

## **Reapportionment Standards for Legislative and Congressional Districts.**

### Background

Every ten years, the federal census counts the number of people living in Florida. The Florida Constitution requires the Legislature after each census to adjust the boundaries of the districts used to elect public officials. This process is called "redistricting" (or sometimes "reapportionment"). The primary purpose of redistricting is to establish districts which are "equal" in population, as practicable. Redistricting affects districts for the State Legislature (House of Representatives and Senate) and the U.S. House of Representatives.

Currently, the Florida Legislature reapportions itself in the second year following the decennial census. The Legislature's plan must be reviewed by the Florida Supreme Court. In the event the Legislature fails to agree on a plan or pass a plan that is approved by the Florida Supreme Court, the Florida Supreme Court is empowered to promulgate a plan.

Congressional redistricting plans are included in legislation that becomes law after passage of the bill by the Legislature and approval by the Governor.

Currently, there are no real standards or guidelines that the legislature must follow when drawing Legislative and Congressional district lines. State law only requires that districts be roughly equal in population and that they consist of contiguous territory. Federal law requires that redistricting plans comply with the Federal Voting Rights Act.

### Proposal

These measures amend the Florida Constitution to create standards (or guidelines) for the State Legislature to follow when drawing district lines for itself and for Florida members of the U.S. House of Representatives.

One of the two proposed constitutional amendments addresses Legislative districts and the other addresses the districts of Florida members of Congress. These measures require the Florida Legislature to draw district lines that comply with standards that are the same in both amendments.

The standards require that districts not be drawn with the intent to favor or disfavor a political party or an incumbent. They also require districts not be drawn with the intent or result of denying racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice. Lastly, the standards require districts be contiguous, compact, equal in population and that, where possible, make use of existing city, county and geographical boundaries.

The proposed amendments do not provide for any specific expense of funds.

## Fiscal Effects

Since the proposed amendments only set standards for the legislature to follow when drawing Legislative and Congressional districts, there is no anticipated cost associated with compliance. It might be argued that there would be an increase or a decrease in litigation once the redistricting plans have been drawn, but the cost of the increase or decrease would be impossible to quantify.

Mark Herron

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Treasurer, [FairDistrictsFlorida.org](http://FairDistrictsFlorida.org)