

## **Overview: Virginia Advisory Independent Commission Proposal (HB1256)**

HB1256 would create an 11-member advisory independent commission and establish redistricting criteria for congressional and state legislative districts.

### **Key Features**

#### **Type of Commission**

Advisory/Independent

#### **What Maps the Commission Draws**

Congressional and state legislature

#### **Commission Size**

11 members

#### **How Commissioners are Selected**

The Auditor of Public Accounts creates and advertises an application process. The Auditor then selects three pools of 20 applicants affiliated with: (1) the Republican party; (2) the Democratic party; and (3) neither of the two major parties.

11 commissioners are then selected out of the applicant pools:

- Four commissioners (two Republicans and two Democrats) are citizens appointed by majority and minority legislative leadership.
- One commissioner (not affiliated with either major party) is a citizen randomly selected by the Auditor of Public Accounts.
- The six remaining commissioners (two from each partisan pool) are citizens selected by the first five commissioners.

## Who is Eligible to Be a Commissioner

For five years immediately preceding the application period, commissioners must be residents of and registered voters in Virginia. Commissioners must have also voted in at least two of the previous three general elections.

For five years immediately preceding the application period, commissioners may not be: candidates for, holders of, or employees of any partisan public office or political party office; employees of a political action committee or 527; members of a political party central committee; or lobbyists. Commissioners may not be the immediate family members of anyone described by these categories.

## How a Map Gets Approved

### Step 1: Commission Approves a Map

In order to be submitted to the General Assembly, a final map must receive votes from at least seven out of the 11 commissioners.

### Step 2: General Assembly Approves a Map

Within seven days of receiving a final map, the General Assembly must vote on the plan, with no amendments permitted.

If the General Assembly rejects the first plan, the commission then has 14 days to submit a second plan for approval under the same process.

If the second plan is also rejected, the third plan submitted to the General Assembly is subject to amendment.

Plans approved by the General Assembly are subject to gubernatorial veto.

If the commission fails to submit a final map by the deadline, the General Assembly will adopt a plan by majority vote (subject to the same map drawing criteria that applied to the commission).

## Rules That Must Be Followed in Drawing a Map

Unranked or ranked criteria: unranked

Criteria	HB1256
Protections for communities of color	Yes
Preservation of communities of interest	Yes
Ban on partisan gerrymandering	Yes
Respect political subdivisions	Yes

Compactness requirement	Yes*
Contiguity requirement	Yes*

\*These criteria carry over from redistricting standards currently in effect.

The commission shall draw districts on the basis of total population, using census data adjusted to reflect the residency of incarcerated people at their legal residences prior to entering custody.

### **Public Input and Transparency**

The commission must hold at least eight public hearings prior to the receipt of census data and at least five public hearings after drafting preliminary maps.

The commission must issue a report when submitting a final map to the General Assembly explaining how the final map complies with the given criteria and summarizing public input.

All commission meetings, hearings, and data are public. The commission shall establish a website to share information and solicit public comment. All commission communications and documents are public record.

### **Timing**

#### Selection Process Deadlines

- May 1, 2020: Auditor of Public Account adopts application process
- June 1 - 30, 2020: Application period
- August 15, 2020: Auditor creates three applicant pools
- August 30, 2020: Auditor submits applicant pools to legislative leadership and first five commissioners are selected
- September 30, 2020: Final six commissioners are selected

#### Plan Approval Deadlines

- October 1, 2020: Commission establishes website
- February 28, 2021: Commission draws preliminary maps
- March 31, 2021: Commission submits final maps to General Assembly

Prepared January 14, 2020. This overview is for informational purposes only.