

THE FLORIDA SENATE
2022-C SUMMARY OF LEGISLATION PASSED

Committee on Reapportionment

SB 2-C — Establishing the Congressional Districts of the State

by Senator Rodrigues

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 the Legislature's duty 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 20 are set forth shall not be read to establish any priority of one standard over the other within that subsection.

SB 2-C apportions the state into 28 congressional districts (plan P000C0109) as required by state and federal law.

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.

Plan P000C0109 contains five majority-minority districts: 9, 20, 26, 27, and 28.

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 P000C0109 shall apply to the qualification, nomination, and election of congressional representatives in the primary and general elections of 2022 and thereafter.

The bill appropriated the nonrecurring sum of \$1 million from the General Revenue Fund for the purpose of litigation expenses incurred by the Florida Department of State.

The bill provides that the state court shall be the sole arbiter for state constitutional or state law legal challenges brought against districts in plan P000C0109.

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

Vote: Senate 24-15; House 68-38