

THE VERY BASICS ON COUNTY REDISTRICTING

North Carolina Association of County Commissioners Annual Conference
Changing Demographics, Drawing Districts, and County Impacts
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1. A decennial census is mandated by the Constitution. The 2020 census is a count of the entire U.S. population as of April 1, 2020.
2. A county board of commissioners needs to redraw its election district lines after the 2020 census only if (a) the board uses true election districts, *i.e.*, only voters who live in the district may vote for that seat, and (b) the current districts are substantially unequal.
3. Districts should be drawn so that population is as nearly equal as practicable. The accepted rule of thumb for local governments is that there should be no more than a ten percent overall deviation from the ideal. If the 2020 census shows that the board's existing districts already are within the ten percent overall deviation range, there is no need to redistrict.
4. One-person/one-vote does not apply to residency districts, *i.e.*, when candidates are required to reside in particular districts but still run at large.
5. The list of county boards of commissioners using true election districts includes: Anson, Bladen, Buncombe, Caswell, Chowan, Columbus, Craven, Cumberland, Duplin, Edgecombe, Forsyth, Franklin, Granville, Guilford, Halifax, Harnett, Lee, Lenoir, Mecklenburg, Montgomery, Nash, Orange, Pamlico, Pasquotank, Pitt, Robeson, Sampson, Vance, Washington, Wayne and Wilson.
6. The board of commissioners is responsible for redrawing its districts. See N.C. General Statutes § 153A-22. New electoral districts are adopted by resolution.
7. In order to utilize new districts for the 2022 election, the board's resolution must be adopted at least 150 days before the primary.
8. No change in the boundaries of a district will affect the unexpired term of a commissioner residing in the district and serving on the board on the effective date of the resolution.
9. The preclearance requirement of Section 5 of the federal Voting Rights Act is no longer in effect, meaning that there is no review of the board's drawing of new districts unless a lawsuit is brought.
10. Generally, race may not be considered in drawing election districts. If districts were originally drawn subject to a federal court order or consent decree in a voting rights case, however, the board may have to consider whether new districts still provide sufficient opportunity for African American voters to elect candidates.