



Chatham County Redistricting

After the 2020 Census

Constitutional Requirement

- Under the equal protection clause, “one person, one vote” requires that individuals have “equal representation.”
- In order to comply with this constitutional requirement, electoral districts (*i.e.*, an election system where only the voters who reside in the district may vote for candidates running for the district seat) must be redrawn following a census such that no district has a population that is +/- 5% of the “ideal” (*i.e.*, average) district.
- However, for jurisdictions with residency districts (*i.e.*, an election system where candidates must reside in the district but are elected by all the voters in the county), “one person, one vote” does not apply because all voters in the county have equal representation.
- Moreover, most jurisdictions with **residency districts have no authority** to redraw districts as a matter of law.

Chatham County Legislation (S.L. 1995-80)

- In 1995 the General Assembly authorized the Chatham County Board of Commissioners to change the boundaries of its residency districts if it finds that there is “substantial inequality of population among the districts.”
- Before doing so, the Board must hold a public hearing on the proposed plan with notice of the hearing published once a week for two successive weeks, the first of which is not less than 10 days nor more than 20 days before the hearing. The Board may adopt a resolution adjusting the districts at the same meeting during which the public hearing is held.
- In order to apply to the next election, a resolution fixing the boundaries must be adopted at least 150 days before the day of the primary.

HB 657

- Due to the delay in release of census data, the General Assembly enacted HB 657 (S.L. 2021-56) which provided additional time for local governments with electoral districts to adjust their district boundaries. For counties with electoral districts, the board is required to revise the districts on or before **November 17, 2021**.
- Significantly, HB 657 **does not apply to counties with residency districts**. This is because G.S. 153A-22(g) does not authorize county boards to redistrict if the districts are for residence purposes only.

District Apportionment Following Census

Boundary Area	Population Estimates (2020)	Ideal Target	Difference	Percent from Target Average	Within 5%
Total County	76,266	---	---	---	---
District 1	16,713	15253	1,460	8.73%	NO
District 2	15,317	15253	64	0.42%	YES
District 3	18,559	15253	3,306	17.81%	NO
District 4	13,307	15253	-1,946	-14.63%	NO
District 5	12,370	15253	-2,883	-23.31%	NO

WHERE WE ARE TODAY

August 12, 2021:	County received census data
August 16, 2021:	BOC Regular Meeting
August 18, 2021:	Census data link sent to MIS/GIS to determine district apportionment
September 9, 2021:	Commissioner district apportionment received, and analysis given to this data along with redistricting processes and timeline

IF THE BOARD CHOOSES TO REDISTRICT PRIOR TO THE 2022 ELECTIONS

September 20, 2021:	Board of Commissioners direct staff to bring before the Board alternative plans to be considered for redrawing district boundaries
September 28, 2021:	First notice of public hearing must be published no later than this date <i>(typically alternative district plans will be made available for public review at the time of noticing the public hearing)</i>
October 4, 2021:	BOC Regular Meeting – Proposed alternative plans presented to the Board and Board decides which plan is to be considered in the public hearing
October 8, 2021:	BOC Special Meeting – Hold public hearing and approve the resolution adopting the preferred redistricting plan

Summary and Conclusion

- Chatham County is not legally required to redraw its residency districts for the 2022 election.
- Since the 2022 primary is scheduled for March 8, 2022, in order for adjusted district boundaries to be used for the 2022 election, a resolution changing the districts must be adopted no later than October 8, 2021.
- If the public hearing and resolution adoption is scheduled for October 8, the first notice must be published no later than September 28.
- If the Board determines that it is not possible or practical to adjust district boundaries for the 2022 election, it can do so for the 2024 election at any time prior to 150 days before the 2024 primary.

Discussion