



Oklahoma
State
Senate

Legislative Brief

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Reapportionment and Redistricting 2011

The Reapportionment and Redistricting Process

Federal law requires every state to redraw congressional boundaries every 10 years following the Federal Decennial Census. The Oklahoma Constitution requires the Legislature to redraw legislative boundaries every 10 years following the census. It is necessary to reallocate congressional seats and redraw congressional and legislative boundaries to protect the principle of one person, one vote.

While they are separate and distinct parts of the same process, reapportionment and redistricting are terms often mistakenly used interchangeably.

Reapportionment

Reapportionment, which occurs at the federal level, is the process of allocating the 435 seats in the U. S. House of Representatives among the 50 states based on the population of each state. At the conclusion of each census, the Census Bureau reports the state population totals for all states and the apportionment numbers for each state to the President by December 31. Based on official state totals and reapportionment data submitted to the President by the Census Bureau on December 21, 2011, Oklahoma maintained its five congressional seats.

Redistricting

Redistricting refers to the process of adjusting, or redrawing, legislative and congressional district boundaries to accommodate the reapportionment as well as the population changes within the state based on the 2010 census. All of Oklahoma's Congressional districts, Senate districts, and House of Representatives districts were redrawn, to equalize representation.

The Rules that Govern Redistricting

Legislative and congressional redistricting are complex procedures influenced by a variety of factors. The Oklahoma Legislature is strictly bound by legal constraints established by the U. S. Constitution, the Oklahoma Constitution, Federal and Oklahoma statutes and court decisions. Some of the most significant constraints are as follows:

- **Maintain Population Equality**

The U. S. Constitution requires that all congressional districts in a state be as nearly equal in population as practicable and that all legislative districts be substantially equal in population.

Based on the 2010 census:

Oklahoma's new state total: 3,751,351, an increase from 2000 of 300,697 (8.71%).

The new ideal totals for Senate, House and Congressional districts:

Senate: 78,153 (3,751,351/48), an increase of 6,265 per district;

House: 37,142 (3,751,351/101), an increase of 2,977 per district;

Congressional: 750,270 (3,751,351/5), an increase of 60,129 per district.

- **Protection of Minority Voting Rights and Participation**

A redistricting plan which has the purpose of, or results in, the denial of the right to participate meaningfully in the political process on account of race, color or because a person is a member of a language minority group is prohibited. In the 2011 Senate plan, the cores of the minority populations in the historical minority majority districts of the Senate were maintained to the extent feasible.

- **Other Factors**

The Senate considered other constitutionally mandated factors of compactness, area, political units, historical precedents, economic and political interest, contiguous territory and other major factors. However, the courts require that equal population be given top priority in any redistricting plan. In the 2011 Senate plan, these factors were considered to the extent feasible given the required priorities of the population equality and the protection of minority voting rights and participation mandates that all plans must abide by.

A Balanced Statewide Plan

While any given district may satisfy all pertinent legal criteria, the boundaries of that district may nonetheless have to be changed because of the necessary change in a boundary of another district. This "ripple" or "domino" effect occurs when one or a combination of the legal criteria is out of balance in a congressional or legislative district. In 2011, Oklahoma experienced major losses of population in the western and southeastern parts of the state. In other areas, mostly urban areas, there were major gains in population. The range of population loss or gain by Senate district was from a -11,697 to a +20,783. But, there were also some districts that were in the range of the ideal population. However, to abide by the population equality requirement of one person, one vote, the statewide plan for the Senate was balanced to a plus or minus 1% deviation from the ideal district population. And, as a result of the ripple effect, every Senate district was affected by a change in its boundaries. The Congressional plan drawn was balanced so that there was no difference in population between the five districts, and each of the districts experienced a boundary change, as well.

Time Frame

As noted, legislative and congressional districts in Oklahoma must be redrawn every 10 years following the Federal Decennial Census. The population data from the Census Bureau required to do redistricting must be provided to every state no later than April 1, 2011. On Tuesday, February 15, the data for the State of Oklahoma was released by the Bureau. In Oklahoma, legislative redistricting is required to be completed by the constitutionally mandated conclusion of the first regular session of the Legislature following the Federal Decennial Census which occurred on May 27, 2011. It should also be noted that the Oklahoma Constitution provides that if the Legislature fails to act on a Senate or House plan within the mandated time frame, the redistricting process for the respective house that fails to pass a redistricting bill is given to the Bipartisan Commission on Legislative Apportionment which would consist of seven members to include: the Lieutenant Governor, a nonvoting member and chair of the Commission, two members, one republican and one democrat, appointed by the President Pro Tempore of the Senate, two members, one republican and one democrat, appointed by the Speaker of the House of Representatives, and two members, one republican and one democrat to be appointed by the Governor. However, the Senate, House and Congressional bills were all passed by the Legislature in May, and the Governor approved the bills on May 20, 2011. There are no legal time constraints on congressional redistricting other than the practical constraint of having it accomplished in time for the 2012 elections.

Effective Date

The new district boundaries will become effective fifteen days following the General Election of 2012. However, the State Election Board will conduct the General Election in 2012 based on the new district boundaries.

District Maps

Maps of the 2011 Senate, House and Congressional districts can be found on the Senate and House websites at www.oksenate.gov and www.okhouse.gov.

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