

REFERENCE TITLE: independent redistricting commission; membership

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

SCR 1023

Introduced by
Senator Mesnard

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 2, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO THE INDEPENDENT REDISTRICTING COMMISSION.

(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. Title

4 This constitutional amendment shall be known as the "Fair And
5 Independent Redistricting (F.A.I.R.) Commission Act of 2026".

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

9 1. Senate; house of representatives; members; special
10 session on petition of members; congressional and
11 legislative boundaries; citizen commissions

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

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

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

26 ~~(3)~~ D. By ~~February 28~~ MARCH 15 of each year that ends
27 in one, ~~an~~ THE FAIR AND independent redistricting commission
28 shall be established to provide for the redistricting of
29 congressional and state legislative districts. The FAIR AND
30 independent redistricting commission shall consist of ~~five~~
31 NINE members. ~~No~~ NOT more than ~~two~~ THREE members of the FAIR
32 AND independent redistricting commission shall be members of
33 the same political party. ~~Of the first four members~~
34 ~~appointed, no more than two~~ FOUR OF THE COMMISSIONERS shall
35 reside in the ~~same~~ MOST POPULOUS county, TWO OF THE
36 COMMISSIONERS SHALL RESIDE IN THE SECOND MOST POPULOUS COUNTY,
37 TWO OF THE COMMISSIONERS SHALL RESIDE IN DIFFERENT COUNTIES OF
38 THE REMAINING COUNTIES AND THE FINAL MEMBER MAY RESIDE IN ANY
39 COUNTY. Each member shall be a registered Arizona voter who
40 has been continuously registered with the same political party
41 or registered as unaffiliated with a political party for three
42 or more years immediately preceding appointment, ~~AND~~ AND who is
43 committed to applying ~~the provisions of~~ this section in an
44 honest, independent and impartial fashion and to upholding
45 public confidence in the integrity of the redistricting

1 process. Within the three years previous to appointment,
 2 members shall not have been appointed to, elected to, or a
 3 candidate for any other public office, including precinct
 4 committeeman or committeewoman but not including school board
 5 member or officer, and shall not have served as an officer of
 6 a political party, or served as a registered paid lobbyist or
 7 as an officer of a candidate's campaign committee.

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

20 ~~(5)~~ F. By January 8 of years ending in one, the
 21 commission on appellate court appointments or its designee
 22 shall establish a pool of persons who are willing to serve on
 23 and are qualified for appointment to the FAIR AND independent
 24 redistricting commission. The pool of candidates shall
 25 consist of ~~twenty-five~~ THIRTY nominees, with ten nominees from
 26 each of the two largest political parties in Arizona based on
 27 party registration, and ~~five~~ TEN NOMINEES who are not
 28 registered with either of the two largest political parties in
 29 Arizona.

30 ~~(6)~~ G. Appointments to the FAIR AND independent
 31 redistricting commission shall be made in the order set forth
 32 below. No later than January 31 of years ending in one, the
 33 highest ranking officer elected by the Arizona house of
 34 representatives shall make one appointment to the FAIR AND
 35 independent redistricting commission from the pool of
 36 nominees, followed by one appointment from the pool made in
 37 turn by each of the following: the minority party leader of
 38 the Arizona house of representatives, the highest ranking
 39 officer elected by the Arizona senate, and the minority party
 40 leader of the Arizona senate. FOLLOWING THESE APPOINTMENTS,
 41 THE HIGHEST RANKING OFFICER ELECTED BY THE ARIZONA SENATE AND
 42 THE HIGHEST RANKING OFFICER OF THE ARIZONA HOUSE OF
 43 REPRESENTATIVES WHO IS A MEMBER OF THE SAME PARTY SHALL MAKE
 44 ONE APPOINTMENT JOINTLY AND THE MINORITY PARTY LEADER OF THE
 45 ARIZONA SENATE AND THE HIGHEST RANKING OFFICER OF THE ARIZONA

1 HOUSE OF REPRESENTATIVES WHO IS A MEMBER OF THE SAME PARTY
 2 SHALL MAKE ONE APPOINTMENT JOINTLY. Each such official shall
 3 have a seven-day period in which to make an appointment. EACH
 4 MEMBER APPOINTED MUST BE A MEMBER OF THE SAME POLITICAL PARTY
 5 AS THE PERSON WHO APPOINTS THE MEMBER. Any official who fails
 6 to make an appointment within the specified time period will
 7 forfeit the appointment privilege. ~~in the event that~~ IF there
 8 are two or more minority parties within the house or the
 9 senate, the leader of the largest minority party by statewide
 10 party registration shall make the appointment.

11 ~~(7)~~ H. Any vacancy in the above ~~four~~ SIX FAIR AND
 12 independent redistricting commission positions remaining as of
 13 March ~~1~~ 15 of a year ending in one shall be filled from the
 14 pool of nominees by the commission on appellate court
 15 appointments or its designee. The appointing body shall strive
 16 for political balance and fairness.

17 ~~(8)~~ I. At a meeting called by the secretary of state,
 18 the ~~four~~ SIX FAIR AND independent redistricting commission
 19 members shall select by majority vote from the nomination pool
 20 ~~a fifth member~~ ESTABLISHED BY THE COMMISSION ON APPELLATE
 21 COURT APPOINTMENTS THREE MEMBERS who shall not be registered
 22 with any party already represented on the FAIR AND independent
 23 redistricting commission and ~~who~~ shall DESIGNATE ONE OF THOSE
 24 MEMBERS TO serve as chair. If the ~~four~~ SIX commissioners fail
 25 to appoint ~~a fifth member~~ THE THREE MEMBERS within fifteen
 26 days, the commission on appellate court appointments or its
 27 designee, striving for political balance and fairness, shall
 28 appoint ~~a fifth member~~ MEMBERS FOR ANY OF THE POSITIONS NOT
 29 FILLED BY THE SIX COMMISSIONERS INCLUDING DESIGNATING A CHAIR
 30 from the nomination pool, ~~who shall serve as chair.~~

31 ~~(9)~~ J. The ~~five~~ NINE commissioners shall then select
 32 by majority vote one of their members to serve as vice-chair.

33 ~~(10)~~ K. After having been served written notice and
 34 provided with an opportunity for a response, a member of the
 35 FAIR AND independent redistricting commission may be removed
 36 by the governor, with the concurrence of two-thirds of the
 37 senate, for substantial neglect of duty, gross misconduct in
 38 office, or inability to discharge the duties of office.

39 ~~(11)~~ L. If a commissioner or chair does not complete
 40 the term of office for any reason, the commission on appellate
 41 court appointments or its designee shall nominate a pool of
 42 three candidates within the first thirty days after the
 43 vacancy occurs. The nominees shall be of the same political
 44 party or status as was the member who vacated the office at
 45 the time of ~~his or her~~ appointment, and the appointment other

1 than the chair OR OTHER COMMISSIONER APPOINTED PURSUANT TO
 2 SUBSECTION I OF THIS SECTION shall be made by the current
 3 holder of the office designated to make the original
 4 appointment. The appointment of a new chair OR OTHER
 5 COMMISSIONER APPOINTED PURSUANT TO SUBSECTION I OF THIS
 6 SECTION shall be made by the remaining commissioners. If the
 7 appointment of a replacement commissioner or chair is not made
 8 within fourteen days following the presentation of the
 9 nominees, the commission on appellate court appointments or
 10 its designee shall make the appointment, striving for
 11 political balance and fairness. The newly appointed
 12 commissioner shall serve out the remainder of the original
 13 term.

14 ~~(12)~~ M. ~~Three~~ FIVE commissioners, ~~including the chair~~
 15 ~~or vice-chair,~~ constitute a quorum. ~~Three~~ FIVE or more
 16 affirmative votes are required for any official action. Where
 17 a quorum is present, the FAIR AND independent redistricting
 18 commission shall conduct business in meetings open to the
 19 public AND IN COMPLIANCE WITH THE OPEN MEETING LAWS OF THIS
 20 STATE THAT ARE APPLICABLE TO PUBLIC BODIES, EXCEPT with ~~48~~
 21 FORTY-EIGHT or more hours public notice provided.

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

26 ~~(14)~~ O. The FAIR AND independent redistricting
 27 commission shall establish congressional and legislative
 28 districts. The commencement of the mapping process for both
 29 the congressional and legislative districts shall be the
 30 creation of districts of equal population in a grid-like
 31 pattern across the state. Adjustments to the grid shall then
 32 be made as necessary to accommodate the goals as set forth
 33 below:

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

36 ~~B.~~ 2. Congressional districts shall have equal
 37 population to the extent practicable, and state legislative
 38 districts shall have equal population to the extent
 39 practicable; ~~;~~ SO THAT THE POPULATION OF THE LARGEST
 40 LEGISLATIVE DISTRICT BY POPULATION SHALL NOT EXCEED THE
 41 POPULATION OF THE SMALLEST LEGISLATIVE DISTRICT BY POPULATION
 42 BY MORE THAN FIVE THOUSAND PERSONS.

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

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

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

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

9 ~~(15)~~ P. Party registration and voting history data
10 shall be excluded from the initial phase of the mapping
11 process but may be used to test maps for compliance with the
12 above goals. The places of residence of incumbents or
13 candidates shall not be identified or considered.

14 ~~(16)~~ Q. The FAIR AND independent redistricting
15 commission shall advertise a draft map of congressional
16 districts and a draft map of legislative districts to the
17 public for comment, which comment shall be taken for at least
18 thirty days. Either or both bodies of the legislature may act
19 within this period to make recommendations to the FAIR AND
20 independent redistricting commission by memorial or by
21 minority report, which recommendations shall be considered by
22 the FAIR AND independent redistricting commission. The FAIR
23 AND independent redistricting commission shall then establish
24 final district boundaries.

25 ~~(17)~~ R. The provisions regarding this section are
26 self-executing. The FAIR AND independent redistricting
27 commission shall certify to the secretary of state the
28 establishment of congressional and legislative districts.

29 ~~(18)~~ S. ~~Upon~~ ON approval of this amendment, the
30 department of administration or its successor shall make
31 adequate office space available for the FAIR AND independent
32 redistricting commission. The STATE treasurer ~~of the state~~
33 shall make \$6,000,000 available for the work of the FAIR AND
34 independent redistricting commission pursuant to the year 2000
35 census. Unused monies shall be returned to the ~~state's~~ STATE
36 general fund. In years ending in eight or nine after the year
37 2001, the department of administration or its successor shall
38 submit to the legislature a recommendation for an
39 appropriation for adequate redistricting expenses and shall
40 make available adequate office space for the operation of the
41 FAIR AND independent redistricting commission. The
42 legislature shall make the necessary appropriations by a
43 majority vote.

1 ~~(19)~~ T. The FAIR AND independent redistricting
2 commission, with fiscal oversight from the department of
3 administration or its successor, shall have procurement and
4 contracting authority and may hire staff and consultants for
5 the purposes of this section, including legal representation.

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

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

21 ~~(22)~~ W. Employees of the department of administration
22 or its successor shall not influence or attempt to influence
23 the district-mapping decisions of the FAIR AND independent
24 redistricting commission.

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

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