



Legislative Redistricting 101

What to expect in 2022

CONTRIBUTED BY RUGGERIO WILLSON & ASSOCIATES

THE DECENNIAL U.S. CENSUS, also referred to as the Population and Housing Census, is designed to count every resident in the United States. As mandated in the Constitution, this process takes place every ten years. This data determines the number of seats each state has in Congress and is also used to determine the amount of federal funds distributed to local communities. At the local level, it also enables redistricting of state and local legislative districts.

The data provided through the Census assists in identifying any population loss and population growth across legislative districts. This

means that the lines can be modified based on population growth as well as population loss. The goal is to make each legislative district within five percent of each other in population size.

There are situations where a district will be physically relocated from a less populated area to a more populated area. For example, in 2010, a district was taken from Northern New Castle County and placed in the Smyrna/Clayton area in order to accommodate the population growth. There have also been situations where districts decreased in geographical size because the population within the district increased.

Due to the COVID-19 pandemic, the U.S. Census Bureau has delayed the reporting of the census data three times. Recently the U.S. Census Bureau directed states that they should anticipate receiving the reapportionment data by September 30, 2021. In a normal year, the data would be reported in either February or early March. The delayed sharing of data means the timeline to complete the redistricting process will be condensed to roughly 30 days. The act of drawing district lines is done by the leadership of both chambers, currently both held by Democrats, with the minority caucuses and the public having an opportunity to partake.

All 21 members of the state Senate and all 41 state representatives will be up for reelection in 2022. If additional legislative districts are established, in order for a candidate to be eligible in that new district, they will need to have been a resident for one year. What this means is that a special session will likely be held in either October or early November of 2021 to accommodate this one-year window.

During the special session, the legislature will vote on a piece of legislation often referred to as “meets and bounds legislation.” This legislation essentially lays out the boundaries of the districts using geographical descriptions of the land that identifies with the precise locations of the newly drawn districts. Once this legislation passes the General Assembly and is signed into law, the three counties and City of Wilmington will begin their redistricting processes.

Delaware continues to experience growth in the several regions of the state and that will require changing district populations to account for that fact. While it is challenging to predict the areas that are anticipated to change through the reapportionment process without any data being reported, it is safe to say that every legislative district will look different at the end of this process. ■

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