

HOUSE COMMITTEE OF REFERENCE REPORT

	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
- 3 County Commissioner Redistricting Integrity Act".
- 4 Renumber succeeding sections accordingly.
- 5 Page 2, line 5, strike "districts" and substitute "if districts are required,
- 6 they".
- 7 Page 3, line 15, strike "House Bill _____," and substitute "House Bill
- 8 26-1038,".
- 9 Page 3, line 25, strike "House Bill _____" and substitute "House Bill
- 10 26-1038".
- 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**
- 14 **THE ADOPTION OF A PLAN TO DIVIDE THE COUNTY INTO AS MANY**
- 15 **DISTRICTS AS THERE ARE COUNTY COMMISSIONERS ELECTED BY VOTERS**
- 16 **OF THEIR DISTRICT BY AN ACTION IN THE DISTRICT COURT FOR THE**
- 17 **COUNTY."**
- 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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