

Committee on Reapportionment

CS/SB 102 — Establishing the Congressional Districts of the State

by Reapportionment Committee and Senator Rodrigues

This bill apportions the state into 28 congressional districts (plan H000C8019) as required by state and federal law.

Based on the 2020 United States Census, Florida was apportioned one additional seat in the United States House of Representatives (total of 28) for elections starting in 2022. The ideal population for each congressional district is 769,221. Florida's total population increased by 14.6 percent between the 2010 Census and the 2020 Census. Population growth was not even across the state.

Under state and federal law, it is a duty of the Legislature to draw new congressional districts. In November 2010, voters amended the State Constitution and set standards for the Legislature to follow in legislative districting. Article III, s. 20(a), State Constitution 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.
- Districts must, where feasible, follow existing political and geographical boundaries.

Subsection (c) provides that the order in which the standards within subsections (a) and (b) of Section 21 are set forth shall not be read to establish any priority of one standard over the other within that subsection.

The Legislature drew new districts to comply with state and federal law. The new congressional plans preserve the opportunities existing in the benchmark map for racial and language minorities to participate in the political process and elect candidates of their choice.

All 28 congressional districts consist of contiguous territory and comply with the State Constitution's co-equal tier two requirements of districts being nearly equal in population as is practicable, compact, and utilizing existing political and geographical boundaries where feasible.

As provided in Art. X, s. 8(a), State Constitution, the bill officially adopts the United States Decennial Census of 2020 as the official census of the state for the purposes of congressional redistricting.

The bill provided definitions regarding Census geography and the electronic versions of districts, designates the process for territory that is not specified for inclusion in any district or is noncontiguous, designates electronic maps as the authoritative representation of the state's congressional districts, and provides severability in the event that any provision of the bill is invalidated.

The districts prescribed in plan H000C8019 shall apply to the qualification, nomination, and election of congressional representatives in the primary and general elections of 2022 and thereafter.

The bill contains a secondary congressional plan (H000C8015) that becomes effective immediately if District 5 in the primary plan (H000C8019) is invalidated by a court, subject to appellate review.

Under the bill, any legal action challenging the validity of districts in plan H000C8019 must be commenced within 30 days upon the bill becoming law. Any legal action challenging the validity of districts in plan H000CH8015 must be commenced within 30 days of it taking effect.

If approved by the Governor, these provisions take effect upon becoming law, except where otherwise provided.

Vote: Senate 24-15; House 67-47