

IN THE SENATE

SENATE BILL NO. 1385

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO CHALLENGES TO APPORTIONMENT PLANS; AMENDING CHAPTER 15, TITLE
2 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1509, IDAHO CODE,
3 TO PROVIDE THAT WITHIN THE TIME AND IN THE MANNER PRESCRIBED BY RULE OF
4 THE SUPREME COURT, ANY REGISTERED VOTER, INCORPORATED CITY OR COUNTY
5 IN THIS STATE MAY APPEAL TO THE SUPREME COURT A CONGRESSIONAL OR LEG-
6 ISLATIVE REDISTRICTING PLAN ADOPTED BY THE REAPPORTIONMENT COMMISSION
7 AND TO PROVIDE DUTIES OF THE COMMISSION; AND AMENDING CHAPTER 15, TITLE
8 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1510, IDAHO CODE,
9 TO PROVIDE THAT PRIOR TO OCTOBER 1 OF A YEAR ENDING IN ONE, IN WHICH A
10 NEW FEDERAL CENSUS IS AVAILABLE, ANY REGISTERED VOTER, INCORPORATED
11 CITY OR COUNTY IN THIS STATE MAY CHALLENGE AN EXISTING LEGISLATIVE AP-
12 PORTIONMENT BASED UPON THE NEW FEDERAL CENSUS BY FILING A PETITION IN
13 THE SUPREME COURT INVOKING ITS ORIGINAL JURISDICTION IN SUCH MANNER AS
14 PRESCRIBED BY RULE OF THE SUPREME COURT.
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16 Be It Enacted by the Legislature of the State of Idaho:

17 SECTION 1. That Chapter 15, Title 72, Idaho Code, be, and the same is
18 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
19 ignated as Section 72-1509, Idaho Code, and to read as follows:

20 72-1509. CHALLENGES -- SUPREME COURT RULES. (1) Within the time and
21 in the manner prescribed by rule of the supreme court, any registered voter,
22 incorporated city or county in this state may appeal to the supreme court a
23 congressional or legislative redistricting plan adopted by the commission.

24 (2) The commission shall prepare, process and transmit to the supreme
25 court such documents of the proceedings of the commission as may be provided
26 by rule of the supreme court.

27 SECTION 2. That Chapter 15, Title 72, Idaho Code, be, and the same is
28 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
29 ignated as Section 72-1510, Idaho Code, and to read as follows:

30 72-1510. CHALLENGES TO PLANS. Prior to October 1 of a year ending in
31 one (1), in which a new federal census is available, any registered voter,
32 incorporated city or county in this state may challenge an existing legisla-
33 tive apportionment based upon the new federal census by filing a petition in
34 the supreme court invoking its original jurisdiction in such manner as pre-
35 scribed by rule of the supreme court.