

REDISTRICTING REFORM IN THE STATES: A 50-STATE ANALYSIS, JUNE 2011

by Joe Sroka¹

Summary of Trends:

With the completion of the 2010 Census, state legislatures are now in the process of the decennial redrawing of congressional, state, and local electoral districts. The process of creating new boundary lines is highly partisan and often comes at the expense of voters. By gerrymandering districts, legislators and their political allies use redistricting to choose their voters instead of giving voters the opportunity to choose them.

A previous version of this report² reviewed state attempts to improve this system through redistricting reform for 2009-10. This update seeks to report on redistricting bills introduced, passed, stalled, or implemented by state legislatures and voters through June 2011.

This review of redistricting reform in the states presents a mix of optimism and frustration for supporters of redistricting in the public interest. Of the many proposals addressed by the fifty state legislatures in the last two years, few have passed. Most of the proposals have died or are stuck in committee. Other proposals fall short of creating fully nonpartisan, independent redistricting panels. Given the fact that laws in many states prohibit redistricting more than once a decade, few states are likely to redistrict with any new, less partisan procedures before 2021 at the earliest.

FairVote's number one priority in relation to redistricting is to modify winner-take-all voting rules to make the act of drawing district lines less determinative of outcomes. Ideally in tandem with such new voting methods, FairVote also backs a more independent, more transparent and more criteria-driven process. We do not support every reform proposed here, but do applaud state legislators for efforts to rein in gerrymandering. As one example of voters indicating less tolerance for the status quo, voters in California in November 2010 handily rejected a ballot initiative that would have eliminated an independent redistricting commission established in 2008 and expanded the scope of that commission to redraw congressional districts in addition to state-level boundaries. In Texas, where redistricting has been notoriously partisan in recent decades, a proposed constitutional amendment which would establish an independent, nonpartisan commission was voted favorably out of committee in the state Senate.

We may not see reform across the country affect actual line-drawing for at least another decade, but the problem of politically-driven redistricting at the expense of the public interest is gaining awareness from average voters. This awareness may turn to action, making it all the more important to evaluate different approaches to make sure they achieve their objectives.

The following state-by-state list strives to be as complete as possible but given the number of bills proposed in state legislatures every year, it may not be fully inclusive. Please alert us at [jsroka \[at\] fairvote \[dot\] org](mailto:jsroka@fairvote.org) if you know of an omission. Last updated June 22, 2011.

¹ Legal Intern, FairVote. Prior 2010 Report by Patrick Withers and Billy Organek.

² <http://www.fairvote.org/redistricting-reform-in-the-states-june-2011>

50-State Analysis:

- Alabama
 - There is no pending redistricting reform legislation. The Alabama House and Senate passed Congressional redistricting maps which were signed by the Governor, and, as of June 2011, are awaiting approval by the U.S. Department of Justice.³
- Alaska
 - No notable legislation found. Alaska uses an independent redistricting commission to draw state legislative boundaries, but has only one congressional seat and thus has no need to redistrict at the federal level.⁴
- Arizona
 - Arizona passed a reform initiative in 2000 creating the Arizona Independent Redistricting Commission to conduct the redistricting process.⁵ Arizona is one of only six states (two of which have only one congressional seat) to use independent commissions composed entirely of citizens who are not legislators or public officials.⁶
- Arkansas
 - No notable legislation found. Congressional redistricting is controlled by the state legislature. On April 13, the state legislature produced a congressional map signed by the Governor.⁷
- California
 - In 2008, the voters of California amended the state constitution by enacting Proposition 11, one of the most comprehensive reforms of legislative redistricting to date. Proposition 11 created a 14-member committee to design and implement state-level redistricting plans comprised entirely of non-legislators. Indeed, besides being allowed to strike a limited number of names from the list of applicants, the members of the commission are chosen from the pool of applicants randomly, ensuring that the political and ideological composition of the commission cannot be influenced by any one actor.
 - California voters approved Proposition 20 in November 2010 which transferred authority over congressional seat redistricting to the California Citizen Redistricting Commission as well. Voters also rejected a ballot initiative that would have eliminated the independent redistricting commission.

³ <http://www.legislature.state.al.us/reapportionment/reap.html>

⁴ <http://www.americansforredistrictingreform.org/html/alaska.html>.

⁵ <http://www.azredistricting.org/>

⁶ <http://redistricting.ils.edu/who.php#independent>

⁷ <http://www.arkleg.state.ar.us/assembly/2011/2011R/Pages/BillInformation.aspx?measureno=HB1836>

- As of June 2011, the commission has delivered preliminary draft maps to the public for additional input.⁸
- Colorado
 - In the wake of the failure of the General Assembly to draw new congressional boundaries before the end of the 2011 session, Democratic Rep. Ed Casso announced he will sponsor legislation in the 2012 session to end that requirement and turn it over to an independent commission.⁹
 - The bill would seek a referred measure to the 2012 General Election ballot, and would need a two-thirds majority vote in the House and Senate before going onto the ballot.¹⁰
- Connecticut
 - No notable legislation found. Note that while there is complete legislative control of the process from the outset, all redistricting votes must pass by a two-thirds margin of both houses. If this does not occur, a commission is created which has the authority to redesign districts and, if that also fails, the state Supreme Court draws the districts unilaterally.¹¹
- Delaware
 - House Minority Leader Gregory Lavelle has said that Republicans are working on legislation that would establish an independent redistricting commission for state legislative districts.¹² However, the state's regular legislative session ends on June 30.¹³ Note that Delaware has only one seat in Congress and therefore has no need to redistrict at the federal level.¹⁴
 - Delaware passed legislation in June 2010 which counts prisoners as residents of their prior address rather than place of incarceration.¹⁵
 - SB 20 was introduced in 2009 and seeks to create an independent commission to apportion state legislative districts.¹⁶ The bill was referred to the Senate Finance Committee, and does not appear to have been reintroduced for the 2011 session.¹⁷
- Florida
 - Amendments 5 and 6 were passed by ballot initiative with more than 60% support in November 2010, thus becoming part of the state constitution. These amendments require that legislative and congressional districts be drawn in a way which neither favors nor disfavors incumbents. Also, districts cannot be drawn to

⁸ <http://wedrawthelines.ca.gov/>

⁹ <http://coloradostatesman.com/content/992813-casso-seek-end-general-assembly-redistricting>

¹⁰ *Id.*

¹¹ <http://www.americansforredistrictingreform.org/html/connecticut.html>.

¹² http://ballotpedia.org/wiki/index.php/Redistricting_in_Delaware#Independent_commission

¹³ <http://www.ncsl.org/?tabid=21346>

¹⁴ <http://redistricting.ills.edu/states-DE.php>

¹⁵ <http://legis.delaware.gov/LIS/LIS145.nsf/vwLegislation/HB+384?Opendocument>

¹⁶ Delaware only has one congressional district so it is unnecessary to discuss congressional district allocation.

¹⁷ <http://www.legis.delaware.gov/LIS/LIS145.NSF/vwLegislation/SB+20?Opendocument>

deny the voice of racial or language minorities. Districts must be contiguous and, unless otherwise required, compact. They should have as equal in population as possible, and where feasible must make use of existing city and natural boundaries.¹⁸ However, the redrawing process is still within the control of state legislators, who must abide by the amendments.¹⁹

- The Justice Department precleared the amendments on May 31, 2011, yet Amendment 6, as it pertains to congressional seats, is being challenged in federal court. The pending litigation claims the amendment violates the Elections Clause of the U.S. Constitution.²⁰
- Georgia
 - SB 175²¹ and SR 263²² were introduced in February 2011 and would delegate redistricting authority to an independent, nonpartisan commission instead of the General Assembly. On March 1, 2011 the legislation was read in the Georgia Senate and referred to the Reapportionment and Redistricting committee.
 - The regular legislative session ended in April, but there is a possibility that a special session will be called in August to deal specifically with redistricting.²³
- Hawaii
 - No notable legislation found. Hawaii already has a reapportionment commission for both congressional and state legislative districts.²⁴ The commission is comprised of nine members: two chosen by the President of the Senate, two chosen by the House Speaker, two chosen by a Senate member of the opposite political party as the President of the Senate, two chosen by a House member of the opposite political party as the House Speaker, and a chair chosen by the other 8 members. This commission files the plan after meeting with an advisory committee and public hearings. The commission has wide discretion, provided that certain basic requirements are met, such as no district extending beyond any one of the state's "primary units."²⁵
- Idaho
 - Idaho has an independent commission to handle reapportionment in the state legislature and Congress.²⁶ A bill was introduced in the Idaho House of Representatives (H0594) allowing any challenges to the commission's plan to be heard on an expedited basis by the State Supreme Court. If revision is found to be necessary or if the court is unable to decide the case in the required time, that revision will be done by the legislature. The bill was in committee for the 2010

¹⁸ <http://faculty.ills.edu/levitt/states-FL.php>

¹⁹ <http://redistricting.ills.edu/states-FL.php>

²⁰ <http://faculty.ills.edu/levitt/files/FL%20diaz-balartvscott%2020110120%20d%20complaint.pdf>

²¹ <http://www.legis.ga.gov/Legislation/en-US/display.aspx?Legislation=33227>

²² <http://www.legis.ga.gov/Legislation/en-US/display.aspx?Legislation=33221>

²³ <http://www.ncsl.org/?tabid=21346>

²⁴ Haw. Rev. Stat. §25-2

²⁵ <http://hawaii.gov/elections/reapportionment/>

²⁶ <http://legislature.idaho.gov/redistricting/redistricting.htm>

session, and does not appear to have been reintroduced or voted on during the 2011 session which ended in April.²⁷

- Illinois

- After passing the House and Senate the Governor signed the two-part SB3976 in March 2011. The Illinois Voting Rights Act of 2011 is aimed at keeping communities of interest, including minority populations, from being divided by requiring the new political maps to include with crossover, coalition, and influence districts.²⁸ The Redistricting Transparency and Public Participation Act provides for four public hearings around the state in order to hear from the public on existing districts.²⁹ It does not create an independent commission, nor allow for public input on the newly redrawn maps.³⁰
- The Prisoner Census Adjustment Act (HB0094), which would have required census figures to be adjusted to count prisoners at their pre-incarceration address rather than in the district where they are imprisoned, failed to pass in April 2011.³¹
- In February 2010, SC104 was introduced in the state Senate, proposing to create a redistricting advisory commission with the authority to propose redistricting plans to the state legislature which can then approve the plan or reject it without amendment.³² It also permits house districts to be decoupled from congressional districts and for senators to be divided into three classes.³³ The bill was held in the Senate Redistricting Committee³⁴ and was not moved from committee during the latest legislative session.³⁵ This bill follows another one (SC121) which would have reformed some of the more arcane state Constitutional provisions for redistricting while not going as far as recommending a commission.³⁶ This vote failed in the state House of Representatives by two votes.³⁷

- Indiana

- Senate Bill 401 (SB401) would establish an advisory committee to study the topic of redistricting and make recommendations for improvement. The commission

²⁷ <http://legislature.idaho.gov/legislation/2010/H0594.htm>; <http://www.ncsl.org/?tabid=21346>

²⁸ <http://ilga.gov/legislation/fulltext.asp?DocName=&SessionId=76&GA=96&DocTypeId=SB&DocNum=3976&GAID=10&LegID=54268&SpecSess=&Session=>

²⁹ <http://ilga.gov/legislation/fulltext.asp?DocName=&SessionId=76&GA=96&DocTypeId=SB&DocNum=3976&GAID=10&LegID=54268&SpecSess=&Session=>

³⁰ http://newsblogs.chicagotribune.com/clout_st/2011/03/quinn-expected-to-sign-redistricting-legislation-in-chinatown.html

³¹ <http://www.ilga.gov/legislation/BillStatus.asp?DocNum=94&GAID=11&DocTypeID=HB&LegId=54567&SessionID=84&GA=97>

³² <http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=76&GA=96&DocTypeId=SJRCA&DocNum=0104&GAID=10&LegID=52324&SpecSess=0&Session=0>

³³ *Id.*

³⁴ <http://www.ilga.gov/legislation/BillStatus.asp?DocNum=0104&GAID=10&DocTypeID=SJRCA&LegID=52324&SessionID=76&GA=96&SpecSess=0>

³⁵ *Id.*

³⁶ http://newsblogs.chicagotribune.com/clout_st/2010/04/illinois-house-votes-down-redistricting-reform.html

³⁷ *Id.*

would study the possibility of using an independent redistricting commission starting in 2021. There has been no movement on the bill and it remains in committee.³⁸

- Senate Bill 468 (SB468)³⁹ and Joint Resolution 1 (HJR1)⁴⁰ would establish an independent redistricting commission. Both bills remain in committee and are unlikely to be enacted.⁴¹
- The regular session of the Indiana legislature ended on April 29.⁴²
- Iowa
 - No notable legislation was found. Iowa already uses an independent process for drawing congressional and state legislative boundaries where the Legislative Services Agency (LSA) prepares draft redistricting plans under criteria set almost entirely by statute. LSA can submit up to three plans which the legislature may accept, or reject without modification at which point LSA prepares another set considering the legislature's feedback. Although the Iowa legislature has the ability to reject three LSA plans and then entirely substitute its own, it has not chosen to do so since the procedure's inception in 1980.⁴³
 - On March 31, 2011, the LSA proposed draft state legislative and congressional maps. The legislature approved the proposals, and on April 19 they were signed into law, making Iowa one of the earliest redistricting states in the country.⁴⁴
- Kansas
 - Kansas Democrats have proposed a nonpartisan redistricting commission to redraw the state's legislative boundaries. However, most Republicans are opposed to this legislation so passage is unlikely at this time. Past Republican supporters of the proposal have suggested such a plan could not be approved right before the Legislature starts the redistricting process.⁴⁵
- Kentucky
 - No notable legislation found. The Kentucky legislature is responsible for redistricting and the actual work of redrawing boundaries is expected to begin sometime in July, 2011.⁴⁶ An interim committee of legislators has been appointed

³⁸http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2011&session=1&request=getBill&doctype=SB&docno=0401#latest_info

³⁹<http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2011&session=1&request=getBill&docno=0468&doctype=SB>

⁴⁰<http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2011&session=1&request=getBill&docno=0001&doctype=HJR>

⁴¹ <http://ipin.org/2011/02/23/house-democrats-kill-independent-redistricting-commission-that-would-end-gerrymandering/>

⁴² <http://www.ncsl.org/?tabid=21346>

⁴³ <http://redistricting.lls.edu/states-IA.php>

⁴⁴ *Id.*

⁴⁵ <http://www2.ljworld.com/news/2011/mar/06/capitol-briefing-news-kansas-statehouse/>

⁴⁶ http://ballotpedia.org/wiki/index.php/Redistricting_in_Kentucky

to guide the process.⁴⁷

- Louisiana
 - HB 405⁴⁸ would see 11 people named to a special redistricting commission. Each branch of the government would have some input, with the House and Senate each two appointees, and Governor having one. The final six members would be chosen by the state's Supreme Court.⁴⁹ As of April 2011, the bill has been assigned to the House & Government Affairs Committee, and no further action has been taken.⁵⁰ The regular legislative session ended June 23.⁵¹
- Maine
 - No notable legislation found. Maine allows the legislature to draw and pass legislative and congressional district legislation but requires a two-thirds supermajority to pass and is subject to gubernatorial veto. If this fails, the state Supreme Court may draw the boundaries.⁵² The process is aided by a 15-member advisory commission that recommends plans to the legislature, but only in a consultative capacity.⁵³
- Maryland
 - No notable legislation found. In April 2010, Maryland passed a law⁵⁴ that counts incarcerated persons for purposes of redistricting as residing at their home address rather than at their place of incarceration.⁵⁵
- Massachusetts
 - The state Senate rejected an independent redistricting commission bill (S11) in January 2011,⁵⁶ and the House voted down a similar bill (H1975) in March 2011.⁵⁷
- Michigan
 - Two bills (SB 0301⁵⁸ & SB 0302⁵⁹) were introduced in the state Senate in March 2011 seeking to create an independent, bipartisan redistricting commission. The

⁴⁷ <http://www.lrc.ky.gov/Committee/interim%20joint/St%20Gov/home.htm>

⁴⁸ <http://www.legis.state.la.us/billdata/streamdocument.asp?did=741212>

⁴⁹ <http://www.legis.state.la.us/billdata/streamdocument.asp?did=741225>

⁵⁰ <http://www.legis.state.la.us/>

⁵¹ <http://www.ncsl.org/?tabid=21346>

⁵² <http://www.americansforredistrictingreform.org/html/maine.html>

⁵³ <http://faculty.ills.edu/levitt/states-ME.php>

⁵⁴ <http://mlis.state.md.us/2010rs/billfile/hb0496.htm>; <http://mlis.state.md.us/2010rs/billfile/sb0400.htm>

⁵⁵ http://www.prisonersofthecensus.org/news/2010/04/13/maryland_law/

⁵⁶ <http://www.malegislature.gov/Bills/187/Senate/S00011>

⁵⁷ <http://www.malegislature.gov/Bills/187/House/H01975>

⁵⁸ <http://www.legislature.mi.gov/%28S%28yxfwujn0g2aprh55itqiak30%29%29/mileg.aspx?page=getobject&objectname=2011-SB-0301&query=on>

⁵⁹ <http://www.legislature.mi.gov/%28S%28yxfwujn0g2aprh55itqiak30%29%29/mileg.aspx?page=getobject&objectname=2011-SB-0302&query=on>

nine-member committee would be formed with four appointees from each major party and one appointee made by the Auditor General of Michigan, an officially nonpartisan position. As of June 2011, both bills were before the Committee on Government Operations.

- House bill (HJ 8) proposed a minimum of six public hearings after Census data is released and would require online disclosure for communications involving redistricting from outside parties to House members and staff. The bill was defeated in January 2011.⁶⁰
- Minnesota
 - House File 405 (HF 406),⁶¹ which calls for an independent commission, was introduced on February 7. The bill would allow the Senate and House majority and minority leaders to select one member each of the five member commission of retired judges. The four appointees would then select the fifth member of the commission. The sponsor of the bill is not optimistic about its chances, but contends that it could avoid yet another decade of court-drawn maps.⁶²
 - Senate File 5 (SF5)⁶³ would create a non-partisan commission of retired judges to re-draw district lines. The commission would prepare three plans to present to the legislature for review. The bill outlines several redistricting principles to guide the process. These principles include: districts must be within 2% of ideal populations, districts must be compact, the votes of racial and language minorities must not be diluted, lines should be drawn to favor the election of minorities, districts should foster competitiveness, and districts should keep communities of interest intact.⁶⁴
 - The regular legislative session ended on May 23 with no further action taken on either bill.⁶⁵
- Mississippi
 - No notable legislation found. Mississippi's congressional lines are drawn by the legislature, as a regular statute, subject to gubernatorial veto.⁶⁶
- Missouri
 - HJR 19 proposes a constitutional amendment which would create an office of a state demographer who would, following guidelines such as convenient contiguous territory and compactness, have full authority to draw the legislative districts for the state. As of June 2011, the bill is in the House Special Standing Committee on Redistricting and is unlikely go to a vote as a hearing has not been

⁶⁰<http://www.legislature.mi.gov/%28S%28yxfwujn0g2aprh55itqiak30%29%29/mileg.aspx?page=getobject&objectname=2011-HJ-01-27-008>

⁶¹ <https://www.revisor.mn.gov/bin/bldbill.php?bill=H0406.0.html&session=ls87>

⁶² <http://hopkins.patch.com/articles/simon-aims-to-de-politicize-redistricting-process>

⁶³ https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF0005&ssn=0&y=2011

⁶⁴ http://presspubs.com/articles/2011/03/01/shoreview_press/news/doc4d6d5c26c7cad688984207.txt

⁶⁵ <http://www.ncsl.org/?tabid=21346>

⁶⁶ <http://redistricting.ills.edu/states-MS.php>

scheduled.⁶⁷ The regular legislative session ended on May 30.⁶⁸

- Montana
 - No notable legislation found. Montana already uses an independent commission to draw its state legislative districts, and only has one congressional seat meaning there is no need to redistrict at the federal level.⁶⁹
- Nebraska
 - No notable legislation found. On May 26, 2011, the unicameral legislature passed both LB 704⁷⁰ (congressional lines) and LB 703⁷¹ (state legislative lines), which were signed by the Governor on the same day.⁷²
- Nevada
 - No notable legislation found. The legislature passed two legislative and congressional redistricting plans in 2011, both of which were vetoed by the governor.⁷³ The legislature has adjourned until 2013, meaning the process of redrawing lines will fall to the courts and reform legislation is unlikely to be enacted.⁷⁴
- New Hampshire
 - HB 224⁷⁵ would have established a bipartisan commission to create redistricting plans. In March 2011 a House special committee voted to prevent further consideration of the bill.⁷⁶ The regular legislative session ends July 1.⁷⁷
- New Jersey
 - New Jersey uses bipartisan commissions with a public interest representative as the “swing vote” to complete its redistricting process.⁷⁸
 - Bill A2251, which would require incarcerated individuals be counted as residents of their address prior to incarceration rather than place of incarceration, was introduced in 2010 and remains in committee.⁷⁹ Similarly, Bill A3922 would count only New Jersey residents while excluding prisoners who are originally out-

⁶⁷ <http://www.house.mo.gov/billsummary.aspx?bill=HJR19&year=2011&code=R>

⁶⁸ <http://www.ncsl.org/?tabid=21346>

⁶⁹ <http://www.americansforredistrictingreform.org/html/montana.html>

⁷⁰ http://nebraskalegislature.gov/bills/view_bill.php?DocumentID=14476

⁷¹ http://nebraskalegislature.gov/bills/view_bill.php?DocumentID=14237

⁷² <http://redistricting.ils.edu/states-NE.php>

⁷³ <http://redistricting.ils.edu/states-NV.php>

⁷⁴ <http://www.lasvegassun.com/news/2011/jun/09/nv-nevada-redistricting-1st-ld-writethru/>

⁷⁵ <http://www.gencourt.state.nh.us/legislation/2011/hb0224.html>

⁷⁶ <http://www.gencourt.state.nh.us/index/indexstatus.asp?expbillno=hb0224&txtsessionyear=2011>

⁷⁷ <http://www.ncsl.org/?tabid=21346>

⁷⁸ <http://redistricting.ils.edu/states-NJ.php>

⁷⁹ <http://www.njleg.state.nj.us/bills/billsbynumber.asp>

of-state.⁸⁰

- New Mexico
 - HJR 21 would permanently establish an 8 member bipartisan redistricting commission made up of 4 Republicans and 4 Democrats. The members would be appointed by legislative leaders.⁸¹ HB332 would create an 18-member bipartisan legislative committee for redistricting. The number of members from the two major parties would be proportional to that party's overall representation in the state House and Senate.⁸² As of February 2011, action on both measures has been postponed indefinitely.⁸³ The regular legislative session ended in March 2011.⁸⁴
- New York
 - There has been a strong push by reform advocates⁸⁵ and political leaders to implement an independent redistricting commission in New York. A number of bills have been introduced (A5388/S3419, A6482, S660, S2543/A3432) that would establish an independent redistricting commission.⁸⁶
 - Under the Governor's Redistricting Reform Act of 2011 (A5388/S3419), members of the Independent Redistricting Commission would be chosen by the legislative leaders from a bipartisan pool of qualified candidates that reflects the state's geographic, racial, ethnic, and gender diversity.⁸⁷ The bills were referred to committee but were not acted upon before the end of the legislative session.⁸⁸
 - The state currently has a Task Force on Demographic Research and Reapportionment, consisting of six members (4 legislators and two non-legislators), which offers technical advice on the techniques and methodologies used by the census.⁸⁹
 - New York enacted legislation in 2010 which counts prisoners as residents of their prior address rather than place of incarceration.⁹⁰
- North Carolina
 - On June 9, the House approved HB824⁹¹ which fundamentally restructures the state's redistricting process. Modeled after Iowa, the proposed law shifts responsibility for redistricting from the state legislature to the nonpartisan staff in the Legislative Services Office. Once drafted by the office, the plan would

⁸⁰ *Id.*

⁸¹ <http://www.nmlegis.gov/Sessions/11%20Regular/resolutions/house/HJR21.pdf>

⁸² <ftp://www.nmlegis.gov/bills/house/HB0332.pdf>

⁸³ <http://www.nmlegis.gov/lcs/BillFinderNumber.aspx>

⁸⁴ <http://www.ncsl.org/?tabid=21346>

⁸⁵ <http://www.nyuprising.org/>

⁸⁶ <http://assembly.state.ny.us/leg/>

⁸⁷ http://www.thegovmonitor.com/world_news/united_states/new-york-to-create-independent-redistricting-commission-46620.html

⁸⁸ <http://www.mpnnow.com/government/x1425870658/Redistricting-revamp-going-nowhere-so-far>

⁸⁹ <http://www.latfor.state.ny.us>

⁹⁰ <http://www.prisonersofthecensus.org/legislation.html#enacted>

⁹¹ <http://www.ncga.state.nc.us/gascripts/BillLookUp/BillLookUp.pl?Session=2011&BillID=HB+824>

proceed to the legislature for an up or down vote. The bill now proceeds to the State Senate, but even if approved, the law would not take effect until after the 2020 census.⁹²

- Two other bills (S591⁹³ and H783⁹⁴) have also been introduced and referred to committee.
- A special legislative session for redistricting has been scheduled for July 2011.⁹⁵
- North Dakota
 - North Dakota has only one congressional seat so there is no need to redistrict at the federal level.
 - HB 1267, signed on April 18, establishes a special state redistricting committee and exempts redistricting plans from the state's open records law. The law also sets a deadline of October 31, 2011 for the committee to submit redistricting legislation. In addition, the law directs the Governor to call a special session to adopt the state's new maps.⁹⁶
 - A proposed constitutional amendment that would have placed a bipartisan commission in charge of state redistricting was defeated in the state House. Even if the measure had passed, it would not have taken effect until the next redistricting cycle.⁹⁷
- Ohio
 - Ohio has a decades-long history of debate about reforming its redistricting process, with major overhauls considered in ballot measures and legislative proposals. SJR5/HJR15, which would have created a commission to draw congressional and state legislative districts, passed the state Senate but failed in the House in December 2010.⁹⁸
- Oklahoma
 - No legislation has been introduced, and proposals for an independent commission have not gained any momentum.⁹⁹
- Oregon
 - An initiative to have a panel of retired judges draw legislative districts failed to secure a place on the November 2010 ballot after the Secretary of State ruled that

⁹² <http://www.ncredistrictingreform.com/news/index.php>

⁹³ <http://www.ncga.state.nc.us/gascripts/BillLookUp/BillLookUp.pl?Session=2011&BillID=SB+591&submitButton=Go>

⁹⁴ <http://www.ncga.state.nc.us/gascripts/BillLookUp/BillLookUp.pl?Session=2011&BillID=HB+783&submitButton=Go>

⁹⁵ http://www.news-record.com/content/2011/06/23/article/nc_redistricting_changed_1_map_release_delayed

⁹⁶ <http://e-lobbyist.com/gaits/view/225402>

⁹⁷ <http://www.legis.nd.gov/assembly/62-2011/bill-actions/ba3012.html>

⁹⁸ <http://www.lsc.state.oh.us/status128/sr128.pdf>

⁹⁹ http://newsok.com/scissortales-independent-redistricting-commission-idea-dead-for-now/article/3563188?custom_click=pod_headline_opinion-oklahoman-editorials

approximately 10% of the signatures did not meet legal requirements.¹⁰⁰ Sponsors¹⁰¹ of the initiative¹⁰² are continuing in their efforts to get the reform proposal on the next ballot.¹⁰³ The initiative would “create an independent redistricting commission that would produce a new legislative district plan in 2013. This plan would supersede any plan produced by either the Legislature or by the secretary of state (who under current law is given the job if lawmakers and the governor fail to agree on a plan).”¹⁰⁴

- Pennsylvania
 - HB 134 seeks to create more openness and transparency in the redistricting process. The bill would require a 30 day public comment period after the release of draft maps. It also calls for the public to be able to submit their own plans and that the commission make data and software publically available to do so. The process would also include open meetings and maintenance of a redistricting website with updates for the public to view. The bill was referred to the State Government committee in the House in February 2011.¹⁰⁵
 - SB 650 proposes a constitutional amendment expanding the role of the Legislative Reapportionment Commission (whose name is incidentally changed to the Legislative and Congressional Reapportionment Bureau) to handle both legislative and congressional reapportionment. However, the Bureau would not make the final decision as in current law, as any plan must be submitted to the legislature for a vote. The measure has been in the state Senate State Government committee since February 2011 and is therefore unlikely to receive a reading.¹⁰⁶
- Rhode Island
 - Legislation to shape a 2011 redistricting advisory commission is under consideration: H 6096¹⁰⁷ passed the state House on June 9, and S 924¹⁰⁸ passed the state Senate on May 26. If signed by the governor, the legislation will establish an 18-member commission comprised of 12 state lawmakers and 6 members of the general public. The commission would then make recommendations to the Rhode Island General Assembly by January 15, 2012 on new Congressional and state legislative maps.¹⁰⁹ The reform does not create an independent commission and does not prevent partisan considerations in the redrawing process.

¹⁰⁰ http://www.oregonlive.com/politics/2010/07/redistricting_measure_fails_to.html.

¹⁰¹ <http://www.commonensefororegon.com/measures/independent-redistricting-commission-amendment/>

¹⁰² <http://www.sos.state.or.us/elections/irr/2012/010text.pdf>

¹⁰³ http://blog.oregonlive.com/mapesonpolitics/2011/03/kevin_mannix_pursues_new_orego.html

¹⁰⁴ http://blog.oregonlive.com/mapesonpolitics/2011/03/kevin_mannix_pursues_new_orego.html

¹⁰⁵ <http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2011&sind=0&body=H&type=B&bn=0134>

¹⁰⁶ <http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2011&sind=0&body=S&type=B&bn=0650>

¹⁰⁷ <http://www.rilin.state.ri.us/billtext11/housetext11/h6096.htm>

¹⁰⁸ <http://www.rilin.state.ri.us/billtext11/senatetext11/s0924.htm>

¹⁰⁹ http://www.projo.com/news/politics/content/REDISTRICTING_COMMISSION_06-10-11_C7OIEHL_v31.31ffb68.html

- Senate Bill 340¹¹⁰ proposes that all incarcerated persons be considered, for purposes of apportionment, as residents of their last address on record before incarceration rather than the place of incarceration. The committee recommended the measure be held for further study in March 2011.¹¹¹
- South Carolina
 - No notable legislation pending. The state legislature is responsible for drawing district boundaries.¹¹²
- South Dakota
 - South Dakota only has one Congressional seat and therefore no need to redraw districts at the federal level.
 - House Bill 1101¹¹³ and Senate Bill 162¹¹⁴ provide for state legislative redistricting by a bipartisan, non-legislative commission of seven members (four chosen by the party leaders of each house with the remaining three chosen by the four appointed members). While the committee must seek advice from the public and the legislature, it has the final decision over the map, subject to judicial review. These measures have been deferred by the committee to the 41st legislative day, which probably means the bills will not pass out of committee.¹¹⁵
 - House Bill 1121¹¹⁶ proposes policies for redistricting such as maintaining communities of interest, creation of regular and contiguous districts, and district coherence with existing county and municipal boundaries. This bill has also been deferred.¹¹⁷
 - The regular legislative session ended on March 28.¹¹⁸
- Tennessee
 - HB 801 and SB 1370¹¹⁹ would establish an independent, non-politician Congressional Redistricting commission to redraw Congressional lines. The five-member appointed commission could not consider any of the following factors, except where necessary to comply with applicable federal law: the voting history of the population of a congressional district; the political party affiliation of the population of a district; or the residence of incumbent members of the U.S. House of Representatives. The bills are in committee and have not been voted on by either body.¹²⁰ For similar proposals, see HB 1694 and SB 1369.¹²¹

¹¹⁰ <http://www.rilin.state.ri.us/BillText11/SenateText11/S0340.pdf>

¹¹¹ <http://dirac.rilin.state.ri.us/BillStatus/WebClass1.ASP?WCI=BillStatus&WCE=ifrmBillStatus&WCU>

¹¹² <http://redistricting.lls.edu/states-SC.php>

¹¹³ <http://legis.state.sd.us/sessions/2011/Bills/HB1101P.pdf>

¹¹⁴ <http://legis.state.sd.us/sessions/2011/Bills/SB162P.pdf>

¹¹⁵ <http://legis.state.sd.us/sessions/2011/Bill.aspx?Bill=1101>

¹¹⁶ <http://legis.state.sd.us/sessions/2011/Bills/HB1121P.pdf>

¹¹⁷ <http://legis.state.sd.us/sessions/2011/Bill.aspx?Bill=1121>

¹¹⁸ <http://www.ncsl.org/?tabid=21346>

¹¹⁹ <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB0810>

¹²⁰ <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB0810>

¹²¹ <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=HB1694>

- HB 1186 and SB 883 would require maps corresponding to bills and amendments modifying legislative and congressional districts to be posted on the website of general assembly for 60-day period prior to adoption of any such bill or amendment; and allow public comment through website during the 60-day period.¹²²
- There are also multiple joint resolutions (SRJ 76¹²³ and SRJ 93¹²⁴) that would establish an independent redistricting commission by constitutional amendment for state legislative districts. The bills are still in committee.
- Finally, there are multiple pending bills expressing the need to maintain compliance with federal and state constitutions as well as judicial decisions during the redistricting process.¹²⁵
- The regular legislative session ended on May 21.¹²⁶
- Texas
 - SB 22 would create an independent, non-politician redistricting committee to draw congressional and legislative lines through a constitutional amendment.¹²⁷ On June 20, 2011 the bill was reported favorably out of committee and must now pass the Senate with a majority¹²⁸ in order to proceed.¹²⁹ Rep. Jim Keffer has agreed to introduce a companion bill in the House.¹³⁰
 - HJR 95 would create a similar nine-member appointed committee which would take into account political subdivisions and areas of interest, but would not consider party affiliation.¹³¹ The bill was referred to the House Redistricting committee in March 2011.
 - The governor called a special legislative session to address redistricting on May 31.¹³²
- Utah
 - Advocacy groups such as Utah Citizens' Council¹³³ are pushing for legislation that would establish an independent, nonpartisan redistricting commission.¹³⁴
 - The group Fair Boundaries tried and failed to get enough signatories to put a measure on the 2010 ballot for the creation of an independent redistricting commission.¹³⁵

¹²² <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0883>

¹²³ <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SJR0076>

¹²⁴ <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SJR0093>

¹²⁵ <http://wapp.capitol.tn.gov/apps/billsearch/billsearchadvanced.aspx?terms=redistricting&searchtype=all>

¹²⁶ <http://www.ncsl.org/?tabid=21346>

¹²⁷ <http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=821&Bill=SB22>

¹²⁸ <http://dallasmorningviewsblog.dallasnews.com/archives/2011/06/hope-for-congre.html>

¹²⁹ <http://www.capitol.state.tx.us/BillLookup/BillStages.aspx?LegSess=821&Bill=SB22>

¹³⁰ <http://dallasmorningviewsblog.dallasnews.com/archives/2011/06/hope-for-congre.html>

¹³¹ <http://www.capitol.state.tx.us/tlodocs/82R/billtext/pdf/HJ00095I.pdf#navpanes=0>

¹³² <http://www.ncsl.org/?tabid=21346>

¹³³ <http://www.utahcitizenscounsel.org/>

¹³⁴ <http://www.sltrib.com/sltrib/home/51176469-76/utah-state-redistricting-group.html.csp>

- In 2010, HB 164 sought to create an advisory commission which would study different plans and submit the best plan to the legislature for approval. The bill was effectively defeated in the state House of Representatives by a vote to strike the bill's enacting clause.¹³⁶
- Vermont
 - No notable legislation found. Vermont only has one congressional district and therefore has no need to redistrict at the federal level. For state legislative lines, Vermont uses a 7-member advisory committee to assist in the process.¹³⁷
- Virginia
 - SB 932 was introduced in 2011 and would create a nonpartisan five-member commission that would be prohibited from considering the interests of any political party or any impact on incumbent legislators during the redrawing process.¹³⁸ The bill passed the Senate on a 40-0 vote, but was rejected by the Privileges and Elections Committee, preventing the bill from moving forward.¹³⁹
 - In 2010, SB 173 and companion bills HB 638 and HB 323, seeking to establish a bipartisan redistricting commission were also killed by the same House committee.¹⁴⁰
 - SJ 321 proposed a constitutional amendment which would create a partisan 13-member commission to handle the redistricting process which was killed by the same House committee.¹⁴¹
 - The Governor created an advisory commission by executive order¹⁴² in 2011 to solicit public input on redistricting plans. Plans created by the commission are merely recommendations and the legislature is free to ignore such proposals. The Governor selected five citizens of each major party who have not held elected office within the last five years, and are not now employees of Congress or the state legislature, and will select one chair who has not held public or party office and is not "identifiable with" any party.¹⁴³
- Washington
 - No notable legislation found. Since 1982, Washington has used a bipartisan commission to redistrict.¹⁴⁴

¹³⁵ <http://www.deseretnews.com/article/700024833/Citizens-initiatives-Fair-Boundaries-falls-short-ethics-supporters-keep-fighting.html>

¹³⁶ <http://le.utah.gov/~2010/htmldoc/hbillhtm/hb0164.htm>

¹³⁷ <http://redistricting.lls.edu/states-VT.php>

¹³⁸ <http://lis.virginia.gov/cgi-bin/legp604.exe?111+cab+SC10127SB0932+BRREF>

¹³⁹ <http://hamptonroads.com/2011/02/va-house-panel-kills-nonpartisan-redistricting-plan>

¹⁴⁰ <http://leg1.state.va.us/cgi-bin/legp504.exe?ses=101&typ=bil&val=SB173&Submit2=Go>

¹⁴¹ <http://lis.virginia.gov/cgi-bin/legp604.exe?111+sum+SJ321>

¹⁴² <http://www.governor.virginia.gov/Issues/ExecutiveOrders/2011/EO-31.cfm>

¹⁴³ <http://redistricting.lls.edu/states-VA.php>

¹⁴⁴ <http://redistricting.lls.edu/states-WA.php>

- West Virginia
 - SB 409 would create a nine-member nonpartisan redistricting panel of retired state or federal judges who would draw new boundaries and submit plans to the legislature. The legislature would then vote on the proposals without amendments.¹⁴⁵ The bill was assigned to the Judiciary committee and has not moved since February 2011.¹⁴⁶
 - HB 2367¹⁴⁷ seeks to require all of the districts in the next census to use single member districts. This measure remained in committee, and the legislature is no longer in session.¹⁴⁸
- Wisconsin
 - A number of newspaper editorials have called for nonpartisan redistricting, but there was no notable legislation for the 2011 session.¹⁴⁹
 - In 2010, AJR 29 sought to provide stricter guidelines for redistricting including limiting the number of districts whose partisanship was above certain thresholds as well as limits about how far minority population numbers in a district could deviate from the state mean. This bill failed adoption in the state Senate.¹⁵⁰
- Wyoming
 - No notable legislation found. Wyoming only has one congressional seat and therefore has no need to redistrict at the federal level. State legislative lines are drawn by the state legislature.¹⁵¹

¹⁴⁵ http://www.legis.state.wv.us/Bill_Text_HTML/2011_SESSIONS/RS/Bills/sb409%20intr.htm

¹⁴⁶ http://www.legis.state.wv.us/Bill_Status/bills_history.cfm?year=2011&sessiontype=RS

¹⁴⁷ http://www.legis.state.wv.us/Bill_Status/bills_text.cfm?billdoc=hb2367%20intr.htm&yr=2011&sesstype=RS&i=2367

¹⁴⁸ http://www.legis.state.wv.us/Bill_Status/bills_history.cfm?year=2011&sessiontype=RS

¹⁴⁹ http://ballotpedia.org/wiki/index.php/Redistricting_in_Wisconsin#Calls_for_non-partisan_redistricting

¹⁵⁰ <http://www.legis.state.wi.us/2009/data/AJR29hst.html>

¹⁵¹ <http://redistricting.lls.edu/states-WY.php>