

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 6005 PCB CRS 12-06 Establishing the Congressional Districts of the State

SPONSOR(S): Congressional Redistricting Subcommittee, Legg

TIED BILLS: **IDEN./SIM. BILLS:** HB 6003 HB 6007 CS/SB 1174 SB1608

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Congressional Redistricting Subcommittee	10 Y, 4 N	Poreda	Kelly
1) Redistricting Committee	14 Y, 6 N, As CS	Poreda	Kelly

SUMMARY ANALYSIS

The Florida Constitution requires the Legislature, by joint resolution at its regular session in the second year after the United States Census, to apportion state legislative districts. The United States Constitution requires the reapportionment of the United States House of Representatives every ten years, which includes the distribution of the House's 435 seats between the states and the equalization of population between districts within each state.

The 2010 Census revealed an unequal distribution of population growth amongst the State's legislative and congressional districts. Therefore districts must be adjusted to correct population differences.

Redistricting Plan H00C9047: This proposed committee bill redistricts the resident population of Florida into 27 congressional districts, as required by state and federal law.

This proposed committee bill would substantially amend Chapter 8 of the Florida Statutes.

When compared to the existing 25 congressional districts, this proposed committee bill would:

- Reduce the number of counties split from 30 to 21;
- Reduce the number of cities split from 110 to 27;
- Reduce the total perimeter, width and height of the districts, consistently, based on various methods of measurement;
- Reduce the distance and drive time to travel the average district;
- Reduce the total population deviation from 42.45% to 0.00%; and
- Maintain elected representation for African-American and Hispanic Floridians.

Upon approval by the Legislature, this bill is subject to review by the Governor.

Prior to the implementation, pursuant to Section 5 of the federal Voting Rights Act (VRA), this redistricting must also be approved ("precleared") by either the District Court for the District of Columbia or the United States Department of Justice.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The 2010 Census

According to the 2010 Census, 18,801,310 people resided in Florida on April 1, 2010. That represents a population growth of 2,818,932 Florida residents between the 2000 to 2010 censuses.

After the 2000 Census, the ideal populations for each district in Florida were:

- Congressional: 639,295
- State Senate: 399,559
- State House 133,186

After the 2010 Census, the ideal populations for each district in Florida are:

- Congressional: 696,345
- State Senate: 470,033
- State House: 156,678

The 2010 Census revealed an unequal distribution of population growth amongst the State's legislative and congressional districts. Therefore districts must be adjusted to comply with "one-person, one vote," such that each district must be substantially equal in total population.

Table 1 below shows the changes in population for each of Florida's current congressional districts and their subsequent deviation from the new ideal population of 696,345 residents.

Table 1. Florida Congressional Districts 2002-2011

Florida Congressional Districts 2002-2011	2000	2010
Total State Population, Decennial Census	15,982,378	18,801,310
Maximum Number of Districts	25	27
Ideal District Population (Total State Population / 23 <i>or</i> 25)	639,295	696,345

District	2000 Population	2000 Deviation		2010 Population	2010 Deviation	
		Count	%		Count	%
1	639,295	0	0.0%	694,158	-2,187	-0.3%
2	639,295	0	0.0%	737,519	41,174	5.9%
3	639,295	0	0.0%	659,055	-37,290	-5.4%
4	639,295	0	0.0%	744,418	48,073	6.9%
5	639,295	0	0.0%	929,533	233,188	33.5%
6	639,295	0	0.0%	812,727	116,382	16.7%
7	639,295	0	0.0%	812,442	116,097	16.7%
8	639,295	0	0.0%	805,608	109,263	15.7%
9	639,296	1	0.0%	753,549	57,204	8.2%
10	639,295	0	0.0%	633,889	-62,456	-9.0%
11	639,295	0	0.0%	673,799	-22,546	-3.2%
12	639,296	1	0.0%	842,199	145,854	20.9%
13	639,295	0	0.0%	757,805	61,460	8.8%
14	639,295	0	0.0%	858,956	162,611	23.4%
15	639,295	0	0.0%	813,570	117,225	16.8%

16	639,295	0	0.0%	797,711	101,366	14.6%
17	639,296	1	0.0%	655,160	-41,185	-5.9%
18	639,295	0	0.0%	712,790	16,445	2.4%
19	639,295	0	0.0%	736,419	40,074	5.8%
20	639,295	0	0.0%	691,727	-4,618	-0.7%
21	639,295	0	0.0%	693,501	-2,844	-0.4%
22	639,295	0	0.0%	694,259	-2,086	-0.3%
23	639,295	0	0.0%	684,107	-12,238	-1.8%
24	639,295	0	0.0%	799,233	102,888	14.8%
25	639,295	0	0.0%	807,176	110,831	15.9%
26				0	-696,345	-100.0%
27				0	-696,345	-100.0%

The law governing the reapportionment and redistricting of congressional and state legislative districts implicates the United States Constitution, the Florida Constitution, federal statutes, and a litany of case law.

U.S. Constitution

The United States Constitution requires the reapportionment of the House of Representatives every ten years to distribute each of the House of Representatives' 435 seats between the states and to equalize population between districts within each state.

Article I, Section 4 of the United States Constitution provides that “[t]he Time, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.” See also U.S. Const. art. I, § 2 (“The House of Representatives shall be composed of Members chosen every second Year by the People of the several States . . .”). The U.S. Supreme Court has recognized that this language delegates to state legislatures the exclusive authority to create congressional districts. See e.g., *Growe v. Emison*, 507 U.S. 25, 34 (1993); *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 416 (2006) (“[T]he Constitution vests redistricting responsibilities foremost in the legislatures of the States and in Congress . . .”).

In addition to state specific requirements to redistrict, states are obligated to redistrict based on the principle commonly referred to as “one-person, one-vote.”¹ In *Reynolds*, the United States Supreme Court held that the Fourteenth Amendment required that seats in state legislature be reapportioned on a population basis. The Supreme Court concluded:

...”the basic principle of representative government remains, and must remain, unchanged – the weight of a citizen’s vote cannot be made to depend on where he lives. Population is, of necessity, the starting point for consideration and the controlling criterion for judgment in legislative apportionment controversies...The Equal Protection Clause demands no less than substantially equal state legislative representation for all citizens, of all places as well as of all races. We hold that, as a basic constitutional standard, the Equal Protection Clause requires that the seats in both houses of a bicameral state legislature must be apportioned on a population basis.”²

The Court went on to conclude that decennial reapportionment was a rational approach to readjust legislative representation to take into consideration population shifts and growth.³

In addition to requiring states to redistrict, the principle of one-person, one-vote, has come to generally stand for the proposition that each person’s vote should count as much as anyone else’s vote.

¹ *Baker v. Carr*, 369 U.S. 186 (1962).

² *Reynolds v. Sims*, 377 U.S. 533, 568 (1964).

³ *Reynolds v. Sims*, 377 U.S. 584 (1964).

The requirement that each district be equal in population applies differently to congressional districts than to state legislative districts. The populations of congressional districts must achieve absolute mathematical equality, with no *de minimis* exception.⁴ Limited population variances are permitted if they are “unavoidable despite a good faith effort” or if a valid “justification is shown.”⁵

In practice, congressional districting has strictly adhered to the requirement of exact mathematical equality. In *Kirkpatrick v. Preisler* the Court rejected several justifications for violating this principle, including “a desire to avoid fragmenting either political subdivisions or areas with distinct economic and social interests, considerations of practical politics, and even an asserted preference for geographically compact districts.”⁶

For state legislative districts, the courts have permitted a greater population deviation amongst districts. The populations of state legislative districts must be “substantially equal.”⁷ Substantial equality of population has come to generally mean that a legislative plan will not be held to violate the Equal Protection Clause if the difference between the smallest and largest district is less than ten percent.⁸ Nevertheless, any significant deviation (even within the 10 percent overall deviation margin) must be “based on legitimate considerations incident to the effectuation of a rational state policy,”⁹ including “the integrity of political subdivisions, the maintenance of compactness and contiguity in legislative districts, or the recognition of natural or historical boundary lines.”¹⁰

However, states should not interpret this 10 percent standard to be a safe haven.¹¹ Additionally, nothing in the U.S. Constitution or case law prevents States from imposing stricter standards for population equality.¹²

After Florida last redistricted in 2002, Florida’s population deviation ranges were 2.79% for its State House districts, 0.03% for its State Senate districts, and 0.00% for its Congressional districts.¹³

The Voting Rights Act

Congress passed the Voting Rights Act (VRA) in 1965. The VRA protects the right to vote as guaranteed by the 15th Amendment to the United States Constitution. In addition, the VRA enforces the protections of the 14th Amendment to the United States Constitution by providing “minority voters an opportunity to participate in the electoral process and elect candidates of their choice, generally free of discrimination.”¹⁴

The relevant components of the Act are contained in Section 2 and Section 5. Section 2 applies to all jurisdictions, while Section 5 applies only to covered jurisdictions (states, counties, or other jurisdictions within a state).¹⁵ The two sections, and any analysis related to each, are considered independently of each other, and therefore a matter considered under by one section may be treated differently by the other section.

The phraseology for types of minority districts can be confusing and often times unintentionally misspoken. It is important to understand that each phrase can have significantly different implications for the courts, depending on the nature of a legal complaint.

⁴ *Kirkpatrick v. Preisler*, 394 U.S. 526, 531 (1969).

⁵ *Kirkpatrick v. Preisler*, 394 U.S. 526, 531 (1969).

⁶ *Kirkpatrick v. Preisler*, 394 U.S. 526, 531 (1969).

⁷ *Reynolds v. Sims*, 377 U.S. 533, 568 (1964).

⁸ *Chapman v. Meier*, 420 U.S. 1 (1975); *Connor v. Finch*, 431 U.S. 407, 418 (1977).

⁹ *Reynolds*, 377 U.S. at 579.

¹⁰ *Swann v. Adams*, 385 U.S. 440, 444 (1967).

¹¹ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 36.

¹² *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 39.

¹³ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Pages 47-48.

¹⁴ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 51.

¹⁵ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 51.

A “majority-minority district” is a district in which the majority of the voting-age population (VAP) of the district is African American, Hispanic, Asian or Native-American. A “minority access district” is a district in which the dominant minority community is less than a majority of the VAP, but is still large enough to elect a candidate of its choice through either crossover votes from majority voters or a coalition with another minority community.

“Minority access” though is more jargon than meaningful in a legal context. There are two types of districts that fall under the definition. A “crossover district” is a minority-access district in which the dominant minority community is less than a majority of the VAP, but is still large enough that a crossover of majority voters is adequate enough to provide that minority community with the opportunity to elect a candidate of its choice. A “coalitional district” is a minority-access district in which two or more minority groups, which individually comprise less than a majority of the VAP, can form a coalition to elect their preferred candidate of choice. A distinction is sometimes made between the two in case law. For example, the legislative discretion asserted in *Bartlett v. Strickland*—as discussed later in this document—is meant for crossover districts, not for coalitional districts.

Lastly, the courts have recognized that an “influence district” is a district in which a minority community is not sufficiently large enough to form a coalition or meaningfully solicit crossover votes and thereby elect a candidate of its choice, but is able to effect election outcomes and therefore elect a candidate would be mindful of the minority community’s needs.

Section 2 of the Voting Rights Act

The most common challenge to congressional and state legislative districts arises under Section 2 of the Voting Rights Act. Section 2 provides: “No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State...in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color.”¹⁶ The purpose of Section 2 is to ensure that minority voters have an equal opportunity along with other members of the electorate to influence the political process and elect representatives of their choice.¹⁷

In general, Section 2 challenges have been brought against districting schemes that either disperse members of minority communities into districts where they constitute an ineffective minority—known as “cracking”¹⁸—or which concentrate minority voters into districts where they constitute excessive majorities—known as “packing”—thus diminishing minority influence in neighboring districts. In prior decades, it was also common that Section 2 challenges would be brought against multimember districts, in which “the voting strength of a minority group can be lessened by placing it in a larger multimember or at-large district where the majority can elect a number of its preferred candidates and the minority group cannot elect any of its preferred candidates.”¹⁹

The Supreme Court set forth the criteria of a vote-dilution claim in *Thornburg v. Gingles*.²⁰ A plaintiff must show:

1. A minority group must be sufficiently large and geographically compact to constitute a majority in a single-member district;
2. The minority group must be politically cohesive; and
3. White voters must vote sufficiently as a bloc to enable them usually to defeat the candidate preferred by the minority group.

The three “*Gingles* factors” are necessary, but not sufficient, to show a violation of Section 2.²¹ To determine whether minority voters have been denied an equal opportunity to influence the political

¹⁶ 42 U.S.C. Section 1973(a) (2006).

¹⁷ 42 U.S.C. Section 1973(b); *Voinovich v. Quilter*, 507 U.S. 146, 155 (1993).

¹⁸ Also frequently referred to as “fracturing.”

¹⁹ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 54.

²⁰ 478 U.S. 30 (1986).

process and elect representatives of their choice, a court must examine the totality of the circumstances.²²

This analysis requires consideration of the so-called “Senate factors,” which assess historical patterns of discrimination and the success, or lack thereof, of minorities in participating in campaigns and being elected to office.²³ Generally, these “Senate factors” were born in an attempt to distance Section 2 claims from standards that would otherwise require plaintiffs to prove “intent,” which Congress viewed as an additional and largely excessive burden of proof, because “It diverts the judicial inquiry from the crucial question of whether minorities have equal access to the electoral process to a historical question of individual motives.”²⁴

States are obligated to balance the existence and creation of districts that provide electoral opportunities for minorities with the reasonable availability of such opportunities and other traditional redistricting principles. For example, in *Johnson v. De Grandy*, the Court decided that while states are not obligated to maximize the number of minority districts, states are also not given safe harbor if they achieve proportionality between the minority population(s) of the state and the number of minority districts.²⁵ Rather, the Court considers the totality of the circumstances. In “examining the totality of the circumstances, the Court found that, since Hispanics and Blacks could elect representatives of their choice in proportion to their share of the voting age population and since there was no other evidence of either minority group having less opportunity than other members of the electorate to participate in the political process, there was no violation of Section 2.”²⁶

In *League of United Latin American Citizens (LULAC) v. Perry*, the Court elaborated on the first *Gingles* precondition. “Although for a racial gerrymandering claim the focus should be on compactness in the district's shape, for the first *Gingles* prong in a Section 2 claim the focus should be on the compactness of the minority group.”²⁷

In *Shaw v. Reno*, the Court found that “state legislation that expressly distinguishes among citizens on account of race - whether it contains an explicit distinction or is “unexplainable on grounds other than race,”...must be narrowly tailored to further a compelling governmental interest. Redistricting legislation that is alleged to be so bizarre on its face that it is unexplainable on grounds other than race demands the same close scrutiny, regardless of the motivations underlying its adoption.”²⁸

Later, in *Shaw v. Hunt*, the Court found that the State of North Carolina made race the predominant consideration for redistricting, such that other race-neutral districting principles were subordinated, but the state failed to meet the strict scrutiny²⁹ test. The Court found that the district in question, “as drawn, is not a remedy narrowly tailored to the State's professed interest in avoiding liability under Section(s) 2 of the Act,” and “could not remedy any potential Section(s) 2 violation, since the minority group must be shown to be “geographically compact” to establish Section(s) 2 liability.”³⁰ Likewise, in *Bush v. Vera*, the Supreme Court supported the strict scrutiny approach, ruling against a Texas redistricting plan included highly irregularly shaped districts that were significantly more sensitive to racial data, and lacked any semblance to pre-existing race-neutral districts.³¹

Lastly, In *Bartlett v. Strickland*, the Supreme Court provided a “bright line” distinction between majority-minority districts and other minority “crossover” or “influence districts. The Court “concluded that §2

²¹ *Johnson v. De Grandy*, 512 U.S. 997, 1011-1012 (1994).

²² 42 U.S.C. Section 1973(b); *Thornburg vs. Gingles*, 478 U.S. 46 (1986).

²³ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 57.

²⁴ Senate Report Number 417, 97th Congress, Session 2 (1982).

²⁵ *Johnson v. De Grandy*, 512 U.S. 997, 1017 (1994).

²⁶ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 61-62.

²⁷ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 62.

²⁸ *Shaw v. Reno*, 509 U.S. 630 (1993).

²⁹ “Strict scrutiny” is the most rigorous standard used in judicial review by courts that are reviewing federal law. Strict scrutiny is part of a hierarchy of standards courts employ to weigh an asserted government interest against a constitutional right or principle that conflicts with the manner in which the interest is being pursued.

³⁰ *Shaw v. Hunt*, 517 U.S. 899 (1996).

³¹ *Bush v. Vera*, 517 U.S. 952 (1996).

does not require state officials to draw election district lines to allow a racial minority that would make up less than 50 percent of the voting-age population in the redrawn district to join with crossover voters to elect the minority's candidate of choice."³² However, the Court made clear that States had the flexibility to implement crossover districts as a method of compliance with the Voting Rights Act, where no other prohibition exists. In the opinion of the Court, Justice Kennedy stated as follows:

"Much like §5, §2 allows States to choose their own method of complying with the Voting Rights Act, and we have said that may include drawing crossover districts...When we address the mandate of §2, however, we must note it is not concerned with maximizing minority voting strength...and, as a statutory matter, §2 does not mandate creating or preserving crossover districts. Our holding also should not be interpreted to entrench majority-minority districts by statutory command, for that, too, could pose constitutional concerns...States that wish to draw crossover districts are free to do so where no other prohibition exists. Majority-minority districts are only required if all three *Gingles* factors are met and if §2 applies based on a totality of the circumstances. In areas with substantial crossover voting it is unlikely that the plaintiffs would be able to establish the third *Gingles* precondition—bloc voting by majority voters."³³

Section 5 of the Voting Rights Act

Section 5 of the Voting Rights Act of 1965, as amended, is an independent mandate separate and distinct from the requirements of Section 2. "The intent of Section 5 was to prevent states that had a history of racially discriminatory electoral practices from developing new and innovative means to continue to effectively disenfranchise Black voters."³⁴

Section 5 requires states that comprise or include "covered jurisdictions" to obtain federal preclearance of any new enactment of or amendment to a "voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting."³⁵ This includes districting plans.

Five Florida counties—Collier, Hardee, Hendry, Hillsborough, and Monroe—have been designated as covered jurisdictions.³⁶

Preclearance may be secured either by initiating a declaratory judgment action in the District Court for the District of Columbia or, as is the case in almost all instances, submitting the new enactment or amendment to the United States Attorney General (United States Department of Justice).³⁷ Preclearance must be granted if the qualification, prerequisite, standard, practice, or procedure "does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color."³⁸

The purpose of Section 5 is to "insure that no voting procedure changes would be made that would lead to retrogression³⁹ in the position of racial minorities with respect to their effective exercise of the electoral franchise."⁴⁰ Whether a districting plan is retrogressive in effect requires an examination of "the entire statewide plan as a whole."⁴¹

The Department of Justice requires that submissions for preclearance include numerous quantitative and qualitative pieces of data to satisfy the Section 5 review. "The Department of Justice, through the U.S. Attorney General, has 60 days in which to interpose an objection to a preclearance submission. The Department of Justice can request additional information within the period of review and following

³² *Bartlett v. Strickland*, No. 07-689 (U.S. Mar. 9, 2009).

³³ *Bartlett v. Strickland*, No. 07-689 (U.S. Mar. 9, 2009).

³⁴ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 78.

³⁵ 42 U.S.C. Section 1973c.

³⁶ Some states were covered in their entirety. In other states only certain counties were covered.

³⁷ 42 U.S.C. Section 1973c.

³⁸ 42 U.S.C. Section 1973c

³⁹ A decrease in the absolute number of representatives which a minority group has a fair chance to elect.

⁴⁰ *Beer v. United States*, 425 U.S. 130, 141 (1976).

⁴¹ *Georgia v. Ashcroft*, 539 U.S. 461, 479 (2003).

receipt of the additional information, the Department of Justice has an additional 60 days to review the additional information. A change, either approved or not objected to, can be implemented by the submitting jurisdiction. Without preclearance, proposed changes are not legally enforceable and cannot be implemented.”⁴²

Majority-Minority and Minority Access Districts in Florida

Legal challenges to the Florida’s 1992 state legislative and congressional redistricting plans resulted in a significant increase in elected representation for both African-Americans and Hispanics. Table 2 illustrates those increases. Prior to 1992, Florida Congressional Delegation included only one minority member, Congresswoman Ileana Ros-Lehtinen.

Table 2. Number of Elected African-American and Hispanic Members in the Florida Legislature and Florida Congressional Delegation

	Congress		State Senate		State House	
	African-American	Hispanic	African-American	Hispanic	African-American	Hispanic
Pre-1982	0	0	0	0	5	0
1982 Plan	0	0-1	2	0-3	10-12	3-7
1992 Plan	3	2	5	3	14-16	9-11
2002 Plan	3	3	6-7	3	17-20	11-15

Prior to the legal challenges in the 1990s, the Florida Legislature established districts that generally included minority populations of less than 30 percent of the total population of the districts. For example, Table 3 illustrates that the 1982 plan for the Florida House of Representatives included 27 districts in which African-Americans comprised 20 percent or more of the total population. In the majority of those districts, 15 of 27, African-Americans represented 20 to 29 percent of the total population. None of the 15 districts elected an African-American to the Florida House of Representatives.

**Table 3. 1982 House Plan
Only Districts with Greater Than 20% African-American Population⁴³**

Total African-American Population	House District Number	Total Districts	African-American Representatives Elected
20% - 29%	2, 12, 15, 22, 23, 25, 29, 42, 78, 81, 92, 94, 103, 118, 119	15	0
30% - 39%	8, 9	2	1
40% - 49%	55, 83, 91	3	2
50% - 59%	17, 40, 63, 108	4	4
60% - 69%	16, 106,	2	2

⁴² *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 96.

⁴³ It is preferred to use voting age population, rather than total population. However, for this analysis the 1982 voting age population data is not available. Therefore total population is used for the sake of comparison.

70% - 79%	107	1	1
TOTAL			10

Subsequent to the legal challenges in the 1990s, the Florida Legislature established districts that were compliant with provisions of federal law, and did not fracture or dilute minority voting strength. For example, Table 4 illustrates that the resulting districting plan doubled the number of African-American representatives in the Florida House of Representatives.

**Table 4. 2002 House Plan
Only Districts with Greater Than 20% African-American Population⁴⁴**

Total African-American Population	House District Number	Total Districts	African-American Representatives Elected
20% - 29%	10, 27, 36, 86	4	1
30% - 39%	3, 23, 92, 105	4	3
40% - 49%	118	1	1
50% - 59%	8, 14, 15, 55, 59, 84, 93, 94, 104, 108	10	10
60% - 69%	39, 109	2	2
70% - 79%	103	1	1
TOTAL			18

Equal Protection – Racial Gerrymandering

Racial gerrymandering is “the deliberate and arbitrary distortion of district boundaries...for (racial) purposes.”⁴⁵ Racial gerrymandering claims are justiciable under equal protection.⁴⁶ In the wake of *Shaw v. Reno*, the Court rendered several opinions that attempted to harmonize the balance between “competing constitutional guarantees that: 1) no state shall purposefully discriminate against any individual on the basis of race; and 2) members of a minority group shall be free from discrimination in the electoral process.”⁴⁷

To make a *prima facie* showing of impermissible racial gerrymandering, the burden rests with the plaintiff to “show, either through circumstantial evidence of a district’s shape and demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature’s decision to place a significant number of voters within or without a particular district.”⁴⁸ Thus, the “plaintiff must prove that the legislature subordinated traditional race-neutral districting principles...to racial considerations.”⁴⁹ If the plaintiff meets this burden, “the State must demonstrate that its districting legislation is narrowly tailored to achieve a compelling interest,”⁵⁰ i.e. “narrowly tailored” to achieve that singular compelling state interest.

⁴⁴ It is preferred to use voting age population, rather than total population. However, since the 1982 voting age population data is not available for Table 2, total population is again used in Table 3 for the sake of comparison.

⁴⁵ *Shaw v. Reno*, 509 U.S. 630, 640 (1993)

⁴⁶ *Shaw v. Reno*, 509 U.S. 630, 642 (1993)

⁴⁷ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 72.

⁴⁸ *Miller v. Johnson*, 515 U.S. 900, 916 (1995).

⁴⁹ *Miller v. Johnson*, 515 U.S. 900, 916 (1995).

⁵⁰ *Miller v. Johnson*, 515 U.S. 920 (1995).

While compliance with federal antidiscrimination laws—specifically, the Voting Rights Act—is a “very strong interest,” it is not in all cases a compelling interest sufficient to overcome strict scrutiny.⁵¹ With respect to Section 2, traditional districting principles may be subordinated to race, and strict scrutiny will be satisfied, where (i) the state has a “strong basis in evidence” for concluding that a majority-minority district is “reasonably necessary” to comply with Section 2; (ii) the race-based districting “substantially addresses” the Section 2 violation; and (iii) the district does “not subordinate traditional districting principles to race substantially more than is ‘reasonably necessary’ to avoid” the Section 2 violation.⁵² The Court has held that compliance with Section 5 is not a compelling interest where race-based districting is not “reasonably necessary” under a “correct reading” of the Voting Rights Act.⁵³

The Use of Statistical Evidence

Political vote histories are essential tools to ensure that new districts comply with the Voting Rights Act.⁵⁴ For example, the use of racial and political data is critical for a court’s consideration of the compelling interests that may be involved in a racial gerrymander. In *Bush v. Vera*, the Court stated:

“The use of sophisticated technology and detailed information in the drawing of majority minority districts is no more objectionable than it is in the drawing of majority majority districts. But ... the direct evidence of racial considerations, coupled with the fact that the computer program used was significantly more sophisticated with respect to race than with respect to other demographic data, provides substantial evidence that it was race that led to the neglect of traditional districting criteria...”

As noted previously, when the U.S. Department of Justice conducts a Section 5 preclearance review it requires that a submitting authority provide political data supporting a plan.⁵⁵ Registration and performance data must be used under Section 2 of the Voting Rights Act to determine whether geographically compact minority groups are politically cohesive, and also to determine whether the majority population votes as a block to defeat the minority’s candidate of choice.

If Florida were to attempt to craft districts in areas of significant minority population without such data (or in any of the five Section 5 counties), the districts would be legally suspect and would probably invite litigation.

Florida Constitution, Article III, Section 16

Article III, Section 16 of the Florida Constitution requires the Legislature, by joint resolution at its regular session in the second year after the Census is conducted, to apportion the State into senatorial districts and representative districts.

The Florida Constitution is silent with respect to process for congressional redistricting. Article 1 Section 4 of the United States Constitution grants to each state legislature the exclusive authority to apportion seats designated to that state by providing the legislative bodies with the authority to determine the times place and manner of holding elections for senators and representatives. Consistent therewith, Florida has adopted its congressional apportionment plans by legislation subject to gubernatorial approval.⁵⁷ Congressional apportionment plans are not subject to automatic review by the Florida Supreme Court.

Florida Constitution, Article III, Sections 20 and 21

⁵¹ *Shaw v. Reno*, 509 U.S. at 653-654 (1993).

⁵² *Bush v. Vera*, 517 U.S. 977-979 (1996).

⁵³ *Miller v. Johnson*, 515 U.S. 921 (1995).

⁵⁴ *Georgia v. Ashcroft*, 539 U.S. 461, 487-88 (2003); *Thornburg v. Gingles*, 478 U.S. 30, 36-37, 48-49 (1986).

⁵⁵ 28 U.S.C. § 51.27(q) & 51.28(a)(1).

⁵⁶ Federal Register / Vol. 76, No. 73 / Friday, April 15, 2011. Page 21249.

⁵⁷ See generally Section 8.0001, et seq., Florida Statutes (2007).

As approved by Florida voters in the November 2010 General Election, Article III, Section 20 of the Florida Constitution establishes the following standards for congressional redistricting:

“In establishing congressional district boundaries:

(a) No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice; and districts shall consist of contiguous territory.

(b) Unless compliance with the standards in this subsection conflicts with the standards in subsection 1(a) or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries.

(c) The order in which the standards within subsections 1(a) and (b) of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection.”

As approved by Florida voters in the November 2010 General Election, Article III, Section 21 of the Florida Constitution establishes the following standards for state legislative apportionment:

“In establishing legislative district boundaries:

(a) No apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice; and districts shall consist of contiguous territory.

(b) Unless compliance with the standards in this subsection conflicts with the standards in subsection 1(a) or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries.

(c) The order in which the standards within subsections 1(a) and (b) of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection.”

These new standards are set forth in two tiers. The first tier, subparagraphs (a) above, contains provisions regarding political favoritism, racial and language minorities, and contiguity. The second tier, subparagraphs (b) above, contains provisions regarding equal population, compactness and use of political and geographical boundaries.

To the extent that compliance with second-tier standards conflicts with first-tier standards or federal law, the second-tier standards do not apply.⁵⁸ The order in which the standards are set forth within either tier does not establish any priority of one standard over another within the same tier.⁵⁹

The first tier provides that no apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent. Redistricting decisions unconnected with an intent to favor or disfavor a political party and incumbent do not violate this provision of the Florida Constitution, even if their effect is to favor or disfavor a political party or incumbent.⁶⁰

⁵⁸ Article III, Sections 20(b) and 21(b), Florida Constitution.

⁵⁹ Article III, Sections 20(c) and 21(c), Florida Constitution.

⁶⁰ In *Hartung v. Bradbury*, 33 P.3d 972, 987 (Or. 2001), the court held that “the mere fact that a particular reapportionment may result in a shift in political control of some legislative districts (assuming that every registered voter votes along party lines),” does not show that

The first tier of the new standards also provides the following protections for racial and language minorities:

- Districts shall not be drawn with the intent or result of denying the equal opportunity of racial or language minorities to participate in the political process.
- Districts shall not be drawn with the intent or result of abridging the equal opportunity of racial or language minorities to participate in the political process.
- Districts shall not be drawn with the intent or result of diminishing the ability of racial or language minorities to elect representatives of their choice.

The non-diminishment standard has comparable text to Section 5 of the federal Voting Rights Act, as amended in 2006, but the text in the Florida Constitution is not limited to the five counties protected by Section 5.⁶¹

On March 29, 2011, the Florida Legislature submitted these new standards to the United States Department of Justice for preclearance. In the submission, the Legislature articulated that the amendments to Florida's Constitution "do not have a retrogressive effect."⁶²

"Properly interpreted, we (the Florida House of Representatives and the Florida Senate) do not believe that the Amendments create roadblocks to the preservation or enhancement of minority voting strength. To avoid retrogression in the position of racial minorities, the Amendments must be understood to preserve without change the Legislature's prior ability to construct effective minority districts. Moreover, the Voting Rights Provisions ensure that the Amendments in no way constrain the Legislature's discretion to preserve or enhance minority voting strength, and permit any practices or considerations that might be instrumental to that important purpose."⁶³

Without comment, the Department of Justice granted preclearance on May 31, 2011.⁶⁴

The first tier also requires that districts consist of contiguous territory. In the context of state legislative districts, the Florida Supreme Court has held that a district is contiguous if no part of the district is isolated from the rest of the district by another district.⁶⁵ In a contiguous district, a person can travel from any point within the district to any other point without departing from the district.⁶⁶ A district is not contiguous if its parts touch only at a common corner, such as a right angle.⁶⁷ The Court has also concluded that the presence in a district of a body of water without a connecting bridge, even if it requires land travel outside the district in order to reach other parts of the district, does not violate contiguity.⁶⁸

a redistricting plan was drawn with an improper intent. It is well recognized that political consequences are inseparable from the redistricting process. In *Vieth v. Jubelirer*, 541 U.S. 267, 343 (2004) (Souter, J., dissenting) ("The choice to draw a district line one way, not another, always carries some consequence for politics, save in a mythical State with voters of every political identity distributed in an absolutely gray uniformity.").

⁶¹ Compare *id.* with 42 U.S.C. § 1973c(b).

⁶² Letter from Andy Bardos, Special Counsel to the Senate President, and George Levesque, General Counsel to the Florida House of Representatives, to T. Christian Herren, Jr., Chief of the Voting Section, Civil Rights Division, United States Department of Justice (Mar. 29, 2011) (on file with the Florida House of Representatives). Page 5.

⁶³ Letter from Andy Bardos, Special Counsel to the Senate President, and George Levesque, General Counsel to the Florida House of Representatives, to T. Christian Herren, Jr., Chief of the Voting Section, Civil Rights Division, United States Department of Justice (Mar. 29, 2011) (on file with the Florida House of Representatives). Page 7.

⁶⁴ Letter from T. Christian Herren, Jr., Chief of the Voting Section, Civil Rights Division, United States Department of Justice, to Andy Bardos, Special Counsel to the Senate President, and George Levesque, General Counsel to the Florida House of Representatives (May 31, 2011) (on file with Florida House of Representatives).

⁶⁵ *In re Senate Joint Resolution 2G, Special Apportionment Session 1992*, 597 So. 2d 276, 279 (Fla. 1992) (citing *In re Apportionment Law, Senate Joint Resolution 1E*, 414 So. 2d 1040, 1051 (Fla. 1982)).

⁶⁶ *Id.*

⁶⁷ *Id.* (citing *In re Apportionment Law, Senate Joint Resolution 1E*, 414 So. 2d at 1051).

⁶⁸ *Id.* at 280.

The second tier of these standards requires that districts be compact.⁶⁹ The meaning of “compactness” can vary significantly, depending on the type of redistricting-related analysis in which the court is involved.⁷⁰ Primarily, courts have used compactness to assess whether some form of racial or political gerrymandering exists. That said, the drawing of a district that is less compact could conversely be the necessary component of a district or plan that attempts to eliminate the dilution of the minority vote. Therefore, compactness is not by itself a dispositive factor.

Courts in other states have used various measures of compactness, including mathematical calculations that compare districts according to their areas, perimeters, and other geometric criteria, and considerations of functional compactness. Geometric compactness considers the shapes of particular districts and the closeness of the territory of each district, while functional compactness looks to practical measures that facilitate effective representation from and access to elected officials. In a Voting Rights context, compactness “refers to the compactness of the minority population, not to the compactness of the contest district”⁷¹ as a whole.

Overall, compactness is a functional factor in reviewing plans and districts. Albeit, compactness is not regarded as a trumping provision against the carrying out of other rationally formed districting decisions.⁷² Additionally, interpretations of compactness require considerations of more than just geography. For example, the “interpretation of the *Gingles* compactness requirement has been termed ‘cultural compactness’ by some, because it suggests more than geographical compactness.”⁷³ In a vote dilution context, “While no precise rule has emerged governing § 2 compactness, the inquiry should take into account traditional districting principles.”⁷⁴

Florida courts have yet to interpret “compactness.”

The second tier of these standards also requires that “districts shall, where feasible, utilize existing political and geographical boundaries.”⁷⁵ The term “political boundaries” refers, at a minimum, to the boundaries of cities and counties.⁷⁶ Florida case law does not specifically define the term “geographical boundaries.” Rather, numerous cases use the phrase generally when defining the borders of a state, county, city, court, special district, or other area of land.⁷⁷

Similarly, the federal courts have used the phrase “geographical boundaries” in a general sense.⁷⁸ The U.S. Supreme Court has used the phrase “geographical considerations” when referring to how difficult it is to travel within a district.⁷⁹

In addition to referring to the borders of a county, city, court, special district, the area of land referenced by “geographical boundaries” could be smaller areas, “such as major traffic streets, railroads, the river,

⁶⁹ Article III, Sections 20(b) and 21(b), Florida Constitution.

⁷⁰ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Pages 109-112.

⁷¹ *League of United Latin American Citizens (LULAC) v. Perry*, 548 U.S. 26 (2006).

⁷² *Karcher v. Daggett*, 462 U.S. 725, 756 (1983).

⁷³ *Redistricting Law 2010*. National Conference of State Legislatures. November 2009. Page 111.

⁷⁴ *League of United Latin American Citizens (LULAC) v. Perry*, 548 U.S. 27 (2006).

⁷⁵ Article III, Sections 20(b) and 21(b), Florida Constitution.

⁷⁶ The ballot summary of the constitutional amendment that created the new standards referred to “existing city, county and geographical boundaries.” See *Advisory Opinion to Att’y Gen. re Standards for Establishing Legislative Dist. Boundaries*, 2 So. 3d 175, 179 (Fla. 2009).

⁷⁷ *E.g.*, *State v. Stepansky*, 761 So.2d 1027, 1035 (Fla. 2000) (“In fact, the Fifth District acknowledged the effects doctrine as a basis for asserting jurisdiction beyond the state’s geographic boundaries.”); *State v. Holloway*, 318 So.2d 421, 422 (Fla. 1975) (“The arrest was made outside the geographical boundaries of said city.”); *Deen v. Wilson*, 1 So.3d 1179, 1181 (Fla. 5th DCA 2009) (“An Office of Criminal Conflict and Civil Regional Counsel was created within the geographic boundaries of each of the five district courts of appeal.”); *A. Duda and Sons, Inc. v. St. Johns River Water Management Dist.*, 17 So.3d 738, 740 (Fla. 5th DCA 2009) (“Cocoa Ranch, is over 18,000 acres and is located within the [St. Johns River Water Management] District’s geographical boundaries.”).

⁷⁸ *E.g.*, *Sbarra v. Florida Dept. of Corrections*, 2009 WL 4400112, 1 (N.D. Fla. 2009) (“Lee County is within the geographic bounds of the United States District Court for the Middle District of Florida.”); *Benedict v. General Motors Corp.*, 142 F.Supp.2d 1330, 1333 (N.D. Fla. 2001) (“This was part of the traditional approach of obtaining jurisdiction through service of process within the geographic boundaries of the state at issue.”).

⁷⁹ *Reynolds v. Sims*, 377 U.S. 533, 580 (1964)

etc.”,⁸⁰ or topographical features such as a waterway dividing a county or other natural borders within a state or county.⁸¹

Moreover, it should be noted that in the context of geography, states use a number of geographical units to define the contours of their districting maps. The most common form of geography utilized is census blocks, followed by voter tabulation districts (VTDs). Several states also utilize designations such as counties, towns, political subdivisions, precincts, and wards.

For the 2002 redrawing of its congressional and state legislative maps, Florida used counties, census tracts, block groups and census blocks. For the current redistricting, the Florida House of Representatives’ web-based redistricting application, MyDistrictBuilder™, allows map-drawers to build districts with counties, cities, VTDs, and census blocks.

It should also be noted that these second tier standards are often overlapping. Purely mathematical measures of compactness often fail to account for county, city and other geographic boundaries, and so federal and state courts almost universally account for these boundaries into consideration when measuring compactness. Courts essentially take two views:

- 1) That county, city, and other geographic boundaries are accepted measures of compactness,⁸² or
- 2) That county, city and other geographic boundaries are viable reasons to deviate from compactness.⁸³

Either way, county, city, and other geographic boundaries are primary considerations when evaluating compactness.⁸⁴

Public Outreach

In the summer of 2011, the House and Senate initiated an extensive public outreach campaign. On May 6, 2011, the Senate Committee on Reapportionment and the House Redistricting Committee jointly announced the schedule for a statewide tour of 26 public hearings. The purpose of the hearings was to receive public comments to assist the Legislature in its creation of new redistricting plans. The schedule included stops in every region of the state, in rural and urban areas, and in all five counties subject to preclearance. The hearings were set primarily in the mornings and evenings to allow a variety of participants to attend. Specific sites were chosen based on their availability and their accessibility to members of each community.

Prior to each hearing, committee staff invited a number of interested parties in the region to attend and participate. Invitations were sent to representatives of civic organizations, public interest groups, school boards, and county elections offices, as well as to civil rights advocates, county commissioners and administrators, local elected officials, and the chairs and executive committees of statewide political parties. In all, over 4,000 invitations were sent.

In addition to distributing individual invitations, the House and Senate utilized paid advertising space in newspapers and airtime on local radio stations, free advertising through televised and radio public service announcements, legal advertisements in local print newspapers for each hearing, opinion editorials, and advertising in a variety of Spanish-language media to raise awareness about the hearings. Staff from both the House and Senate also informed the public of the hearings through social media websites and email newsletters.

⁸⁰ *Bd. of Ed. of Oklahoma City Pub. Sch., Indep. Dist. No. 89, Oklahoma County, Okl. v. Dowell*, 375 F.2d 158, 170 n.4 (10th Cir. 1967),

⁸¹ *Moore v. Itawamba County, Miss.*, 431 F.3d 257, 260 (5th Cir. 2005).

⁸² *e.g., DeWitt v. Wilson*, 856 F. Supp. 1409, 1414 (E.D. Cal. 1994).

⁸³ *e.g., Jamerson v. Womack*, 423 S.E. 2d 180 (1992). *See generally*, 114 A.L.R. 5th 311 at § 3[a], 3[b].

⁸⁴ *See id.*

The impact of the statewide tour and public outreach is observable in multiple ways. During the tour, committee members received testimony from over 1,600 speakers. To obtain an accurate count of attendance, committee staff asked guests to fill out attendance cards. Although not all attendees complied, the total recorded attendance for all 26 hearings amounted to 4,787.

**Table 5. Public Input Meeting Schedule
Attendance and Speakers**

City	Date	Recorded Attendance	Speakers
Tallahassee	June 20	154	63
Pensacola	June 21	141	36
Fort Walton Beach	June 21	132	47
Panama City	June 22	110	36
Jacksonville	July 11	368	96
St. Augustine	July 12	88	35
Daytona Beach	July 12	189	62
The Villages	July 13	114	55
Gainesville	July 13	227	71
Lakeland	July 25	143	46
Wauchula	July 26	34	13
Wesley Chapel	July 26	214	74
Orlando	July 27	621	153
Melbourne	July 28	198	78
Stuart	August 15	180	67
Boca Raton	August 16	237	93
Davie	August 16	263	83
Miami	August 17	146	59
South Miami (FIU)	August 17	137	68
Key West	August 18	41	12
Tampa	August 29	206	92
Largo	August 30	161	66
Sarasota	August 30	332	85
Naples	August 31	115	58
Lehigh Acres	August 31	191	69
Clewiston	September 1	45	20
TOTAL	26 meetings	4,787	1,637

In addition to the public input meetings, the House Redistricting Committee and Senate Committee on Reapportionment received hundreds of additional written suggestions for redistricting, both at the public hearings and via social media.

Throughout the summer and at each hearing, legislators and staff also encouraged members of the public to draw and submit their own redistricting plans (partial or complete maps) through web applications created and made available on the Internet by the House and Senate. At each hearing, staff from both the House and Senate was available to demonstrate how members of the public could illustrate their ideas by means of the redistricting applications.

In September 2011, the chairs of the House Redistricting Committee and Senate Committee on Reapportionment sent individual letters to more than fifty representatives of public-interest and voting-rights advocacy organizations to invite them to prepare and submit proposed redistricting plans.

As a result of these and other outreach efforts, the public submitted 157 proposed legislative and congressional redistricting maps between May 27 and November 1, 2011. Since then, ten additional plans have been submitted by members of the public. During the 2002 redistricting cycle, the Legislature received only four proposed maps from the public.

Table 6. Complete and Partial Redistricting Maps

Submitted to the House or Senate by Florida Residents

Map Type	Complete Maps	Partial Maps	Total Maps
House	17	25	42
Senate	26	18	44
Congressional	54	27	81
TOTAL	97	70	167

Publicly submitted maps, records from the public input hearings, and other public input are all accessible via www.floridaredistricting.org.

Redistricting Plan H000C9047: Effect of Proposed Changes

Redistricting Plan Summary Statistics for the Proposed Congressional Map

Redistricting Plan Data Report for H000C9047

Plan File Name: H000C9047						Plan Type: Congress - 27 Districts											
Plan Population Fundamentals						Plan Geography Fundamentals:											
Total Population Assigned:	18,801,310 of 18,801,310					Census Blocks Assigned:	484,481 out of 484,481										
Ideal District Population::	696,344					Number Non-Contiguous Sections:	1 (normally one)										
District Population Remainder:	22					County or District Split :	21 Split of 67 used										
District Population Range:	696,344 to 696,345					City or District Split :	27 Split of 411 used										
District Deviation Range:	(0) To 1					VID's Split :	352 Split of 9,436 used										
Deviation:	(0) To 0.00 Total 0.00%																
Number of Districts by Race Language																	
	20%+	30%+	40%+	50%+	60%+												
Current Black VAP	5	3	3	2	0												
New Black VAP	5	3	3	3	0												
Current Hisp VAP	7	4	3	3	3												
New Hisp VAP	7	6	4	3	3												
Plan Name: H000C9047																	
											Number of Districts			27			
Spatial Measurements - Map Based																	
Base Shapes				Circle - Dispersion					Convex Hull - Indentation								
	Perimeter	Area	P/A	Perimeter	Area	P/A	Pc/P	A/Ac	Perimeter	Area	P/A	Pc/P	A/Ac	Width	Height	W+H	
C9047-Map	8,120	65,934	12.31%	6,919	181,529	3.81%	85.21%	36.32%	5,627	93,263	6.03%	69.29%	70.69%	1,723	1,706	3,447	
Current Map	10,064	65,934	15.26%	7,767	252,642	3.07%	77.18%	26.09%	6,041	105,234	5.74%	60.02%	62.65%	1,898	1,830	3,797	
C9047-Simple	7,463	65,831	11.33%				92.71%	36.26%				75.39%	70.58%				
Current Map	9,153	65,906	13.88%				84.86%	26.08%				66.00%	62.62%				
Straight line in miles apart																	
	Pop	VAP	VAP Black	VAP Hispanic	Pop	VAP	VAP Black	VAP Hispanic	Pop	VAP	VAP Black	VAP Hispanic					
C9047-Map	24	23	25	19	31	31	33	25	41	41	41	34					
Current Map	29	29	30	22	38	38	38	29	48	48	46	38					

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h6005b.RDC

DATE: 1/30/2012

District-by-District Summary Statistics for the Proposed Congressional Map⁸⁵

District ID	Pop Dev	TPOP10	%AllBlkVAP10	%AllHispVAP10	%HaitianPOPACS
1	1	696,345	13.19	4.55	0.19
2	1	696,345	23.83	4.75	0.38
3	1	696,345	13.25	6.99	0.29
4	1	696,345	12.91	6.72	0.30
5	1	696,345	50.06	11.08	3.28
6	1	696,345	9.02	5.69	0.26
7	1	696,345	9.03	16.97	0.46
8	0	696,344	9.12	7.66	0.56
9	1	696,345	12.40	41.39	1.23
10	1	696,345	11.14	14.20	0.95
11	1	696,345	7.73	7.38	0.15
12	0	696,344	4.34	9.94	0.11
13	1	696,345	5.29	7.24	0.05
14	1	696,345	25.63	25.61	0.88
15	1	696,345	12.72	14.99	0.35
16	1	696,345	5.83	8.76	0.71
17	0	696,344	8.36	14.35	0.50
18	0	696,344	11.07	12.05	1.76
19	1	696,345	6.47	14.83	1.63
20	1	696,345	50.06	18.54	9.91
21	1	696,345	11.23	18.29	3.04
22	1	696,345	10.33	17.72	4.00
23	1	696,345	10.99	36.73	1.51
24	1	696,345	54.92	33.15	15.22
25	0	696,344	7.70	70.69	1.75
26	1	696,345	10.02	68.91	1.35
27	1	696,345	7.71	75.04	0.78

District-by-District Descriptions for the Proposed Congressional Map

District 1 encompasses the eastern most portion of the Florida panhandle. The district includes the entirety of Escambia, Santa Rosa, Okaloosa and Walton counties and a part of Holmes county. The northern and western boundary of the district is the Florida State line shared with Alabama and the southern boundary is the Gulf of Mexico. The Eastern boundary line follows the eastern Walton county line from the Gulf of Mexico north to the Holmes county line. The district then follows VTD lines with the county until the area of the county where equal population was achieved. The district then follows Stevenson Road and State Highway 173 running north and south.

District 2 encompasses the entirety of 12 counties including all of Bay, Washington, Jackson, Calhoun, Gulf, Franklin, Liberty, Gadsden, Leon, Wakulla, Jefferson and Taylor Counties. The district also includes parts of Holmes County and Madison County. The Northern boundary is created by the state lines with Alabama and Georgia and southern boundary is created by the Gulf of Mexico. The western boundary is the western county lines of Bay County and Washington County and then follows VTD lines

⁸⁵ "Pop Dev" is the population deviation above or below the ideal population. "TPOP10" is the proposed district's total resident population, according to the 2010 Census. "%AllBlkVAP10" is the percentage of the proposed district's voting age population that is Black, according to the 2010 Census. "%AllHispVAP10" is the percentage of the proposed district's voting age population that is Hispanic, according to the 2010 Census. "%HaitianPOPACS" is the percentage of the proposed district's voting age population that is Haitian according to the 2005-2009 American Community Survey.

within Holmes County as well as Stevenson Road to State Highway 173 running north and south. The Eastern Boundary of the district follows the eastern county line of Taylor County continuing into Madison County. Within Madison County the boundary runs north and south following primarily Tom Gunter Road, San Pedro Road, county road 360, Callaway Terrace, Bryan Earnhart Road, County route 14, Farm Center Road, Prescott Road, Settlement Road, County Route 253 and State Route 53.

District 3 is made up of nine whole counties as well as part of four others. Hamilton, Suwannee, Columbia, Lafayette, Dixie, Gilchrist, Levy, Union and Bradford counties are all entirely within the district. Part of Madison, Marion, Alachua and Clay counties are also within the district. The northern border follows the northern Clay, Bradford and Union county lines until it reaches Columbia County where the boundary follows the western Columbia County line north to the Georgia state line. The western border follows the Dixie and Lafayette county lines as well as the portions of Madison County not included in District 2. The boundary continues south along the Gulf Coast in Dixie and Levy counties. The southern border of the district follows the southern Levy County line and into Marion County following part of the southern Marion County line until State Highway 200 following the highway northwest toward Ocala. The district's western edge then goes around the City of Ocala primarily following SW 80th Ave, the city line, and VTD lines as it heads to the north meeting with Interstate 75. The border of the district then follows I-75 north until it reaches 193rd street following that street east to US Highway 441. The border then heads north to the Marion County line but avoids crossing the McIntosh city line following the city boundary around the city. Within Alachua County the district primarily follows VTD and roadways up into Gainesville including Camp Ranch Road, 16th Ave, The Gainesville City line, NW 13th Street, NW 53rd, Ave and NE State Road 26 until it reaches the Alachua County line. The district boundary then continues along the southern line of Clay County until US 17. The eastern edge of the district then continues to predominantly follow US 17 into the county north to the Clay/ Duval County line except when it travels around the Green Cove Springs city line making sure that none of the city is included within District 3 completing the boundary of the district.

District 4 is constituted of all of Nassau and Baker Counties and portions of Duval County that is not included within District 5. The northern border of the district is the Georgia state line along the northern edge of both Nassau and Baker counties. The western boundary line is the western Baker County line and then follows the Baker County line along the southern edge of the county all the way to the southern Duval County line. The southern boundary line continues to follow the Duval County line up until the boundary line starts to head north into Duval County. The boundary line then predominantly follows VTD lines as well as various roadway's all the way north up the Duval County line which it follows for a short distance before coming back down into the county heading south again primarily following VTD and roadway's all the way back to the southern Duval County line. The southern boundary of District 4 then continues to the east following the county line to the Atlantic Ocean. The district then follows the coast north.

District 5 is a joins the Jacksonville area with areas to the south such as Gainesville, The Ocala National Forest, to Apopka and Orlando. This region has elected a minority candidate of choice and this proposed district maintains that likelihood. Within Duval County District 5 starts at the southern border of the county going all the way north to the northern border of the county and then back through downtown Jacksonville to the southern border of the county. Within the county the district follows VTD lines as well as roadways. The district boundary begins by following I-295 where a railway crosses the Duval/Clay county line. The district follows I-295 west then following the county border west until it starts north along the Ortega River. From there the district predominantly follows the river as well as VTD lines and additional road and railways that either share a VTD line or is a standalone border for the district. The predominant roads and railways that the district follows are 103rd St, Normandy Blvd, Herlong Road, Oxbow Road, Wilson Blvd, Hyde Grove Ave, Lane Ave S, I-295, Beaver St W, Lane Ave N, Edgewood Ave, Railways leading to and from NS Jacksonville, Moncrief Road, Plummer Road, Iowa, Ave, the Trout River and New King Road (US 1) until it reaches the northern Duval County line. The district then follows the Duval County line east for a short distance before heading south back into the district. The district then predominantly follows Lem Turner Road, I-295, I-95, Heckscher Drive, N Main Street, the St. Johns River, Edenfield Road, Briarforest Road, Jimtom Drive, University Club Blvd, Laudonniere Drive, Heidi Road, Fort Caroline Road, Peeler Road, Shetland Road, Searchwood Drive, Oak Summit Drive, Cesery Blvd and Burdette Road before again joining with the St. Johns River. From

here the district predominantly follows Arlington Road, Lone Star Road, Eddy Road, Townsend Blvd, Acme Street, Atlantic Blvd, Southside Blvd, Ivey Road, Crane Ave, Laurina Street, University Blvd S, Beach Blvd, Bedford Road, Emerson Street, Hacket Ave, Jernigan Road, Hendricks Ave, St. Augustine Road and Atlantic Ave back to the St. Johns River. From here the district follows the St. Johns River to the Fuller Warren Bridge and predominantly continues along I-10, Roosevelt Blvd, Cassat Ave, Woodcrest Road, S Ellis Road, the Cedar River, Juan Ave, Hyde Park Road, Wilson Blvd, McGregor Drive, Cinderella Road, Lane Ave, I-295, 103rd Street/ Timuquana Road and Roosevelt Blvd back to the Duval County line. Within Clay County the eastern side of the district runs along the St. Johns River, the western boundary predominantly follows US-17 through the county except where it follows the Green Cove Springs city line so that the whole city is included within the district. Within Putnam County, the district follows the county line to the north with the eastern boundary following along the St. Johns River until it reaches Palmetto Bluff Road which it follows to Millican Road and then US 17 which it primarily follows to the of Palatka. There it follows the city limits so that the whole city is within the district. It then primarily follows State Road 100 and VTD lines until it reaches State Road 20. From here it follows the roadway to the west to the county line. Within Alachua County the district primarily follows VTD and roadways west into Gainesville primarily following State Road 26. Once it reaches the city the district follows the city lines, NE 53rd Ave, NW 13th Street, SE 16th Ave and VTD lines to the southern county line. On the east the district follows the county line. Within Marion County the boundary line predominately follows VTD lines, roadways and rivers including, US 441, NW 193rd St , I-75, County Road 318, NF-97, Florida Black Bear Scenic Byway, NF 588, NF 584, NF 599-2 and NF 599-1 and back to the county line except where it follows the city lines of McIntosh so that the city is entirely kept within the district. Along the west side of the district the Marion County line is followed. Within Lake County the eastern boundary follows the county line. Along the west the district predominantly follows VTD lines and major roadways including County Road 439, County Road 44A, County Road 437 (Plymouth Sorrento Road), State Road 46 and County Road 435 back to the Lake County line. Within Seminole County the district begins to follow the northern Seminole County line before entering the county at E Lake Mary Road. The district then predominantly heads back west to the Western Seminole county line along roadways including E State Road 26, W 25th Street, the Central Florida Greenway, I-4 and Orange Ave before re-joining with the Seminole County line. Within Orange County the district predominantly follows VTD line and Roadways. The district follows the Orange/ Seminole county line until it reaches the Wekiwa Springs State Park where in heads west into Orange County until it reaches Rock Springs Road. The district then predominantly follows this road south to Orange Blossom Trail S which it then primarily follows to Clarcona Ocoee road until it reaches the city of Eatonville where it follows the city lines making sure to keep the city whole and within the district. The district then primarily follows Lee Road to the the John Young Parkway south to Colonial Drive to I-4. The border then primarily follows this road to the south to Orange Blossom Trail. The district then predominantly follows Sand Lake Road, Kirkman Road, I-4, Conroy Road, Hiawasse Road, Old Winter Garden Road, the East-West Expressway and Good Homes Road until it reaches the city of Ocoee where the district line surrounds the city to make sure not to spilt the city. The border then crosses Lake Apopka until it reaches the orange county line.

District 6 contains all of St. Johns and Flagler counties and parts of Putnam and Volusia counties. The northern border of the district follows the northern St. Johns County line and continues south along the western St. Johns county line until it reaches the St. Johns river within Putnam County until it reaches Palmetto Bluff Road which it follows to Millican Road and then US 17 which it primarily follows to the of Palatka. There it follows the city limits so that the city is kept outside the district. It then primarily follows State Road 100 and VTD lines until it reaches State Road 20. From here it follows the roadway to the west to the county line. The western edge of the district then follows the Putnam County line south and continues to follow the western Volusia County line until it reaches the Lake Beresford area where it then primarily follows roadways and city lines traveling east into the county. The district line is careful to include the entire cities of Deland and Lake Helen while at the same time not crossing into the cities of Orange City, Deltona or Orange City. Once navigating around these cities the district border follows Maytown Road (County Road 4164) east before following VTD lines to the Southern Volusia County line and continues to the Atlantic ocean. The district is completed with its eastern border the Atlantic ocean following the coast line of Volusia, Flagler and St. Johns counties north.

District 7 contains most of Seminole County then connects this county with parts of Volusia and Orange Counties. The northern border of the district follows County Road 4164 until it reaches the City of Deltona where it begins to follow the Deltona city line and continues to follow the city lines of Orange City so that all of Deltona, Orange City and Debarry are included in the district before it reaches the western Volusia County line. The district then follows the remaining western boarder of Volusia County and continues to follow the northern border of Seminole County before entering the county at E Lake Mary Road. The district then predominantly heads back west to the Western Seminole county line along roadways including E State Road 26, W 25th Street, the Central Florida Greenway, I-4 and Orange Ave before re-joining with the Seminole County line. The district then follows the Seminole County line south before entering Orange county when it reaches the Wekiwa Springs State Park. The district boundary heads west into Orange County through the park until it reaches Rock Springs Road. The district then predominantly follows this road south to Orange Blossom Trail S which it then primarily follows to Clarcona Ocoee road until it reaches the city of Eatonville where it follows the making sure to not cross into the city. The Cities of Maitland and Winter Park in Orange County are entirely within the district. The district then primarily follows Lee Road to the the John Young Parkway south before following Silver Star Road, Maury Road and W Par Street east until it reaches Mill Ave N (US 17/92). The district then predominately follows Mill Ave N south to Colonial Drive. The district then Primarily follows this road to N Semoran Blvd and eventually N Goldenrod Road. From here the district predominantly follows University Blvd, N Dean Road, Buck Road, Rouse Road, E Colonial Drive further to the east until the district then heads north along a VTD line to Lake Pickett Road and Chuluota Road which it then follows to the Orange/ Seminole County line. The southern border of the district then continues east along the southern Seminole County line and continues to follow the eastern Volusia County line that the county shares with Brevard County to form the eastern boundary of the district.

District 8 contains the entire county of Brevard and Indian River county as well as a small part of eastern Orange County. The district boundaries to the north follow the Brevard County line to the Atlantic Ocean which creates the eastern boarder of the district all the way south to the Indian River County line to the south. The southern edge of the district continues to follow the county line west and continues to follow the county line of both Indian River and Brevard Counties north into Orange County. The district follows the Orange County line until it reaches Dallas Blvd which it follows north into the county. The district follows this roadway and then the Beeline Expressway (State Road 528) before it primarily follows VTD lines and the Econlockhatchee River. From here the district predominantly follows E Colonial Drive until the district then heads north along a VTD line to Lake Pickett Road and Chuluota Road which it then follows to the Orange County line which the district line then follows east back to the northern Brevard County line.

District 9 connects part of Orange and Polk Counties and all Osceola County. The district's eastern boundary is made up of the eastern Osceola county line which it then follows south and then north along the western county line until it reaches the Lake Hatchineha area where the district heads into Polk County using VTD lines and Lake Hatchineha Road. The district primarily follows this road before following the city lines of Dundee and Lake Hamilton making sure that all of the city of Lake Hamilton is included within the district and none of Dundee. The district line then heads north from the city of Lake Hamilton to Haines City where it again follows the city lines predominantly making sure that all of the city is in the district. The district then follows VTD lines back to the Osceola County line. The district continues to follow the county line until it heads into Orange County following primarily S. Apopka Vineland Road, International Drive S, VTD lines, the Beachline Expressway, The Belle Isle city lines, Semoran Blvd, Michigan Street, Conway Road, The East-West Expressway and E Colonial Drive. The district then Primarily follows this road to N Semoran Blvd and eventually N Goldenrod Road. From here the district predominantly follows University Blvd, N Dean Road, Buck Road, Rouse Road and back to E Colonial Drive. From here the district primarily follows VTD lines and the Econlockhatchee River to the Beachline Expressway which it follows to Dallas Blvd. The district then follows Dallas Blvd to the Orange/ Osceola County line which the district then continues to follow back to the eastern Osceola County line completing the district border.

District 10 contains a large geographic area of Lake County as well parts of Orange, Osceola and Polk counties. The area known as the "Golden Triangle" is kept whole within this district. The northern border of the district follows the Lake County line from County Road 439 to 158th Terrace. The western edge of the district primarily follows this street south to Marion County road which the border then follows for a short distance to Gray's Airport Road. The western border then predominantly follows Gray's Airport south until the district reaches the city of Fruitland Park where it begins to follow the city boundary lines of that city so that all of the city is within the district and none of Lady Lake is in the district to keep both cities whole. District 10 follows these lines to the west until it reaches the Lake County line which then becomes the western district line all the way until it reaches Polk County. The district then predominantly follows Rockridge Road, Dean Still Road and Moore Road until it reaches the city boundary line of Lakeland. The district then follows the Lakeland city line, never crossing into the city and also following the Auburndale City lines as to include all of the city in the district. The district continues to follow the city lines to state road 540 (Winter Lake road) completing the western edge of District 10. The southern edge of the district predominately follows Winter Lake Road, Lake Shipp, 6th Street SE, Poinsetta Park and Dundee Road before following the city lines of Dundee and Lake Hamilton making sure that none of either city is in the district. The district again follows city lines predominantly making sure that all of Haines City is outside the district. The district then follows VTD lines to the Osceola County line. The district continues to follow the county line until it heads into Orange County following primarily S. Apopka Vineland Road, International Drive S, VTD lines, the Beachline Expressway, The Belle Isle city lines, Semoran Blvd, Michigan Street, Conway Road, The East-West Expressway and E Colonial Drive. From here the district lines Predominately follow Mills Ave N to W Par Street. The district then heads west for a short time along this road before reaching the John Young Parkway. The district follows this road to Colonial Drive to I-4. The border then primarily follows this road to the south to Orange Blossom Trail. The district then predominantly follows Sand Lake Road, Kirkman Road, I-4, Conroy Road, Hiawasse Road, Old Winter Garden Road, the East-West Expressway and Good Homes Road until it reaches the city of Ocoee where the district line surrounds the city to make sure not to spilt the city. The border then crosses Lake Apopka until it reaches the orange county line where it follows that boundary line into Lake County at county road 435. District 10 then continues into Lake County following major roadways including County Road 435, State Road 46, County Road 437 (Plymouth Sorrento Road), County Road 44A, County Road 439, County Road 42 and The Umatilla city line. The district line then joins back with the Lake County line.

District 11 contains all of Citrus, Hernando and Sumter Counties and parts of Marion and Lake counties. The western and southern boundaries of the district follow the county lines of Citrus, Hernando and Sumter counties with the Gulf of Mexico to the west and county lines along the entire southern border. The eastern border of the district follows the eastern border of Sumter County up until it crosses into Lake County to fully encompass the city of Lady Lake within District 11. After surrounding the city lines of Lady Lake the district primarily follows Gray's Airport Road north to the Lake County line. By including this city entirely within the district the area known as The Villages is kept whole within the district including all cities and unincorporated area that make up that area. The eastern border of the district then follows the Marion/Lake county line until it crosses into Lake County again when it reaches County Road 42. The border follows this road until it begin to follow Kismer Road (NFs 572-1). It then follows Deer Rd to County Road 445 to Power Line Road back to the Marion County line. The district then follows the county line for a short distance before crossing into Marion County starting the northern boundary line where it predominately follows VTD lines, roadways and rivers including, NF 599-1, NF 599-2, NF 584, NF 588, the Florida Black Bear Scenic Byway, NF-97, VTD lines, NE 199th Street Road, E County Road 318, NW 165th Street, US 441, NW 140th Street, I-75, the Ocala City line so that all of the city is within the district and State Highway 200 to the Citrus/Marion County line. The district lines also carefully follow the city lines of Ocala so that all the city is within the district. The northern border of the district then follows the Citrus County line all the way to the Gulf of Mexico.

District 12 includes all of Pasco County as well portions of Pinellas and Hillsborough Counties. The proposed district's northern western and eastern borders are the same as the Pasco County lines. The southern border of the district follows the Dunedin city line in Pinellas County east into the county. From here the district line predominantly follows the city lines of Dunedin, Clearwater and Oldsmar. The district includes all of Oldsmar and none of Dunedin and Clearwater. This brings the district to the Pinellas/ Hillsborough line before the district crosses into Hillsborough County. The district boundary

then follows a railway into Hillsborough County until it reaches Sheldon Road. District 12 follows Sheldon Road to Citrus Park Drive (County Road 587) to the Veterans Expressway. From here the district predominantly follows Ehrlich Road, Casey Road, The Gunn Highway, Busch Blvd, the Tampa City line, N Florida Ave, Bearss Ave and the Dale Mabry Highway until the boundary line reaches the Pasco County line which it follows east to the eastern edge of the Pasco County line.

District 13 is entirely within Pinellas County and is most similar to the current District 10 which is also entirely within the county. The district uses the western border of the county along the Gulf of Mexico as its western border. The southern border of the district follows the southern edge of Pinellas County until it reaches I-275 which it then follows north beginning the eastern border of the district. The district follows I-275 until it reaches 34th St. where it then predominantly uses VTD lines and roadways including 42nd Ave, 38th Ave, to Boca Ciega Bay. The district then follows the city line of Gulfport making sure to include all of the city within the district. The district then uses roadways primarily including 58th Street N, 13th Ave N, and 9th Ave. The district follows 9th Ave to North Shore Park which it follows before heading into the bay until it reaches the Pinellas County line. The district line then follows the county line north until it reaches the city of Oldsmar. The district then primarily follows the city lines of Oldsmar, Clearwater and Dunedin making sure to include all of the city of Dunedin and Clearwater and none of Oldsmar. The District then follows the city lines to the Gulf of Mexico.

District 14 includes part of Hillsborough and Pinellas Counties. This has traditionally elected a minority candidate of choice which is protected by Section 5 of the Voting Rights Act by virtue of its inclusion of parts of Hillsborough County. The proposed district maintains the likelihood of the minority population electing their candidate of choice. The district predominantly uses major roadways, VTD lines as well as part of the Hillsborough and Pinellas County line. The southern boundary of the district follows the Hillsborough County line from Tampa Bay until it reaches I-75. The district follows I-75 north into Hillsborough County until it reaches W Bloomindale Ave. The district then primarily uses this roadway, providence Road, S King Ave and W Brandon Blvd until it again follows I-75 north. The district then follows the Temple Terrace city lines so that none of the district includes a part of the city. From here the district predominantly follows E Fowler Ave, Bruce B Downs Blvd, Bearss Ave and I-275 before following the Tampa city line for a short time. From here the district line heads west to the Hillsborough County line primarily following Busch Blvd, Gunn Highway, the Veterans Expressway, Sheldon Road and a railway until the border reaches the Hillsborough/ Pinellas County line. The district then follows the county line until it goes into Pinellas County near North Shore Park. From here it follows predominately 9th Ave, 13th Ave and 58th Street as well as other roadways before following the Gulfport city lines to I-275 which it then follows back to the Hillsborough/ Pinellas County line completing the district border.

District 15 contains part of Polk and Hillsborough counties. The district includes the entire cities of Lakeland, Plant City, Temple Terrace and Mulberry. The northern border of the district follows the northern county lines of Polk and Hillsborough counties that is shared with Sumter and Pasco counties, respectfully. The western border then continues into Hillsborough County from the county line predominantly following the Dale Mabry Highway N until it reaches Bearss Ave. The district then follows VTD lines south until it reaches W 127th Ave E. The district then primarily follows I-275 Bearss Ave, Bruce B Downs Ave, Fowler Ave and the Temple Terrace city lines before heading south along I-75. The district then primarily uses W Brandon Blvd, S King Ave, Providence Road and W Bloomindale Ave until it again follows I-75 south to the Alafia River. The district then follows this river east until it reaches the Polk/ Hillsborough County line. The District then Follows County Road 640 E to the city of Bartow making sure to include all of the city within the district. From Bartow the district then follows Winter Lake Road to the Polk Parkway which it follows for a short time before it follows the Auburndale and Lakeland city lines. The district includes none of Auburndale and all of Lakeland. From the city of Lakeland the district begins to follow Moore Road north where the district follows VTD lines that share a border with roadways including Deen Still Road and Rockridge road until it joins back with the Polk/Sumter county line.

District 16 includes all of Sarasota County and the western portion of Manatee County. The western border of the district follows the Manatee and Sarasota County lines along the Gulf of Mexico. The southern boundary line continues to follow the Sarasota County line which it continues to do as it

begins the eastern edge of the district. The district line continues along the Sarasota/Manatee county line until it reaches Verna Road for a short distance to State Road 70 and then shortly to Verna Bethany Road. The district line follows this road north into Manatee County until it reaches State Road 64. It follows this road until it reaches Rutland Road. It follows this road until it reaches Fox Brook Trail where it continues north to eventually State Road 62. The district then follows SR 62 until it reaches Saffold Road and continues along this road north to the Manatee County line. The northern border of the district goes west along the county line from Saffold Road until it reaches the Gulf of Mexico.

District 17 contains all of Hardee, De Soto, Highlands, Glades, Charlotte and Okeechobee Counties. It also contains part of Polk, Hillsborough, Manatee and Lee Counties. The northern border of the district starts at the northern Okeechobee County line and then continues to follow the Osceola County line until it reaches the Lake Hatchineha area where the district heads into Polk County using VTD lines and Lake Hatchineha Road. The district primarily follows this road before following the city lines of Dundee and Lake Hamilton making sure that none of the city of Lake Hamilton is included within the district and all of Dundee is included. From here the district follows predominately Dundee Road until it follows the city lines of Bartow and County Road 640 E to the Polk County line. From here the district then follows the Alafia River to I-75. The border follows I-75 all the way to the Manatee/Hillsborough County line. The border follows the county line for a short distance before heading into Manatee County when it reaches Saffold Road. From here the district boundary continues south through the county following predominantly VTD lines and roadways including State Road 62, Lake Paddock Circle, Fox Brook Trail, Coyote Creek Court, Wolf Ridge Crossing, Howling Wolf Run, Rutland Road, State Road 64, Verna Bethany Road, State Road 70 and Verna Road until it reaches the Manatee/ Sarasota county line. From here the district boundary line follows the eastern Sarasota County line south until it reaches the Charlotte County line where it begins to follow the northern county line west to the Gulf of Mexico and then south following the Charlotte County line to the southern edge of the county. The border of District 17 continues along the southern Charlotte County line until it reaches the Tamiami Trail and heads into Lee County to begin the districts southern border. The district then follows this road to the Caloosahatchee River before primarily following Orange River Road and Lee Blvd to the Lee County line. From here the district lines follow the Lee, Glades and Okeechobee County lines until it reaches the northern border of the district.

District 18 contains all of St. Lucie and Martin counties and a part of Palm Beach county. The district's eastern boundary is along the coast of the Atlantic Ocean with the northern border following along the St. Lucie County line west and continues to follow the St. Lucie county line as it starts the western edge of the district heading south. The district follows the northern edge of the Palm Beach county line. The district lines begin to extend into Palm Beach county following predominantly VTD lines and water ways that extend from Lake Okeechobee until it reaches Okeechobee Blvd where the lines primarily continue follow that road and the Loxahatchee Groves city line as well as other roadways including State Road 7, Belvedere Road, Military Trail, Community Drive, Village Blvd, Palm Beach Lakes Blvd, I-95, Shenandoah Drive, Haverhill Road, The Palm Beach Gardens and North Palm Beach city lines. From here the district heads south along the Lake Park city line to Lake Shore Drive and the Palm Beach Shores City line making sure to include all of the city within the district. It then follows the city lines until it reaches the Atlantic Ocean.

District 19 contains the coastal areas of Lee and Collier counties. The eastern border of the district follows the county lines of Lee and Collier along the Gulf of Mexico. The district continues to follow the Lee County line along the northern edge of the county until it reaches the Tamiami Trail and heads into Lee County. The district then follows this road to the Caloosahatchee River before primarily following Orange River Road and Lee Blvd to the Lee County line. From here the district follows the Lee County line south until it reaches I-75 again and begins to follow the roadway into Collier County. The district line follows I-75 until it reaches Vanderbilt Beach Road. which it follows west for a short distance before it heads south along Livingston Road. The district primarily follows VTD lines that would parallel Livingston road if it continued further south until it reaches Rattlesnake Hammock road. The district follows this road until Collier Blvd which it then follows south until it reaches the Tamiami Trail. The district then follows Tamiami Trail until it reaches County Road 92 and continues along this road to the Goodland Bay and the Gulf of Mexico.

District 20 contains portions of Palm Beach, Broward and Hendry counties. This region has elected a minority candidate of choice. This district also includes a part of Hendry County, which is a covered jurisdiction under Section 5 of the Voting Rights Act. The district's western border starts in Lake Okeechobee where it heads into Hendry County. Within Hendry County the district lines follow primarily VTD lines before it joins back with the Hendry County line. The area included contains the whole eastern part of the county. The eastern border follows the Hendry county line it turns into the Broward County line. The district follows the Broward County line until it reaches Alligator Alley (I-75). The southern border follows I-75 east into Broward County until it reaches a waterway that parallels Markham Park and the Sawgrass Expressway going northeast. The district then continues into the more populated parts of Broward county before rejoining the Sawgrass expressway and heading further north. The district lines predominantly follow major roadways, waterways and city lines where possible including a waterway paralleling NW 13th Ave, a waterway paralleling NW 18th Dr, University Drive, a waterway paralleling Sunrise Blvd, The Florida Turnpike, Broward, Blvd, SW 40th Ave, Davie Blvd, SW 15th Ave, SW, 5th Place, SW 18th Ave, SW 2nd Street, Middle Street, SW 18th Ave, NW 2nd Street, Flagler Ave, NE 5th St, NE 2nd Ave, NE 6th Street, NE 5th Ave, NE 17th Court, Dixie Highway, NE 16th St, Andrews Ave, Oakland Park Blvd, NE 41st Street, NW 44th Street, a railway paralleling I-95, Pompano Park Place, Dr. ML King Blvd, the Hillsboro Canal, Hillsboro Blvd, I-95, SW 10th Street, SW 11th Street, NE 3rd Ave, NE 48th St, Green Road, Military Trail, a railway paralleling Military Trail, Copans Road, Atlantic Blvd, and a waterway paralleling Atlantic Blvd. The district then follows the Sawgrass Expressway north and continues north crossing into Palm Beach County along a canal until it reaches Loxahatchee Road in Palm Beach County. The district then follows a waterway north that follows the edge of the Loxahatchee National Wildlife Refuge. The district then heads into the more populated areas of Palm Beach County along Southern Blvd (US 98/441) before rejoining the same waterway and heading north. From Southern Blvd the district heads into the populated areas of the county first heading south. The district follows a variety of transportation routes and city lines including Gun Club Road, Kirk Road, Summit Blvd, The Glenn Ridge City lines, I-95, Boynton Beach blvd, SW 8th Street, Woolbright Road, a railway paralleling the Federal Highway, the Federal Highway, Overlook Road, N 18th Street, 6th Ave S, S A Street, the West Palm Beach Canal, a railway paralleling US 1, Forest Hill Blvd, Parker Ave, Australian Ave, Bayan Blvd, Dixie Highway, Poinsettia Ave, Flagler Drive, US 1, E 22nd Street, E 24th Street, The North Palm Beach City line, Northlake Blvd, The Palm Beach Gardens city line, Haverhill Road, 45th Street, Roebuck Road, Shenandoah Drive, Village Blvd, Palm Beach Lakes Road, Community Drive, Okeechobee Blvd, Belvedere Road, W Alan Black Road, W Sycamore Drive, and Hanover Circle. The district lines then rejoin the waterway it started from that at this point is paralleling Connors Highway northwest all the way to the Palm Beach County line which it then follows to Lake Okeechobee.

District 21 is a district that is located in the areas of Palm Beach and Broward counties that border the Loxahatchee National Wildlife Refuge and other areas to the west. The northern border of the district primarily uses the east-west travel corridor of US 98/441 (Southern Blvd) as its northern border from the canal the borders the Loxahatchee National Wildlife Refuge to Military Trail. The district western edge follows this canal all the way south into Broward County until it reaches the Pompano Canal. This canal becomes the predominant boundary line for the southern edge of the district joining for a short distance Atlantic Ave until it reaches the Florida Turnpike. The district lines follow the turnpike to Copans Road followed by a railway, Military Trail, Green Road, NW 48th St, NE 3rd St, SW 11th Street, SW 10th St, and I-95. From here the district heads back west for a short time primarily along Hillsboro Blvd, the Hillsboro Canal, SW 18th St, Powerline Road, Palmetto Park Road and the Florid Turnpike. The district line then heads north primarily using the Florida Turnpike, Clint Moore Road, and Military Trail until it again rejoins with Southern Blvd.

District 22 is primarily a coastal district connecting Palm Beach and Broward Counties. The northern border of the district starts along the coast along the southern edge of the city of Palm Beach Shores. The district then follows the city lines west to Lake Shore Drive and then head south primarily following or paralleling US 1 until it reaches W Woodbright Road. It follows this road west for a short time before heading back north predominantly following I-95 to the Glenn Ridge City line which it follows to Summit Blvd which it then primarily follows west for a short distance to S Military Trail which completes the northern boundary of District 22. The district line continues south starting the western edge of the district following predominantly Military Trail south. The district continues along this path until it reaches

a waterway the parallels Clint Moore Road west until it reaches the Florida Turnpike. The district heads south until it reaches Palmetto Park Road followed by Powerline road, SW 18th Street, the Hillsboro Canal and the Dixie Highway. The district continues to follow this roadway until it joins a railway that parallels I-95 via Pompano Park place and continues south. At this point the district heads into the Fort Lauderdale and Plantation areas of Broward County. The district predominantly follows VTD lines and major roadways heading further south before heading west and ultimately back to the coast. From the railway the roadways the district predominantly follows west are NW 44th St, NE 5th Ave, Oakland Park Blvd, Andrews Ave, NE 16th St, a Railway paralleling Flagler Drive, NE 6th Street, NE 5th Street, NW Flagler Ave, NW 2nd Street, NW 18th Street, Middle Street, SW 18th Ave, SW 5th Place, SW 15th Ave, Davie Blvd, SW 40th Ave, Broward Blvd, The Florida Turnpike, a waterway paralleling Sunrise Blvd, University Drive, a waterway paralleling NW 20th Court, NW 28th Court and NW 27th Street. The district now heads south and back east to the coast following primarily Flamingo Road, the Port Everglades Expressway, Federal Highway, and Spangler Blvd. The district then follows the coast line of the Atlantic Ocean back north into Palm Beach County for its eastern boundary line.

District 23 contains part of southern Broward County and the northeast part of Miami-Dade County. The district boundary line to the north start with the Atlantic ocean to the east and heads west following predominantly the Hollywood, Dania Beach, and Davie city limits. The district contains all of these cities. The district then follows Flamingo Road primarily before it begins to follow a waterway that parallels the Sawgrass Expressway heading south to I-75 heading further west until that waterway joins another waterway that heads south paralleling US-27 and begins the western boundary of the district. The district lines follow this waterway to Sheridan Street where the district begins to head back east before heading south into Miami Dade County. The district lines primarily follow roadways as it heads back east. These include NW 172nd Ave, Pines Blvd, and Pembroke Road the district then primarily follows city lines including Hollywood, Hallandale Beach, Aventura, Sunny Isles, North Miami, North Miami Beach, Miami Shores, Miami and Miami Beach. From here the district reaches the Atlantic Ocean. The district eastern boundary line is the Ocean heading back north completing the district lines.

District 24 is connects south Broward County with north Miami-Dade County. The northern boundary of District 24 starts at the Hollywood city line heading west following this city line as well as Pines Blvd. and the Miramar city line until it reaches I-75. It follows i-75 south through Miramar before following the southern edge of the city back east to the Carol City line the it follows primarily south keeping the city whole. It also keeps Opa-Locka whole following the city line. From here the district predominately follows the Little River Canal, NW 27th Ave, NW 100th Street, NW 32nd Ave, NE 95th Street, NW 36th Ave, NW 79th Street, NW 32nd Street, NW 54th Street, NW 35th Ave, the Airport Expressway, NW 27th Ave, NW 32nd Street, NW 22nd Ave, NW 20th Street, NW 17th Ave, the Dolphin Expressway, NW 8th Street Road to the North Fork Miami River. From here the district lines head north again along city lines. The district primarily follows Miami Beach, North Bay Village, Miami Shores, North Miami, North Miami Beach, Aventura and Hallandale Beach.

District 25 connects part of Hendry, Collier Broward and Miami-Dade Counties. The district begins in the north including the western part Hendry County except the eastern VTD's that include Clewiston and the surrounding area that is a part of District 20. The northern border is same as the Hendry County line to the north. The district continues to the south following the Hendry County line to the west. The district continues to follows the Lee/Collier County line until it reaches I-75. The district line follows I-75 until it reaches Vanderbilt Beach Road. which it follows west for a short distance before it heads south along Livingston Road. The district primarily follows VTD lines that would parallel Livingston road if it continued further south until it reaches Rattlesnake Hammock road. The district follows this road until Collier Blvd which it then follows south until it reaches the Tamiami Trail. The district then follows Tamiami Trail until it reaches County Road 92 and continues along this road to the Goodland Bay and the Gulf of Mexico. The district then comes back from the Gulf along the Collier/Monroe County line following that until it reaches the Miami-Dade/ Monroe County line which it follows for a short time before it reaches the Tamiami Trail (US 41). The district follows this roadway east until it reaches SW 87th Ave completing the southern boundary line for the district. The eastern boundary line follows SW 87th Ave north to the Doral City line. The district then follows the city line followed by VTD lines that travel through the Miami International Airport before it follows a canal that parallels NW 72nd Ave. From here the district follows road and waterways to the north beginning with W 21st St,

primarily followed by W 4th Ave, E 41st Street, NW 95th Street, NW 32nd Ave, NW 100th Street, NW 27th Ave, The little River Canal, Gratigny Parkway, 37th Ave, Biscayne Canal, NW 57th Ave, SW 55th Street, Flamingo Road, Pembroke Road, I-75, Pines Blvd, NW 178th Ave, NW 17th Street and Sheridan Street. From here the district lines follow a waterway that parallels US 27 north until it reaches Alligator Alley (I-75). It follows Alligator Alley west until it joins the Broward County line and follows that line as it turns into the Hendry County line up until it reaches the VTD's of Hendry County that contain Clewiston. The district follows these lines until it join back with the northern border of the county.

District 26 contains all of Monroe County as well as a part of Miami-Dade County. The northern border of the district follows US-41 from SW 87th Ave in Miami-Dade County west until it meets the Monroe County line. From here the district follows the Monroe County line until it reaches the Gulf of Mexico. The district's western and southern border follow the Monroe County lines exactly, including the Dry Tortugas National Park. The eastern border of the district follows the Monroe County line and crosses into Miami-Dade County at Card Sound Road. From here the border of the district continues north on Card Sound Road until it reaches the city of Florida City. The district then follows the city lines so that all of the city is included within the district. The district then continues north using predominantly the Florida City Canal, SW 152nd Ave, S Canal Drive, N Audubon Drive, SE 8th Street, SE 14th Place, SW 12th terrace, SE 5th Street, SW 162nd Ave, NE 8th Street to the Dixie Highway (US 1). The district then follows the Dixie Highway all the way to SW 152nd Street briefly following the Cutler Bay City line so that the district does not break the city line and then joins SW 97th Ave via a waterway. The district follows SW 97th Ave north until it reaches SW 88th Street. The district then follows SW 88th Street to SW 87th Ave which it follows north until it reaches US 41 and the northern boundary of the district.

District 27 is entirely within Miami-Dade County and primarily a coastal district traveling along the Miami-Dade coast line from Miami and Hialeah to the county boundary in the south. This proposed district is not like any of the current districts as much of the area the proposed district has is connected to a district that goes into Monroe County on the current map. The district's southern border of the district follows the Miami-Dade County line from the Atlantic Ocean to Card Sound Road. From here the eastern border of the district continues north on Card Sound Road until it reaches the city of Florida City. The district then follows the city lines so that all of the city is included within the neighboring district 26. The district then continues north using predominantly the Florida City Canal, SW 152nd Ave, S Canal Drive, N Audubon Drive, SE 8th Street, SE 14th Place, SW 12th terrace, SE 5th Street, SW 162nd Ave, NE 8th Street to the Dixie Highway (US-1). The district then follows the Dixie Highway all the way to SW 152nd Street briefly following the Cutler Bay City line as to included all of the city within the district and then joins SW 97th Ave via a waterway. The district follows SW 97th Ave north until it reaches SW 88th Street. The district then follows SW 88th Street to SW 87th Ave. The boundary line follows SW 87th Ave north to the Doral City line. The district then follows the city line followed by VTD lines that travel through the Miami International Airport before it follows a canal that parallels NW 72nd Ave. From here the district follows road and waterways to the north beginning with W 21st St, primarily followed by W 4th Ave and E 41st Street. The eastern boundary begins at E 41st Street where it meets NW 36th Ave. the district continues south and eventually back to the bay by using predominantly NW 79th Street, NW 32nd Street, NW 54th Street, NW 35th Ave, The Airport Expressway, NW 27th Ave, NW 32nd Street, NW 22nd Ave, NW 20th Street, NW 17th Ave, The Dolphin Expressway, NW 8th Street Road to the North Fork Miami River. From here the district boundary line heads south along a railway for a short distance before joining SW 8th Street S Miami Ave and SE 14th St before joining Biscayne Bay. From here the eastern boundary line follows the bay and the Atlantic Ocean south to the southern border of Miami-Dade County. This district includes Key Biscayne, Old Rhodes Key and several other barrier islands.

B. SECTION DIRECTORY:

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| Section 1 | Provides that the 2010 Census is the official census of the state for the purposes of this bill; Lists and defines the geography utilized for the purposes of this bill in accordance with Public Law 94-171. |
| Section 2 | Provides for the geographical description of the redistricting of the 27 congressional districts. |

- Section 3 Provides for the apportionment of any territory not specified for inclusion in any district.
- Section 4 Provides that the districts created by this joint resolution constitute and form the congressional districts of the State.
- Section 5 Provides a severability clause in the event that any portion of this joint resolution is held invalid.
- Section 6 Provides that this joint resolution applies with respect to the qualification, nomination, and election to the office of representative to the Congress of the United States in the primary and general elections held in 2012 and thereafter.
- Section 7 Provides that, except as otherwise expressly provided, this act shall take effect upon expiration of the terms of the representatives to the United States House of Representatives serving on the date that this act becomes a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The 2012 redistricting will have an undetermined fiscal impact on Florida's election officials, including 67 Supervisor of Elections offices and the Department of State, Division of Election. Local supervisors will incur the cost of data-processing and labor to change each of Florida's 11 million voter records to reflect new districts. As precincts are aligned to new districts, postage and printing will be required to provide each active voter whose precinct has changed with mail notification. Temporary staffing will be hired to assist with mapping, data verification, and voter inquiries.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The 2012 redistricting will have an undetermined fiscal impact on Florida's election officials, including 67 Supervisor of Elections offices and the Department of State, Division of Election. Local supervisors will incur the cost of data-processing and labor to change each of Florida's 11 million voter records to reflect new districts. As precincts are aligned to new districts, postage and printing will be required to provide each active voter whose precinct has changed with mail notification. Temporary staffing will be hired to assist with mapping, data verification, and voter inquiries.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

January 27, 2012, the Redistricting Committee adopted Amendment 1 (Plan H000C9047) that when compared to the 27 Congressional Districts in HB 6005 (Plan H000C9043):

- Reduces the number of cities split from 39 to 27.
- Reduces the number of Counties split from 22 to 21
- Increases the Black voting age population of District 5 to greater than 50% (exactly 50.06% Black VAP).
- Increases the Hispanic voting age population of District 9 to 41.39%.
- Increases the total minority voting age population of District 14 to 53.46%.

Specifically, Amendment 1 makes the following changes:

- Makes the municipalities of Tarpon Springs, Oldsmar and Gulfport (Pinellas County) whole.
- Makes the municipalities of Coconut Creek, Hallandale Beach, Hollywood and Wilton Manors (Broward County) whole.
- Makes the municipalities of Opa-locka, North Miami and North Miami Beach (Miami-Dade County) whole.
- Makes the municipalities of Loxahatchee Groves and Lake Park (Palm Beach County) whole.
- Makes the municipalities of Dundee and Auburndale (Polk County) whole.
- Makes Okeechobee County whole.
- Makes Osceola County whole.
- District 15 shifts to encompass the municipality of Bartow.