

Committee on Reapportionment

CS/SJR 1176 — Joint Resolution of Apportionment

by Reapportionment

This Joint Resolution divides the state into 120 state representative districts (plan [H000H9049](#)) and 40 state senate districts (plan [S000S9008](#)). On February 10, 2012, the Attorney General petitioned the Florida Supreme Court to determine the validity of the apportionment, as provided in Art. III, s. 16(c) of the State Constitution.

The ideal population for each of 120 state house districts is 156,678, and the ideal population for each of 40 state senate districts is 470,033. Florida's total resident population (and therefore the ideal populations for house and senate districts) increased by 17.6% between the 2000 Census and the 2010 Census. Population growth was not even across the state.

Under federal and state law, it is a duty of the Legislature to draw new state representative and senate districts. In November 2010, voters amended the State Constitution and set standards for the Legislature to follow in legislative districting. Art. III s. 21(a) provides:

- Districts cannot be drawn with the intent to favor or disfavor a political party or an incumbent.
- Districts cannot be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process; or to diminish their ability to elect representatives of their choice.
- Districts must be contiguous.

Subsection (b) provides, unless it would conflict with federal law or the standards described in subsection (a):

- Districts must be as nearly equal in population as practicable,
- Districts must be compact, and
- Districts must, where feasible, follow existing political and geographical boundaries.

The Legislature's stated intent was to draw new districts consistent with federal and state law. The new districts also follow public input, testimony, and feedback collected during Florida's most transparent and inclusive redistricting process ever. Legislators heard suggestions from more than 1,600 citizens during a 26 city statewide tour. The Senate and House made computer programs and information for redistricting freely available and invited tens of thousands of individuals to participate. Citizens formally submitted 177 redistricting plans.

The new House plan preserves the opportunities created in the 2002 benchmark map for African-Americans and Latinos to participate in the electoral process and elect candidates of their choosing, while also creating new opportunities. All 120 districts are contiguous, and the total deviation between the most populous district and the least populous district is 6,233 persons (3.98%).

The new Senate plan keeps six African-American opportunity districts: (1) northeast Florida, (2) Tampa Bay, (3) central Florida, (4) Broward and Palm Beach Counties, (5) Miami-Dade and Broward Counties, and (6) Miami-Dade, Hendry, Collier, and Monroe Counties. The Senate plan

also keeps three Latino majority districts in Miami-Dade County and provides new districts with thin Latino majorities in Miami-Dade and in Orange, Osceola, and Polk Counties. All 40 districts are contiguous, and the total deviation between the most populous district and the least populous district is 9,342 persons (1.99%).

Where not in conflict with federal law or Art. III, s. 21(a) of the State Constitution, the new house and senate districts are compact and utilize existing political and geographical boundaries where feasible. The new House plan keeps 37 of 67 counties and 335 of 410 municipalities wholly contained within districts (compared to 21 and 240 in the benchmark map). The new Senate plan keeps 36 of 67 counties and 356 of 410 municipalities wholly contained within districts (compared to 22 and 284 in the benchmark map). In both plans, the district boundaries follow political and geographic boundaries to a greater extent than the boundaries of current districts.

As provided in Art. X, s. 8(a) of the State Constitution, the Joint Resolution officially adopts the United States Decennial Census of 2010. The Joint Resolution also contains plain-language descriptions of each district, and provides for the treatment of omitted areas and for any areas specified for inclusion in one district that are entirely surrounded by other districts.

This districts prescribed in this joint resolution shall apply to the qualification, nomination, and election of members of the Florida Legislature in the primary and general elections of 2012 and thereafter. Because the Joint Resolution relates to voting and elections in Collier, Hardee, Hendry, Hillsborough, and Monroe counties, it is subject to preclearance by the U.S. Department of Justice in accordance with Section 5 of the Voting Rights Act (42 U.S.C. §1973c).

Vote: Senate 31-7; House 80-37