



**ALABAMA
(status quo)**

KEY POINTS:

The legislature draws congressional and state legislative maps subject to state and federal constitutional and statutory limitations. The governor has the opportunity to veto redistricting plans. In the event that the legislature does not act, the responsibility shifts to the state judiciary. *See* Brooks v. Hobbie, 631 So. 2d 883 (Ala. 1993).

PROCESS:

The legislature is responsible for drawing all state legislative and congressional district maps. Reapportionment must take place in the first session following the official completion of the decennial census, and happens through the usual legislative process.

- **Independence from Legislators:** None.
- **Partisan Balance:** No stipulation for partisan balance. 2001 Cycle was controlled by Democrats. After the November 2010 elections, both chambers of the legislature and the governor's office are unified party control.
- **Minority Participation:** Alabama has no requirement under state law requiring minority participation in the process therefore the process features only as much diversity as the legislature itself
- **Public Input:** In addition to the public hearings associated with the normal legislative process, the Alabama legislature will hold public meetings throughout the state to discuss redistricting.
- **Timing:** State legislative districts may not be drawn more than once per decade. ALA. CONST. art. IX, § 198.

CRITERIA:

Congressional and legislative districts are subject to federal constitutional and statutory limitations. Alabama's constitution requires that all districts be drawn to achieve substantial equality of population, and also requires that a plan shall not dilute minority voting strength or subordinate race-neutral criteria to stereotypes based on race, color or membership in a language minority. Districts must be contiguous, and in the senate map, district lines must respect county boundaries. It is also advised (though not compelled) that districts be compact and preserve communities of interest where practicable.

All Alabama redistricting plans are subject to Section 5 of the Voting Rights Act and must be precleared by either the Department of Justice or a three-judge panel before any part of the plans may be implemented

- **Population Equality**: It is a requirement of the Alabama Constitution that districts be drawn with substantially equal populations, in compliance with the federal one person, one vote requirement. According to the state legislature, “a high priority of every legislative...redistricting plan must be minimizing population deviations.”
- **Minority Rights**: A redistricting plan may not have either the purpose or the effect of diluting minority voting strength, shall not be retrogressive, and shall otherwise comply with Sections 2 and 5 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments to the Constitution. No district may be drawn in a manner that subordinates race-neutral criteria to considerations that stereotype voters on the basis of race, color, or membership in a language-minority group.
- **Compactness**: To the extent practicable, districts must be compact.
- **District Competition**: There is no provision encouraging or discouraging competition within a district.
- **Statewide Partisan Balance**: If, as now, there exists single party partisan control of both chambers of the legislature and the governor’s office, that party will have the ability to control the redistricting process. There is no provision encouraging or discouraging statewide partisan balance.
- **Preservation of Political Boundaries**: State senate districts must respect county boundaries. Neither state legislative districts nor county districts are bound by this criterion.
- **Communities of Interest**: Respect for the preservation of communities of interest is encouraged, but not required. A community of interest is defined as an area with recognized similarities of interests, including but not limited to racial, ethnic, geographic, governmental, regional, social, cultural, partisan, or historic interests; county, municipal, or voting precinct boundaries; and commonality of communications. Guidelines acknowledge that it is inevitable that the state will not be able to accommodate all identified communities of interest.
- **Nesting**: Alabama has no nesting requirement.
- **Incumbent Residence**: If possible, contests between incumbent members of Congress, the Legislature, and the State Board of Education will be avoided.