

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 924 Session of  
2017

---

INTRODUCED BY DALEY, FREEMAN, DRISCOLL, SCHLOSSBERG, O'BRIEN,  
KINSEY, DAVIS, McNEILL, SOLOMON, MURT, DEAN, RAVENSTAHL,  
W. KELLER, ROZZI, TOOHIL, GILLEN, DEASY AND DeLUCA,  
MARCH 22, 2017

---

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 22, 2017

---

AN ACT

1 Providing for legislative reapportionment and for the powers and  
2 duties of the Legislative Reapportionment Commission.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Legislative  
7 Reapportionment Openness and Fairness Act.

8 Section 2. Declaration of policy.

9 The General Assembly finds and declares as follows:

10 (1) In our representative democracy, the people elect  
11 their elected officials and entrust to them the complex task  
12 of government.

13 (2) In order for this process to work ideally, openness  
14 and fairness in the legislative reapportionment process is  
15 essential, as are efforts to educate, inform and engage the  
16 residents of this Commonwealth about the matter.

17 (3) Public participation must be encouraged to help

1 ensure that reapportionment plans provide an equal  
2 opportunity for incumbents and challengers alike to compete  
3 absent political favor to either.

4 Section 3. Definitions.

5 The following words and phrases when used in this act shall  
6 have the meanings given to them in this section unless the  
7 context clearly indicates otherwise:

8 "Commission." The Legislative Reapportionment Commission.

9 "Secretary." The Secretary of State of the Commonwealth.

10 Section 4. Preliminary plan.

11 (a) Filing.--No later than 90 days after either the  
12 commission has been duly certified or usable population data for  
13 the Commonwealth is available, whichever is later in time, the  
14 commission shall file a preliminary plan with the secretary.

15 (b) Public comment.--A public comment period of 30 days  
16 shall commence with the filing of the preliminary plan.

17 Section 5. Final plan.

18 The commission shall, no later than 30 days after the date of  
19 the expiration of the public comment period, prepare and adopt a  
20 revised reapportionment plan for both houses of the General  
21 Assembly, which shall become the final plan. The final plan  
22 shall be accompanied by an explanation of the revisions.

23 Section 6. Commission failure to file.

24 If a preliminary or final plan is not filed by the commission  
25 within the time prescribed by section 4 or 5, unless the time be  
26 extended by the Supreme Court for cause shown, the Supreme Court  
27 shall immediately proceed on its own motion to reapportion this  
28 Commonwealth.

29 Section 7. Appeals.

30 An aggrieved person may file an appeal from the final plan

1 directly to the Supreme Court within 30 days after the filing of  
2 the final plan. If the appellant establishes that the final plan  
3 is contrary to law, the Supreme Court shall issue an order  
4 remanding the final plan to the commission and directing the  
5 commission to reapportion this Commonwealth in a manner not  
6 inconsistent with the order.

7 Section 8. Citizens plans.

8 (a) General rule.--A resident of this Commonwealth may  
9 submit a reapportionment plan or plans for any or all districts  
10 of the General Assembly to the commission. These plans shall be  
11 considered by the commission.

12 (b) Information to be made available.--The commission shall  
13 make software and demographic data available on its publicly  
14 accessible Internet website for use by residents of this  
15 Commonwealth to develop plans.

16 Section 9. Openness and solicitation of public input.

17 (a) Meetings.--The commission shall meet at the call of the  
18 chairman as necessary.

19 (b) Public hearings.--Prior to the development of the  
20 preliminary plan and again prior to the development of the final  
21 plan:

22 (1) The commission shall conduct five separate public  
23 hearings.

24 (2) Each hearing shall be held in a different geographic  
25 region of this Commonwealth.

26 (c) Open meetings.--The commission shall comply with 65  
27 Pa.C.S. Ch. 7 (relating to open meetings) and the act of  
28 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.  
29 Communications between the commission or a member of the  
30 commission and other persons concerning a reapportionment plan

1 shall be in writing and made part of the public record.

2 (d) Public testimony.--The commission shall hear public  
3 testimony at all public hearings. A good faith effort shall be  
4 made by the commission to hear from as many Commonwealth  
5 residents as possible.

6 (e) Written testimony.--The commission shall develop a  
7 method of receiving written testimony, including all electronic  
8 mail formats, such as e-mail and text mail, from members of the  
9 public who cannot or choose not to testify in person. The  
10 testimony shall be reviewed by members of the commission and  
11 given consideration equal to consideration given to the  
12 testimony of those who have appeared before the commission.

13 Section 10. Dissemination of public information.

14 (a) Internet website.--The commission shall establish a  
15 publicly accessible Internet website for the purpose of the  
16 dissemination of information. The information contained on the  
17 website shall include:

18 (1) All statistical and geographic data utilized in  
19 drawing plans, including maps.

20 (2) All written communications between the commission  
21 and other persons concerning a plan.

22 (3) The preliminary and final plan.

23 (4) A detailed explanation of the differences between  
24 the preliminary and final plan.

25 (5) Citizen plans submitted to the commission.

26 (6) Notice of public hearings held by the commission.

27 (7) Notice of meetings of the commission.

28 (8) Transcripts of testimony presented at public  
29 hearings held by the commission.

30 (9) Official minutes of meetings of the commission.

1           (10) Contact information for the commission and its  
2       members, including mailing addresses, telephone and facsimile  
3       numbers and e-mail addresses, if available.

4       (b) Software.--The publicly accessible Internet website  
5       shall also be used by the commission to facilitate the use of  
6       redistricting software that residents of this Commonwealth can  
7       utilize to develop plans.

8       (c) Publication.--A plan filed by the commission, or ordered  
9       by the Supreme Court upon failure of the commission to act,  
10      shall be published by the secretary once in at least one  
11      newspaper of general circulation in each senatorial and  
12      representative district. The publication shall contain a map of  
13      this Commonwealth showing the complete reapportionment of the  
14      General Assembly by districts and a map showing the  
15      reapportionment districts in the area normally served by the  
16      newspaper in which the publication is made. The publication  
17      shall also state the population of the senatorial and  
18      representative districts having the smallest and largest  
19      population and the percentage variation of the districts from  
20      the average population for senatorial and representative  
21      districts.

22      Section 11. Funding.

23      The compensation and expenses of members and staff appointed  
24      by the commission and other necessary expenses shall be paid  
25      from appropriations or money available to the commission.

26      Section 12. Reimbursement.

27      The members of the commission who are not elected members of  
28      the General Assembly shall be entitled to compensation for their  
29      services as the General Assembly from time to time shall  
30      determine, but no part thereof shall be paid until a preliminary

1 plan is filed. If a preliminary plan is filed but the commission  
2 fails to file a revised or final plan within the time  
3 prescribed, the commission members shall forfeit all right to  
4 compensation not paid.

5 Section 13. Severability.

6 The provisions of this act are severable. If a provision of  
7 this act or its application to a person or circumstance is held  
8 invalid, the invalidity shall not affect other provisions or  
9 applications of this act which can be given effect without the  
10 invalid provision or application.

11 Section 14. Effective date.

12 This act shall take effect in 60 days.