

By: Darby

H.B. No. 3840

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the composition of districts for the election of
3 members of the Texas Legislature and the United States House of
4 Representatives from Texas.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. The interim redistricting plan used to elect
7 members of the Texas House of Representatives in 2012 ordered by the
8 United States District Court for the Western District of Texas on
9 February 28, 2012, in the case of Perez, et al. v. Perry, et al. (No.
10 SA-11-CV-360), and identified as PLANH309 on the redistricting
11 computer system operated by the Texas Legislative Council, is
12 hereby ratified and adopted as the permanent plan for districts
13 used to elect members of the Texas House of Representatives.

14 SECTION 2. The interim redistricting plan used to elect
15 members of the Texas Senate in 2012 ordered by the United States
16 District Court for the Western District of Texas on February 28,
17 2012, in the case of Davis, et al. v. Perry, et al. (No.
18 SA-11-CV-788), and identified as PLANS172 on the redistricting
19 computer system operated by the Texas Legislative Council, is
20 hereby ratified and adopted as the permanent plan for districts
21 used to elect members of the Texas Senate.

22 SECTION 3. The interim redistricting plan used to elect
23 members of the United States House of Representatives from the
24 State of Texas in 2012 ordered by the United States District Court

1 for the Western District of Texas on February 28, 2012, in the case
2 of Perez, et al. v. Perry, et al. (No. SA-11-CV-360), and identified
3 as PLANC235 on the redistricting computer system operated by the
4 Texas Legislative Council, is hereby ratified and adopted as the
5 permanent plan for districts used to elect members of the United
6 States House of Representatives from the State of Texas.

7 SECTION 4. In making this enactment the legislature finds
8 that:

9 (1) the United States District Court for the Western
10 District of Texas properly applied the decision of the United
11 States Supreme Court on January 20, 2012, in Perry, et al. v. Perez,
12 et al., 565 U.S. ____ (2012) (per curiam), in the creation of the
13 district court's interim plans for use in the 2012 elections;

14 (2) the district court's interim plans comply with all
15 federal and state constitutional provisions or laws applicable to
16 redistricting plans, including the federal Voting Rights Act; and

17 (3) the adoption of the district court's interim plans
18 as permanent plans by the Texas Legislature will:

19 (A) diminish the expense of further time and
20 money by all parties in Texas' ongoing redistricting litigation;

21 (B) avoid disruption of the upcoming election
22 cycle; and

23 (C) provide certainty and continuity to the
24 citizens of Texas regarding the districts used to elect members of
25 the legislature and the United States House of Representatives from
26 Texas.

27 SECTION 5. The following laws are repealed:

1 (1) Chapter 1271 (H.B. 150), Acts of the 82nd
2 Legislature, Regular Session, 2011 (Article 195a-12, Vernon's
3 Texas Civil Statutes);

4 (2) Chapter 1315 (S.B. 31), Acts of the 82nd
5 Legislature, Regular Session, 2011 (Article 193e, Vernon's Texas
6 Civil Statutes); and

7 (3) Chapter 1 (S.B. 4), Acts of the 82nd Legislature,
8 1st Called Session, 2011 (Article 197j, Vernon's Texas Civil
9 Statutes).

10 SECTION 6. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2013.