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**HOUSE BILL NO. 1054**

Offered January 8, 2020

Prefiled January 7, 2020

A *BILL to amend the Code of Virginia by adding in Article 2 of Chapter 3 of Title 24.2 a section numbered 24.2-304.04, relating to standards and criteria for congressional and state legislative districts.*

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Patron—Levine

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Referred to Committee on Privileges and Elections

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 2 of Chapter 3 of Title 24.2 a section numbered 24.2-304.04 as follows:**

**§ 24.2-304.04. Standards and criteria for congressional and state legislative districts.**

*Every congressional and state legislative district shall be constituted so as to adhere to the following criteria, in order of priority:*

*1. Districts shall be drawn in accordance with the requirements of the Constitution of the United States, including the Equal Protection Clause of the Fourteenth Amendment; federal laws, including the federal Voting Rights Act of 1965, as amended; and relevant judicial decisions relating to racial and ethnic fairness.*

*2. No district shall be drawn with the purpose of or having the effect of denying or abridging the right to vote on account of race, ethnicity, or color. No district shall be drawn to restrict or deny the ability of any racial or language minority to participate in the political process and to elect a preferred candidate of their choice.*

*3. Districts shall be composed of contiguous territory. Districts divided by water may be deemed contiguous, but connections by water running downstream or upriver are not permissible.*

*4. Districts shall be drawn and modeled on statewide general election results for Lieutenant Governor and Attorney General during the 10-year period immediately preceding the decennial redistricting, so that it is reasonably expected that if these election results are uniformly shifted in each precinct to provide a statewide tie result between the two largest political parties and then applied to a map, candidates of the two largest political parties would be statistically expected to prevail in an equal statewide proportion of districts, with a deviation of no more than one percent.*

*An open-source computer algorithm may be utilized to generate maps in order to comply with the requirements of this subdivision.*

*5. Legislative and congressional districts shall have a total population as nearly equal as practicable to the ideal population for such districts. Deviations from equal population may be permitted to achieve other redistricting criteria specified in this subsection, but in no case shall a congressional district have a total population that varies by more than one half of one percent from the ideal congressional district population nor shall an electoral district for the Senate or the House of Delegates have a total population that varies by more than five percent from the ideal district population for a Senate or House of Delegates district, respectively.*

*6. Districts shall be drawn to protect existing political boundaries of counties, cities, and towns. To the extent practicable, without violating the above criteria, each political subdivision shall be wholly contained within a single electoral district. Where a departure from existing political boundaries is necessary to comply with one or more of the redistricting criteria specified in this subsection, the district lines shall be drawn giving consideration to natural geographic boundaries, such as mountains and rivers; physical boundaries, such as major roads and residential subdivisions; and communities of interest. If a departure from existing political boundaries is necessary in order to comply with other districting criteria, the district lines shall be drawn utilizing clearly observable boundaries. A "clearly observable boundary" shall have the same meaning as set forth in subsection B of § 24.2-305.*

*7. Districts shall be composed of compact territory.*

*8. Districts shall be drawn in such a way as to avoid dividing communities of interest without violating the requirements of the preceding subsections. Districts shall not be drawn to divide homogeneous neighborhoods or any geographically defined group of people living in an area who share similar social, cultural, and economic interests. A community of interest does not include a community based upon political affiliation or relationship with a political party, elected official, or candidate for office.*

*9. Districts shall not have irregular or contorted perimeters, unless justified by one or more of the*

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**59** *redistricting criteria specified in this section, including adherence to existing political boundaries or*  
**60** *natural geographic boundaries.*

**61** *10. While existing precincts may be split among two or more congressional or state legislative*  
**62** *districts, they should be split as little as possible.*