
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1242 Session of
2020

INTRODUCED BY KILLION AND BOSCOLA, JULY 27, 2020

REFERRED TO STATE GOVERNMENT, JULY 27, 2020

AN ACT

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

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

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12 CHAPTER 1

13 PRELIMINARY PROVISIONS

14 Section 101. Short title.

15 This act shall be known and may be cited as the Legislative
16 and Congressional Redistricting Act.

17 Section 102. Definitions.

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

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

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

27 "Community of interest." A neighborhood or geographically
28 confined area of persons who share similar social, cultural and
29 economic interests or other shared interests that may be subject
30 to legislative action. A community's shared interest does not

1 include a shared relationship with a political party, incumbent
2 or political candidate.

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

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

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

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

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

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

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

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

28 "Secretary." The Secretary of the Commonwealth.

29 "Shapefile." A simplified, nontopological format for storing
30 geometric location and attribute information of geographic

1 areas.

2 Section 103. Legislative Data Processing Committee

3 responsibilities.

4 Not later than 30 days after the official reporting of the
5 Federal census, LDCP shall:

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

11 (2) Use the data obtained to:

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

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

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

23 Section 104. Transparency.

24 (a) Open meetings.--All proceedings of the commission and
25 committees related to legislative and congressional
26 redistricting under this act shall comply with 65 Pa.C.S. Ch. 7
27 (relating to open meetings). The proceedings of the commission
28 or committees shall be contemporaneously broadcast on the
29 publicly accessible Internet website created under Chapter 9 in
30 a way that allows for public viewing and public interaction. To

1 ensure public participation, meetings and hearings shall be
2 widely advertised in multiple languages, where necessary, and be
3 held at times that allow for broad attendance.

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

13 CHAPTER 3

14 LEGISLATIVE REAPPORTIONMENT COMMISSION

15 Section 301. Chair.

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

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

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

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

1 the commission.

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

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

12 CHAPTER 5

13 LEGISLATIVE REDISTRICTING PLANS

14 Section 501. Process.

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

18 (b) Preliminary plan.--

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

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

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

30 (4) Records pertaining to the commission's action on a

1 preliminary plan shall be disclosed on the publicly
2 accessible Internet website created under Chapter 9 as soon
3 as practicable after adoption.

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

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

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

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

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

19 Section 502. Contents of plans.

20 A legislative redistricting plan shall include the following:

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

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

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

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

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

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

8 Section 503. Redistricting criteria.

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

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

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

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

23 (4) A redistricting plan shall not divide precincts.

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

27 (1) Keep communities of interest intact.

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

30 (3) Conform district boundaries to natural boundaries

1 existing in the physical geography of an area.

2 Section 504. Political discrimination.

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

8 CHAPTER 7

9 CONGRESSIONAL REDISTRICTING PLANS

10 Section 701. Form of plans.

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

15 Section 702. Congressional redistricting process.

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

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

27 (c) Preliminary committee plans.--Upon completion of the
28 hearings required under subsection (b), either committee may
29 approve a preliminary congressional redistricting plan with not
30 less than seven days' prior notice to the public. The plan shall

1 be available on the publicly accessible Internet website created
2 under Chapter 9 for that seven-day period. A preliminary plan
3 shall be supplemented by the following:

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

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

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

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

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

16 (6) The committee response to public comment.

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

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

27 Section 703. Redistricting criteria.

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

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

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

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

13 (4) A redistricting plan shall not divide precincts.

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

17 (1) Keep communities of interest intact.

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

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

22 Section 704. Political discrimination.

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

28 CHAPTER 9

29 DATA TRANSPARENCY

30 Section 901. Dissemination of information to public.

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

5 Section 902. Redistricting data.

6 During the redistricting process, the LDPC shall assist the
7 commission and committees in collecting and posting data to the
8 publicly accessible Internet website required under section 901.
9 In addition to the data and information required by other
10 provisions of this act, the data shall include, but is not
11 limited to, the following:

12 (1) Data intended for use in drafting a preliminary plan
13 or any revised plan in a format easily usable for analysis.

14 (2) Access to software and a portal that can be used by
15 any Pennsylvania resident to prepare and submit a plan.

16 (3) Plans submitted by residents in, at least, PDF and
17 shapefile formats.

18 (4) Adequate notice of commission and committee meetings
19 and public hearings.

20 (5) Transcripts of testimony presented at public
21 meetings and hearings.

22 (6) Written testimony.

23 (7) All written communications between the commission or
24 committees and other persons concerning a plan.

25 (8) Preliminary plans and final plans available in, at
26 least, PDF and shapefile formats.

27 (9) A detailed written explanation of the differences
28 between a preliminary plan and a final plan, how the plans
29 comply with criteria and how the plans incorporated public
30 comment and map submissions.

