

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 90

BY REPRESENTATIVE SCHEXNAYDER AND SENATOR CORTEZ AND REPRESENTATIVE STEFANSKI AND SENATOR HEWITT AND REPRESENTATIVE DUPLESSIS AND SENATOR MILLIGAN AND REPRESENTATIVE MIKE JOHNSON AND SENATOR HARRIS

REAPPORTIONMENT: Provides relative to redistricting principles and criteria

1 A CONCURRENT RESOLUTION

2 To adopt Joint Rule No. 21 of the Joint Rules of the Senate and House of Representatives
3 to provide minimum criteria required for the consideration of a redistricting plan.

4 BE IT RESOLVED by the Legislature of Louisiana that Joint Rule No. 21 of the
5 Joint Rules of the Senate and House of Representatives is hereby adopted to read as follows:

6 Joint Rule No. 21. Redistricting criteria

7 A. To promote the development of constitutionally and legally acceptable
8 redistricting plans, the Legislature of Louisiana adopts the criteria contained in this
9 Joint Rule, declaring the same to constitute minimally acceptable criteria for
10 consideration of redistricting plans in the manner specified in this Joint Rule.

11 B. Each redistricting plan submitted for consideration shall comply with the
12 Equal Protection Clause of the Fourteenth Amendment and the Fifteenth Amendment
13 to the U.S. Constitution; Section 2 of the Voting Rights Act of 1965, as amended;
14 and all other applicable federal and state laws.

15 C. Each redistricting plan submitted for consideration shall provide that each
16 district within the plan is composed of contiguous geography.

17 D. In addition to the criteria specified in Paragraphs B, C, F, G, H, and I of
18 this Joint Rule, the minimally acceptable criteria for consideration of a redistricting
19 plan for the House of Representatives, Senate, Supreme Court, Public Service
20 Commission, and Board of Elementary and Secondary Education shall be as follows:

1 (1) The plan shall provide for single-member districts.

2 (2) The plan shall provide for districts that are substantially equal in
3 population. Therefore, under no circumstances shall any plan be considered if the
4 plan has an absolute deviation of population which exceeds plus or minus five
5 percent of the ideal district population.

6 (3) The plan shall be a whole plan which assigns all of the geography of the
7 state.

8 (4) Due consideration shall be given to traditional district alignments to the
9 extent practicable.

10 E. In addition to the criteria specified in Paragraphs B, C, F, G, H, and I of
11 this Joint Rule, the minimally acceptable criteria for consideration of a redistricting
12 plan for Congress shall be as follows:

13 (1) The plan shall provide for single-member districts.

14 (2) The plan shall provide that each congressional district shall have a
15 population as nearly equal to the ideal district population as practicable.

16 (3) The plan shall be a whole plan which assigns all of the geography of the
17 state.

18 F.(1) To the extent practicable, each district within a redistricting plan
19 submitted for consideration shall contain whole election precincts as those are
20 represented as Voting Districts (VTDs) in the most recent Census Redistricting
21 TIGER/Line Shapefiles for the State of Louisiana which corresponds to the P.L. 94-
22 171 data released by the United States Bureau of the Census for the decade in which
23 the redistricting is to occur. However, if the redistricting plan is submitted after the
24 year in which the legislature is required by Article III, Section 6, of the Constitution
25 of Louisiana to reapportion, then to the extent practicable, the redistricting plan
26 submitted for consideration shall contain whole election precincts as those are
27 represented as VTDs as validated through the data verification program of the House
28 and Senate in the most recent Shapefiles made available on the website of the
29 legislature.

1 (2) If a VTD must be divided, it shall be divided into as few districts as
2 practicable using a visible census tabulation boundary or boundaries.

3 G. All redistricting plans shall respect the recognized political boundaries
4 and natural geography of this state to the extent practicable.

5 H. The most recent P.L. 94-171 data released by the United States Bureau
6 of the Census, as validated through the data verification program of the House and
7 Senate, shall be the population data used to establish and for evaluation of proposed
8 redistricting plans.

9 I. Each redistricting plan submitted to the legislature by the public for
10 consideration shall be submitted electronically in a comma-delimited block
11 equivalency file.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 90 Original

2021 Regular Session

Schexnayder

Abstract: Provides for criteria for consideration of redistricting plans.

Proposed Joint Rule provides for minimally acceptable criteria for consideration of redistricting plans in the following manner:

- (1) All redistricting plans must meet the following criteria:
 - (a) Compliance with the Equal Protection Clause of the 14th Amendment and the 15th Amendment to the U.S. Constitution; Section 2 of the Voting Rights Act of 1965, as amended; and all other applicable federal and state law.
 - (b) Each district shall be composed of contiguous geography.
 - (c)(i) To the extent practicable, each district within a plan shall contain whole election precincts as those are represented as Voting Districts (VTDs) in the most recent Census Redistricting TIGER/Line Shapefiles for Louisiana which corresponds to the P.L. 94-171 data released by the U.S. Bureau of the Census for the decade in which the redistricting is to occur or if the redistricting plan is submitted after the year in which the legislature is required by Art. III, §6, of the Const. of La. to reapportion, then to the extent practicable, the redistricting plan submitted for consideration shall contain whole election precincts as those are represented as VTDs as validated through the data verification program of the House and Senate in the most recent Shapefiles made available on the website of the Legislature.
 - (ii) In the event that a VTD must be divided, it shall be divided into as few districts as practicable using a visible census tabulation boundary or boundaries.

- (d) All redistricting plans shall respect the recognized political boundaries and natural geography of this state to the extent practicable.
 - (e) The most recent P. L. 94-171 data released by the United States Bureau of the Census, as validated through the data verification program of the House and Senate, shall be the population data used to establish and for evaluation of proposed redistricting plans.
 - (f) Each redistricting plan submitted by the public shall be submitted electronically in a comma-delimited block equivalency file.
- (2) In addition, redistricting plans for the House, Senate, Supreme Court, PSC, and BESE shall meet the following criteria:
- (a) Single-member districts.
 - (b) Districts that are substantially equal in population. Therefore, under no circumstances shall any plan be considered if the plan has an absolute deviation of population which exceeds plus or minus 5% of the ideal district population.
 - (c) A whole plan which assigns all of the geography of the state.
 - (d) Due consideration given to traditional district alignments to the extent practicable.
- (3) In addition, redistricting plans for Congress shall meet the following criteria:
- (a) Single-member districts.
 - (b) Each district shall have a population as nearly equal to the ideal district population as practicable.
 - (c) Be a whole plan which assigns all of the geography of the state.

(Adds Joint Rule No. 21)