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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1219 Session of  
2021

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INTRODUCED BY DELOZIER, JAMES AND STAMBAUGH, APRIL 19, 2021

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 19, 2021

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, further providing for reapportionment of  
3 Federal and Commonwealth legislative representation.

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

6 Section 1. The following amendment to the Constitution of  
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 17 heading, (a), (c), (e), (h) and (i) of  
9 Article II of the Constitution of Pennsylvania be amended to  
10 read:

11 § 17. Congressional and Legislative Reapportionment Commission.

12 (a) In each year following the year of the Federal decennial  
13 census, a Congressional and Legislative Reapportionment  
14 Commission shall be constituted for the purpose of  
15 reapportioning the Commonwealth for representation in the United  
16 States House of Representatives and in the General Assembly. The  
17 commission shall act by a majority of its entire membership.

18 \* \* \*

1 (c) No later than 90 days after either the commission has  
2 been duly certified or the population data for the Commonwealth  
3 as determined by the Federal decennial census are available,  
4 whichever is later in time, the commission shall file a  
5 preliminary reapportionment plan for the Pennsylvania districts  
6 in the United States House of Representatives and for the  
7 districts in each chamber of the General Assembly with such  
8 elections officer.

9 [The commission shall have 30 days after filing the  
10 preliminary plan to make corrections in the plan.] A public  
11 comment period of 30 days shall commence with the filing of the  
12 preliminary plan. During the comment period, the commission  
13 shall conduct public hearings in Philadelphia, Pittsburgh and  
14 Harrisburg. The commission shall have 30 days after the date of  
15 the expiration of the public comment period to prepare and adopt  
16 a revised reapportionment plan.

17 Any person aggrieved by the preliminary plan shall have the  
18 same 30-day period to file exceptions with the commission in  
19 which case the commission shall have 30 days after the date the  
20 exceptions were filed to prepare and file with such elections  
21 officer a revised reapportionment plan. If no exceptions are  
22 filed within 30 days, or if filed and acted upon, the  
23 [commissions's] commission's plan shall be final and have the  
24 force of law.

25 \* \* \*

26 (e) When the Supreme Court has finally decided an appeal or  
27 when the last day for filing an appeal has passed with no appeal  
28 taken, the reapportionment plan shall have the force of law and  
29 the districts therein provided shall be used thereafter in  
30 elections to the United States House of Representatives and to

1 the General Assembly until the next reapportionment as required  
2 under this section 17.

3 \* \* \*

4 (h) If a preliminary, revised or final reapportionment plan  
5 is not filed by the commission within the time prescribed by  
6 this section, unless the time be extended by the Supreme Court  
7 for cause shown, the Supreme Court shall immediately proceed on  
8 its own motion to reapportion the Commonwealth for  
9 representation in the United States House of Representatives and  
10 in the General Assembly.

11 (i) Any reapportionment plan filed by the commission, or  
12 ordered or prepared by the Supreme Court upon the failure of the  
13 commission to act, shall be published by the elections officer  
14 once in at least one newspaper of general circulation in each  
15 congressional, senatorial and representative district. The  
16 publication shall contain [a map] two maps of the Commonwealth  
17 showing the complete reapportionment of the [General Assembly  
18 by] Commonwealth, one for congressional districts[, ] and [a map  
19 showing the reapportionment districts in the area normally  
20 served by the newspaper in which the publication is made] one  
21 for senatorial and representative districts. The publication  
22 shall also state the population of the congressional districts  
23 having the smallest and largest population and the percentage  
24 variation of such districts from the average population for  
25 congressional districts and the population of the senatorial and  
26 representative districts having the smallest and largest  
27 population and the percentage variation of such districts from  
28 the average population for senatorial and representative  
29 districts.

30 Section 2. (a) Upon the first passage by the General

1 Assembly of this proposed constitutional amendment, the  
2 Secretary of the Commonwealth shall proceed immediately to  
3 comply with the advertising requirements of section 1 of Article  
4 XI of the Constitution of Pennsylvania and shall transmit the  
5 required advertisements to two newspapers in every county in  
6 which such newspapers are published in sufficient time after  
7 passage of this proposed constitutional amendment.

8 (b) Upon the second passage by the General Assembly of this  
9 proposed constitutional amendment, the Secretary of the  
10 Commonwealth shall proceed immediately to comply with the  
11 advertising requirements of section 1 of Article XI of the  
12 Constitution of Pennsylvania and shall transmit the required  
13 advertisements to two newspapers in every county in which such  
14 newspapers are published in sufficient time after passage of  
15 this proposed constitutional amendment. The Secretary of the  
16 Commonwealth shall submit this proposed constitutional amendment  
17 to the qualified electors of this Commonwealth at the first  
18 primary, general or municipal election which meets the  
19 requirements of and is in conformance with section 1 of Article  
20 XI of the Constitution of Pennsylvania and which occurs at least  
21 three months after the proposed constitutional amendment is  
22 passed by the General Assembly.