

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 285
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HOUSE PRINCIPAL CLERK

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HOUSE DRH10117-TH-7 (02/05)

Short Title: Fair and Legal Redistricting Process.

(Public)

Sponsors: Representative Jones.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CODIFY REDISTRICTING PRINCIPLES ESTABLISHED BY THE NORTH
3 CAROLINA SUPREME COURT IN STEPHENSON V. BARTLETT.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 163 of the General Statutes is amended by adding a new
6 Article to read:

7 "Article 12B.

8 "Redistricting.

9 "**§ 163-133. Definitions.**

10 As used in this Article, the following definitions apply:

- 11 (1) Ideal population. – The number determined by dividing the number of
12 members in a plan into the population of the State as reported in the federal
13 census.
14 (2) Majority-minority district. – A district in which minorities make up more
15 than fifty percent (50%) of the voting age population in the relevant
16 geographic area.
17 (3) Sufficient population. – A population that is within five percent (5%) of the
18 ideal population for that district.
19 (4) Voting Rights Act district. – A majority-minority district that must be
20 created to comply with section 2 of the Voting Rights Act of 1965.
21 (5) Whole County Provision. – The requirement in Article II, Section 3(3) and
22 Article II, Section 5(3) of the North Carolina Constitution that no county be
23 divided in the formation of legislative districts.

24 "**§ 163-134. Redistricting principles for legislative districts.**

25 (a) Purpose. – The purpose of this section is to codify the principles established by the
26 North Carolina Supreme Court in interpreting the requirements of the North Carolina
27 Constitution for the drawing of State legislative districts.

28 (b) Requirements for All Districts. – The following requirements shall apply to all
29 legislative districts:

- 30 (1) All legislative districts shall be single-member districts.
31 (2) To meet the requirements of equal representation as required by the equal
32 protection provisions of the United States Constitution, no district may be
33 drawn to encompass a population that is more than five percent (5%) greater
34 than the ideal population or more than five percent (5%) less than the ideal
35 population.



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- 1 (3) The General Assembly shall achieve compactness of districts and
2 preservation of communities of interest to the maximum extent possible.
- 3 (c) Compliance With the Whole County Provision. – The following principles shall
4 apply with respect to the Whole County Provision:
- 5 (1) Majority-minority districts required for compliance with section 2 of the
6 federal Voting Rights Act of 1965 shall be drawn prior to any other districts.
7 In the drawing of Voting Rights Act districts, the General Assembly shall
8 comply, to the maximum extent practicable, with the Whole County
9 Provision.
- 10 (2) After the drawing of districts required under subdivision (1) of this
11 subsection, to ensure compliance with the Whole County Provision, districts
12 shall be drawn as follows:
- 13 a. In every instance in which a single county has sufficient population
14 to form one district, a district shall be formed consisting entirely of
15 that single county.
- 16 b. In every instance in which a single county can form two or more
17 districts of sufficient population, those districts shall be formed
18 within that single county.
- 19 c. In every instance when contiguous whole counties can be grouped to
20 form districts of sufficient population, the minimum number of
21 counties to achieve sufficient population shall be grouped.
- 22 d. County boundaries within a grouping may be crossed to create a
23 district, but only to the extent necessary to achieve sufficient
24 population.

25 **"§ 163-134.1. Redistricting principles for United States House of Representatives**
26 **districts.**

27 (a) All United States House of Representatives districts shall be single-member
28 districts.

29 (b) All United States House of Representatives districts shall be drawn as nearly equal
30 as practicable to the ideal population.

31 **"§ 163-134.2. Redistricting principles for local electoral districts.**

32 No county commissioner, city council, or local board of education district may be drawn to
33 encompass a population that is more than five percent (5%) greater than the ideal population or
34 more than five percent (5%) less than the ideal population."

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