

19102236D

SENATE BILL NO. 1327

Offered January 9, 2019

Prefiled January 7, 2019

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 congressional and state legislative districts; standards and criteria.*

Patrons—McClellan and Howell

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.

A. Every congressional and state legislative district shall be constituted so as to adhere to the following criteria.

B. Each district shall be composed of contiguous and compact territory and shall be constituted so as to give, as nearly as is practicable, representation in proportion to the population of the district.

C. 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, and the Constitution of Virginia; federal and state laws, including the federal Voting Rights Act of 1965, as amended; and relevant judicial decisions relating to racial and ethnic fairness.

D. 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.

E. Existing political boundaries shall be considered, but no district shall be drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or other individual or entity. Political data, including addresses of incumbent legislators or members of Congress, political affiliations of voters, or previous election results, shall not be used in the drawing of any district, except as may be necessary to ensure that racial or language minority groups are able to elect a preferred candidate of choice pursuant to subsection D.

F. Existing communities of interest shall be respected to the maximum extent practicable. 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 homogenous 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.

2. That the provisions of this act shall become effective on April 1, 2020.

INTRODUCED

SB1327