

TO: Interested Parties

FROM: Michael C. Li and Yuriy Rudensky, Brennan Center for Justice

DATE: July 28, 2021

RE: State Timelines for Congressional Redistricting After Release of Census Data

In connection with the For the People Act (S.1/H.R. 1), we have been asked to provide an update on current state deadlines and timeframes for completing the redrawing of congressional districts. The Census Bureau's release of block-level redistricting data will occur on or shortly before **August 16, 2021**. At that time, all states will have the data they need to draw new maps and will be able to begin the process.

Summary

All told, eighteen states, including Ohio, Michigan, North Carolina, and Texas, have redistricting and/or election-related deadlines written into state law that will require completing redistricting this fall or early next year unless changed.¹

In addition, fourteen other states without early deadlines nonetheless customarily complete congressional redistricting in the year ending in one or shortly afterwards. These states also could choose to try to redistrict in 2021 or early 2022 in order to adhere as much as possible to traditional election schedules. Indeed, fifteen Republican governors, including Brian Kemp of Georgia and Ron DeSantis of Florida, recently sent a letter to the Census Bureau urging release of redistricting data well before August 16, citing an urgent need to complete redistricting.²

While it will be possible for federal legislation to reform the redistricting process after release of data on August 16, that effort likely will become more complicated if passage occurs in the fall or winter rather than this summer.

States with Upcoming Redistricting or Election Deadlines

The following states have to redistrict this fall in order to meet constitutional or statutory deadlines for completing redistricting or in order to meet election-related deadlines:

State	Current Redistricting Deadline	Election Deadline That Will Affect Redistricting Timing
Colorado	Sept. 1, 2021	
Connecticut	Sept. 15, 2021	
New York	Sept. 15, 2021 ³	
Ohio	Sept. 30, 2021 ⁴	
Idaho	Oct. 12, 2021	
Michigan	Nov. 1, 2021	
Texas		Nov. 13, 2021 ⁵
Washington	Nov. 15, 2021 ⁶	
Illinois		Nov. 29, 2021 ⁷
Virginia	Dec. 14, 2021	
California	Dec. 15, 2021	
North Carolina		Dec. 17, 2021 ⁸
Montana	Dec. 29, 2021	
New Mexico	Dec. 31, 2021	
New Jersey	Jan. 18, 2021	
Kentucky		Jan. 7, 2021 ⁹
Alabama		Jan. 28, 2021 ¹⁰
West Virginia		Jan. 29, 2021 ¹¹

Other States That Could Redistrict in 2021 or Early 2022

The following states are not obligated to redistrict in 2021 or early 2022 but could choose to do so. States with an asterisk (*) customarily complete congressional redistricting in the year ending in one or very shortly thereafter. But because these states have comparatively late primaries, they also could choose to delay redistricting until later in 2022.

- Arizona*
- Georgia*
- Kansas
- Louisiana*
- Maryland*
- Massachusetts*
- Missouri*
- Nebraska*
- Nevada*
- Oklahoma*
- Oregon*
- Pennsylvania*
- Rhode Island
- South Carolina*
- Tennessee*
- Wisconsin*

¹ Yuriy Rudensky, Michael Li, and Gabriella Limón, *The Impact of Census Timeline Changes on the Next Round of Redistricting*, Brennan Center for Justice, 2021, 5-18,

<https://www.brennancenter.org/sites/default/files/2021-04/BCJ-127%20Redistricting2021.pdf>.

² The fifteen states requesting that redistricting data be released earlier than August 16 are Alabama, Arizona, Arkansas, Florida, Georgia, Iowa, Missouri, Montana, Nebraska, North Dakota, Ohio, South Carolina, Tennessee, Texas, and Wyoming. Gov. Asa Hutchison, et al. to Gina Raimundo, U.S. Secretary of Commerce, Republican Governors' Joint Letter on Census Redistricting Data Delay, June 22, 2021,

<https://www.documentcloud.org/documents/20970485-june-22-2021-republican-governors-joint-letter-on-census-redistricting-data-delay>.

³ Deadline for New York commission to release preliminary map.

⁴ Deadline for Idaho commission to release preliminary map.

⁵ Candidate filing in Texas begins November 13 and runs through December 13.

⁶ Deadline for Washington commission to deliver congressional plan to legislature.

⁷ End of candidate filing period in Illinois.

⁸ End of candidate filing period in North Carolina.

⁹ End of candidate filing period in Kentucky.

¹⁰ End of candidate filing period in Alabama.

¹¹ End of candidate filing period in West Virginia.