



STATEHOUSE REPORT

Published by: County Commissioners Association of Ohio

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August 30, 2024

Overview of Issue 1, upcoming redistricting amendment

This November, in addition to voting for candidates and local issues, Ohioans will also vote on a statewide issue. [Issue 1](#) would add new language to the Ohio Constitution regarding how redistricting for the General Assembly and the U.S. House of Representatives would be conducted and repeals existing language in the Constitution. The amendment has twelve sections, the last three of which are implementation, definitions, and severability. Since these are routine provisions, those sections are not summarized.

If Issue 1 passes, the amendment's provisions will take effect immediately, and the process and timelines listed below will begin in May 2025. Afterwards, it will take place every year ending in "1" (the traditional year when the redistricting process occurs).

This article will provide an overview of the amendment. CCAO does not have a position regarding the amendment; this article is informational only. While the amendment has no direct implications for county government, it may affect advocacy efforts for county issues at the General Assembly.

Section 1: Establishment of the Ohio Citizens Redistricting Commission

The amendment's central purpose is to create the Ohio Citizens Redistricting Commission, which will conduct the redistricting process.

The Commission will comprise fifteen members who have been screened to ensure no disqualifying conflicts of interest and have the ability to conduct the process with impartiality, integrity, and fairness.

Of the fifteen members, five must be affiliated with the party that received the most votes in the most recent gubernatorial election, five must be affiliated with the party that received the second most votes in the most recent gubernatorial election, and five must be unaffiliated with either of the preceding.

The Commission must convene no later than January 16 of each year in which a redistricting cycle will take place. Commissioners serve for one cycle, and terms expire upon the appointment of the first member of the next Commission.

Section 2: The Bipartisan Screening Panel

A bipartisan screening panel is created before the Commission itself is seated. It consists of four retired judges, two affiliated with each political party receiving the most and second-most votes in the most recent gubernatorial election.

The four members of the Ohio Ballot Board appointed by the General Assembly will select the panel for each redistricting cycle. These members will develop an application for retired judges to apply for the panel and allow applications to be submitted for 30 days.

After the 30-day application window, the members of the Ballot Board associated with each of the two parties will make a list of eight applicants and submit that list to the members associated with the opposite political party. The members of the opposite political party will pick two members from that list for the bipartisan screening panel.

Selection of Bipartisan Screening Panel (BSP)

Majority Party Ballot Board Appointees

1. Select eight applicants of their partisan affiliation
2. Submits recommendation list to Minority Party Ballot Board Appointees
3. Upon receiving the Minority Party's recommendations, select two members for the BSP

Minority Party Ballot Board Appointees

1. Select eight applicants of their partisan affiliation
2. Submits recommendation list to Majority Party Ballot Board Appointees
3. Upon receiving the Majority Party's recommendations, select two members for the BSP

The panel members are prohibited from contacting any persons disqualified from serving on the Commission (as defined by the next section). They may be removed by a unanimous vote of the other panel members for this or other reasons (discussed later).

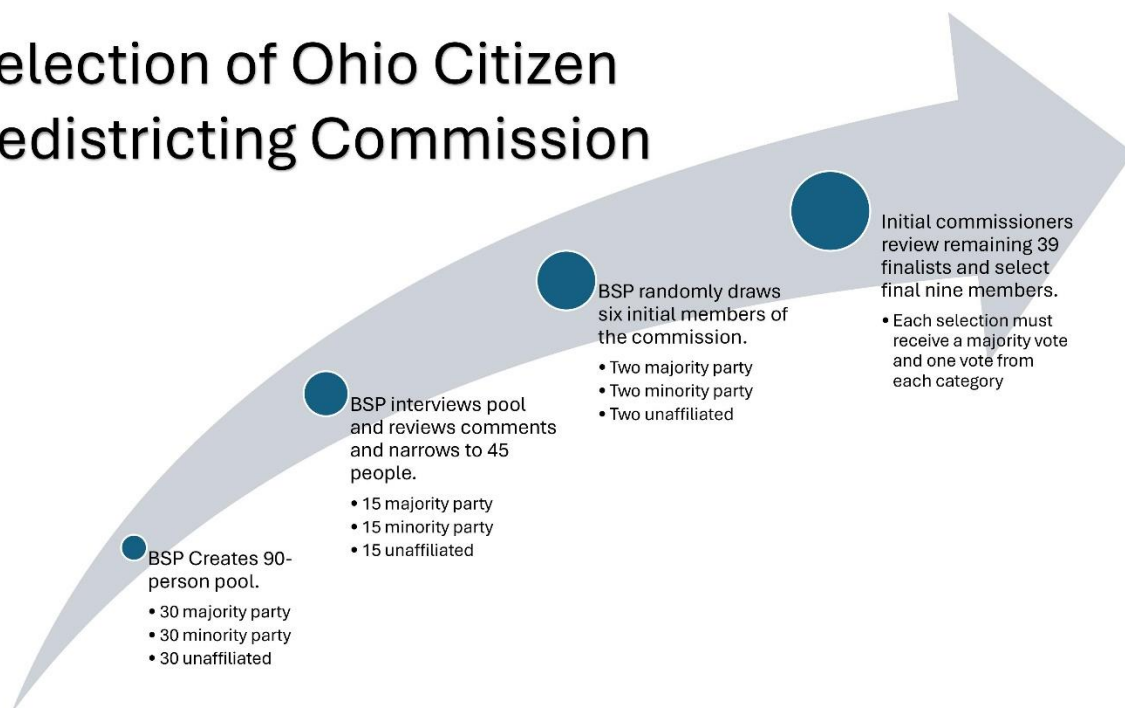
Once constituted, the panel must engage with a professional search firm to conduct a commissioner selection process to promote applications from a geographically and demographically representative cross-section of Ohio. The Department of Administrative Services is required to issue a request for proposals for search firms and provide the panel with a list of no more than three recommendations.

The panel and search firm will design and publish an application for individuals to serve on the Commission and review and screen applicants. To determine an applicant's party affiliation, the panel will consider voting records in partisan primaries and other factors, including political contributions and campaign activities.

After applications for the Commission close, the panel will create a pool of 90 qualified applicants: thirty each from the two political parties and independents. When this pool is created, the panel must make the list of each member and certain information public. A portal must be designed for public comment on the applicants.

After interviewing pool members and reviewing public comments, the panel must select and publish a list of 45 finalists, 15 from each category. In a public meeting no more than three days after the publication of the finalists, the panel must randomly draw six initial commissioners, two from each group. These commissioners will then review the materials about the remaining finalists and select the remaining nine members of the Commission. Selections must receive a majority vote of the six initial commissioners and one positive vote from each category.

Selection of Ohio Citizen Redistricting Commission



Within 60 days of each Commission's convening, the bipartisan screening panel must work with the search firm to create a pool of at least six potential special masters who will serve in the event of a legal challenge to a redistricting plan.

The panel members receive a per diem equal to a judge serving on a court of appeals. The terms of the panel members expire once the Secretary of State certifies that redistricting plans for the General Assembly and the U.S. House of Representatives.

Section 3: Qualifications for the Commission

To be eligible as a commissioner, an individual must have been a continuous resident of Ohio for the prior six years and an elector in good standing.

The amendment lists several persons ineligible to serve on the Commission, the screening panel, as a special master, or as staff, a professional, or consultant to the Commission. These include:

- Current elected or appointed officials to federal, state, or local office and their immediate family members.
- Individuals who have served as an elected or appointed official for any period in the preceding six years and their family members.
- Individuals who have been candidates for an elected office in the preceding six years and their family members.
- Individuals who have served as an officer, paid consultant, or contractor to a political party, political action committee, or campaign committee in the preceding six years and their immediate family members.
- Individuals who have served as a staff member, paid consultant, or contractor for any elected official or candidate in the preceding six years and their immediate family members.
- Individuals who are or have been a registered lobbyist or legislative agent with the State of Ohio or federal government during the preceding six years and their immediate family members.

Applicants to the Commission must disclose any political contributions from the preceding six years, the history of partisan affiliations, the identity of any family members who would be ineligible to serve due to reasons listed above, and any personal or professional relationships in the prior six years with ineligible people listed above.

Commissioners are ineligible to hold elective or appointed state office in Ohio for six years following the redistricting plan for the General Assembly.

Section 4: Commission Governance and Staff

All deliberations and actions of the Commission shall be in public meetings, and all actions shall require an affirmative vote of at least nine members, including two commissions from each category. Nine members is a quorum. The Commission shall select two members to serve as co-chairs who may not be from the same category.

The Commission shall retain staff, professionals, and consultants to assist with duties and operations. All staff must undergo a public application process with the Department of Administrative Services. Potential staff members are subject to the same disclosure requirements and disqualifications as applicants to serve as commissioners.

The Commission must hire an executive director and other administrative staff to assist with facilitating redistricting hearings, legal counsel with demonstrated experience in practice applying the Voting Rights Act of 1965, and at least one demographer with district mapping experience.

Commissioners may be removed only by the Commission and only for cause after notice, a public hearing, and an opportunity for members of the public to comment. Any vacancies are filled by selecting from the list of finalists created by the screening panel.

Section 5: The Redistricting Process

The Commission must adhere to all public records and open meeting laws. It may not communicate with any outside person about the process unless through designated public meetings or official commission portals.

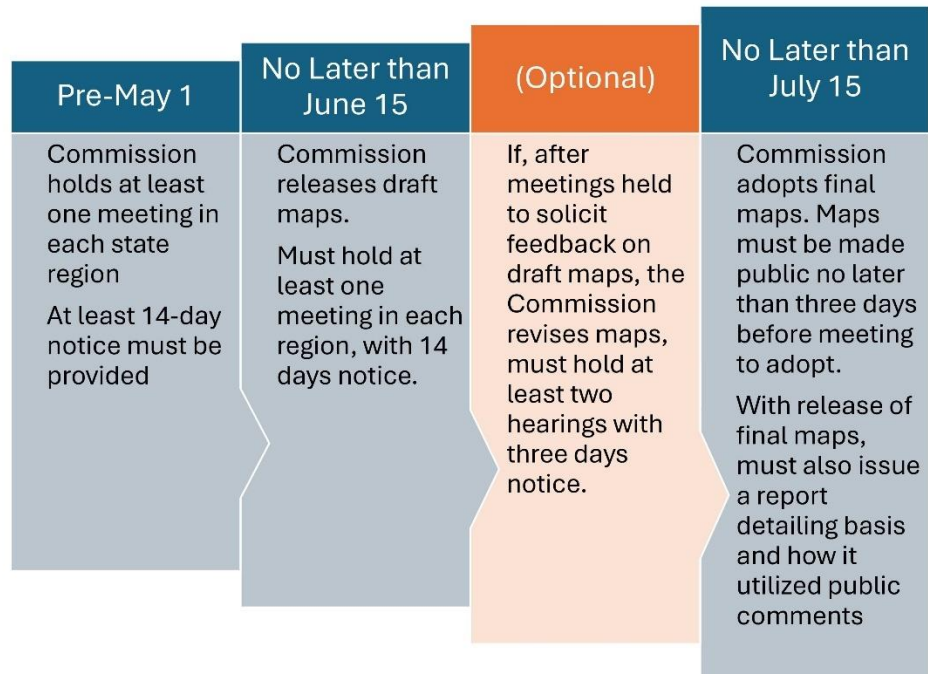
The Commission is also required to broadcast its meetings.

The Commission must hold at least three rounds of public meetings before it may adopt a redistricting plan:

- Before May 1 of every year ending in "1", the Commission must hold at least five initial input hearings with at least one in each state region. At least 14 days' notice of these meetings must be provided.
- After releasing draft redistricting plans, and no later than June 15 of each applicable year, the commission must hold at least five hearings to receive comments, with at least one hearing in each region. At least 14 days' notice of these meetings must be provided.
- If the Commission makes revisions to draft redistricting plans, the Commission must hold at least two hearings to gather comments. The Commission must provide at least three days' notice for these hearings.
- No later than July 15 of applicable years, the Commission must adopt the final redistricting plan. These plans must be made public no later than three days before the meeting at which the plans will be adopted.

The Commission must issue a report detailing the basis for its decisions and how it used public comments.

Redistricting Commission Timeline



Section 6: Rules for Drawing Districts

If precinct-level data is available, the Commission is required to develop redistricting plans that closely correspond to the statewide partisan preferences of Ohio votes, as defined by the median of the proportion of statewide two-party votes received by the two parties as defined above for each statewide partisan general election context in the preceding year.

Plans must have a statewide proportion of districts that favor each political party, as defined by calculating the number of districts in the plan that would have been won by the two major parties using the statewide two-party vote received by the two parties as defined above for each statewide partisan general election context in the preceding year, if precinct-level data is available, and dividing that number by the total number of districts in the plan (99 for the State House of Representatives, 33 for the State Senate, and amount certified by the U.S. Census Bureau for the U.S. House of Representatives).

For the proportionality component, "closely correspond" is defined as plus or minus three percentage points or, if this is mathematically impossible, as close to 3% as possible.

No plan can be adopted that does not meet the proportionality component; however, all plans must also comply as much as possible with the following, in order of priority:

- Districts within each plan must be equal in population, with individuals in custody by the Ohio Department of Rehabilitation and Corrections being counted at their last known pre-incarceration address.
- Districts shall ensure the ability of politically cohesive and geographically proximate racial, ethnic, and language minorities to participate in the political process.

- Districts shall preserve communities of interest to the extent practical.
 - Defined as an area with communities of people with broadly shared interests and representational needs arising from common ethnic, racial, social, cultural, geographic, environmental, socioeconomic, or historic identities.
 - Political subdivisions (counties, municipalities, townships, and school districts) may constitute communities of interest but do not automatically count as communities of interest.

The Commission is prohibited from considering the place of residence of any incumbent elected official or any candidate for state or federal office and from considering how state senators whose terms will not expire within two years of the plan's effective date would be affected.

Section 7: Impasse Procedure

If the Commission cannot adopt a final plan by July 15 of the applicable year, a proscribed process must be followed to resolve the impasse.

First, each commissioner has three days after the July 15 deadline to submit one proposed plan for each chamber subject to the impasse. Any plans submitted during this period shall be publicly available for comment for seven days.

Within two days after the end of the public comment period, each commissioner ranks the submitted plans in decreasing order of preference. The plan that wins the run-off process is the final redistricting plan for that chamber. The run-off is conducted as follows:

1. If a plan receives a majority of first positions, that plan is adopted.
2. If no plan receives a majority, a ranked-choice process is followed:
 - a. Each plan is allocated points corresponding to the rankings submitted by each commissioner, with the plan ranked first, receiving one point, the plan ranked second, receiving two points, and so on.
 - b. The plan with the highest sum is eliminated. If there is a tie, a tied plan is eliminated using a random process.
 - c. After a plan is eliminated, the point totals for each plan are recalculated, and the process is repeated until a plan has a majority of first-rank votes.

Section 8: Jurisdiction of the Supreme Court and Judicial Review

The Supreme Court of Ohio has exclusive, original jurisdiction in all cases contending that a redistricting plan fails to comply with the requirements in Section 6. Any registered elector may seek review of an adopted plan by filing a petition within ten days of the issuance of the report. If more than one petition is filed, the Supreme Court must consolidate the petitions into a single action.

The Commission has exclusive standing to defend any action and file a response to any petition within five days of the petition's filing.

The section outlines the process for expedited review, including the possible requirement that special masters be selected to redevelop plans. Within one day of the Supreme Court's final order approving a redistricting plan, the Commission must submit the plan to the Secretary of State, who must certify it.

Section 9: Financial and Administrative Independence

Commissioners are entitled to \$125 per day, plus reimbursement for reasonable expenses at the rate set by the Internal Revenue Services, for each day they carry out their responsibilities. This figure is adjusted for inflation in subsequent years.

The General Assembly must make appropriations to the Department of Administrative Services, the bipartisan screening panel and the Commission to adequately fund each entity's duty under the Issue and provide additional funds to support their participation, if necessary, in litigation. If the General Assembly does not comply with its obligations, the Supreme Court shall compel it to comply.

The Commission's "adequate" funding level is defined as not less than \$7 million for the redistricting process initiated by the amendment's passage and, in subsequent cycles, \$7 million with inflation adjustments.

The screening panel's "adequate" funding level is at least \$850,000, with the figure adjusted for inflation in future cycles.

Any special masters appointed by the Supreme Court during litigation shall be funded from the Supreme Court's budget.