

# Redistricting: Legal Requirements

New York City Law Department



# Overview

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- Important Dates
- Districting Requirements
- Population
- City Charter Criteria
- Finalizing the Plan

# Outline of the Districting Process

1. Preliminary plan
2. First round of public hearings
3. Initial plan submitted to City Council

*If City Council objects to the initial plan, then:*

4. Revised plan
5. Second round of public hearings
6. Final plan

# Important Dates\*

**June 7:** Preliminary plan available to the public.

**July 7:** Commission must hold one or more public hearings before this date.

**August 7:** Initial plan submitted to Council.  
Becomes final unless Council adopts resolution objecting to the plan within three weeks.

**October 7:** Revised plan submitted to Council and public (if Council objected to initial plan).

**October 7 – December 7:** Commission holds public hearings and seeks public comment on the revised plan.

**December 7:** Final plan submitted.

**\*Deadlines provided in the Charter are directory and subject to reasonable extensions in furtherance of the purposes of Chapter 2-A, as discussed in this presentation.**

# Districting Requirements

**When redrawing district boundaries, the Commission must adhere to the following requirements set by Federal law, State law, and the City Charter:**

**“One person, one vote”:** The U.S. Constitution requires roughly equal population between districts. State law requires that the difference in population between the most and least populous district can’t exceed 5% of the average population of all districts.

**Minority voters:** The Voting Rights Act of 1965 (VRA) prohibits a new district map from denying or diluting the voting power of racial and language minority groups. The City Charter also required that the district map ensures the “fair and effective representation” of racial and language minority groups protected by the VRA.

# Districting Requirements (continued)

**When redrawing district boundaries, the Commission must adhere to the following requirements set by Federal law, State law, and the City Charter:**

**Contiguous districts:** The Charter requires that each of the districts be contiguous. Whenever a part of a district is separated by water, there must be a connection by a bridge, tunnel, tramway or regular ferry service.

**Limit on crossover districts:** Although districts should not cross borough lines “to the maximum extent practicable” (see next slide), if a district does cross over into two boroughs, then no other district can cross over into the same two boroughs. (Ex: Commission can’t draw two Brooklyn-Queens crossover districts).

# Population

What is the “population”?:

- **Residents** (Residents of NYC who are incarcerated don't lose their residency)
- **Citizens**
- **Registered voters**

# City Charter Criteria

In addition to State, Federal and local requirements, the Commission must follow these criteria listed in the City Charter to the “maximum extent practicable” and in the following order of priority:

1. **Keep neighborhoods and communities intact.** District lines must keep intact neighborhoods and communities with established ties of common interest and association, whether historical, racial, economic, ethnic, religious, or other.
2. **Keep districts compact.** Each district must be compact, no more than twice as long as it is wide.
3. **Limit crossover districts.** Districts must not cross borough borders.



# City Charter Criteria (continued)

In addition to State, Federal and local requirements, the Commission must follow these criteria listed in the City Charter to the “maximum extent practicable” and in the following order of priority:

4. **Prevent partisan gerrymandering.** Districts must not be drawn for the purpose of separating geographic concentrations of voters enrolled in the same political party into two or more districts in order to diminish the effective representation of these voters.
5. **Avoid oddly shaped districts.** The district map must be drawn in a way that minimizes the sum of the length of the boundaries of all the districts.

# Finalizing the Plan

- **Supermajority:** 9 out of 15 Commissioners must approve the plan (60%).
- **Certification:** Certification of 9/15 Commissioners that the Districting requirements and criteria were followed.
- **Filing:** Plan adopted when filed with the City Clerk.

Questions?

