

WHO DRAWS THE LINES

Each state decides for itself who draws its district lines, which has led to a few different models:

State legislature

- In 37 states, the **state legislature** has the power to draw the lines of state legislative districts. In each of these states, and six others, the legislature also draws congressional district lines.
- **Governor's veto.** In most of these states, district lines are passed like other laws, which means that the governor has the chance to veto a redistricting map. The governor has no veto power over the legislature's decision in just five states (CT, FL, MD, MS, NC).
- **Supermajority.** In both CT and ME, redistricting maps must be passed by a **2/3 majority**.
- **Courts.** Most states have a deadline for drawing district lines, set by the state constitution. If the legislature can't agree on a map before the deadline, **state or federal courts** may step in to make sure that the district lines are set before the next election. Courts also sometimes draw maps of their own to remedy legal violations in maps passed by the legislature.
- **Advisory commissions.** Five states (IA, ME, NY, RI, VT) appoint commissions to help advise the legislature; in most cases, the legislature can ignore their recommendations. In Iowa, however, a nonpartisan bureau draws draft lines for the legislature to accept or reject as is; only after the legislature has rejected two sets of plans can it draw districts as it pleases. So far, the Iowa legislature hasn't used its authority to draw its own maps from scratch.
- **Backup commissions.** In seven states, there are special backup procedures to draw state district lines if the legislature fails to do so. In MD, the Governor's proposal becomes the default plan; in OR, the job falls to the Secretary of State. Each of the other five states forms a **backup commission**. In CT and IL, the backup commission is made up of people selected by the legislative leadership. In MS, OK, and TX, the backup commission is made up of specific statewide elected officials, like the State Treasurer or state Attorney General.

Politician commissions

- **Politician commissions** draw state legislative districts in seven states (AR, CO, HI, MO, NJ, OH, PA). These commissions don't prohibit elected officials from serving as members, but they do take redistricting out of the hands of the legislature as a whole.
- Each politician commission is designed differently. In AR and OH, specific statewide elected officials have seats on the commission. In the other states, the legislative or party leadership nominates commissioners, usually with balanced numbers from each party, and sometimes with help from the Governor or Chief Justice of the state Supreme Court.

INDEPENDENT COMMISSIONS

- Six states (AK, AZ, CA, ID, MT, WA) currently conduct state redistricting through **independent commissions**, in which no individual drawing the lines can be a legislator or public official. AZ and CA also bar legislative staff from serving on the commission; CA, ID, and WA bar lobbyists from serving on the commission.
- These six states also **prevent commissioners from running for office** in the districts they draw, at least for a few years after they draw the lines.
- Together, the restrictions on who can be a commissioner and the restrictions on running for office mean that even though legislators may have a role in picking commissioners, neither legislators nor candidates draw their own district lines themselves.

The process for choosing the commissioners is slightly different in each state:

- **Alaska:** The Governor chooses two commissioners, the state Senate and House majority leaders each choose one, and the Chief Justice of the state Supreme Court chooses one.
- **Arizona:** The four legislative majority and minority leaders each choose one commissioner from a pool of 25 nominees chosen by the state's panel for nominating appellate judges. Those four commissioners then select a fifth tiebreaker who is not registered in the same party as any other commissioner.
- **California:** State auditors choose 20 Democrats, 20 Republicans, and 20 who are neither, and the four legislative leaders each cut two people from each pool. Eight commissioners (3 Democrats, 3 Republicans, 2 neither) are chosen randomly from the remaining nominees; those eight choose six colleagues (2 Democrats, 2 Republicans, 2 neither). A map can only pass if it gets nine votes: 3 Democrats, 3 Republicans, and 3 neither.
- **Idaho:** The four legislative leaders each choose one commissioner, and the state party chairs each choose one more, for a total of six.
- **Montana:** The four legislative leaders each choose one commissioner, with geographic balance. Those four commissioners then choose a fifth tiebreaker.
- **Washington:** The four legislative leaders each choose one commissioner; those four then choose a fifth chairperson, who does not vote on the final map. Once the commission has drawn a map, the legislature may tweak the lines; however, it needs a 2/3 vote to do so, and the changes can only affect 2% of the population in any given district.