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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2520

04/15/2021 Authored by Greenman, Boldon, Reyer, Berg and Long
The bill was read for the first time and referred to the Committee on Redistricting

1.1 A bill for an act
1.2 relating to elections; providing principles and procedures related to the redistricting
1.3 of congressional and legislative districts; amending Minnesota Statutes 2020,
1.4 sections 2.031, by adding a subdivision; 2.731; proposing coding for new law in
1.5 Minnesota Statutes, chapter 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 2.031, is amended by adding a subdivision
1.8 to read:

1.9 Subd. 3. Numbering. Legislative districts must be numbered in a regular series, beginning
1.10 with house district 1A in the northwest corner of the state and proceeding across the state
1.11 from west to east, north to south. In a county that includes more than one whole senate
1.12 district, the districts must be numbered consecutively.

1.13 Sec. 2. [2.035] DISTRICTING PRINCIPLES.

1.14 Subdivision 1. Application. This section applies to both congressional and legislative
1.15 districts.

1.16 Subd. 2. Prohibition. Districts must not be drawn purposely to favor or disfavor a
1.17 political party, candidate, or incumbent.

1.18 Subd. 3. Priority of principles. Districts must be drawn in accordance with the principles
1.19 listed in subdivisions 4 to 11. If districts cannot be drawn fully in accordance with all
1.20 principles, priority must be given to the principles in the order in which they are listed,
1.21 except when doing so would violate federal or state law.

2.1 Subd. 4. **Population equality.** (a) Each congressional district must be as nearly equal
2.2 in population as practicable.

2.3 (b) Each legislative district must be substantially equal in population. The population
2.4 of a legislative district must not deviate by more than two percent, plus or minus, from the
2.5 population of the ideal district.

2.6 Subd. 5. **Convenience and contiguity.** Each district must be convenient and contiguous.
2.7 A district is convenient if it allows reasonable ease of travel within the district. Contiguity
2.8 by water is sufficient if the water is not a serious obstacle to travel within the district. A
2.9 district with areas that touch only at a point is not contiguous.

2.10 Subd. 6. **Nesting.** A representative district must not be divided in the formation of a
2.11 senate district.

2.12 Subd. 7. **Minority representation.** Districts must comply with the 14th and 15th
2.13 Amendments to the United States Constitution and the Voting Rights Act of 1965, as
2.14 amended. Consistent with those laws, districts must provide racial, ethnic, and language
2.15 minorities an equal opportunity to participate in the political process and elect the candidate
2.16 of their choice. Racial, ethnic, and language minorities who constitute less than a voting-age
2.17 majority of a district must have an opportunity to substantially influence the outcome of an
2.18 election.

2.19 Subd. 8. **Communities of interest.** Districts must minimize the division of identifiable
2.20 communities of interest. A community of interest may include a racial, ethnic, or linguistic
2.21 group or any group with shared experiences or concerns, including but not limited to
2.22 geographic, governmental, regional, social, cultural, historic, socioeconomic, occupational,
2.23 trade, or transportation interests. Communities of interest do not include relationships with
2.24 political parties, incumbents, or candidates.

2.25 Subd. 9. **Political subdivisions and American Indian reservations.** Districts must
2.26 minimize the division of counties, cities, towns, and federally recognized American Indian
2.27 reservations, except when:

2.28 (1) the division occurs because a portion of a city, town, or reservation is not contiguous
2.29 with another portion of the same city, town, or reservation; or

2.30 (2) despite the division, the known population of any affected county, city, town, or
2.31 reservation remains wholly located within a single district.

3.1 Subd. 10. **Partisan effect.** Applicable judicial standards and the best available scientific
3.2 and statistical methods must be used to assess whether a plan unduly favors or disfavors a
3.3 political party, candidate, or incumbent.

3.4 Subd. 11. **Natural geographic boundaries.** Districts must respect natural geographic
3.5 boundaries, including bodies of water and other significant geological and topographic
3.6 features.

3.7 **Sec. 3. [2.036] REDISTRICTING; LEGISLATIVE PROCESS.**

3.8 Subdivision 1. **Administrative support.** The Legislative Coordinating Commission
3.9 shall provide administrative support to the redistricting process.

3.10 Subd. 2. **Database.** The geographic areas and population counts used in maps, tables,
3.11 and legal descriptions of congressional and legislative districts considered by the legislature
3.12 must be those used by the Geographic Information Services (GIS) Office of the Legislative
3.13 Coordinating Commission. The population counts shall be the block population counts
3.14 provided to the state under Public Law 94-171 after each decennial census, subject to
3.15 correction of any errors acknowledged by the United States Census Bureau and, to the extent
3.16 practicable, adjusted so that persons who are incarcerated are counted at their last known
3.17 residential address before incarceration. The GIS Office must make the database available
3.18 to the public on the GIS Office website.

3.19 Subd. 3. **Publication; block equivalency file requirements.** A redistricting plan must
3.20 not be considered for adoption by the senate or house of representatives until the redistricting
3.21 plan's block equivalency file has been submitted to the GIS Office in a form prescribed by
3.22 the GIS Office. The block equivalency file must show the district to which each census
3.23 block has been assigned. The GIS Office shall publish each plan submitted to it on the GIS
3.24 Office website.

3.25 Subd. 4. **Reports.** Publication of a plan must include the following reports:

3.26 (1) a population equality report, listing each district in the plan, its population as the
3.27 total number of persons, and deviations from the ideal as both a number of persons and as
3.28 a percentage of the population. The report must also show the populations of the largest
3.29 and smallest districts and the overall range of deviations of the districts;

3.30 (2) a contiguity report, listing each district that is noncontiguous either because two
3.31 areas of a district do not touch or because the districts are linked by a point;

3.32 (3) a minority voting-age population report, listing for each district the voting age
3.33 population of each racial or language minority and the total minority voting age population,

4.1 according to the categories recommended by the United States Department of Justice. The
4.2 report must also highlight each district with 30 percent or more total minority population;

4.3 (4) a communities of interest report, if the chief author of a plan asserts that it preserves
4.4 a community of interest, maps of the plan must include a layer identifying the census blocks
4.5 within the community of interest. Publication of the plan must also include a report that
4.6 lays out the research and process used to identify the communities of interest and lists the
4.7 district or districts to which the community of interest has been assigned. The report must
4.8 include the number of communities of interest that are split and the number of times the
4.9 communities were split;

4.10 (5) a political subdivision and Tribal reservations splits report, listing the split counties,
4.11 cities, towns, unorganized territories, precincts, and Tribal reservations and the district to
4.12 which each portion of a split is assigned. The report must also show the number of
4.13 subdivisions or reservations split and the number of times a subdivision or reservation is
4.14 split;

4.15 (6) a plan components report, listing for each district the names and populations of the
4.16 counties within it and, where a county is split between or among districts, the names and
4.17 populations of the portion of the split county and each of the split county's whole or partial
4.18 cities, townships, unorganized territories, precincts, and Tribal reservations within each
4.19 district;

4.20 (7) a measures of compactness report, listing for each district at least the results of the
4.21 Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle,
4.22 Ehrenburg, Length-Width, measures of compactness. The report must also state for all the
4.23 districts in a plan the sum of its perimeters and the mean of its other measurements. The
4.24 commission may consider other tests of compactness; and

4.25 (8) an incumbent officeholder report, listing for each district the names of incumbent
4.26 officeholders who reside in the district and identifying the number of districts where more
4.27 than one incumbent officeholder resides, and the number of districts where no incumbent
4.28 officeholder resides.

4.29 Subd. 5. **Legislative committee process; district hearings.** (a) The legislature recognizes
4.30 the importance of public engagement, transparency, and accountability in the redistricting
4.31 process and the role those values play in strengthening representative democracy. The
4.32 legislature intends that any committee established must:

5.1 (1) conduct at least one public hearing in each existing congressional district to solicit
5.2 public input on issues important to that district in drawing new district boundaries, including
5.3 but not limited to defining communities of interest for consideration;

5.4 (2) publish on the committee's website preliminary drafts of the congressional and
5.5 legislative district plans and each preliminary draft's accompanying reports at least two
5.6 weeks before a committee considers a motion to adopt each plan; and

5.7 (3) allow the public to submit comments after publication of a plan and before the
5.8 committee considers a motion to adopt the plan.

5.9 (b) To the extent practicable, a legislative committee must permit interested persons to
5.10 draw and submit proposed plans for the committee's consideration and allow interested
5.11 persons to respond to plans submitted by others before the committee develops and publishes
5.12 its proposed plans.

5.13 Subd. 6. **Public access to records.** (a) Notwithstanding any law or rule to the contrary,
5.14 records of the legislature related to development, consideration, or adoption of a redistricting
5.15 plan are public, including but not limited to draft plans, analyses of plans, and supplemental
5.16 data used to develop a plan.

5.17 (b) This subdivision does not require disclosure of data or communications protected
5.18 by attorney-client privilege or a legislator's communications with nonpartisan legislative
5.19 staff regarding confidential bill drafting or other legislative services unless further directed
5.20 by the Committee on Rules and Legislative Administration of the house of representatives
5.21 or the Committee on Rules and Administration of the senate.

5.22 Sec. 4. Minnesota Statutes 2020, section 2.731, is amended to read:

5.23 **2.731 NUMBER OF DISTRICTS.**

5.24 The state of Minnesota is divided into eight congressional districts, each of which is
5.25 entitled to elect one representative to the Congress of the United States of America.
5.26 Congressional district numbers must begin with the first district in the southeast corner of
5.27 the state and end with the district with the highest number in the northeast corner of the
5.28 state.

5.29 Sec. 5. **EFFECTIVE DATE.**

5.30 This act is effective July 1, 2021, and applies to congressional and legislative districts
5.31 first established on or after that date.