

House Bill 168

By: Representatives Franklin of the 43rd, Keen of the 179th, Cooper of the 41st, Burkhalter of the 50th, Lane of the 167th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 21 of the Official Code of Georgia Annotated, relating to elections, and Title
2 28 of the Official Code of Georgia Annotated, relating to the General Assembly, so as to
3 specify requirements applicable to legislative and congressional reapportionment; to provide
4 for related matters; to provide an effective date; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by
9 adding a new subsection at the end of Code Section 21-1-1, relating to definitions and
10 descriptions for use in designating congressional districts, to be designated subsection (d),
11 to read as follows:

12 "(d)(1) The General Assembly shall by general law apportion congressional districts in
13 accordance with the following:

14 (A) All districts shall comply with the United States Constitution and the Voting Rights
15 Act of 1965, as amended;

16 (B) All districts shall be composed of contiguous territory. Districts that connect on
17 a single point are not contiguous;

18 (C) All districts shall be compact in form. Bizarre shapes shall be avoided;

19 (D) No district shall divide a community of interest unless necessary to comply with
20 federal standards. A community of interest may be defined by a variety of factors,
21 including, but not limited to, economic, social, and cultural factors, government
22 services, and location;

23 (E) Districts shall divide as few counties and recognized political boundaries as is
24 practicable to comply with the other requirements in this subsection; and

1 (F) No district shall be established with the intent or effect of diluting the voting
 2 strength of any person, group of persons, or members of any political party. Data
 3 reflecting past partisan voting behavior shall not be solely considered.

4 (2) None of the criteria specified in paragraph (1) of this subsection shall be afforded
 5 greater weight than any other criteria. Minor deviations from one or more of such criteria
 6 shall be permitted if necessary to conform a plan to the other criteria specified in
 7 paragraph (1) of this subsection. The requirements, however, of the United States
 8 Constitution and the Voting Rights Act of 1965, as amended, shall be given priority
 9 should those requirements conflict with any other criteria."

10 SECTION 2.

11 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is
 12 amended by adding a new subsection at the end of Code Section 28-1-1, relating to
 13 membership and apportionment of the General Assembly, to be designated subsection (c),
 14 to read as follows:

15 "(c)(1) The General Assembly shall by general law apportion representative districts and
 16 senatorial districts in accordance with the following:

17 (A) All districts shall comply with the United States Constitution and the Voting
 18 Rights Act of 1965, as amended;

19 (B) All districts in an apportionment plan for the Senate or House of Representatives
 20 shall have a deviation of not more than plus or minus 2.5 percent from the ideal
 21 population size to ensure that each person to be elected under such plan represents, as
 22 nearly as possible, an equal number of inhabitants of the state;

23 (C) All districts shall be composed of contiguous territory. Districts that connect on
 24 a single point are not contiguous;

25 (D) All districts shall be compact in form. Bizarre shapes shall be avoided;

26 (E) No district shall divide a community of interest unless necessary to comply with
 27 federal standards. A community of interest may be defined by a variety of factors,
 28 including, but not limited to, economic, social, and cultural factors, government
 29 services, and location;

30 (F) Districts shall divide as few counties and recognized political boundaries as is
 31 practicable to comply with the other requirements in this subsection;

32 (G) No district shall be established with the intent or effect of diluting the voting
 33 strength of any person, group of persons, or members of any political party. Data
 34 reflecting past partisan voting behavior shall not be solely considered; and

1 (H) Single-member districts shall be used in all cases and multimember districts shall
2 be prohibited.

3 (2) None of the criteria specified in paragraph (1) of this subsection shall be afforded
4 greater weight than any other criteria. Minor deviations from one or more of such criteria
5 shall be permitted if necessary to conform a plan to the other criteria specified in
6 paragraph (1) of this subsection. The requirements, however, of the United States
7 Constitution and the Voting Rights Act of 1965, as amended, shall be given priority
8 should those requirements conflict with any other criteria."

9 **SECTION 3.**

10 This Act shall become effective upon its approval by the Governor or upon its becoming law
11 without such approval.

12 **SECTION 4.**

13 All laws and parts of laws in conflict with this Act are repealed.