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SENATE BILL NO. 241

Offered January 8, 2020

Prefiled January 2, 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.*

Patron—Barker

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:

1. Congressional and legislative districts shall be established on the basis of population. Senate and House of Delegates districts, respectively, shall each have a population that is as substantially equal to the population of every other such district as practicable. Congressional districts shall have populations that are as nearly equal as practicable. The General Assembly shall be guided by the most recent federal and state judicial decisions defining standards for equal population for the respective districts, including permissible deviations from the ideal population if the deviation is necessary in order to achieve some other legitimate districting criteria.

2. Districts shall be drawn in accordance with the requirements of federal and state laws, and judicial decisions interpreting such laws, that address racial and ethnic fairness, including the Equal Protection Clause of the Constitution of the United States and the provisions of the federal Voting Rights Act of 1965, as amended.

3. 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.

4. Each congressional and legislative district shall be composed of contiguous territory. Districts divided by water shall be deemed contiguous if a common means of transport, such as a bridge or ferry, connects the two parts of the district or, if the water were to be removed, the land on one side of the district would be contiguous with the land on the other side of the district. Connections by water running downstream or upriver are not permissible.

5. The General Assembly shall employ one or more standard numerical measures of individual and average district compactness to provide an objective assessment of a districting plan's compactness, both statewide and district by district.

INTRODUCED

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