confidence in the integrity of the redistricting
26 process.

27 “(3)(a) The commission shall comply with state law governing pub-
28 lic records and meetings. The commission shall provide not less than
29 14 days’ public notice for each meeting held for the purpose of receiv-
30 ing public comment, except that meetings held in August in the year

1 ending in the number one may be held with three days' notice.

2 “(b) The records of the commission pertaining to redistricting and
3 all data considered by the commission are public records that must
4 be posted in a manner that ensures immediate and widespread public
5 access.

6 “(c) Commission members, commission staff, legal counsel and
7 consultants may not discuss, or initiate or receive communications
8 about, redistricting matters outside of a public hearing. This para-
9 graph does not prohibit communication outside of a public hearing
10 between commission members, commission staff, legal counsel and
11 consultants retained by the commission that is otherwise permitted
12 by Oregon public records law and Oregon public meetings law.

13 “(4) Each redistricting map establishing districts for the Senate,
14 House of Representatives or Congress that is created under this sec-
15 tion must:

16 “(a) Comply with requirements of the United States Constitution
17 and the federal Voting Rights Act of 1965 (42 U.S.C. 1971 et seq.), as
18 amended, or its successors.

19 “(b) Be drawn so that the districts are geographically contiguous.

20 “(c) Achieve population equality as nearly as is practicable, so that
21 each senatorial district and representative district has a population
22 that is equal or as close to equal as is practicable to the populations
23 of other districts represented by the same office. In satisfying the re-
24 quirements of this paragraph, a senatorial district or representative
25 district may not have a population that varies by more than one per-
26 cent from the population that each senatorial district or represen-
27 tative district would have if each district had the same population.

28 “(d) Ensure that each senatorial district shall consist of two repre-
29 sentative districts.

30 “(5) Redistricting maps establishing districts for the Senate, House

1 of Representatives and Congress that are created under this section
2 may not:

3 “(a) Consider the place of residence of any incumbent or political
4 candidate;

5 “(b) Favor or discriminate against an incumbent, a political candi-
6 date or a political party;

7 “(c) Consider the political party affiliations of electors;

8 “(d) Consider the results of previous elections; or

9 “(e) Include a district for the purpose of diluting the voting
10 strength of any language or ethnic minority group.

11 “(6)(a) The commission shall create a formula that will be input
12 into a digital mapping program to establish default districts for the
13 Senate, the House of Representatives and Congress that comply with
14 the requirements set forth in subsections (4) and (5) of this section.
15 To the extent practicable, the default districts established under this
16 subsection shall also seek to:

17 “(A) Limit the amount of time it would take to travel by automobile
18 across each district;

19 “(B) Provide for geographical compactness so that nearby areas of
20 population are not bypassed for more distant areas of population;

21 “(C) Keep city boundaries intact; and

22 “(D) Keep school district boundaries intact.

23 “(b) In establishing default districts under this subsection, the fac-
24 tors listed in paragraph (a) of this subsection shall be given equal
25 weight.

26 “(c) A decision by the commission to alter the initial formula for
27 establishing default districts that is created under paragraph (a) of
28 this subsection may be made only in the manner provided in paragraph
29 (c) of subsection (2) of this section.

30 “(7) The commission may, in the manner provided in this sub-

1 section and in paragraph (c) of subsection (2) of this section, vote to
2 alter the boundaries of the default districts established under sub-
3 section (6) of this section. Any decision to amend the default districts
4 established under subsection (6) of this section must ensure that the
5 revised boundaries comply with the requirements set forth in sub-
6 sections (4) and (5) of this section and include a written justification
7 conclusively demonstrating that each change to the boundaries of the
8 default districts will accomplish one or more of the following goals:

9 “(a) Respect the geographic integrity and minimize the division of
10 a city, county, city and county, local neighborhood or contiguous
11 population that shares common social and economic interests that
12 should be included within a single district for purposes of its effective
13 and fair representation. Common social and economic interests are
14 those common to an urban area, a rural area, an industrial area or
15 an agricultural area and those common to areas in which the people
16 share similar living standards, use the same transportation facilities,
17 have similar work opportunities or have access to the same manner
18 of communication relevant to the election process. Common social and
19 economic interests do not include relationships with political parties,
20 incumbents or political candidates.

21 “(b) Establish district boundaries that follow permanent and easily
22 recognizable geographic features, such as rivers or controlled-access
23 highways.

24 “(c) Limit the amount of time it would take to travel by automobile
25 across each district.

26 “(d) Achieve population equality as nearly as is practicable, so that
27 each senatorial district and representative district has a population
28 that is equal or as close to equal as is practicable to the populations
29 of other districts represented by the same office. In satisfying the re-
30 quirements of this paragraph, a senatorial district or representative

1 district may not have a population that varies by more than one per-
2 cent from the population that each senatorial district or represen-
3 tative district would have if each district had the same population.

4 “(e) Prevent district boundaries from crossing census tract bound-
5 aries, city boundaries, school district boundaries or county boundaries.

6 “(8) Districts for the Senate, the House of Representatives and
7 Congress shall be numbered consecutively commencing at the north-
8 ern boundary of the state and ending at the southern boundary.

9 “(9)(a) The commission shall establish and implement an open
10 hearing process for public input and deliberation, including:

11 “(A) Public notice;

12 “(B) Public outreach to solicit broad public participation;

13 “(C) Public hearings to receive public comment before the com-
14 mission draws any redistricting maps;

15 “(D) Public hearings following the drawing and display of any re-
16 districting maps; and

17 “(E) Other activities as appropriate to further increase opportu-
18 nities for the public to observe and participate in the review process.

19 “(b) On or before July 1 of each year ending in the number one, the
20 commission shall display the redistricting maps created by the com-
21 mission under subsections (6) and (7) of this section for public com-
22 ment in a manner designed to achieve the widest public access
23 reasonably possible and shall accept public comment for a minimum
24 of a 14-day period, beginning on the first day of public display of the
25 first preliminary statewide maps of districts for the Senate, House of
26 Representatives or Congress. The commission may not display any
27 other version of a map for public comment during the 14-day period.

28 “(c) Public comment shall be taken for at least seven days from the
29 date of public display of any subsequent preliminary statewide maps
30 and for at least three days from the date of public display of any final

1 statewide maps.

2 “(10) No later than August 15 in 2021, and in each year ending in
3 the number one thereafter, the commission shall approve and certify
4 to the Secretary of State three final maps that separately set forth the
5 district boundary lines for the Senate, the House of Representatives
6 and Congress.

7 “(11)(a) A certified final map may not be amended by the Legislative
8 Assembly or be subject to initiative or referendum, but shall otherwise
9 be a law of the state.

10 “(b) The commission shall issue, with each of the three final maps,
11 a report that includes an explanation of the basis on which the com-
12 mission established the districts and achieved compliance with the
13 criteria listed in subsections (4) to (7) of this section and definitions
14 of the terms and standards used in drawing each final map.

15 “(12) If the commission does not approve a final map by at least the
16 requisite number of votes, the Secretary of State shall immediately
17 petition the Supreme Court for an order directing the appointment of
18 special masters to adjust the boundary lines of the districts on that
19 map. Special masters appointed under this subsection shall make the
20 fewest changes possible to the default districts created under sub-
21 section (6) of this section to ensure that the final map complies with
22 provisions of the United States Constitution, the federal Voting Rights
23 Act of 1965 (42 U.S.C. 1971 et seq.), as amended, or its successors, and
24 any other federal law. Upon its approval of the special masters’ map,
25 and no later than December 15, the Supreme Court shall certify the
26 resulting map to the Secretary of State as the certified final map for
27 the type of district it depicts.

28 “(13)(a) For the biennia beginning in each year ending in nine and
29 each year ending in one, there shall be included in the state budget
30 amounts for funding for the Secretary of State and the Citizens Re-

1 **districting Commission that are sufficient to meet the estimated ex-**
2 **penses of the Secretary of State and commission in implementing the**
3 **redistricting process required by this section and section 6 of this Ar-**
4 **ticle, including but not limited to adequate funding for a statewide**
5 **outreach program to solicit broad public participation in the redis-**
6 **tricting process and the solicitation of applicants for the commission.**

7 **“(b) The Governor shall make adequate office and meeting space**
8 **available for the operation of the commission.**

9 **“(c) The total of the appropriations made shall be equal to the**
10 **greater of \$3 million, or the amount expended pursuant to this sub-**
11 **section in the immediately preceding redistricting process, as each**
12 **amount is adjusted by the cumulative change in the Consumer Price**
13 **Index, or its successor, since the dates of the immediately preceding**
14 **appropriations made pursuant to this subsection.**

15 **“(d) The Legislative Assembly may make additional appropriations**
16 **in any year in which it determines that the Secretary of State or**
17 **commission requires additional funding in order to fulfill its duties.**

18 **“(14) The commission, with fiscal oversight from the office of the**
19 **State Treasurer, shall have procurement and contracting authority**
20 **and may hire staff, legal counsel and consultants.**

21 **“(15)(a) Any Senator whose term continues through the next odd-**
22 **numbered year regular legislative session following the operative date**
23 **of the certified final map for senatorial districts shall be specifically**
24 **assigned to a senatorial district.**

25 **“(b) Notwithstanding section 18, Article II of this Constitution, af-**
26 **ter the convening of the next odd-numbered year regular legislative**
27 **session following the operative date of the certified final map for sen-**
28 **atorial districts, a Senator whose term continues through that legis-**
29 **lative session is subject to recall by the electors of the district to**
30 **which the Senator is assigned and not by the electors of the district**

1 existing before the latest reapportionment. The number of signatures
2 required on the recall petition is 15 percent of the total votes cast for
3 all candidates for Governor at the most recent election at which a
4 candidate for Governor was elected to a full term in the representative
5 districts constituting the senatorial district to which the Senator was
6 assigned.

7 “(16)(a) Except as provided in paragraph (c) of this subsection, a
8 certified final map establishing districts for the Senate or House of
9 Representatives made under this section becomes operative on the
10 second Monday in January of the next odd-numbered year after the
11 applicable deadline for certifying the map set forth in this section.

12 “(b) Except as provided in paragraph (c) of this subsection, a certi-
13 fied final map establishing districts for Congress made under this
14 section becomes operative on January 1 of the next odd-numbered year
15 after the applicable deadline for certifying the map set forth in this
16 section.

17 “(c) For purposes of electing Senators, Representatives and mem-
18 bers of Congress to the next term of office that commences after the
19 applicable deadline for certifying the map set forth in this section, a
20 certified final map made under this section becomes operative on
21 January 1 of the calendar year next following the applicable deadline
22 for certifying the map set forth in this section.

23 “**Sec. 3.** (1) The senators and representatives shall be chosen by the
24 electors of the respective counties or districts or subdistricts within a county
25 or district into which the state may from time to time be divided by law.

26 “(2)(a) If a vacancy occurs in the office of senator or representative from
27 any county or district or subdistrict, the vacancy shall be filled as may be
28 provided by law.

29 “(b) Except as provided in paragraph (c) of this subsection, a person who
30 is appointed to fill a vacancy in the office of senator or representative must

1 be an inhabitant of the district the person is appointed to represent for at
2 least one year next preceding the date of the appointment.

3 “(c) For purposes of an appointment occurring during the period begin-
4 ning on January 1 of the year a [*reapportionment*] **certified final redistricting map**
5 becomes operative under section [6] **7** of this Article, the
6 person must have been an inhabitant of the district for one year next pre-
7 ceding the date of the appointment or from January 1 of the year the [*reap-*
8 *portionment*] **certified final redistricting map** becomes operative to the
9 date of the appointment, whichever is less.

10 “**Sec. 8.** (1)(a) Except as provided in paragraph (b) of this subsection, a
11 person may not be a Senator or Representative if the person at the time of
12 election:

13 “(A) Is not a citizen of the United States; and

14 “(B) Has not been for one year next preceding the election an inhabitant
15 of the district from which the Senator or Representative may be chosen.

16 “(b) For purposes of the general election next following the applicable
17 deadline for [*making a final apportionment under section 6*] **certifying final**
18 **redistricting maps under section 7** of this Article, the person must have
19 been an inhabitant of the district from January 1 of the year following the
20 applicable deadline for [*making the final reapportionment*] **certifying final**
21 **redistricting maps** to the date of the election.

22 “(2) Senators and Representatives shall be at least twenty one years of
23 age.

24 “(3) A person may not be a Senator or Representative if the person has
25 been convicted of a felony during:

26 “(a) The term of office of the person as a Senator or Representative; or

27 “(b) The period beginning on the date of the election at which the person
28 was elected to the office of Senator or Representative and ending on the first
29 day of the term of office to which the person was elected.

30 “(4) A person is not eligible to be elected as a Senator or Representative

1 if that person has been convicted of a felony and has not completed the
2 sentence received for the conviction prior to the date that person would take
3 office if elected. As used in this subsection, ‘sentence received for the con-
4 viction’ includes a term of imprisonment, any period of probation or post-
5 prison supervision and payment of a monetary obligation imposed as all or
6 part of a sentence.

7 “(5) Notwithstanding sections 11 and 15, Article IV of this Constitution:

8 “(a) The office of a Senator or Representative convicted of a felony during
9 the term to which the Senator or Representative was elected or appointed
10 shall become vacant on the date the Senator or Representative is convicted.

11 “(b) A person elected to the office of Senator or Representative and con-
12 victed of a felony during the period beginning on the date of the election and
13 ending on the first day of the term of office to which the person was elected
14 shall be ineligible to take office and the office shall become vacant on the
15 first day of the next term of office.

16 “(6) Subject to subsection (4) of this section, a person who is ineligible
17 to be a Senator or Representative under subsection (3) of this section may:

18 “(a) Be a Senator or Representative after the expiration of the term of
19 office during which the person is ineligible; and

20 “(b) Be a candidate for the office of Senator or Representative prior to
21 the expiration of the term of office during which the person is ineligible.

22 “(7)(a) Except as provided in paragraph (b) of this subsection, a person
23 may not be a Senator or Representative if the person at all times during the
24 term of office of the person as a Senator or Representative is not an inhab-
25 itant of the district from which the Senator or Representative may be chosen
26 or which the Senator or Representative has been appointed to represent. A
27 person does not lose status as an inhabitant of a district if the person is
28 absent from the district for purposes of business of the Legislative Assembly.

29 “(b) Following the applicable deadline for [*making a final apportionment*
30 *under section 6*] **certifying final redistricting maps under section 7** of this

1 Article, until the expiration of the term of office of the person, a person may
2 be an inhabitant of any district.

3

4 **“PARAGRAPH 2. The amendment proposed by this resolution shall**
5 **be submitted to the people for their approval or rejection at the next**
6 **regular general election held throughout this state.”.**

7
