

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

State of Arkansas  
95th General Assembly  
Regular Session, 2025

*As Engrossed: H1/16/25*

HJR 1001

Representatives A. Collins, *Springer*

**HOUSE JOINT RESOLUTION**

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO CREATE THE CITIZENS' REDISTRICTING COMMISSION TO REAPPORTION THE DISTRICTS FOR THE UNITED STATES HOUSE OF REPRESENTATIVES AND THE GENERAL ASSEMBLY FOLLOWING EACH FEDERAL DECENNIAL CENSUS AND TO REPEAL THE BOARD OF APPORTIONMENT.

**Subtitle**

A CONSTITUTIONAL AMENDMENT TO CREATE THE CITIZENS' REDISTRICTING COMMISSION AND TO REPEAL THE BOARD OF APPORTIONMENT.

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

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

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

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



as follows:

§ 1. Board of apportionment created — Powers and duties Citizens' Redistricting Commission created — Membership.

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

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

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

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

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

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

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

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

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

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

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

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

(C) Has acted as a registered lobbyist;

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

(E) Has served as an employee of a:

(i) Registered lobbyist;

(ii) Political party;

(iii) Political campaign committee; or

(iv) Political action committee.

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

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

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

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

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

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

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

(e) The Secretary of State shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) The Governor;

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

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

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

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

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

total of nine (9) commissioners.

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

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

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

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

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

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

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

(g)(1) Each commissioner shall:

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

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

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

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

(B) Register as a lobbyist.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d)(1) The commission shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*/s/A. Collins*