

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

House Bill 2383

BY DELEGATES OVERINGTON, FOSTER, FRICH, HAMILTON,

ROWAN AND SOBONYA

[Reported February 16, 2018; Referred

to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §1-2-2a, relating to the Redistricting Office of the Joint Committee on
3 Government and Finance and proposed maps for redistricting congressional and
4 legislative districts; establishing factors and goals to be considered and followed in the
5 mapping process for redistricting congressional and legislative districts; and, providing for
6 advertisement, comment and public hearing related to proposed maps for redistricting
7 congressional and legislative districts.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. APPORTIONMENT OF REPRESENTATION.

§1-2-2a. Mapping process factors considered by Redistricting Office of the Joint Committee on Government and Finance.

1 (a) Factors in the Mapping Process – The Redistricting Office shall plan and propose
2 congressional and legislative districts, to include the commencement of the proposed mapping
3 process for both the congressional and legislative districts. The mapping process shall strive to
4 create districts of equal population in a grid-like pattern across the state. Adjustments to the
5 redistricting map shall then be made as necessary to accommodate the goals set forth below:

6 (1) Congressional and legislative districts shall comply with the United States Constitution
7 and the United States Voting Rights Act.

8 (2) Congressional and legislative districts shall have equal population to the extent
9 practicable.

10 (3) Congressional and legislative districts shall be geographically compact and contiguous
11 to the extent practicable.

12 (4) To the extent practicable, district lines shall use visible geographic features, city, town
13 and county boundaries, and undivided census tracts.

14 (5) To the extent practicable, competitive districts should be favored where to do so would
15 create no significant detriment to the other goals.

16 (6) Party registration and voting history data shall be excluded from the initial phase of the
17 mapping process but may be used to test maps for compliance with the above goals. The places
18 of residence of incumbents or candidates shall not be identified or considered.

19 (7) The geographic integrity of any city, county, city and county, local neighborhood, or
20 local community of interest shall be respected in a manner that minimizes their division to the
21 extent possible without violating the requirements of any of the preceding subdivisions.

22 (8) To the extent practicable, and where this does not conflict with the criteria above,
23 districts shall be drawn to encourage geographical compactness such that nearby areas of
24 population are not bypassed for more distant population.

25 (9) To the extent practicable, competitive districts should be favored where to do so would
26 create no significant detriment to the other goals.

27 (10) Districts shall not be drawn for favoring or discriminating against an incumbent,
28 political candidate, or political party.

29 (11) To the maximum extent possible, the plan should avoid drawing districts that are
30 oddly shaped.

31 (12) Division of counties shall be avoided whenever possible. If a county must be
32 divided, the number of such divisions, per county, should be kept to a minimum.

33 (13) To the extent that counties must be divided to create districts, such districts shall be
34 composed of contiguous counties.

35 (14) District boundaries shall respect communities of interest to the extent practicable;

36 (15) To the extent practicable, district lines shall use visible geographic features, city, town
37 and county boundaries, and undivided census tracts.

38 (16) A district may not be drawn to favor a political party, incumbent Legislator or member
39 of Congress, or other person or group, or for the purpose of augmenting or diluting the voting
40 strength of a language or racial minority group.

41 (17) In establishing districts, no use may be made of any of the following data:

42 (A) Address of incumbent Legislators or members of Congress;

43 (B) Political affiliations of registered voters;

44 (C) Previous election results; and

45 (D) Demographic information, other than population head counts, except as required by
46 the Constitution and laws of the United States.

47 (18) Party registration and voting history data shall be excluded from the mapping process.

48 The places of residence of incumbents or candidates shall not be identified or considered.

49 (19) When a legislative district contains more than one (1) county or a portion of a county,
50 the counties or portion of a county in the district shall be directly connected by roads and highways
51 which are designated as part of the interstate highway system, the United States highway system
52 or the state highway system.

53 (b) Advertisement, comment and public hearing. – The Redistricting Office shall advertise
54 proposed draft maps of congressional and legislative districts to the public for comment, to include
55 on-line publication and access, which comment period shall be taken for at least thirty days, also
56 including on-line access. The Redistricting Office shall hold a public hearing in each
57 Congressional district at a location, or locations, to be determined by the Redistricting Office.