

## Summary of the State Redistricting Process

**Note: This summary does not address judicial redistricting.**

Although the formal redistricting process under the Texas Constitution may remain the same, every decade sees a different, often unpredictable, path for state redistricting plans, depending on legislative, gubernatorial, Legislative Redistricting Board, and judicial action. The history of the redistricting process during the 1980s, 1990s, 2000s, and 2010s illustrates some of the different courses decennial redistricting can take. The timing and legal requirements, however, dictate that the basic process generally takes the following course, which is described in more detail in the associated sections.

Federal census population data is delivered to the legislature no later than April 1 of the year following the decennial census, and the data is usually provided several weeks earlier. As soon as the census data is verified and loaded in the computer systems, the members of the legislature and other interested parties begin drawing plans. Bills to enact new state redistricting plans follow the same path through the legislature as other legislation.

If Texas senate or house districts are not enacted during the first regular session following the publication of the decennial census, the Texas Constitution requires that the Legislative Redistricting Board (LRB), a five-member body of state officials including the lieutenant governor and speaker, meet and adopt its own plan. The LRB has jurisdiction only in the months immediately following that regular session.

If congressional or State Board of Education districts are not enacted during the regular session, the governor may call a special session to consider the matter. If the governor does not call a special session, then a state or federal district court likely will issue court-ordered plans. Similarly, if the legislature and LRB fail to adopt a state senate or state house plan, a court will likely issue a plan to fill the void.

A suit challenging an adopted redistricting plan may be brought at any time under the federal or state constitution or federal law. Before 2013, Texas and certain other states were required to obtain federal preclearance of any redistricting plans before they could be implemented. In 2013, the applicable provision of the federal Voting Rights Act was held invalid by the U.S. Supreme Court.

The filing deadline for primary elections established by the Texas Election Code allows approximately six and one half months from the end of the regular legislative session for the governor to act on any redistricting legislation passed, for the LRB to meet if necessary, for any special session called to consider redistricting if necessary, for court action, and for counties to make necessary changes in county election precincts.

<https://www.tlc.texas.gov/redist/process/summary.html>