

A BILL

To establish the use of ranked choice voting for the election of Members of the House of Representatives, require multi-member districts in any state with more than one Representative, require that redistricting be conducted through independent commissions, and for other purposes.

1 *Be it enacted by the Senate and House of Representatives of*
2 *the United States of America in Congress assembled,*

3 **SEC. 1. SHORT TITLE; FINDING OF CONSTITUTIONAL**
4 **AUTHORITY.**

5 (a) SHORT TITLE.—This Act may be cited as the “Ranked
6 Choice Voting Act”.

7 (b) FINDING.—Congress finds that it has the authority to
8 establish the terms and conditions States must follow in carrying
9 out Congressional redistricting and elections because—

10 (1) the authority granted to Congress under article I,
11 section 4 of the Constitution of the United States gives
12 Congress the power to enact laws governing the time, place,
13 and manner of elections for Members of the House of
14 Representatives; and

15 (2) the authority granted to Congress under section 5 of
16 the fourteenth amendment to the Constitution gives
17 Congress the power to enact laws to enforce section 2 of such
18 amendment, which requires Representatives to be
19 apportioned among the several States according to their
20 number.

21 **SEC. 2. REQUIRING ELECTION OF REPRESENTATIVES BY**
22 **RANKED CHOICE VOTING.**

23 (a) ELECTION OF REPRESENTATIVES BY RANKED CHOICE
24 VOTING.—Each State shall elect each of its Representatives to
25 Congress by ranked choice voting, as described in section 3.

1 (b) PRIMARY ELECTIONS.—If the State determines which
2 candidates will appear on the general election ballot, in whole or
3 in part, by one or more state-administered primary elections,
4 each primary election shall be conducted by ranked choice
5 voting, as described in section 3, in the same districts to be used
6 in the general election. The State may establish, by law, the
7 ballot format and additional rules for counting the votes, so long
8 as those rules are consistent with this section, and so long as—

9 (1) in a State that conducts primary elections for the
10 purpose of choosing the nominees of political parties, the
11 rules allow for the nomination of a number of candidates per
12 political party equal to the number of Representatives to be
13 elected in the district, unless a political party adopts a rule to
14 limit or expand the number of nominees allowed; and

15 (2) in a State that conducts a primary election in which
16 some number of candidates receiving the greatest number of
17 votes appear on the general election ballot regardless of
18 political party preference, the rules provide for a number of
19 candidates to advance to the general election ballot equal to
20 the greater of twice the number of Representatives to be
21 elected in the district or five, unless the State, by law,
22 expands the number of candidates to advance to the general
23 election.

24 **SEC. 3. RANKED CHOICE VOTING.**

25 (a) RANKED CHOICE VOTING BALLOT.—In any contest
26 conducted by ranked choice voting, the ballot shall allow voters
27 to rank candidates in order of choice. Additionally, it shall meet
28 the following specifications:

29 (1) The ballot shall be simple and easy to understand.

30 (2) If feasible, the ballot shall allow voters to rank every
31 candidate in a contest and at least three write-in candidates.

1 If it is not feasible to allow voters to rank that number of
2 candidates, the number of allowable rankings may be limited
3 to no fewer than six.

4 (3) Instructions on the ballot shall conform substantially
5 to the following specifications, subject to usability testing
6 and modification based on ballot design and voting system:
7 “Vote by indicating your 1st choice candidate and ranking
8 additional candidates in order of choice. Indicate your 1st
9 choice by marking the number “1” beside a candidate’s
10 name, your 2nd choice by marking the number “2” beside a
11 candidate’s name, your 3rd choice by marking the number
12 “3” beside a candidate’s name, and so on. Rank as many
13 choices as you wish. Marking a 2nd or later preference will
14 not count against your 1st choice. Do not skip numbers, and
15 do not mark the same number beside more than one
16 candidate.”

17 (b) MULTI-SEAT RANKED CHOICE VOTING TABULATION.—
18 In any contest for more than one office conducted by ranked
19 choice voting, tabulation shall proceed in rounds. In the first
20 round, each validly cast ballot shall be counted as one vote for
21 the candidate at its highest continuing ranking or as an exhausted
22 ballot. The election threshold shall be calculated. Tabulation
23 shall then proceed sequentially as follows:

24 (1) If the number of continuing candidates whose vote
25 totals exceed the election threshold is equal to the number of
26 seats remaining to be filled, those candidates are elected and
27 the tabulation is complete. If the number of continuing
28 candidates is equal to or less than the number of offices
29 remaining to be filled, then all continuing candidates are
30 elected and the tabulation is complete. Otherwise, the
31 tabulation continues to subparagraph (b)(2).

1 (2) The number of surplus votes for any candidates
2 whose vote totals are greater than the election threshold shall
3 be calculated. Any continuing candidates who have vote
4 totals that exceed the election threshold are elected. The
5 surplus fraction for each such candidate shall be calculated.
6 For any candidates with a surplus fraction greater than zero,
7 the new transfer value of each vote cast for those candidates
8 shall be calculated. Votes for those candidates shall be
9 added, at their new transfer values, to the totals of each
10 ballot's highest-ranked continuing candidate or counted as
11 exhausted ballots, and a new round begins with
12 subparagraph (b)(1). In all subsequent rounds, any
13 candidates elected under this subsection shall have vote
14 totals equal to the election threshold. If no candidate has a
15 surplus fraction greater than zero, the tabulation continues to
16 subparagraph (b)(3).

17 (3) The candidate with the fewest votes is defeated.
18 Then, if the number of continuing candidates is equal to the
19 number of seats remaining to be filled, all continuing
20 candidates are elected, votes for the defeated candidate are
21 not added to the totals of any other candidates and the
22 tabulation is complete. Otherwise, votes for the defeated
23 candidate shall cease counting for the defeated candidate and
24 shall be added, at their current transfer values, to the totals
25 of each ballot's next-ranked continuing candidate or counted
26 as exhausted ballots, and a new round begins with
27 subparagraph (b)(1).

28 (c) SINGLE-SEAT RANKED CHOICE VOTING TABULATION.—
29 In any contest for exactly one office conducted by ranked choice
30 voting, each validly cast ballot shall be initially counted as one
31 vote for the candidate at its highest continuing ranking or as an

1 exhausted ballot. If a candidate has more than half of the total
2 votes counting for candidates, that candidate is elected and the
3 tabulation is complete. Otherwise, tabulation proceeds in
4 rounds. Each round shall proceed sequentially as follows:

5 (1) If two or fewer continuing candidates remain, the
6 candidate with the greatest number of votes is elected and
7 the tabulation is complete. Otherwise, the tabulation
8 continues to subparagraph (c)(2).

9 (2) The candidate with the fewest votes is defeated.
10 Votes for the defeated candidates shall cease counting for the
11 defeated candidate and shall be added to the totals of each
12 ballot's next-ranked continuing candidate or counted as
13 exhausted ballots, and a new round begins with
14 subparagraph (c)(1).

15 (d) BATCH ELIMINATION.—The tabulation described in
16 subsections (b) and (c) may optionally be augmented to include
17 batch elimination. If batch elimination is included, then all
18 candidates who can be mathematically eliminated, if any, shall
19 be defeated by batch elimination and votes for the defeated
20 candidates shall cease counting for those candidates and be
21 added, at their current transfer values, to the totals of each
22 ballot's highest-ranked continuing candidate or counted as
23 exhausted ballots as follows:

24 (1) For multi-seat contests, batch elimination shall occur
25 immediately prior to any start of subparagraph (b)(3). If no
26 candidates are defeated by batch elimination in a round, the
27 tabulation shall continue to subparagraph (b)(3). Otherwise,
28 if the number of continuing candidates is equal to the number
29 of seats remaining to be filled, all continuing candidates are
30 elected, votes for the defeated candidates are not added to
31 the totals of any other candidates and the tabulation is

1 complete. Otherwise, a new round begins with subparagraph
2 (b)(1).

3 (2) For single-seat contests, batch elimination shall occur
4 immediately prior to any start of subsection (c)(2). If no
5 candidates are defeated by batch elimination in a round, the
6 tabulation shall continue to subparagraph (c)(2). Otherwise,
7 a new round begins with subparagraph (c)(1).

8 (e) TIES.—Election officials shall resolve prospective ties
9 between candidates before the election by publicly determining
10 a randomized ordering of the alphabet. If a tie to determine
11 which candidate has the greatest number of votes or the fewest
12 votes occurs at any point in the tabulation procedure described
13 in subsections (b) or (c), and the tabulation cannot proceed until
14 the tie is resolved, then the tied candidate who is considered to
15 have the greater number of votes shall be the candidate whose
16 name appears earliest on the list of candidate names arranged,
17 last name first, in accordance with this randomized alphabet.

18 (f) DEFINITIONS.—For the purposes of this section, the
19 following terms have the following meanings:

20 (1) “Batch elimination” means a simultaneous defeat of
21 one or more continuing candidates that can be
22 mathematically eliminated.

23 (2) “Can be mathematically eliminated” means a
24 candidate is part of a group of candidates such that:

25 (A) if a candidate is in the group, then every
26 continuing candidate with equal or fewer votes is also in
27 the group;

28 (B) the total of votes for all candidates in the group
29 is less than the number of votes for any continuing
30 candidate not in the group;

1 (C) for a multi-seat contest, the total votes for all
2 candidates in the group is less than the election
3 threshold;

4 (D) for a multi-seat contest, there are at least as many
5 continuing candidates not in the group as there are seats
6 remaining to be filled; and

7 (E) for a single-seat contest, there are at least two
8 continuing candidates not in the group.

9 (3) “Continuing candidate” means any candidate that has
10 not been defeated or elected.

11 (4) “Elected” means:

12 (A) in the context of a general election, elected to an
13 office;

14 (B) in the context of a primary election to choose the
15 nominees of a political party, nominated by a political
16 party; or

17 (C) in the context of a primary election in which
18 some number of candidates advance to the general
19 election ballot regardless of political party preference,
20 advanced to the general election.

21 (5) “Election threshold” means the number of votes
22 sufficient for a candidate to be elected. The election
23 threshold is calculated by dividing the total number of votes
24 counting for candidates in the first round by the sum of one
25 plus the number of offices to be filled, rounding up to four
26 decimal places.

27 (6) “Exhausted ballot” means a ballot that is not counted
28 for any continuing candidate for one or more of the
29 following reasons:

30 (A) It does not rank any continuing candidates;

1 (B) its highest continuing ranking contains an
2 overvote; or

3 (C) it includes two or more skipped rankings prior to
4 its highest continuing ranking.

5 (7) “Highest continuing ranking” means the highest
6 ranking for any continuing candidate.

7 (8) “Overvote” means a voter has ranked more than one
8 candidate at the same ranking.

9 (9) “Ranked choice voting” means an election method in
10 which voters rank candidates in order of choice and votes are
11 tabulated by the procedures described in this section.

12 (10) “Ranking” means the number assigned by a voter to
13 a candidate to express the voter’s choice for that candidate.
14 A ranking of “1” is the highest ranking followed by “2” and
15 then “3” and so on.

16 (11) “Round” means an instance of the sequence of
17 voting tabulation beginning with subsection (b)(1) of this
18 section for multi-seat contests or (c)(1) of this section for
19 single-seat contests.

20 (12) “Skipped ranking” means a voter has left a ranking
21 blank and ranks a candidate at a subsequent ranking.

22 (13) “Surplus” means a positive difference between a
23 candidate’s vote total and the election threshold.

24 (14) “Surplus fraction” means the number equal to a
25 candidate’s surplus divided by that candidate’s vote total,
26 calculated to four decimal places, ignoring any remainder.

27 (15) “Transfer value” means the proportion of a vote that
28 a ballot will contribute to its highest continuing ranking.
29 Each ballot begins with a transfer value of 1. If a ballot
30 transfers from an elected candidate with a surplus, it receives
31 a new transfer value. The new transfer value of such a ballot

1 is calculated by multiplying the surplus fraction of the
2 elected candidate by the ballot's current transfer value,
3 calculated to four decimal places, ignoring any remainder.

4 **SEC. 4. USE OF MULTI-MEMBER DISTRICTS.**

5 The Act entitled "An Act for the relief of Doctor Ricardo
6 Vallejo Samala and to provide for congressional redistricting",
7 approved December 14, 1967 (2 U.S.C. 2c), is amended by
8 striking "In each state" and all that follows and inserting the
9 following:

10 (a) MULTI-MEMBER DISTRICTS IN STATES WITH MORE THAN
11 FIVE REPRESENTATIVES.—In each State entitled in the One
12 Hundred Seventeenth Congress or in any Congress thereafter to
13 more than five representatives in Congress under an
14 appointment made pursuant to the provisions of section 22(a) of
15 the Act entitled 'An Act to provide for the fifteenth and
16 subsequent decennial censuses and to provide for an
17 apportionment of Representatives in Congress', approved June
18 18, 1929 (2 U.S.C. 2a), there shall be established a number of
19 districts that is less than the number of Representatives to which
20 the state is entitled in the manner provided by the Ranked Choice
21 Voting Act.

22 (b) AT-LARGE ELECTIONS IN STATES WITH FEWER THAN SIX
23 REPRESENTATIVES.—Each State entitled in the One Hundred
24 Seventeenth Congress or in any Congress thereafter to fewer
25 than six representatives in Congress under an appointment made
26 pursuant to the provisions of section 22(a) of the Act entitled
27 'An Act to provide for the fifteenth and subsequent decennial
28 censuses and to provide for an apportionment of Representatives
29 in Congress', approved June 18, 1929 (2 U.S.C. 2a), shall elect
30 all Representatives at-large.

1 (c) LIMIT ON CONGRESSIONAL REDISTRICTING AFTER AN
2 APPORTIONMENT.—A state which has been redistricted in the
3 manner provided by law after an apportionment under section
4 22(a) of the Act entitled ‘An Act to provide for the fifteenth and
5 subsequent decennial censuses and to provide for an
6 apportionment of Representatives in Congress’, approved June
7 18, 1929 (2 U.S.C. 2a), may not be redistricted again until after
8 the next apportionment of Representatives under such section,
9 unless a court requires the State to conduct such subsequent
10 redistricting to comply with the Constitution, enforce the Voting
11 Rights Act of 1965 (42 U.S.C. 1973 et seq.), or to comply with
12 this Act or other applicable federal law.

13 **SEC. 5. REQUIRING REDISTRICTING TO BE CONDUCTED**
14 **THROUGH PLAN OF INDEPENDENT STATE**
15 **COMMISSION.**

16 (a) USE OF PLAN REQUIRED.—Notwithstanding any other
17 provision of law, any Congressional redistricting conducted by
18 a State shall be conducted in accordance with—

19 (1) the redistricting plan developed and enacted into law
20 by the independent redistricting commission established in
21 the state, in accordance with sections 6 through 9; or

22 (2) if a plan developed by such commission is not
23 enacted into law, the redistricting plan developed and
24 enacted into law by a 3-judge court of the United States
25 District Court for the District of Columbia, in accordance
26 with section 10.

27 (b) CONFORMING AMENDMENT.—Section 22(c) of the Act
28 entitled “An Act to provide for the fifteenth and subsequent
29 decennial censuses and to provide for an apportionment of
30 Representatives in Congress”, approved June 18, 1929 (2 U.S.C.
31 2a(c)), is amended by striking “in the manner provided by the

1 law thereof” and inserting: “in the manner provided by the
2 Ranked Choice Voting Act”.

3 **SEC. 6. INDEPENDENT REDISTRICTING COMMISSION.**

4 (a) APPOINTMENT OF MEMBERS.—

5 (1) IN GENERAL.—The nonpartisan agency established or
6 designated by a State under section 9(a) shall establish an
7 independent redistricting commission for the State, which
8 shall consist of 12 members appointed by the agency as
9 follows:

10 (A) The agency shall appoint 4 members on a
11 random basis from the majority category of the approved
12 selection pool (as described in section 7(b)(1)(A)).

13 (B) The agency shall appoint 4 members on a random
14 basis from the minority category of the approved
15 selection pool (as described in section 7(b)(1)(B)).

16 (C) The agency shall appoint 4 members on a random
17 basis from the independent category of the approved
18 selection pool (as described in section 7(b)(1)(C)).

19 (2) APPOINTMENT OF ALTERNATES TO SERVE IN CASE OF
20 VACANCIES.—At the time the agency appoints the members
21 of the independent redistricting commission under
22 paragraph (1) from one of the categories referred to in such
23 paragraph, the agency shall, on a random basis, designate 2
24 other individuals from such category to serve as alternate
25 members who may be appointed to fill vacancies in the
26 commission in accordance with paragraph (3).

27 (3) VACANCY.—If a vacancy occurs in the commission
28 with respect to a member who was appointed from one of the
29 categories referred to in paragraph (1), the nonpartisan
30 agency shall fill the vacancy by appointing, on a random
31 basis, one of the 2 alternates from such category who was

1 designated under paragraph (2). At the time the agency
2 appoints an alternate to fill a vacancy under the previous
3 sentence, the agency shall designate, on a random basis,
4 another individual from the same category to serve as an
5 alternate member, in accordance with paragraph (2).

6 (b) PROCEDURES FOR CONDUCTING COMMISSION
7 BUSINESS.—

8 (1) CHAIR.—Members of an independent redistricting
9 commission established under this section shall select by
10 majority vote one member who was appointed from the
11 independent category of the approved selection pool
12 described in section 7(b)(1)(C) to serve as chair of the
13 commission. The commission may not take any action to
14 develop a redistricting plan for the State under section 8 until
15 the appointment of the commission's chair.

16 (2) REQUIRING MAJORITY APPROVAL FOR ACTIONS.—The
17 independent redistricting commission of a State may not
18 publish and disseminate any draft or final redistricting plan,
19 or take any other action, without the approval of at least a
20 majority of its members given at a meeting at which at least
21 a majority of its members are present.

22 (3) QUORUM.—A majority of the members of the
23 commission shall constitute a quorum.

24 (c) STAFF; CONTRACTORS.—

25 (1) STAFF.—The independent redistricting commission
26 of a State may appoint and set the pay of such staff as it
27 considers appropriate, subject to State law.

28 (2) CONTRACTORS.—The independent redistricting
29 commission of a State may enter into such contracts with
30 vendors as it considers appropriate, subject to State law,
31 except that any such contract shall be valid only if approved

1 by the vote of a majority of the members of the commission,
2 including at least one member appointed from each of the
3 categories of the approved selection pool described in
4 section 7(b)(1).

5 (3) GOAL OF IMPARTIALITY.—The commission shall take
6 such steps as it considers appropriate to ensure that any staff
7 appointed under this subsection, and any vendor with whom
8 the commission enters into a contract under this subsection,
9 will work in an impartial manner, and may require any
10 person who applies for an appointment to a staff position or
11 for a vendor’s contract with the commission to provide
12 information on the person’s history of political activity
13 (including donations to candidates, political committees, and
14 political parties) as a condition of the appointment or the
15 contract.

16 (d) TERMINATION.—

17 (1) IN GENERAL.—The independent redistricting
18 commission of a State shall terminate on the earlier of—

19 (A) June 14 of the following year ending in the
20 numeral zero; or

21 (B) the day on which the nonpartisan agency
22 established or designated by a State under section 9(a)
23 has, in accordance with section 7(b)(1), submitted a
24 selection pool to the Select Committee on Redistricting
25 for the State established under section 9(b).

26 (2) PRESERVATION OF RECORDS.—The State shall ensure
27 that the records of the independent redistricting commission
28 are retained in the appropriate State archive in such manner
29 as may be necessary to enable the State to respond to any
30 civil action brought with respect to Congressional
31 redistricting in the State.

1 **SEC. 7. ESTABLISHMENT OF SELECTION POOL OF**
2 **INDIVIDUALS ELIGIBLE TO SERVE AS**
3 **MEMBERS OF COMMISSION.**

4 (a) **CRITERIA FOR ELIGIBILITY.—**

5 (1) **IN GENERAL.—**An individual is eligible to serve as a
6 member of an independent redistricting commission if the
7 individual meets each of the following criteria:

8 (A) As of the date of appointment, the individual is
9 registered to vote in elections for Federal office held in
10 the State.

11 (B) During the 3-year period ending on the date of
12 the individual's appointment, the individual has been
13 continuously registered to vote with the same political
14 party, or has not been registered to vote with any political
15 party.

16 (C) The individual submits to the non-partisan
17 agency established or designated by a State under section
18 8, at such time and in such form as the agency may
19 require, an application for inclusion in the selection pool
20 under this section, and includes with the application a
21 written statement containing the following information
22 and assurances:

23 (i) A statement of the political party with which
24 the individual is affiliated, if any.

25 (ii) An assurance that the individual shall commit
26 to carrying out the individual's duties under this Act
27 in an honest, independent, and impartial fashion, and
28 to upholding public confidence in the integrity of the
29 redistricting process.

30 (iii) An assurance that, during the covered
31 periods described in paragraph (3), the individual has
32 not taken and will not take any action which would

1 disqualify the individual from serving as a member
2 of the commission under paragraph (2).

3 (2) DISQUALIFICATIONS.—An individual is not eligible
4 to serve as a member of the commission if any of the
5 following applies during any of the covered periods
6 described in paragraph (3):

7 (A) The individual or (in the case of the covered
8 periods described in subparagraphs (A) and (B) of
9 paragraph (3)) an immediate family member of the
10 individual holds public office or is a candidate for
11 election for public office.

12 (B) The individual or (in the case of the covered
13 periods described in subparagraphs (A) and (B) of
14 paragraph (3)) an immediate family member of the
15 individual serves as an officer of a political party or as
16 an officer, employee, or paid consultant of a campaign
17 committee of a candidate for public office.

18 (C) The individual or (in the case of the covered
19 periods described in subparagraphs (A) and (B) of
20 paragraph (3)) an immediate family member of the
21 individual holds a position as a registered lobbyist under
22 the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et
23 seq.) or an equivalent State or local law.

24 (D) The individual or (in the case of the covered
25 periods described in subparagraphs (A) and (B) of
26 paragraph (3)) an immediate family member of the
27 individual is an employee of an elected public official, a
28 contractor with the legislature of the State, or a donor to
29 the campaign of any candidate for public office (other
30 than a donor who gives an aggregate amount of less than

1 \$20,000 to the campaigns of all candidates for all public
2 offices).

3 (3) COVERED PERIODS DESCRIBED.—In this subsection,
4 the term “covered period” means, with respect to the
5 appointment of an individual to the commission, any of the
6 following:

7 (A) The 5-year period ending on the date of the
8 individual’s appointment.

9 (B) The period beginning on the date of the
10 individual’s appointment and ending on August 14 of the
11 next year ending in the numeral one.

12 (C) The 5-year period beginning on the date after the
13 last day of the period described in subparagraph (B).

14 (4) IMMEDIATE FAMILY MEMBER DEFINED.—In this
15 subsection, the term “immediate family member” means,
16 with respect to an individual, a father, stepfather, mother,
17 stepmother, son, stepson, daughter, stepdaughter, brother,
18 stepbrother, sister, stepsister, husband, wife, father-in-law,
19 or mother-in-law.

20 (b) DEVELOPMENT AND SUBMISSION OF SELECTION POOL.—

21 (1) IN GENERAL.—Not later than June 15 of each year
22 ending in the numeral zero, the nonpartisan agency
23 established or designated by a State under section 9(a) shall
24 develop and submit to the Select Committee on Redistricting
25 for the State established under section 9(b) a selection pool
26 of 60 individuals who are eligible to serve as members of the
27 independent redistricting commission of the State under this
28 Act, consisting of individuals in the following categories:

29 (A) A majority category, consisting of 20 individuals
30 who are affiliated with the political party with the largest
31 percentage of the registered voters in the State who are

1 affiliated with a political party (as determined with
2 respect to the most recent Statewide election for Federal
3 office held in the State for which such information is
4 available).

5 (B) A minority category, consisting of 20 individuals
6 who are affiliated with the political party with the second
7 largest percentage of the registered voters in the State
8 who are affiliated with a political party (as so
9 determined).

10 (C) An independent category, consisting of 20
11 individuals who are not affiliated with either of the
12 political parties described in subparagraph (A) or
13 subparagraph (B).

14 (2) FACTORS TAKEN INTO ACCOUNT IN DEVELOPING
15 POOL.—In selecting individuals for the selection pool under
16 this subsection, the nonpartisan agency shall—

17 (A) to the maximum extent practicable, ensure that
18 the pool reflects the representative demographic groups
19 (including races, ethnicities, and genders) and
20 geographic regions of the State; and

21 (B) take into consideration the analytical skills of the
22 individuals selected in relevant fields (including
23 mapping, data management, law, community outreach,
24 demography, and the geography of the State) and their
25 ability to work on an impartial basis.

26 (3) DETERMINATION OF POLITICAL PARTY AFFILIATION OF
27 INDIVIDUALS IN SELECTION POOL.—For purposes of this
28 section, an individual shall be considered to be affiliated
29 with a political party on the basis of the information the
30 individual provides in the application submitted under
31 subsection (a)(1)(D).

1 (4) ENCOURAGING RESIDENTS TO APPLY FOR INCLUSION
2 IN POOL.—The nonpartisan agency shall take such steps as
3 may be necessary to ensure that residents of the State across
4 various geographic regions and demographic groups are
5 aware of the opportunity to serve on the independent
6 redistricting commission, including publicizing the role of
7 the panel and using newspapers, broadcast media, and online
8 sources to encourage individuals to apply for inclusion in the
9 selection pool developed under this subsection.

10 (5) REPORT ON ESTABLISHMENT OF SELECTION POOL.—
11 At the time the nonpartisan agency submits the selection
12 pool to the Select Committee on Redistricting under
13 paragraph (1), it shall publish a report describing the process
14 by which the pool was developed, and shall include in the
15 report a description of how the individual in the pool meet
16 the eligibility criteria of subsection (a) and of how the pool
17 reflects the factors the agency is required to take into
18 consideration under paragraph (2).

19 (6) ACTION BY SELECT COMMITTEE.—

20 (A) IN GENERAL.—Not later than 14 days after
21 receiving the selection pool from the nonpartisan agency
22 under paragraph (1), the Select Committee on
23 Redistricting shall—

24 (i) approve the pool as submitted by the
25 nonpartisan agency, in which case the pool shall be
26 considered the approved selection pool for purposes
27 of section 6(a)(1); or

28 (ii) reject the pool, in which case the nonpartisan
29 agency shall develop and submit a replacement
30 selection pool in accordance with subsection (c).

1 (B) INACTION DEEMED REJECTION.—If the Select
2 Committee on Redistricting fails to approve or reject the
3 pool within the deadline set forth in subparagraph (A),
4 the Select Committee shall be deemed to have rejected
5 the pool for purposes of such subparagraph.

6 (c) DEVELOPMENT OF REPLACEMENT SELECTION POOL.—

7 (1) IN GENERAL.—If the Select Committee on
8 Redistricting rejects the selection pool submitted by the
9 nonpartisan agency under subsection (b), not later than 14
10 days after the rejection the nonpartisan agency shall develop
11 and submit to the Select Committee a replacement selection
12 pool, under the same terms and conditions that applied to the
13 development and submission of the selection pool under
14 paragraphs (1) through (5) of subsection (b).

15 (2) ACTION BY SELECT COMMITTEE.—

16 (A) IN GENERAL.—Not later than 14 days after
17 receiving the replacement selection pool from the
18 nonpartisan agency under paragraph (1), the Select
19 Committee on Redistricting shall—

20 (i) approve the pool as submitted by the
21 nonpartisan agency, in which case the pool shall be
22 considered the approved selection pool for purposes
23 of section 6(a)(1); or

24 (ii) reject the pool, in which case the nonpartisan
25 agency shall develop and submit a second
26 replacement selection pool in accordance with
27 subsection (d).

28 (B) INACTION DEEMED REJECTION.—If the Select
29 Committee on Redistricting fails to approve or reject the
30 pool within the deadline set forth in subparagraph (A),

1 the Select Committee shall be deemed to have rejected
2 the pool for purposes of such subparagraph.

3 (d) DEVELOPMENT OF SECOND REPLACEMENT SELECTION
4 POOL.—

5 (1) In general.—If the Select Committee on Redistricting
6 rejects the replacement selection pool submitted by the
7 nonpartisan agency under subsection (b), not later than 14
8 days after the rejection the nonpartisan agency shall develop
9 and submit to the Select Committee a second replacement
10 selection pool, under the same terms and conditions that
11 applied to the development and submission of the selection
12 pool under paragraphs (1) through (5) of subsection (b).

13 (2) ACTION BY SELECT COMMITTEE.—

14 (A) IN GENERAL.—Not later than 14 days after
15 receiving the replacement selection pool from the
16 nonpartisan agency under paragraph (1), the Select
17 Committee on Redistricting shall—

18 (i) approve the pool as submitted by the
19 nonpartisan agency, in which case the pool shall be
20 considered the approved selection pool for purposes
21 of section 6(a)(1); or

22 (ii) reject the pool, in which case—

23 (I) the nonpartisan agency shall not develop
24 or submit any other selection pool for purposes
25 of this Act; and

26 (II) the United States District Court for the
27 District of Columbia shall develop and enact the
28 redistricting plan for the State, in accordance
29 with section 10.

30 (B) INACTION DEEMED REJECTION.—If the Select
31 Committee on Redistricting fails to approve or reject the

1 pool within the deadline set forth in subparagraph (A),
2 the Select Committee shall be deemed to have rejected
3 the pool for purposes of such subparagraph.

4 **SEC. 8. CRITERIA FOR REDISTRICTING PLAN BY**
5 **INDEPENDENT COMMISSION; PUBLIC NOTICE**
6 **AND INPUT.**

7 (a) DEVELOPMENT OF REDISTRICTING PLAN.—

8 (1) CRITERIA.—The independent redistricting
9 commission of a State shall develop a redistricting plan for
10 the State in accordance with the following criteria,
11 prioritized according to the following order:

12 (A) Districts shall each have equal population per
13 representative as nearly as practicable, in accordance
14 with the Constitution of the United States.

15 (B) Ensuring that districts are contiguous (except to
16 the extent necessary to include any area which is
17 surrounded by a body of water).

18 (C) All multi-member districts elect at least three
19 Representatives and no multi-member districts elect
20 more than five Representatives.

21 (D) Consistency with any applicable requirements of
22 the Voting Rights Act of 1965 and other Federal laws.

23 (E) To the extent practicable, ensuring that districts
24 reflect diversity of political opinion by including no
25 districts such that—

26 (i) the district elects exactly three
27 Representatives and the nominee for one political
28 party for president received at least 75% of the votes
29 cast for president in two of the three most recent
30 presidential elections;

31 (ii) the district elects exactly four
32 Representatives and the nominee for one political

1 party for president received at least 80% of the votes
2 cast for president in two of the three most recent
3 presidential elections; or

4 (iii) the district elects exactly five
5 Representatives and the nominee for one political
6 party for president received at least 83% of the votes
7 cast for president in two of the three most recent
8 presidential elections.

9 (F) To the extent practicable, minimizing the number
10 of districts electing exactly four Representatives.

11 (G) To the extent practicable, maximizing the
12 number of districts electing exactly five Representatives.

13 (H) To the extent practicable, minimizing the
14 division of any municipality, county, neighborhood, or
15 community of interest. For purposes of this
16 subparagraph, a community of interest is a contiguous
17 population which shares common social or economic
18 interests that should be included within a single district
19 for purposes of its effective and fair representation.
20 Examples of such shared interests are those common to
21 an urban area, a rural area, an industrial area, or an
22 agricultural area, and those common to areas in which
23 the people share similar living standards, use the same
24 transportation facilities, have similar work opportunities,
25 or have access to the same media of communication
26 relevant to the election process. Communities of interest
27 shall not include relationships with political parties,
28 incumbent officeholders, or political candidates.

29 (I) To the extent practicable, maintaining compact
30 districts such that nearby areas of population are not
31 bypassed for more distant areas of population.

1 (J) To the extent practicable, ensuring that district
2 lines follow visible geographic features.

3 (2) FACTORS PROHIBITED FROM CONSIDERATION.—In
4 developing the redistricting plan for the State, the
5 independent redistricting commission may not take into
6 consideration the residence of any Member of the House of
7 Representatives or candidate.

8 (b) PUBLIC NOTICE AND INPUT.—

9 (1) USE OF OPEN AND TRANSPARENT PROCESS.—The
10 independent redistricting commission of a State shall hold
11 each of its meetings in public, shall solicit and take into
12 consideration comments from the public throughout the
13 process of developing the redistricting plan for the State, and
14 shall carry out its duties in an open and transparent manner
15 which provides for the widest public dissemination
16 reasonably possible of its proposed and final redistricting
17 plans.

18 (2) WEBSITE.—The commission shall maintain a public
19 Internet site which is not affiliated with or maintained by the
20 office of any elected official and which includes the
21 following features:

22 (A) General information on the commission and its
23 members, including contact information.

24 (B) An updated schedule of commission hearings
25 and activities, including deadlines for the submission of
26 comments.

27 (C) All draft redistricting plans developed by the
28 commission under subsection (c) and the final
29 redistricting plan developed under subsection (d).

1 (D) Live streaming of commission hearings and an
2 archive of previous meetings and other commission
3 records.

4 (E) A method by which members of the public may
5 submit comments directly to the commission.

6 (F) Access to the demographic data used by the
7 commission to develop the proposed redistricting plans,
8 together with any software used to draw maps of
9 proposed districts.

10 (3) PUBLIC COMMENT PERIOD.—The commission shall
11 solicit, accept, and consider comments from the public with
12 respect to its duties, activities, and procedures at any time
13 during the period—

14 (A) which begins on January 1 of the year ending in
15 the numeral one; and

16 (B) which ends 7 days before the date of the meeting
17 at which the commission shall vote on approving the
18 final redistricting plan for enactment into law under
19 subsection (d)(2).

20 (4) MEETINGS AND HEARINGS IN VARIOUS GEOGRAPHIC
21 LOCATIONS.—To the greatest extent practicable, the
22 commission shall hold its meetings and hearings in various
23 geographic regions and locations throughout the State.

24 (c) DEVELOPMENT AND PUBLICATION OF PRELIMINARY
25 REDISTRICTING PLAN.—

26 (1) IN GENERAL.—Prior to developing and publishing a
27 final redistricting plan under subsection (d), the independent
28 redistricting commission of a State shall develop and publish
29 a preliminary redistricting plan.

30 (2) MINIMUM PUBLIC HEARINGS PRIOR TO
31 DEVELOPMENT.—

1 (A) 3 HEARINGS REQUIRED.—Prior to developing a
2 preliminary redistricting plan under this subsection, the
3 commission shall hold not fewer than 3 public hearings
4 at which members of the public may provide input and
5 comments regarding the potential contents of
6 redistricting plans for the State and the process by which
7 the commission will develop the preliminary plan under
8 this subsection.

9 (B) MINIMUM PERIOD FOR NOTICE PRIOR TO
10 HEARINGS.—The commission shall notify the public
11 through the website maintained under subsection (b)(2),
12 as well as through publication of notice in newspapers of
13 general circulation throughout the State, of the date,
14 time, and location of each of the hearings held under this
15 paragraph not fewer than 14 days prior to the date of the
16 hearing.

17 (3) PUBLICATION OF PRELIMINARY PLAN.—

18 (A) IN GENERAL.—The commission shall post the
19 preliminary redistricting plan developed under this
20 subsection on the website maintained under subsection
21 (b)(2), and shall provide for the publication of each such
22 plan in newspapers of general circulation throughout the
23 State.

24 (B) MINIMUM PERIOD FOR NOTICE PRIOR TO
25 PUBLICATION.—Not fewer than 14 days prior to the date
26 on which the commission posts and publishes the
27 preliminary plan under this paragraph, the commission
28 shall notify the public through the website maintained
29 under subsection (b)(2), as well as through publication
30 of notice in newspapers of general circulation throughout
31 the State, of the pending publication of the plan.

1 (4) MINIMUM PERIOD FOR PUBLIC COMMENT AFTER
2 PUBLICATION OF PLAN.—The commission shall accept and
3 consider comments from the public with respect to the
4 preliminary redistricting plan published under paragraph (3)
5 for not fewer than 30 days after the date on which the plan is
6 published.

7 (5) POST-PUBLICATION HEARINGS.—

8 (A) 3 HEARINGS REQUIRED.—After posting and
9 publishing the preliminary redistricting plan under
10 paragraph (3), the commission shall hold not fewer than
11 3 public hearings at which members of the public may
12 provide input and comments regarding the preliminary
13 plan.

14 (B) MINIMUM PERIOD FOR NOTICE PRIOR TO
15 HEARINGS.—The commission shall notify the public
16 through the website maintained under subsection (b)(2),
17 as well as through publication of notice in newspapers of
18 general circulation throughout the State, of the date,
19 time, and location of each of the hearings held under this
20 paragraph not fewer than 14 days prior to the date of the
21 hearing.

22 (6) PERMITTING MULTIPLE PRELIMINARY PLANS.—At the
23 option of the commission, after developing and publishing
24 the preliminary redistricting plan under this subsection, the
25 commission may develop and publish subsequent
26 preliminary redistricting plans, so long as the process for the
27 development and publication of each such subsequent plan
28 meets the requirements set forth in this subsection for the
29 development and publication of the first preliminary
30 redistricting plan.

1 (d) PROCESS FOR ENACTMENT OF FINAL REDISTRICTING
2 PLAN.—

3 (1) IN GENERAL.—After taking into consideration
4 comments from the public on any preliminary redistricting
5 plan developed and published under subsection (c), the
6 independent redistricting commission of a State shall
7 develop and publish a final redistricting plan for the State.

8 (2) MEETINGS; FINAL VOTE.—Not later than August 15
9 of each year ending in the numeral one, the commission shall
10 hold a public hearing at which the members of the
11 commission shall vote on approving the final plan for
12 enactment into law.

13 (3) PUBLICATION OF PLAN AND ACCOMPANYING
14 MATERIALS.—Not fewer than 14 days before the date of the
15 meeting under paragraph (2), the commission shall provide
16 the following information to the public through the website
17 maintained under subsection (b)(2), as well as through
18 newspapers of general circulation throughout the State:

19 (A) The final redistricting plan, including all relevant
20 maps.

21 (B) A report by the commission to accompany the
22 plan which provides the background for the plan and the
23 commission's reasons for selecting the plan as the final
24 redistricting plan.

25 (C) Any dissenting or additional views with respect
26 to the plan of individual members of the commission.

27 (4) ENACTMENT.—The final redistricting plan developed
28 and published under this subsection shall be deemed to be
29 enacted into law if—

30 (A) the plan is approved by a majority of the whole
31 membership of the commission; and

1 (B) at least one member of the commission appointed
2 from each of the categories of the approved selection
3 pool described in section 7(b)(1) approves the plan.

4 (e) DEADLINE.—The independent redistricting commission
5 of a State shall approve a final redistricting plan for the State not
6 later than August 15 of each year ending in the numeral one.

7 **SEC. 9. ESTABLISHMENT OF RELATED ENTITIES.**

8 (a) ESTABLISHMENT OR DESIGNATION OF NONPARTISAN
9 AGENCY OF STATE LEGISLATURE.—

10 (1) IN GENERAL.—Each state shall establish a
11 nonpartisan agency in the legislative branch of the State
12 government to appoint the members of the independent
13 redistricting commission for the State in accordance with
14 section 6.

15 (2) NONPARTISANSHIP DESCRIBED.—For purposes of this
16 subsection, an agency shall be considered to be nonpartisan
17 if under law the agency—

18 (A) is required to provide services on a nonpartisan
19 basis;

20 (B) is required to maintain impartiality; and

21 (C) is prohibited from advocating for the adoption or
22 rejection of any proposal.

23 (3) DESIGNATION OF EXISTING AGENCY.—At its option, a
24 State may designate an existing agency in the legislative
25 branch of its government to appoint the members of the
26 independent redistricting commission plan for the State
27 under this Act, so long as the agency meets the requirements
28 for nonpartisanship under this subsection.

29 (4) TERMINATION OF AGENCY SPECIFICALLY
30 ESTABLISHED FOR REDISTRICTING.—If a State does not
31 designate an existing agency under paragraph (3) but instead

1 establishes a new agency to serve as the nonpartisan agency
2 under this section, the new agency shall terminate upon the
3 enactment into law of the redistricting plan for the State.

4 (5) DEADLINE.—The State shall meet the requirements
5 of this subsection not later than each August 15 of a year
6 ending in the numeral nine.

7 (b) ESTABLISHMENT OF SELECT COMMITTEE ON
8 REDISTRICTING.—

9 (1) IN GENERAL.—Each State shall appoint a Select
10 Committee on Redistricting to approve or disapprove a
11 selection pool developed by the independent redistricting
12 commission for the State under section 7.

13 (2) APPOINTMENT.—The Select Committee on
14 Redistricting for a State under this subsection shall consist
15 of all the following members:

16 (A) 1 member of the upper house of the State
17 legislature, who shall be appointed by the leader of the
18 party with the greatest number of seats in the upper
19 house.

20 (B) 1 member of the upper house of the State
21 legislature, who shall be appointed by the leader of the
22 party with the second greatest number of seats in the
23 upper house.

24 (C) 1 member of the lower house of the State
25 legislature, who shall be appointed by the leader of the
26 party with the greatest number of seats in the lower
27 house.

28 (D) 1 member of the lower house of the State
29 legislature, who shall be appointed by the leader of the
30 party with the second greatest number of seats in the
31 lower house.

1 (3) SPECIAL RULE FOR STATES WITH UNICAMERAL
2 LEGISLATURE.—In the case of a State with a unicameral
3 legislature, the Select Committee on Redistricting for the
4 State under this subsection shall consist of the following
5 members:

6 (A) 2 members of the State legislature appointed
7 either by the leader of the party with the greatest number
8 of seats in the legislature or by the chair of the
9 Government Affairs Committee of the legislature to
10 represent the State political party whose candidate for
11 chief executive of the State received the greatest number
12 of votes on average in the 3 most recent general elections
13 for that office.

14 (B) 2 members of the State legislature appointed
15 either by the leader of the party with the second greatest
16 number of seats in the legislature or by the chair of the
17 Government Affairs Committee of the legislature to
18 represent the State political party whose candidate for
19 chief executive of the State received the second greatest
20 number of votes on average in the 3 most recent general
21 elections for that office.

22 (4) DEADLINE.—The State shall meet the requirements
23 of this subsection not later than each January 15 of a year
24 ending in the numeral zero.

25 **SEC. 10. ENACTMENT OF PLAN DEVELOPED BY 3-JUDGE**
26 **COURT.**

27 (a) DEVELOPMENT OF PLAN.—If any of the triggering events
28 described in subsection (c) occur with respect to a State—

29 (1) not later than December 15 of the year in which the
30 triggering event occurs, the United States District Court for
31 the District of Columbia, acting through a 3-judge court

1 convened pursuant to section 2284 of title 28, United States
2 Code, shall develop and publish the congressional
3 redistricting plan for the State; and

4 (2) the plan developed and published by the Court under
5 this subsection shall be deemed to be enacted on the date on
6 which the Court publishes the plan.

7 (b) PROCEDURES FOR DEVELOPMENT OF PLAN.—

8 (1) CRITERIA.—It is the sense of Congress that, in
9 developing a redistricting plan for a State under this section,
10 the Court should adhere to the same terms and conditions
11 that applied (or that would have applied, as the case may be)
12 to the development of a plan by the independent redistricting
13 commission of the State under section 8(a).

14 (2) ACCESS TO INFORMATION AND RECORDS OF
15 COMMISSION.—The Court shall have access to any
16 information, data, software, or other records and material
17 that was used (or that would have been used, as the case may
18 be) by the independent redistricting commission of the State
19 in carrying out its duties under this Act.

20 (c) TRIGGERING EVENTS DESCRIBED.—The “triggering
21 events” described in this subsection are as follows:

22 (1) The failure of the State to establish or designate a
23 nonpartisan agency of the State legislature under section 9(a)
24 prior to the expiration of the deadline set forth in section
25 9(a)(5).

26 (2) The failure of the State to appoint a Select Committee
27 on Redistricting under section 9(b) prior to the expiration of
28 the deadline set forth in section 9(b)(4).

29 (3) The failure of the Select Committee on Redistricting
30 to approve any selection pool under section 7 prior to the

1 expiration of the deadline set forth for the approval of the
2 second replacement selection pool in section 7(d)(2).

3 (4) The failure of the independent redistricting
4 commission of the State to approve a final redistricting plan
5 for the State prior to the expiration of the deadline set forth
6 in section 8(e).

7 **SEC. 11. SPECIAL RULE FOR REDISTRICTING CONDUCTED**
8 **UNDER ORDER OF FEDERAL COURT.**

9 If a Federal court requires a State to conduct redistricting
10 subsequent to an apportionment of Representatives in the State
11 in order to comply with the Constitution or other applicable
12 federal law, section 8 shall apply with respect to the redistricting,
13 except that the court may revise any of the deadlines set forth in
14 such section if the court determines that a revision is appropriate
15 in order to provide for a timely enactment of a new redistricting
16 plan for the State.

17 **SEC. 12. PAYMENTS TO STATES FOR CARRYING OUT**
18 **REDISTRICTING.**

19 (a) AUTHORIZATION OF PAYMENTS.—Subject to subsection
20 (d), not later than 30 days after a State receives a State
21 apportionment notice, the Election Assistance Commission shall
22 make a payment to the State in an amount equal to the product
23 of—

24 (1) the number of Representatives to which the State is
25 entitled, as provided under the notice; and

26 (2) \$150,000.

27 (b) USE OF FUNDS.—A State shall use the payment made
28 under subsection (a) to establish and operate the State’s
29 independent redistricting commission, to implement the State
30 redistricting plan, and to otherwise carry out Congressional
31 redistricting in the State.

1 (c) NO PAYMENT TO STATES ELECTING AT-LARGE.—The
2 Election Assistance Commission shall not make a payment
3 under subsection (a) to any State which will elect all
4 Representatives at-large.

5 (d) REQUIRING ESTABLISHMENT OF COMMISSION AS
6 CONDITION OF PAYMENT.—The Election Assistance
7 Commission may not make a payment under subsection (a) to a
8 State until the State certifies to the Commission that the State
9 has established an independent redistricting commission, and
10 that a chair of the commission has been appointed, in accordance
11 with section 6.

12 (e) ADDITIONAL FUNDS FOR TRANSITION TO RANKED CHOICE
13 VOTING.—In addition to the payment under subsection (a), not
14 later than 30 days after a State receives a State apportionment
15 notice after the regular decennial census conducted during 2020,
16 the Election Assistance Commission shall make a payment to
17 the State in an amount equal to the sum of \$1,000,000 and the
18 product of—

19 (1) the number of Representatives to which the State is
20 entitled, as provided under the notice; and

21 (2) \$500,000.

22 (f) USE OF FUNDS.—A State shall use the payment made
23 under subsection (e) to implement ranked choice voting and to
24 otherwise carry out Congressional elections in the State.

25 (g) AUTHORIZATION OF APPROPRIATIONS.—There are
26 authorized to be appropriated such sums as may be necessary for
27 payments under this section.

28 **SEC. 13. CIVIL ENFORCEMENT.**

29 (a) CIVIL ENFORCEMENT.—

30 (1) ACTIONS BY ATTORNEY GENERAL.—The Attorney
31 General may bring a civil action in an appropriate district

1 court for such relief as may be appropriate to carry out this
2 Act.

3 (2) AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Any
4 citizen of a State who is aggrieved by the failure of the voting
5 method which is enacted into law under section 2 or the State
6 redistricting plan which is enacted under section 8 to meet
7 the requirements of this Act may bring a civil action in an
8 appropriate district court for such relief as may be
9 appropriate to remedy the failure, so long as the individual
10 brings the action during the 45-day period which begins on
11 the date on which the State redistricting plan is enacted into
12 law.

13 (b) EXPEDITED CONSIDERATION.—In any action brought
14 forth under this section, the following rules shall apply:

15 (1) The action shall be filed in the United States District
16 Court for the District of Columbia and shall be heard by a 3-
17 judge court convened pursuant to section 2284 of title 28,
18 United States Code.

19 (2) The 3-judge court shall consolidate actions brought
20 for relief under subsection (b)(1) with respect to the same
21 State.

22 (3) A copy of the complaint shall be delivered promptly
23 to the Clerk of the House of Representatives and the
24 Secretary of the Senate.

25 (4) A final decision in the action shall be reviewable only
26 by appeal directly to the Supreme Court of the United States.

27 (5) It shall be the duty of the district court and the
28 Supreme Court of the United States to advance on the docket
29 and to expedite to the greatest possible extent the disposition
30 of the action and appeal.

1 (c) ATTORNEY’S FEES.—In a civil action under this section,
2 the court may allow the prevailing party (other than the United
3 States) reasonable attorney fees, including litigation expenses,
4 and costs.

5 (d) RELATION TO OTHER LAWS.—

6 (1) RIGHTS AND REMEDIES ADDITIONAL TO OTHER RIGHTS
7 AND REMEDIES.—The rights and remedies established by this
8 section are in addition to all other rights and remedies
9 provided by law, and neither the rights and remedies
10 established by this section nor any other provision of this Act
11 shall supersede, restrict, or limit the application of the
12 Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

13 (2) VOTING RIGHTS ACT OF 1965.—Nothing in this Act
14 authorizes or requires conduct that is prohibited by the
15 Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

16 **SEC. 14. STATE APPORTIONMENT NOTICE DEFINED.**

17 In this Act, the “State apportionment notice” means, with
18 respect to a State, the notice sent to the State from the Clerk of
19 the House of Representatives under section 22(b) of the Act
20 entitled “An Act to provide for the fifteenth and subsequent
21 decennial censuses and to provide for an apportionment of
22 Representatives in Congress”, approved June 18, 1929 (2 U.S.C.
23 2a), of the number of Representatives to which the State is
24 entitled.

25 **SEC. 15. VACANCIES CONDUCTED BY RANKED CHOICE**
26 **VOTING.**

27 Section 26 of the Revised Statutes of the United States (2
28 U.S.C. 8) is amended—

29 (1) by striking “as provided in subsection (b), the time”
30 and inserting “as provided in subsections (b) and (c), the
31 time”; and

32 (2) by adding at the end of the following new subsection:

