



Ohio Legislative Service Commission

Synopsis of Senate Committee Amendments*

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Sub. H.J.R. 12

130th General Assembly
(As Reported by S. Rules)

Ohio Redistricting Commission

Eliminates a provision specifying that no appointed member of the Ohio Redistricting Commission may be a current member of Congress.

Requires the Commission, instead of "the members," to set a schedule at the first Commission meeting for the adoption of procedural rules for the operation of the Commission.

Provides that if the Commission is unable to agree, by the required bipartisan vote, on the manner in which funds should be expended, each co-chairperson of the Commission has the authority to expend half of the funds that have been appropriated to the Commission.

Requires the Commission, when it files a General Assembly district plan with the Secretary of State, to do so promptly.

Specifies that four weeks after the adoption of a General Assembly district plan, the Commission must be automatically dissolved, instead of requiring the co-chairpersons of the Commission to jointly dissolve it not more than six weeks after the plan is adopted.

Method of selecting a district plan

Specifies that if, before a year ending in the numeral one, the Commission adopts a district plan by a simple majority vote under the impasse procedure in order to replace a previous impasse plan, the new district plan remains effective until a year ending in the numeral one, instead of remaining effective for two general elections for the House of Representatives.

* This synopsis does not address amendments that may have been adopted on the Senate Floor.

Provides that members of the Commission should attend the hearing concerning a district plan introduced under the impasse procedure, instead of stating that all members of the Commission are required to attend the hearing.

District standards

Makes the following changes to the proposal's district standards:

Topic	Sub. H.J.R. 12 As Adopted by the House	Sub. H.J.R. 12 As Reported by S. Rules
Generally	Requires every General Assembly district to be compact and composed of contiguous territory, and requires the boundary of each district to be a single, nonintersecting continuous line.	Requires every General Assembly district to be composed of contiguous territory, and requires the boundary of each district to be a single, nonintersecting continuous line. Specifies that a General Assembly district plan must comply with all of the requirements of Section 3(B).
Districts drawn in compliance with federal law	Requires any plan adopted by the Commission to comply with all applicable provisions of the constitutions of Ohio and the United States and of federal law, including, but not limited to, those provisions dealing specifically with the protection of minority voting rights.	Requires any plan adopted by the Commission to comply with all applicable provisions of the constitutions of Ohio and the United States and of federal law.
Procedure for drawing House districts	Requires House of Representatives districts to be created and numbered in the following order of priority, to the extent that such order is consistent with the foregoing standards: (1) Proceeding in succession from the largest to the smallest, each county containing population greater than 105% of the ratio of representation in the House must be divided into as many House districts as it has whole ratios of representation. Any fraction of the population in excess of a whole ratio must be a part of only one adjoining House district. (2) Each county containing population substantially equal to one ratio of representation in the House, but in no event less than 95% nor more than 105% of the ratio, must be designated a House district.	Requires House of Representatives districts to be created and numbered in the following order of priority, to the extent that such order is consistent with the foregoing standards: (1) Proceeding in succession from the largest to the smallest, each county containing population greater than 105% of the ratio of representation in the House must be divided into as many House districts as it has whole ratios of representation. Any fraction of the population in excess of a whole ratio must be a part of only one adjoining House district. (2) Each county containing population of not less than 95% nor more than 105% of the ratio of representation in the House must be designated a House district. (3) The remaining territory of the state must be divided into House districts

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	<p>(3) House districts must be drawn so as to split the smallest possible number of municipal corporations and townships whose contiguous portions contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>(4) The remaining territory of the state must be divided into House districts by combining the areas of whole municipal corporations and townships.</p> <p>(5) Where the above-listed requirements cannot feasibly be attained by forming a House district from whole municipal corporations and townships, not more than one municipal corporation or township may be split per House district.</p>	<p>by combining the areas of counties, municipal corporations, and townships. Where feasible, no county may be split more than once.</p>
<p>Splitting political subdivisions</p>	<p>Provides that in general, a county, municipal corporation, or township is considered to be split if any contiguous portion of its territory is not contained entirely within one district.</p> <p>Provides that dividing, along a county line, a municipal corporation or township that has territory in more than one county must not be considered splitting the municipal corporation or township.</p>	<p>Provides that in general, a county, municipal corporation, or township is considered to be split if any contiguous portion of its territory is not contained entirely within one district.</p> <p>Specifies that if a municipal corporation or township has territory in more than one county, the contiguous portion of that municipal corporation or township that lies in each county must be considered to be a separate municipal corporation or township for the purposes of drawing House districts.</p> <p>Provides that if a municipal corporation or township that is located in a county that contains a municipal corporation or township that has a population of more than one ratio of representation is split because it is not possible for the Commission to comply with all of the requirements for drawing House districts, each portion of the municipal corporation or township must be considered to be a separate municipal corporation or township for the purposes of drawing House districts.</p> <p>Requires House districts to be drawn so as to split the smallest possible</p>

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		<p>number of municipal corporations and townships whose contiguous portions contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>Specifies that where the requirements of Section 3(B), (C), and (D) cannot feasibly be attained by forming a House district from whole municipal corporations and townships, not more than one municipal corporation or township may be split per House district.</p>
<p>Impossibility in drawing House districts</p>	<p>Specifies that if the Commission must violate one of the standards in the above priority list in order to draw a House district map, the Commission must violate the standard having the lowest possible priority. If the Commission violates one of those standards, the Commission must include in the district plan a statement explaining which standard was violated and the reason the standard was violated.</p>	<p>Requires the Commission, if it is not possible for the Commission to comply with all of the requirements for drawing House districts in drawing a particular district, to take the first action listed below that makes it possible for the Commission to draw that district:</p> <p>(1) The Commission must create the district by splitting two municipal corporations or townships whose contiguous portions do not contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>(2) The Commission must create the district by splitting a municipal corporation or township whose contiguous portions contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>(3) The Commission must create the district by splitting, once, a single county that contains a population of not less than 95%, but not more than 105%, of the ratio of representation.</p> <p>(4) The Commission must create the district by including in two districts portions of the territory that remains after a county that contains a population of more than 105% of the ratio of representation has been divided into as many House districts as it has whole ratios of</p>

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		<p>representation.</p> <p>Specifies that if the Commission takes an action listed immediately above, the Commission must include in the district plan a statement explaining which action the Commission took and the reason the Commission took that action.</p> <p>Specifies that if the Commission takes an action listed immediately above in drawing a district and includes the required statement in the district plan, the Commission must not be considered to have violated the applicable requirements in drawing that district, for the purpose of a court's analysis.</p>
<p>Impossibility in drawing Senate districts</p>	<p>No provision.</p>	<p>Specifies that if it is not possible for the Commission to draw House districts that comply with all of the requirements of Article XI and that make it possible for the Commission to comply with the following continuing law requirements, the Commission must draw Senate districts so as to commit the fewest possible violations of those divisions:</p> <ul style="list-style-type: none"> • The requirement that a county having at least one whole Senate ratio of representation must have as many Senate districts wholly within the boundaries of the county as it has whole Senate ratios of representation, and that any fraction of the population in excess of a whole ratio be a part of only one adjoining Senate district; • The requirement that counties having less than one Senate ratio of representation, but at least one House ratio of representation, must be part of only one Senate district. <p>Specifies that if the Commission does so in drawing Senate districts, the Commission must not be considered to have violated the applicable</p>

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		requirements in drawing those districts, for the purpose of a court's analysis.
District standards the Commission must attempt to meet	<p>Requires the Commission to attempt to draw a General Assembly district plan that meets both of the following standards:</p> <ul style="list-style-type: none"> • No district plan shall be drawn primarily to favor or disfavor a political party. • The statewide proportion of districts whose voters, based on recent statewide state and federal election results, favor each political party must correspond closely to the statewide preferences of the voters of Ohio. 	<p>Requires the Commission to attempt to draw a General Assembly district plan that meets all of the following standards:</p> <ul style="list-style-type: none"> • No district plan shall be drawn primarily to favor or disfavor a political party. • The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party must correspond closely to the statewide preferences of the voters of Ohio. • General Assembly districts must be compact. <p>Specifies that nothing in those provisions permits the Commission to violate the district standards described elsewhere in Article XI.</p>

Legal challenges

Adds a provision specifying that if *any district* is determined to be invalid by an unappealed final order of a court of competent jurisdiction, the Commission must be reconstituted, convene, and ascertain and determine a redistricting plan that conforms with the provisions of the Constitution as are then valid.

Prohibits a court from ordering the Commission to adopt a particular General Assembly district plan or to draw a particular district.

Specifies that if the Ohio Supreme Court finds that a district plan contains one or more isolated violations of the district requirements, other than the political and compactness standards, the Court must order the Commission to amend the plan to correct the violations.

Specifies that if the Court finds that it is necessary to amend not fewer than six House districts to correct violations of those requirements, to amend not fewer than two

Senate districts to correct violations of those requirements, or both, the Court must declare the plan invalid and order the Commission to adopt a new General Assembly district plan in accordance with Article XI.

Specifies that if, in considering a district plan adopted by a simple majority vote under the impasse procedure, the Court determines that both of the following are true, the Court must order the Commission to adopt a new plan:

- The plan significantly violates those district standards in a manner that materially affects the ability of the plan to correspond closely to the statewide political party preferences of the voters of Ohio.
- The statewide proportion of districts in the plan whose residents, based on statewide state and federal partisan general election results during the last ten years, favor each political party does not correspond closely to the statewide preferences of the voters of Ohio.