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SYNOPSIS:

This bill would redraw the state's U.S. Congressional districts, last drawn in 2021, following the U.S. Supreme Court's decision in *Allen v. Milligan*, 599 U.S. ____, 143 S.Ct. 1487 (June 8, 2023).

A BILL
TO BE ENTITLED
AN ACT

To amend Section 17-14-70, Code of Alabama 1975, to provide for the reapportionment and redistricting of the state's United States Congressional districts for the purpose of electing members at the General Election in 2024 and thereafter, until the release of the next federal census; and to add Section 17-40-70.1 to the Code of Alabama 1975, to provide legislative findings.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-14-70.1 is added to the Code of Alabama 1975, to read as follows.

§17-14-70.1

The Legislature finds and declares the following:

(1) The Legislature adheres to traditional redistricting principles when adopting congressional



29 districts. Such principles are the product of history,
30 tradition, bipartisan consensus, and legal precedent. The
31 Supreme Court of the United States recently clarified that
32 Section 2 of the Voting Rights Act "never requires adoption of
33 districts that violate traditional redistricting principles."

34 (2) The Legislature's intent in adopting the
35 congressional plan in this act described in Section 17-14-70.1
36 is to comply with federal law, including the U.S. Constitution
37 and the Voting Rights Act of 1965, as amended.

38 (3) The Legislature's intent is also to promote the
39 following traditional redistricting principles, which are
40 given effect in the plan created by this act:

41 a. Districts shall be based on total population as
42 reported by the federal decennial census and shall have
43 minimal population deviation.

44 b. Districts shall be composed of contiguous geography,
45 meaning that every part of every district is contiguous with
46 every other part of the same district.

47 c. Districts shall be composed of reasonably compact
48 geography.

49 d. The congressional districting plan shall contain no
50 more than six splits of county lines, which is the minimum
51 number necessary to achieve minimal population deviation among
52 the districts. Two splits within one county is considered two
53 splits of county lines.

54 e. The congressional districting plan shall keep
55 together communities of interest, as further provided for in
56 subdivision (4).



57 f. The congressional districting plan shall not pair
58 incumbent members of Congress within the same district.

59 g. The principles described in this subdivision are
60 non-negotiable for the Legislature. To the extent the
61 following principles can be given effect consistent with the
62 principles above, the congressional districting plan shall
63 also do all of the following:

- 64 1. Preserve the cores of existing districts.
- 65 2. Minimize the number of counties in each district.
- 66 3. Minimize splits of neighborhoods and other political
67 subdivisions in addition to minimizing the splits of counties
68 and communities of interest.

69 (4)a. A community of interest is a defined area of the
70 state that may be characterized by, among other commonalities,
71 shared economic interests, geographic features, transportation
72 infrastructure, broadcast and print media, educational
73 institutions, and historical or cultural factors.

74 b. The discernment, weighing, and balancing of the
75 varied factors that contribute to communities of interest is
76 an intensely political process best carried out by elected
77 representatives of the people.

78 c. If it is necessary to divide a community of interest
79 between congressional districts to promote other traditional
80 districting principles like compactness, contiguity, or equal
81 population, division into two districts is preferable to
82 division into three or more districts. Because each community
83 of interest is different, the division of one community among
84 multiple districts may be more or less significant to the



85 community than the division of another community.

86 d. The Legislature declares that at least the three
87 following regions are communities of interest that shall be
88 kept together to the fullest extent possible in this
89 congressional redistricting plan: the Black Belt, the Gulf
90 Coast, and the Wiregrass.

91 e.1. Alabama's Black Belt region is a community of
92 interest composed of the following 18 core counties: Barbour,
93 Bullock, Butler, Choctaw, Crenshaw, Dallas, Greene, Hale,
94 Lowndes, Macon, Marengo, Montgomery, Perry, Pickens, Pike,
95 Russell, Sumter, and Wilcox. Moreover, the following five
96 counties are sometimes considered part of the Black Belt:
97 Clarke, Conecuh, Escambia, Monroe, and Washington.

98 2. The Black Belt is characterized by its rural
99 geography, fertile soil, and relative poverty, which have
100 shaped its unique history and culture.

101 3. The Black Belt region spans the width of Alabama
102 from the Mississippi boarder to the Georgia border.

103 4. Because the Black Belt counties cannot be combined
104 within one district without causing other districts to violate
105 the principle of equal population among districts, the 18 core
106 Black Belt counties shall be placed into two reasonably
107 compact districts, the fewest number of districts in which
108 this community of interest can be placed. Moreover, of the
109 five other counties sometimes considered part of the Black
110 Belt, four of those counties are included within the two Black
111 Belt districts – Districts 2 and 7.

112 f.1. Alabama's Gulf Coast region is a community of



113 interest composed of Mobile and Baldwin Counties.

114 2. Owing to Mobile Bay and the Gulf of Mexico
115 coastline, these counties also comprise a well-known and
116 well-defined community with a long history and unique
117 interests. Over the past half-century, Baldwin and Mobile
118 Counties have grown even more alike as the tourism industry
119 has grown and the development of highways and bay-crossing
120 bridges have made it easier to commute between the two
121 counties.

122 3. The Gulf Coast community has a shared interest in
123 tourism, which is a multi-billion-dollar industry and a
124 significant and unique economic driver for the region.

125 4. Unlike other regions in the state, the Gulf Coast
126 community is home to major fishing, port, and ship-building
127 industries. Mobile has a Navy shipyard and the only deep-water
128 port in the state. The port is essential for the international
129 export of goods produced in Alabama.

130 5. The Port of Mobile is the economic hub for the Gulf
131 counties. Its maintenance and further development are critical
132 for the Gulf counties in particular but also for many other
133 parts of the state. The Port of Mobile handles over 55 million
134 tons of international and domestic cargo for exporters and
135 importers, delivering eighty-five billion dollars
136 (\$85,000,000,000) in economic value to the state each year.
137 Activity at the port's public and private terminals directly
138 and indirectly generates nearly 313,000 jobs each year.

139 6. Among the over 21,000 direct jobs generated by the
140 Port of Mobile, about 42% of the direct jobholders reside in



141 the City of Mobile, another 39% reside in Mobile County but
142 outside of the City of Mobile, and another 13% reside in
143 Baldwin County.

144 7. The University of South Alabama serves the Gulf
145 Coast community of interest both through its flagship campus
146 in Mobile and its campus in Baldwin County.

147 8. Federal appropriations have been critical to
148 ensuring the port's continued growth and maintenance. In 2020,
149 the Army Corps of Engineers allocated over two hundred
150 seventy-four million dollars (\$274,000,000) for the Port of
151 Mobile to allow the dredging and expansion of the port.
152 Federal appropriations have also been critical for expanding
153 bridge projects to further benefit the shared interests of the
154 region.

155 9. The Gulf Coast community has a distinct culture
156 stemming from its French and Spanish colonial heritage. That
157 heritage is reflected in the celebration of shared social
158 occasions, such as Mardi Gras, which began in Mobile. This
159 shared culture is reflected in Section 1-3-8(c), Code of
160 Alabama 1975, which provides that "Mardi Gras shall be deemed
161 a holiday in Mobile and Baldwin Counties and all state offices
162 shall be closed in those counties on Mardi Gras." Mardi Gras
163 is observed as a state holiday only in Mobile and Baldwin
164 Counties.

165 10. Mobile and Baldwin Counties also work together as
166 part of the South Alabama Regional Planning Commission, a
167 regional planning commission recognized by the state for more
168 than 50 years. The local governments of Mobile, Baldwin, and



169 Escambia Counties, as well as 29 municipalities within those
170 counties, work together through the commission with the
171 Congressional Representative from District 1 to carry out
172 comprehensive economic development planning for the region in
173 conjunction with the U.S. Economic Development Administration.
174 Under Section 11-85-51(b), factors the Governor considers when
175 creating such a regional planning commission include
176 "community of interest and homogeneity; geographic features
177 and natural boundaries; patterns of communication and
178 transportation; patterns of urban development; total
179 population and population density; [and] similarity of social
180 and economic problems."

181 g.1. Alabama's Wiregrass region is a community of
182 interest composed of the following nine counties: Barbour,
183 Coffee, Covington, Crenshaw, Dale, Geneva, Henry, Houston, and
184 Pike.

185 2. The Wiregrass region is characterized by rural
186 geography, agriculture, and a major military base. The
187 Wiregrass region is home to Troy University's flagship campus
188 in Troy and its campus in Dothan.

189 3. All of the Wiregrass counties are included in
190 District 2, with the exception of Covington County, which is
191 placed in District 1 so that the maximum number of Black Belt
192 counties can be included within just two districts.

193 Section 2. Section 17-14-70, Code of Alabama 1975, is
194 amended to read as follows:

195 "§17-14-70

196 (a) The State of Alabama is divided into seven



197 congressional districts as provided in subsection (b).

198 (b) The numbers and boundaries of the districts are
199 designated and established by the map prepared by the
200 Permanent Legislative Committee on Reapportionment and
201 identified and labeled as ~~Pringle Congressional Plan 1~~
202 Livingston Congressional Plan 3-2023, including the
203 corresponding boundary description provided by the census
204 tracts, blocks, and counties, and are incorporated by
205 reference as part of this section.

206 (c) The Legislature shall post for viewing on its
207 public website the map referenced in subsection (b), including
208 the corresponding boundary description provided by the census
209 tracts, blocks, and counties, and any alternative map,
210 including the corresponding boundary description provided by
211 the census tracts, blocks, and counties, introduced by any
212 member of the Legislature during the legislative session in
213 which this section is added or amended.

214 (d) Upon enactment of ~~Act 2021-555, adding the act~~
215 amending this section and adopting the map identified in
216 subsection (b), the Clerk of the House of Representatives or
217 the Secretary of the Senate, as appropriate, shall transmit
218 the map and the corresponding boundary description provided by
219 the census tracts, blocks, and counties identified in
220 subsection (b) for certification and posting on the public
221 website of the Secretary of State.

222 (e) The boundary descriptions provided by the certified
223 map referenced in subsection (b) shall prevail over the
224 boundary descriptions provided by the census tracts, blocks,



225 and counties generated for the map."

226 Section 3. The provisions of this act are severable. If
227 any part of this act is declared invalid or unconstitutional,
228 that declaration shall not affect the part which remains.

229 Section 4. This act shall be effective for the election
230 of members of the state's U.S. Congressional districts at the
231 General Election of 2024 and thereafter, until the state's
232 U.S. Congressional districts are reapportioned and
233 redistricted after the 2030 decennial census.

234 Section 5. This act shall become effective immediately
235 upon its passage and approval by the Governor, or upon its
236 otherwise becoming law.