

Instructions – Alteration of Election Districts
November 6, 2014



ALTERATION OF ELECTION DISTRICTS

(GENERAL INSTRUCTIONS)

Pennsylvania Department of State
Bureau of Commissions, Elections and Legislation
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Authority to Create New Election Districts

Court to Create New Election Districts

The Pennsylvania Election Code gives to the Court of Common Pleas the exclusive authority to create election districts within a county. This means that any redistricting plan must be approved by the Court of Common Pleas prior to being submitted to the Department of State for review. (See 25 P.S. § 2702)

Petitions to the Court

A petition requesting the division, re-division, alteration, formation or consolidation of election districts may be submitted to the Court of Common Pleas for its review upon the petition of twenty registered electors of any township, borough, ward or election district. The court must refer the petition for investigation to the County Board of Elections, which must report its findings and recommendations. If the County Board of Elections determines that the division, re-division, alteration, formation or consolidation of election districts promotes the convenience of the voters, it must recommend a proper redistricting plan for the election districts. (See 25 P.S. § 2702)

The County Board of Elections may also file a petition with the court requesting the division, re-division, alteration, formation or consolidation of election districts. The petition must include a certification of the number of registered electors in each resulting election district as of the close of registration for most recent general or municipal election. Maps and verbal descriptions of the proposed election districts must also accompany the petition. (See 25 P.S. § 2704)

Before the court issues a final order for the division, re-division, alteration, formation or consolidation of election districts, it must wait at least ten days after notice of the proposed changes has been posted in at least five public places in the district or districts affected by the changes. One of the notices must be posted on or in the immediate vicinity of the polling place in each district. The notice must provide the following: 1) a brief description of the changes recommended by the County Board of Elections; 2) the number of registered electors in each district as of the most recent general or municipal election; 3) the date on which the court will make its final determination; and 4) a warning that any person wishing to object to the proposed changes must file his or her objections with the court prior to the date of the court's final determination. (See 25 P.S. § 2704)

Election District Boundaries

Relationship with Legislative and Congressional Boundaries

The boundaries of any Congressional or legislative district **cannot be affected by any re-districting of election districts**. When administering elections for Representative in Congress, Senator in the General Assembly and Representative in the General Assembly, the County Board of Elections must ensure that the Congressional district and legislative district boundaries are adhered to. (See 25 P.S. § 2706)

“Clearly Visible Physical Features”

The boundaries of any new election district resulting from a division, re-division, alteration, formation or consolidation must be composed of clearly visible physical features. For example, a resulting district may be composed of an area that is encompassed within a boundary consisting of several roads, a stream, a mountain range, a railroad and a boundary marker. These “physical features” can be easily identified for the purpose of verifying the boundary of the election district. (See 25 P.S. § 2747(a))

Census Block Lines

When preparing a plan for the division, re-division, alteration, formation or consolidation of election districts, it is important that a county board of elections makes certain that the boundaries of each resulting election district are not only composed of clearly visible physical features, but that they also conform with census block lines from the most recent Federal decennial census. Census block lines can be viewed on the U.S. Census Bureau’s website under the “MAPS” link at <http://factfinder.census.gov>. (See 25 P.S. § 2747(a))

Reporting New Election Districts to the Department of State

Components of the Report

To enable Department of State staff to efficiently complete its review of an election district alteration plan, the report submitted to the department must include the following four components:

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1. A brief summary of the changes contained in the plan. If, for example, a county board of elections is dividing a single election district into two election districts, the report must be accompanied by a summary that identifies the current election district and explains that the plan, when implemented, will have the practical effect of dividing the current election district into two new election districts.
2. A copy of the final order of the court of common pleas approving the proposed alteration*.
3. Verbal descriptions of the boundaries of each resulting election district.
4. A map or maps clearly identifying the boundaries of each resulting election district.

Verbal Descriptions

The verbal descriptions that define the boundaries of each resulting election district must contain a detailed description of the physical features that make up the district boundaries. It is important to first identify the starting point of the election district boundary. The path of the boundary must then be described in a manner that enables the reader to follow the track of the boundary lines as they are depicted on the accompanying map.

Maps

In addition to the verbal descriptions that define the boundaries of a resulting election district, a map of each resulting election district must accompany the report. The map must contain a clear depiction of the boundaries of each resulting election district. The map must also depict the physical features referenced in the verbal descriptions of the election district boundaries. For example, if the verbal descriptions reference several physical features that define the boundaries of a particular election district, the accompanying map must contain a depiction of those physical features.

** Although the Department of State cannot sign off on an election district alteration plan prior to final court approval, it is helpful to provide the department with the summary, verbal descriptions and maps prior to a final order of the court. This will guarantee a more expeditious review by the department once the court has issued its order.*

Election District Alteration Checklist

Before submitting an election district alteration report to the Department of State, please take a few minutes to answer the following questions:

- Have you investigated the practical effect of the election district alteration?
- Have you identified the number of registered electors in each resulting election district?
- Have you verified that the proposed boundaries of the resulting election districts conform with census block lines?
- Have you submitted your proposed election district alteration plan to the Court of Common Pleas?
- Have you notified the affected electors of the proposed alteration?
- Have you supplied the Department of State with a summary of the changes contained in the election district alteration plan?
- Have you supplied the Department of State with verbal descriptions that adequately describe the boundaries of each resulting election district?
- Have you provided the Department of State with a map or maps that adequately depict the boundaries of each resulting election district?
- Have you supplied the Department of State with a copy of the final order from the Court of Common Pleas approving the election district alteration plan?