BILL ANALYSIS

Senate Research Center

H.B. 2254
By: Jones, Delwin (Barrientos)
Redistricting
6-24-97
Enrolled

DIGEST

In January 1995, a group of individuals who filed the suit challenging congressional districts and a few other individuals filed a new suit challenging state legislative district (Thomas v. Bush). In May 1995, the House passed a resolution directing the attorneys representing the state in the case to seek a judgment from the court using the then-current house districts (PLANH738) as modified by the original settlement proposal (PLANH486). The settlement would change 44 of 150 house districts in seven counties: Bexar, Collin, Dallas, Jefferson, Harris, McLennan, and Williamson.

In a hearing in late August 1995, the court expressed concern that some of the house districts in the settlement proposal had not been challenged. Judge Garwood commented no evidence was presented that the districts changed in Collin, Jefferson, McLennan, and Williamson counties had been originally drawn for racial reasons. These eight districts (two in each county) were dropped from the proposed settlement. The proposed changes for the other 36 districts remained as originally presented to the court, affecting Bexar, Dallas, and Harris counties.

The lead plaintiffs in the Thomas case have said that they will drop their lawsuit if the legislature enacts the settlement plan. H.B. 6 (PLAN H863) enacts the court-ordered settlement districts for house districts and also enacts the exact same changes in Collin, Jefferson, and Williamson counties which were submitted to the federal court in the initial settlement proposal, but dropped from the final court-ordered settlement. H.B. 6 does not include any changes for McLennan County. H.B. 6 has been sent to the governor for his signature.

The house did not want to include any other changes to house districts which had not been included in the initial settlement proposal to the court.

PURPOSE

As enrolled, H.B. 2254 makes changes in eight house districts by moving a total of 219 people. None of these districts were changed in H.B. 6 which was passed earlier to resolve the racial gerrymandering challenge. The districts are Districts 56 and 57 (Averitt and Dunnam) in McLennan County, Districts 83 and 84 (Delwin Jones and Isett) in Lubbock County, Districts 119 and 120 (Puente and McLendon) in Bexar County, and Districts 131 and 146 (Wilson and Edwards) in Harris County. The racial and political numbers for each of the eight districts are changed 0.1 percent or less.

On file at both the Senate Committee on the Whole of Congressional Redistricting and Senate Research Center are computer reports--300B, 426B (with 1996 elections), and 427B (with 1997 elections) by the Texas Legislative Council--which are part of the bill analysis and contain information by district related to population deviation, total and voting age population by race and ethnicity; voting age non-citizen population; and for the 1994 and 1996 general elections, total and Spanish surname voter registration population, voter turnout totals, and partisan composition based on statewide election returns.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Provides that eight house districts as enacted in special session in 1992 (PLANH738) are revised as provided:

Sec. 56. District 56 is composed of all of Falls and Limestone counties; and part of McLennan County.

Sec. 57. District 57 is composed of part of McLennan County.

Sec. 83. District 83 is composed of part of Lubbock County.

Sec. 84. District 84 is composed of part of Lubbock County.

Sec. 119. District 119 is composed of part of Bexar County.

Sec. 120. District 120 is composed of part of Bexar County.

Sec. 131. District 131 is composed of part of Harris County.

Sec. 146. District 146 is composed of part of Harris County.

SECTION 2. Provides that the districts established by this Act apply to the election of members of the house beginning with the primary and general elections in 1998 for members of the 76th Legislature. This Act does not affect the membership or districts of the house of the 75th Legislature.

SECTION 3. Emergency clause.
Effective date: upon passage.