

Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025

HJR 1001

4
5 By: Representative A. Collins
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HOUSE JOINT RESOLUTION

8
9 AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CREATE
10 THE CITIZENS' REDISTRICTING COMMISSION TO REAPPORTION
11 THE DISTRICTS FOR THE UNITED STATES HOUSE OF
12 REPRESENTATIVES AND THE GENERAL ASSEMBLY FOLLOWING
13 EACH FEDERAL DECENNIAL CENSUS AND TO REPEAL THE BOARD
14 OF APPORTIONMENT.
15

Subtitle

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17
18 A CONSTITUTIONAL AMENDMENT TO CREATE THE
19 CITIZENS' REDISTRICTING COMMISSION AND
20 TO REPEAL THE BOARD OF APPORTIONMENT.
21

22 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL
23 ASSEMBLY OF THE STATE OF ARKANSAS, AND BY THE SENATE, A MAJORITY OF ALL
24 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:
25

26 THAT the following is proposed as an amendment to the Constitution of
27 the State of Arkansas, and upon being submitted to the electors of the state
28 for approval or rejection at the next general election for Representatives
29 and Senators, if a majority of the electors voting thereon at the election
30 adopt the amendment, the amendment shall become a part of the Constitution of
31 the State of Arkansas, to wit:
32

33 SECTION 1. TITLE. This amendment shall be known and may be cited as
34 the "Arkansas Citizens' Redistricting Commission Amendment."
35

36 SECTION 2. Arkansas Constitution, Article 8, § 1, is amended to read



1 as follows:

2 ~~§ 1. Board of apportionment created — Powers and duties Citizens’~~
3 ~~Redistricting Commission created — Membership.~~

4 ~~A Board to be known as “The Board of Apportionment,” consisting of the~~
5 ~~Governor (who shall be Chairman), the Secretary of State and the Attorney~~
6 ~~General is hereby created and it shall be its imperative duty to make~~
7 ~~apportionment of representatives in accordance with the provisions hereof;~~
8 ~~the action of a majority in each instance shall be deemed the action of said~~
9 ~~board.~~

10 (a)(1) There is created the "Citizens’ Redistricting Commission",
11 which shall consist of nine (9) commissioners.

12 (2) The commission shall apportion and redistrict districts for
13 representatives in the United States House of Representatives and
14 representatives and senators in the General Assembly.

15 (b)(1) The commission shall protect the public trust and discharge the
16 commission’s duty under subdivision (a)(2) of this section through a
17 transparent process.

18 (2) All meetings, whether formal or informal, special or
19 regular, of the commission shall be advertised and open to the public.

20 (3) The Secretary of State shall maintain and electronically
21 publish as soon as practicable all commission work product, including without
22 limitation all alternate and final maps.

23 (4) All records of communications of the commissioners, and
24 commission staff and outside consultants, that relate to the commission’s
25 duty under subdivision (a)(2) of this section shall be deemed public records.

26 (5) Any person who receives income or reimbursement to directly
27 or indirectly communicate with a commissioner to influence commission action
28 shall publicly disclose that fact before making the communication.

29 (c)(1) Each commissioner shall be a registered voter of this state.

30 (2) A person shall not serve or continue to serve as a
31 commissioner if, within the preceding five (5) years, the person or his or
32 her spouse, child, parent, or sibling, by blood or marriage:

33 (A) Has served as an elected federal, state, county, or
34 municipal official;

35 (B) Has served as an appointed federal or state official;

36 (C) Has acted as a registered lobbyist;

1 (D) Has served as an officer of a political party; or

2 (E) Has served as an employee of a:

3 (i) Registered lobbyist;

4 (ii) Political party;

5 (iii) Political campaign committee; or

6 (iv) Political action committee.

7 (d)(1) No later than December 1 of each year concurrent with the
8 federal decennial census, the Chief Justice of the Supreme Court shall
9 designate a panel of three (3) persons to screen applicants for appointment
10 to the commission.

11 (2) A vacancy on the panel under subdivision (d)(1) of this
12 section shall be filled by the Chief Justice of the Supreme Court.

13 (3) In making appointments to the panel, the Chief Justice of
14 the Supreme Court shall consider geographic diversity, racial diversity, and
15 gender diversity.

16 (4) The appointments under subdivision (d)(1) of this section
17 shall be made from among the following:

18 (A) Retired Justices of the Supreme Court who are able and
19 willing to serve;

20 (B) Retired Judges of the Court of Appeals who are able
21 and willing to serve; and

22 (C) If necessary to secure three (3) appointees, retired
23 circuit court judges who are able and willing to serve.

24 (e) The Secretary of State shall:

25 (1) Advertise statewide the opportunity to serve on the
26 commission; and

27 (2)(A) Develop an application form consistent with this section
28 no later than January 15 of each year immediately following the federal
29 decennial census.

30 (B) The application form shall require the applicant to
31 state under penalty of perjury that he or she is eligible to serve as a
32 commissioner.

33 (C) The application form shall include the applicant's
34 residential address, political party affiliation or lack of political party
35 affiliation, age, gender, and race or ethnicity.

36 (f)(1) Persons eligible to serve on the commission may apply to serve

1 as a commissioner no later than March 1 of the year following a federal
2 decennial census.

3 (2) No later than April 1 of the year following a federal
4 decennial census, the panel under subsection (d) of this section shall by
5 majority decision select thirty (30) applicants from each of the following
6 three (3) pools of applicants:

7 (A) One (1) pool of applicants affiliated with the
8 political party having the largest number of Senators and Representatives in
9 the General Assembly;

10 (B) One (1) pool of applicants affiliated with the
11 political party having the second-largest number of Senators and
12 Representatives in the General Assembly; and

13 (C) One (1) pool of applicants affiliated with other
14 political parties or no political party.

15 (3) In selecting applicants for the pools, the panel shall make
16 a good faith effort to ensure that the pools are, insofar as possible,
17 geographically and demographically representative of the population of the
18 state.

19 (4) The panel shall publish the name and application of each
20 applicant selected for a pool.

21 (5) Within ten (10) days of the publication under subdivision
22 (f)(4) of this section, the following shall, in descending order, have the
23 right to eliminate no more than two (2) applicants from each pool of
24 applicants:

25 (A) The Governor;

26 (B) The parliamentary leader of the political party having
27 the largest number of representatives in the House of Representatives;

28 (C) The parliamentary leader of the political party having
29 the second-largest number of representatives in the House of Representatives;

30 (D) The parliamentary leader of the political party having
31 the largest number of Senators in the Senate; and

32 (E) The parliamentary leader of the political party having
33 the second-largest number of Senators in the Senate.

34 (6)(A) After the final elimination of applicants under
35 subdivision (f)(5) of this section, the panel shall randomly draw three (3)
36 applicants from those remaining in each pool to serve on the commission, for a

1 total of nine (9) commissioners.

2 (B) If the random draw under subdivision (f)(6)(A) of this
3 section results in there being any congressional district in which no drawn
4 applicant resides, then the panel shall conduct and repeat the following
5 replacement draws as necessary to result in three (3) commissioners being
6 selected from each of the three (3) pools, with at least one (1) commissioner
7 residing in each congressional district:

8 (i) The panel shall remove from consideration a
9 randomly selected applicant from the congressional district or districts
10 having the greatest number of drawn applicants; and

11 (ii) The panel shall randomly draw from the same
12 pool as the applicant removed under subdivision (f)(6)(B)(i) of this section
13 a replacement applicant residing in an unrepresented congressional district.

14 (C) Notwithstanding this subdivision (f)(6), the panel
15 shall not conduct, or shall cease conducting, replacement draws under
16 subdivision (f)(6)(B) of this section if there are not enough applicants from
17 the unrepresented congressional district or districts to ensure the selection
18 of at least one (1) commissioner from each congressional district.

19 (7)(A) The panel shall randomly select the commissioners under
20 subdivision (f)(6) of this section no later than May 1 of the year following
21 a federal decennial census.

22 (B) The panel shall fill any vacancy on the commission by
23 majority decision from the applicants remaining in the pool with the vacancy,
24 maintaining, to the extent possible, representatives from each congressional
25 district.

26 (8) The commission may meet as necessary until the next federal
27 decennial census.

28 (g)(1) Each commissioner shall:

29 (A) Take office upon taking the regular oath of office
30 provided for under this Constitution; and

31 (B) Serve until a new commission is convened following the
32 next federal decennial census.

33 (2) During his or her tenure of office and for three (3) years
34 thereafter, a commissioner shall not:

35 (A) Hold elected or appointed office in the General
36 Assembly or the executive branch; or

1 (B) Register as a lobbyist.

2 (h)(1) At the first meeting of each newly appointed commission, the
3 commission shall elect one (1) commissioner to serve as chair and one (1)
4 commissioner to serve as vice-chair.

5 (2) The chair and vice-chair shall not have been selected from
6 the same applicant pool.

7 (i)(1) Seven (7) commissioners, including at least one (1) of the
8 chair or vice-chair, constitute a quorum for a meeting of the commission.

9 (2)(A) Commissioners shall attend commission meetings and vote
10 in person.

11 (B) A vote shall not be made by proxy.

12 (3) Commission meetings shall be scheduled by the chair or vice-
13 chair as needed for the discharge of the commission's duties under
14 subdivision (a)(2) of this section.

15 (4) Actions of the commission require approval as follows:

16 (A) Approval of a final district map requires six (6) or
17 more affirmative votes of commissioners, including at least two (2)
18 affirmative votes from commissioners selected from each of the three (3)
19 pools; and

20 (B) All other actions of the commission require six (6) or
21 more affirmative votes of the commissioners.

22 (j)(1) Panelists and commissioners are eligible for:

23 (A) Reimbursement of expenses reasonably related to the
24 discharge of their duties under subdivision (a)(2) of this section; and

25 (B)(i) Per diem of up to two hundred dollars (\$200) per
26 day.

27 (ii) The General Assembly may increase the per diem
28 under subdivision (j)(1)(B)(i) of this section by law.

29 (2)(A) The commission shall be entitled to funding in amounts
30 sufficient to discharge the commission's duties under subdivision (a)(2) of
31 this section.

32 (B) The General Assembly shall appropriate moneys for each
33 fiscal year in which the federal decennial census is performed and the fiscal
34 year immediately following each federal decennial census in the amounts that
35 are necessary for the commission to accomplish the commission's duties under
36 subdivision (a)(2) of this section, but in no event shall the appropriation

1 for each commission's tenure total less than seven hundred fifty thousand
 2 dollars (\$750,000).

3 (C) To the extent the commission requires moneys to
 4 discharge the commission's duties under subdivision (a)(2) of this section
 5 prior to the convening of the legislative session in which the General
 6 Assembly can next appropriate moneys, the commission shall be entitled to and
 7 shall receive moneys from the Constitutional Officers Fund or its successor
 8 fund in amounts necessary to discharge the commission's duties under
 9 subdivision (a)(2) of this section until the General Assembly appropriates
 10 moneys to the commission.

11
 12 SECTION 3. Arkansas Constitution, Article 8, § 3, is amended to read
 13 as follows:

14 § 3. Senatorial districts – Thirty-five members of Senate.

15 The Senate shall consist of thirty-five members. Senatorial districts
 16 shall at all times consist of contiguous territory, and no county shall be
 17 divided in the formation of such districts. ~~“The Board of Apportionment”~~ The
 18 Citizens' Redistricting Commission hereby created shall, from time to time,
 19 divide the state into convenient senatorial districts in such manner as that
 20 the Senate shall be based upon the inhabitants of the state, each senator
 21 representing, as nearly as practicable, an equal number thereof; each
 22 district shall have at least one senator.

23
 24 SECTION 4. Arkansas Constitution, Article 8, § 4, is amended to read
 25 as follows:

26 § 4. ~~Duties of Board of Apportionment~~ Citizens' Redistricting
 27 Commission – Duties.

28 ~~On or before February 1 immediately following each Federal census, said~~
 29 ~~board shall reapportion the State for Representatives, and in each instance~~
 30 ~~said board shall file its report with the Secretary of State, setting forth~~
 31 ~~(a) the basis of population adopted for representatives; (b) the number of~~
 32 ~~representatives assigned to each county; whereupon, after 30 days from such~~
 33 ~~filing date, the apportionment thus made shall become effective unless~~
 34 ~~proceedings for revision be instituted in the Supreme Court within said~~
 35 ~~period.~~

36 (a)(1) The Secretary of State shall as soon as practicable provide to

1 the Citizens' Redistricting Commission census and election data required to
2 discharge the commission's duties under § 1(a)(2) of this amendment.

3 (2) All information provided by the Secretary of State shall be
4 fair, impartial, and complete.

5 (3) The Secretary of State shall establish multiple methods for
6 the public to provide comments and propose alternate maps for consideration
7 by the commission.

8 (b)(1) Each congressional district shall have a total population that
9 is as nearly equal as practicable to the total population to the state
10 reported in the most recent federal decennial census divided by the total
11 number of congressional districts to be established.

12 (2) Each state House of Representatives district and state
13 Senate district shall have a total population that does not vary by more than
14 three percent (3%) from the total population of the state reported in the
15 federal decennial census divided by the total number of state districts to be
16 established for such house of the General Assembly.

17 (c)(1) The commission shall prepare for public comment three (3) maps
18 for all state districts and three (3) maps for all congressional districts
19 based on the number of inhabitants of the state district or congressional
20 district.

21 (2) When viewed on a statewide basis, state districts and
22 congressional districts shall not unduly favor or disfavor any political
23 party.

24 (3) To the extent practicable, the commission shall establish
25 state districts and congressional districts using the following criteria in
26 the following order of descending priority:

27 (A) State districts and congressional districts shall be
28 contiguous, bounded by an unbroken line, and consist of undivided components
29 that connect at more than a single point;

30 (B) State districts and congressional districts shall not
31 deny or abridge the right to vote on account of race or language;

32 (C) State districts and congressional districts shall not
33 divide counties or cities, except to the extent required to satisfy the
34 requirements of subsection (b) of this section or this subdivision (c)(3);

35 (D) State districts and congressional districts shall be
36 reasonably compact; and

1 (E) State districts and congressional districts shall
2 promote competition among political parties, where reasonably feasible after
3 satisfaction of subdivisions (c)(3)(A)-(D) of this section.

4 (d)(1) The commission shall:

5 (A) Conduct at least one (1) hearing in each congressional
6 district; and

7 (B) Publicly release for public comment the three (3) maps
8 for all state districts and three (3) maps for all congressional districts at
9 least thirty (30) days before the first hearing.

10 (2) Revised maps shall be publicly released at least thirty (30)
11 days prior to a final vote on adoption by the commission.

12 (3) All maps released by the commission, including without
13 limitation revised maps, shall be accompanied by a written report that
14 explains the commission's basis for the state districts and congressional
15 districts.

16 (e)(1) No later than the November 1 immediately following each federal
17 decennial census, the commission shall reapportion, report, and certify to
18 the Secretary of State the district for each seat in the United States House
19 of Representatives and the General Assembly, setting forth the population,
20 boundaries, and map of each district.

21 (2) The apportionment shall become effective unless a proceeding
22 for review is filed with the Supreme Court within thirty (30) days of the
23 certification under subdivision (e)(1) of this section, in which case the
24 apportionment shall become effective thirty (30) days after the commission
25 reports and certifies to the Secretary of State any revision necessary to
26 comply with the mandate of the Supreme Court.

27
28 SECTION 5. Arkansas Constitution, Article 8, § 5, is amended to read
29 as follows:

30 § 5. Mandamus to compel ~~Board of Apportionment~~ Citizens' Redistricting
31 Commission to act.

32 ~~Original jurisdiction (to be exercised on application of any citizens~~
33 ~~and taxpayers) is hereby vested in the Supreme Court of the State (a) to~~
34 ~~compel (by mandamus or otherwise) the board to perform its duties as here~~
35 ~~directed and (b) to revise any arbitrary action of or abuse of discretion by~~
36 ~~the board in making such apportionment; provided any such application for~~

1 ~~revision shall be filed with said Court within 30 days after the filing of~~
2 ~~the report of apportionment by said board with the Secretary of State; if~~
3 ~~revised by the court, a certified copy of its judgment shall be by the clerk~~
4 ~~thereof forthwith transmitted to the Secretary of State, and thereupon be and~~
5 ~~become a substitute for the apportionment made by the board.~~

6 The Supreme Court shall have original jurisdiction to compel the Chief
7 Justice, the panel to appoint members of the Citizens' Redistricting
8 Commission, the Secretary of State, and the commission by mandamus to perform
9 their respective duties on the application of any citizen and taxpayer.

10
11 SECTION 6. REPEAL OF CERTAIN SECTIONS OF ARKANSAS LAW. (a) This
12 amendment specifically supersedes Arkansas Code §§ 7-2-101 – 7-2-105.

13 (b) The General Assembly shall enact legislation repealing Arkansas
14 Code §§ 7-2-101 – 7-2-105 within one hundred eighty (180) days of the
15 effective date of this amendment.

16
17 SECTION 7. SEVERABILITY. The provisions of this amendment are
18 severable, and if any part or provision of this amendment is held invalid by
19 a final decision of a court of competent jurisdiction, the invalidity of that
20 part or provision shall not affect any other part or provision of this
21 amendment.

22
23 SECTION 8. EFFECTIVE DATE. This amendment to the Arkansas
24 Constitution shall be effective on and after January 1, 2027.

25
26 SECTION 9. BALLOT TITLE AND POPULAR NAME. When this proposed
27 amendment is submitted to the electors of this state on the general election
28 ballot:

29 (1) The title of this Joint Resolution shall be the ballot
30 title; and

31 (2) The popular name shall be "A Constitutional Amendment to
32 Create the Citizens' Redistricting Commission to Reapportion the Districts
33 for the United States House of Representatives and the General Assembly
34 Following Each Federal Decennial Census and to Repeal the Board of
35 Apportionment."

36