

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0591.03 Pierce Lively x2059

HOUSE BILL 26-1038

HOUSE SPONSORSHIP

Paschal,

SENATE SPONSORSHIP

Snyder,

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING COUNTY COMMISSIONER REDISTRICTING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, certain boards of county commissioners must appoint county commissioner redistricting commissions to adopt plans to divide the relevant counties into as many county commissioner districts as there are county commissioners elected by voters of their district (plan). The bill requires these boards of county commissioners to appoint independent county commissioner redistricting commissions, modifies the criteria for who may serve on these commissions, and requires the boards of county commissioners to adopt a final plan that was one of the final

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

plans approved by an independent county commissioner redistricting commission. The bill also removes the role of advisory committees in the process of adopting a plan and divides that role among staff and the independent county commissioner redistricting commissions.

Further, the bill requires an independent county commissioner redistricting commission to adopt a numerical measure of county commissioner district competitiveness and to use that measure in determining county commissioner districts.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Short title.** The short title of this act is the "The
3 County Commissioner Redistricting Integrity Act".

4 **SECTION 2. Legislative declaration.**

5 (1) The general assembly finds and declares that:

6 (a) In order for our democratic republic to truly represent the
7 voices of the people, if districts are required, they must be drawn such
8 that the people have an opportunity to elect representatives who are
9 reflective of and responsive and accountable to their constituents;

10 (b) The people are best served when districts are not drawn to
11 benefit particular parties or incumbents, but are instead drawn to ensure
12 representation for the various communities of interest and to maximize
13 the number of competitive districts;

14 (c) The federal "Voting Rights Act of 1965" prohibits voting
15 practices and procedures, including redistricting, that discriminate on the
16 basis of race, color, or language;

17 (d) Districts are redrawn after every decennial census for members
18 of congress, members of the general assembly, county commissioners,
19 school board members, city councillors, and special district
20 representatives;

21 (e) In the 2018 legislative session, the general assembly

1 unanimously supported two referred measures, Amendments Y and Z,
2 that reflected a bipartisan compromise to ensure fair redistricting of
3 congressional districts, state house of representative districts, and state
4 senate districts;

5 (f) At the general election in November 2018, seventy-one percent
6 of electors in the state approved Amendments Y and Z;

7 (g) The only partisan offices elected by districts in Colorado not
8 included in Amendments Y and Z were county commissioners; and

9 (h) It is of statewide interest that voters in every Colorado county
10 are empowered to elect commissioners who will reflect the communities
11 within the county and who will be responsive and accountable to them.

12 (2) The general assembly further finds and declares that most
13 Colorado counties elect their commissioners by the voters of the whole
14 county, but counties with populations over seventy thousand are allowed
15 to increase from three to five commissioners and elect some or all of their
16 commissioners by the voters of individual districts. By enacting this
17 House Bill 26-1038, the general assembly intends to build upon
18 HB21-1047 by further ensuring that county commissioner districts are
19 drawn by independent commissions and not by a sitting board of
20 commissioners, the members of which have a fundamental and inherent
21 conflict of interest in drawing a district in which they or a desired
22 successor may run for office in the future. The general assembly also
23 intends to further clarify what constitutes a competitive county
24 commissioner district.

25 (3) The general assembly further finds and declares that, pursuant
26 to the Colorado supreme court's holding in *League of Women Voters of*
27 *Greeley v. Bd. of Cnty. Comm'rs of the Cnty. of Weld* 563 P.3d 1192

1 (Colo. 2025), as with HB21-1047, this House Bill 26-1038 applies to
2 counties whether or not they are home rule counties.

3 **SECTION 3.** In Colorado Revised Statutes, 30-10-306, **amend**
4 (6)(b); **repeal** (6)(a) and (6)(d); and **add** (6)(d.5) and (7) as follows:

5 **30-10-306. Commissioners' districts - vacancies - definitions.**

6 (6) As used in this section and sections 30-10-306.1 to
7 30-10-306.4, unless the context otherwise requires:

8 (a) ~~"Advisory committee" means a group of persons who are not~~
9 ~~nonpartisan staff of the county who are assigned to assist the commission~~
10 ~~by the board of county commissioners. The board of county~~
11 ~~commissioners may delegate any functions but the final adoption of a~~
12 ~~plan to the advisory committee. The advisory committee must be~~
13 ~~composed of an equal number of members who are affiliated with the~~
14 ~~state's largest political party, affiliated with the state's second largest~~
15 ~~political party, and not affiliated with any political party. For purposes of~~
16 ~~this subsection (6)(a), the state's two largest political parties shall be~~
17 ~~determined by the number of registered electors affiliated with each~~
18 ~~political party in the state according to voter registration data published~~
19 ~~by the secretary of state for the earliest day in January of the redistricting~~
20 ~~year for which such data is published.~~

21 (b) ~~"Commission" means a county commissioner district~~
22 ~~redistricting commission, whether the commission is an independent~~
23 ~~county commissioner district redistricting commission or not. A county~~
24 ~~commissioner district redistricting commission can be made up solely of~~
25 ~~the members of a county's board of county commissioners~~ CREATED IN
26 ACCORDANCE WITH SECTION 30-10-306.1 (2).

27 (d) ~~"Independent commission" means an independent county~~

1 ~~commissioner district redistricting commission created in accordance with~~
2 ~~section 30-10-306.1 (2).~~

3 (d.5) "INDEPENDENT COMMITTEE" MEANS A COMMITTEE
4 COMPOSED OF AN EQUAL NUMBER OF MEMBERS WHO ARE AFFILIATED WITH
5 THE STATE'S LARGEST POLITICAL PARTY, AFFILIATED WITH THE STATE'S
6 SECOND-LARGEST POLITICAL PARTY, AND NOT AFFILIATED WITH ANY
7 POLITICAL PARTY. FOR PURPOSES OF THIS SUBSECTION (6)(d.5), THE
8 STATE'S TWO LARGEST POLITICAL PARTIES ARE DETERMINED BY THE
9 NUMBER OF REGISTERED ELECTORS AFFILIATED WITH EACH POLITICAL
10 PARTY IN THE STATE ACCORDING TO VOTER REGISTRATION DATA
11 PUBLISHED BY THE SECRETARY OF STATE FOR THE EARLIEST DAY IN
12 JANUARY OF THE REDISTRICTING YEAR FOR WHICH SUCH DATA IS
13 PUBLISHED. AN INDEPENDENT COMMITTEE SHALL NOT INCLUDE
14 NONPARTISAN STAFF OF THE COUNTY.

15 (7) ANY QUALIFIED ELECTOR OF THE COUNTY MAY CHALLENGE
16 THE ADOPTION OF A PLAN TO DIVIDE THE COUNTY INTO AS MANY
17 DISTRICTS AS THERE ARE COUNTY COMMISSIONERS ELECTED BY VOTERS
18 OF THEIR DISTRICT BY AN ACTION IN THE DISTRICT COURT FOR THE
19 COUNTY.

20 **SECTION 4.** In Colorado Revised Statutes, 30-10-306.1, **amend**
21 (1) introductory portion, (2) introductory portion, and (2)(c); **repeal** (2)(a)
22 and (2)(b); and **add** (2)(d), (2)(e), (2)(f), (2)(g), and (2.5) as follows:

23 **30-10-306.1. Commission created - commission composition**
24 **and appointment.**

25 (1) The board of county commissioners in each of the following
26 counties must ~~designate~~ CONVENE a county commissioner district
27 redistricting commission ~~and are encouraged to convene an independent~~

1 ~~county commissioner district redistricting commission, in order to adopt~~
2 ~~a plan~~ APPROVE ONE OR MORE PLANS to divide the relevant county into as
3 many districts as there are county commissioners elected by voters of
4 their district:

5 (2) In appointing members to ~~an independent~~ A commission, a
6 board of county commissioners: ~~is encouraged to:~~

7 (a) ~~Appoint persons who accurately reflect the political affiliations~~
8 ~~of the residents of the county, including unaffiliated residents;~~

9 (b) ~~Appoint persons who accurately reflect the county's racial,~~
10 ~~ethnic, gender, and geographic diversity; and~~

11 (c) SHALL avoid conflicts of interest based on partisan alignments;

12 (d) SHALL ENSURE THAT THE COMMISSION IS AN INDEPENDENT
13 COMMITTEE;

14 (e) SHALLEITHERDIRECTTHECOMMISSIONTOAPPROVEONEFINAL
15 PLAN TO DIVIDE THE RELEVANT COUNTY INTO AS MANY DISTRICTS AS
16 THERE ARE COUNTY COMMISSIONERS ELECTED BY VOTERS OF THEIR
17 DISTRICT, WHICH PLAN THE BOARD OF COUNTY COMMISSIONERS SHALL
18 ADOPT AS THE FINAL PLAN, OR DIRECT THE COMMISSION TO APPROVE AT
19 LEAST THREE FINAL PLANS TO DIVIDE THE RELEVANT COUNTY INTO AS
20 MANY DISTRICTS AS THERE ARE COUNTY COMMISSIONERS ELECTED BY
21 VOTERS OF THEIR DISTRICT, WHICH PLANS THE BOARD OF COUNTY
22 COMMISSIONERS SHALL SELECT FROM IN DECIDING WHICH PLAN TO ADOPT
23 AS THE FINAL PLAN;

24 (f) SHALL NOT APPOINT ANY MEMBER TO A COMMISSION WHO IS A
25 CURRENTLY ELECTED COUNTY COMMISSIONER; AND

26 (g) IS ENCOURAGED TO APPOINT PERSONS WHO ACCURATELY
27 REFLECT THE COUNTY'S RACIAL, ETHNIC, GENDER, AND GEOGRAPHIC

1 DIVERSITY.

2 (2.5) THE BOARD OF COUNTY COMMISSIONERS MAY REMOVE ANY
3 MEMBER OF THE COMMISSION FOR MALFEASANCE IN OFFICE, FOR FAILURE
4 TO REGULARLY ATTEND MEETINGS, OR FOR PREVENTING THE COMMISSION
5 FROM DISCHARGING ITS DUTIES.

6 **SECTION 5.** In Colorado Revised Statutes, 30-10-306.2, **amend**
7 (1), (2), (3)(c), (3)(d), (4)(b)(I)(B), (4)(b)(I)(C), (4)(b)(I)(D), (4)(b)(I)(F),
8 (4)(b)(II), (4)(b)(III) as follows:

9 **30-10-306.2. Commission organization - procedures -**
10 **transparency - voting requirements.**

11 (1) The board of county commissioners shall appoint staff as
12 needed to assist the commission. Staff ~~or the advisory committee~~ shall
13 acquire and prepare all necessary resources, including computer
14 hardware, software, and demographic, geographic, and political
15 databases, as far in advance as necessary to enable the commission to
16 begin its work immediately upon convening.

17 (2) The commission shall not vote upon THE APPROVAL OF a final
18 plan OR SET OF FINAL PLANS until at least seventy-two hours after it has
19 been proposed to the commission in a public meeting or at least
20 seventy-two hours after it has been amended by the commission in a
21 public meeting, whichever occurs later.

22 (3) (c) The commission shall maintain a website through which
23 any county resident may submit proposed plans or written comments, or
24 both, without attending a hearing of the commission. The commission
25 shall ensure that the website is easily accessible and contains a record of
26 the commission's activities and proceedings, including the commission's
27 directions to staff ~~or an advisory committee~~ on proposed changes to any

1 plan and the commission's rationale for such changes.

2 (d) The commission shall publish all written comments pertaining
3 to redistricting on its website or comparable means of communicating
4 with the public as well as the name of the county resident submitting such
5 comments. If the commission ~~advisory committee~~, or staff have a
6 substantial basis to believe that a person submitting such comments has
7 not truthfully or accurately identified himself or herself, the commission
8 need not consider and need not publish such comments but must notify
9 the commenter in writing of this fact. The commission may withhold
10 comments, in whole or in part, from the website or comparable means of
11 communicating with the public that do not relate to redistricting plans,
12 policies, or communities of interest.

13 (4) (b) To ensure transparency in the redistricting process:

14 (I) (B) Except as provided in subsections (4)(b)(I)(D) and
15 (4)(b)(I)(F) of this section, a member of the commission shall not
16 communicate with staff or any members of the ~~advisory committee~~
17 BOARD OF COUNTY COMMISSIONERS, AND A MEMBER OF THE BOARD OF
18 COUNTY COMMISSIONERS SHALL NOT COMMUNICATE WITH A MEMBER OF
19 THE COMMISSION OR STAFF, on the mapping of county commissioner
20 districts unless the communication is during a public meeting or hearing
21 of the commission.

22 (C) Except for public input and comment, staff shall not have any
23 communications about the content or development of any plan outside of
24 public hearings with anyone, ~~including any members of the advisory~~
25 ~~committee~~, except other staff members. ~~Likewise, except for public input~~
26 ~~and comment, members of the advisory committee shall not have any~~
27 ~~communications about the content or development of any plan outside of~~

1 ~~public hearings with anyone, including staff, except other members of the~~
2 ~~advisory committee.~~ Communications about the content or development
3 of any plan include communications about how plans will be drawn to
4 satisfy the criteria in section 30-10-306.3, specific parameters related to
5 the interpretation of the criteria in section 30-10-306.3, and requests for
6 the drawing of additional plans. Staff ~~or members of the advisory~~
7 ~~committee~~ shall report to the commission any attempt by anyone to exert
8 influence over the staff's ~~or advisory committee's~~ role in the drafting of
9 plans.

10 (D) One or more staff may be designated to communicate with
11 members of the commission ~~or advisory committee and, in the case of a~~
12 ~~commission that is composed of the board of county commissioners,~~
13 ~~administrative staff of the county,~~ regarding administrative matters, the
14 definition and scope of which shall be determined by the commission.
15 ~~Likewise, one or more members of the advisory committee may be~~
16 ~~designated to communicate with members of the commission or staff~~
17 ~~regarding administrative matters, the definition and scope of which shall~~
18 ~~be determined by the commission.~~ Any communication that occurs
19 outside of a public meeting or hearing of the commission between staff,
20 SERVING IN THEIR ROLE AS STAFF TO THE COMMISSION, and a member of
21 ~~the advisory committee~~ COMMISSION OR BOARD OF COUNTY
22 COMMISSIONERS, beyond those allowed by this subsection (4)(b)(I)(D),
23 must be documented and made a part of the public record.

24 (F) Staff may make a completed proposed plan that staff prepared
25 as a result of a request made in a public hearing available to the public on
26 the commission's website. In addition, staff may communicate with a
27 member of the commission ~~or the advisory committee~~ to clarify directions

1 that were given to staff during a public meeting regarding the creation of
2 a proposed plan, so long as staff makes a record of the content of the
3 communication available to the public on the commission's website.

4 (II) The commission, each member of the commission, ~~the~~
5 ~~advisory committee, each member of the advisory committee,~~ and staff
6 are subject to open records requirements as provided in part 2 of article
7 72 of title 24, as amended, or any successor statute; except that plans in
8 draft form and not submitted to the commission are not public records
9 subject to disclosure. Work product and communications among staff
10 ~~members of the advisory committee,~~ and between staff SERVING IN THEIR
11 ROLE AS STAFF TO THE COMMISSION and ~~the advisory committee~~ A
12 MEMBER OF THE COMMISSION OR THE BOARD OF COUNTY COMMISSIONERS
13 are subject to disclosure once a plan is adopted by the board of county
14 commissioners.

15 (III) Persons who contract for or receive compensation for
16 advocating to the commission, to one or more members of the
17 commission, ~~to the advisory committee, to one or more members of the~~
18 ~~advisory committee,~~ or to staff for the adoption or rejection of any plan,
19 amendment to a plan, mapping approach, or manner of compliance with
20 any of the mapping criteria specified in section 30-10-306.3 are lobbyists
21 who must disclose to the secretary of state any compensation contracted
22 for, compensation received, and the person or entity contracting or paying
23 for their lobbying services. Such disclosure must be made no later than
24 seventy-two hours after the earlier of each instance of such lobbying or
25 any payment of such compensation. The secretary of state shall publish
26 on the secretary of state's website or comparable means of communicating
27 with the public the names of such lobbyists, as well as the compensation

1 received and the persons or entities for whom they work within
2 twenty-four hours of receiving such information. The secretary of state
3 shall adopt rules to facilitate the complete and prompt reporting required
4 by this subsection (4)(b)(III) as well as a complaint process to address any
5 lobbyist's failure to report a full and accurate disclosure. ~~which complaint~~
6 ~~must be heard by an administrative law judge, whose decision may be~~
7 ~~appealed to the court of appeals~~

8 **SECTION 6.** In Colorado Revised Statutes, 30-10-306.3, **amend**
9 (1) introductory portion, (3)(a), (3)(c), (3)(d), (4) introductory portion,
10 and (5); and **add** (6) as follows:

11 **30-10-306.3. Criteria for determination of county**
12 **commissioner districts - definitions.**

13 (1) In ~~adopting~~ APPROVING a county commissioner district
14 redistricting plan, the commission shall:

15 (3) (a) (I) ~~Thereafter~~ AFTER COMPLYING WITH SUBSECTIONS (1)
16 AND (2) OF THIS SECTION, the commission shall, to the extent reasonably
17 possible, maximize the number of politically competitive districts.

18 (II) (A) TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION
19 (3)(a), THE COMMISSION SHALL ADOPT A COMPOSITE FORMULA THAT
20 GENERATES A COMPETITIVENESS MEASURE EXPRESSED AS A PERCENTAGE
21 TO MEASURE DISTRICT COMPETITIVENESS AND MAY ALSO ADOPT OTHER
22 MEASURES OF DISTRICT COMPETITIVENESS.

23 (B) AT LEAST SEVENTY-TWO HOURS BEFORE ADOPTING A
24 COMPOSITE FORMULA OR OTHER MEASURE OF COMPETITIVENESS, THE
25 COMMISSION SHALL MAKE THE COMPOSITE FORMULA OR OTHER MEASURE
26 OF COMPETITIVENESS AVAILABLE TO THE PUBLIC AND SHALL PROVIDE THE
27 PUBLIC SUFFICIENT TIME TO REVIEW AND COMMENT ON THE COMPOSITE

1 FORMULA.

2 (C) USING THE RESULTS OF THE COMPOSITE FORMULA OR OTHER
3 MEASURE OF COMPETITIVENESS IT ADOPTED, THE COMMISSION SHALL
4 FIRST ATTEMPT TO MAXIMIZE THE NUMBER OF HIGHLY COMPETITIVE
5 DISTRICTS AND THEN ATTEMPT TO MAXIMIZE THE NUMBER OF
6 MODERATELY COMPETITIVE DISTRICTS.

7 (3) (c) When the commission approves a plan, the staff or
8 advisory committee shall, within seventy-two hours of such action, make
9 publicly available, and include in the commission's record, a report to
10 demonstrate how the plan reflects the evidence presented to, and the
11 findings concerning, the extent to which competitiveness in district
12 elections is fostered consistent with the other criteria set forth in this
13 section.

14 (d) ~~For purposes of this subsection (3),~~ AS USED IN THIS
15 SUBSECTION (3), UNLESS THE CONTEXT OTHERWISE REQUIRES:

16 (I) "Competitive" means having a reasonable potential for the
17 party affiliation of the district's county commissioner to change at least
18 once between federal decennial censuses. Competitiveness may be
19 measured by factors such as a proposed district's past election results, a
20 proposed district's political party registration data, and evidence-based
21 analyses of proposed districts.

22 (II) "COMPOSITE FORMULA" MEANS A FORMULA THAT AVERAGES
23 THE MARGIN OF VICTORY ACROSS THE MOST REPRESENTATIVE
24 COMBINATION OF NATIONAL, STATEWIDE, OR LOCAL ELECTIONS, AS
25 DETERMINED BY THE COMMISSION, TO DETERMINE A DISTRICT'S
26 COMPETITIVENESS MEASURE EXPRESSED AS A PERCENTAGE.

27 (III) "HIGHLY COMPETITIVE DISTRICT" MEANS A DISTRICT WITH A

1 COMPETITIVENESS MEASURE GREATER THAN OR EQUAL TO NEGATIVE FIVE
2 PERCENT AND LESS THAN OR EQUAL TO FIVE PERCENT.

3 (IV) "MARGIN OF VICTORY" MEANS, FOR AN ELECTION, THE
4 DIFFERENCE BETWEEN THE PERCENTAGE OF VOTES CAST FOR THE
5 CANDIDATE OF THE STATE'S LARGEST POLITICAL PARTY AND THE
6 PERCENTAGE OF VOTES CAST FOR THE CANDIDATE OF THE STATE'S SECOND
7 LARGEST POLITICAL PARTY.

8 (V) "MODERATELY COMPETITIVE DISTRICT" MEANS A DISTRICT
9 WITH A COMPETITIVENESS MEASURE EITHER GREATER THAN FIVE PERCENT
10 AND LESS THAN OR EQUAL TO TEN PERCENT, OR LESS THAN NEGATIVE FIVE
11 PERCENT AND GREATER THAN OR EQUAL TO NEGATIVE TEN PERCENT.

12 (4) No plan may be approved by the ~~board of county~~
13 ~~commissioners or the~~ commission if the plan:

14 (5) So long as the commission has complied with the requirements
15 of subsections (1) through (4) of this section, in ~~adopting~~ APPROVING a
16 county commissioner redistricting plan, the commission may consider
17 congressional districts, state house of representative districts, and state
18 senate districts ~~in order~~ to minimize the number of necessary voting
19 precincts in a county.

20 (6) THE BOARD OF COUNTY COMMISSIONERS MAY DIRECT THE
21 COMMISSION TO MODIFY A PROPOSED PLAN IF THE BOARD OF COUNTY
22 COMMISSIONERS IDENTIFIES ELEMENTS OF THE PLAN THAT DO NOT COMPLY
23 WITH THE REQUIREMENTS OF THIS SECTION AND WHY THOSE ELEMENTS OF
24 THE PLAN DO NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

25 **SECTION 7.** In Colorado Revised Statutes, 30-10-306.4, **amend**
26 (1)(b), (1)(d), (1)(e), (1)(g), and (2) as follows:

27 **30-10-306.4. Deadlines for preparation, amendment, and**

1 **approval of plans.**

2 (1) The board of county commissioners shall establish deadlines
3 to ensure that the board of county commissioners shall adopt a plan for
4 the redrawing of county commissioner districts no later than September
5 30 of the redistricting year. These deadlines must include dates by which
6 the following must be accomplished:

7 (b) The appointment of staff ~~and an advisory committee~~ as needed
8 to assist the commission and the acquisition of all necessary resources to
9 enable the commission to begin its work, in accordance with section
10 30-10-306.2 (1);

11 (d) The submission of written comments to staff ~~or an advisory~~
12 ~~committee~~ by any member of the public and any member of the
13 commission on the creation of not less than three plans for county
14 commissioner districts, created by staff ~~or an advisory committee~~ alone,
15 and on communities of interest that require representation in one or more
16 specific areas of the county. Staff ~~or an advisory committee~~ shall consider
17 such comments in creating the plans, and such comments shall be part of
18 the record of the commission's activities and proceedings. Staff ~~and the~~
19 ~~advisory committee~~ shall keep each plan confidential until it is published
20 online or by a comparable means of communicating with the public using
21 generally available technologies. The commission may provide direction
22 for the development of these plans through the adoption of standards,
23 guidelines, or methodologies to which staff ~~and the advisory committee~~
24 shall adhere; including standards, guidelines, or methodologies to be used
25 to evaluate a plan's competitiveness, consistent with ~~section 30-10-306.3~~
26 ~~(3)(d)~~ SECTION 30-10-306.3 (3).

27 (e) The creation, presentation to the commission, and publishing

1 online of the plans. At public hearings at which the plans are presented,
2 staff ~~or an advisory committee~~ shall explain how the plans were created,
3 how the plans address the categories of public comments received, and
4 how the plans comply with the criteria prescribed in section 30-10-306.3.

5 (g) The request by any member of the commission or group of
6 members of the commission for staff ~~or an advisory committee~~ to prepare
7 additional plans or amendments to plans. Any such request must be made
8 in a public hearing of the commission but does not require commission
9 approval.

10 (2) The commission may adjust the deadlines specified in
11 subsection (1) of this section, if conditions outside of the commission's
12 control require such an adjustment to ensure that the board of county
13 commissioners can approve a plan for the redrawing of county
14 commissioner districts no later than September 30 of the redistricting year
15 OR IF THE BOARD OF COMMISSIONERS DIRECTED THE COMMISSION TO
16 ADJUST A PLAN PURSUANT TO SECTION 30-10-306.3 (6).

17 **SECTION 8. Act subject to petition - effective date -**
18 **applicability.**

19 (1) This act takes effect at 12:01 a.m. on the day following the
20 expiration of the ninety-day period after final adjournment of the general
21 assembly (August 12, 2026, if adjournment sine die is on May 13, 2026);
22 except that, if a referendum petition is filed pursuant to section 1 (3) of
23 article V of the state constitution against this act or an item, section, or
24 part of this act within such period, then the act, item, section, or part will
25 not take effect unless approved by the people at the general election to be
26 held in November 2026 and, in such case, will take effect on the date of
27 the official declaration of the vote thereon by the governor.

1 (2) This act applies to the adoption of a county commissioner
2 district redistricting plan that occurs after the effective date of this act and
3 does not require the adjustment or readoption of a county commissioner
4 district redistricting plan that has been adopted as of the effective date of
5 this act.