



OLR RESEARCH REPORT

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2011 REDISTRICTING PLAN AND MUNICIPAL VOTING DISTRICTS

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You asked whether there are any steps a municipality can take to change the 2011 Plan of Redistricting for the State Senate or State House of Representatives after the Reapportionment Commission approves it.

SUMMARY

The short answer is “no.” Municipalities cannot make changes to the 2011 Plan of Redistricting for the State Senate or State House of Representatives. A municipality may, however, change its local voting district lines. Also, a group of electors in one municipality may join together to challenge the lines in court.

STATE PLAN OF REDISTRICTING

Under the Connecticut Constitution, the Plan of Redistricting has the full force of law if (1) by November 30 of the year following the decennial census, at least five members of the Reapportionment Commission certify it (i.e., vote to approve); (2) the commission submits it to the secretary of the state; and (3) the secretary publishes it (Ct. Const. Art. III, § 6).

On November 30, 2011, the Reapportionment Commission certified and submitted a Plan of Redistricting to the secretary of the state for the State Senate and State House of Representatives. The secretary published the two plans on December 1, 2011, which is when they

became effective. The Reapportionment Commission did not submit a Plan of Redistricting for the State Congressional Districts. (As such, the Connecticut Supreme Court has jurisdiction over the matter and must submit a Plan of Redistricting for the State Congressional Districts to the secretary by February 15, 2012. For more information on the congressional plan proceedings, visit the [Judicial Branch's website](#).)

CHANGING MUNICIPAL VOTING DISTRICTS

Municipalities may establish or change local voting district boundaries as long as the boundaries do not cross assembly, senatorial, or congressional district lines. If the registrars of voters change local district lines, the municipal legislative body must approve them, and the new voting lines are effective upon adoption ([CGS § 9-169b](#)). The attached email, which the Office of the Secretary of State sent to all registrars of voters, describes in more detail this process and the relevant deadlines (see ATTACHMENT A).

LEGAL CHALLENGES

A group of municipal electors may join to challenge a state redistricting plan on various grounds. For example, at the federal level people qualified to vote for members of the state legislature may challenge the plan as violating the equal protection clause of the Fourteenth Amendment (known as the “one-person, one-vote” principle) by “irrationally effecting a gross disproportion of representation to voting population,” (25 Am. Jur. 2d Elections § 65). Federal challenges may also be brought under the Voting Rights Act of 1965, which, among other things (1) prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in certain language minority groups and (2) requires certain state and local governments with a history of discriminatory voting practices to obtain approval from the U.S. Justice Department or the U.S. District Court for the District of Columbia before implementing any change affecting voting (P.L. 89-110 §§ 2 and 5).

At the state level, electors may, for example, challenge the plan as violating Article III, §§ 4 or 5 of the Connecticut Constitution. Section 4 specifies that “[f]or the purpose of forming assembly districts no town shall be divided except for the purpose of forming assembly districts wholly within the town” and is known as the “town integrity principle,” (*Logan v. O'Neill* 187 Conn. 721, 448 A.2d 1306 (1982)). Section 5 requires that “[t]he establishment of districts in the general assembly shall be consistent with federal constitutional standards.”

We did not find any Connecticut cases in which a municipality itself brought a challenge. But we did find cases in which electors of one or more municipalities joined together to challenge a state redistricting plan as violating the town integrating principle (see *Logan and Fonfara v. Reapportionment Commission* 222 Conn. 166, 610 A.2d 153 (1992)). We also found a couple of cases in other states where the plaintiffs included the mayor, the city council, and registered voters of a municipality (see *Mayor of Cambridge v. Secretary of Com.* 436 Mass. 476, 765 N.E.2d 749 (2002)). For more information on court challenges to Connecticut redistricting plans, see [this memo](#) on the Redistricting Project's website.

ADDITIONAL RESOURCES

State of Connecticut 2011 Redistricting Project website:
<http://www.cga.ct.gov/red2011/>

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