

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB31

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Lucas

3. Committee: Privileges and Elections

4. Title: Virginia Interim Redistricting Commission; criteria for remedial redistricting plans.

5. Summary: Provides for the establishment of the Virginia Interim Redistricting Commission when any congressional or state legislative district drawn as required by Article II, Section 6 of the Constitution of Virginia is declared unlawful or unconstitutional, in whole or in part, by order of any state or federal court. The Commission is tasked with determining and submitting to the General Assembly and the Governor a redistricting plan remedying such unlawful or unconstitutional district. The bill also provides criteria by which the Commission is to draw remedial districts. The bill directs the Division of Legislative Services to provide support to the Commission. The Commission remains established until either a remedial redistricting plan is enacted by the General Assembly and the Governor and approved by the court or the court dismisses the judicial proceedings.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary, see Item 8.

8. Fiscal Implications: This bill establishes the Virginia Interim Redistricting Commission (“the Commission”) which is tasked with determining and submitting to the General Assembly and the Governor a redistricting plan in the event that a congressional or state legislative district is declared unlawful or unconstitutional by any state or federal court. Commission members are appointed no later than 30 days following the court order and the Commission must hold its first meeting no later than 45 days following the court order. The proposed redistricting plan must be approved by the Commission within the time frame allowed by the court, but no longer than 90 days after its first meeting.

Creating the Commission in law does not create an immediate state fiscal impact, as the Commission is only established in the event that a court declares one or more of Virginia’s congressional or state legislative districts unconstitutional or unlawful.

In the event that these conditions are met and the Commission is established, the bill directs the Division of Legislative Services (DLS) to provide office space and staff support to the Commission, and requires the General Assembly to provide funding to the Commission “sufficient for the efficient and independent operation of the Commission, including the

retention of legal counsel, demographic experts, and other necessary staff.” DLS currently has \$180,600 appropriated each year of the current biennium for redistricting. The costs of the additional support for legal counsel, demographic experts, and other necessary staff support are currently indeterminate.

The Department of Elections indicates that the agency does not anticipate a fiscal impact from this legislation.

9. Specific Agency or Political Subdivisions Affected: Division of Legislative Services,
Department of Elections

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is identical to HB303.

Date: January 26, 2016
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