

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 437

Short Title: Fair Maps Act. (Public)

Sponsors: Representatives Harrison, Morey, Martin, and Reives (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

March 30, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR AN  
3 INDEPENDENT REDISTRICTING PROCESS, TO ESTABLISH THE NORTH  
4 CAROLINA CITIZENS REDISTRICTING COMMISSION, AND TO MAKE  
5 CONFORMING CHANGES TO THE GENERAL STATUTES.

6 The General Assembly of North Carolina enacts:

7  
8 **PART I. INDEPENDENT REDISTRICTING PROCESS**

9 **SECTION 1.(a)** Section 3 of Article II of the North Carolina Constitution reads as  
10 rewritten:

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

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

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

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

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

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

26 **SECTION 1.(b)** Section 5 of Article II of the North Carolina Constitution reads as  
27 rewritten:

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

29 The Representatives shall be elected from districts. ~~The General Assembly, at the first regular~~  
30 ~~session convening after the return of every decennial census of population taken by order of~~  
31 ~~Congress, shall revise the representative districts and the apportionment of Representatives~~  
32 ~~among those districts, subject to the following requirements:~~Assembly shall establish an  
33 independent process to revise the representative districts and the apportionment of  
34 Representatives among those districts pursuant to Section 25 of this Article.



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

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

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

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

10 SECTION 1.(c) Article II of the North Carolina Constitution is amended by adding  
11 a new section to read:

12 "**Sec. 25. Redistricting.**

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

17 (1) The General Assembly shall have no role in revising electoral districts for Congress  
18 or the General Assembly.

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

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

23 (4) To the extent practicable and consistent with federal law, no county shall be divided  
24 in the formation of an electoral district for the Senate or House of Representatives of the General  
25 Assembly.

26 (5) 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 (6) Electoral districts adopted pursuant to the process shall have the force and effect of  
30 acts of the General Assembly."

31 SECTION 1.(d) The amendments set out in subsections (a), (b), and (c) of this  
32 section shall be submitted to the qualified voters of the State at the general election in November  
33 2022, which election shall be conducted under the laws then governing elections in the State.  
34 Ballots, voting systems, or both may be used in accordance with Subchapter III of Chapter 163A  
35 of the General Statutes. The question to be used in the voting systems and ballots shall be:

36 "[ ] FOR [ ] AGAINST

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

40 SECTION 1.(e) If a majority of votes cast on the question are in favor of the  
41 amendments set out in subsections (a), (b), and (c) of this section, the State Board of Elections  
42 shall certify the amendments to the Secretary of State. The Secretary of State shall enroll the  
43 amendments so certified among the permanent records of that office. The amendments set out in  
44 subsections (a), (b), and (c) of this section are effective upon certification.

45 SECTION 1.(f) Chapter 120 of the General Statutes is amended by adding a new  
46 Article to read:

47 "Article 1B.

48 "Redistricting.

49 "**§ 120-4.50. Definitions.**

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

- 1           (1)    Census Bureau. – The United States Bureau of the Census.
- 2           (2)    Commission. – The North Carolina Citizens Redistricting Commission  
3           established pursuant to G.S. 120-4.55.
- 4           (3)    Communities of interest. – Contiguous and cohesive populations of persons  
5           that share common social, economic, or policy interests. Communities of  
6           interest include, but are not limited to, populations that share any of the  
7           following characteristics:
  - 8           a.     A racial, cultural, or ethnic identity.
  - 9           b.     A common history of marginalization or discrimination.
  - 10          c.     Natural resources.
  - 11          d.     Excessive damage from past or present natural disasters or pollution.
  - 12          e.     An organized decision-making body.
- 13          (4)    Congressional districts or plans. – Districts or plans for the House of  
14          Representatives of the United States Congress.
- 15          (5)    Final plan. – A plan adopted by the Commission to be used for the purpose of  
16          nominating and electing identified representatives. In accordance with Section  
17          25 of Article II of the North Carolina Constitution, final plans shall have the  
18          force and effect of acts of the General Assembly.
- 19          (6)    Federal census. – The decennial census required by federal law to be  
20          conducted by the Census Bureau in every year ending in zero.
- 21          (7)    Ideal population. – The number determined by dividing the number of  
22          members in a plan into the population of the State as reported in the federal  
23          census.
- 24          (8)    Identified representative. – A member of the Senate or House of  
25          Representatives of the General Assembly or a member of the House of  
26          Representatives of the United States Congress.
- 27          (9)    Legislative districts or plans. – Districts or plans for the Senate and House of  
28          Representatives of the General Assembly.
- 29          (10)   Plan. – A plan for legislative or congressional reapportionment drawn in  
30          accordance with Section 25 of Article II of the North Carolina Constitution  
31          and this Article.
- 32          (11)   Preliminary plan. – An initial plan released by the Commission for public  
33          input at the beginning of the redistricting cycle.
- 34          (12)   Proposed and alternative plans. – Plans released by the Commission following  
35          public input.
- 36          (13)   Public office. – Elective State, local, or federal office.
- 37          (14)   Relative. – An individual who is related to the person in question as father,  
38          mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece,  
39          husband, wife, grandfather, grandmother, father-in-law, mother-in-law,  
40          son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,  
41          stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or  
42          half-sister.

43    **§ 120-4.55. North Carolina Citizens Redistricting Commission.**

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

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

- 1           (1)   Has been a registered voter in North Carolina with the same affiliation, or lack  
2           thereof, for at least three years prior to commencement of service on the  
3           Commission.
- 4           (2)   Has not contributed more than two thousand dollars (\$2,000) to any candidate  
5           for public office.
- 6           (3)   No person who has served as a member of the Commission shall be eligible  
7           to hold any public office for three years after termination of service on the  
8           Commission.
- 9           (4)   Is not any of the following:
- 10           a.     A relative of a current member of the General Assembly.  
11           b.     A political appointee of the General Assembly.  
12           c.     A staff member or legal counsel to the General Assembly.  
13           d.     An official of a political party or a consultant or legal counsel to a  
14           political party in the United States.
- 15           (5)   Has never done any of the following:
- 16           a.     Served in public office for any period of time during the 10 years  
17           preceding the date of his or her 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  
44           person shall (i) disclose all relevant relationships and positions and (ii) submit to the State  
45           Auditor an attestation that the person is eligible to serve as a member of the Commission pursuant  
46           to subsection (b) of this section. The State Auditor shall evaluate applications to ensure they meet  
47           the requirements of this section and any other requirements of State law. The State Auditor shall  
48           submit all eligible applications to the North Carolina Human Relations Commission. The North  
49           Carolina Human Relations Commission shall review the eligible applications and submit a  
50           diverse group of up to 60 applications to the General Assembly, as follows:

- 1           (1)   Applications submitted to the General Assembly shall reflect the State's  
2           diverse races, ethnicities, nationalities, sexual orientations, socioeconomic  
3           statuses, and geography.
- 4           (2)   The North Carolina Human Relations Commission shall submit no more than  
5           20 applications from persons registered in each of the following ways, as  
6           reflected by the latest registration statistics published by the State Board of  
7           Elections:
- 8           a.     As affiliated with the political party with the highest number of  
9           registered affiliates.
- 10          b.     As affiliated with the political party with the second-highest number  
11          of registered affiliates.
- 12          c.     As not affiliated with either of the two political parties having the  
13          highest and second-highest number of registered affiliates.
- 14          (3)   If there are fewer than 20 applications from persons registered in accordance  
15          with any sub-subdivision of subdivision (c)(2) of this section, the North  
16          Carolina Human Relations Commission may submit additional eligible  
17          applications to the General Assembly, as necessary, to reach a total of 60  
18          applications.
- 19          (d)   Appointment. – The Commission shall be composed of 15 members appointed from  
20          the pool of candidates submitted to the General Assembly pursuant to subsection (c) of this  
21          section, as follows:
- 22               (1)   Two by the President Pro Tempore of the Senate from the pool of applications  
23               that share his or her political party affiliation or lack thereof.
- 24               (2)   Two by the minority leader in the Senate from the pool of applications that  
25               share his or her political party affiliation or lack thereof.
- 26               (3)   Two by the Speaker of the House of Representatives from the pool of  
27               applications that share his or her political party affiliation or lack thereof.
- 28               (4)   Two by the minority leader in the House of Representatives from the pool of  
29               applications that share his or her political party affiliation or lack thereof.
- 30               (5)   Seven randomly selected by the North Carolina Human Relations  
31               Commission, as follows:
- 32                   a.     One from the pool of applications submitted pursuant to  
33                   sub-subdivision (c)(2)a. of this section.
- 34                   b.     One from the pool of applications submitted pursuant to  
35                   sub-subdivision (c)(2)b. of this section.
- 36                   c.     Five from the pool of applications submitted pursuant to  
37                   sub-subdivision (c)(2)c. of this section.
- 38               (6)   All appointing authorities shall consider the importance of diversity, as  
39               defined in subdivision (c)(1) of this section, when making their appointments.
- 40          (e)   Term of Office. – The term of office for members of the Commission shall begin on  
41          July 1 of each year ending in zero. The members shall continue in office for 10 years until their  
42          successors are appointed and qualified.
- 43          (f)   Chair. – The position of chair of the Commission shall rotate every three months,  
44          following a schedule randomly generated at the beginning of the redistricting cycle. No two  
45          members who share the same party affiliation, or lack thereof, shall serve as chair in the same  
46          six-month period. No member shall serve as chair more than once in a 12-month period.
- 47          (g)   Removal from Office. – A member of the Commission may be removed from office,  
48          as follows:
- 49               (1)   By the authority that appointed the member for any of the following:
- 50                   a.     Failure to comply with G.S. 120-4.65.
- 51                   b.     Ineligibility pursuant to subsection (b) of this section.

1           (2) By a vote of at least 11 members of the Commission, in open session at any  
2 duly head meeting, for any cause that renders the member incapable or unfit  
3 to discharge the duties of the office, including neglect of duty or gross  
4 misconduct. All Commission member votes on removal of a member pursuant  
5 to this subdivision shall be recorded in the record.

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

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

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

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

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

16 **"§ 120-4.60. Staff.**

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

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

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

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

33               (1) If there are at least three members appointed to the Commission from each  
34 sub-subdivision of G.S. 120-4.55(c)(2), staff shall be selected by a vote of at  
35 least nine members composed of at least three members appointed to the  
36 Commission from each sub-subdivision of G.S. 120-4.55(c)(2).

37               (2) If there are not at least three members appointed to the Commission from each  
38 sub-subdivision of G.S. 120-4.55(c)(2), staff shall be selected by a vote of all  
39 of the following:

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

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

45 **"§ 120-4.65. Open meetings and public records.**

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

49               (1) Members of the Commission and staff shall not discuss the business of the  
50 Commission outside public meetings.

1           (2)    If a member of the Commission violates subdivision (1) of this section, he or  
2           she shall place in the public records of the Commission (i) any violating  
3           written communication and (ii) a written description of any violating oral  
4           communication. The written description of an oral communication must  
5           include the name of the parties to the communication, the date and  
6           approximate time of the communication, and a description of the nature and  
7           substance of the communication.

8           (3)    The Commission shall provide at least 14 days' notice prior to any meeting in  
9           which votes will be taken.

10    **"§ 120-4.70. Redistricting criteria.**

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

12           (1)    Each identified representative shall represent, as nearly as may be, an equal  
13           number of inhabitants.

14           (2)    Compliance with the North Carolina Constitution, State law, the Constitution  
15           of the United States, including the equal protection clause of the Fourteenth  
16           Amendment, and federal law.

17           (3)    In accordance with subdivisions (1) and (2) of this section, the population for  
18           a legislative district shall be within five percent (5%) of the ideal population  
19           for that district. Congressional districts shall each have a population that is as  
20           nearly equal as practicable to the ideal population but in all cases within  
21           one-tenth of one percent (0.1%) of the ideal population for that district.

22           (4)    Minimizing the number of split counties.

23           (5)    All districts shall be contiguous. Areas that meet only at the points of  
24           adjoining corners are not contiguous.

25           (6)    Minimizing the number of split municipalities.

26           (7)    To the extent practicable, all districts shall be compact. Districts should not  
27           bypass nearby communities for more distant communities.

28           (8)    Electoral impartiality. The Commission shall not consider electoral results,  
29           political considerations, or incumbency in the preparation of a plan, except to  
30           the extent necessary to comply with federal law.

31           (9)    Minimizing the number of split communities of interest. Precincts shall not be  
32           split in the preparation of a plan, except to the extent necessary to comply with  
33           federal law.

34    **"§ 120-4.75. Adoption of redistricting plans by the Commission.**

35           (a)    Duties. – The Commission shall adopt preliminary, proposed, alternative, and final  
36           plans, as follows:

37           (1)    If there are at least three members appointed to the Commission from each  
38           sub-subdivision of G.S. 120-4.55(c)(2), plans shall be adopted by a vote of at  
39           least nine members composed of at least three members appointed to the  
40           Commission from each sub-subdivision of G.S. 120-4.55(c)(2).

41           (2)    If there are not at least three members appointed to the Commission from each  
42           sub-subdivision of G.S. 120-4.55(c)(2), plans shall be adopted by a vote of all  
43           of the following:

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

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

49           (b)    Special Master. – At the beginning of the redistricting cycle, the State Auditor shall  
50           submit to the Commission a list of names of persons with an expertise in redistricting who are  
51           qualified to serve as a special master. In the event a plan cannot be adopted pursuant to subsection

1 (a) of this section, the Commission shall appoint a special master from the list of names provided  
2 by the State Auditor, and the special master shall draw a plan and submit the plan, along with the  
3 rationale for the plan, to the Commission, which shall adopt that plan. The special master shall  
4 be appointed as follows:

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

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

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

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

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

21 (1) Within 30 days of receipt of data from the Census Bureau, the Commission  
22 shall hold the initial 10 public hearings pursuant to G.S. 120-4.85.

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

26 (3) Within 70 days of receipt of data from the Census Bureau, the Commission  
27 shall hold an additional 10 public hearings pursuant to G.S. 120-4.85.

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

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

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

33 c. A summary of public input provided pursuant to G.S. 120-4.85.

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

37 (6) Within 130 days of receipt of data from the Census Bureau, if the Commission  
38 fails to adopt any final plan pursuant to subdivision (5) of this subsection, the  
39 Commission shall select from the list of names provided by the State Auditor  
40 pursuant to subsection (b) of this section a special master to complete the plan  
41 or plans. The Commission shall provide the special master with its proposed  
42 and alternative plans and all supporting data.

43 (7) Within 150 days of receipt of data from the Census Bureau, if the Commission  
44 fails to adopt any plan pursuant to subdivision (5) of this subsection, the  
45 special master selected pursuant to subsection (b) of this section shall prepare  
46 and release a plan and rationale for any changes from the plans released by  
47 the Commission. The special master shall present the plan to the Commission.

48 (8) Within 160 days of receipt of data from the Census Bureau, the Commission  
49 shall adopt as a final plan the plan presented by the special master.

50 (9) Notwithstanding subdivisions (1) through (8) of this subsection, the  
51 Commission may extend the maximum number of days between any event



1 required in this subsection by as many as seven days, up to a total of 40 days  
2 over the course of a year, for good cause.

3 **"§ 120-4.80. Public input.**

4 (a) Public Hearings. – The Commission shall engage in a minimum of 20 public hearings  
5 across the State. Of those public hearings, at least 10 hearings shall occur before a preliminary  
6 plan is released to the public, and at least 10 hearings shall occur after a preliminary plan is  
7 released to the public but before a proposed or alternative plan is released to the public.

8 (b) Public Input. – To the extent possible, the Commission shall facilitate the ability of  
9 members of the public to provide substantive comments on any plan released to the public. To  
10 achieve that goal, the Commission shall provide members of the public with all of the following  
11 resources:

- 12 (1) Sufficient time to review any plan released to the public.
- 13 (2) The opportunity to communicate comments, questions, and recommendations  
14 on any plan released to the public, at a minimum, in person, online, and  
15 through the mail.
- 16 (3) Access to the same demographic data that is used by the Commission in a  
17 machine-readable form.
- 18 (4) Access to mapping software and census data in a minimum of 30 public library  
19 facilities in the State within 20 days of receipt of that data from the United  
20 States Bureau of the Census.
- 21 (5) A public, written response to every substantive comment or recommendation  
22 regarding a specific component of a plan released to the public. The response  
23 shall address the viability of any recommendation and indicate whether it was  
24 or will be incorporated in any other plan.
- 25 (6) At the conclusion of the redistricting process, the Commission shall publish a  
26 summary of the public input received by the Commission.
- 27 (7) A website with all of the following information:
  - 28 a. Background information on the redistricting process available in at  
29 least English and Spanish. The Commission shall provide information  
30 in other languages if at least 50,000 people petition the Commission  
31 to have a particular language included.
  - 32 b. Livestreams and recordings of all public meetings in audio, video, or  
33 both formats and minutes from those meetings.
  - 34 c. Meeting announcements.
  - 35 d. A searchable database of feedback and plans discussed by the  
36 Commission.
  - 37 e. Plans discussed by the Commission and the data used to create those  
38 plans.

39 **"§ 120-4.85. Local redistricting.**

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

43 **SECTION 1.(g)** Notwithstanding G.S. 120-4.55(f), as enacted by this act, for any  
44 redistricting that may occur pursuant to G.S. 120-2.4, as amended by this act, based on data from  
45 the 2020 federal census, the term of office for members of the North Carolina Citizens  
46 Redistricting Commission shall begin on January 1, 2023, and conclude on June 30, 2030.

47  
48 **PART II. CONFORMING CHANGES**

49 **SECTION 2.(a)** G.S. 120-2.3 reads as rewritten:

50 **"§ 120-2.3. Contents of judgments invalidating apportionment or redistricting acts.**

1 Every order or judgment declaring unconstitutional or otherwise invalid, in whole or in part  
2 and for any reason, any ~~act of the General Assembly plan~~ that apportions or redistricts State  
3 legislative or congressional districts shall find with specificity all facts supporting that  
4 declaration, shall state separately and with specificity the court's conclusions of law on that  
5 declaration, and shall, with specific reference to those findings of fact and conclusions of law,  
6 identify every defect found by the court, both as to the plan as a whole and as to individual  
7 districts."

8 **SECTION 2.(b)** G.S. 120-2.4 reads as rewritten:

9 "**§ 120-2.4. Opportunity for ~~General Assembly to remedy defects.~~**

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

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

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

29 **SECTION 2.(c)** G.S. 120-133 is repealed.

### 30 **PART III. EFFECTIVE DATE**

31 **SECTION 3.(a)** If the constitutional amendments proposed by subsections (a), (b),  
32 and (c) of Section 1 of this act are approved by the qualified voters as provided in subsections  
33 (d) and (e) of Section 1 of this act, the following shall become effective January 1, 2023:

34 (1) Subsections (f) and (g) of Section 1 of this act.

35 (2) Part II of this act.

36 **SECTION 3.(b)** Except as otherwise provided, this act is effective when it becomes  
37 law.  
38