

HOUSE COMMITTEE OF REFERENCE REPORT

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February 2, 2026

Chair of Committee

Date

Committee on State, Civic, Military, & Veterans Affairs.

After consideration on the merits, the Committee recommends the following:

HB26-1038 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, after line 1 insert:
- 2       **"SECTION 1. Short title.** The short title of this act is the "The County Commissioner Redistricting Integrity Act".".
- 3
- 4       Renumber succeeding sections accordingly.
- 5       Page 2, line 5, strike "districts" and substitute "if districts are required, they".
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- 7       Page 3, line 15, strike "House Bill \_\_\_\_\_," and substitute "House Bill 26-1038,".
- 8
- 9       Page 3, line 25, strike "House Bill \_\_\_\_\_" and substitute "House Bill 26-1038".
- 10
- 11      Page 4, line 1 after "(6)(d.5)" insert "and (7)".
- 12      Page 5, after line 11 insert:
  - 13       "(7) ANY QUALIFIED ELECTOR OF THE COUNTY MAY CHALLENGE THE ADOPTION OF A PLAN TO DIVIDE THE COUNTY INTO AS MANY DISTRICTS AS THERE ARE COUNTY COMMISSIONERS ELECTED BY VOTERS OF THEIR DISTRICT BY AN ACTION IN THE DISTRICT COURT FOR THE COUNTY.".
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  - 17
- 18      Page 5, line 14, strike "and (2)(g)" and substitute "(2)(g), and (2.5)".

1 Page 6, after line 20 insert:

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 Page 10, strike lines 20 through 22 and substitute "lobbyist's failure to  
7 report a full and accurate disclosure. ~~which complaint must be heard by~~  
8 ~~an administrative law judge, whose decision may be appealed to the court~~  
9 ~~of appeals~~".

10 Page 10, line 25, strike "(5)" and substitute "(5); and **add** (6)".

11 Page 11, line 3, strike "Thereafter," and substitute "**Thereafter AFTER**  
12 **COMPLYING WITH SUBSECTIONS (1) AND (2) OF THIS SECTION,**".

13 Page 11, line 9, strike "COMPETITIVENESS." and substitute  
14 "COMPETITIVENESS AND MAY ALSO ADOPT OTHER MEASURES OF DISTRICT  
15 COMPETITIVENESS.".

16 Page 11, line 10, strike "BEFORE ADOPTING A COMPOSITE FORMULA," and  
17 substitute "AT LEAST SEVENTY-TWO HOURS BEFORE ADOPTING A  
18 COMPOSITE FORMULA OR OTHER MEASURE OF COMPETITIVENESS,".

19 Page 11, line 11, after "FORMULA" insert "OR OTHER MEASURE OF  
20 COMPETITIVENESS".

21 Page 11, line 14, after "FORMULA" insert "OR OTHER MEASURE OF  
22 COMPETITIVENESS".

23 Page 12, strike lines 6 through 22 and substitute:

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

29 (III) "HIGHLY COMPETITIVE DISTRICT" MEANS A DISTRICT WITH A  
30 COMPETITIVENESS MEASURE GREATER THAN OR EQUAL TO NEGATIVE FIVE  
31 PERCENT AND LESS THAN OR EQUAL TO FIVE PERCENT.

32 (IV) "MARGIN OF VICTORY" MEANS, FOR AN ELECTION, THE  
33 DIFFERENCE BETWEEN THE PERCENTAGE OF VOTES CAST FOR THE

1 CANDIDATE OF THE STATE'S LARGEST POLITICAL PARTY AND THE  
2 PERCENTAGE OF VOTES CAST FOR THE CANDIDATE OF THE STATE'S SECOND  
3 LARGEST POLITICAL PARTY.

4 (V) "MODERATELY COMPETITIVE DISTRICT" MEANS A DISTRICT  
5 WITH A COMPETITIVENESS MEASURE EITHER GREATER THAN FIVE PERCENT  
6 AND LESS THAN OR EQUAL TO TEN PERCENT, OR LESS THAN NEGATIVE FIVE  
7 PERCENT AND GREATER THAN OR EQUAL TO NEGATIVE TEN PERCENT.".

8 Page 13, after line 3 insert:

9 "(6) THE BOARD OF COUNTY COMMISSIONERS MAY DIRECT THE  
10 COMMISSION TO MODIFY A PROPOSED PLAN IF THE BOARD OF COUNTY  
11 COMMISSIONERS IDENTIFIES ELEMENTS OF THE PLAN THAT DO NOT COMPLY  
12 WITH THE REQUIREMENTS OF THIS SECTION AND WHY THOSE ELEMENTS OF  
13 THE PLAN DO NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION.".

14 Page 13, line 5, strike "and (1)(g)" and substitute "(1)(g), and (2)".

15 Page 14, after line 15 insert:

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

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