

Impact of COVID-19 on:

2020 CENSUS DATA & REDISTRICTING

The Census Bureau has announced significant operational changes in the wake of COVID-19. Here are the implications of these potential changes on census, apportionment, redistricting and elections.

Census Timeline Changes:

Enumeration:

Revised Schedule
Mar. 12 – Oct. 15, 2020

Apportionment Data:

Revised Schedule
April 30, 2021

Redistricting Data:

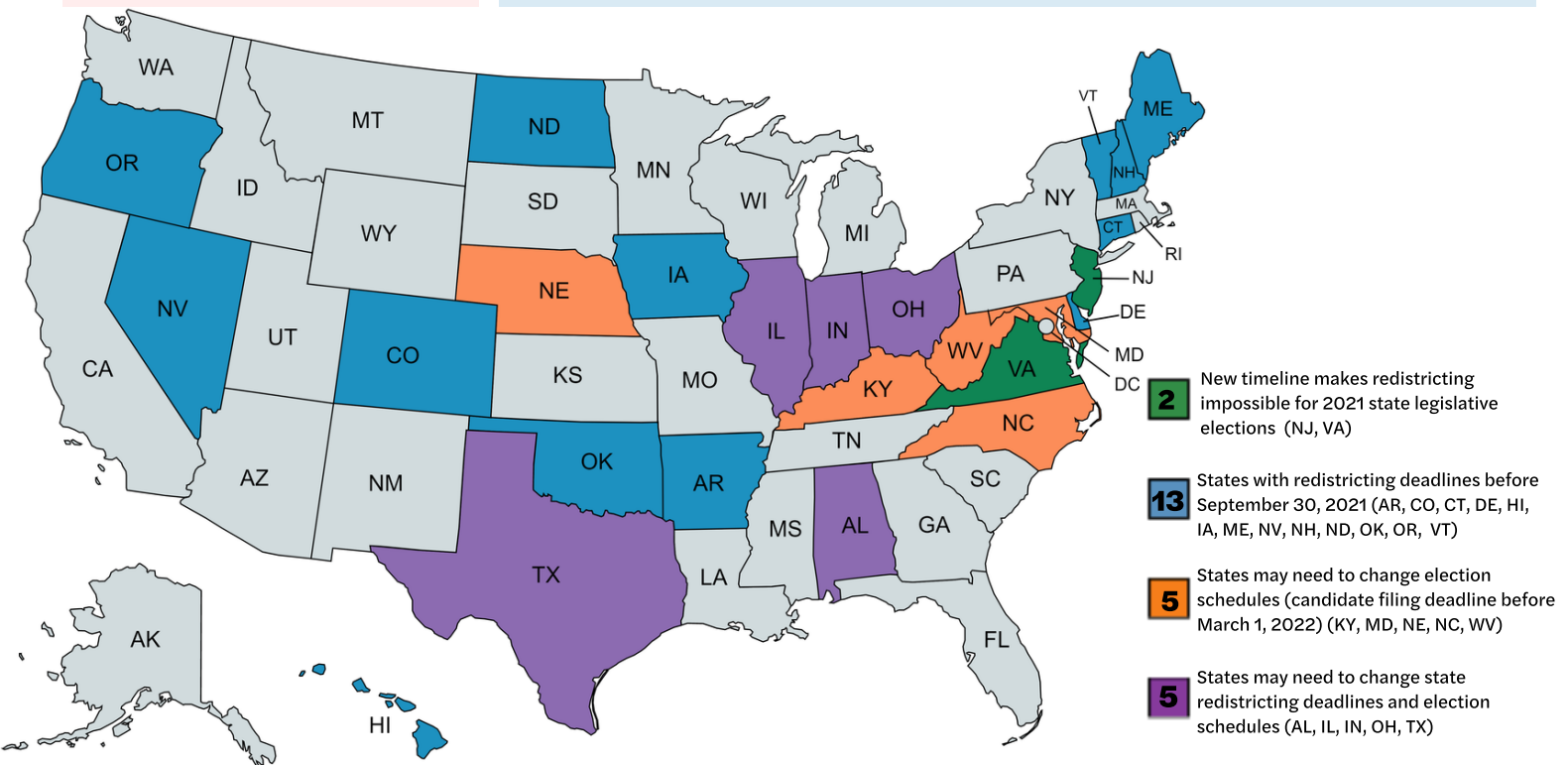
Revised Schedule
September 30, 2021

Redistricting Impacts to Timeline Changes:

2 states, New Jersey and Virginia, have state legislative elections in 2021 that will take place before they receive census data, so they will use existing district lines for those elections. Both states will redraw state legislative districts using updated census data in time for 2023 elections.

13 states have redistricting deadlines before September 30, 2021 (9 states* have an explicit deadline and 4 require redistricting to be completed in legislative sessions that end before September 30, 2021).
(AR*, CO*, CT*, DE*, HI*, IA*, ME*, NV, NH, ND, OK, OR*, VT*)

10 states have candidate filing deadlines before March 1, 2022, which places pressure on the redistricting schedule (5 states* have a redistricting deadline and candidate filing issue and 5 states have an early candidate filing issue).
(AL*, IL*, IN*, KY, MD, NE, NC, OH*, TX*, WV)



Runaway Redistricting:

How the Rush to Redistrict Can Leave Communities Behind

As a result of an adjusted census timeline, states will receive population data needed for redistricting between mid-August and September 30, 2021. This is several months later than in previous census cycles. The new schedule will affect legally mandated redistricting deadlines and risk a reduction in the time the public has to provide meaningful input about their communities to decisionmakers.

For all fifty states, Common Cause details the likely impact of this new schedule. Recommendations for ensuring a transparent and inclusive redistricting process are also provided.¹

Alabama (AL)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: May 18, 2021.** Ala. Const. art. IX, § 199; Ala. Code § 29-1-4. The state legislature must redistrict “at its first session after the taking of the decennial census.” Ala. Const. art. IX, § 199. The session began on February 2, 2021 and will end by May 18, 2021. Ala. Code § 29-1-4.

Candidate Filing: Candidates for the primary election must file by January 28, 2022. *Id.* § 17-13-5(a). There is no signature requirement or option for primary candidates; all candidates must instead pay filing fees set by their parties. *Id.* § 17-13-47. Independent candidates can qualify for the general election ballot by submitting a sufficient number of voter signatures (equal to three percent of the number of voters in the district in the previous gubernatorial election) by the primary date, May 24, 2022. *Id.* § 17-9-3(a).

Primary Election: Ballots must be finalized by March 9, 2022. *Id.* § 17-6-21(b)-(c). The primary will take place on May 24, 2022. *Id.* § 17-13-3(a).

General Election: Ballots must be finalized by August 24, 2022. *Id.* § 17-6-21(b)-(c). The election will take place on November 8, 2022. *Id.* §§ 17-14-3, -10.

¹ This report would not have been possible without the efforts of Common Cause law clerks Evan Campbell, Sam Horan, and Alton Wang. Common Cause staff Suzanne Almeida, Kathay Feng, Keisha Morris, and Dan Vicuna also contributed to this report. We would like to extend our thanks to the Brennan Center for Justice, the National Conference of State Legislatures, Native American Rights Fund and the Princeton Gerrymandering Project, whose research helped us check our work.

Recommendation: Litigation may be necessary to move the state redistricting deadline, as the specified session for the state legislature to conduct redistricting will conclude prior to the release of census data. If the legislature begins its redistricting process in October after the estimated census data release date, the state may have to move the candidate filing deadline later to ensure there is enough time for an open and transparent redistricting process.

Alaska (AK)

- **Congressional Redistricting: No redistricting is required.** Alaska currently has only one House seat and is unlikely to gain one in this cycle, so congressional redistricting should not be an issue.
- **State Redistricting: December 29, 2021.** Alaska Const. art. VI, § 10(a). The state’s redistricting board, which has already been selected,² must adopt draft redistricting plans by October 30, 2021 (thirty days after the data is released). *Id.* The board must then hold hearings on the plan and finalize new maps by December 29, 2021 (ninety days after the data is released). *Id.*

Candidate Filing: Candidates for the primary election must file by June 1, 2022. Alaska Stat. § 15.25.040. There is no signature requirement for primary candidates, even in lieu of a filing fee—candidates unable to pay the fee can have it waived by filing a statement of indigency. *Id.* §§ 15.25.030, 15.25.050(b).

Primary Election: Ballots must be finalized by June 25, 2022. *Id.* § 15.25.055. The primary will take place on August 16, 2022. *Id.* § 15.25.020.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 15.20.081(k)-(l). The election will take place on November 8, 2022. *Id.* § 15.15.020.

Recommendation: As Alaska’s redistricting deadlines are pegged to the census data’s release date and there is ample time for the prescribed process to take place ahead of the June 2022 candidate filing deadline, the state should take the full number of days prescribed in the state constitution for public hearings and public input.

Arizona (AZ)

- **Congressional Redistricting: No redistricting deadline,** although the commission that draws the new map must allow for thirty days of public comment on a proposed plan before adopting a final version.³ Ariz. Const. art. IV, pt. 2, § 1(16).

² See, e.g., James Brooks, *Final Pick for Alaska’s Redistricting Board Is Native Nonprofit CEO from Nome*, Anchorage Daily News (Aug. 6, 2020), <https://www.adn.com/politics/2020/08/06/final-pick-for-alaskas-redistricting-board-is-native-nonprofit-ceo-from-nome>.

³ There are also a variety of constitutional deadlines related to the appointment of commission members, Ariz. Const. art. IV, pt. 2, § 1, but those appointments have now been made, see, e.g., Jeremy Duda, *Redistricting Commission Picks Neuberg as Independent Chair*, AZ Mirror (Jan. 21, 2021, 3:34 PM), <https://www.azmirror.com/2021/01/21/redistricting-commission-picks-neuberg-as-independent-chair>.

- **State Redistricting: No redistricting deadline**, although the commission that draws the new maps must allow for thirty days of public comment on proposed plans before adopting final versions. *Id.*

Candidate Filing: Candidates for the primary election must file by April 4, 2022. Ariz. Rev. Stat. Ann. § 16-311. By that date, candidates must submit a sufficient number of voter signatures (based on their districts’ eligible-voter and partisan-affiliation totals). *Id.* §§ 16-314, -321 to -322. Independent candidates can qualify for the general election ballot by submitting a sufficient number of signatures, also by April 4. *Id.* § 16-341.

Primary Election: Sample ballots must be prepared by June 18, 2022. *Id.* § 16-461. The primary will take place on August 2, 2022. *Id.* § 16-201.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 16-543. The election will take place on November 8, 2022. *Id.* § 16-211.

Recommendation: As a commission state, Arizona must fulfill its obligations to ensure full public comment periods before adopting final plans. With the candidate filing deadline of April 4, 2022, this would require the commission to prepare final plans for public comment by January 19, 2022. After thirty days of public comment, the commission should adopt final plans by February 18, 2022. This provides forty-five days before the candidate filing deadline for any potential court review and county election administration adjustments. These are only recommended dates based on the existing candidate filing deadline for the primary election. However, since the primary election does not take place until August, the state may consider moving back the filing deadline. It is critical that the state ensures that there are at least three months of public testimony and hearings after the release of census data and the adoption of maps.

Arkansas (AR)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: February 1, 2021.** Ark. Const. art. VIII, § 4 (requiring redistricting “[o]n or before February 1 immediately following each Federal census”). In 1951, the state supreme court held that delayed release of census data allowed an exception to the February 1 deadline. *Carpenter v. Bd. of Apportionment*, 236 S.W.2d 582 (Ark. 1951) (per curiam).

Candidate Filing: Candidates for the primary election must file by March 1, 2022. Ark. Code § 7-7-203(c)(1)(A). Independent candidates (not affiliated with a political party) must file petitions with sufficient numbers of voter signatures by May 1, 2022. *Id.* § 7-7-103(b). Signature collection for independent candidates can begin January 31, 2022. *Id.*

Primary Election: Ballots must be finalized by April 7, 2022. *Id.* § 7-7-203(d). The primary will take place on June 21, 2022. *Id.* § 7-7-203(a)(1).

General Election: Ballots must be finalized by August 10, 2022. *Id.* § 7-7-203(h). The election will take place on November 8, 2022. *Id.* § 7-5-102.

Recommendation: Seek a court order to move the state redistricting deadline to December 31, 2021. Align the congressional redistricting process with the same timeframe. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and two months for court review and county election administration adjustment (January – February 2022).

California (CA)

- **Congressional Redistricting: February 14, 2022.** *Legislature v. Padilla*, 469 P.3d 405, 413 (Cal. 2020). The state’s redistricting commission must submit preliminary plans by January 1, 2022. *Id.*
 - **Backup Congressional Redistricting:** If the commission fails to finalize a plan by the February 14 deadline, the Secretary of State must petition the state supreme court to appoint special masters to develop a plan for approval by the court. Cal. Const. art. XXI, § 2(j).
- **State Redistricting: February 14, 2022.** *Legislature v. Padilla*, 469 P.3d 405, 413 (Cal. 2020). The state’s redistricting commission must submit preliminary plans by January 1, 2022. *Id.*
 - **Backup State Redistricting:** If the commission fails to finalize new plans by the February 14 deadline, the Secretary of State must petition the state supreme court to appoint special masters to develop plans for approval by the court. Cal. Const. art. XXI, § 2(j).

Candidate Filing: All candidates must file by March 11, 2022. Cal. Elec. Code §§ 8020(b), 8403(a)(1).⁴ If the incumbent does not file by that date, the deadline is extended to March 16, 2022. *Id.* § 8022. Candidates submitting voter signatures in lieu of filing fees must submit the signatures by February 9, 2022. *Id.* § 8106(b)(3). Signature collection can begin December 16, 2021. *Id.* §§ 8106(b), 8020(b).

Primary Election: The Secretary of State must certify candidate lists by March 31, 2022. *Id.* § 8120. The primary will take place on June 7, 2022. *Id.* § 1201.

General Election: Ballots must be finalized by September 1, 2022. *Id.* § 8810. The election will take place on November 8, 2022. *Id.* § 1200.

Recommendation: While a California Supreme Court order addressing the new Census Bureau schedule for delivering population data technically gave the California Citizens Redistricting Commission until February 14, 2022 to adopt maps, that deadline is not feasible without changing significant portions of the elections calendar. This calendar includes the signature-in-lieu of filing period, which occurs December 16, 2021 – February 9, 2022, and the June 7, 2022, primary election date. The commission is in discussions with multiple stakeholders to establish an appropriate working deadline for adopting district maps.

⁴ See also Cal. Sec’y of State, *Key Dates and Deadlines*, <https://elections.cdn.sos.ca.gov/statewide-elections/2022-primary/key-dates-deadlines.pdf>.

Colorado (CO)

- **Congressional Redistricting:** The nonpartisan staff of Colorado’s redistricting commission must produce a preliminary plan between October 31, 2021, and November 14, 2021 (thirty to forty-five days after data becomes available). Colo. Const. art. V, § 44.4(1). The commission must hold public meetings on the preliminary plan by July 7, 2021, and must finalize a plan by September 1, 2021, but the “commission may adjust [those] deadlines . . . if conditions outside of the commission’s control require” it to do so. *Id.* art. V, § 44.4. The supreme court must approve or return the plan to the commission by November 1, 2021. *Id.* art. V, § 44.5. If the court returns the plan to the commission, the commission must prepare a revised plan, which the court must approve by December 15, 2021. *Id.*
 - **Backup Congressional Redistricting:** If the commission misses a final deadline, then nonpartisan staff must submit a plan to the Colorado Supreme Court for review. *Id.* art. V, § 44.4(6).
- **State Redistricting:** The nonpartisan staff of Colorado’s redistricting commission must produce preliminary plans between October 31, 2021, and November 14, 2021 (thirty to forty-five days after data becomes available). Colo. Const. art. V, § 48.2(1). The commission must hold public meetings on the preliminary plans by July 21, 2021, and must finalize plans by September 15, 2021, but the “commission may adjust [those] deadlines . . . if conditions outside of the commission’s control require” it to do so. *Id.* art. V, § 48.2. The state supreme court must approve or return the plans to the commission by November 15, 2021. *Id.* art. V, § 48.3. If the court returns the plans to the commission, the commission must prepare revised plans, which the court must approve by December 29, 2021. *Id.*
 - **Backup State Redistricting:** If the commission misses a final deadline, then nonpartisan staff must submit a plan to the Colorado Supreme Court for review. *Id.* § 48.2(6).

Candidate Filing: Candidates for the primary election must file by March 15, 2022. Colo. Rev. Stat. § 1-4-801(5)(a). Candidates must submit a sufficient number of voter signatures; collection can begin on January 18, 2022. *Id.* § 1-4-801(5)(a).

Primary Election: Ballots must be mailed to certain military and overseas voters by May 14, 2022. *Id.* § 1-8.3-110(1). The primary will take place on June 28, 2022. *Id.* § 1-4-101(1).

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 1-8.3-110(1). The election will take place on November 8, 2022. *Id.* § 1-1-104(17).

Recommendation: While the commission has flexibility to adjust its own deadlines based on the delivery date of census data, a court order may be necessary to extend the Colorado Supreme Court’s November/December 2021 final review and approval deadlines. The commission should adjust its own deadlines to allow sufficient time for public input. If the commission adds three months of public input after the September release date, the commission would not be able to finalize its plans until late December, requiring the Colorado Supreme Court to push back its own review until January 2022. This may also require alterations of the state’s signature collection or filing deadlines.

Connecticut (CT)

- **Congressional Redistricting:** The legislature has until **September 15, 2021**, to pass a new plan. Conn. Const. art. III, § 6(a)-(b).
 - **Backup Congressional Redistricting:** If the legislature fails to pass a plan, state legislative leaders must appoint a bipartisan commission, which must enact a plan by November 30, 2021. *Id.* art. III, § 6(b)-(c). If the commission also fails to enact a plan, the state supreme court must file one by February 15, 2022. *Id.* art. III, § 6(d).
- **State Redistricting:** The process is the same as for congressional redistricting: The legislature has until **September 15, 2021**, to pass new state legislative plans. *Id.* art. III, § 6(a)-(b).
 - **Backup State Redistricting:** If the legislature fails to pass plans, state legislative leaders must appoint a bipartisan commission, which must enact plans by November 30, 2021. *Id.* art. III, § 6(b)-(c). If the commission also fails to enact plans, the state supreme court must file new maps by February 15, 2022. *Id.* art. III, § 6(d).

Candidate Filing: Candidates for the primary election must file by June 7, 2022. Conn. Gen. Stat. § 9-400. Candidates must submit a sufficient number of voter signatures by that date; signature collection for congressional candidates can begin on April 26, 2022, and signature collection for state legislative candidates can begin on May 24, 2022. *Id.* § 9-404a. Independent candidates can qualify for the general election ballot by submitting a sufficient number of signatures (calculated based on past district turnout) by August 10, 2022. *Id.* § 9-453i(a). Independent candidates may begin collecting signatures on January 2, 2022. *Id.* § 9-453b.

Primary Election: Ballots must be mailed to certain military and overseas voters by June 25, 2022. 52 U.S.C. § 20302(a)(8)(A). The primary will take place on August 9, 2022. Conn. Gen. Stat. § 9-423(a).

General Election: The Secretary of State must finalize candidate lists by September 22, 2022. *Id.* § 9-462. The election will take place on November 8, 2022. Conn. Const. art. III, § 8; Conn. Gen. Stat. § 9-1(s).

Recommendation: Seek a court order to move redistricting deadlines to December 31, 2021. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and five months for court review and county election administration adjustment (January – May 2022).

Delaware (DE)

- **Congressional Redistricting: No redistricting deadline.** Delaware currently has only one House seat and is unlikely to gain one in this cycle, so congressional redistricting should not be an issue.
- **State Redistricting: June 30, 2021.** Del. Code Ann. tit. 29, § 805. The state legislature’s regular session will also end on June 30, 2021, but the Governor or the legislature’s presiding officers can convene a special session. Del. Const. art. II, § 4.

Candidate Filing: Candidates for the primary election must file by July 12, 2022. Del. Code. Ann. tit. 15, § 3101(1). Indigent candidates can have the filing fee waived by collecting a sufficient number of voter signatures (based on the number of registered voters in the district); signature gathering can begin

January 1, 2022. *Id.* tit. 15, § 3103(d). Independent candidates can qualify for the general election ballot by collecting a sufficient number of signatures (again based on district registered-voter population) between January 1 and July 15, 2022, and submitting filing paperwork by September 1, 2022. *Id.* tit. 15, § 3002.

Primary Election: The list of candidates must be finalized by July 15, 2022. *Id.* tit. 15, § 3101(2). The primary will take place on September 13, 2022. *Id.* tit. 15, § 3101(3).

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. 52 U.S.C. § 20302(a)(8)(A); Del. Code Ann. tit. 15, §§ 5525, 5527. The election will take place on November 8, 2022. Del. Const. art. V, § 1.

Florida (FL)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: March 12, 2022.** Fla. Const. art. III, §§ 3(b), (d), 16(a). The legislature must enact new state legislative maps “at its regular session” in 2022. *Id.* art. III, § 16(a). The session will begin on January 11, 2022, and end by March 12, 2022. *Id.* art. III, § 3(b), (d).
 - **Backup State Redistricting:** If the legislature fails to enact new maps, the state’s Attorney General must notify the state supreme court within five days, and the court must enact new plans within sixty days; at latest, this process would require the court to produce plans by May 16, 2022.⁵ *Id.* art. III, § 16(b).

Candidate Filing: The filing deadline for federal candidates for the primary election is April 29, 2022. Fla. Stat. § 99.061(1). The filing deadline for state legislative candidates for the primary election is June 17, 2022. *Id.* Candidates can submit signatures in lieu of filing fees, but must submit these signatures by March 28, 2022, for federal elections and May 16, 2022, for state legislative elections. *Id.* § 99.095(3). Because 2022 is a reapportionment year, candidates can gather signatures statewide, rather than having to wait for finalized district lines. *Id.* § 99.09651(3). Independent candidates must comply with the same signature and date requirements as party candidates. *Id.* §§ 99.061, .095, .09651.

⁵ If the legislature does enact new maps, the supreme court must approve the plans within forty-five days of enactment; should the court strike the maps down, the legislature must enact replacement plans within twenty further days. *Id.* art. III, § 16(c)-(d). Replacement maps would therefore be finalized by May 16, 2022. The court must then review the replacement maps and, if it finds them invalid, enact its own replacement plans; those plans would be finalized by July 30, 2022. *Id.* art. III, § 16(e)-(f).

Primary Election: Both state legislative and congressional primary ballots must be mailed to certain military and overseas voters by July 9, 2022. *Id.* § 101.62(4)(a). The primary for both state and federal offices will take place on August 23, 2022. *Id.* § 100.061.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 101.62(4)(a). The election will take place on November 8, 2022. *Id.* § 100.031.

Recommendation: Florida’s state redistricting deadlines can sufficiently accommodate a census data delivery date of September 30, 2021. The state should use the time before the delivery of census data to hold public hearings and get input on communities of interest and should use the full period permitted under the state constitution for a public redistricting process. The state should also align its congressional redistricting process with the state redistricting process.

Georgia (GA)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: No redistricting deadline.**

Candidate Filing: Candidates for the primary election must file by March 11, 2022. Ga. Code Ann. §21-2-153(c)(1)(A). Indigent candidates can submit signatures in lieu of the required filing fee by this date; signature collection can begin September 12, 2021. *Id.* § 21-2-153(a.1)(4). Independent candidates can qualify for the general election ballot by submitting a sufficient number of signatures. These candidates can begin collecting signatures on January 13, 2022; must file notification of their candidacies by March 11, 2022; and must file collected signatures by July 12, 2022. *Id.* §§ 21-2-132(d), -170(e).

Primary Election: Candidate lists must be finalized by March 14, 2022. *Id.* § 21-2-154(a). The primary will take place on May 24, 2022. *Id.* § 21-2-150.

General Election: Election administrators must begin mailing ballots by September 24, 2022. *Id.* § 21-2-384(a)(2). The election will take place on November 8, 2022. *Id.* § 21-2-2(15).

Recommendation: Because there are no deadlines for either state or congressional redistricting in Georgia, the state legislature needs to ensure that it is setting up a public redistricting process that can take into account community input before the release of census data and wait until after the release of census data to propose any plans.

Hawaii (HI)

- **Congressional Redistricting: September 28, 2021.** Haw. Const. art. IV, § 2. The state’s redistricting commission must be appointed by May 1, 2021. *Id.* It must finalize a plan within 150 days, by September 28, 2021. *Id.* The commission also has a statutory obligation to publish a draft plan by August 9, 2021, and to hold public hearings about that plan. Haw. Rev. Stat. § 25-2.
- **State Redistricting: September 28, 2021.** Haw. Const. art. IV, § 2. State redistricting deadlines are the same as for congressional redistricting. *Id.*; Haw. Rev. Stat. § 25-2.

Candidate Filing: The filing deadline for all candidates is June 7, 2022. Haw. Rev. Stat. § 12-6(a).⁶ Candidates must submit a required number of signatures by that date (fifteen for state legislative candidates, twenty-five for congressional candidates). *Id.* § 12-5(a)-(b). Candidates can obtain the forms necessary for signature gathering on February 1, 2022. *Id.* § 12-2.5.

Primary Election: Ballots must be finalized by June 24, 2022. *Id.* §§ 11-117 to -118. The primary will take place on August 13, 2022. *Id.* § 12-2.

General Election: Ballots must be finalized by August 25, 2022. *Id.* § 11-119. The election will take place on November 8, 2022. Haw. Const. art. II, § 8.

Recommendation: Seek a court order to move the state and congressional redistricting deadlines to December 31, 2022. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and five months for court review and county election administration adjustment (January – May 2022).

Idaho (ID)

- **Congressional Redistricting: Draft plans by December 29, 2021.** Idaho Const. art. III, § 2(4). Idaho’s redistricting commission must file draft plans within ninety days of being formed or of census data becoming available, whichever is later. *Id.* Assuming the commission has formed by the data’s release on September 30, the deadline will be December 29. There is no deadline for finalizing these plans, which requires a two-thirds vote by the commission. *Id.*
- **State Redistricting: Draft plans by December 29, 2021.** *Id.* The deadlines and procedures are the same as for congressional redistricting. *Id.*

Candidate Filing: All candidates must file by March 11, 2022. Idaho Code § 34-704. Independent candidates and those seeking to have the filing fee waived must submit a sufficient number of signatures (50 for state legislative candidates, 500 for congressional candidates) by that date. *Id.* §§ 34-626, -708.

Primary Election: The list of candidates must be finalized by March 25, 2022. *Id.* § 34-717(1). The primary will take place on May 17, 2022. *Id.* § 34-601(1).

General Election: Ballots must be finalized by September 9, 2022. *Id.* § 34-909(3). The election will take place on November 8, 2022. *Id.* § 34-601(2).

Recommendation: With the existing state and congressional redistricting deadlines in Idaho, there is enough time for a three-month public redistricting process (October 2021 – December 2021). The commission should ensure that it builds in a period of time for public input during this process.

⁶ See also Off. of Elections, State of Haw., *Election Calendar, 2022* (Nov. 9, 2020), <https://elections.hawaii.gov/wp-content/uploads/FS100BO009-Election-Calendar-2022.pdf>.

Illinois (IL)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: June 30, 2021.** Ill. Const. art. IV, § 3(b). The state constitution gives the legislature until June 30, 2021, to pass state legislative redistricting plans. *Id.*
 - **Backup State Redistricting:** If the legislature fails to pass new state legislative plans, an eight-member backup commission with four members of each party appointed by state legislative leaders has until August 10, 2021, to do so. *Id.* If the eight-member commission fails to approve new maps, the supreme court nominates two potential members of different parties, and the Secretary of State randomly selects one to add to the commission. *Id.* The nine-member commission then has until October 5, 2021, to file plans. *Id.*

Candidate Filing: Candidates for the primary election must file by November 29, 2021. 10 Ill. Comp. Stat. 5/7-12(1). Filings must include a sufficient number of voter signatures; signature collection can begin on August 31, 2021. *Id.* 5-7/10. Independent candidates can qualify for the general election ballot by filing a sufficient number of signatures by June 27, 2022; signature collection can begin on March 29, 2022. *Id.* 5/10-4, -6.

Primary Election: Ballots for military and overseas voters must be printed by January 28, 2022. *Id.* 5/16-5.01(a). The primary will take place on March 15, 2022. *Id.* 5/2A-1.1(a).

General Election: Ballots for military and overseas voters must be printed by September 23, 2022. *Id.* 5/16-5.01(a). The election will take place on November 8, 2022. *Id.* 5/2A-1.1(a).

Recommendation: Seek a court order to move the state redistricting deadline to November 29, 2021, and move the candidate filing deadline to December 27, 2021. Align the congressional redistricting process with the same timeframe. This schedule will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least two months for a public redistricting process where draft and final maps can be displayed and discussed (October 1, 2021 – November 29, 2021), and one month for court review and county election administration adjustment (November 30, 2021 – December 27, 2021).

Indiana (IN)

- **Congressional Redistricting: April 29, 2021.** Ind. Code §§ 2-2.1-1-2(e), 3-3-2-1. The state legislature must establish new congressional districts in its first session after the census, *id.* § 3-3-2-1, which will end on April 29, 2021, *id.* § 2-2.1-1-2(e).
 - **Backup Congressional Redistricting:** If the state legislature fails to enact a redistricting plan during its first session after the census, a redistricting commission made up of members of the legislature must adopt a new map within thirty days, by May 29, 2021. *Id.* § 3-3-2-2.
- **State Redistricting: April 29, 2021.** Ind. Const. art. IV, § 5; Ind. Code § 2-2.1-1-2(e). The state legislature must produce new state legislative maps during its 2021 session following the census. Ind. Const. art. IV, § 5. The session will end on April 29, 2021. Ind. Code § 2-2.1-1-2(e).

Candidate Filing: Candidates for the primary election must file by February 4, 2022. *Id.* § 3-8-2-4(a).

Primary Election: Ballots must be finalized by March 14, 2022. *Id.* § 3-11-4-15. The primary will take place on May 3, 2022. *Id.* § 3-10-1-3.

General Election: Ballots must be finalized by September 19, 2022. *Id.* § 3-11-4-15. The election will take place on November 8, 2022. *Id.* § 3-10-2-1.

Recommendation: Call a special session of the legislature that begins in early October, after the state receives census population data. That session should last at least six weeks to ensure time for public participation.

Iowa (IA)

- **Congressional Redistricting: No final deadline.** By statute, the state’s redistricting advisory commission must submit a draft plan by November 14, 2021 (the original deadline was April 1, 2021, but the due date is automatically postponed one day for every day after February 15 that census data becomes available). Iowa Code § 42.3(1)(a)-(b).
- **State Redistricting: September 15, 2021.** Iowa Const. art. III, § 35. The state constitution gives the state legislature until September 15, 2021, to complete state legislative redistricting. *Id.* As with congressional redistricting, the state’s redistricting advisory commission must submit draft plans by November 14, 2021. Iowa Code § 42.3(1)(a)-(b).
 - **Backup State Redistricting:** If the state legislature fails to enact new maps by September 15, 2021, the state supreme court must do so by December 31, 2021. Iowa Const. art. III, § 35.

Candidate Filing: All candidates must file by March 18, 2022. *Id.* § 43.11. Nomination papers must include a sufficient number of signatures. *Id.* §§ 43.20, 45.1.

Primary Election: Ballots must be finalized by March 30, 2022. *Id.* § 43.22. The primary will take place on June 7, 2022. *Id.* § 43.7.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 53.39(2). The election will take place on November 8, 2022. *Id.* § 39.1.

Recommendation: Seek a court order to move the final state redistricting approval deadline by the state legislature to December 31, 2021. The timeline for congressional redistricting and the draft plans for state redistricting by the advisory commission do not need to be adjusted. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least one-and-a-half months (between September 30 and November 14, 2021) for a public redistricting process, and at least one-and-a-half months (between November 15 and December 31, 2021) for the state legislature to adopt the proposed plans.

Kansas (KS)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: April 10, 2022.** Kan. Const. art. II, § 8; *id.* art. X, § 1(a). The state legislature must pass new maps during its 2022 regular session, *id.* art. X, § 1(a), which is scheduled to end by April 10, 2022, *id.* art. II, § 8. The legislature can extend the session by a two-thirds vote of each house. *Id.* After the legislature passes new maps, the state supreme court must “determine [their] validity” within a maximum of forty-five days (May 25, at latest). *Id.* art. X, § 1(b). If the court strikes the maps down, the legislature has fifteen days to produce replacements.⁷ *Id.*

Candidate Filing: Candidates for the primary election must file by June 1, 2022. Kan. Stat. Ann. § 25-205(a). However, the filing deadline is postponed to June 10, 2022, if new maps have not been enacted by May 10, 2022. *Id.* § 25-205(h). When filing, candidates must also submit a sufficient number of voter signatures; the number of signatures required changes if new maps are not in place by May 10, 2022. *Id.* § 25-205(g). Independent candidates can qualify for the general election ballot by submitting a sufficient number of signatures by August 1, 2022. *Id.* §§ 23-303, -305.

Primary Election: Ballots must be mailed to certain military and overseas voters by June 18, 2022. 52 U.S.C. § 20302(a)(8)(A). The primary will take place on August 2, 2022. Kan. Stat. Ann. § 25-203(a).

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. 52 U.S.C. § 20302(a)(8)(A). The election will take place on November 8, 2022. Kan. Stat. Ann. § 25-101(a).

Recommendation: No recommended change is necessary because there are no redistricting deadlines facing Kansas before the census data delivery date of September 30 and the end of its 2022 legislative session in April. Kansas must ensure that it engages in a public redistricting process and allows for public input.

Kentucky (KY)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: No redistricting deadline.** The state constitution requires that the legislature reapportion “every ten years,” Ky. Const. § 33, and the legislature has completed this task in recent cycles in the year ending in “2.”⁸ Reading the “every ten years” requirement literally would mean that redistricting must occur during the 2022 session, which will begin on January 4, 2022. Ky. Const. § 36(2).

⁷ “Upon enactment” of the replacement maps, the state’s attorney general must petition the supreme court to review them. *Id.* art. X, § 1(c). The court must then review the replacement maps within ten days; should it strike these map down as well, the legislature has fifteen more days to enact replacements. *Id.*

⁸ See Justin Levitt, *Kentucky*, All About Redistricting, <https://redistricting.ils.edu/state/kentucky>. In 2012, a state court invalidated legislature’s state legislative maps; as a result, the 2012 election took place using the previous cycle’s districts, and the legislature drew new lines for the 2014 elections. See *id.*

Candidate Filing: Candidates for the primary election must file by January 7, 2022. Ky. Rev. Stat. Ann. § 118.165(2).

Primary Election: Ballots must be mailed to certain military and overseas voters by April 1, 2022. *Id.* § 117A.080(1). The primary will take place on May 17, 2022. *Id.* § 118.025(3).

General Election: Ballots must be mailed to certain military and overseas voters by September 23, 2022. *Id.* § 117A.080(1). The election will take place on November 8, 2022. *Id.* §§ 118.025(4), 118.475.

Recommendation: While there are no redistricting deadlines that would constrain Kentucky from conducting a public redistricting process over the course of at least three months, the state may want to consider moving its candidate filing deadline to at least February 2022 to ensure that there can be a robust public input process beginning after the September 30 census release date.

Louisiana (LA)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: December 31, 2022.** La. Const. art. III, § 6. The state legislature must pass new state legislative maps “[b]y the end of the year following the year in which the population of the state is reported to the president of the United States for each decennial federal census.” *Id.* Because Louisiana state legislators all serve simultaneous four-year terms, the next state legislative election will take place in 2023. *Id.* art. III, §§ 4-5; *id.* art. IV § 3.

Candidate Filing:

- **2022 Congressional Election:** All candidates must file by July 22, 2022. La. Stat. Ann. §§ 18-467(2), -468(A).
- **2023 State Legislative Election:** All candidates must file by August 10, 2023. *Id.* §§ 18-467(1), -468(B).

Primary Election:

- **2022 Congressional Election:** Ballots must be finalized by July 27, 2022. *Id.* § 18:470.1. The primary will take place on November 8, 2022. *Id.* § 18:402(B)(1).
- **2023 State Legislative Election:** Ballots must be finalized by August 15, 2023. *Id.* § 18:470.1. The primary will take place on October 14, 2023. *Id.* § 18:402(A)(1).

General Election:

- **2022 Congressional Election:** The election will take place on December 10, 2022. *Id.* § 18:402(B)(2).
- **2023 State Legislative Election:** Ballots must be printed by November 5, 2023. *Id.* § 18:1306(C)(1). The election will take place on November 18, 2023. *Id.* § 18:402(A)(2).

Recommendation: No recommended change is necessary because there are no redistricting deadlines facing Louisiana before the census data delivery date of September 30 and its candidate filing deadline for congressional elections on July 22, 2022. The state does not face an impending state redistricting

deadline because its state legislative elections are not until 2023. However, the state should consider using the time before the release of census data for community input (March – September 2021) and dedicating at least three months to a public redistricting process where draft and final maps can be displayed and discussed.

Maine (ME)

- **Congressional Redistricting: June 11, 2021.** Me. Const. art. IX, § 24(1). An advisory commission must submit a proposed plan by June 1, 2021. *Id.* The legislature must pass a final plan by June 11, 2021. *Id.*
 - **Backup Congressional Redistricting:** If the legislature fails to pass a new congressional map by June 11, 2021, then the state supreme court must enact a plan by August 10, 2021. *Id.* art. IX, § 24(2).
- **State Redistricting: June 11, 2021.** Me. Const. art. IV, pt. 1, § 3 (state house districts); *id.* art. IV, pt. 2, § 2 (state senate districts). An advisory commission must submit its final plans by June 1, 2021. *Id.* art. IV, pt. 1, § 3; *id.* art. IV, pt. 2, § 2. The legislature must pass final maps by June 11, 2021. *Id.* art. IV, pt. 1, § 3; *id.* art. IV, pt. 2, § 2.
 - **Backup State Redistricting:** If the legislature fails to pass new state legislative maps by June 11, 2021, then the state supreme court must enact new maps by August 10, 2021. *Id.* art. IV, pt. 1, § 3; *id.* art. IV, pt. 2, § 2.

Candidate Filing: Candidates for the primary election must file by March 15, 2022. Me. Stat. tit. 21-A, § 335(8). Independent candidates can qualify for the general election ballot by filing petitions with sufficient numbers of voter signatures by May 25, 2022. *Id.* tit. 21-A, § 354.

Primary Election: Ballots must be mailed to certain military and overseas voters by April 30, 2022. 52 U.S.C. § 20302(a)(8)(A). The primary will take place on June 14, 2022. Me. Stat. tit. 21-A, § 339.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. 52 U.S.C. § 20302(a)(8)(A). The election will take place on November 8, 2022. Me. Const. art. II, § 4.

Recommendation: Seek a court order to move both the congressional and state redistricting deadlines to December 31, 2021. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and two months for court review and county election administration adjustment (January – February 2022).

Maryland (MD)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: February 25, 2022.** Md. Const. art. III, § 5. The Governor must submit draft maps to the state legislature by January 12, 2022. *Id.*; *id.* art. III, § 14. The legislature can then pass its own plans by February 25, 2022. *Id.* art. III, § 5. If it fails to do so, the Governor's maps become law. *Id.*

Candidate Filing: Candidates for the primary election must file by February 22, 2022. Md. Code Ann. Elec. Law § 5-303(a)(1). Independent candidates must file a declaration of intent by July 4, 2022 and a certificate of candidacy by August 1, 2022. *Id.* § 5-703(c)-(d).

Primary Election: Ballots must be finalized by April 24, 2022. *Id.* § 9-207(a)(1), (e). The primary will take place on June 28, 2022. *Id.* § 8-201(a)(2)(i).

General election: Ballots must be finalized by September 4, 2022. *Id.* § 9-207(a)(2), (e). The election will take place on November 8, 2022. *Id.* § 8-301(a)(2).

Recommendation: Consider moving the candidate filing deadline to late March 2022 to ensure that there is sufficient time for public input and that the state's redistricting deadlines can be met. The state should align its congressional redistricting timeline with its state redistricting timeline.

Massachusetts (MA)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: January 4, 2022.** Mass. Const. amend. art. X; *id.* amend. art. CI. State redistricting lines must be drawn during the first regular session in the year after the census was taken. *Id.* amend. art. CI. The session began on January 6, 2021, and continues until January 4, 2022. *Id.* amend. art. X.

Candidate Filing: State legislative candidates must file by May 31, 2022. Mass. Gen. Laws ch. 53, §§ 10, 48. Congressional candidates must file by June 7, 2022. *Id.*

Primary Election: Ballots must be mailed to certain military and overseas voters by August 6, 2022. *Id.* ch. 54, § 91C(c). The primary will take place on September 20, 2022. *Id.* ch. 53, § 28.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* ch. 54, § 91C(c). The election will take place on November 8, 2022. *Id.* ch. 54, § 62.

Michigan (MI)

- **Congressional Redistricting: November 1, 2021.** Mich. Const. art. IV, § 6(7). Michigan's independent citizens redistricting commission must adopt a redistricting plan by November 1 of the year immediately following the census. *Id.*
- **State Redistricting: November 1, 2021.** *Id.* Michigan's independent citizens redistricting commission must adopt new state legislative maps by November 1 of the year immediately following the census. *Id.*

Candidate Filing: Candidates for the primary election must file by April 19, 2022. Mich. Comp. Laws §§ 168.133, 168.163(1), 168.551. Independent candidates must file a qualifying petition by July 21, 2022. *Id.* § 168.590c.

Primary election: Ballots must be finalized by June 3, 2022. *Id.* § 168.552(14). The primary will take place on August 2, 2022. *Id.* § 168.534.

General Election: Ballots must be finalized by September 24, 2022. *Id.* § 168.714(1). The election will take place on November 8, 2022. Mich. Const. art. II, § 5.

Recommendation: Seek a court order to move the state and congressional redistricting deadline for the proposal of maps to December 11, 2021 and the deadline to adopt final maps to January 25, 2022. This will give up to five months for community input prior to the release of census data for redistricting (May – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and 45 days for additional public comment, court review, and county election administration adjustment (December 2021 - January 2022).

Minnesota (MN)

- **Congressional Redistricting: February 15, 2022.** Minn. Stat. § 204B.14 subdiv. 1a. By statute, Minnesota has a hard deadline of 25 weeks before the primary election. *Id.* But the constitution calls for redistricting to occur during the first session after enumeration of the census. Minn. Const. art. IV, § 3. If the enumeration is found to be in 2020, the legislature would not be able to draw new lines before release of the census data, because the current session is scheduled to end in May 17, 2021. If the enumeration is found to be in 2021, the legislature will have to meet the February 15, 2022 final deadline. Minn. Stat. § 204B.14 subdiv. 1a.
- **State Redistricting: February 15, 2022.** The same deadline rules for congressional redistricting apply to state redistricting.

Candidate Filing: All candidates, whether running in the primary or as independents, must file by May 31, 2022. Minn. Stat. § 204B.09 subdiv. 1(a).

Primary Election: Absentee ballots must be prepared by June 24, 2022. *Id.* § 204B.35 subdiv. 4. The primary will take place on August 9, 2022. *Id.* § 204D.03 subdiv. 1.

General Election: Absentee ballots must be prepared by September 23, 2022. *Id.* § 204B.35 subdiv. 4. The election will take place on November 8, 2022 *Id.* § 204D.03 subdiv. 2.

Recommendation: No recommended change is necessary because there are no redistricting deadlines facing Minnesota before the census data delivery date of September 30 and the final state and congressional redistricting deadline of February 15, 2022. The state should ensure that there is an open redistricting process to allow for public input.

Mississippi (MS)

- **Congressional Redistricting: December 5, 2021 (proposed plan).** Miss. Const. art. IV, § 36; Miss. Code § 5-3-123. The legislature’s redistricting committee must propose a congressional map no later than thirty days before the legislature’s 2022 regular session—by December 5, 2021. Miss. Const. art. IV, § 36; Miss. Code § 5-3-123. There is no deadline for the legislature to act on the proposal.
- **State Redistricting: April 3, 2022.** Miss. Const. art. IV, § 36; *id.* art. XIII, § 254. The legislature must pass state legislative plans during its 2022 regular session. *Id.* art. XIII, § 254. The session

will begin on January 4, 2022, and must end by April 3, 2022. *Id.* art. IV, § 36. Because Mississippian state legislators all serve simultaneous four-year terms, the next state legislative election will take place in 2023. *Id.* art. IV, § 34; Miss. Code § 23-15-193.

- **Backup State Redistricting:** If the legislature fails to enact new state legislative maps by the end of its 2022 regular session, the Governor must convene a special session, during which the legislature must adopt new maps by June 2, 2022. Miss. Const. art. XIII, § 254. If the legislature again fails to adopt new state legislative plans, a backup political commission must enact new maps by November 29, 2022. *Id.*

Candidate Filing:

- **2022 Congressional Election:** All candidates must file by March 1, 2022. Miss. Code § 23-15-299.
- **2023 State Legislative Election:** All candidates must file by March 1, 2023. *Id.*

Primary Election:

- **2022 Congressional Election:** Ballots must be mailed to certain military and overseas voters by April 23, 2022. 52 U.S.C. § 20302(a)(8)(A). The primary will take place on June 7, 2022. *Id.* § 23-15-1031.
- **2023 State Legislative Election:** The list of candidates must be finalized by June 19, 2023. *Id.* § 23-15-331. The primary will take place on August 8, 2023. *Id.* § 23-15-191.

General Election:

- **2022 Congressional Election:** Absentee ballots must be printed by September 24, 2022. *Id.* § 23-15-649. The election will take place on November 8, 2022. *Id.* § 23-15-1033.
- **2023 State Legislative Election:** Absentee ballots must be printed by September 23, 2023. *Id.* § 23-15-649. The election will take place on November 7, 2023. Miss. Const. art. V, § 140; Miss. Code § 23-15-193.

Recommendation: While Mississippi’s congressional redistricting deadline comes after the estimated September 30, 2021 release date of the census data, it is recommended that the state takes additional time to ensure that there is a sufficient public redistricting process that can solicit input on proposed congressional maps. The state legislative redistricting process is not affected by the census delivery date as the next elections for the state legislature are not until 2023.

Missouri (MO)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: May 29, 2022.** Mo. Const. art. III, §§ 3(e)-(f), 7(d)-(e). State legislative districts are drawn by two politician commissions, one for house districts and one for senate districts. *Id.* §§ 3(c), 7(a). Nominations for the commissions must be submitted to the Governor within sixty days of the delivery of census reapportionment (as opposed to redistricting) data;

assuming the Census Bureau delivers reapportionment data on April 30, 2021,⁹ the deadline for nominations would be June 29, 2021. *Id.* §§ 3(c), 7(a). The Governor then has thirty days (until July 29, 2021) to finalize the commissions' membership. *Id.* §§ 3(c), 7(a). The commissions must file tentative redistricting plans with the Secretary of State within five months—by December 29, 2021, if the commissions are appointed at the latest possible date. *Id.* §§ 3(e), 7(d). The commissions must approve final plans by supermajority vote within six months of appointment—by January 29, 2022. *Id.* §§ 3(f), 7(e).

- **Backup State Redistricting:** If a commission fails to approve a plan, the state supreme court must appoint six judges from the state's appellate courts to draw a new map within ninety days—by April 29, 2022, at latest. *Id.* §§ 3(g), 7(f).

Candidate Filing: Candidates for the primary election must file by March 29, 2022. Mo. Rev. Stat. § 115.349(1). Independent candidates must file by August 1, 2022. *Id.* § 115.329.

Primary Election: The Secretary of State must finalize the candidate list for the primary by May 24, 2022. *Id.* § 115.387. The primary will take place on August 2, 2022. *Id.* § 115.121(2).

General Election: The Secretary of State must finalize the candidate list for the general election by August 30, 2022. *Id.* § 115.401. The election will take place on November 8, 2022. *Id.* § 115.121(1).

Recommendation: Since the state redistricting deadline is tied to the release date of census data, Missouri does not have a conflict with its redistricting deadlines. However, the state will likely have to push back its candidate filing deadline to accommodate the full commission redistricting process.

Montana (MT)

- **Congressional Redistricting: December 29, 2021.** Mont. Const. art. V, § 14(3). If Montana gains a house seat this cycle, the state's independent redistricting commission must draw a new congressional map within ninety days of the official census data being available, or December 29, 2021. *Id.* The commission files the plan with the Secretary of State, and it takes effect immediately. *Id.*
- **State Redistricting: March 14, 2023** (with draft plans by January 13, 2023). *Id.* art. V, § 14(4); Mont. Code §§ 5-1-109, 5-2-103. Unlike congressional redistricting, state legislative redistricting in Montana will take place in 2023, in time for elections held in 2024. *Id.* art. V, §§ 6, 14(4). The state's independent redistricting commission (the same commission that draws congressional maps) must submit draft plans to the legislature for comment by the tenth legislative day of the 2023 regular session. Mont. Code § 5-1-109. That session will begin on January 2, 2023, making January 13, 2023 its tenth legislative day. Mont. Const. art. V, § 6; Mont. Code § 5-2-103. The legislature must return the plan with its recommendations to the commission within thirty days, and the commission has thirty further days to finalize the plan, making March 14, 2023, the ultimate deadline. Mont. Const. art. V, § 14(4); Mont. Code §§ 5-1-110 to -111.

⁹ See *Census Bureau Statement on Apportionment Counts*, U.S. Census Bureau (Jan. 28, 2021), <https://www.census.gov/newsroom/press-releases/2021/statement-apportionment-counts.html> ("Our current schedule points to April 30, 2021, for the completion of the apportionment counts.").

Candidate Filing:

- **2022 Congressional Election:** Candidates for the primary election must file by March 14, 2022. *Id.* § 13-10-201(7).
- **2024 State Legislative Election:** Candidates for the primary election must file by March 11, 2024. *Id.*

Primary Election:

- **2022 Congressional Election:** Ballots must be mailed to certain military and overseas voters by April 22, 2022. *Id.* § 13-21-224(1). The primary will take place on June 7, 2022. *Id.* § 13-1-107(1).
- **2024 State Legislative Election:** Ballots must be mailed to certain military and overseas voters by April 19, 2024. *Id.* § 13-21-224(1). The primary will take place on June 4, 2024. *Id.* § 13-1-107(1).

General Election:

- **2022 Congressional Election:** Ballots must be mailed to certain military and overseas voters by September 23, 2022. *Id.* § 13-21-224(1). The election will take place on November 8, 2022. *Id.* § 13-1-104(1).
- **2024 State Legislative Election:** Ballots must be mailed to certain military and overseas voters by September 20, 2024. *Id.* § 13-21-224(1). The election will take place on November 5, 2024. *Id.* § 13-1-104(1).

Recommendation: Use as much of the ninety days available for congressional redistricting, as well as the period before state legislative maps are due in 2023, as is needed to ensure a fully public and transparent redistricting process in which draft and final maps are displayed and discussed.

Nebraska (NE)

- **Congressional Redistricting: No redistricting deadline.** Nebraska has three congressional seats.¹⁰
- **State Redistricting: No redistricting deadline.** Note that Nebraska has a unicameral legislature. Neb. Const. art. III, § 1.

Candidate Filing: Incumbent candidates must file by February 15, 2022; non-incumbents running in a primary must file by March 1, 2022. Neb. Rev. Stat. § 32-606(1). Independent candidates can qualify for the general election ballot by submitting a sufficient number of voter signatures by September 1, 2022. *Id.* §§ 32-616 to -617.

Primary Election: Ballots must be mailed to certain military and overseas voters by March 26, 2022. *Id.* § 32-939.02(1). The primary will take place on May 10, 2022. *Id.* § 32-401.

General Election: The set of candidates for the general election ballot must be finalized by August 1, 2022. *Id.* § 32-622 (requiring candidates to withdraw by this date). Ballots must be mailed to certain

¹⁰ See Table 1: Apportionment Population and Number of Representatives, by State: 2010 Census, U.S. Census Bureau, https://www.census.gov/2010census/news/pdf/apport2010_table1.pdf.

military and overseas voters by September 24, 2022. *Id.* § 32-939.02(1). The election will take place on November 8, 2022. *Id.* § 32-403.

Recommendation: Take at least two to three months (until late November 2021 or January 2022) for the redistricting process, in order to ensure full public participation and transparency by allowing draft and final maps to be displayed and discussed. This timeline would leave two to three months for court review and county election administration adjustment before the February candidate filing deadline.

Nevada (NV)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: May 31, 2021.** Nev. Const. art. IV, §§ 2, 5. The state constitution requires the legislature to conduct state legislative redistricting “at its first session after the taking of the decennial census.” *Id.* art. IV, § 5. The current legislative session began on February 1, 2021, and will end on May 31, 2021, well before the census data will be released; the next regular session will not take place until 2023, *id.* art. IV, § 2, although the Governor can convene a special session, *id.* art. V, § 9.

Candidate Filing: Candidates for the primary election must file by March 18, 2022. Nev. Rev. Stat. § 293.177(1)(b). Independent candidates can qualify for the general election by submitting a petition with a sufficient number of voter signatures (based on turnout in previous elections) by June 17, 2022. *Id.* § 293.200(4).

Primary Election: The state must mail ballots to certain military and overseas voters by April 29, 2022. *Id.* § 293D.320(1). The primary will take place on June 14, 2022. *Id.* § 293.175.

General Election: The state must mail ballots to certain military and overseas voters by September 23, 2022. *Id.* § 293D.320(1). The election will take place on November 8, 2022. *Id.* § 293.12755.

Recommendation: Seek a court order to move the state redistricting deadline to December 31, 2021. Align the congressional redistricting process with the same timeframe. This schedule will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October 1, 2021 – December 31, 2021), and two months for court review and county election administration adjustment (January – February 2022).

New Hampshire (NH)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: July 1, 2021.** N.H. Const. pt. 2, art. IX, XI, XV, XXVI. The state constitution requires that state legislative redistricting occur during the first regular legislative session following the federal census. *Id.* pt. 2, art. IX, XI, XXVI. The constitution also bars compensation for legislators for a regular session after July 1, *id.* pt. 2, art. XV, effectively meaning that census data will become available only long after the state’s redistricting deadline.

Candidate Filing: Candidates for the primary election must file by June 10, 2022. N.H. Rev. Stat. § 655:14. Independent candidates must file by September 7, 2022. *Id.* § 655:43(l).

Primary Election: The state must mail ballots to certain military and overseas voters by July 30, 2022. *Id.* § 657:19. The primary will take place on September 13, 2022. *Id.* § 653:8.

General Election: The state must mail ballots to certain military and overseas voters by September 24, 2022. *Id.* § 657:19. The election will take place on November 8, 2022. *Id.* § 653:7.

Recommendation: Seek a court order to move the state redistricting deadline to December 31, 2021. Align the congressional redistricting process with the same timeframe. This schedule will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October 2021 – December 2021), and five months for court review and county election administration adjustment (January – May 2022).

New Jersey (NJ)

- **Congressional Redistricting: January 18, 2022.** N.J. Const. art. II, § 2, ¶ 3. The thirteen-member congressional redistricting commission faces an ultimate deadline of January 18, 2022, for finalizing a congressional redistricting plan in time for the 2022 election, although there are a number of intervening procedural deadlines. *Id.*
- **State Redistricting: March 1, 2022.** *Id.* art. IV, § 3, ¶ 4. A state constitutional amendment was passed in 2020 changing the schedule for state legislative redistricting in New Jersey: the state legislative redistricting commission must now wait until after the November 2021 election to redistrict and has a deadline of March 1, 2022, to complete the task in time for new lines to be used in the 2023 state legislative elections. *Id.*

Candidate Filing:

- **2022 Congressional Election:** Candidates for the primary election must file by April 4, 2022. *Id.* § 19:23-14. Independent candidates can qualify for the general election ballot by submitting a sufficient number of signatures by June 7, 2022. *Id.* § 19:13-9.
- **2023 State Legislative Election:** Candidates for the primary election must file by April 3, 2023. *Id.* § 19:23-14. Independent candidates can qualify for the general election ballot by submitting a sufficient number of signatures by June 6, 2023. *Id.* § 19:13-9.

Primary Election:

- **2022 Congressional Election:** The Secretary of State must certify the list of candidates by April 14, 2022. *Id.* § 19:23-21. The primary will take place on June 7, 2022. *Id.* § 19:23-40.
- **2023 State Legislative Election:** The Secretary of State must certify the list of candidates by April 13, 2023. *Id.* § 19:23-21. The primary will take place on June 6, 2023. *Id.* § 19:23-40.

General Election:

- **2022 Congressional Election:** Ballots must be ready to print by September 19, 2022. *Id.* § 19:14-1. The election will take place on November 8, 2022. N.J. Const. art. II, § 1, ¶ 1; N.J. Stat. Ann. § 19:2-3.
- **2023 State Legislative Election:** Ballots must be ready to print by September 18, 2023. N.J. Stat. Ann. § 19:14-1. The election will take place on November 7, 2023. N.J. Const. art. II, § 1, ¶ 1; N.J. Stat. Ann. § 19:2-3.

Recommendation: Because New Jersey has already revised its state redistricting timeline to accommodate the updated census schedule and has until mid-January to complete congressional redistricting, no change is recommended.

New Mexico (NM)

- **Congressional Redistricting: Currently no redistricting deadline.** A bill passed by the state legislature in late March and awaiting the Governor’s signature would create an advisory citizen redistricting committee that would recommend a new redistricting plan to the legislature by “October 30, 2021, or as soon thereafter as practicable.” S.B. 304, 55th Leg., 1st Sess. (N.M. 2021).¹¹ The bill would not impose a deadline for the legislature to act on the proposed plan. *Id.*
- **State Redistricting: Currently no redistricting deadline.** As with congressional redistricting, a bill passed by the state legislature would create an advisory citizen redistricting committee that must propose a plan to the legislature by “October 30, 2021, or as soon thereafter as practicable.” *Id.* The bill would not impose a deadline for the legislature to act on the proposed plan. *Id.*

Candidate Filing: Candidates running in major-party primaries for the U.S. House must file candidacy paperwork, including a sufficient number of voter signatures, by February 1, 2022; candidates running in major-party primaries for state legislative seats must file by March 8, 2022. N.M. Stat. §§ 1-8-26, -33. Independent candidates must file by June 30, 2022. *Id.* §§ 1-8-48, -51, -52.

Primary Election: The candidates for the primary must be set by April 5, 2022. *See id.* § 1-8-44 (requiring candidates to withdraw by that date). Ballots must be mailed to certain military and overseas voters by April 23, 2022. *Id.* § 1-6B-7. The primary will take place on June 7, 2022. *Id.* § 1-8-11.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 1-6B-7. The election will take place on November 8, 2022.

Recommendation: SB 304, a bill creating an advisory citizens redistricting committee that is likely to be signed by the governor, creates a robust process for public participation and new deadlines that allow for that participation. No further recommendations are needed.

¹¹ The bill’s text is available at https://nmlegis.gov/Sessions/21%20Regular/Amendments_In_Context/SB0304.pdf.

New York (NY)

- **Congressional Redistricting: January 15, 2022 (draft plans).** N.Y. Const. art. III, § 4. The state’s advisory commission must publish draft redistricting plans for public inspection “no later than September fifteenth of the year ending in one or as soon as practicable thereafter.” *Id.* The commission must then submit redistricting plans to the legislature by January 15, 2022. *Id.* A proposed constitutional amendment that will appear on the ballot in November 2021 would move the January 15 deadline forward to January 1, 2022. S. 515, 2021-2022 Legis. Sess., sec. 1, § 4(b) (N.Y. 2021).
 - **Backup Congressional Redistricting:** If the legislature does not adopt the commission’s proposed plan, the commission must submit a second plan by February 28, 2022, at latest. N.Y. Const. art. III, § 4. If the legislature declines to adopt this second plan, it can propose its own alternative map. *Id.* The proposed constitutional amendment would move the February 28 deadline to January 15, 2022. S. 515, sec. 1, § 4(b).
- **State Redistricting: January 15, 2022 (draft plans).** N.Y. Const. art. III, § 4. The same deadlines apply to state legislative redistricting as to congressional redistricting: the commission must release draft plans by “September fifteenth [2021] or as soon as practicable thereafter” and submit proposed plans to the legislature by January 15, 2022. *Id.* The proposed constitutional amendment would also move the commission’s deadline for proposing state legislative maps to January 1, 2022. S. 515, sec. 1, § 4(b).
 - **Backup State Redistricting:** As with congressional redistricting, if the legislature does not adopt the commission’s first proposal, it must submit alternative state legislative maps by February 28, 2022, at latest. N.Y. Const. art. III, § 4. If the legislature does not adopt these proposed maps, it again can develop its own redistricting plans. *Id.* The proposed constitutional amendment would move the February 28 deadline to January 15, 2022. S. 515, sec. 1, § 4(b).

Candidate Filing: Candidates for the primary election must file by April 7, 2022. N.Y. Elec. Law § 6-158(1). Independent candidates must file by May 31, 2022. *Id.* § 6-158(9).

Primary Election: Ballots must be mailed to certain military and overseas voters by May 13, 2022. *Id.* § 10-108(1)(a). The primary will take place on June 28, 2022. *Id.* § 8-100(1)(a).

General Election: Ballots must be mailed to certain military and overseas voters by September 23, 2022. *Id.* § 10-108(1)(a). The election will take place on November 8, 2022. *Id.* § 8-100(1)(c).

Recommendation: Seek a court order to move both the state and congressional redistricting deadlines to December 31, 2021. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and two months for court review and county election administration adjustment (January – February 2022). Common Cause also supports the proposed constitutional amendment to update the commission’s deadlines.

North Carolina (NC)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting:** The legislature must complete state legislative redistricting during its first regular session after the census. N.C. Const. art. II, §§ 3, 5. The session began in January; there is no requirement for when it must end. *Id.* art. II, § 11; N.C. Gen. Stat. § 120-11.1. The Governor and legislature each also have the power to convene a special session. N.C. Const. art. II, § 11(2); *id.* art. III, § 5(7).

Candidate Filing: Candidates for the primary election must file by December 17, 2021. N.C. Gen. Stat. § 163-106.2.

Primary Election: Election officials must finalize the candidate list by December 20, 2021. *Id.* § 163-108(a). Ballots must be prepared by January 17, 2022. *Id.* §§ 163-227.10, -258.9. The primary will take place March 8, 2022. *Id.* § 163-1(b).

General Election: The state must have ballots available by September 24, 2022, at latest. *Id.* §§ 163-227.10, -258.9. The election will take place on November 8, 2022. *Id.* § 163-1(c).

Recommendation: Move the candidate filing deadlines to early 2022. Pushing the filing deadline back and taking until late 2021 to finalize new maps would give up to seven months for community input prior to the release of census data for redistricting and at least three months for a public redistricting process where draft and final maps can be displayed and discussed. The state could also consider postponing its primary in order to allow more time for court review and county election administration adjustments following redistricting.

North Dakota (ND)

- **Congressional Redistricting: No redistricting deadline.** North Dakota currently has one House seat and is unlikely to gain one in this cycle, so congressional redistricting should not be an issue.
- **State Redistricting: No practically binding redistricting deadline.** The state constitution specifies that current districts will “continue until the adjournment of the first regular session after each federal decennial census, or until changed by law.” N.D. Const. art. IV, § 2. In 2011, the legislature adopted the current redistricting plan during a special session, rather than during its first regular session that year.¹² The state legislature appears to be planning on a special session in late 2021: Republican legislators have introduced a bill calling for such a session. H.R. 1397, 67th Legis. Assemb., Reg. Sess. (N.D. 2021).¹³

Candidate Filing: Candidates for the primary election must file by April 11, 2022. N.D. Cent. Code § 16.1-11-06(1). Filings must include either an endorsement from the candidate’s party or a collection of voter signatures, which the candidate can begin collecting on January 1, 2022. *Id.*; *id.* § 16.1-11-15.

¹² See *A Brief History of Legislative Redistricting in North Dakota*, N.D. Legis. Branch, <https://www.legis.nd.gov/research-center/library/a-brief-history-legislative-redistricting-north-dakota>.

¹³ <https://www.legis.nd.gov/assembly/67-2021/documents/21-0909-03000.pdf>. Native American Rights Fund reports that the deadline for the redistricting committee to send its maps to legislative management has been pushed back to November 30, 2021.

Primary Election: Ballots must be mailed to certain military and overseas voters by April 29, 2022. *Id.* § 16.1-07-23(1). The primary will take place on June 14, 2022. *Id.* § 16.1-11-01.

General Election: Ballots must be mailed to certain military and overseas voters by September 23, 2022. *Id.* § 16.1-07-23(1). The election will take place on November 8, 2022. *Id.* § 16.1-13-01.

Recommendation: Use a special session between October and December 2021 to redistrict. This timeline will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), up to three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and three months for court review and county election administration adjustment (January – March 2022).

Ohio (OH)

- **Congressional Redistricting: September 30, 2021.** Ohio Const. art. XIX, § 1. The legislature has until September 30, 2021, to pass a map with a three-fifths majority in both houses. *Id.*
 - **Backup Congressional Redistricting:** If the legislature fails to meet the September 30 deadline, the state’s seven-member redistricting commission (which is also responsible for state legislative redistricting) can adopt a map by October 31, 2021, by a majority vote if at least two members from each party support the plan. *Id.* If the commission misses the October 31 deadline, the legislature must pass a plan by November 30, 2021. *Id.* A plan passed by the commission or by a bipartisan supermajority of the legislature remains in effect for ten years; a plan passed by a simple majority of the legislature remains in effect for four years. *Id.*
- **State Redistricting: September 1, 2021.** Ohio Const. art. XI, § 1(B)(3), (C). The state redistricting commission has until September 1, 2021, to finalize new maps by majority vote with at least two members of each political party voting in favor. *Id.*
 - **Backup State Redistricting:** If the commission fails to meet the September 1 deadline, it must approve new maps by a simple majority vote by September 15, 2021. *Id.* art. XI, § 8(A). A plan adopted with support from at least two members of each party remains in effect for ten years; a plan passed by a simple majority vote becomes invalid after two general elections. *Id.* art. XI, § 8(C).

Candidate Filing: Candidates for the primary election must file by February 2, 2022. Ohio Rev. Code § 3513.05. Independent candidates can qualify for the general election ballot by filing candidacy paperwork and a sufficient number of voter signatures by May 2, 2022. *Id.* § 3513.257.

Primary Election: Election administrators must print ballots for certain military and overseas voters by March 18, 2022. *Id.* § 3509.01(B)(1). The primary will take place on May 3, 2022. *Id.* § 3501.01(E)(1).

General Election: Election administrators must print ballots for certain military and overseas voters by September 23, 2022. *Id.* § 3509.01(B)(1). The election will take place on November 8, 2022. *Id.* § 3501.01(A).

Recommendation: Consider seeking a court order postponing its congressional and state redistricting deadlines to accommodate the anticipated decennial census delivery date, while preserving substantial

opportunities for public input. In addition, postpone at least the candidate filing deadline to March and explore moving the primary to June. These adjustments would give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), two to three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and at least two months for court review and county election administration adjustment.

Oklahoma (OK)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: May 2021.** Okla. Const. art. V, §§ 11A, 26. The state legislature has ninety legislative days during its first regular session after the census to draw new state legislative maps. Okla. Const. art. V, § 11A. The session began on February 1, 2021 (placing the ninetieth legislative day likely somewhere in May) and must adjourn by May 28, 2021. *Id.* art. V, § 26.
 - **Backup State Redistricting:** If the legislature fails to enact new maps by the deadline, a backup commission must produce redistricting plans. *Id.* art. V, § 11A. The seven-member commission must contain three members of each party, with one member of each party appointed by each of the majority leaders of the state legislature and the Governor. *Id.* The Lieutenant Governor is the seventh nonvoting member. *Id.* No deadline is specified for the commission to adopt new maps, which must be approved by at least four members. *Id.* art. V, § 11B.

Candidate Filing: All candidates must file by April 15, 2022. Okla. Stat. tit. 26, § 5-110. Candidates can avoid paying a filing fee by submitting a petition signed by two percent of the district’s registered voters. *Id.* tit. 26, § 5-112(1). The relevant statutes and regulations do not appear to give specific dates for when signature gathering can take place, except that it must be complete by the filing deadline.

Primary Election: Ballots must be mailed to certain military and overseas voters by May 14, 2022. *Id.* tit. 26, § 14-118(A). The primary will take place on June 28, 2022. *Id.* tit. 26, § 1-102.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* tit. 26, § 14-118(A). The election will take place on November 8, 2022. *Id.* tit. 26, § 1-101.

Recommendation: Consider seeking a court order to extend the state redistricting deadline until December 2021. Because the state’s April candidate filing deadline does not impose any time pressure, whatever entity ultimately draws new maps should use a full ninety-day period after the release of census data (until late December 2021) to ensure maximum public participation and transparency in the redistricting process. This timeline will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and over three months for court review and county election administration adjustment (January – March 2022).

Oregon (OR)

- **Congressional Redistricting: July 1, 2021.** Or. Rev. Stat. § 188.125(2). Oregon does not have a constitutional deadline for congressional redistricting, but a state statute allows any elector to file an action in state court on or after August 1, 2021, to “[r]equest a reapportionment of congressional districts” if the legislature fails to enact a plan by July 1, 2021. *Id.*
 - **Backup Congressional Redistricting:** If the legislature fails to enact a new congressional plan by the July 1 deadline, then, beginning August 1, 2021, a voter may sue and initiate a complicated remedial scheme, which allows a judicial panel to draw a new map (or select one offered by a party). *Id.* § 188.125. The court must settle on a map by October 1, 2021; the state supreme court must hear any appeals and finalize a map by December 15, 2021. *Id.*
- **State Redistricting: July 1, 2021.** Or. Const. art. IV, § 6(3). The state legislature has until July 1, 2021, to enact new state legislative maps. *Id.*
 - **Backup State Redistricting:** If the legislature fails to enact new maps by July 1, 2021, then the state constitution requires the Secretary of State to enact new state legislative plans by August 15, 2021. *Id.*

Candidate Filing: Candidates for the primary election must file by March 8, 2022. Or. Rev. Stat. § 249.037(1). Candidates can either pay a filing fee or qualify by petition after collecting a sufficient number of voter signatures. *Id.* § 249.020. If qualifying by petition, a candidate must first obtain approval to circulate the petition for signatures; the relevant statute does not explicitly give a first date on which prospective candidates can seek approval. *Id.* § 249.061. Independent candidates can qualify for the ballot by submitting a petition with a sufficient number of signatures or organizing an assembly of electors to make the nomination in person by August 30, 2022. *Id.* §§ 249.722, .735, .740.

Primary Election: The Secretary of State must finalize the list of candidates by March 17, 2022. *Id.* § 254.085(1). The primary will take place on May 17, 2022. *Id.* § 254.056(2).

General Election: The Secretary of State must finalize the list of candidates by September 8, 2022. *Id.* § 254.085(1). The election will take place on November 8, 2022. *Id.* § 254.056(1).

Recommendation: Consider seeking a court order moving the state redistricting deadline to December 31, 2021. Adjust the statutory deadlines for congressional redistricting to match that timeframe. The deadline for judicial review of new maps should be postponed to February 22, 2022. This timeline will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October 2021 – December 2021), and two months for county election administration adjustment (January – February 2022). If necessary, the legislature could also consider moving the primary to June 2022 and postponing earlier filing and ballot-finalization deadlines.

Pennsylvania (PA)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting:** The state legislative redistricting deadline depends on when the census data is released and how quickly the state legislature creates the constitutionally required

redistricting commission. The leaders of each party in each house of the legislature must begin the process of creating the redistricting commission by appointing four members (who may be the legislative leaders themselves) within sixty days of the release of census data (November 29, if data is released September 30), but the process may take up to seventy-five additional days (February 12, 2022), as either those four members or the state supreme court must appoint an additional member to serve as chair. Pa. Const. art. II, § 17(b). Once constituted, the commission must enact new maps within ninety days of either the data’s release (by December 29, 2021) or the commission’s establishment (potentially as late as May 13, 2022), whichever is later. *Id.* art. II, § 17(c). The commission then has an additional thirty days “to make corrections.” *Id.*

- **Backup State Redistricting:** Should the commission fail to enact new maps by its deadline, the state supreme court must “immediately” do so. *Id.* art. II, § 17(h).

Candidate Filing: Candidates for the primary election must file by March 8, 2022. 25 Pa. Stat. and Cons. Stat. Ann. § 2873(d). Nomination paperwork must include a collection of voter signatures, which the candidate must collect between February 15, 2022, and March 8, 2022. *Id.* § 2868. Independent candidates for the general election must file candidacy paperwork by August 1, 2022;¹⁴ they may begin collecting signatures on March 9, 2022. *Id.* § 2913(b).

Primary Election: The Secretary of the Commonwealth must send finalized candidate lists to county officials by March 23, 2022. *Id.* §§ 2874, 2876. The primary will take place on May 17, 2022. *Id.* § 2753(a).

General Election: The Secretary of the Commonwealth must send finalized candidate lists to county officials by August 25, 2022. *Id.* §§ 2941(a), 2944. The election will take place on November 8, 2022. *Id.* § 2751.

Recommendation: Pennsylvania’s Legislative Reapportionment Commission (LRC) and General Assembly should begin collecting public input and information as soon as possible, or at least before September 2021. Once data is released, the LRC and the General Assembly should aim to complete redistricting in late December 2021. This timeline will provide time before data release for collecting community input, allow three months for a public redistricting process during which draft and final maps can be displayed and discussed, and provide over two months for court review and county election administration adjustment.

Rhode Island (RI)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: No redistricting deadline.**

Candidate Filing: Candidates (whether running in a primary or as independents) must file by June 29, 2022. R.I. Gen. Laws § 17-14-1. Prospective candidates are then issued nomination petitions on which

¹⁴ This deadline comes from two settlement agreements in the 1984 cases of *Libertarian Party of Pa. v. Davis* and *Hall v. Davis*.

they must collect voter signatures (50 for state representatives, 100 for state senators, and 500 for U.S. representatives) by July 21, 2022. *Id.* §§ 17-14-4, -7, -12.

Primary Election: The state must have some form of ballot prepared for certain mail voters by July 30, 2022, although the relevant statute allows for sending a blank one without full candidate listings if a regular one “is not available.” *Id.* § 17-20-10.2. The primary will take place on September 13, 2022. *Id.* § 17-15-1.

General Election: The state must have some form of ballot ready for certain absentee voters by September 24, 2022. *Id.* § 17-20-10.2. The election will take place on November 8, 2022. *Id.* § 17-1-2(2).

Recommendation: Rhode Island does not have any redistricting deadlines, and its candidate filing deadline does not impose any time pressure, so the state should take the time necessary to ensure a public, transparent redistricting process. The state should aim to finalize new maps when the legislature reconvenes in January 2022. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October 2021 – January 2022), and roughly six months for court review and leave enough time for those communities that must draw municipal boundaries to engage in a transparent process of their own (January – June 2022).

South Carolina (SC)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: No redistricting deadline.**

Candidate Filing: Candidates must file by March 30, 2022. S.C. Code § 7-11-15(A). There is no signature requirement (or signature-in-lieu-of-fee option) for candidates running in the primary. *Id.* (requiring filing fee but not requiring voter signatures). Independent candidates seeking to qualify for the general election ballot must submit the required number of signatures by July 15, 2022. *Id.* § 7-13-351; *see also id.* § 7-11-70 (giving formula for required signature total).

Primary Election: The state’s Election Commission must finalize the ballot by April 5, 2022. *Id.* § 7-13-40. The primary will take place on June 14, 2022. *Id.* § 7-13-15(B).

General Election: The Election Commission must finalize the ballot by August 15, 2022. *Id.* § 7-13-350(A). The election will take place on November 8, 2022. *Id.* § 7-13-10.

Recommendation: South Carolina does not have any redistricting deadlines, and its candidate filing deadline does not impose significant time pressure, so the state should take the time necessary to ensure a public and transparent redistricting process. The state should aim to finalize new maps by December 31, 2021. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and roughly three months for court review and county election administration adjustment (January – March 2022).

South Dakota (SD)

- **Congressional Redistricting: No redistricting deadline.** South Dakota currently has only one House seat and is unlikely to gain one in this cycle, so congressional redistricting should not be an issue.
- **State Redistricting: December 1, 2021.** S.D. Const. art. III, § 5. The state constitution gives the legislature until December 1, 2021 to pass new state legislative maps. *Id.*¹⁵
 - **Backup State Redistricting:** If the legislature fails to enact new maps, the Supreme Court must do so within ninety days, by March 1, 2022. *Id.*

Candidate Filing: Candidates for the primary election must file by March 29, 2022. S.D. Codified Laws § 12-6-4. Filings must include voter signatures (with the required number tied to vote totals in previous elections, *id.* § 12-6-7), which candidates can collect beginning January 1, 2022, *id.* § 12-6-4.1.

Independent candidates can qualify for the general election ballot by submitting a sufficient number of signatures by April 26, 2022. *Id.* § 12-7-1. Independent candidates can also begin signature collection on January 1, 2022. *Id.* § 12-7-1.1.

Primary Election: The list of candidates must be finalized by March 31, 2022. *Id.* § 12-6-8.1. Absentee voting begins April 22, 2022. *Id.* § 12-19-1.2. The primary election will take place on June 7, 2022. *Id.* § 12-2-1.

General Election: The Secretary of State must certify the winners of primary elections by August 16, 2022. *Id.* § 12-8-8. Absentee voting begins September 23, 2022. *Id.* § 12-19-1.2. The election will take place on November 8, 2022. *Id.* § 12-2-2.

Recommendation: Take the necessary time to ensure a transparent, public redistricting process by using the full period available to draw new maps. An appropriate timeline would give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least two months for a public redistricting process where draft and final maps can be displayed and discussed (October – November 2021), and roughly four months for court review and county election administration adjustment (December – March 2022).

Tennessee (TN)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: No redistricting deadline.**

Candidate Filing: All candidates must file by April 7, 2022. Tenn. Code § 2-5-101(a)(1). As part of the filing process, candidates must submit a set of twenty-five voter signatures. *Id.* § 2-5-101(b)(1). Election administrators may not issue petitions for collecting signatures more than sixty days before the qualifying deadline (meaning collection could not start before February 7, 2022), and “[d]uring any year

¹⁵ Native American Rights Fund notes SD has scheduled a special session for Nov 8/9 to pass maps.

in which reapportionment must occur, the coordinator of elections shall determine the earliest date on which petitions may be issued.” *Id.* § 2-5-102(b)(5).

Primary Election: Ballots must be mailed to certain military and overseas voters by June 20, 2022. *Id.* § 2-6-503(a). The primary will take place on August 4, 2022. *Id.* § 2-1-104(25).

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 2-6-503(a). The election will take place on November 8, 2022. *Id.* § 2-1-104(26).

Recommendation: Tennessee does not have any redistricting deadlines, and its candidate filing deadline does not impose any significant time pressure, so the state should take the time necessary to ensure a public, transparent redistricting process. The state should aim to finalize new maps by December 31, 2021. This will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and over three months for court review and county election administration adjustment (January – March 2022).

Texas (TX)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: May 31, 2021.** Tex. Const. art. III, §§ 24(b), 28; Tex. Gov’t Code § 301.001. The legislature must conduct state legislative redistricting “at its first regular session after the publication of” the federal census. Tex. Const. art. III, § 28. Regular sessions take place in odd-numbered years beginning on the second Tuesday of January (in 2021, January 12), *id.* art. III, § 5; Tex. Gov’t Code § 301.001, and can last no more than 140 days (in 2021, the regular session will end May 31, 2021), Tex. Const. art. III, § 24(b).
 - **Backup State Redistricting:** If the legislature fails to enact new state legislative maps by the end of the session, a commission of state officers (the Lieutenant Governor, the Speaker of the House, the Attorney General, the Comptroller of Public Accounts, and the Commissioner of the General Land Office) must be convened within ninety days of the end of the session and must enact state legislative redistricting plans within sixty days of being convened, by October 28, 2021, at latest. *Id.* art. III, § 28.

Candidate Filing: Candidates for the primary election must file by December 13, 2021. Tex. Elec. Code § 172.023(a). Candidates can avoid a filing fee by submitting a sufficient number of voter signatures (based on past turnout). *Id.* §§ 172.021(b), 172.025. Independent candidates can qualify for the general election ballot by filing a declaration of intent to run by December 13, 2021, *id.* § 142.002(b)(2), and collecting a sufficient number of voter signatures between March 2¹⁶ and June 23, 2022, *id.* §§ 41.007(b), 142.006(a), 142.009.

Primary Election: The Secretary of State must post a certified list of candidates by December 22, 2021. *Id.* § 172.028. Ballots must be mailed to certain military and overseas voters by January 15, 2022. *Id.* § 86.004(b). The primary will take place on March 1, 2022. *Id.* § 41.007(a).

¹⁶ An independent candidate must wait until after the runoff primary on May 24, 2022, to begin collecting signatures if a runoff is being held for the office she seeks. *Id.* § 142.009(1).

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 86.004(b). The election will take place on November 8, 2022. *Id.* § 41.001(a)(3).

Recommendation: Texas’s redistricting process should build in the time necessary to ensure a public, transparent redistricting process. The state should seek to hold public input hearings for at least two months after census data is received. Maps should be finally approved by the end of 2021. The state should postpone the candidate filing deadline until February or March of 2022 and reschedule the primary election for April or May. These adjustments would give two to three months for court review and county election administration adjustment (January – March 2022).

Utah (UT)

- **Congressional Redistricting: March 10, 2022.** Utah Const. art. IX, § 1. The legislature must enact a new congressional map “[n]o later than” the end of its first annual session after receipt of census data; that session will end on March 10, 2022. *Id.*; *id.* art. VI §§ 2, 16. The state’s advisory commission faces earlier statutory deadlines for proposing possible redistricting plans: The body must prepare multiple potential maps by August 21, 2021 (at latest). Utah Code Ann. § 20A-20-302(2). No later than August 31, 2021, the commission must submit those plans to the legislature and make them available to the public. *Id.* § 20A-20-303(1). The legislature’s redistricting committee must then hold a public hearing on the proposed maps by September 15, 2021. *Id.* § 20A-20-303(3)(a).
- **State Redistricting: March 10, 2022.** Utah Const. art. IX, § 1. The legislature faces the same state constitutional deadline for enacting new state legislative maps as for congressional redistricting. *Id.* The advisory commission also faces the same statutory deadlines for proposed maps. Utah Code Ann. §§ 20A-20-302(2), -303.

Candidate Filing: Candidates for the primary election must file by March 17, 2022. *Id.* § 20A-9-408(4). Each candidate must also collect a required number of signatures by two weeks before her party’s nominating convention. *See id.* § 20A-9-408(8). The candidate can begin the signature-gathering process on January 1, 2022. *See id.* § 20A-9-408(4)(a), (9)(b). Independent candidates can qualify for the general election ballot by submitting a sufficient number of voter signatures to election officials by March 17, 2022, although the deadline is functionally earlier—and uncertain—because signatures must first be verified by a county clerk. *Id.* § 20A-9-502 to -503. Independent candidates can begin the signature-gathering process after the previous general election.¹⁷

Primary Election: Ballots must be mailed to certain military and overseas voters by May 13, 2022. *Id.* § 20A-16-403(1). The primary will take place on June 28, 2022. *Id.* § 20A-1-201.5(1).

General Election: The Lieutenant Governor must certify the candidate list for the general election by August 31, 2022. *Id.* § 20A-9-701(1). Ballots must be mailed to certain military and overseas voters by September 23, 2022. *Id.* § 20A-16-403(1). The election will take place on November 8, 2022. *Id.* § 20A-1-201(1).

¹⁷ See Office of the Utah Lieutenant Governor, *State of Utah 2020 Candidate Manual* 19 (2020), <https://voteinfo.utah.gov/wp-content/uploads/sites/42/2020/03/2020-Candidate-Manual-3-13-20.pdf>.

Recommendation: Utah should allow its advisory commission the time necessary to undertake a public, transparent redistricting process by postponing its deadlines by three months to November 2021. The legislature should then complete redistricting during December 2021. This timeline will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and over two months for court review and county election administration adjustment (January – February 2022).

Vermont (VT)

- **Congressional Redistricting: No redistricting deadline.** Vermont has only one congressional seat and is unlikely to gain another.
- **State Redistricting: July 1, 2021 (draft state senate plan) and August 15, 2021 (draft state house plan).** Vt. Stat. Ann. tit. 17, §§ 1906, 1907. Vermont faces multiple deadlines in the state legislative redistricting process, though all are statutory. The state’s advisory redistricting commission must propose a redistricting plan for the state senate by July 1, 2021; the legislature can then adopt the plan or enact a different one. *Id.* tit. 17, § 1907. Also by July 1, 2021, the commission must propose a tentative plan for the state house. *Id.* § 1905. Municipalities can then offer comments and request meetings with commission members. *Id.* The commission must finalize a plan for the state house and send it to the legislature by August 15, 2021; the legislature can then enact the plan or substitute its own. *Id.* § 1906.

Candidate Filing: Candidates for the primary election must file by May 26, 2022. *Id.* § 2356(a). Filings must include a required number of voter signatures, *id.* § 2355; the relevant statutes do not seem to specify a first date on which candidates can begin signature collection, but the earliest permissible filing date is April 25, 2022, *id.* § 2356(a). Independent candidates can qualify for the general election ballot by submitting a sufficient number of signatures by August 4, 2022. *Id.* § 2402.

Primary Election: Town and county clerks must finalize candidate lists by May 29, 2022. *Id.* § 2359. The primary will take place on August 9, 2022. *Id.* § 2351.

General Election: Ballots must be mailed to certain military and overseas voters by September 23, 2022. *Id.* § 2539(c). The election will take place on November 8, 2022. *Id.* § 2103(15).

Recommendation: Vermont should postpone its advisory commission’s draft-plan deadlines to January 15, 2022, for the state senate and March 1, 2022, for the state house. These dates maintain the current staggered timeline while allowing sufficient time for a transparent process and do not encroach on the candidate filing deadline. This timeline will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), three to four-and-a-half months for a public redistricting process where draft and final maps can be displayed and discussed (October 2021 – January or March 2022), and at least two months for court review and county election administration adjustment (January or March – May 2022).

Virginia (VA)

- **Congressional Redistricting: January 4, 2022.** Va. Const. art. II, § 6-A. Virginia’s independent redistricting commission must propose a congressional redistricting plan to the legislature by November 29, 2021 (sixty days after the release of census data). *Id.* art. II, § 6-A(d). The legislature must approve or reject the proposed map within fifteen days (by December 14, 2021, at latest). *Id.* art. II, § 6-A(e)-(f). If the legislature rejects the proposal, the commission has fourteen days to submit an alternative plan, on which the legislature must vote within seven days—by January 4, 2022, at latest. *Id.* art. II, § 6-A(f).
 - **Backup Congressional Redistricting:** If the legislature rejects both plans proposed by the commission, or if the commission fails to submit plans, then the state supreme court must draw new maps; no deadline is set for the court to act. *Id.* art. II, § 6-A(f)-(g).
- **State Redistricting: December 20, 2021.** *Id.* art. II, § 6-A. Note that elections for the state legislature in 2021 will use the maps drawn in 2011; the new maps produced during this cycle will first be used in 2023. Virginia’s independent redistricting commission (the same body that conducts congressional redistricting) must propose new state legislative maps to the legislature by November 14, 2021 (forty-five days after the release of census data). *Id.* art. II, § 6-A(d). The legislature must approve or reject the proposed map within fifteen days (by November 29, 2021, at latest). *Id.* art. II, § 6-A(e)-(f). If the legislature rejects the proposed maps, the commission has fourteen days to submit alternative plans, on which the legislature must vote within seven days—by December 20, 2021, at latest. *Id.* art. II, § 6-A(f).
 - **Backup State Redistricting:** If the legislature rejects both plans proposed by the commission, or if the commission fails to submit plans, then the state supreme court must draw new maps; no deadline is set for the court to act. *Id.* art. II, § 6-A(f)-(g).

Candidate Filing:

- **2022 Congressional Election:** Candidates for the primary election must file by March 31, 2022. *Id.* § 24.2-522. Filings must be accompanied by a sufficient number of signatures; signature collection can begin on January 2, 2022. *Id.* § 24.2-521.
- **2023 State Legislative Election:** Candidates for the primary election must file by March 30, 2023. *Id.* § 24.2-522. Filings must be accompanied by a sufficient number of signatures; signature collection can begin on January 2, 2023. *Id.* § 24.2-521.

Primary Election:

- **2022 Congressional Election:** Absentee ballots must be available by April 30, 2022. *Id.* § 24.2-612. The primary will take place on June 14, 2022. *Id.* § 24.2-515.
- **2023 State Legislative Election:** Absentee ballots must be available by April 29, 2023. *Id.* § 24.2-612. The primary will take place on June 13, 2023. *Id.* § 24.2-515.

General Election:

- **2022 Congressional Election:** Absentee ballots must be available by September 24, 2022. *Id.* § 24.2-612. The election will take place on November 8, 2022. *Id.* § 24.2-101.
- **2023 State Legislative Election:** Absentee ballots must be available by September 23, 2023. *Id.* § 24.2-612. The election will take place on November 7, 2023. *Id.* § 24.2-101.

Recommendation: Virginia’s commission should take the full period available to ensure a public and transparent redistricting process. This timeline would allow up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least two to three months for a public redistricting process where draft and final maps can be displayed and discussed (October – November or December 2021), and roughly three months for court review of and county election administration adjustment to a new congressional map (January – March 2022). It would also leave well over a year for review and implementation of new state maps.

Washington (WA)

- **Congressional Redistricting:** November 15, 2021, is the deadline for the redistricting commission to submit a congressional redistricting plan to the legislature. Wash. Const. art. II, § 43(6). The legislature can modify the plans by a two-thirds vote in each house by the thirtieth day of the next legislative session; otherwise, the plan becomes law. *Id.* art. II, § 43(7). The 2021 regular session will end in April,¹⁸ although the Governor can convene a special session; the 2022 session begins on January 10, 2022, making February 9, 2022 its thirtieth day. *Id.* art. II, § 12; Wash. Rev. Code § 44.04.010.
 - **Backup Congressional Redistricting:** If the redistricting commission fails to approve a congressional plan by the November 15 deadline, the state “supreme court shall adopt a plan” by April 30, 2022. Wash. Const. art. II, § 43(6).
- **State Redistricting:** November 15, 2021, is the deadline for the redistricting commission to submit state legislative redistricting plans to the legislature. Wash. Const. art. II, § 43(6). The legislature can modify the plans by a two-thirds vote in each house by the thirtieth day of the next legislative session; otherwise, the plans become law. *Id.* art. II, § 43(7). The 2021 regular session will end in April,¹⁹ although the Governor can convene a special session; the 2022 session begins on January 10, 2022, making February 9, 2022 its thirtieth day. *Id.* art. II, § 12; Wash. Rev. Code § 44.04.010.
 - **Backup State Redistricting:** If the redistricting commission fails to approve new state legislative maps by the November 15 deadline, the state “supreme court shall adopt a plan” by April 30, 2022. Wash. Const. art. II, § 43(6).

Candidate Filing: All candidates must file by May 20, 2022. Wash. Rev. Code § 29A.24.050. Candidates can either pay a filing fee or submit a number of signatures equal to the dollar value of the filing fee. *Id.* § 29A.24.091.

Primary Election: The Secretary of State must certify the final list of primary candidates by May 24, 2022. *Id.* § 29A.36.010. The primary will take place on August 2, 2022. *Id.* § 29A.04.311.

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. *Id.* § 29A.40.070(2). The election will take place on November 8, 2022. *Id.* § 29A.04.321(1).

Recommendation: Consider seeking a court order moving the state and congressional redistricting deadlines to January 15, 2022. This will give up to seven months for community input prior to the

¹⁸ See *2021 Session Cutoff Calendar*, Wash. State Legislature, <https://leg.wa.gov/legislature/pages/cutoff.aspx>.

¹⁹ See *2021 Session Cutoff Calendar*, Wash. State Legislature, <https://leg.wa.gov/legislature/pages/cutoff.aspx>.

release of census data for redistricting (March – September 2021), over three months for a public redistricting process where draft and final maps can be displayed and discussed (October 1, 2021 – January 15, 2022), and four months for court review and county election administration adjustment (January – May 2022).

West Virginia (WV)

- **Congressional Redistricting: No redistricting deadline.**
- **State Redistricting: No redistricting deadline.**

Candidate Filing: Candidates for the primary election must file by January 29, 2022. W. Va. Code § 3-5-7(c). Candidates can avoid paying a filing fee by submitting voter signatures, which they can begin collecting on January 10, 2022. *Id.* § 3-5-8a. Independent candidates can access the general election ballot by filing a sufficient number of voter signatures (with the required total tied to past turnout) by August 1, 2022. *Id.* §§ 3-5-23 to -24. Independent candidates must obtain clearance from county clerks before beginning signature collection. *Id.* § 3-5-23(b).

Primary Election: The Secretary of State must finalize the primary ballot by February 15, 2022. *Id.* § 3-5-9. The primary will take place on May 10, 2022. *Id.* § 3-5-1.

General Election: The Secretary of State must finalize the ballot by August 29, 2022. *Id.* § 3-5-18(b). The election will take place on November 8, 2022. *Id.* § 3-1-31.

Recommendation: Take the time necessary to ensure a public, transparent redistricting process by postponing the deadlines for candidate filing and ballot finalization to March 2022 and taking until December 31, 2021, to draw new maps. This timeline will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and over two months for court review and county election administration adjustment (January – March 2022).

Wisconsin (WI)

- **Congressional Redistricting:** Wisconsin does not have a specific deadline for congressional redistricting. The Governor has issued an executive order creating a redistricting commission to hold public hearings in each of the state’s congressional districts and, “[a]s soon as practicably possible after the 2020 Census data is made available,” propose new maps to the legislature, although the body does not have any binding authority. Wis. Exec. Order No. 66 (2020).
- **State Redistricting:** The legislature must complete state legislative redistricting at “its first session after each enumeration.” Wis. Const. art. IV, § 3. The 2021 session began in January and runs until the end of the year. Wis. Stat. § 13.02(2).

Candidate Filing: All candidates, whether running in a primary or as an independent, must file by June 1, 2022 (or June 4, 2022, if an incumbent declines to run for reelection and does not file a notice of that

decision sufficiently in advance of the filing deadline). *Id.* §§ 8.15(1), 8.20(8)(a). All candidates must solicit a required number of voter signatures between April 15, 2022 and the filing deadline. *Id.* §§ 8.15(1), 8.20(8)(a); *see also id.* § 8.15(6) (setting required signature total for each office).

Primary Election: Ballots must be mailed to certain military and overseas voters by June 25, 2022. 52 U.S.C. § 20302(a)(8)(A). The primary will take place on August 9, 2022. Wis. Stat. § 5.02(12s).

General Election: Ballots must be mailed to certain military and overseas voters by September 24, 2022. 52 U.S.C. § 20302(a)(8)(A). The election will take place on November 8, 2022. Wis. Const. art. XIII, § 1

Recommendation: Take the time necessary for a public and transparent redistricting process. The legislature should aim to finalize new maps by December 31, 2021. This timeline will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least three months for a public redistricting process where draft and final maps can be displayed and discussed (October – December 2021), and roughly five months for court review and county election administration adjustment (January – May 2022).

Wyoming (WY)

- **Congressional Redistricting: No redistricting deadline.** Wyoming currently has only one House seat and is unlikely to gain one in this cycle, so congressional redistricting should not be an issue.
- **State Redistricting: Approximately March 8, 2022.** Wyo. Const. art. III, § 48; Wyo. Stat. Ann. § 28-1-102(b). The “legislature shall reapportion its membership” during “the first budget session of the legislature following the federal census.” Wyo. Const. art. III, § 48. The 2022 budget session begins on February 14, 2022, Wyo. Stat. Ann. § 28-1-102(b); budget sessions “typically last 20 legislative days,”²⁰ and the legislature is limited to forty working days for the year unless there is a special session, Wyo. Const. art. III, § 6. Twenty working days (excluding Sundays) from February 14 produces an approximate end date of March 8, 2022. As a comparison point, the last two redistricting plans have both passed in early March of the year ending in two.²¹

Candidate Filing: Candidates for the primary election must file by May 27, 2022. Wyo. Stat. § 22-5-209. There is no signature requirement and no option to avoid a filing fee by submitting signatures. *Id.* § 22-5-208(b). Independent candidates can access the general election ballot by collecting signatures. *Id.* § 22-5-301(a). Signature collection can begin January 1, 2022, *id.* § 22-5-305(a), and candidates must file signatures by August 29, 2022, *id.* § 22-5-307.

Primary Election: The Secretary of State must send county clerks finalized candidate lists by June 9, 2022. *Id.* § 22-5-209. The primary will take place on August 16, 2022. *Id.* § 22-2-104(b).

General Election: The Secretary of State must send county clerks finalized candidate lists by September 10, 2022. *Id.* § 22-6-101. The election will take place on November 8, 2022. *Id.* § 22-2-104(a).

²⁰ *Attending Legislative Session*, State of Wyo. 66th Legislature, <https://www.wyoleg.gov/citizenEngagement/AttendLegSession>.

²¹ Justin Levitt, *Wyoming*, All About Redistricting, <https://redistricting.ils.edu/state/wyoming>.

Recommendation: Wyoming, which does not face any pressing deadlines, should take the time necessary to ensure a public, transparent redistricting process. The legislature should aim to finalize maps in March 2022. This timeline will give up to seven months for community input prior to the release of census data for redistricting (March – September 2021), at least five months for a public redistricting process where draft and final maps can be displayed and discussed (October 2021 – February 2022), and over two months for court review and county election administration adjustment (March – May 2022).