



## *House Budget and Research Office*

COVERDELL LEGISLATIVE OFFICE BUILDING, ROOM 412  
ATLANTA, GEORGIA 30334  
404-656-5050

MARTHA R. WIGTON  
DIRECTOR

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### **Local Redistricting**

The state legislature will spend a portion of 2021 redrawing district lines for federal- and state-elected positions during a special session based on the 2020 Census results. “Redistricting” is the process of drawing or changing the boundaries of an elected position’s district. While the General Assembly is redrawing state and congressional lines, the areas for municipal officials, county commissioners, and school board posts also need to be redrawn. Local redistricting, which is normally done through local legislation, is typically accomplished over the first three sessions after the completed census, although local redistricting can take place throughout the decade as cities and counties create voting by districts or add a district.

The governor convenes the legislature for a special redistricting session and decides what can be legislatively discussed, which is typically mapping state and federal district lines, but that can be amended with the approval of three-fifths of each chamber after the special session convenes; therefore, local redistricting may or may not be discussed during special session. Local redistricting has many benefits, including helping the General Assembly manage the number of local redistricting bills that come from the state’s 538 cities and 159 counties. Local redistricting during special session also may help county elections officials by providing them with additional time to reassign voters using all of the newly adopted maps. Traditionally, local governments redraw districts or contract with a third-party to draw the districts and then send the maps, which have already been adopted locally, to the General Assembly for final approval; however, with the passage of Senate Bill 177 (2019 General Session), the process for local redistricting has changed.

#### **SB 177**

Senate Bill 177 provides new requirements for the consideration of local legislation that revises existing districts or creates new districts, in addition to providing for review or preparation of local redistricting plans by the Legislative and Congressional Reapportionment Office. SB 177 was passed to ensure that local redistricting plans follow federal and state requirements.

Local bills revising or creating districts for county commissions, county boards of education, independent boards of education, or municipal government authorities shall not be considered by the General Assembly unless they are drawn by the Legislative and Congressional Reapportionment Office; or submitted to and certified by the Legislative and Congressional Reapportionment Office prior to adoption by the local government entity for which the districts are to be revised.

If the Reapportionment Office is requested to draw the maps, the local entity shall contact the member who represents the area, either in whole or in part, and request that the member provide a written or electronic letter of sponsorship to the Reapportionment Office that authorizes staff to work with the local government to prepare redistricting plans. Otherwise, a representative may work directly with the Reapportionment Office to have the maps drawn.

If the local government decides to draw the map or contract with a third-party service, the government entity must still request a legislator to send a letter of sponsorship to authorize the Reapportionment Office to review the redistricting plan. The Reapportionment Office will perform a technical review to determine if the map complies with federal and state constitutional requirements, in addition to the federal 'Voting Rights Act of 1965', as amended. The office will also review if the plan divides a current voting precinct in such a way to potentially compromise voter anonymity, leave geographic areas unassigned, or for other concerns the office may deem legally significant. If the Reapportionment Office finds the plan to be technically sound, it will issue a certification form to the local entity, which then may adopt the plan for submission to the General Assembly for enactment. The Reapportionment Office will prepare the legal description that Legislative Counsel will use while drafting the bill. If the bill has technical issues, Reapportionment Office staff will notify the legislative sponsor and the government entity. The government entity can have the staff make corrections or the original drafter may revise it, which requires the plan to be reviewed a second time.

Proposed plans drawn from a source other than the Reapportionment Office must be submitted in electronic format and must contain:

- Contact information;
- Name of submitter and the government entity represented;
- Electronic map with defined boundaries with census block and district identification numbers;
- Statistical information on the districts; and
- Any additional information required by the Reapportionment Office.

If a member of the General Assembly decides to proceed with a local redistricting bill that has not been certified by the Reapportionment Office, the member may only do so if a letter from the Reapportionment Office is attached to the local bill when it is introduced that states the bill cannot be certified by the Reapportionment Office under this Code section and the reasons why.

Finally, redistricting for city council districts may be done by the municipal government without legislation due to Home Rule powers found in Georgia Code. Home Rule redistricting is solely for the purpose of redrawing district lines and must not change anything else, such as the format of elections, the number of districts, etc. Cities have the option of redistricting under Home Rule or having the change made through legislation, which puts the change into their charter. If a city chooses to have their legislators draft a local bill, the redistricting plan would need to adhere to the format laid out in SB 177.