

Senate Engrossed

legislative districts; population; census; citizenship

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE CONCURRENT RESOLUTION 1031

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 2, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO LEGISLATIVE BOUNDARIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. Article IV, part 2, section 1, Constitution of Arizona, is
4 proposed to be amended as follows if approved by the voters and on
5 proclamation of the Governor:

6 1. Senate; house of representatives; members; special
7 session on petition of members; census; state
8 census fund; congressional and legislative
9 boundaries; citizen commissions

10 Section 1. ~~(1)~~ A. The senate shall be composed of one
11 member elected from each of the thirty legislative districts
12 established pursuant to this section.

13 B. The house of representatives shall be composed of
14 two members elected from each of the thirty legislative
15 districts established pursuant to this section.

16 ~~(2)~~ C. ~~Upon~~ ON the presentation to the governor of a
17 petition bearing the signatures of ~~not less than~~ AT LEAST
18 two-thirds of the members of each house, requesting a special
19 session of the legislature and designating the date of
20 convening, the governor shall promptly call a special session
21 to assemble on the date specified. At a special session so
22 called the subjects ~~which~~ THAT may be considered by the
23 legislature shall not be limited.

24 ~~(3)~~ D. By February 28 of each year that ends in one,
25 an independent redistricting commission shall be established
26 to provide for the redistricting of congressional and state
27 legislative districts. The independent redistricting
28 commission shall consist of five members. ~~no~~ NOT more than
29 two members of the independent redistricting commission shall
30 be members of the same political party. Of the first four
31 members appointed, ~~no~~ NOT more than two shall reside in the
32 same county. Each member shall be a registered Arizona voter
33 who has been continuously registered with the same political
34 party or registered as unaffiliated with a political party for
35 three or more years immediately preceding appointment, AND who
36 is committed to applying the provisions of this section in an
37 honest, independent and impartial fashion and to upholding
38 public confidence in the integrity of the redistricting
39 process. Within the three years previous to appointment,
40 members shall not have been appointed to, elected to, or a
41 candidate for any other public office, including precinct
42 committeeman or committeewoman but not including school board
43 member or officer, and shall not have served as an officer of
44 a political party, or served as a registered paid lobbyist or
45 as an officer of a candidate's campaign committee.

1 ~~(4)~~ E. The commission on appellate court appointments
2 shall nominate candidates for appointment to the independent
3 redistricting commission, except that, if a politically
4 balanced commission exists whose members are nominated by the
5 commission on appellate court appointments and whose regular
6 duties relate to the elective process, the commission on
7 appellate court appointments may delegate to such existing
8 commission (hereinafter called the commission on appellate
9 court appointments' designee) the duty of nominating members
10 for the independent redistricting commission, and all other
11 duties assigned to the commission on appellate court
12 appointments in this section.

13 ~~(5)~~ F. By January 8 of years ending in one, the
14 commission on appellate court appointments or its designee
15 shall establish a pool of persons who are willing to serve on
16 and are qualified for appointment to the independent
17 redistricting commission. The pool of candidates shall
18 consist of twenty-five nominees, with ten nominees from each
19 of the two largest political parties in Arizona based on party
20 registration, and five who are not registered with either of
21 the two largest political parties in Arizona.

22 ~~(6)~~ G. Appointments to the independent redistricting
23 commission shall be made in the order set forth below. ~~NO~~ NOT
24 later than January 31 of years ending in one, the highest
25 ranking officer elected by the Arizona house of
26 representatives shall make one appointment to the independent
27 redistricting commission from the pool of nominees, followed
28 by one appointment from the pool made in turn by each of the
29 following: the minority party leader of the Arizona house of
30 representatives, the highest ranking officer elected by the
31 Arizona senate, and the minority party leader of the Arizona
32 senate. Each such official shall have a seven-day period in
33 which to make an appointment. Any official who fails to make
34 an appointment within the specified time period will forfeit
35 the appointment privilege. ~~In the event that~~ IF there are two
36 or more minority parties within the house or the senate, the
37 leader of the largest minority party by statewide party
38 registration shall make the appointment.

39 ~~(7)~~ H. Any vacancy in the above four independent
40 redistricting commission positions remaining as of March 1 of
41 a year ending in one shall be filled from the pool of nominees
42 by the commission on appellate court appointments or its
43 designee. The appointing body shall strive for political
44 balance and fairness.

1 ~~(8)~~ I. At a meeting called by the secretary of state,
2 the four independent redistricting commission members shall
3 select by majority vote from the nomination pool a fifth
4 member who shall not be registered with any party already
5 represented on the independent redistricting commission and
6 who shall serve as chair. If the four commissioners fail to
7 appoint a fifth member within fifteen days, the commission on
8 appellate court appointments or its designee, striving for
9 political balance and fairness, shall appoint a fifth member
10 from the nomination pool, ~~who shall serve as chair~~
11 CHAIRPERSON.

12 ~~(9)~~ J. The five commissioners shall then select by
13 majority vote one of their members to serve as ~~vice-chair~~ VICE
14 CHAIRPERSON.

15 ~~(10)~~ K. After having been served written notice and
16 provided with an opportunity for a response, a member of the
17 independent redistricting commission may be removed by the
18 governor, with the concurrence of two-thirds of the senate,
19 for substantial neglect of duty, gross misconduct in
20 office, ~~or~~ or inability to discharge the duties of office.

21 ~~(11)~~ L. If a commissioner or ~~chair~~ CHAIRPERSON does
22 not complete the term of office for any reason, the commission
23 on appellate court appointments or its designee shall nominate
24 a pool of three candidates within the first thirty days after
25 the vacancy occurs. The nominees shall be of the same
26 political party or status as was the member who vacated the
27 office at the time of ~~his or her~~ THE MEMBER'S appointment, and
28 the appointment other than the ~~chair~~ CHAIRPERSON shall be made
29 by the current holder of the office designated to make the
30 original appointment. The appointment of a new ~~chair~~
31 CHAIRPERSON shall be made by the remaining commissioners. If
32 the appointment of a replacement commissioner or ~~chair~~
33 CHAIRPERSON is not made within fourteen days ~~following~~ AFTER
34 the presentation of the nominees, the commission on appellate
35 court appointments or its designee shall make the appointment,
36 striving for political balance and fairness. The newly
37 appointed commissioner shall serve out the remainder of the
38 original term.

39 ~~(12)~~ M. Three commissioners, including the ~~chair~~
40 CHAIRPERSON or ~~vice-chair~~ VICE CHAIRPERSON, constitute a
41 quorum. Three or more affirmative votes are required for any
42 official action. Where a quorum is present, the independent
43 redistricting commission shall conduct business in meetings
44 open to the public, with ~~48~~ FORTY-EIGHT or more hours public
45 notice provided.

1 ~~(13)~~ N. A commissioner, during the commissioner's term
2 of office and for three years thereafter, shall be ineligible
3 for Arizona public office or for registration as a paid
4 lobbyist.

5 O. DURING EACH YEAR THAT ENDS IN ZERO, THE INDEPENDENT
6 REDISTRICTING COMMISSION OR OTHER OFFICER OR BODY DESIGNATED
7 BY THE LEGISLATURE SHALL TAKE A CENSUS. THE CENSUS SHALL BE
8 COMPLETED NOT LATER THAN DECEMBER 31 OF EACH YEAR ENDING IN
9 ZERO. THE CENSUS SHALL INCLUDE A TABULATION OF THE NUMBER OF
10 UNITED STATES CITIZENS RESIDING IN THIS STATE AND ALL
11 CITIZENS' RESIDENCES AND MAY BE CONDUCTED CONSISTENT WITH THE
12 PROCEDURES AND METHODS ADOPTED BY THE UNITED STATES CENSUS
13 BUREAU OR ITS SUCCESSOR AGENCY. THE INDEPENDENT REDISTRICTING
14 COMMISSION OR THE OFFICER OR BODY DESIGNATED BY THE
15 LEGISLATURE TO CONDUCT THE CENSUS MAY NOT EMPLOY FEDERAL
16 PRACTICES THAT ARE INCONSISTENT WITH THIS SUBSECTION. THE
17 INDEPENDENT REDISTRICTING COMMISSION OR OTHER OFFICER OR BODY
18 DESIGNATED BY THE LEGISLATURE SHALL USE THE DATA COLLECTED
19 FROM THE CENSUS TO DETERMINE THE CITIZEN POPULATION OF EACH
20 LEGISLATIVE DISTRICT. IF A CENSUS IS NOT COMPLETED BY THE
21 INDEPENDENT REDISTRICTING COMMISSION OR OTHER OFFICER OR BODY
22 DESIGNATED BY THE LEGISLATURE BY DECEMBER 31 OF ANY YEAR
23 ENDING IN ZERO, THE INDEPENDENT REDISTRICTING COMMISSION OR
24 OTHER OFFICER OR BODY DESIGNATED BY THE LEGISLATURE SHALL USE
25 THE MOST CURRENT DATA FROM THE UNITED STATES CENSUS BUREAU OR
26 ITS SUCCESSOR AGENCY TO DETERMINE THE CITIZEN POPULATION OF
27 EACH LEGISLATIVE DISTRICT.

28 P. THE STATE CENSUS FUND IS ESTABLISHED. THE
29 INDEPENDENT REDISTRICTING COMMISSION OR OTHER OFFICER OR BODY
30 DESIGNATED BY THE LEGISLATURE TO TAKE THE CENSUS REQUIRED BY
31 THIS SECTION SHALL ADMINISTER THE FUND. MONIES IN THE FUND
32 ARE CONTINUOUSLY APPROPRIATED FOR THE PURPOSE OF CONDUCTING
33 THE CENSUS. THE SUM OF \$5,000,000 IS TRANSFERRED IN EACH
34 FISCAL YEAR FROM THE CITIZENS CLEAN ELECTION FUND ESTABLISHED
35 BY 1998 PROPOSITION 200 TO THE STATE CENSUS FUND.

36 ~~(14)~~ Q. The independent redistricting commission shall
37 establish congressional and legislative districts. The
38 commencement of the mapping process for ~~both~~ the congressional
39 ~~and legislative~~ districts shall be the creation of districts
40 of equal population in a grid-like pattern across the state.
41 THE COMMENCEMENT OF THE MAPPING PROCESS FOR THE LEGISLATIVE
42 DISTRICTS SHALL BE THE CREATION OF DISTRICTS OF EQUAL CITIZEN
43 POPULATION IN A GRID-LIKE PATTERN ACROSS THE STATE.
44 Adjustments to the ~~grid~~ GRIDS shall then be made as necessary
45 to accommodate the goals as set forth below:

1 ~~A.~~ 1. Districts shall comply with the United States
2 Constitution and the United States voting rights act. ~~;~~

3 ~~B.~~ 2. Congressional districts shall have equal
4 population to the extent practicable, and state legislative
5 districts shall have equal CITIZEN population to the extent
6 practicable. ~~;~~

7 ~~C.~~ 3. Districts shall be geographically compact and
8 contiguous to the extent practicable. ~~;~~

9 ~~D.~~ 4. District boundaries shall respect communities of
10 interest to the extent practicable. ~~;~~

11 ~~E.~~ 5. To the extent practicable, district lines shall
12 use visible geographic features, city, town and county
13 boundaries, and undivided census tracts. ~~;~~

14 ~~F.~~ 6. To the extent practicable, competitive districts
15 should be favored where to do so would create no significant
16 detriment to the other goals.

17 ~~(15)~~ R. Party registration and voting history data
18 shall be excluded from the initial phase of the mapping
19 process but may be used to test maps for compliance with the
20 above goals. The places of residence of incumbents or
21 candidates shall not be identified or considered.

22 ~~(16)~~ S. The independent redistricting commission shall
23 advertise a draft map of congressional districts and a draft
24 map of legislative districts to the public for comment, which
25 comment shall be taken for at least thirty days. Either or
26 both bodies of the legislature may act within this period to
27 make recommendations to the independent redistricting
28 commission by memorial or by minority report, which
29 recommendations shall be considered by the independent
30 redistricting commission. The independent redistricting
31 commission shall then establish final district boundaries.

32 ~~(17)~~ T. The provisions regarding this section are
33 self-executing. The independent redistricting commission
34 shall certify to the secretary of state the establishment of
35 congressional and legislative districts.

36 ~~(18)~~ U. ~~Upon~~ ON approval of this amendment, the
37 department of administration or its successor shall make
38 adequate office space available for the independent
39 redistricting commission. The STATE treasurer ~~of the state~~
40 shall make \$6,000,000 available for the work of the
41 independent redistricting commission pursuant to the year 2000
42 census. Unused monies shall be returned to the ~~state's~~ STATE
43 general fund. In years ending in eight or nine after the year
44 2001, the department of administration or its successor shall
45 submit to the legislature a recommendation for an

1 appropriation for adequate redistricting expenses and shall
2 make available adequate office space for the operation of the
3 independent redistricting commission. The legislature shall
4 make the necessary appropriations by a majority vote.

5 ~~(19)~~ V. The independent redistricting commission, with
6 fiscal oversight from the department of administration or its
7 successor, shall have procurement and contracting authority
8 and may hire staff and consultants for the purposes of this
9 section, including legal representation.

10 ~~(20)~~ W. The independent redistricting commission shall
11 have standing in legal actions regarding the redistricting
12 plan and the adequacy of resources provided for the operation
13 of the independent redistricting commission. The independent
14 redistricting commission shall have sole authority to
15 determine whether the Arizona attorney general or counsel
16 hired or selected by the independent redistricting commission
17 shall represent the people of Arizona in the legal defense of
18 a redistricting plan.

19 ~~(21)~~ X. Members of the independent redistricting
20 commission are eligible for reimbursement of expenses pursuant
21 to law, and a member's residence is deemed to be the member's
22 post of duty for purposes of reimbursement of expenses.

23 ~~(22)~~ Y. Employees of the department of administration
24 or its successor shall not influence or attempt to influence
25 the district-mapping decisions of the independent
26 redistricting commission.

27 ~~(23)~~ Z. Each commissioner's duties established by this
28 section expire ~~upon~~ ON the appointment of the first member of
29 the next redistricting commission. The independent
30 redistricting commission shall not meet or incur expenses
31 after the redistricting plan is completed, except if
32 litigation or any government approval of the plan is pending,
33 or to revise districts if required by court decisions or if
34 the number of congressional or legislative districts is
35 changed.

36 2. Standing and enforcement

37 Any member of the legislature shall have standing to
38 initiate any action or proceeding to enforce this act.

39 3. Findings and declaration of purpose

40 The legislature finds and declares as follows:

41 1. The 2020 federal census undercounted the population
42 of this state, depriving this state of an additional seat in
43 the United State house of representatives and billions of
44 dollars in funding.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

2. The rule of "one person, one vote" requires that legislative districts contain approximately equal populations. See Reynolds v. Sims, 377 U.S. 533 (1964).

3. Also fundamental is the principle that only United States citizens may participate in the elections of this state. See article VII, section 2, Constitution of Arizona.

4. The guarantees prescribed in paragraphs 2 and 3 of this section are best harmonized by a redistricting process that equalizes the citizen population across legislative districts.

5. The United States supreme court has declined to limit redistricting methods to any single specific population metric and has expressly recognized the permissibility of drawing districts on the basis of eligible voter populations. See Evenwell v. Abbott, 578 U.S. 54 (2016); see also Burns v. Richardson, 384 U.S. 73 (1966).

6. An Arizona specific decennial census of the citizen population will ensure that redistricting determinations are predicated on accurate and current data.

2. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.