

Overview: Virginia Redistricting Reform Amendment (SJ306)

SJ306 is a proposed constitutional amendment that would create a sixteen-member advisory commission and establish redistricting criteria for congressional and state legislative districts.

The proposed amendment has bipartisan sponsorship.

Overview of Key Features

Type of Commission

Advisory

What Maps the Commission Will Draw

Congressional and state legislature

Commission Size

Sixteen members (6 Republicans, 6 Democrats, 4 unaffiliated or minor party)

How Commissioners are Selected

Four commissioners are state senators appointed by majority and minority senate leadership.

Four commissioners are state representatives appointed by majority and minority assembly leadership.

The remaining eight commissioners are citizens selected through the following process:

- The Chief Justice of the Virginia Supreme Court submits a list of retired circuit court judges to the four state legislative leaders. Each leader selects a judge on the list to appoint to the Redistricting Commission Selection Committee. The four appointed judges choose a fifth member from the list by majority vote.
- The committee adopts an application process for registered voters interested in serving as commissioners.
- The committee selects sixteen candidates by majority vote. Four candidates must be affiliated with the political party that received the highest number of votes for governor during the last gubernatorial election and four candidates must be affiliated with the

political party that received the second highest number of votes for governor during the last gubernatorial election. The remaining eight candidates must be unaffiliated with either of those political parties.

- The four state legislative leaders each strike one candidate from the pool affiliated with the opposite political party and one candidate from the pool unaffiliated with the major parties. The remaining eight candidates in the pools become commissioners.

Who is Eligible to Be a Commissioner

Registered voters of Virginia who meet criteria set by the Virginia General Assembly

How a Map Gets Approved

A plan must receive bipartisan support in order to be recommended to the legislature, including affirmative votes from:

- at least six of the eight legislative members, and
- at least six of the eight citizen members.

The general assembly then votes on the unamended plan and submits the approved map to the governor for signature.

If the commission fails to submit a map by the deadline, if the general assembly fails to approve a map, or if the governor vetoes a map, the map will be drawn or selected by a court.

The Rules That Must Be Followed in Drawing a Map

Unranked or ranked criteria: unranked

Criteria	Yes	No
Protections for communities of color	✓	
Preservation of communities of interest		✗
Ban on partisan gerrymandering		✗
Respect political subdivisions		✗
Compactness requirement	✓*	
Contiguity requirement	✓*	

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

Public Input and Transparency

The commission must hold at least three public hearings in different parts of the state before proposing or voting on a plan.

All commission meetings are open to the public, and all commission communications and documents are public record.

Timing

- By November 15 of a decennial census year: The Chief Justice of the Virginia Supreme Court presents a list of retired judges to state legislative leaders
- By December 1: The selection committee adopts an application process
- By February 1: The commission holds a public meeting and selects a citizen member as chairperson
 - Within 45 days after receiving census data: The commission must submit their proposed legislative maps to the general assembly
 - Within 60 days after receiving census data: The commission must submit their proposed congressional maps to the general assembly
 - Within fifteen days after receiving a plan: The general assembly must vote on a plan

This proposal overview is informational and does not imply endorsement by the Brennan Center for Justice.

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