

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL 642

Short Title: Independent Redistricting Commission. (Public)

Sponsors: Senators Applewhite and Hunt (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 6, 2023

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)** Effective beginning with the redistricting done upon the return of  
10 the 2030 decennial census, Section 3 of Article II of the North Carolina Constitution reads as  
11 rewritten:

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

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

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

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

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

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

27 **SECTION 1.(b)** Effective beginning with the redistricting done upon the return of  
28 the 2030 decennial census, Section 5 of Article II of the North Carolina Constitution reads as  
29 rewritten:

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

31 The Representatives shall be elected from districts. ~~The General Assembly, at the first regular~~  
32 ~~session convening after the return of every decennial census of population taken by order of~~  
33 ~~Congress, shall revise the representative districts and the apportionment of Representatives~~  
34 ~~among those districts, subject to the following requirements: Assembly shall establish an~~  
35 ~~independent process to revise the representative districts and the apportionment of~~  
36 ~~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)** Effective beginning with the redistricting done upon the return of  
11 the 2030 decennial census, Article II of the North Carolina Constitution is amended by adding a  
12 new section to read:

13 **"Sec. 25. Redistricting.**

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

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

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

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

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

27 (5) When established, the electoral districts for the Senate and the House of  
28 Representatives of the General Assembly shall remain unaltered until the return of another  
29 decennial census of population taken by order of Congress.

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

32 **SECTION 1.(d)** Effective beginning with the redistricting done upon the return of  
33 the 2030 decennial census, Subsection (5) of Section 22 of Article II of the North Carolina  
34 Constitution reads as rewritten:

35 "(5) ~~Other exceptions. Appointments to office. Every bill:~~

36 (a) ~~In bill in which the General Assembly makes an appointment or appointments~~  
37 ~~to public office and which contains no other matter;~~

38 (b) ~~Revising the senate districts and the apportionment of Senators among those~~  
39 ~~districts and containing no other matter;~~

40 (c) ~~Revising the representative districts and the apportionment of Representatives~~  
41 ~~among those districts and containing no other matter; or~~

42 (d) ~~Revising the districts for the election of members of the House of~~  
43 ~~Representatives of the Congress of the United States and the apportionment~~  
44 ~~of Representatives among those districts and containing no other matter;~~  
45 matter shall be read three times in each house before it becomes law and shall  
46 be signed by the presiding officers of both houses."

47 **SECTION 1.(e)** The amendments set out in subsections (a), (b), (c), and (d) of this  
48 section shall be submitted to the qualified voters of the State at the general election in November  
49 2024, which election shall be conducted under the laws then governing elections in the State.  
50 Ballots, voting systems, or both may be used in accordance with Chapter 163 of the General  
51 Statutes. The question to be used in the voting systems and ballots shall be:

" [ ] FOR [ ] AGAINST

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

**SECTION 1.(f)** If a majority of votes cast on the question are in favor of the amendments set out in subsections (a), (b), (c), and (d) of this section, the State Board of Elections shall certify the amendments to the Secretary of State. The Secretary of State shall enroll the amendments so certified among the permanent records of that office. The amendments set out in subsections (a), (b), (c), and (d) of this section become effective as provided in this act.

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

"Article 1B.

"Redistricting.

**"§ 120-4.50. Definitions.**

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

- (1) Census Bureau. – The United States Bureau of the Census.
- (2) Commission. – The North Carolina Citizens Redistricting Commission established pursuant to G.S. 120-4.55.
- (3) Communities of interest. – An area with recognized similarities of interest, including racial, ethnic, economic, social, cultural, geographic, and historic identities. Communities of interest do not include common relationships with political parties or political candidates. Examples of communities of interest may include municipalities, neighborhoods, and census designated places.
- (4) Congressional districts or plans. – Districts or plans for the House of Representatives of the United States Congress.
- (5) Federal census. – The decennial census required by federal law to be conducted by the Census Bureau in every year ending in zero.
- (6) Final plan. – A plan adopted by the Commission to be used for the purpose of nominating and electing identified representatives. In accordance with Section 25 of Article II of the North Carolina Constitution, final plans shall have the force and effect of acts of the General Assembly.
- (7) Identified representative. – A member of the Senate or the House of Representatives of the General Assembly or a member of the House of Representatives of the United States Congress.
- (8) Indigenous person. – A member of a State- or federally recognized Indian tribe.
- (9) Legislative districts or plans. – Districts or plans for the Senate and the House of Representatives of the General Assembly.
- (10) Metropolitan or micropolitan statistical areas. – Areas of the State defined as metropolitan or micropolitan statistical areas by the Office of Management and Budget of the United States.
- (11) Plan. – A plan for legislative or congressional reapportionment drawn in accordance with Section 25 of Article II of the North Carolina Constitution and this Article.
- (12) Preliminary plan. – An initial plan released by the Commission for public input at the beginning of the redistricting cycle.
- (13) Proposed and alternative plans. – Plans released by the Commission following public input.
- (14) Public office. – Elective State, local, or federal office.

1           (15) Relative. – An individual who is related to the person in question as father,  
2 mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece,  
3 husband, wife, grandfather, grandmother, father-in-law, mother-in-law,  
4 son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather,  
5 stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or  
6 half-sister.

7 **"§ 120-4.55. North Carolina Citizens Redistricting Commission.**

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

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

15           (1) Has been a registered voter in North Carolina with the same affiliation, or lack  
16 thereof, for at least four years prior to commencement of service on the  
17 Commission. This requirement does not apply to persons under the age of 24  
18 or persons who became citizens of the United States within four years of  
19 applying for membership on the Commission.

20           (2) Has not done any of the following within four years of applying for  
21 membership on the Commission:

22           a. Been a candidate for or served in public office. This disqualification  
23 shall not apply to persons serving in a federal or State-recognized  
24 Indian tribe.

25           b. Contributed more than one thousand dollars (\$1,000) to any candidate  
26 for public office and no more than ten thousand dollars (\$10,000) in  
27 total to candidates for public office.

28           c. Held a political appointment.

29           d. Served as an officer, employee, or paid consultant of any of the  
30 following:

31               1. A political party or body of the United States.

32               2. A campaign or campaign committee of a candidate for public  
33 office in the United States.

34           e. Served as an elected or appointed officer or paid consultant of a  
35 committee at any level of government in the United States.

36           f. Been employed by Congress.

37           (3) Has not served as a member of the General Assembly or Congress within eight  
38 years of applying for membership on the Commission.

39           (4) No person who has served as a member of the Commission shall be eligible  
40 to serve as a member of the General Assembly or Congress until the  
41 conclusion of the term as a commissioner that they were appointed to serve.  
42 This prohibition applies even if a commissioner resigns or is removed from  
43 the commission prior to the conclusion of his or her term.

44           (5) Is not any of the following:

45           a. A relative of a current member of the General Assembly, North  
46 Carolina Council of State, or a covered person, as defined in  
47 G.S. 138A-3(21).

48           b. A staff member or legal counsel to the General Assembly.

49           c. An official of a political party or a consultant or legal counsel to a  
50 political party in the United States.



- 1                    needed, the State Auditor may request additional information from an  
2                    applicant.
- 3                    (4)                As part of the evaluation described in subdivision (3) of this subsection, the  
4                    State Auditor shall create an applicant review panel consisting of five  
5                    members, composed of two persons affiliated with the largest political party  
6                    in the State, two persons affiliated with the second-largest political party in  
7                    the State, and one person affiliated with neither the largest nor second-largest  
8                    political party in the State. The panel shall review applications on the basis of  
9                    experience, skill, and commitment to fairness and impartiality and make  
10                   recommendations to the State Auditor.
- 11                   (5)                The State Auditor shall submit a diverse group of up to 60 applications to the  
12                   General Assembly, as follows:
- 13                   a.                Applications submitted to the General Assembly shall reflect the  
14                   State's diverse races, ethnicities, nationalities, sexual orientations,  
15                   socioeconomic statuses, indigenous tribal affiliations, and geography.  
16                   The State Auditor shall make every effort to include indigenous  
17                   persons in this group.
- 18                   b.                No more than 20 applications shall be submitted from persons in each  
19                   of the following ways, as reflected by the latest registration statistics  
20                   published by the State Board of Elections:
- 21                   1.                As affiliated with the political party with the highest number  
22                   of registered affiliates.
- 23                   2.                As affiliated with the political party with the second-highest  
24                   number of registered affiliates.
- 25                   3.                As not affiliated with either of the two political parties having  
26                   the highest and second-highest number of registered affiliates.
- 27                   c.                If there are fewer than 20 applications from persons registered in  
28                   accordance with any sub-sub-subdivision of sub-subdivision b. of this  
29                   subdivision, the State Auditor may submit additional eligible  
30                   applications to the General Assembly, as necessary, to reach a total of  
31                   60 applications.
- 32                   (6)                Of the pool of candidates submitted to the General Assembly pursuant to  
33                   subdivision (5) of this subsection, the President Pro Tempore of the Senate,  
34                   the minority leader in the Senate, the Speaker of the House of Representatives,  
35                   and the minority leader in the House of Representatives shall each strike six  
36                   candidates.
- 37                   (d)                Appointment. – The Commission shall be composed of 15 members appointed from  
38                   the pool of candidates that remains after the leaders of the General Assembly have made their  
39                   strikes pursuant to subdivision (6) of subsection (c) of this section, as follows:
- 40                   (1)                Two members affiliated in each of the three ways identified in sub-subdivision  
41                   b. of subdivision (5) of subsection (c) of this section, by the State Auditor, for  
42                   a total of six members.
- 43                   (2)                Three members affiliated in each of the three ways identified in  
44                   sub-subdivision b. of subdivision (5) of subsection (c) of this section, by the  
45                   six members appointed pursuant to subdivision (1) of this subsection, for a  
46                   total of nine members.
- 47                   (3)                All appointing authorities shall do the following when making their  
48                   appointments:
- 49                   a.                Consider the importance of diversity, as defined in sub-subdivision  
50                   (c)(5)a. of this section, when making their appointments.

1           b. Make every effort to ensure that at least one member of the  
2           Commission is a resident of each congressional district in the State  
3           from the prior election.

4           (e) Term of Office. – The term of office for members of the Commission shall begin on  
5           July 1 of each year ending in zero. The members shall continue in office for 10 years until their  
6           successors are appointed and qualified.

7           (f) Chair. – The position of chair of the Commission shall rotate every three months,  
8           following a schedule randomly generated at the beginning of the redistricting cycle. No two  
9           members who share the same party affiliation, or lack thereof, shall serve as chair in the same  
10          six-month period. No member shall serve as chair more than once in a 12-month period.

11          (g) Removal from Office. – A member of the Commission may be removed from office,  
12          as follows:

13            (1) By the authority that appointed the member for any of the following:

14              a. Failure to comply with G.S. 120-4.65.

15              b. Ineligibility pursuant to subsection (b) of this section.

16            (2) By a vote of at least 11 members of the Commission, including at least one  
17            member of the commission who shares the same party affiliation, or lack  
18            thereof, in open session at any duly held meeting, for any cause that renders  
19            the member incapable or unfit to discharge the duties of the office, including  
20            neglect of duty or gross misconduct. All Commission member votes on  
21            removal of a member pursuant to this subdivision shall be recorded.

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

25          (i) Stipend. – Members of the Commission shall receive a stipend of two thousand  
26          dollars (\$2,000) for each month that the Commission meets.

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

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

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

32          **"§ 120-4.60. Staff.**

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

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

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

42            (d) The Commission shall retain independent staff under contract, including an executive  
43            secretary and any additional necessary supporting staff. As a whole, the political affiliations of  
44            staff members, or lack thereof, shall be divided approximately into thirds among the two political  
45            parties with the highest number of affiliates and among persons unaffiliated with a political party.  
46            A person is ineligible to serve as a staff member to the Commission if that person would be  
47            ineligible to serve as a member of the Commission pursuant to G.S. 120-4.55(b). Staff shall be  
48            selected by a vote of at least nine members composed of at least three members appointed to the  
49            Commission from each sub-sub-subdivision of G.S. 120-4.55(c)(5)b.

50          **"§ 120-4.65. Open meetings and public records.**

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

- 4            (1) Members of the Commission and staff shall not discuss the business of the  
5 Commission outside of public meetings.
- 6            (2) If a member of the Commission violates subdivision (1) of this section, he or  
7 she shall place in the public records of the Commission (i) any violating  
8 written communication and (ii) a written description of any violating oral  
9 communication. The written description of an oral communication must  
10 include the name of the parties to the communication, the date and  
11 approximate time of the communication, and a description of the nature and  
12 substance of the communication.
- 13            (3) The Commission shall provide at least 14 days' notice prior to any meeting in  
14 which votes will be taken.

15 **"§ 120-4.70. Redistricting criteria.**

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

- 17            (1) Each identified representative shall represent a single district and, as nearly as  
18 may be, an equal number of inhabitants.
- 19            (2) Compliance with the North Carolina Constitution, State law, the Constitution  
20 of the United States, including the equal protection clause of the Fourteenth  
21 Amendment, and federal law to ensure that all persons, including racial and  
22 language minorities, have an equal opportunity to elect representatives of their  
23 choice. A plan shall not diminish or dilute the ability of a member of a  
24 minority from electing a candidate of his or her choice, whether alone or in  
25 coalition with others.
- 26            (3) All districts shall be contiguous. Areas that meet only at the points of  
27 adjoining corners are not contiguous.
- 28            (4) Minimizing the number of split communities of interest. Precincts shall not be  
29 split in the preparation of a plan, except to the extent necessary to comply with  
30 federal law. The Commission shall make all efforts to avoid splitting other  
31 political subdivisions of the State.
- 32            (5) The Commission shall not consider electoral results or political considerations  
33 in the preparation of a preliminary, proposed, or alternative plan. In order to  
34 ensure that each citizen of the State has substantially equal voting power on  
35 the basis of party affiliation, the Commission shall evaluate every proposed  
36 and alternative plan after the plan is created to avoid inadvertently diminishing  
37 or diluting a voter's opportunity to aggregate with likeminded voters to elect  
38 a governing majority based on party affiliation. Before adopting a final plan,  
39 the Commission shall revise any plan that it deems to have violated this  
40 subdivision to the minimum extent necessary to remedy that violation.
- 41            (6) A plan shall not favor or disfavor an incumbent, candidate, or political party.

42 **"§ 120-4.75. Adoption of redistricting plans by the Commission.**

43            (a) Integrity and Procedure. – It is the intent of the General Assembly that the  
44 Commission conduct itself with integrity and fairness in the creation and adoption of plans. In  
45 furtherance of that goal, the Commission shall adopt preliminary, proposed, alternative, and final  
46 plans by a vote of at least nine members composed of at least three members appointed to the  
47 Commission from each sub-sub-subdivision of G.S. 120-4.55(c)(5)b.

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



1 provided by the State Auditor. The special masters shall be appointed by a vote of at least nine  
2 members composed of at least three members appointed to the Commission from each  
3 sub-sub-subdivision of G.S. 120-4.55(c)(5)b. A special master appointed pursuant to this  
4 subsection shall meet the following criteria:

- 5 (1) Meet eligibility requirements for applications for membership on the  
6 Commission pursuant to G.S. 120-4.55(b).
- 7 (2) Have a resume that does not reflect a history of working exclusively with one  
8 political party or ideology.

9 (c) Adoption by Special Masters. – Any special masters appointed pursuant to this section  
10 shall draw a plan and submit the plan, along with the rationale for the plan, to the Commission,  
11 which shall adopt that plan, in accordance with the following:

- 12 (1) Plans proposed by the special masters shall conform to all redistricting criteria  
13 in G.S. 120-4.70.
- 14 (2) Produce one map for any plan.
- 15 (3) Hold at least four public hearings after producing the map, two of which shall  
16 occur in each metropolitan and micropolitan statistical area.
- 17 (4) Provide a written evaluation for any plan in accordance with  
18 G.S. 120-4.80(b)(6).

19 **§ 120-4.80. Public input.**

20 (a) Public Hearings. – It is the intent of the General Assembly that the Commission  
21 conduct an open and transparent process enabling full public consideration of and comment on  
22 the drawing of plans. In furtherance of that goal, the Commission shall hold public hearings as  
23 soon as reasonably practicable after its formation and shall set a time line for this process. The  
24 Commission may adjust the established time line, as needed. The Commission shall engage in a  
25 minimum of 20 public hearings across the State. At least one public hearing shall occur in each  
26 metropolitan statistical area and at least five public hearings shall occur in the various  
27 micropolitan areas. Of those public hearings, at least 10 hearings shall occur before a preliminary  
28 plan is released to the public and at least 10 hearings shall occur after a preliminary plan is  
29 released to the public but before a proposed or alternative plan is released to the public.

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

- 34 (1) Sufficient time to review any plan released to the public.
- 35 (2) The opportunity to communicate comments, questions, and recommendations  
36 on any plan released to the public, at a minimum, in person, online, and  
37 through the mail. The Commission shall reserve time at the end of every  
38 meeting for in-person and virtual public comment.
- 39 (3) Access to the same demographic data that is used by the Commission in a  
40 machine-readable form.
- 41 (4) Access to mapping software and census data in public library facilities in each  
42 metropolitan and micropolitan statistical area within 20 days of receipt of that  
43 data from the United States Bureau of the Census.
- 44 (5) A public, written response to every substantive comment or recommendation  
45 regarding a specific component of a plan released to the public. The response  
46 shall address the viability of any recommendation and indicate whether it was  
47 or will be incorporated in any other plan.
- 48 (6) At the conclusion of the redistricting process, the Commission shall publish a  
49 written evaluation of each final plan, including at least the following  
50 information:

- a. The impact of the plans on the ability of minority groups, including racial minorities, to elect candidates of their choice.
- b. The degree to which the plans preserve or divide communities of interest.
- c. The rationale for changes in the plans from the prior districts.
- d. The impact of the plans on metropolitan and micropolitan statistical areas.
- e. How the plans satisfy the redistricting criteria in G.S. 120-4.70.
- f. A summary of the public input received by the Commission on the plans. Substantially similar comments may be grouped together into categories.

(7) A website with all of the following information:

- a. Background information on the redistricting process available in at least English and Spanish on the purpose of redistricting and its impact on all communities. The Commission shall provide information in other languages if at least 10,000 people petition the Commission to have a particular language included.
- b. Livestreams and recordings of all public meetings and hearings by the Commission or the special masters in audio, video, or both formats and minutes from those meetings.
- c. Meeting announcements.
- d. A searchable database of feedback, including public comments, and plans discussed by the Commission. This information shall be made available as soon as practicable after it is generated.
- e. Plans discussed by the Commission and the data used to create those plans.

**"§ 120-4.85. Local redistricting.**

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

**PART II. CONFORMING CHANGES**

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

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

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

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

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

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

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

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

12 **SECTION 2.(c)** G.S. 120-133 is repealed.  
13

14 **PART III. EFFECTIVE DATE**

15 **SECTION 3.(a)** If the constitutional amendments proposed by subsections (a), (b),  
16 (c), and (d) of Section 1 of this act are approved by the qualified voters as provided in subsections  
17 (e) and (f) of Section 1 of this act, the following shall become effective January 1, 2030:

18 (1) Subsections (g) and (h) of Section 1 of this act.

19 (2) Part II of this act.

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