AN ACT

Providing for legislative and congressional redistricting;
imposing duties on the Legislative Data Processing Committee;
and providing for redistricting criteria.

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

CHAPTER 1
PRELIMINARY PROVISIONS

Section 101. Short title.
This act shall be known and may be cited as the Legislative and Congressional Redistricting Act.

Section 102. Definitions.
The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Commission." The Legislative Reapportionment Commission authorized by section 17 of Article II of the Constitution of Pennsylvania to adopt a legislative redistricting plan.

"Committee" or "committees." The Committee on State Government of the Senate and the Committee on State Government of the House of Representatives or their successor committees.

"Community of interest." A neighborhood or geographically confined area of persons who share similar social, cultural and economic interests or other shared interests that may be subject
to legislative action. A community's shared interest does not include a shared relationship with a political party, incumbent or political candidate.

"Congressional redistricting plan." A redistricting plan for congressional districts drawn under the requirements of this act.

"Federal census." The decennial census required by Federal law to be conducted by the United States Bureau of the Census in every year ending in zero.

"LDPC." The Legislative Data Processing Committee created by section 1(a) of the act of December 10, 1968 (P.L.1158, No.365), entitled "An act creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation."

"Legislative district." The term includes Pennsylvania's senatorial districts and representative districts.

"Legislative redistricting plan." A plan adopted under Article II of the Constitution of Pennsylvania and this act. The term includes a reapportionment plan.

"Plan." A congressional redistricting plan or legislative redistricting plan drawn under the requirements of this act.

"Political subdivision." A county, city, incorporated town, borough, township or ward.

"Responsive." In reference to a district, that the voting blocs are substantially and similarly able to translate their popular support into representation in an elected body and that such representation is substantially and similarly reflective of shifts in the electorate's preferences.

"Secretary." The Secretary of the Commonwealth.

"Shapefile." A simplified, nontopological format for storing
Section 103. Legislative Data Processing Committee responsibilities.

Not later than 30 days after the official reporting of the Federal census, LDPC shall:

(1) Obtain from the United States Census Bureau the population data needed for redistricting that the United States Census Bureau is required to provide the Commonwealth under 13 U.S.C. § 141 (relating to population and other census information).

(2) Use the data obtained to:

   (i) Prepare necessary descriptions of census blocks, precincts, wards, municipalities and counties for which census data is reported and that are suitable for use as components of legislative and congressional districts.

   (ii) Assign a population figure based upon census data to each geographic and political unit described under subparagraph (i).

   (iii) Prepare maps of census blocks, precincts, wards, municipalities and counties within this Commonwealth that may be used to illustrate the locations of district boundaries proposed in plans.

Section 104. Transparency.

(a) Open meetings.--All proceedings of the commission and committees related to legislative and congressional redistricting under this act shall comply with 65 Pa.C.S. Ch. 7 (relating to open meetings). The proceedings of the commission or committees shall be contemporaneously broadcast on the publicly accessible Internet website created under Chapter 9 in 20210SB0222PN0268
a way that allows for public viewing and public interaction. To ensure public participation, meetings and hearings shall be widely advertised in multiple languages, where necessary, and be held at times that allow for broad attendance.

(b) Public comments.--The commission and committees shall develop a system for receiving written comments from the public, including all electronic mail formats and a comment portal on the publicly accessible Internet website created under Chapter 9. The portal shall be able to facilitate real-time public comment during live-streamed commission and committee meetings and hearings. The comments shall be reviewed by the commission and committees and given consideration equal to in-person testimony.

CHAPTER 3

LEGISLATIVE REAPPORTIONMENT COMMISSION

Section 301. Chair.

(a) Qualifications.--The chair of the commission must be a citizen of this Commonwealth, but not a Federal, State or local official holding an office to which compensation is attached, and who:

(1) Has voted in two of the last three Statewide general elections immediately preceding the date of appointment to the commission.

(2) Has not registered, nor has a spouse who has registered, as a Federal or State lobbyist in this Commonwealth in the five years immediately preceding the date of appointment to the commission.

(3) Has not been nominated, nor has a spouse who has been nominated, as a candidate for elective office in this Commonwealth by a political party or political body in the
five years immediately preceding the date of appointment to
the commission.

(4) Has not served, nor has a spouse who has served, as
a staff member or officer of a political party, political
body, political committee or political action committee in
this Commonwealth in the five years immediately preceding the
date of appointment to the commission.

(5) Has not served, nor has a spouse who has served, as
a staff member of an elected official in this Commonwealth in
the five years immediately preceding the date of appointment
to the commission.

(b) Ethical standards.--The provisions of 65 Pa.C.S. Ch. 11
(relating to ethics standards and financial disclosure) shall
apply to the commission chair, who shall complete and file a
financial disclosure report prior to taking office and one year
after leaving office.

CHAPTER 5

LEGISLATIVE REDISTRICTING PLANS


(a) Citizen plans.--A resident of this Commonwealth may
submit to the commission a redistricting plan for any or all
legislative districts or parts of districts.

(b) Preliminary plan.--

(1) Prior to the date that a preliminary plan is filed
with the secretary, the commission shall schedule and conduct
at least four public hearings in different regions of this
Commonwealth.

(2) Upon completion of the public hearings, the
commission shall approve a preliminary plan at a public
meeting. The commission shall give at least seven days'
notice to the public prior to the meeting the commission approves the preliminary plan.

(3) The commission shall file the approved preliminary plan with the secretary.

(4) Records pertaining to the commission's action on a preliminary plan shall be disclosed on the publicly accessible Internet website created under Chapter 9 as soon as practicable after adoption.

(5) A person aggrieved by the preliminary plan may file exceptions no later than 15 days after adoption.

(6) If a person files a timely exception to the plan, the commission shall schedule and conduct at least two public hearings to hear testimony regarding the exception.

(c) Final plan.--The commission shall approve a final plan at a public meeting. The commission shall give at least seven days' notice to the public prior to the meeting the commission approves the final plan.

(d) Publication.--The commission shall publish the proposed final plan on the publicly accessible Internet website created under Chapter 9 for at least seven days prior to the meeting the final plan is approved.

(e) Filing.--Upon approval the final plan shall be filed with the secretary.

Section 502. Contents of plans.

A legislative redistricting plan shall include the following:

(1) The senatorial and representative districts authorized by the Constitution of Pennsylvania and the political subdivisions, or parts of political subdivisions, to be included within each district.

(2) Maps depicting the division of this Commonwealth
into senatorial and representative districts and all
political subdivisions, or parts of political subdivisions,
to be included within each district.

(3) The underlying data used to create or evaluate maps
in a format easily usable for analysis.

(4) Precinct-level shapefiles and census block
equivalency files.

(5) An explanation of the necessity for each division of
a political subdivision.

(6) An explanation of how each district map complies
with the criteria described in section 503 and this section
and responses to public comment.

Section 503. Redistricting criteria.

(a) General rule.--In addition to the requirements of
section 16 of Article II of the Constitution of Pennsylvania and
Federal law, the following shall apply to the drawing of
legislative district lines:

(1) Districts shall provide racial and language
minorities with an equal opportunity to participate in the
political process and may not dilute or diminish their
ability to elect candidates of choice by themselves or in
coalition with others.

(2) A county may not contain more senatorial districts
than the number required by the population plus one.

(3) A county may not contain more representative
districts than the number required by the population plus
two.

(4) A redistricting plan shall not divide precincts.

(b) Plan priorities.--To the extent possible and in
compliance with subsection (a), a redistricting plan shall
include the following in order of priority:

(1) Keep communities of interest intact.
(2) Be responsive, as measured by one or more widely accepted measures of responsiveness.
(3) Conform district boundaries to natural boundaries existing in the physical geography of an area.

Section 504. Political discrimination.

A legislative redistricting plan shall not purposefully or unduly favor or disfavor an incumbent elected official, candidate or prospective candidate for elective office. A redistricting plan on a Statewide basis shall not purposefully or unduly favor or disfavor a political party.

CHAPTER 7

CONGRESSIONAL REDISTRICTING PLANS

Section 701. Form of plans.

A congressional redistricting plan shall be in the form of a bill listing the congressional districts allocated to the Commonwealth and the political subdivisions, or parts of political subdivisions, to be included within each district.

Section 702. Congressional redistricting process.

(a) Citizen plans.--A resident of this Commonwealth may submit to the committees a congressional redistricting plan for any or all congressional districts or parts of districts for consideration.

(b) Preliminary hearings.--No later than 60 days after the official reporting of the Federal census, the committees shall conduct at least four public hearings in different regions of this Commonwealth to receive testimony on redistricting of the Commonwealth's congressional districts. The committees may convene as a joint committee for this purpose or may agree to
divide the hearings as they deem advisable.

(c) Preliminary committee plans.--Upon completion of the hearings required under subsection (b), either committee may approve a preliminary congressional redistricting plan with not less than seven days' prior notice to the public. The plan shall be available on the publicly accessible Internet website created under Chapter 9 for that seven-day period. A preliminary plan shall be supplemented by the following:

(1) A map depicting the division of the Commonwealth into congressional districts and the political subdivisions, or parts of political subdivisions, to be included within each district.

(2) The underlying data used to create or evaluate maps in a format easily usable for analysis.

(3) Precinct-level shapefiles and census block equivalency files.

(4) An explanation of the necessity for each division of a political subdivision.

(5) An explanation of how each district map complies with the criteria described in sections 703 and 704.

(6) The committee response to public comment.

(d) Hearings on preliminary plans.--Upon approval of a preliminary plan, the committees shall conduct at least four public hearings in different regions of this Commonwealth to receive testimony on the preliminary plan.

(e) Committee action.--Upon completion of the hearings required under subsection (d) and with no less than seven days' prior notice to the public, the committee shall consider any proposed amendment to the preliminary plan and report the plan and supplementary information for consideration by the Senate.
and House of Representatives.

Section 703. Redistricting criteria.

(a) General rule.--In addition to the requirements of Federal law, the following shall apply to the drawing of congressional district lines:

(1) Districts shall be composed of compact and contiguous territory and, unless absolutely necessary, no county, city, incorporated town, borough, township or ward shall be divided.

(2) Districts shall provide racial and language minorities with an equal opportunity to participate in the political process and may not dilute or diminish their ability to elect candidates of choice by themselves or in coalition with others.

(3) A county may not contain more congressional districts than the number required by the population plus one.

(4) A redistricting plan shall not divide precincts.

(b) Plan priorities.--To the extent possible and in compliance with subsection (a), a redistricting plan shall include the following in order of priority:

(1) Keep communities of interest intact.

(2) Be responsive, as measured by one or more widely accepted measures of responsiveness.

(3) Conform district boundaries to natural boundaries existing in the physical geography of an area.

Section 704. Political discrimination.

A congressional redistricting plan shall not purposefully or unduly favor or disfavor an incumbent elected official, candidate or prospective candidate for elective office. A
redistricting plan on a Statewide basis shall not purposefully
or unduly favor or disfavor a political party.

CHAPTER 9

DATA TRANSPARENCY

Section 901. Dissemination of information to public.

The LDPC shall establish a publicly accessible, user-friendly
Internet website to disseminate the information and data
required by this act. All data posted to the website must be
easily available to the public free of charge.

Section 902. Redistricting data.

During the redistricting process, the LDPC shall assist the
commission and committees in collecting and posting data to the
publicly accessible Internet website required under section 901.
In addition to the data and information required by other
provisions of this act, the data shall include the following:

(1) Data intended for use in drafting a preliminary plan
or any revised plan in a format easily usable for analysis.
(2) Access to software and a portal that can be used by
any Pennsylvania resident to prepare and submit a plan.
(3) Plans submitted by residents in, at least, PDF and
shapefile formats.
(4) Adequate notice of commission and committee meetings
and public hearings.
(5) Transcripts of testimony presented at public
meetings and hearings.
(6) Written testimony.
(7) All written communications between the commission or
committees and other persons concerning a plan.
(8) Preliminary plans and final plans available in, at
least, PDF and shapefile formats.
(9) A detailed written explanation of the differences between a preliminary plan and a final plan, how the plans comply with criteria and how the plans incorporated public comment and map submissions.

(10) The underlying data used to create or evaluate maps in a format easily usable for analysis.

(11) Precinct-level shapefiles and census block equivalency files.

(12) All reports analyzing maps.

(13) A video archive of all commission and committee meetings and hearings.

Section 903. Timing.

All data posted on the publicly accessible Internet website created under section 901 shall provide the public with adequate time for review, but not longer than three days after the data's receipt by the commission, committee or LDPC. The data shall remain available on the website for at least 10 years following its publication.

CHAPTER 21
MISCELLANEOUS PROVISIONS

Section 2101. Effective date.

This act shall take effect immediately.