

2019 PENDING REDISTRICTING LEGISLATION

AREA	H3432/S254 (COBB-HUNTER/FANNING) SC CITIZENS REDISTRICTING COMMISSION	H3054/S230 (CLARY/FANNING) SC CITIZENS REDISTRICTING COMMISSION
OVERSIGHT AGENCY	The State Ethics Commission oversees the appointment of the members of the South Carolina Citizens Redistricting Commission.	NONE
INDEPENDENCE	<p>No legislative oversight or authority, with strict conflict of interest prohibitions:</p> <ul style="list-style-type: none"> • No current or former state or federal office holders. • No current or former state or federal agency executive directors. • No individuals who have worked as a paid campaign staffer for a candidate for elected office within the previous 5 years. • No paid staff members for an elected official in the five years. • No declared candidates for partisan federal, state, or local office • No elected officials to federal, state, or local office. • No officers or members of a governing body for a federal, state, or local political party. • No paid consultants or employees of a federal, state, or local elected official or political candidate’s campaign, or political action committee. • No employees of the General Assembly. • No registered state or federal lobbyist, or employees of a registered state or federal lobbyist. • No one with immediate family members who have served in any of the above specified roles within the previous 5 years. <p>No one who has donated more than a combined total of two thousand dollars to a candidate or candidates for elected office within the previous 5 years.</p> <p>There is no mechanism for executive or legislative alteration or veto power over the commission’s final reapportionment plan and maps.</p>	<p>Members are appointed by the Governor and the General Assembly.</p> <p>In each House, the members of the majority political party and the members of the largest minority political party make recommendations for appointment to the commission.</p>
SELECTION	The State Ethics Commission randomly selects applicants via an application process open to all registered SC voters in a manner that promotes a diverse and qualified applicant pool.	Members are appointed by the Governor, House of Representatives, and Senate.

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COMPOSITION	The Commission shall consist of 14 members, one majority party voter and one largest minority party voter drawn from each congressional district. The final commission is selected to ensure the commission's membership reflects the state's diversity including, but not limited to, racial, ethnic, geographic, and gender diversity; however, it is not intended that formulas or specific ratios be applied for this purpose.	Seven members, none of whom may be elected officials: <ul style="list-style-type: none"> • 2 appointed by the Governor • 2 selected by the Senate • 2 selected by the House The final member is selected by vote at the first Commission meeting to serve as its chair.
VACANCY/REMOVAL	The State Ethics Commission simultaneously chooses a panel of 14 alternate commissioners available to replace a commissioner of the same party in his congressional district in case of a vacancy.	Vacancies are filled in the same manner as the original appointment.
FUNDING	The Governor submits a budget to the General Assembly that includes funding sufficient to meet the estimated expenses of the entire redistricting process. The General Assembly shall make the necessary appropriation.	Expenses are paid from the general fund of the State, and payable from the appointed authorities (Governor & General Assembly)
STAFFING	The Department of Administration shall provide staff support for the commission's work; may contract and hire staff as needed.	The Revenue & Fiscal Affairs Office provides technical and clerical staff and services; may call upon other state agencies; may employ experts.
TRANSPARENCY	To ensure transparency and accountability, the minutes of all the meetings shall be publicly posted on the commission's website. The commission shall establish fair and reasonable written criteria appropriate for reapportionment that it shall follow in formulating plans of reapportionment.	No provisions

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REDISTRICTING CRITERIA	<ul style="list-style-type: none"> • The commission shall consider the following five factors, in priority order: <ol style="list-style-type: none"> 1. Population equality 2. Voting Rights Act compliance 3. Communities of interest 4. Competitiveness of district; and 5. Consistency with existing local boundaries. • Once the mandatory criteria are achieved, the commission shall consider contiguity and compactness of districts. • The commission shall propose plans or maps with districts that: <ol style="list-style-type: none"> 1. Are of equal population as mandated by the U.S. Constitution and shall comply with the Voting Rights Act and all other federal laws; 2. Are geographically contiguous; 3. Reflect the state’s diverse population and communities of interest; 4. Do not provide a disproportionate advantage to any political party; 5. Reflect consideration of county, city, and township boundaries; and 6. Are reasonably compact. 	<ul style="list-style-type: none"> • Districts shall comply with the United States Constitution and the federal Voting Rights Act. • Redistricting plans must be comprised of districts that are: <ol style="list-style-type: none"> 1. Geographically contiguous and, 2. To the greatest extent possible, geographically compact, while maintaining and respecting the geographic integrity of any city, county, city and county, neighborhood, or communities of interest including, but not limited to, rural communities, coastal communities, or separation by geographic features such as lakes, major rivers, national forest, or mountains. • The place of residence of an incumbent or a political candidate may not be considered in the apportionment of districts, nor shall districts be apportioned for the purpose of favoring or discriminating against an incumbent, political candidate, or political party. • In drawing districts, the commission shall seek to achieve substantial population equality among districts with deviations for state House of Representatives and Senate districts allowable to achieve compliance with nondiscriminatory criteria.

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PUBLIC NOTICE	<p>The commission shall open a 45-day public comment period to host public hearings across the State. The commission shall establish and implement an open hearing process for public input and deliberation that must be subject to public notice and promoted through a thorough outreach program to solicit broad public participation in the reapportionment public review process.</p> <p>Notice of all public hearings must be published in daily newspapers of general circulation covering all areas of the State for at least fourteen days prior to the hearing date.</p>	<p>Notice of all public hearings must be published in daily newspapers of general circulation covering all areas of the State at least fourteen days before the hearing date.</p>
COMMENT & HEARINGS	<p>The commission shall hold at least 7 public hearings across the State, with at least one in each congressional district, and the commissioners from that district must be in attendance. The public hearings must be supplemented with other activities as appropriate to increase opportunities for the public to observe and participate in the review process. The commission shall display, and post on their website, the maps for public comment in a manner designed to achieve the widest public access reasonably possible.</p>	<p>The commission shall conduct at least 4 public hearings: Columbia, Greenville, Charleston, and Florence</p>
APPROVAL	<p>The final maps must be approved by at least ten of Commission members, including at least four majority party members and four largest minority party members. If the commission is unable to come to such an agreement, the State Ethics Commission shall dissolve the original commission and convene the alternate commission within fourteen calendar days of the original commission's dissolution. The alternate commission shall have sixty days to conclude the reapportionment duties. There is no mechanism for executive or legislative alteration or veto power over the commission's final reapportionment plan and maps.</p>	<p>After the hearing or hearings are completed, the commission shall prepare a final report consisting of its redistricting plan and the criteria used in developing the plan. The final report must be filed with the Governor, the Speaker of the House of Representatives, the President of the Senate, and the respective chairmen of the Judiciary Committees of the House of Representatives and the Senate. The General Assembly shall undertake the development and adoption of a redistricting plan on its own, without regard to any subsequently filed plan by the commission, if the commission fails to meet the its deadline.</p>