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HOUSE BILL NO. 1793

Offered January 14, 2009

Prefiled January 9, 2009

A BILL to amend and reenact § 30-263 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 3 of Title 24.2 an article numbered 1.1, consisting of sections numbered 24.2-301.2 through 24.2-301.5, relating to periodic redistricting of General Assembly and congressional districts and establishment of a Citizen Advisory Redistricting Board.

Patron—Brink

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 30-263 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 3 of Title 24.2 an article numbered 1.1, consisting of sections numbered 24.2-301.2 through 24.2-301.5 as follows:

*Article 1.1.**Citizen Advisory Redistricting Board.**§ 24.2-301.2. Citizen Advisory Redistricting Board.*

A. There is hereby created the Citizen Advisory Redistricting Board, consisting of (i) four members appointed by the Governor, one from each of the political parties representing a majority and minority of the members of each house, after consideration of the recommendations of the majority and minority leaders of each house who shall each submit three recommendations; (ii) one member appointed by the Governor from each political party whose candidate polled at least 25 percent of the votes cast for Governor at the last preceding general election, after consideration of the recommendations of the respective state committee chairs; and (iii) a special master designated by the Chief Justice of the Supreme Court. No member of the Board shall serve as a member or employee of the General Assembly, or of either house thereof. All members must have resided in Virginia at least five years before their appointment. The special master so designated shall be chairman of the Board and shall call such meetings as may be necessary for the accomplishment of the duties of the Board. The Secretary of the State Board of Elections shall be secretary of the Board but shall have no vote.

B. Members of the Board shall first be selected on or before July 1, 2010, and thereafter members shall be selected decennially before July 1 and shall serve until their successors are selected. The appointing authority shall fill vacancies within 30 days.

C. For administrative purposes, the Board shall be part of the State Board of Elections, and funds for the Board's operation shall be appropriated through the State Board of Elections. However, the expenditures of such appropriation shall be directed by the Citizen Advisory Redistricting Board.

D. Members of the Board shall receive compensation and expenses as provided in §§ 2.2-2813 and 2.2-2825.

E. The Board may employ or contract for expert assistants or services as may be necessary to carry out its duties. The State Board of Elections, the Division of Legislative Services, and the Attorney General shall make available to the Board such personnel, facilities, and other assistance as the Board may reasonably request.

§ 24.2-301.3. Tentative plans.

The Board shall prepare and publish tentative redistricting plans for General Assembly and congressional districts as soon as practicable after the Governor receives the official United States decennial census for Virginia.

§ 24.2-301.4. Final proposals and plans.

The Board shall consider comments on the published tentative plans to the extent that time allows. It shall file with the appropriate clerk final proposals: (i) for General Assembly districts, not later than 40 days after the Governor receives the official United States decennial census for Virginia and (ii) for congressional districts, not later than 90 days after the Governor receives the official United States decennial census for Virginia. The House and Senate clerks shall refer the proposals to the appropriate committees. The General Assembly shall accept the proposals and enact them into law or substitute another redistricting plan that conforms to the provisions of this chapter no later than (a) 60 days after the Governor receives the official United States decennial census for Virginia for General Assembly districts and (b) 120 days after Governor receives the official United States decennial census for Virginia for congressional districts.

§ 24.2-301.5. Powers of Citizen Advisory Redistricting Board.

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59 *The Citizen Advisory Redistricting Board shall have the following powers:*

60 1. *To call for and receive the assistance of any state, county, or municipal official or employee in*
61 *obtaining information regarding the population in any city, county, town, ward, precinct, or district;*

62 2. *To hold public hearings in any convenient location for the purpose of obtaining information*
63 *relevant to redistricting; and*

64 3. *To delegate any of the foregoing powers to one or more of its members or to agents in its employ.*

65 § 30-263. Joint Reapportionment Committee; membership; terms; quorum; compensation and
66 expenses.

67 A. The Joint Reapportionment Committee is established in the legislative branch of state government.
68 The Committee shall consist of five members of the Committee on Privileges and Elections of the
69 House of Delegates and three members of the Committee on Privileges and Elections of the Senate
70 appointed by the respective chairmen of the two committees. Members shall serve terms coincident with
71 their terms of office.

72 B. The Joint Committee shall elect a chairman and vice-chairman from among its membership. A
73 majority of the members of the Committee shall constitute a quorum. The meetings of the Committee
74 shall be held at the call of the chairman or whenever the majority of the members so request.

75 C. The Joint Committee shall supervise activities required for the tabulation of population for the
76 census and for the timely reception of precinct population data for reapportionment, and perform such
77 other duties and responsibilities and exercise such supervision as may promote the orderly redistricting
78 of congressional, state legislative, and local election districts *and the development of proposed plans for*
79 *redistricting congressional and state legislative districts by the Citizen Advisory Redistricting Board*
80 *established under Article 1.1 (§ 24.2-301.2 et seq.) of Chapter 3 of Title 24.2 and the General*
81 *Assembly's enactment of plans under Article II, Section 6 of the Constitution of Virginia within the time*
82 *frames specified in § 24.2-301.4.*

83 D. Members shall receive such compensation as provided in § 30-19.12 and shall be reimbursed for
84 all reasonable and necessary expenses incurred in the performance of their duties as provided in
85 §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be
86 provided by the Office of the Clerk of the House of Delegates and the Office of Clerk of the Senate for
87 their respective members.