

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/SJR 2B Joint Resolution of Apportionment

SPONSOR(S): Reapportionment, Gaetz

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Redistricting Committee	13 Y, 7 N	Poreda	Kelly

SUMMARY ANALYSIS

The Florida Constitution requires the Legislature, by joint resolution at its regular session in the second year after the United States Census, to apportion state legislative districts. The United States Constitution requires the reapportionment of the United States House of Representatives every ten years, which includes the distribution of the House's 435 seats between the states and the equalization of population between districts within each state.

The 2010 Census revealed an unequal distribution of population growth amongst the State's legislative and congressional districts. Therefore districts must be adjusted to correct population differences.

On February 9, 2012, the Florida Legislature passed SJR 1176, reapportioning the 120 state house districts and 40 state senate districts. February 10, the Attorney General submitted the joint resolution to the Supreme Court of Florida for the constitutionally required review. March 9, the Court issued a 191-page majority opinion, unanimously finding the state house map valid. By a 5-to-2 vote, the Court found the state senate map invalid. The same day, an Extraordinary Apportionment Session was called by the Governor for the sole purpose of revising the state senate map.

Redistricting Plan S016S9030: As approved by the Florida Senate on March 22, map S016S9030 in CS/SJR 2-B reapportions the resident population of Florida into 40 State Senate districts, as required by state and federal law.

When compared to the existing 40 State Senate districts, this proposed committee bill would:

- Reduce the number of counties split from 45 to 24;
- Reduce the number of cities split from 126 to 47;
- Reduce the total perimeter, width and height of the districts, consistently, based on various geographical methods of measuring compactness;
- Reduce the total population deviation from 38.60% to 1.98%; and
- Maintains elected representation for African-American and Hispanic Floridians.

Upon approval by the Legislature, the Attorney General must again petition the Florida Supreme Court to either validate or invalidate the apportionment. Prior to the implementation, pursuant to Section 5 of the federal Voting Rights Act (VRA), this apportionment must also be approved ("precleared") by either the District Court for the District of Columbia or the United States Department of Justice.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

On February 9, 2012, the Florida Legislature passed Senate Joint Resolution 1176, reapportioning Florida 120 state house and 40 state senate districts. February 10, the Attorney General submitted the joint resolution to the Supreme Court for the constitutionally required review of the plans. February 17, proponents and opponents of the maps filed briefs with the Court. A second set of briefing occurred the following week.¹ On February 29, the Court heard three hours of oral argument on the state house and state senate maps.

On March 9, 2012, the Supreme Court of Florida ruled:

“For the reasons set forth in this opinion, we declare the plan apportioning districts for the Florida House of Representatives to be constitutionally valid under the Florida Constitution. We declare the plan apportioning the districts for the Florida Senate to be constitutionally invalid under the Florida Constitution. The Legislature is now tasked by the Florida Constitution with adopting a new joint resolution of apportionment ‘conforming to the judgment of the supreme court’ as set forth in article III, section 16(d).”²

More specifically, the Court’s majority opinion stated:

“We hold that the Senate plan is invalid. In doing so, we consider the fact that the Senate failed to conduct a functional analysis as to regression in order to properly determine when, and to what extent, the tier-two requirements must yield to avoid conflict with Florida’s minority voting protection provision. Moreover, as to the requirements of compactness and utilization of existing boundaries, the Senate’s expansive interpretations—interpretations we reject—and inconsistent use of these standards undermined the purpose of these requirements. Additionally, we conclude that the Senate plan is rife with objective indicators of improper intent.

We have examined and declared Senate Districts 1, 3, 6, 9, 10, 29, 30, and 34 to be in violation of constitutional requirements. We have also expressed our concerns with respect to the City of Lakeland. Finally, we declare the numbering scheme to be invalid because it was intended to benefit incumbents by making them eligible to serve for longer periods of time than they would have otherwise been eligible to serve. Accordingly, the Senate plan does not pass constitutional muster, and it is our duty under the Florida Constitution to declare it invalid.”³

The Court’s order finally severed the constitutionally valid state house map from the invalid state senate map, and subsequently set in motion the next steps as outlined in Article III, Section 16 of the Florida Constitution:

“In accordance with article III, section 16(d), the Governor and the Legislature must now follow the procedures enumerated therein, which govern the process that ensues when the Supreme Court of Florida declares an apportionment plan to be constitutionally invalid. The Legislature is now tasked by the Florida Constitution with adopting a new joint resolution of apportionment conforming to the judgment of this Court. Because we have declared the House’s apportionment plan to be valid, the only plan that needs to be redrawn by the Legislature is the Senate plan.”

¹ http://www.floridasupremecourt.org/pub_info/redistricting2012/index.shtml

² *In Re: Senate Joint Resolution of Legislative Apportionment 1176* (2012). Pages 1-2.

³ *In Re: Senate Joint Resolution of Legislative Apportionment 1176* (2012). Pages 183-184.

The 2010 Census

According to the 2010 Census, 18,801,310 people resided in Florida on April 1, 2010. That represents a population growth of 2,818,932 Florida residents between the 2000 to 2010 censuses. After the 2000 Census, the ideal populations for each state senate district in Florida were 399,559. After the 2010 Census, the ideal populations for each district in Florida are 470,033. Following the 2010 Census, districts must be adjusted to comply with “one-person, one vote,” such that each district must be substantially equal in total population. Table 1 below shows the changes in population for each of Florida’s current State Senate districts and their subsequent deviation from the new ideal population.

Table 1. Florida Senate Districts 2002-2011

Florida Senate Districts 2002-2011	2000	2010
Total State Population, Decennial Census	15,982,378	18,801,310
Maximum Number of Districts	40	40
Ideal District Population (Total State Population / 40)	399,559	470,033

District	2000 Population	2000 Deviation		2010 Population	2010 Deviation	
		Count	%		Count	%
1	399,563	4	0.0%	424,456	-45,577	-9.7%
2	399,543	-16	0.0%	449,902	-20,131	-4.3%
3	399,512	-47	0.0%	495,081	25,048	5.3%
4	399,586	27	0.0%	433,628	-36,405	-7.7%
5	399,573	14	0.0%	515,369	45,336	9.6%
6	399,586	27	0.0%	451,464	-18,569	-4.0%
7	399,552	-7	0.0%	432,554	-37,479	-8.0%
8	399,568	9	0.0%	525,674	55,641	11.8%
9	399,552	-7	0.0%	527,435	57,402	12.2%
10	399,547	-12	0.0%	565,921	95,888	20.4%
11	399,543	-16	0.0%	433,661	-36,372	-7.7%
12	399,594	35	0.0%	531,959	61,926	13.2%
13	399,563	4	0.0%	394,766	-75,267	-16.0%
14	399,571	12	0.0%	457,489	-12,544	-2.7%
15	399,559	0	0.0%	560,770	90,737	19.3%
16	399,549	-10	0.0%	431,916	-38,117	-8.1%
17	399,577	18	0.0%	456,960	-13,073	-2.8%
18	399,553	-6	0.0%	404,822	-65,211	-13.9%
19	399,553	-6	0.0%	477,068	7,035	1.5%
20	399,578	19	0.0%	576,207	106,174	22.6%
21	399,556	-3	0.0%	529,870	59,837	12.7%
22	399,568	9	0.0%	419,763	-50,270	-10.7%
23	399,561	2	0.0%	458,330	-11,703	-2.5%
24	399,554	-5	0.0%	524,254	54,221	11.5%
25	399,580	21	0.0%	428,398	-41,635	-8.9%
26	399,517	-42	0.0%	481,892	11,859	2.5%
27	399,568	9	0.0%	551,555	81,522	17.3%
28	399,573	14	0.0%	545,085	75,052	16.0%
29	399,534	-25	0.0%	397,144	-72,889	-15.5%
30	399,553	-6	0.0%	458,703	-11,330	-2.4%
31	399,544	-15	0.0%	432,649	-37,384	-8.0%
32	399,576	17	0.0%	428,898	-41,135	-8.8%
33	399,552	-7	0.0%	404,290	-65,743	-14.0%
34	399,596	37	0.0%	481,165	11,132	2.4%
35	399,563	4	0.0%	438,861	-31,172	-6.6%

36	399,575	16	0.0%	418,626	-51,407	-10.9%
37	399,552	-7	0.0%	480,189	10,156	2.2%
38	399,540	-19	0.0%	442,810	-27,223	-5.8%
39	399,606	47	0.0%	483,183	13,150	2.8%
40	399,488	-71	0.0%	448,543	-21,490	-4.6%

Florida Constitution, Article III, Section 16

Article III, Section 16 of the Florida Constitution requires the Legislature, by joint resolution at its regular session in the second year after the Census is conducted, to apportion the State into senatorial districts and representative districts. According to Article III, Section 16(a), Florida Constitution, senatorial districts must be:

1. Between 30 and 40 in numbers;
2. Consecutively numbered; and
3. Of contiguous, overlapping, or identical territory.

Representative districts must be:

1. Between 80 and 120 in number;
2. Consecutively numbered; and
3. Of contiguous, overlapping, or identical territory.

The joint resolution is not subject to gubernatorial approval. If the Legislature fails to make the apportionment, the Governor must reconvene the Legislature in a special apportionment session not to exceed 30 days. If the Legislature fails to adopt an apportionment plan at its regular or special apportionment session, the Attorney General must petition the Florida Supreme Court to make the apportionment.⁴

Within 15 days after the Legislature adopts the joint resolution, the Attorney General must petition the Supreme Court to review the apportionment plan. The Supreme Court must “permit adversary interests to present their view and, within thirty days from the filing of the petition, shall enter its judgment.”⁵

If the Court invalidates the apportionment plan, the Governor must reconvene the Legislature in an extraordinary apportionment session, not to exceed 15 days.⁶

Within 15 days after the adjournment of the extraordinary apportionment session, the Attorney General must petition the Supreme Court to review the apportionment plan adopted by the Legislature or, if no plan was adopted, report the fact to the Court.⁷

If the Court invalidates the apportionment plan adopted by the Legislature at the extraordinary apportionment session, or if the Legislature fails to adopt a plan, the Court must draft the redistricting plan.⁸

The Florida Constitution is silent with respect to process for congressional redistricting. Article 1 Section 4 of the United States Constitution grants to each state legislature the exclusive authority to apportion seats designated to that state by providing the legislative bodies with the authority to determine the times place and manner of holding elections for senators and representatives. Consistent

⁴ Article III, Section 16(b), Florida Constitution.

⁵ Article III, Section 16(c), Florida Constitution.

⁶ Article III, Section 16(d), Florida Constitution.

⁷ Article III, Section 16(e), Florida Constitution.

⁸ Article III, Section 16(f), Florida Constitution.

therewith, Florida has adopted its congressional apportionment plans by legislation subject to gubernatorial approval.⁹ Congressional apportionment plans are not subject to automatic review by the Florida Supreme Court.

Florida Constitution, Article III, Sections 20 and 21

As approved by Florida voters in the November 2010 General Election, Article III, Section 20 of the Florida Constitution establishes the following standards for congressional redistricting:

“In establishing congressional district boundaries:

(a) No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not 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; and districts shall consist of contiguous territory.

(b) Unless compliance with the standards in this subsection conflicts with the standards in subsection 1(a) or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries.

(c) The order in which the standards within subsections 1(a) and (b) of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection.”

As approved by Florida voters in the November 2010 General Election, Article III, Section 21 of the Florida Constitution establishes the following standards for state legislative apportionment:

“In establishing legislative district boundaries:

(a) No apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not 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; and districts shall consist of contiguous territory.

(b) Unless compliance with the standards in this subsection conflicts with the standards in subsection 1(a) or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries.

(c) The order in which the standards within subsections 1(a) and (b) of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection.”

The Supreme Court of Florida’s March 9, 2012 order represents the first comprehensive interpretation of these state redistricting standards in Article III, Section 21 of Florida’s Constitution.¹⁰

⁹ See generally Section 8.0001, et seq., Florida Statutes (2007).

¹⁰ http://www.floridasupremecourt.org/pub_info/redistricting2012/03-09-2012/Filed_03-09-2012_Opinion.pdf

Redistricting Plan S016S9030: Effect of Proposed Changes

Redistricting Plan Summary Statistics for the Proposed State Senate Map

Redistricting Plan Data Report for S016S9030

Plan File Name: S016S9030					Plan Type: Senate - 40 Districts											
Plan Population Fundamentals					Plan Geography Fundamentals:											
Total Population Assigned:	18,801,310 of 18,801,310				Census Blocks Assigned:	484,481 out of 484,481										
Ideal District Population::	470,032				Number Non-Contiguous Sections:	1 (normally one)										
District Population Remainder:	30				County or District Split :	24 Split of 67 used										
District Population Range:	465,376 to 474,728				City or District Split :	47 Split of 411 used										
District Deviation Range:	(-4,656) To 4,696				VTD's Split :	280 Split of 9,436 used										
Deviation:	(-0.99) To 0.99 Total 1.98%															
Number of Districts by Race Language																
	20%+	30%+	40%+	50%+	60%+											
Current Black VAP	8	6	3	2	1											
New Black VAP	8	6	3	2	0											
Current Hisp VAP	14	8	6	3	3											
New Hisp VAP	11	7	5	5	3											
Plan Name: S016S9030 Number of Districts: 40																
Spatial Measurements - Map Based																
	Base Shapes						Circle - Dispersion				Convex Hull - Indentation					
	Perimeter	Area	P/A	Perimeter	Area	P/A	Pc/P	A/Ac	Perimeter	Area	P/A	Pc/P	A/Ac	Width	Height	W+H
S9030-Map	8,934	65,934	13.55%	7,958	189,747	4.19%	89.07%	34.74%	6,419	95,092	6.75%	71.84%	69.33%	2,003	1,874	3,877
Current Map	11,470	65,934	17.39%	9,035	234,011	3.86%	78.77%	28.17%	7,143	108,049	6.61%	62.27%	61.02%	2,121	2,269	4,390
S9030-Simple	8,285	65,901	12.57%				96.06%	34.73%				77.47%	69.30%			
Current Map	10,402	65,883	15.78%				86.86%	28.15%				68.66%	60.97%			
Straight line in miles apart Miles to drive by fastest route Minutes to drive by fastest route																
	Pop	VAP	VAP Black	VAP Hispanic	Pop	VAP	VAP Black	VAP Hispanic	Pop	VAP	VAP Black	VAP Hispanic				
S9030-Map	18	18	17	14	25	25	23	19	35	35	32	28				
Current Map	24	24	24	18	32	32	31	24	41	41	39	32				

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: s0002Bc.RDC

DATE: 3/26/2012

District-by-District Summary Statistics for the Proposed State Senate Map S016S9030, compared to the Benchmark 2002 State Senate Map and State Senate Map S000S9008 from SJR 1176¹¹

Benchmark 2002 State Senate Map					SJR 1176 State Senate Map S000S9008					SJR 2-B State Senate Map S016S9030				
District ID	Pop Dev	TPOP10	%AllBlkVAP10	%AllHispanicVAP10	District ID	Pop Dev	TPOP10	%AllBlkVAP10	%AllHispanicVAP10	District ID	Pop Dev	TPOP10	%AllBlkVAP10	%AllHispanicVAP10
1	-45,576	424,456	46.89	6.15	1	3,560	473,592	12.54	5.19	1	4,171	474,203	11.52	4.72
2	-20,130	449,902	15.86	3.55	2	-2,050	467,982	9.28	6.08	2	4,042	474,074	15.48	4.03
3	25,049	495,081	11.50	6.94	3	4,653	474,685	14.45	3.55	3	4,376	474,408	29.61	5.29
4	-36,404	433,628	8.76	5.26	4	-3,653	466,379	11.08	6.79	4	2,008	472,040	10.21	6.67
5	45,337	515,369	12.28	6.27	5	4,376	474,408	29.61	5.29	5	-2,050	467,982	9.28	6.08
6	-18,568	451,464	30.40	5.18	6	-4,556	465,476	47.72	5.88	6	-1,439	468,593	10.57	5.57
7	-37,478	432,554	6.29	6.19	7	-3,311	466,721	15.34	7.33	7	-3,311	466,721	15.34	7.33
8	55,642	525,674	9.23	6.53	8	-74	469,958	7.21	10.38	8	3,472	473,504	9.98	9.33
9	57,403	527,435	11.91	22.39	9	-4,076	465,956	6.58	5.62	9	-4,495	465,537	42.98	6.40
10	95,889	565,921	11.79	17.52	10	3,996	474,028	8.29	13.39	10	-864	469,168	10.76	15.79
11	-36,371	433,661	2.54	6.74	11	-3,269	466,763	8.69	6.91	11	-3,269	466,763	8.11	8.90
12	61,927	531,959	9.61	20.79	12	-4,268	465,764	39.99	20.94	12	-3,739	466,293	36.88	19.98
13	-75,266	394,766	5.08	6.72	13	1,142	471,174	8.29	16.58	13	646	470,678	8.45	15.53
14	-12,543	457,489	18.19	7.23	14	-3,128	466,904	14.34	50.50	14	-4,517	465,515	14.14	50.02
15	90,738	560,770	10.93	19.08	15	4,538	474,570	6.87	18.98	15	4,696	474,728	11.91	12.67
16	-38,116	431,916	6.06	11.74	16	-2,123	467,909	10.31	15.61	16	-4,444	465,588	9.31	8.17
17	-13,072	456,960	12.10	16.11	17	1,096	471,128	5.58	7.43	17	4,538	474,570	6.87	18.98
18	-65,210	404,822	39.46	23.32	18	3,051	473,083	9.30	8.16	18	140	470,172	5.38	8.65
19	7,036	477,068	33.09	35.50	19	-2,889	467,143	37.22	27.42	19	-2,889	467,143	37.22	27.42
20	106,175	576,207	8.78	10.45	20	140	470,172	5.38	8.65	20	1,096	471,128	5.58	7.43
21	59,838	529,870	5.74	11.34	21	-4,524	465,508	11.45	17.31	21	4,288	474,320	11.02	16.47
22	-50,269	419,763	11.24	16.61	22	-1,027	469,005	4.88	7.59	22	-1,027	469,005	4.88	7.59
23	-11,702	458,330	4.08	5.70	23	-4,689	465,343	8.52	14.64	23	-4,190	465,842	6.02	19.07
24	54,222	524,254	10.50	13.34	24	-2,207	467,825	8.43	11.71	24	-2,570	467,462	12.42	17.57
25	-41,634	428,398	7.44	11.67	25	744	470,776	10.60	9.90	25	-2,713	467,319	11.33	13.52

¹¹ “Pop Dev” is the population deviation above or below the ideal population. “TPOP10” is the proposed district’s total resident population, according to the 2010 Census. “%AllBlkVAP10” is the percentage of the proposed district’s voting age population that is Black, according to the 2010 Census. “%AllHispanicVAP10” is the percentage of the proposed district’s voting age population that is Hispanic, according to the 2010 Census.

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26	11,860	481,892	11.50	12.04	26	-1,322	468,710	11.86	17.29	26	385	470,417	6.11	13.71
27	81,523	551,555	10.62	21.37	27	3,100	473,132	11.18	20.72	27	-1,675	468,357	25.68	27.40
28	75,053	545,085	8.43	11.86	28	-4,656	465,376	4.18	6.17	28	-4,656	465,376	4.18	6.17
29	-72,888	397,144	60.73	13.81	29	-4,670	465,362	6.65	11.07	29	2,128	472,160	13.25	26.24
30	-11,329	458,703	8.41	15.56	30	-4,535	465,497	4.05	16.10	30	-603	469,429	6.55	12.05
31	-37,383	432,649	15.87	28.76	31	3,449	473,481	21.34	21.14	31	-4,243	465,789	50.09	16.72
32	-41,134	428,898	24.52	20.88	32	3,958	473,990	13.90	24.43	32	4,622	474,654	10.36	10.17
33	-65,742	404,290	59.23	36.68	33	-2,900	467,132	8.32	86.88	33	181	470,213	14.10	30.69
34	11,133	481,165	17.74	46.37	34	2,971	473,003	55.76	15.48	34	665	470,697	9.05	10.03
35	-31,171	438,861	18.08	42.85	35	3,562	473,594	9.25	50.43	35	3,562	473,594	9.25	50.43
36	-51,406	418,626	6.54	79.17	36	4,582	474,614	14.21	30.96	36	1,563	471,595	58.32	27.91
37	10,157	480,189	6.96	16.20	37	4,641	474,673	5.36	83.68	37	4,301	474,333	5.22	83.34
38	-27,222	442,810	4.12	81.87	38	1,563	471,595	58.32	27.91	38	-2,900	467,132	8.32	86.88
39	13,151	483,183	29.15	43.03	39	4,301	474,333	5.22	83.34	39	103	470,135	35.35	39.75
40	-21,489	448,543	4.37	90.46	40	4,534	474,566	35.10	39.84	40	4,641	474,673	5.36	83.68

District-by-District Descriptions for the Proposed State Senate Map S016S9030

District 1 contains all of Bay, Holmes, Jackson, Walton, and Washington counties and is also located in Okaloosa County. Its predominant boundaries are county lines to the north, south, west and east. In Okaloosa County, the boundary follows I-10 and the borders of the City of Crestview in order to keep it wholly within the district. The cities of Alford, Bascom, Bonifay, Callaway, Campbellton, Caryville, Chipley, Cinco Bayou, Cottondale, Crestview, De Funiak Springs, Destin, Ebro, Esto, Fort Walton Beach, Freeport, Graceville, Grand Ridge, Greenwood, Jacob City, Lynn Haven, Malone, Marianna, Mary Esther, Mexico Beach, Niceville, Noma, Panama City, Panama City Beach, Parker, Paxton, Ponce de Leon, Shalimar, Sneads, Springfield, Valparaiso, Vernon, Wausau, and Westville are kept whole within the district.

District 2 contains all of Escambia and Santa Rosa counties, and is also located in Okaloosa County. Its predominant boundaries are county lines in the north, south, east and west. The district edges around the City of Crestview in order to keep all of the city within District 1. The cities of Century, Gulf Breeze, Jay, Laurel Hill, Milton, and Pensacola are kept whole within the district.

District 3 contains all of Calhoun, Franklin, Gadsden, Gulf, Hamilton, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla counties. Its predominant boundaries are county lines to the north, south, east and west. The cities of Altha, Apalachicola, Blountstown, Bristol, Carrabelle, Chattahoochee, Greensboro, Greenville, Gretna, Havana, Jasper, Jennings, Lee, Madison, Midway, Monticello, Perry, Port St. Joe, Quincy, St. Marks, Sopchoppy, Tallahassee, Wewahitchka, and White Springs are kept whole within the district.

District 4 contains all of Nassau County and is also located in Duval County. Its predominant boundaries to the north, west, and east are county lines. The cities of Atlantic Beach, Baldwin, Callahan, Fernandina Beach, Hilliard, Jacksonville Beach, Neptune Beach are kept whole within the district.

District 5 contains all of Baker, Citrus, Columbia, Dixie, Gilchrist, Lafayette, Levy, Suwannee, and Union counties, and is also located in Marion County. Its predominant boundaries are county lines to the north, south, east and west. In Marion county, the boundary follows I-75, and edges around the City of Ocala in order to keep the city wholly within District 8. The cities of Bell, Branford, Bronson, Cedar Key, Chiefland, Cross City, Crystal River, Dunnellon, Fanning Springs, Fort White, Glen St. Mary, Horseshoe Beach, Inglis, Inverness, Lake Butler, Lake City, Live Oak, Macclenny, Mayo, Otter Creek, Raiford, Trenton, Williston, Worthington Springs, and Yankeetown are kept whole within the district.

District 6 contains all of Flagler, Putnam and St. Johns counties and is also located in Volusia County. Its predominant boundaries are county lines to the north, west and east and county lines and VTD's to the south. The cities of Beverly Beach, Bunnell, Crescent City, Flagler Beach, Hastings, Holly Hill, Interlachen, Marineland, Ormond Beach, Palatka, Palm Coast, Pomona Park, St. Augustine, St. Augustine Beach, and Welaka are kept whole within the district.

District 7 contains all of Alachua, Bradford, and Clay counties. Its predominant boundaries are county lines to the north, south, east and west. The cities of Alachua, Archer, Brooker, Gainesville, Green Cove Springs, Hampton, Hawthorne, High Springs, Keystone Heights, La Crosse, Lawtey, Micanopy, Newberry, Orange Park, Penney Farms, Starke, and Waldo are kept whole within the district.

District 8 is located in Lake, Marion, and Volusia counties. Its predominant boundaries are county lines and US-92 to the North, VTD's and county lines to south, and county lines to the east and west. The district also edges the boundaries of the City of Ocala in order to keep the city wholly within the district. The cities of Daytona Beach Shores, DeLand, Edgewater, Lake Helen, McIntosh, New Smyrna Beach, Oak Hill, Ocala, Orange City, Pierson, Ponce Inlet, Port Orange, Reddick, and South Daytona are kept whole within the district.

District 9 is wholly located within Duval County as well as the City of Jacksonville. This area has traditionally elected an African-American to the Florida Senate and this district recreates that

opportunity. Its predominant boundaries are the county line, Interstate 10 and the St. Johns River to the north, the county line to the south, Interstate 95 and US-17 to the east and Interstate 295 to the west.

District 10 contains all of Seminole County and is also located in Volusia County. Its predominant boundaries are county lines to the south, west and east. The northern boundary follows Maytown Road and edges the city of DeBary in order to keep the city within the district. The cities of Altamonte Springs, Casselberry, DeBary, Lake Mary, Longwood, Oviedo, Sanford, and Winter Springs are kept whole within the district.

District 11 is located in Lake, Marion, Orange, and Sumter counties. Its predominant boundaries are county lines to the south, and VTD's to the north, east, and west. The district also edges around the borders of the City of Ocala in order to keep the city in District 8. Additionally, the west boundary of the district follows along the border of the City of Wildwood in order to keep most of the city in District 18. The cities of Astatula, Belleview, Clermont, Eustis, Fruitland Park, Groveland, Howey-in-the-Hills, Lady Lake, Leesburg, Mascotte, Minneola, Montverde, Mount Dora, Tavares, and Umatilla are kept whole within a district.

District 12 is located wholly within Orange County. This area has traditionally elected an African-American to the Florida Senate and this district recreates that opportunity. Its predominant boundaries are the county line and E. Welch Road to the north, State Road 528, State Road 535 and Conroy Windermere road to the south, John Young Parkway, Interstate 4 and a railway to the east and the county line to the west. The cities of Eatonville, Oakland, and Ocoee are kept whole within the district.

District 13 is located in Brevard and Orange counties. Its predominant boundaries are county lines to the north, south and east and VTD's to the west. The cities of Belle Isle and Titusville are kept whole within the district.

District 14 is located in Orange, Osceola, and Polk counties. When looking at the demographics of the region, it was determined that there is a possibility to create a majority-minority Hispanic district and this district creates that opportunity. Its predominant boundaries are State Road 50, State Road 528 to the north, the county line and State Road 542 to the south, State Road 417 and Lake Tohopekaliga to the east and the county line and State Road 27 to the west. The City of Kissimmee is kept whole within the district.

District 15 is located in Polk, Osceola, and Orange counties. Its predominant boundaries are county lines to the west, county lines, Malcom Road, Mann Road, Tilden Road, Winter Garden Vineland Road, State Road 429 and Windermere Road to the north, as well as the border of the Town of Windermere in order to keep the town within the district, Turkey Lake Road, I-4, Beachline Expressway, VTD's, and county lines to the east and US-17, Patterson Road, 10th Street, US-27, Crump Road, State Road 542, Hernando Road, State Road 540, Lake Lulu, 3rd Street, CR-540A, State Road 37, and Shepherd Road to the south. The cities of Lakeland, Polk City, Auburndale, Lake Alfred, Bay Lake, Lake Buena Vista, and Windermere are kept whole within the district.

District 16 is located in Brevard and Indian River counties. Its predominant boundaries are county lines to the west and east, Florida's Turnpike to the south, and VTD's and city boundaries to the north. Specifically, the northern boundary of the district edges the City of Cocoa in order to keep the city wholly within the district. The cities of Cape Canaveral, Cocoa, Cocoa Beach, Fellsmere, Grant-Valkaria, Indialantic, Indian Harbour Beach, Malabar, Melbourne, Melbourne Beach, Melbourne Village, Orchid, Palm, Bay, Palm Shores, Rockledge, Satellite Beach, Sebastian, and West Melbourne are kept whole within the district.

District 17 is located in Hillsborough and Pasco counties. Its predominant boundaries are State Road 52 to the north, the county line and State Road 54 to the east, State Road 400 and VTD's to the south and the county line to the west. The City of Zephyrhills is kept whole within the district.

District 18 contains all of Hernando County and is also located in Pasco and Sumter counties. Its predominant boundaries are county lines to the north, west, and east. The southern border of the district follows State Road and US-98. The cities of Brooksville, Bushnell, Center Hill, Coleman, Dade City, New Port Richey, Port Richey, St. Leo, San Antonio, Webster, and Weeki Wachee are kept whole within the district.

District 19 is located in Hillsborough, Manatee, and Pinellas counties. This area has traditionally elected an African-American to the Florida Senate and this district recreates that opportunity. Its predominant boundaries are State Roads 580, 581, 583 and 584 to the north, US-301 and VTDs to the south, Interstate 75, US-301, the county line and State Road 45 to the east and US-19, State Road 589 and Hanley Road to the west.

District 20 is located wholly within Pinellas County. Its predominant boundaries are county lines to the north, west and east. The southern border follows SR-694, SR-296, and SR-688. The cities of Belleair, Belleair Bluffs, Clearwater, Dunedin, Largo, Oldsmar, Safety Harbor, and Tarpon Springs are kept whole within the district.

District 21 contains all of Okeechobee County and is also located in Osceola, Polk, Highlands, St. Lucie, and Martin counties. Its predominant boundaries to the north are Shepherd Road, SR-37, SR-540A, Lake Hancock, Winter Lake Road, Thornhill Road, the boundaries of the City of Eagle Lake in order to keep the city within the district, US-17, SR-542, the boundaries of the Town of Lake Hamilton in order to keep the town within the district, the boundaries of the city of Haines in order to keep the city in District 14, Lake Marion, Lake Hatchineha Road, Lake Hatchineha, Dead River, Lake Tohopekaliga, Neptune Road, East Lake Tohopekaliga, Fells Cove, and county lines. The boundaries to the east are county lines, I-95, St. Lucie West Boulevard, Florida's Turnpike, and SR-711. The southern boundaries are county lines, US-98, Lake Istokpoga, Josephine Creek, US-27, Lake June Road, Miller Avenue, and Clark Road. Its western boundaries are county lines. The cities of Okeechobee, Sebring, Avon Park, Frostproof, Fort Meade, Hillcrest Heights, Highland Park, Lake Wales, Bartow, Mulberry, Eagle Lake, Dundee, Lake Hamilton, and St. Cloud are kept whole within the district.

District 22 is located in Hillsborough and Pinellas counties. Its predominant boundaries are State Road 694, State Road 296, State Road 688 and Interstate 275 to the north, county lines to the west, the City of Tampa boundary lines to the east, and VTD's to the south. The cities of Belleair Beach, Belleair Shore, Indian Rocks Beach, Indian Shores, Kenneth City, Madeira Beach, North Redington Beach, Pinellas Park, Redington Beach, Redington Shores, St. Pete Beach, Seminole, South Pasadena, and Treasure Island are kept whole within the district.

District 23 is located in Collier and Lee counties. Its prominent boundaries are VTD's and SR-82, CR-876, I-75, and Tamiami Trail to the north, county line to the west, Interstate 75 and US-41 to the south, and Oil Well Grade Road, Immokalee Road and VTD's to the East. The cities of Bonita Springs, Everglades, Marco Island and Naples are kept whole in this district.

District 24 is wholly located within Hillsborough County. Its predominant boundaries are county lines to the north and east, Interstate 275, Bearss Avenue, Bruce B. Downs Boulevard, State Road 582, Busch Boulevard, Hillsborough River, Interstate 75, Woodberry Road, Lakewood Drive, Causeway Boulevard, Symmes Road, and US-301 to the west and State Road 674 to the south. The cities of Plant City is kept whole within the district.

District 25 is located wholly within Palm Beach County. Its prominent boundaries are county lines and VTD's to the north, county lines and Florida's Turnpike to the east and the county line to the south and west. The cities of Belle Glade, Juno Beach, Loxahatchee Groves, North Palm Beach, Pahokee, Palm Beach Gardens, Royal Palm Beach, South Bay, and Wellington are kept whole within the district.

District 26 contains all of Hardee, DeSoto and Glades counties and is also located in Highlands, Charlotte, Manatee, and Hillsborough counties. Its predominant boundaries are county lines to the east, US-98, the Istokpoga Canal, Lake Istokpoga, Josephine Creek, US-27, Lake Henry, Lake June in Winter, Lake June Road, Miller Avenue, Clark Road, Marguerite Road, county lines, State Road 674,

Interstate 75, Big Bend Road, and Tampa Bay to the north,. The western borders follow State Road 45, 24th Avenue, VTD's, Manatee Avenue, US-41, 10th Street, 8th Avenue, Bayshore Road, Terra Ceia Bay and the county lines to the west and county lines, VTD's, US-41 to the south. The southern border also edges the City of Punta Gorda in order to keep the city wholly in District 30. The cities of Moore Haven, Lake Placid, Arcadia, Zolfo Springs, Wauchula, Bowling Green, Bradenton Beach, Holmes Beach, and Anna Maria are kept whole within the district.

District 27 is wholly located within Palm Beach county. Its prominent boundaries are State Road 850, Bee Line Highway and Northlake Boulevard to the north, Sandhill Way, Sansburys Way, and the Florida Turnpike to the west, Hypoluxo Road and Interstate 95 to the south and the county line to the east. The cities of Atlantis, Cloud Lake, Glen Ridge, Greenacres, Haverhill, Hypoluxo, Lake Clarke Shores, Lake Park, Lake Worth, Lantana, Manalapan, Mangonia Park, Palm Beach, Palm Beach Shores, Palm Springs, Riviera Beach, and South Palm Beach are kept whole in this district.

District 28 contains all of Sarasota County and is also located in Charlotte County. Its prominent boundaries are county lines to the north, west and south and the county line and VTD's to the east. Additionally, the City of Punta Gorda was edged to ensure it would be kept whole within District 30. The cities of North Port, Sarasota, and Venice are kept whole in this district.

District 29 is located wholly within Broward county. Its predominant boundaries are the county line to the north, west and south and Flamingo Road, Commercial Boulevard, University Drive, Atlantic Boulevard and Interstate 95 to the east. The cities of Coral Springs, Parkland, Southwest Ranches, and Weston are kept whole within the district.

District 30 is located in Charlotte and Lee counties. Its predominant boundaries are State Road 74 to the north, the county line to the west and east and South Tamiami Trail, State Road 840, Interstate 75, and CR-876, State Road, 75th Street, and VTD's to the south. The cities of Cape Coral, Fort Myers, Fort Myers Beach, Punta Gorda, and Sanibel are kept whole within the district.

District 31 is located wholly within Broward County. This area has traditionally had a majority-minority African-American district and this district recreates that opportunity in a much more compact manner compared to the benchmark plan. Its predominant boundaries are I-95, Copans Road, Florida's Turnpike, and Atlantic Boulevard to the north, SR-817, SR-870, and Nob Hill Road to the west, Sunrise Boulevard, Florida's Turnpike, SR-842, US-441, I-95, and Marina Mile Boulevard to the South, US-1 and SR-811 to the east. The cities of Lauderdale Lakes, Lauderhill, Lazy Lake, and North Lauderdale are kept whole within the district.

District 32 is located in Indian River, Martin, Palm Beach, and St. Lucie counties. Its predominant boundaries are Wabasso Road to the north, State Road 613, Interstate 95, the Florida Turnpike, and State Road 711 to the west, Frederick Small Road and Marcinski Road to the South, and county lines to the east. The cities of Fort Pierce, Indian River Shores, Jupiter Inlet Colony, Jupiter Island, Ocean Breeze Park, St. Lucie Village, Sewall's Point, Stuart, Tequesta, and Vero Beach are kept whole within the district.

District 33 is located wholly within Broward County. Its predominant boundaries are 20th Court, Sunrise Boulevard, Florida's Turnpike, State Road, US-441, Marina Mile Boulevard to the north, 124th Avenue, State Road 823, Sheridan Street, 172nd Avenue to the west, 202nd Street, 17th Street, 56th Avenue, State Road 820, and 21st Avenue to the south, and county lines to the east. The city of Dania Beach is kept whole within the district.

District 34 is located in Broward and Palm Beach counties. Its predominant boundaries are Hypoluxo Road and Boynton Beach Boulevard to the north, Military Trail, Jog Road, Atlantic Avenue, the Florida Turnpike, 18th Street, State Road 811 and State Road 5 to the west, Spangler Boulevard and VTD's to the south, and county lines to the east. The cities of Boca Raton, Briny Breezes, Delray Beach, Golf, Gulf Stream, Highland Beach, Hillsboro Beach, Lauderdale-by-the-Sea, Lighthouse Point, Ocean Ridge, and Sea Ranch Lakes are kept whole within the district.

District 35 is located wholly within Miami-Dade county. It creates the opportunity of a majority-minority Hispanic district. Its predominant boundaries are 203rd Street and I-95, to the north, US-1, 2nd Avenue, SR-972, 22ND Street, 57th Avenue, Florida's Turnpike, 288th Street to the west, 328th Street to the south, county lines to the east. The cities of Aventura, Bal Harbour, Bay Harbor Islands, Cutler Bay, Golden Beach, Indian Creek, Key Biscayne, Miami Beach, Miami Shores, North Bay Village, Palmetto Bay, Pinecrest, Sunny Isles Beach, and Surfside are kept whole within the district.

District 36 is located in Broward and Miami-Dade County. This area has traditionally contained a majority-minority African-American district and this district recreates that opportunity. Its predominant boundaries are SR-820, 56th Avenue, 17th Street, and Johnson Street to the north, SR-823, SR-847 and SR-916 to the west, 65th Street and SR-924 to the south, US-1, I-95, 203rd Street, and 1st Avenue to the east. The cities of Biscayne Park, Miami Gardens, Opa-locka, Pembroke Park, and West Park are kept whole within the district.

District 37 is located wholly within Miami-Dade County. This area has traditionally contained a majority-minority Hispanic district and this district recreates that opportunity. Its prominent boundaries are SR-90 and SR-836 to the north, SR-997 to the west, 264th Street, Kingman Road, 256th Street, 147th Avenue and 260th Street to the south, and US-1, 127th Avenue, SR-994, Florida's Turnpike, SR-985, and 97th Avenue to the east. The city of Sweetwater is kept whole within the district.

District 38 is located in wholly within Miami-Dade County. This area has traditionally contained a majority-minority Hispanic district and this district recreates that opportunity. Its predominant boundaries are county lines to the north, SR-997 to the west, 25th Street and SR-948 to the south, 54th Street, 27th Avenue, 79th Street, 22nd Avenue and 17th Avenue to the east. The cities of Hialeah, Hialeah Gardens, Medley, Miami Lakes, Miami Springs, and Virginia Gardens are kept whole within the district.

District 39 contains all of Hendry and Monroe counties and is also located in Collier and Miami-Dade counties. This area has traditionally elected an African-American to the Florida Senate and this district recreates that opportunity. Its predominant boundaries are county lines, 25th Street and State Road 948 to the north, county lines, Interstate 75 and US-41 to the west, county lines to the south and county lines and State Road 997 to the east. The cities of Clewiston, El Portal, Florida City, Islamorada, Village of Islands, Key Colony Beach, Key West, LaBelle, Layton, and Marathon are kept whole within the district.

District 40 is located wholly within Miami-Dade County. This area has traditionally contained a majority-minority Hispanic district and this district recreates that opportunity. Its predominant boundaries are SR-836 to the North, 97th Avenue and 107th Avenue to the west, and US-1 to the south and east. The cities of South Miami and West Miami are kept whole within this district.

B. SECTION DIRECTORY:

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| Section 1 | Provides that "Section 3 of Senate Joint Resolution 1176, which was filed in the office of the Secretary of State on February 10, 2012, is readopted and amended to read" as detailed in the first of two Section 3s in SJR 2-B. |
| Section 3 | Provides for the geographical description of the apportionment of the 40 State Senate districts. |
| Section 2 | Provides a severability clause in the event that any portion of this joint resolution is held invalid. |
| Section 3 | Provides that this joint resolution applies with respect to the qualification, nomination, and election of members of the Florida Senate in the primary and general elections held in 2012 and thereafter. |

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The 2012 reapportionment will have an undetermined fiscal impact on Florida's election officials, including 67 Supervisor of Elections offices and the Department of State, Division of Election. Local supervisors will incur the cost of data-processing and labor to change each of Florida's 11 million voter records to reflect new districts. As precincts are aligned to new districts, postage and printing will be required to provide each active voter whose precinct has changed with mail notification. Temporary staffing will be hired to assist with mapping, data verification, and voter inquiries.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The 2012 reapportionment will have an undetermined fiscal impact on Florida's election officials, including 67 Supervisor of Elections offices and the Department of State, Division of Election. Local supervisors will incur the cost of data-processing and labor to change each of Florida's 11 million voter records to reflect new districts. As precincts are aligned to new districts, postage and printing will be required to provide each active voter whose precinct has changed with mail notification. Temporary staffing will be hired to assist with mapping, data verification, and voter inquiries.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

As passed by the Florida Senate, the proposed joint resolution contains a Section 1, Section 3, Section 2 and Section 3, in that order.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.