

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 90

BY REPRESENTATIVE SCHEXNAYDER AND SENATOR CORTEZ AND REPRESENTATIVE STEFANSKI AND SENATOR HEWITT AND REPRESENTATIVE DUPLESSIS AND SENATOR MILLIGAN AND REPRESENTATIVE MIKE JOHNSON AND SENATOR HARRIS

REAPPORTIONMENT: Provides relative to redistricting principles and criteria

1 A CONCURRENT RESOLUTION

2 To adopt Joint Rule No. 21 of the Joint Rules of the Senate and House of Representatives  
3 to provide minimum criteria required for the consideration of a redistricting plan.

4 BE IT RESOLVED by the Legislature of Louisiana that Joint Rule No. 21 of the  
5 Joint Rules of the Senate and House of Representatives is hereby adopted to read as follows:

6 Joint Rule No. 21. Redistricting criteria

7 A. To promote the development of constitutionally and legally acceptable  
8 redistricting plans, the Legislature of Louisiana adopts the criteria contained in this  
9 Joint Rule, declaring the same to constitute minimally acceptable criteria for  
10 consideration of redistricting plans in the manner specified in this Joint Rule.

11 B. Each redistricting plan submitted for consideration shall comply with the  
12 Equal Protection Clause of the Fourteenth Amendment and the Fifteenth Amendment  
13 to the U.S. Constitution; Section 2 of the Voting Rights Act of 1965, as amended;  
14 and all other applicable federal and state laws.

15 C. Each redistricting plan submitted for consideration shall provide that each  
16 district within the plan is composed of contiguous geography.

17 D. In addition to the criteria specified in Paragraphs B, C, G, H, I, and J of  
18 this Joint Rule, the minimally acceptable criteria for consideration of a redistricting

1 plan for the House of Representatives, Senate, Public Service Commission, and  
2 Board of Elementary and Secondary Education shall be as follows:

3 (1) The plan shall provide for single-member districts.

4 (2) The plan shall provide for districts that are substantially equal in  
5 population. Therefore, under no circumstances shall any plan be considered if the  
6 plan has an absolute deviation of population which exceeds plus or minus five  
7 percent of the ideal district population.

8 (3) The plan shall be a whole plan which assigns all of the geography of the  
9 state.

10 (4) Due consideration shall be given to traditional district alignments to the  
11 extent practicable.

12 E. In addition to the criteria specified in Paragraphs B, C, G, H, I, and J of  
13 this Joint Rule, the minimally acceptable criteria for consideration of a redistricting  
14 plan for Congress shall be as follows:

15 (1) The plan shall provide for single-member districts.

16 (2) The plan shall provide that each congressional district shall have a  
17 population as nearly equal to the ideal district population as practicable.

18 (3) The plan shall be a whole plan which assigns all of the geography of the  
19 state.

20 F. In addition to the criteria specified in Paragraphs B, C, G, H, I, and J of  
21 this Joint Rule, the minimally acceptable criteria for consideration of a redistricting  
22 plan for the Supreme Court shall be that the plan shall be a whole plan which assigns  
23 all of the geography of the state.

24 G.(1) To the extent practicable, each district within a redistricting plan  
25 submitted for consideration shall contain whole election precincts as those are  
26 represented as Voting Districts (VTDs) in the most recent Census Redistricting  
27 TIGER/Line Shapefiles for the State of Louisiana which corresponds to the P.L. 94-  
28 171 data released by the United States Bureau of the Census for the decade in which  
29 the redistricting is to occur. However, if the redistricting plan is submitted after the  
30 year in which the legislature is required by Article III, Section 6, of the Constitution

1 of Louisiana to reapportion, then to the extent practicable, the redistricting plan  
 2 submitted for consideration shall contain whole election precincts as those are  
 3 represented as VTDs as validated through the data verification program of the House  
 4 and Senate in the most recent Shapefiles made available on the website of the  
 5 legislature.

6 (2) If a VTD must be divided, it shall be divided into as few districts as  
 7 practicable using a visible census tabulation boundary or boundaries.

8 H. All redistricting plans shall respect the established boundaries of parishes,  
 9 municipalities, and other political subdivisions and natural geography of this state  
 10 to the extent practicable. However, this criterion is subordinate to and shall not be  
 11 used to undermine the maintenance of communities of interest within the same  
 12 district to the extent practicable.

13 I. The most recent P.L. 94-171 data released by the United States Bureau of  
 14 the Census, as validated through the data verification program of the House and  
 15 Senate, shall be the population data used to establish and for evaluation of proposed  
 16 redistricting plans.

17 J. Each redistricting plan submitted to the legislature by the public for  
 18 consideration shall be submitted electronically in a comma-delimited block  
 19 equivalency file.

---

#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HCR 90 Engrossed

2021 Regular Session

Schexnayder

**Abstract:** Provides for criteria for consideration of redistricting plans.

Proposed Joint Rule provides for minimally acceptable criteria for consideration of redistricting plans in the following manner:

- (1) All redistricting plans must meet the following criteria:
  - (a) Compliance with the Equal Protection Clause of the 14th Amendment and the 15th Amendment to the U.S. Constitution; Section 2 of the Voting Rights Act of 1965, as amended; and all other applicable federal and state law.
  - (b) Each district shall be composed of contiguous geography.

- (c)(i) To the extent practicable, each district within a plan shall contain whole election precincts as those are represented as Voting Districts (VTDs) in the most recent Census Redistricting TIGER/Line Shapefiles for Louisiana which corresponds to the P.L. 94-171 data released by the U.S. Bureau of the Census for the decade in which the redistricting is to occur or if the redistricting plan is submitted after the year in which the legislature is required by Art. III, §6, of the Const. of La. to reapportion, then to the extent practicable, the redistricting plan submitted for consideration shall contain whole election precincts as those are represented as VTDs as validated through the data verification program of the House and Senate in the most recent Shapefiles made available on the website of the Legislature.
  - (ii) In the event that a VTD must be divided, it shall be divided into as few districts as practicable using a visible census tabulation boundary or boundaries.
  - (d) All redistricting plans shall respect the established boundaries of parishes, municipalities, and other political subdivisions and natural geography of this state to the extent practicable. Provides, however, that this criterion is subordinate to and shall not be used to undermine the maintenance of communities of interest within the same district to the extent practicable.
  - (e) The most recent P.L. 94-171 data released by the United States Bureau of the Census, as validated through the data verification program of the House and Senate, shall be the population data used to establish and for evaluation of proposed redistricting plans.
  - (f) Each redistricting plan submitted by the public shall be submitted electronically in a comma-delimited block equivalency file.
- (2) In addition, redistricting plans for the House, Senate, PSC, and BESE shall meet the following criteria:
- (a) Single-member districts.
  - (b) Districts that are substantially equal in population. Therefore, under no circumstances shall any plan be considered if the plan has an absolute deviation of population which exceeds plus or minus 5% of the ideal district population.
  - (c) A whole plan which assigns all of the geography of the state.
  - (d) Due consideration given to traditional district alignments to the extent practicable.
- (3) In addition, redistricting plans for Congress shall meet the following criteria:
- (a) Single-member districts.
  - (b) Each district shall have a population as nearly equal to the ideal district population as practicable.
  - (c) Be a whole plan which assigns all of the geography of the state.
- (4) In addition, redistricting plans for the Supreme Court shall be a whole plan which assigns all of the geography of the state.

(Adds Joint Rule No. 21)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original resolution:

1. Change criteria relative to respecting "recognized political boundaries" to respecting "established boundaries of parishes, municipalities, and other political subdivisions" and provide that such criterion shall be subordinate to the maintenance of communities of interest within the same district and prohibit its use to undermine the maintenance of those communities of interest to the extent practicable.
2. Relative to plans for the Supreme Court, remove specific criteria which required single-member districts, districts that are substantially equal in population, and consideration of traditional district alignments.