

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30232-MT-41 (02/04)

Short Title: Fair Redistricting Study Committee. (Public)

Sponsors: Representative Farmer-Butterfield.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON FAIR
3 REDISTRICTING.

4 Whereas, North Carolina has a long history of gerrymandering voting districts in
5 ways that weaken the political power of Black voters; and

6 Whereas, particularly in the South, the history of gerrymandering is inextricably
7 linked to the deliberate division of voters by race, generally to undercut the power of Black
8 voters and their fusion coalitions with other voters; and

9 Whereas, deep community involvement and understanding of the history of racism
10 and voting rights are crucial to ending unconstitutional gerrymandering; and

11 Whereas, any redistricting process should abide by the protections of the Voting
12 Rights Act and the United States and North Carolina Constitutions, laws, and applicable court
13 precedents; and

14 Whereas, a strong representative democracy depends on voting districts that comply
15 with the Voting Rights Act and the United States and North Carolina Constitutions, laws, and
16 applicable court precedents; and

17 Whereas, voting districts should be very nearly equal in population, compact,
18 without odd tentacles, and geographically contiguous; and

19 Whereas, all voters and communities are not fully and fairly represented in
20 redistricting unless incarcerated people are counted as residents of their pre-incarceration home
21 or family residence; and

22 Whereas, North Carolina's unique history, geography, and demographics require the
23 development of a unique North Carolinian solution to unlawful gerrymandering and
24 redistricting; Now, therefore,

25 The General Assembly of North Carolina enacts:

26 **SECTION 1.(a)** Creation of Fair Redistricting Study Committee. – There is created
27 the Joint Legislative Study Committee on Fair Redistricting (Committee). The Committee shall
28 consist of 14 members to be appointed as follows:

- 29 (1) Two Representatives and one public member appointed by the Speaker of
30 the House of Representatives.
31 (2) Two Senators and one public member appointed by the President Pro
32 Tempore of the Senate.
33 (3) The leader of the minority party in the House of Representatives or the
34 leader's designee and one public member appointed by the minority party
35 leader.



1 (4) The leader of the minority party in the Senate or the leader's designee and
2 one public member appointed by the minority party leader.

3 (5) Four members of the public appointed by the Governor.

4 Each appointing authority shall designate one of his or her appointees to be a
5 nonvoting member of the Committee, except the Governor shall designate two of the
6 Governor's appointees as nonvoting. All other members of the Committee shall be voting
7 members. The members appointed shall have experience in the redistricting process or with
8 voting rights laws and issues. The Speaker of the House of Representatives and President Pro
9 Tempore of the Senate shall jointly select one cochair and the leaders of the minority party in
10 the House and the Senate shall jointly select one cochair from the eight voting Committee
11 members. Vacancies on the Committee shall be filled by the appointing authority making the
12 initial appointment. A majority of the voting members will constitute a quorum for the purpose
13 of conducting official business.

14 **SECTION 1.(b)** Purpose. – The purpose of the Joint Legislative Study Committee
15 on Fair Redistricting is to provide principles and guidance on issues studied in subsection (c) of
16 this section to ensure that the 2020 House, Senate, and Congressional district plans for North
17 Carolina are drawn fairly. The work of the Committee shall ensure that districts are drawn free
18 from unlawful racial or partisan gerrymandering in compliance with the Voting Rights Act and
19 the United States and North Carolina Constitutions, federal and State statutes and regulations,
20 and applicable court precedents. Furthermore, the Committee shall establish redistricting
21 principles, recommendations, and guidance for the General Assembly and, in doing so, shall
22 consider North Carolina's long history of racism and racial gerrymandering. The Committee
23 shall also ensure that it considers public input in the development of and in response to its final
24 recommendations and those districts drawn by the General Assembly abide by the Voting
25 Rights Act and the United States and North Carolina Constitutions, laws, and applicable court
26 precedents.

27 **SECTION 1.(c)** Study. – The Joint Legislative Study Committee on Fair
28 Redistricting shall conduct a study of the issues outlined below and provide the General
29 Assembly with principles and guidance formulated from the study's findings for the 2020
30 redistricting process. In the conduct of its study, the Committee shall examine existing State
31 and federal laws and precedents regarding redistricting, the history of the redistricting process
32 in North Carolina, and the legislation enacted in other states that encourages a fair, legal, and
33 open redistricting process. Specifically, the Committee shall study:

34 (1) Strategies for inviting, facilitating, and documenting public input into the
35 redistricting process. This shall include documenting the most effective
36 ways, in the study process, to involve local government districts, local, State,
37 and regional coalitions, grassroots organizations, and a broad diversity of
38 community members and to consider "communities of interest," i.e., a group
39 of people with common social, cultural, racial, ethnic, and economic
40 interests that are common to and strongly felt by the population of their area
41 and that are probable subjects of legislation.

42 (2) Methods for map drawing that result in fair and equitable districts that
43 exclude partisan data, the addresses of current lawmakers, the party
44 affiliation or voting history of voters, and other data and micro-targeting
45 designed to favor a particular party or politician.

46 (3) Tools used by State and federal courts to assess district maps for compliance
47 with the Voting Rights Act and the United States and North Carolina
48 Constitutions, laws, and applicable court precedents.

49 (4) Models used by other jurisdictions for reducing partisan and racial
50 gerrymandering that include the permanent residency of incarcerated persons
51 in the redistricting process.

1 **SECTION 1.(d)** Powers. – The Committee, while in the discharge of its official
2 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through
3 G.S. 120-19.4. The Committee may meet at any time upon the joint call of the cochairs. The
4 Committee may meet in the Legislative Building or in the Legislative Office Building.

5 **SECTION 1.(e)** Staffing. – The Legislative Services Commission, through the
6 Legislative Services Officer, shall assign professional staff to assist the Committee in its work.
7 The Directors of Legislative Assistants of the Senate and of the House of Representatives shall
8 assign clerical staff to the Committee, and the expenses relating to the clerical employees shall
9 be borne by the Committee. Members of the Committee shall receive subsistence and travel
10 expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

11 **SECTION 1.(f)** Report. – The Committee shall submit a final report, including
12 findings and legislative recommendations and guidance, no later than June 15, 2018. If for any
13 reason a majority of the Committee cannot agree on findings and recommendations, the
14 Committee shall provide a majority and minority party report. The Committee shall terminate
15 upon filing its final report or on June 15, 2018, whichever occurs earlier.

16 **SECTION 2.** This act is effective when it becomes law.