

# THE BASICS OF LOCAL REDISTRICTING

*Local Redistricting Service,  
a project of North Carolinians for Redistricting Reform*

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1. The US Constitution requires a census every ten years. The 2020 census is a count of the entire US population as of April 1, 2020.
2. Local governments — boards of county commissioners, school boards, and city councils — that use districts to elect some or all their members are subject to the same one-person/one-vote requirements as Congress and the General Assembly.
3. The equal population requirement applies only to true election districts, *i.e.*, district seats for which only the residents of the districts get to vote. Residency districts in which candidates have to live in a particular district but still run at large are not subject to the constitutional requirement of one-person/one-vote. By statute, however, cities that use residency districts may redraw those lines after the census just as with true election districts. There are no such statutes for counties and school boards.
4. Generally redistricting occurs only after the census. If a city annexes new territory, though, it may need to redistrict between censuses.
5. Just over 110 local governments in North Carolina use true election districts. See the separate listing from the Local Redistricting Service.
6. One-person/one-vote means that districts need to be nearly equal in population. The accepted rule of thumb for local governments is no district should be more than five percent above or below the ideal population of exact equality. If the 2020 census shows that the existing districts already are within this plus or minus five percent overall deviation range, there is no need to redistrict.
7. The governing body for the local government — the board of county commissioners, board of education, or city council — draws the new districts. The new districts are adopted by resolution.
8. The open meetings law applies to redistricting just as other governmental functions, and there is no provision for a closed session just to discuss redistricting.
9. Although boards of election have no formal role to play in redistricting, they need to be kept informed of the redistricting process because district assignments will need to be updated on voter registration rolls.

10. Redistricting cannot begin until the Census Bureau releases its block-by-block data for the 2020 census. The data would ordinarily be made available in March 2021 following earlier releases of full state population and other data. The Census Bureau announced recently, however, that the data will be delivered no earlier than July 30 of 2021 because of problems stemming from conducting the census during the pandemic.
11. Once census data is available, redistricting needs to be completed before the next election for that unit of local government. For most cities, the next regular election is the fall of 2021; for all boards of county commissioners and most school boards the next election is in 2022. New election districts need to be completed before filing of candidates begins. The county commissioners' statutes specify that the board's resolution setting new districts for the 2022 election must be adopted at least 150 days before the primary.
12. Cities and any school board that holds elections in 2021 may find it difficult to complete redistricting in time for that election if there is a delay in census data. Cities have the statutory authority to postpone their elections until 2022 if the districts are out of balance and redistricting cannot be completed in time for 2021.
13. Changes in the district boundaries will not affect the unexpired term of a commissioner or school board or city council member.
14. Forty counties used to be subject to Section 5 of the federal Voting Rights Act, meaning that changes in districts for local governments in those counties had to be precleared by the United States Justice Department. The preclearance requirement is no longer in effect, however. Still, redistricting plans for all local governments in North Carolina are subject to challenge under Section 2 of the Voting Rights Act if they impermissibly abridge the rights of minority voters.
15. For many local governments district elections came about as the result of voting rights litigation. Those local governments will need to determine whether there is still a court order or consent decree in effect to be considered during redistricting. Similarly, some local governments' districts have been embodied in local acts of the General Assembly, and those acts will need to be reviewed as part of the redistricting process.