

Senate Engrossed

independent redistricting commission; membership

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

SENATE CONCURRENT RESOLUTION 1023

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 EXCEPT
17 THAT A VOTE TO APPROVE FINAL DISTRICT BOUNDARIES REQUIRES SIX
18 OR MORE AFFIRMATIVE VOTES. Where a quorum is present, the
19 FAIR AND independent redistricting commission shall conduct
20 business in meetings open to the public AND IN COMPLIANCE WITH
21 THE OPEN MEETING LAWS OF THIS STATE THAT ARE APPLICABLE TO
22 PUBLIC BODIES, EXCEPT with ~~48~~ FORTY-EIGHT or more hours public
23 notice provided.

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

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

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

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

1 ~~E.~~ 3. Districts shall be geographically compact and
2 contiguous to the extent practicable. ~~;~~

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

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

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

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

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

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

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