

COMMONWEALTH OF VIRGINIA



SENATE

Redistricting Facts

What is redistricting?

Redistricting is the process of drawing new electoral district boundaries. After the federal government conducts the every-ten-year census to count the U.S. population, district boundaries for the state legislatures and the U.S. House of Representatives are changed to reflect population changes within the state. Redistricting also unfolds at the local level as localities redraw the political boundaries for county supervisors, city and town councils, school boards, and other elected bodies.

What is reapportionment?

Reapportionment also occurs every 10 years and it is the process by which congressional seats are reallocated among the 50 states based on population. Currently, Virginia has 11 seats in the U.S. House of Representatives. Population estimates indicate that Virginia will continue to have 11 seats after reapportionment.

Who is responsible for redistricting in Virginia?

The Constitution of Virginia gives the General Assembly responsibility for redistricting congressional and legislative districts. Any redistricting plan takes the form of a bill. Like any other piece of legislation in the General Assembly, it may be introduced by any member in either the Senate of Virginia or the House of Delegates, it must be passed by both chambers, and it must be signed by the Governor to become law. Both the Senate and House have a Committee on Privileges and Elections which has jurisdiction over redistricting and other voting-related legislation.

What factors are considered by the General Assembly when crafting a redistricting plan?

United States Constitution

The U.S. Constitution, as interpreted by federal courts, requires that congressional districts have virtually equal population to implement the "one person, one vote" principle. When they were drawn in 2001, the current congressional districts in Virginia varied by only 38 persons — a statistical deviation of 0.00% from the mathematical ideal population (the ideal population is simply the total population of Virginia divided by the number of districts).

Constitution of Virginia

The Constitution of Virginia, as well as the U.S. Constitution, requires that districts provide representation in proportion to population, although courts have not applied this rule as strictly to state legislative districts as they have to congressional districts. In 2001, legislative districts were drawn within a range of -2% to +2%, an overall range of about 4% from the mathematical ideal.

The Virginia Constitution further requires that every electoral district be "contiguous and compact."

Voting Rights Act of 1965

The federal Voting Rights Act of 1965 imposes other requirements on redistricting to prohibit the adoption of a plan that would have the effect of denying or abridging the right to vote for racial and

language minorities. Since Virginia is a covered jurisdiction, its redistricting plan must be precleared by the U.S. Department of Justice to ensure that it does not reduce the opportunity of minorities to participate in the political process and to elect representatives of their choice.

Other Criteria

The respective Committees on Privileges and Elections in the Virginia House of Delegates and the Senate of Virginia expect to adopt criteria that set forth these and additional factors for consideration. In 2001, other factors included the adoption of only single-member districts and the preservations of communities of interest.

What is the timeline for redistricting in 2011?

The precise timetable for redistricting in 2011 is unknown at this time, but the new districts must be ready in advance of the November 2011 elections for the General Assembly. In 2001, the General Assembly adjourned its Regular Session without acting on redistricting, but convened a special session on the date of adjournment and recessed until April. After receiving census data in early March and conducting public hearings during late March and April, the General Assembly passed legislative redistricting plans that were signed by the Governor in late April and submitted to the U.S. Department of Justice for preclearance, which was granted in July. Congressional redistricting plans were passed by the General Assembly in July and granted preclearance in October. After delayed primaries in August, statewide and legislative elections took place on time in November 2001.

Sample Redistricting Timeline

The 2011 timeline for redistricting is uncertain at this time. However, the following guide is based on statutory deadlines and Virginia's experience in 2001. Again, the guide below has not been approved.

April 1, 2010— Census Day

Fourth Quarter, 2010—Census Bureau releases geographic data, including the areas (Census Blocks, Tracts, Cities and Counties) by which Census data will be tabulated.

December 31, 2010—Census Bureau reports official population of each state to the President for reapportionment (how many seats each state will have in the U.S. House of Representatives)

First Quarter, 2011—Census Bureau provides Virginia with detailed population data tabulated for each Census Block.

Second Quarter, 2011—General Assembly meets to pass House of Delegates and Senate of Virginia redistricting plans.

—Plans submitted to U.S. Department of Justice for preclearance under the Voting Rights Act

Third Quarter, 2011—General Assembly meets to pass congressional redistricting plan.

—Plans receive Voting Rights Act clearance and become effective.

—Primary elections held for Virginia House of Delegates and Senate of Virginia

November 8, 2011—General Election for House of Delegates and Senate of Virginia

November 6, 2012—General Election for U.S. House of Representatives

How can I get more information on redistricting in Virginia?

For more on redistricting in Virginia, including hearing dates, information on the submission of written comments, and population data as it becomes available, please visit <http://dlsGIS.state.va.us/>.