The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Reapportionment

BILL:	SB 2-A
INTRODUCER:	Senator Galvano
SUBJECT:	Establishment of the Congressional Districts of the State
DATE:	August 7, 2014 REVISED: 8/8/14

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Levesque	Guthrie	RE	**Favorable**

Please see Section IX. for Additional Information:

AMENDMENTS - Significant amendments were recommended

I. Summary:

SB 2-A apportions Florida into congressional districts as required by state and federal law.

As originally filed, this bill contains Redistricting Plan H000C9047 as adopted by the Legislature in 2012, and reenacted Chapter 8 of the Florida Statutes (Chapter 2012-2 Laws of Florida).

II. Present Situation:

The United States Constitution requires the Legislature periodically to reapportion the state into congressional districts.[1] Florida currently is apportioned into 27 single-member congressional districts.[2] The congressional apportionment plan the Legislature adopted in 2012 was challenged in *Romo v. Detzner*, consolidated case nos. 2012-CA-412 and 2012-CA-490 in the Circuit Court of the Second Judicial Circuit in and for Leon County, Florida.

In the Final Judgment issued July 10, 2104, Judge Terry Lewis found Congressional Districts (CD) 5 and 10 to be unconstitutional. Specifically, the trial court concluded that CD 5 did not strike the proper balance between tier one and tier two requirements, noting that the decision to retain Sanford in the district and increase the black voting age population from 49.9% in the benchmark district to 50.06% in the enacted plan was not justified by tier one requirements, made the district less compact, and was drawn with the intent to favor the Republican party. Similarly, the court found that an appendage that was drawn as part of CD 10 to facilitate the drawing of a majority-minority district in CD 5 and a Hispanic opportunity district in CD9 was unjustified under the tier one requirements, made CD 10 less compact than it could have been without the appendage, and was drawn with the intent to favor the Republican incumbent

[1] *See* U.S. Const. Amend. XIV; *Wesberry v. Sanders*, 376 U.S. 1 (1964).
[2] Fla. SB 1174 (2012).

representative. The trial court rejected the Plaintiffs' challenges to CD 13, 14, 15, 21, 22, 25, 26, and 27.

In a subsequent ruling issued August 1, 2014, the judge ordered the Legislature to present a remedial plan to the court no later than noon on August 15, 2014. The trial court has also required the Secretary of State, in coordination with the Supervisors of Elections, to file a proposed special election schedule under the assumption that a new map could be in effect by August 21, 2014.

As a result, the President of the Senate and the Speaker of the House issued a Joint Proclamation convening the Legislature for the sole and exclusive purpose of considering revisions to Congressional Districts 5 and 10, as established in Chapter 2012-2, Laws of Florida, and to make conforming changes to districts that are a direct result of the changes to Congressional Districts 5 and 10.

Redistricting plans must comply with all requirements of the United States Constitution, the federal Voting Rights Act of 1965, the Florida Constitution, and applicable court decisions.

The United States Constitution

The United States Supreme Court has interpreted Article I, Section 2 of the United States Constitution to require that congressional districts be as nearly equal in population as practicable.[3] In the creation of congressional districts, the so-called "one person, one vote" requires the Legislature to make a good-faith effort to achieve precise mathematical equality.[4] The Constitution permits population variances that are (1) unavoidable despite a good-faith effort to achieve absolute equality; or (2) necessary to achieve a legitimate goal.[5] In the case of congressional districts, however, the Court has allowed no *de minimis* population variances.[6]

The Equal Protection Clause limits the influence of race in redistricting. If race is the predominant factor in redistricting, such that traditional, race-neutral redistricting principles are subordinated to considerations of race, the redistricting plan will be subject to strict scrutiny.[7] To satisfy strict scrutiny, the use of race as a predominant factor must be narrowly tailored to achieve a compelling interest.[8] The United States Supreme Court has held that the interest of the state in remedying the effects of identified racial discrimination may be compelling,[9] and it has assumed, but has not decided, that compliance with the requirements of the federal Voting Rights Act likewise justifies the use of race as a predominant factor in redistricting.[10]

[3] *Wesberry*, 376 U.S. 1.
[4] *Karcher v. Daggett*, 462 U.S. 725, 730 (1983).
[5] *Id*. at 730-31.
[6] *Id*. at 734.
[7] *Miller v. Johnson*, 515 U.S. 900, 916 (1995).
[8] *Id*. at 920.
[9] *Shaw v. Hunt*, 517 U.S. 899, 909 (1996).
[10] *Id*. at 915; *Bush v. Vera*, 517 U.S. 952, 982-83 (1996) (plurality opinion).

The United States Supreme Court has construed the Equal Protection Clause to prohibit political gerrymanders,[11] but it has not identified judicially discernible and manageable standards by which such claims are to be resolved.[12] Political gerrymandering cases, therefore, remain sparse.

The Federal Voting Rights Act

In some circumstances, Section 2 of the federal Voting Rights Act requires the creation of a district that performs for minority voters. Section 2 requires, as necessary preconditions, that (1) the minority group be sufficiently large and geographically compact to constitute a numerical majority in a single-member district; (2) the minority group be politically cohesive; and (3) the majority vote sufficiently as a bloc to enable it usually to defeat the candidate preferred by the minority group.[13] If each of these preconditions is established, Section 2 will require the creation of a performing minority district if, based on the totality of the circumstances, it is demonstrated that members of the minority group have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.[14]

Section 5 of the Voting Rights Act protects the electoral opportunities of minority voters in covered jurisdictions from retrogression, or backsliding.[15] In Florida, Section 5 covered five counties: Collier, Hardee, Hendry, Hillsborough, and Monroe.[16] Section 5 requires that, before its implementation in a covered jurisdiction, any change in electoral practices (including the enactment of a new redistricting plan) be submitted to the United States Department of Justice or to the federal District Court for the District of Columbia for review and preclearance.[17] A change in electoral practices is entitled to preclearance if, with respect to minority voters in the covered jurisdictions, the change has neither a discriminatory purpose nor diminishes the ability of any citizens on account of race or color to elect their preferred candidates.[18] In *Shelby County v. Holder*, which was decided after the redistricting process concluded, the United States Supreme Court declared that the "coverage formula" in Section 4 of the VRA—the formula by which Congress selected the jurisdictions that Section 5 covered— exceeded Congress's enforcement authority under the Fifteenth Amendment.[19] The preclearance process established by Section 5 of the VRA is thus no longer in effect. But *Shelby County* does not affect the validity of the statewide diminishment standard embodied in Article III, section 20, of the Florida Constitution. *Shelby County*'s holding regarding the enforcement powers of Congress has no apparent application to the statewide standard embodied in the Florida Constitution.

---

[11] *Davis v. Bandemer*, 478 U.S. 109 (1986). The term "political gerrymander" has been defined as "the practice of dividing a geographical area into electoral districts, often of highly irregular shape, to give one political party an unfair advantage by diluting the opposition's voting strength." *Vieth v. Jubelirer*, 541 U.S. 267, 272 n.1 (2004) (plurality opinion) (quoting Black's Law Dictionary 696 (7th ed. 1999)).
[12] *Davis*, 478 U.S. at 123; *Vieth*, 541 U.S. at 281.
[13] *Thornburg v. Gingles*, 478 U.S. 30, 50-51 (1986); *Bartlett v. Strickland*, 556 U.S. 1 (2009) (plurality opinion).
[14] 42 U.S.C. § 1973(b).
[15] 42 U.S.C. § 1973c.
[16] 28 C.F.R. pt. 51 app.
[17] 42 U.S.C. § 1973c(a).
[18] 42 U.S.C. § 1973c(b), (c). Apart from the Voting Rights Act, federal law directs that congressional districts be single-member districts. 2 U.S.C. § 2c. Congress enacted this requirement pursuant to its authority to regulate the times, places, and manner of holding congressional elections. *See* U.S. Const. Art. I, § 4, cl. 1.
[19] *See Shelby County v. Holder*,133 S. Ct. 2612 (2013).

The Florida Constitution

In 2010, voters amended the Florida Constitution to create standards for establishing congressional district boundaries.[20] The new standards are set forth in two tiers. To the extent that compliance with second-tier standards conflicts with compliance with first-tier standards, the second-tier standards do not apply.[21] The order in which the standards are set forth within either tier does not establish any priority of one standard over another within the same tier.[22]

The first tier provides that no apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent.[23] Redistricting decisions unconnected with an intent to favor or disfavor a political party and incumbent do not violate this provision of the Florida Constitution, even if their effect is to favor or disfavor a political party or incumbent.[24]

The first tier of the new standards also provides two distinct protections for racial and language minorities. First, districts may not be drawn with the intent or result of denying or abridging the equal opportunity of minorities to participate in the political process. Second, districts may not be drawn to diminish the ability of racial or language minorities to elect representatives of their choice.[25] The first standard is comparable in its text to Section 2 of the federal Voting Rights Act. The second standard is comparable in its text to Section 5 of the federal Voting Rights Act, as amended in 2006, but is not limited to the five counties protected by Section 5.[26]

On March 29, 2011, the Florida Legislature submitted the new standards to the United States Department of Justice for preclearance. In the submission, the Legislature took the position that the two protections for racial and language minorities collectively ensure that the Legislature's traditional power to maintain and even increase minority voting opportunities is not impaired or diminished by other, potentially conflicting standards in the constitutional amendment, and that the Legislature may continue to employ, without change, the same methods to preserve and

---

[20] Art. III, § 20, Fla. Const. Before the adoption of the amendment, the Florida Constitution did not regulate congressional redistricting. Two members of Congress have challenged the constitutionality of the new standards in federal court. They allege that, because the new standards purport to regulate congressional elections, its method of enactment violates Article I, Section 4 of the United States Constitution. The plaintiffs were unsuccessful in the district court but have appealed to the Eleventh Circuit. *See Brown v. Browning*, No. 1:10-cv-23968-UU, slip op. (S.D. Fla. Sep. 9, 2011), *appeal docketed*, No. 11-14554 (11th Cir. Oct. 3, 2011).

[21] Art. III, § 20(c), Fla. Const.

[22] *Id*.

[23] Art. III, § 20(a), Fla. Const. The statutes and constitutions of several states contain similar prohibitions. *See, e.g.*, Cal. Const. Art. XXI, § 2(e); Del. Const. Art. II, § 2A; Haw. Const. Art. IV, § 6; Wash. Const. Art. II, § 43(5); Iowa Code § 42.4(5); Mont. Code Ann. § 5-1-115(3); Or. Rev. Stat. § 188.010(2); Wash. Rev. Code § 44-05-090(5). These standards have been the subject of little litigation. In *Hartung v. Bradbury*, 33 P.3d 972, 987 (Or. 2001), the court held that "the mere fact that a particular reapportionment may result in a shift in political control of some legislative districts (assuming that every registered voter votes along party lines)," does not show that a redistricting plan was drawn with an improper intent.

[24] It is well recognized that political *consequences* are inseparable from the redistricting process. *See, e.g., Vieth v. Jubelirer*, 541 U.S. 267, 343 (2004) (Souter, J., dissenting) ("The choice to draw a district line one way, not another, always carries some consequence for politics, save in a mythical State with voters of every political identity distributed in an absolutely gray uniformity.").

[25] Art. III, § 20(a), Fla. Const.

[26] *Compare id*. *with* 42 U.S.C. § 1973c(b).

enhance minority representation as it has employed with so much success in recent decades.[27] Without comment, the Department of Justice granted preclearance on May 31, 2011.[28]

The first tier also requires that districts consist of contiguous territory.[29] In the context of state legislative districts, the Florida Supreme Court has held that a district is contiguous if no part of the district is isolated from the rest of the district by another district.[30] In a contiguous district, a person can travel from any point within the district to any other point without departing from the district.[31] A district is not contiguous if its parts touch only at a common corner, such as a right angle.[32] The Court has also concluded that the presence in a district of a body of water without a connecting bridge, even if it requires land travel outside the district in order to reach other parts of the district, does not violate contiguity.[33]

The second tier of standards requires that districts be compact.[34] The various measures of compactness that courts in other states have utilized include mathematical calculations that compare districts according to their areas, perimeters, and other geometric and geographical criteria[35] In *In re Senate Joint Resolution of Legislative Apportionment 1176,* 83 So. 3d 597, 631 (Fla. 2012) (*Apportionment I*), the Florida Supreme Court rejected broader considerations of compactness like functional compactness that would look to commerce, transportation, communication, and other practical measures that unite communities, facilitate access to elected officials, and promote the integrity and cohesiveness of districts for representational purposes.[36] In applying the compactness criterion, the Florida Supreme Court has counseled to look to the shape of the district. "Compact districts should not have an unusual shape, a bizarre design, or an unnecessary appendage unless it is necessary to comply with some other requirement."[37] Compactness may be assessed visually or mathematically using a variety of mathematical scores. Two mathematical measures of compactness specifically referenced by the Florida Supreme

[27] Letter from Andy Bardos, Special Counsel to the Senate President, and George Levesque, General Counsel to the Florida House of Representatives, to T. Christian Herren, Jr., Chief of the Voting Section, Civil Rights Division, United States Department of Justice (Mar. 29, 2011) (on file with the Senate Committee on Reapportionment).
[28] Letter from T. Christian Herren, Jr., Chief of the Voting Section, Civil Rights Division, United States Department of Justice, to Andy Bardos, Special Counsel to the Senate President, and George Levesque, General Counsel to the Florida House of Representatives (May 31, 2011) (on file with the Senate Committee on Reapportionment).
[29] Art. III, § 20(a), Fla. Const.
[30] *In re Senate Joint Resolution 2G, Special Apportionment Session 1992*, 597 So. 2d 276, 279 (Fla. 1992) (citing *In re Apportionment Law, Senate Joint Resolution 1E*, 414 So. 2d 1040, 1051 (Fla. 1982))
[31] *Id*.
[32] *Id*. (citing *In re Apportionment Law, Senate Joint Resolution 1E*, 414 So. 2d at 1051)
[33] *Id*. at 280.
[34] Art. III, § 20(b), Fla. Const.
[35] *See, e.g., In re Senate Joint Resolution of Legislative Apportionment 1176,* 83 So. 3d 597 (Fla. 2012), *Hickel v. Southeast Conference*, 846 P.2d 38, 45 (Alaska 1992); *In re Reapportionment of Colo. Gen. Assembly*, 647 P.2d 209, 211 (Colo. 1982); *In re Apportionment of State Legislature–1982*, 321 N.W.2d 565, 580 (Mich. 1982).
[36] Compare See, e.g., *Wilson v. Eu*, 823 P.2d 545, 553 (Cal. 1992); Opinion to the Governor, 221 A.2d 799, 802-03 (R.I. 1966); *In re Reapportionment of Towns of Hartland, Windsor & W. Windsor,* 624 A.2d 323, 330 (Vt. 1993).
[37] *Apportionment I*, 83 So. 3d 597, 634 (Fla. 2012)

Court are the Reock or circle dispersion method[38] and the area/convex hull method.[39] It is unclear whether these are the only compactness measures to be considered.

Courts recognize that perfect geometric compactness, which consists of circles or regular simple polygons, is impracticable and not required.[40] The criterion of compactness needs to be measured and balanced against the other tier two criteria of equal population and utilization of political and geographical boundaries as well as tier one criteria of not denying the equal opportunity of racial or language minorities to participate in the political process or diminishing their ability to elect representatives of their choice.[41] Because the considerations that influence compactness are multi-faceted and fact-intensive, courts tend to agree that mere visual inspection is ordinarily insufficient to determine compliance with a compactness standard,[42] and that an evaluation of compactness requires a factual setting.[43]

In addition to compactness, the second tier of standards requires that, where feasible, districts utilize existing political and geographical boundaries.[44] The Florida Supreme Court has defined geographical boundaries as geography that is "easily ascertainable and commonly understood, such as rivers, railways, interstates, and state roads."[45] Likewise, the court has identified political boundaries to include municipalities and counties.[46] The Florida Constitution accords no preference to political over geographical boundaries.[47]

The Constitution recognizes that, in the creation of districts, it will often not be "feasible" to trace political and geographical boundaries.[48] District boundaries might depart from political and geographical boundaries to achieve objectives of superior importance, such as population equality and the protection of minorities, and many political subdivisions are not compact. Some local boundaries may be ill-suited to the achievement of effective and meaningful representation.

---

[38] The Reock method "measures the ratio between the area of the district and the area of the smallest circle that can fit around the district. This measure ranges from 0 to 1, with a score of 1 representing the highest level of compactness as to its scale." *Apportionment I*, 83 So. 3d at 635.

[39] The convex hull method "measures the ratio between the area of the district and the area of the minimum convex bounding polygon that can enclose the district. The measure ranges from 0 to 1, with a score of 1 representing the highest level of compactness. A circle, square, or any other shape with only convex angles has a score of 1." *Apportionment I*, 83 So. 3d at 635.

[40] See, e.g., *Apportionment I*, 83 So. 3d at 635; *Matter of Legislative Districting of State*, 475 A.2d 428, 437, 443-44 (Md. 1984); *Preisler v. Kirkpatrick*, 528 S.W.2d 422, 426 (Mo. 1975).

[41] *Apportionment I*, 83 So. 3d at 635.

[42] *See, e.g.*, *Matter of Legislative Districting of State*, 475 A.2d at 439; *Commonwealth ex rel. Specter v. Levin*, 293 A.2d 15, 23-24 (Pa. 1972).

[43] *See, e.g.*, *State ex rel. Davis v. Ramacciotti*, 193 S.W.2d 617, 618 (Mo. 1946); *Opinion to the Governor*, 221 A.2d at 802, 804.

[44] Art. III, § 20(b), Fla. Const.

[45] *Apportionment I*, 83 So. 3d at 637.

[46] *Id.* at 636.

[47] Art. III, § 20(b), (c), Fla. Const.

[48] Art. III, § 20(b), Fla. Const.

III. Effect of Proposed Changes:

Consistent with state and federal law, the bill apportions the state into 27 single-member congressional districts. Maps and statistics for Redistricting Plan H000C9047 and the Benchmark 2002 Redistricting Plan are attached to this analysis.

The districts in the bill have an overall range of one person. Twenty-two districts have populations of 696,344, while five districts have populations of 696,345.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The enactment of a new map would not appear to have a significant fiscal impact on the Secretary of State. Supervisors of Elections impacted by the changes would have costs associated with implementation of the new districts. Nothing in the bill or the amendment would require a special election in the districts that are affected by the changes. The costs of any special elections are unknown at this time, but a substantial portion of the Supervisors of Elections' expenses would be reimbursable by the state.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 8.0001, 8.0002, 8.0111, 8.031, 8.0611, and 8.07.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

Barcode 726240 by Reapportionment on August 8, 2014:

The amendment presents Redistricting Plan H000C9057, which addresses the elements of CD 5 and 10 in the enacted plan, H000C9047, that Judge Lewis found unconstitutional in his July 10 Final Judgment in *Romo v. Detzner*, consolidated case nos. 2012-CA-412 and 2012-CA-490. Plan H000C9057 also makes conforming changes to CD 6, 7, 9, 11, and 17 that are a direct result of the changes to CD 5 and 10 but which were made with the intent to improve upon the tier two requirements of compactness and following political and geographical boundaries where feasible.

Congressional District 5 was redrawn in accordance Judge Lewis's Final Judgment, and is compliant with both the tier one and the tier two standards of Article III, Section 20 of the Florida Constitution. The specific geographical feature of the district Judge Lewis found to be problematic was the inclusion of Sanford as part of an effort to increase the black voting age population (BVAP) above 50%. The trial court concluded this change unnecessarily subjugated tier two principles and was made with partisan intent. To correct this, the amendment removes Sanford, with the new boundary following the county line. Additionally, in Putnam County, the eastern boundary of the district was moved from the Alachua County line to the St. Johns River. In Marion County, the district boundary was moved to the south and west. In Orange County, the southernmost boundary was moved north, reducing the overall length of the district. Where feasible, the new district boundary follows political and geographical boundaries.

These changes improved the visual and mathematical compactness of the district. The newly drawn Congressional District 5 is both visually and statistically more compact, with a Reock score of .13 versus .09 in the Enacted Plan, and a Convex Hull score of .42 versus .29 in the Enacted Plan.

As a result of the geographical alterations of the district to make it more compact, the BVAP was reduced from 49.9% in the benchmark to 48.11% in the amendment. Consistent with the directions of the Florida Supreme Court in *Apportionment I*, a functional analysis was performed on CD 5 to assess the impact of the proposed changes in the minority population's ability to elect the candidate of its choice:

- Black voters have sufficient numbers to control Democratic primary elections. In the August 2010 Democratic primary, 64.1% of Democrats who voted in proposed CD 5 were black.
- Black voters also have sufficient numbers in general elections to elect their candidate of choice, but only if the candidate attracts a share of cross-over votes.[49] In the November 2012 general election (with President Obama on the ballot), 49.9% of voters casting ballots in proposed CD 5 were black. In the November 2010 general election (with Kendrick Meek on the ballot as the Democratic nominee for U.S. Senate), 43.7% of voters casting ballots were black.
- Black voters in proposed CD 5 are politically cohesive. In the November 2012 general election, 86.1% of blacks in proposed CD 5 were registered to vote as Democrats and in the November 2010 general election, 86.9% of blacks were registered to vote as Democrats.
- Other voters are less politically cohesive. In the November 2012 general election, 60.2% of registered voters in proposed CD 5 were Democrats, and in the November 2010 general election, 60.1% of registered voters were Democrats.
- Proposed CD 5 has performed for Democratic candidates in recent statewide elections:

Contest	Democratic Candidate	% of Votes	Republican Candidate	% of Votes
2012 General Election President of the U.S.	Barack Obama	68.7%	Mitt Romney	30.4%
2010 General Election United States Senator	Kendrick Meek*	46.1%	Marco Rubio*	34.5%
2010 General Election Governor	Alex Sink	63.5%	Rick Scott	33.8%
2008 General Election President of the U.S.	Barack Obama	68.4%	John McCain	30.9%
2006 General Election Governor	Jim Davis	56.7%	Charlie Crist	40.9%

* Charlie Crist (Independent) received 18.0% of total votes cast for U.S. Senator in 2010

The functional analysis above, which applies the method described by the Florida Supreme Court in *Apportionment I*,[50] indicates that minority voting strength in the proposed CD 5 is comparable to minority voting strength in the benchmark district. Consequently, proposed CD 5 affords black voters an undiminished ability to elect candidates of their choice. It further indicates that removing from proposed CD 5 either its northernmost urban population (268,347 persons in Jacksonville) or its southernmost urban population (283,419 persons in Orange County), would diminish ability black voters have enjoyed since 1992 to elect candidates of their choice, unless the territory

[49] Richard L. Engstrom, Ph.D., in an expert report filed in *Romo v. Detzner*, consolidated case nos. 2012-CA-412 and 2012-CA-490 in the Circuit Court of the Second Judicial Circuit in and for Leon County, Florida, concluded that racially polarized voting is present in north Florida, and that the incidence of white cross-over, while greater than the incidence of black cross-over, is low.

[50] *Apportionment I*, 83 So. 3d at 625-26.

removed is replaced with similar territory (in terms of its total population, racial composition, political participation, and political cohesion).

Congressional District 5 was the only minority district impacted by the amendment. No other impacted district was subjected to a functional analysis.

Congressional District 10 was also redrawn in accordance Judge Lewis's Final Judgment, and is compliant with both the tier one and the tier two standards of Article III, Section 20 of the Florida Constitution. The specific geographical feature the trial court took exception to was an "appendage" into Orange County that was included as part of CD 10 and had the effect of separating CD 5 and CD 9. In Orange County, the "appendage" that previously separated Districts 5 and 9 was removed, and the new boundary follows major roadways and geographical features where feasible. In Osceola County, the district boundary was moved east, and follows the boundary of the City of Kissimmee and major roadways and geographical features where feasible. The proposed CD 10 is both visually and statistically more compact, with a Reock score of .42 versus .39 in the Enacted Plan, and a Convex Hull score of .83 versus .73 in the Enacted Plan.

Congressional Districts 6, 7, 9, 11, and 17 were redrawn to conform to the changes in CD 5 and 10, and collectively the impacted districts are significantly visually and statistically more compact. Overall, the redrawn districts maintained a total population deviation of 1, kept the number of counties split at 21, and split only one additional city for a total of 28. Moreover, the amendment kept intact 20 of the districts from the original enacted plan, including CD 13, 14, 15, 21, 22, 25, 26, and 27 – districts that were specifically challenged and upheld by the trial court as constitutionally valid.

In addition to Redistricting Plan H000C9057, the amendment contains language expressing the Legislature's intent in establishing revised congressional districts and a change to Section 8.07 F.S. to clarify that these districts apply for any election held after the 2014 general election.

Additional maps and statistics for Redistricting Plan H000C9057 are attached to this analysis.