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Thank you, Chairwoman Gavarone, Vice-Chair O'Brien, Ranking Member Sykes and members of the Local Government and Elections Committee for allowing me to present testimony today for Senate Bill 258, which seeks to fulfill the Ohio General Assembly's responsibility under the Ohio Constitution for redistricting of United States congressional maps within this state. I would like to start by providing an explanation of Article 19 of the Ohio Constitution regarding congressional redistricting and then I will go on to describe the proposed congressional map in Substitute Senate Bill 258.

As you will recall, Article 19 of the Ohio Constitution was added in 2018 by the voters of the State of Ohio after the Ohio General Assembly voted to put the proposed amendment on the ballot. Article 19 prescribes the process by which congressional redistricting shall occur in Ohio. The Article is divided into three sections. Of course, this process is conducted with United States census data gathered in the most recent decennial census relative to Ohio's population, which also determines how many seats the state will be apportioned under Section 2, Article 1 of the United States Constitution.

Section 1 of Article 19 describes the methods for adopting a congressional districting plan. From a timeline perspective, there are up to three opportunities to pass a congressional districting plan.

1. The first opportunity to pass a congressional redistricting plan shall occur not later than the last day of September ending in a year ending in the numeral one. In order to pass a ten-year map at this stage, the Ohio General assembly must secure the votes of three-fifths of the members of each chamber, including the affirmative vote of at least one-half of the members of each of the two largest political parties.¹
2. If the General Assembly is unsuccessful at passing a map by the last day of September, the Redistricting Commission comprised of the Governor, Secretary of State, Auditor of State, and a majority party and minority party from each chamber shall have the next opportunity to pass a congressional redistricting plan. Just as with state legislative districts, a plan would require the vote of at least four members of the seven-member Commission, including two members from each of the two largest parties making up the General

¹ Article 19, Section 1(A) of the Ohio Constitution

Assembly, in order to create a 10-year map. The Redistricting Commission shall have until the last day of October to do so.²

3. If the Redistricting Commission is unsuccessful, the responsibility returns to the General Assembly where a bill must be passed not later than the last day of November.³ At this stage, a ten-year map can be passed with three-fifths of the members of each chamber and at least one-third of the members of the two largest political parties in the General Assembly⁴. Alternatively, if the General Assembly passes a congressional redistricting plan with a simple majority from each chamber, and not in accordance with the vote threshold above, there are several requirements that must be met:
 - a. The plan shall not unduly favor or disfavor a political party or its incumbents;⁵
 - b. The general assembly shall not unduly split governmental units.⁶ and
 - c. The General Assembly shall attempt to draw districts that are compact.⁷

Additionally, Section 1 of Article 19 requires a joint committee of the General Assembly to hold at least two public committee hearings regarding a proposed plan.⁸

Section 2 of Article 19 specifies additional requirements for the drawing of congressional districts. First, the plan shall comply with the constitution of Ohio and the United States and federal laws, including federal laws protecting racial minority voting rights.⁹ Second, all districts shall be compact.¹⁰ Third, every district shall be contiguous and have a single nonintersecting continuous line.¹¹

Most of the remaining requirements in the section deal with the splitting of political subdivisions in the map. One term to become familiar with is the “ratio of representation.” This is determined by dividing the state’s population determined by the census by the number of congressional seats apportioned to the state. In this case, Ohio’s population divided by the fifteen seats Ohio was apportioned turns out to be about 786,630.

Below is a description of permissive splits of political subdivisions:

1. If a county’s population exceeds the ratio of representation, it is, of course, going to be split in some fashion because it will have too many people to form one congressional district. If such a county exists, which in Ohio’s case includes only Cuyahoga, Franklin and Hamilton counties, the following rules shall apply:
 - a. If a city or township within that county also exceeds the ratio of representation, the drawing authority shall attempt to include a significant portion of that city or

² Article 19, Section 1(B) of the Ohio Constitution

³ Article 19, Section 1(C)(1) of the Ohio Constitution

⁴ Article 19, Section 1(C)(2) of the Ohio Constitution

⁵ Article 19, Section 1(C)(3)(a) of the Ohio Constitution

⁶ Article 19, Section 1(C)(3)(b) of the Ohio Constitution

⁷ Article 19, Section 1(C)(3)(c) of the Ohio Constitution

⁸ Article 19, Section 1(G) of the Ohio Constitution

⁹ Article 19, Section 2(B)(1) of the Ohio Constitution

¹⁰ Article 19, Section 2(B)(2) of the Ohio Constitution

¹¹ Article 19, Section 2(B)(3) of the Ohio Constitution

township in a single district.¹² Currently, only the City of Columbus would meet this criterion.

- b. If a city or township in that county has a population of greater than one hundred thousand and it is the largest city or township in that county, that city or township cannot be split.¹³ The two cities that meet this criterion are Cleveland and Cincinnati.
2. The remaining criteria regarding splitting of political subdivisions deal with the splitting of counties. Those requirements are as follows:
 - a. 65 of Ohio's 88 counties shall not be split. 18 counties may be split not more than once and five counties may be split not more than twice.¹⁴
 - b. The parts of a congressional district within one county shall be contiguous.¹⁵
 - c. No two counties shall be split among the same two districts, unless one of the counties has a population of greater than 400,000.¹⁶
 - d. The drawing authority shall attempt to have at least one whole county in each district where possible.¹⁷

Lastly, Section 3 of Article 19 deals with the legal process of challenging a constitutional redistricting plan.

Next, I would like to describe the proposed map in Substitute Senate Bill 258.

1. Only 14 counties are split. You will recall, we are permitted to split up to 23 counties. Comparatively speaking, the 2011 map split 23 counties. This is also the lowest number of split counties in at least fifty years. The eleven counties split once are Delaware, Licking, Lorain, Lucas, Montgomery, Pike, Portage, Ross, Stark, Summit and Washington.
2. Only three counties are split twice. We are permitted to have up to five. Comparatively speaking, the 2011 map had 5 such splits. The three counties split twice are Cuyahoga, Franklin and Hamilton. It is worth noting that each county would be required to be split at least once due to its population.
3. Every district that is not contained entirely within one county has an entire county within it.
4. This map truly balances to "one person, one vote" with 13 districts having exactly 786,630 people in them and two districts having 786,629

Our goal for this map was to draw districts that are compact, while also keeping Ohio's largest cities whole. It is worth mentioning that the compactness requirement does not apply only to districts comprised of urban and suburban areas. It also applies to rural districts. While rural districts will generally be geographically larger than those in urban and suburban areas, the primary reason we decided to split some of most populous counties in Ohio was to ensure geographic compactness of *all* districts in accordance with the Ohio Constitution. However, even though we split some of the larger counties, we made it a point to keep the largest cities in

¹² Article 19, Section 2(B)(4)(a) of the Ohio Constitution

¹³ Article 19, Section 2(B)(4)(b) of the Ohio Constitution

¹⁴ Article 19, Section 2(B)(5) of the Ohio Constitution

¹⁵ Article 19, Section 2(B)(6) of the Ohio Constitution

¹⁶ Article 19, Section 2(B)(7) of the Ohio Constitution

¹⁷ Article 19, Section 2(B)(8) of the Ohio Constitution

those counties and the state whole. With exception to Columbus, which had to be split because of its population, and Dublin and Middletown, which straddle county lines and, therefore, do not count as splits under the Ohio Constitution, each of the twenty-five most populous cities in the State of Ohio are kept whole within the proposed map. In fact, only seven municipalities and nine townships in the entire state are split in the proposed map.

The map before you complies with the requirements placed upon the General Assembly under the Ohio Constitution. It is the product of a deliberate effort to draw compact districts, while keeping Ohio's largest cities whole. Thank you Chairwoman Gavarone, Vice-Chair O'Brien, Ranking Member Sykes and members of the Local Government and Elections Committee for allowing me to present testimony on Substitute Senate Bill 258 and the proposed congressional district map contained therein. I would be happy to take any questions.