

House Concurrent Resolution No. 5039

By Representative Sawyer

5-23

1 A PROPOSITION to amend article 10 of the constitution of the state of
2 Kansas by adding a new section thereto; relating to reapportionment;
3 prohibiting partisan and racial gerrymandering when reapportioning
4 congressional and state legislative districts.
5

6 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*
7 *members elected (or appointed) and qualified to the House of*
8 *Representatives and two-thirds of the members elected (or appointed)*
9 *and qualified to the Senate concurring therein:*

10 Section 1. The following proposition to amend the constitution of
11 the state of Kansas shall be submitted to the qualified electors of the state
12 for their approval or rejection: Article 10 of the constitution of the state of
13 Kansas is hereby amended by adding a new section to read as follows:

14 "§ 4. **Gerrymandering prohibited.** The legislature shall
15 not reapportion United States congressional districts, state
16 senatorial districts or state representative districts with the intent
17 to favor or disfavor a political party or with the intent or result
18 of denying or abridging the equal opportunity of members of a
19 particular race to participate in the political process or diminish
20 such members' ability to elect a candidate of such members'
21 choice."

22 Sec. 2. The following statement shall be printed on the ballot with
23 the amendment as a whole:

24 "*Explanatory statement.* This amendment would prohibit
25 political and racial gerrymanders when the legislature draws
26 new district boundaries for United States congressional
27 districts or state legislative districts.

28 "A vote for this proposition would prohibit the use of political
29 and racial gerrymanders by the legislature when drawing
30 new district boundaries for United States congressional
31 districts or state legislative districts.

32 "A vote against this proposition would make no change to the
33 constitutional provisions regarding the drawing of new
34 district boundaries."

35 Sec. 3. This resolution, if approved by two-thirds of the members
36 elected (or appointed) and qualified to the House of Representatives and

1 two-thirds of the members elected (or appointed) and qualified to the
2 Senate, shall be entered on the journals, together with the yeas and nays.
3 The secretary of state shall cause this resolution to be published as
4 provided by law and shall cause the proposed amendment to be submitted
5 to the electors of the state at the general election in November in the year
6 2022, unless a special election is called at a sooner date by concurrent
7 resolution of the legislature, in which case it shall be submitted to the
8 electors of the state at the special election.