
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 22 Session of
2021

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SOLOMON, STEPHENS, TOMLINSON AND SHUSTERMAN,
FEBRUARY 26, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 26, 2021

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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14 CHAPTER 1

15 PRELIMINARY PROVISIONS

16 Section 101. Short title.

17 This act shall be known and may be cited as the Legislative
18 and Congressional Redistricting Act.

19 Section 102. Definitions.

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

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

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

29 "Communities of interest." Neighborhoods or geographically
30 confined areas of persons who share similar social, cultural and

1 economic interests or other shared interests that may be subject
2 to legislative action. A community's shared interest does not
3 include a shared relationship with a political party, incumbent
4 or political candidate.

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

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

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

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

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

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

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

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

30 "Secretary." The Secretary of the Commonwealth.

1 "Shapefile." A simplified, nontopological format for storing
2 geometric location and attribute information of geographic
3 areas.

4 Section 103. Legislative Data Processing Committee
5 responsibilities.

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

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

13 (2) Use the data obtained to:

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

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

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

25 Section 104. Transparency.

26 (a) Open meetings.--All proceedings of the commission and
27 committees related to legislative and congressional
28 redistricting under this act shall comply with 65 Pa.C.S. Ch. 7
29 (relating to open meetings). The proceedings of the commission
30 or committees shall be contemporaneously broadcast on the

1 publicly accessible Internet website created under Chapter 9 in
2 a way that allows for public viewing and public interaction. To
3 ensure public participation, meetings and hearings shall be
4 widely advertised in multiple languages, where necessary, and be
5 held at times that allow for broad attendance.

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

15 CHAPTER 3

16 LEGISLATIVE REAPPORTIONMENT COMMISSION

17 Section 301. Chair.

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

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

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

29 (3) Has not been nominated, nor has a spouse who has
30 been nominated, as a candidate for elective office in this

1 Commonwealth by a political party or political body in the
2 five years immediately preceding the date of appointment to
3 the commission.

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

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

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

18 CHAPTER 5

19 LEGISLATIVE REDISTRICTING PLANS

20 Section 501. Process.

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

24 (b) Preliminary plan.--The following shall apply:

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

29 (2) Upon completion of the public hearings, the
30 commission shall approve a preliminary plan at a public

1 meeting. The commission shall give at least seven days'
2 notice to the public prior to the meeting the commission
3 approves the preliminary plan.

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

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

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

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

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

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

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

25 Section 502. Contents of plans.

26 A legislative redistricting plan shall include the following:

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

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

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

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

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

11 (6) An explanation of how each district map complies
12 with the criteria described in sections 503 and 504 and
13 responses to public comment.

14 Section 503. Redistricting criteria.

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

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

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

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

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

30 (b) Plan priorities.--To the extent possible and in

1 compliance with subsection (a), a redistricting plan shall
2 include the following in order of priority:

3 (1) Keep communities of interest intact.

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

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

8 Section 504. Political discrimination.

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

14 CHAPTER 7

15 CONGRESSIONAL REDISTRICTING PLANS

16 Section 701. Form of plans.

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

21 Section 702. Congressional redistricting process.

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

26 (b) Preliminary hearings.--No later than 60 days after the
27 official reporting of the Federal census, the committees shall
28 conduct at least four public hearings in different regions of
29 this Commonwealth to receive testimony on redistricting of the
30 Commonwealth's congressional districts. The committees may

1 convene as a joint committee for this purpose or may agree to
2 divide the hearings as they deem advisable.

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

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

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

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

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

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

22 (6) The committee response to public comment.

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

27 (e) Committee action.--Upon completion of the hearings
28 required under subsection (d) and with no less than seven days'
29 prior notice to the public, the committee shall consider any
30 proposed amendment to the preliminary plan and report the plan

1 and supplementary information for consideration by the Senate
2 and House of Representatives.

3 Section 703. Redistricting criteria.

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

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

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

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

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

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

23 (1) Keep communities of interest intact.

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

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

28 Section 704. Political discrimination.

29 A congressional redistricting plan shall not purposefully or
30 unduly favor or disfavor an incumbent elected official,

1 candidate or prospective candidate for elective office. A
2 redistricting plan on a Statewide basis shall not purposefully
3 or unduly favor or disfavor a political party.

4 CHAPTER 9

5 DATA TRANSPARENCY

6 Section 901. Dissemination of information to public.

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

11 Section 902. Redistricting data.

12 During the redistricting process, the LDPC shall assist the
13 commission and committees in collecting and posting data to the
14 publicly accessible Internet website required under section 901.
15 In addition to the data and information required by other
16 provisions of this act, the data shall include, but is not
17 limited to, the following:

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

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

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

24 (4) Adequate notice of commission and committee meetings
25 and public hearings.

26 (5) Transcripts of testimony presented at public
27 meetings and hearings.

28 (6) Written testimony.

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

