

Redistricting

I-2 Redistricting Legislation Across the Country

The U.S. Census, which provides the population information used as the basis for redistricting congressional and state legislative districts, will begin enumeration activities in April 2020. As the time for Census and the subsequent redistricting process draws near, redistricting has been discussed in state legislatures with increasing frequency. The chart included in this article provides information about legislation pending before state legislatures or recently enacted by state legislatures as of November 1, 2019. Recently vetoed legislation is also included, as it was at one time passed by a state legislature.

Currently, there are 71 redistricting bills or resolutions pending in 22 state legislatures and the U.S. Congress. Nine bills have been recently enacted by six of the states, and an additional seven bills have been vetoed in three states. A significant portion of recent redistricting legislation has addressed the topic of redistricting commissions, with 13 states and the U.S. Congress considering 51 bills focusing on that subject. Twenty redistricting bills in six states and the U.S. Congress have considered what criteria must be used to create redistricting plans. Establishing the residence of incarcerated individuals has also been the topic of legislation in several states, with four states considering seven bills on the topic. Other topics considered by state legislatures and the U.S. Congress include court challenges to redistricting plans, legislative and other studies related to redistricting, and the use of mathematical optimization models when redrawing legislative districts.

Bill	Status	Description
U.S. Congress HR 44	Pending – House Judiciary Committee	Would prohibit states from carrying out more than one congressional redistricting after a decennial census and apportionment.
U.S. Congress HR 124 & HR130	Pending – House Judiciary Committee	Would prohibit states from carrying out more than one congressional redistricting after a decennial census and apportionment, and requires states to conduct such redistricting through independent commissions.
U.S. Congress HR 131	Pending – House Judiciary Committee	Would require states to carry out congressional redistricting in accordance with a process under which members of the public are informed of redistricting proposals and have the opportunity to participate in the development of such proposals prior to their adoption, including use of an Internet website.
U.S. Congress HR 163	Pending – House Judiciary Committee	Would require the use of independent, nonpartisan commissions to carry out congressional redistricting and to require states to hold open primaries for elections for federal office.
U.S. Congress S 1972	Pending – Senate Judiciary Committee	Would prohibit partisan gerrymandering to ensure any redistricting of congressional district boundaries results in fair, effective, and accountable representation for all people.
U.S. Congress HR 2057	Pending – House Judiciary Committee	Would direct the Attorney General to enter into an agreement with the National Academies to conduct a study to develop guidelines, best practices, and examples for congressional redistricting.
U.S. Congress S 2226 & HR 3572	Pending – Senate Judiciary Committee (S 2226), Pending – House Judiciary Committee (H 3572)	Would require states to carry out congressional redistricting in accordance with plans developed and enacted into law by independent redistricting commissions.
Georgia SR 52	Pending – Carryover – Senate Reapportionment and Redistricting Committee	Proposes an amendment to the <i>Georgia Constitution</i> to require legislative and congressional reapportionment be done by an independent, nonpartisan commission instead of the General Assembly; provides for the establishment of the commission, the qualifications, and appointment of members of such commission; provides for related matters; and provides for submission of this amendment for ratification or rejection.
Georgia HB 283	Pending – Carryover – House Governmental Affairs Committee	Among other things, would establish the Georgia Voting Rights Commission; provides for its composition, manner of appointment, powers, and duties; provides for an independent Legislative and Congressional Reapportionment Office; and other related matters.

Bill	Status	Description
Georgia HR 369	Pending – Carryover – House Legislative and Congressional Reapportionment Committee	Proposes an amendment to the <i>Georgia Constitution</i> so as to provide that legislative and congressional reapportionment be done by an independent, nonpartisan commission instead of the General Assembly; provides for the establishment of such commission; provides for the qualifications and appointment of members of such commission; provides for the filling of vacancies on the commission; and provides for powers, duties, responsibilities, and resources for such commission.
Illinois SJRCA 4	Pending – Senate Committee on Assignments Committee	Proposes to amend the Legislature Article of the <i>Illinois Constitution</i> ; removes the requirement for each legislative district to be divided into two representative districts; modifies provisions concerning legislative redistricting; provides specified requirements for each legislative district, representative district, and congressional district for redistricting purposes; and replaces the current method of legislative redistricting with a certain number member commission.
Illinois HJRCA 10	Pending – House Rules Committee	Proposes to amend the Legislature Article of the <i>Illinois Constitution</i> , creates the Independent Redistricting Commission to adopt and file with the Secretary of State a redistricting plan for legislative and representative districts, provides for the selection of Commissioners, and establishes the authority of a special commissioner to design a redistricting plan in the event that the Commission fails to properly adopt and file a redistricting plan.
Illinois HJRCA 15	Pending – House Rules Committee	Proposes to amend the <i>Illinois Constitution</i> , which would remove the requirement for each legislative district to be divided into two representative districts; would modify provisions concerning legislative redistricting; provides specified requirements for each legislative district, representative district, and congressional district for redistricting purposes; and would replace the current method of legislative redistricting with a certain-numbered member commission, appointed by the Chief Justice.
Illinois HB 203	Pending – House Rules Committee	Would create the No Representation without Population Act, which would require the Department of Corrections to collect and maintain an electronic record of the legal residence, outside of any correctional facility, and other demographic data for each person entering its custody after a certain date, and provides for the minimum records that the Department shall maintain.
Kansas HCR 5006	Pending – Carryover – House Elections Committee	Would revise Article 10 of the <i>Kansas Constitution</i> to establish a redistricting commission.

Bill	Status	Description
Kentucky SB 214	Enacted 3/26/19	Changes the jurisdiction and venue for challenging legislative districts from Franklin Circuit Court to a panel of three Circuit Judges, and establishes procedures for selecting the panel and reviewing challenges.
Massachusetts S.13	Pending – Senate Second Reading	Proposes a legislative amendment to the <i>Massachusetts Constitution</i> to establish an independent redistricting commission.
Massachusetts H.679	Pending – Joint Committee on Election Laws	Would create an independent redistricting commission.
Minnesota SF 582 & HF 1018	Pending – Carryover – Senate State Government Finance and Policy and Elections Committee (582), House Subcommittee on Elections (1018)	Relates to redistricting, would provide for appointment of a commission to recommend the boundaries of legislative and congressional districts, would establish districting principles for legislative and congressional plans, and would assign duties to the Legislative Coordinating Commission.
Minnesota HF 1855	Pending – Carryover – House Ways and Means Committee	Proposes an amendment to the <i>Minnesota Constitution</i> that would establish a redistricting commission to adopt congressional and legislative district boundaries following each federal decennial census.
Minnesota SF 2255 & HF 2421	Pending – Carryover – Senate Rules and Administration Committee (S 2255), House Government Operations Committee (H 2421)	Proposes an amendment to the <i>Minnesota Constitution</i> that would establish a redistricting commission and redistricting principles.
Minnesota SF 2575	Pending – Carryover – Senate State Government Finance and Policy and Elections Committee	Relates to redistricting, would require the appointment of a commission to recommend the boundaries of legislative and congressional districts, would establish districting principles for legislative and congressional plans, and would assign duties to the Legislative Coordinating Commission and the Secretary of State.
Mississippi H 914	Enacted 3/19/19	Prohibits changes to precinct boundaries until the Legislature completes its redistricting plan for the House of Representatives and Senate districts.
Missouri SB 213	Enacted 7/11/19	Relates to the nonpartisan state demographer, provides that the demographer shall not accept directly or indirectly from any source other than the State any compensation, grants, stipends, retainers, or remuneration of any kind in connection with the redistricting process, including from any political campaign, political party committee, continuing committee, federal political action committee, or organization exempt from taxation.

Bill	Status	Description
Nebraska LB 253 & LB 466	Pending – Carryover – Special Committee on the Executive Board of the Legislative Council	Would adopt the Redistricting Act, would create a new Independent Redistricting Citizens Advisory Commission, would establish eligibility requirements for members of the Commission, and would establish principles and criteria for redistricting maps.
Nebraska LB 261	Pending – Carryover – Special Committee on the Executive Board of the Legislative Council	Would require use of redistricting maps drawn using State-issued computer software.
Nebraska LB 467	Pending – Carryover – Special Committee on the Executive Board of the Legislative Council	Would prohibit the consideration of the following in redistricting: the political affiliation of registered voters, demographic information other than population figures, or the results of previous elections, except as may be required by federal law.
Nebraska LB 578	Pending – Carryover – Judiciary Committee	Relates to redistricting, would provide for a venue of legal proceedings challenging laws regarding redistricting.
Nevada SCR 9	Adopted 5/24/19	Directs the Legislative Commission to appoint a committee to conduct an interim study of the requirements for reapportionment and redistricting in the state in conjunction with the data from the decennial census of 2020.
Nevada AB 450	Enacted 5/29/19	Relates to incarcerated persons; revises the manner in which certain incarcerated persons are counted for purposes of the apportionment of the population for legislative districts, congressional districts, and the districts of the Board of Regents; and requires the State Demographer, employed by the Department of Taxation, to, upon completion of the decennial census, revise the population counts for every block.
New Hampshire SB 8	Pending – Retained in Committee for Second Year Action	Would establish an independent redistricting commission.
New Hampshire CACR 9	Pending – Retained in Committee for Second Year Action	Proposes a constitutional amendment that would establish an independent redistricting commission to draw the boundaries for state and federal elections.
New Hampshire HB 603	Pending – Retained in Committee for Second Year Action	Would establish procedures and guidelines for apportioning electoral districts after the decennial census using a mathematical optimization process.
New Hampshire HB 706	Vetoed 8/9/19	Would have created an independent redistricting commission to convene no later than December 30 every ten years, beginning in 2020; identified the pool of eligible individuals to serve as commissioners; notified such eligible persons and invited them to apply; and specified the use advertisements and media to publicize the search for eligible members.

Bill	Status	Description
New Jersey SCR 33	Pending – Senate State Government, Wagering, Tourism, and Historic Preservation Committee	Proposes constitutional amendments that would establish redistricting standards for the Apportionment Commission, would require the Chief Justice of Supreme Court to select 11 members from pool of general public applicants, and would require the Commission to hold public hearings.
New Jersey SCR 43 & ACR 60	Pending – Senate (SCR 43), Assembly State and Local Government Committee (ACR 60)	Proposes a constitutional amendment that would change the Legislative Apportionment Commission membership, and would establish new requirements on the Commission regarding process and legislative district composition.
New Jersey ACR 88	Pending – Assembly State and Local Government Committee	Proposes a constitutional amendment that would require legislative districts be established in a manner that promotes competition between political parties.
New Jersey ACR 119 & SCR 152	Pending – Assembly State and Local Government Committee (ACR 119), Senate (SCR 152)	Proposes a constitutional amendment that would change the Legislative Apportionment Commission membership, and would establish new requirements on the Commission for process and legislative district composition.
New Jersey S 758 & A 1987	Pending – Assembly State and Local Government Committee	Would require incarcerated individuals from the state to be counted at a residential address for legislative redistricting purposes.
New Jersey A 1145	Pending – Assembly Judiciary Committee	Would require incarcerated individuals to be counted for redistricting purposes at their previous addresses if they are state residents and not counted if incarcerated and not state residents.
New York A 31	Pending – Assembly Governmental Operations Committee	Would provide for the establishment of state legislative districts by a nonpartisan commission, would require membership of the commission include no members of the legislature, and would make the commission's final apportionment subject to legislative approval.
North Carolina H 69	Pending – House Select Committee on Redistricting	Would establish a nonpartisan redistricting process.
North Carolina S 673	Pending – Senate Rules and Operations of the Senate Committee	Proposes an amendment to the <i>North Carolina Constitution</i> that would establish the Citizens Redistricting Commission.
North Carolina H 827	Pending – House Rules, Calendar, and Operations of the House Committee	Would establish the North Carolina Citizens Redistricting Commission.

Bill	Status	Description
Oklahoma HJR 1019	Pending – Carryover – House Rules Committee	Would direct the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the <i>Oklahoma Constitution</i> that adds a new section establishing an independent redistricting commission.
Pennsylvania HB 22	Pending – House State Government Committee	Proposes amendments to the <i>Pennsylvania Constitution</i> that would delete provisions relating to the Legislative Reapportionment Commission, and would provide for an Independent Redistricting Commission.
Pennsylvania SB 22	Pending – Senate Second Consideration	Proposes an amendment to the <i>Pennsylvania Constitution</i> that would provide for the Legislative Reapportionment Commission.
Pennsylvania HB 23	Pending – House State Government Committee	Would establish the Independent Redistricting Commission to oversee congressional and legislative redistricting.
Pennsylvania HB 401	Pending – House State Government Committee	Would provide for congressional redistricting plan, establish the Congressional Redistricting Commission, and make an appropriation.
Pennsylvania HB 402	Pending – House State Government Committee	Would enact the Redistricting Standards and Transparency Act.
Pennsylvania HB 940	Pending – House State Government Committee	Relates to determining residence of incarcerated individuals.
South Carolina S 6, S 135, & H 3044	Pending – Carryover – Senate Judiciary Committee (S 6 & S 135), House Judiciary Committee (H 3044)	Would propose an amendment to the <i>South Carolina Constitution</i> providing for an independent reapportionment commission, as well as the membership of the commission, selection of members, duties of the commission, approval of proposed apportionment plans, and apportionment in the event that a proposed apportionment plan is not approved.
South Carolina S 230 & H 3054	Pending – Carryover – Senate Judiciary Committee (S 230), House Judiciary Committee (H 3054)	Would create an independent redistricting commission; would provide that members of the commission be appointed every ten years after the following year of the decennial U.S. Census; and would provide for the membership and procedures to be followed by the Commission in reapportioning the House of Representatives, the Senate, and the state's congressional districts.
South Carolina S 249	Pending – Carryover – Senate Judiciary Committee	Would propose a constitutional amendment providing for an independent citizens redistricting commission to be known as the state Citizens Redistricting Commission, would require the General Assembly to provide for the membership and funding of the commission, and would specify the manner in which members of the commission are chosen and the duties of the commission.

Bill	Status	Description
South Carolina S 254	Pending – Carryover – Senate Judiciary Committee	Would establish the state Citizens Redistricting Commission for the purpose of submitting reapportionment plans to the General Assembly and providing for the selection, qualifications, powers, duties, and terms of the commission and its members.
South Carolina H 3167	Pending – Carryover – House Judiciary Committee	Would propose a constitutional amendment providing for an independent citizens redistricting commission to be known as the Citizens Redistricting Commission, and would require the General Assembly provide for the membership, selection of members, and funding of the commission.
South Carolina H 3390	Pending – Carryover – House Judiciary Committee	Would propose a constitutional amendment providing for an independent citizens redistricting commission to be known as the South Carolina Citizens Redistricting Commission, requires the General Assembly to provide for the membership and funding of the commission and the manner in which members of the commission are chosen.
South Carolina H 3432	Pending – Carryover – House Judiciary Committee	Would establish the South Carolina Citizens Redistricting Commission for the purpose of submitting reapportionment plans to the General Assembly and to provide for the selection, qualifications, powers, duties, and terms of the Commission and its members.
Tennessee SJR 169	Pending – Carryover – Senate Judiciary Committee	Would propose a constitutional amendment to establish an independent redistricting commission for senatorial and representative districts.
Tennessee SB 934	Pending – Carryover – Senate Judiciary Committee	Would impose public notice and public input requirements on a redistricting committee and upon consideration of a final redistricting plan.
Tennessee SB 935 & HB1409	Pending – Carryover – Senate Government Operations Committee (SB 935), House Government Operations Committee (HB 1409)	Would enact the Tennessee Congressional Redistricting Commission Act, which would establish a five-member congressional redistricting commission beginning in January 2021.
Vermont H 236	Pending – Carryover – House Government Operations Committee	Relates to amending the membership of the Legislative Apportionment Board.

Bill	Status	Description
Virginia SB 106 & HB 1598	Vetoed 5/18/18	Relates to congressional and state legislative districts, would establish standards and criteria, require districts to be established based on population, require districts be respected to the maximum extent possible, require districts be composed of contiguous territory, and require districts to be composed of compact territory.
Virginia HB 158	Vetoed 4/9/18	Related to House of Delegates and Senate district boundaries, have authorized the General Assembly to make technical adjustments to legislative district boundaries subsequent to the decennial redistricting solely for the purpose of causing legislative district boundaries to coincide with local voting precinct boundaries.
Virginia SJ 306	Enacted 2/23/19	Proposes a constitutional amendment establishing the Virginia Redistricting Commission, a 16-member Commission tasked with establishing districts for the U.S. House of Representatives and for the Senate and the House of Delegates of the General Assembly, and would require the Commission consist of eight legislative members and eight citizen members.
Virginia HJ 591	Enacted 2/18/19	Proposes a constitutional amendment giving the General Assembly the authority to make technical adjustments to legislative electoral district boundaries following the enactment of any decennial reapportionment law, and provides that such adjustments may be made solely for the purpose of causing legislative electoral district boundaries to coincide with the boundaries of voting.
Virginia HJ 615	Enacted 2/23/19	Proposes a constitutional amendment requiring the establishment of independent redistricting commissions by the General Assembly and the governing bodies of each county, city, or town in which members of the governing body are elected from districts, and provides that the purpose of these independent redistricting commissions is to propose electoral districts.
Virginia SB 983	Enacted 4/4/18	Prohibits counties, cities, and towns from creating, dividing, abolishing, or consolidating any precincts or otherwise changing the boundaries of any precinct during a specified period of time, except in certain specified circumstances, and provides that precinct ordinances may be adopted after and not implemented before specified dates.
Virginia SB 1087	Vetoed 4/29/19	Related to election districts, provided that the General Assembly could make technical adjustments to the legislative district boundaries following a decennial census solely for the purpose of causing district boundaries to coincide with the current boundaries of local voting precincts.

Bill	Status	Description
Virginia SB 1579	Vetoed 4/29/19	Related to standards and criteria for congressional and state legislative districts, provided criteria by which congressional and state legislative districts were to be drawn, including equal population, racial and ethnic fairness, respect for existing political boundaries, contiguity, compactness, and communities of interest. The criteria set out would have applied to those districts drawn following the 2020 U.S. Census, and thereafter.
Washington HB 1396	Pending – Carryover – House State Government and Tribal Relations Committee	Relates to criteria for redistricting maps and eligibility of redistricting commission members.
Washington SB 5287	Enacted 5/21/19 – Line Item Vetoed	Required counting incarcerated individuals as residents of their last known place of residence.
Wisconsin SB 288 & AB 303	Pending – Assembly Campaigns and Elections Committee	Would direct the Legislative Reference Bureau to draw redistricting plans based upon standards specified in the bill and would establish a Redistricting Advisory Commission to perform certain tasks in the redistricting process. The bill would also make various other changes to the laws governing redistricting.

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