

# Citizenship in Action: How the Redistricting Process Works in Arkansas

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Arkansas lawmakers represent residents and businesses at the local, state and national level. Who they represent depends on where the lawmaker lives and the boundary lines drawn every 10 years to divide Arkansas into legislative districts.

Cities, counties and states review their voting boundaries after every U.S. Census to see if changes are needed due to an increase or decrease in the population. This once-a-decade review process is called “redistricting,” and sometimes “apportionment” or “reapportionment.”

Districts are the geographical areas from which a representative is elected, such as a city ward or senate district. District boundaries may be adjusted every 10 years to reflect how an area’s population has changed. The more people in an area, the smaller in geographic size the district will be. The fewer people, the larger in geographic size a district will be.

Processes vary by state so the information below focuses on how redistricting works in Arkansas.

## Who is counted when determining district populations?

Population counts are based on the total number of people reported living in each state or local district, as determined by U.S. Census counts taken every 10 years. This count includes adults, children, military

### Key Arkansas Redistricting Terms

**Apportionment** - The process of dividing up Arkansas’ legislative seats according to population.

**Board of Apportionment** - The governor, secretary of state and attorney general make up the Arkansas Board of Apportionment. They are responsible for drawing district boundaries for state Senate and House districts.

**District** - A specific area of a community, county or state represented by an elected official.

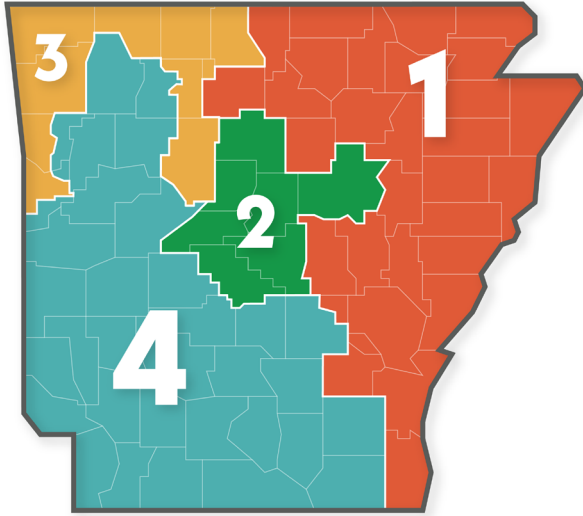
Find more common redistricting terms in the National Conference of State Legislatures’ glossary at <https://www.ncsl.org/research/redistricting/the-redistricting-lexicon-glossary.aspx>.

members and their families stationed overseas, as well as noncitizens. People incarcerated in jails and prisons are also counted as part of the community population where they are confined.

## What requirements exist for state and federal redistricting in Arkansas?

The redistricting process for the Arkansas legislature was set by voters through amendments to the Arkansas Constitution in 1936 and 1956. Several provisions have since been declared unconstitutional by courts, but the law remains that state districts be divided into approximately equal size populations.

## U.S. House Districts of Arkansas



Population shifts revealed by the Census every decade often result in changes to the boundaries of U.S. House of Representatives districts. This map reflects the U.S. House districts in place in Arkansas from 2011-2021.

Article 8 of the Arkansas Constitution says senate districts should touch each other without splitting counties to create districts. There are no other criteria for statewide redistricting in the Arkansas Constitution.

The U.S. Constitution requires federal congressional districts to be nearly equal in population with less than a 1% difference in population allowed. To comply with court orders, state laws and federal laws such as the Voting Rights Act of 1965, congressional districts are supposed to be drawn so they so they

- do not discriminate against a race or minority,
- are reasonably compact, and
- are geographically connected.

Redistricting after the 2010 Census was the first time congressional districts split counties in Arkansas. It's also common practice to avoid splitting counties, cities or voting districts.

## State Redistricting

The Arkansas House of Representatives has 100 members, and the Arkansas State Senate has 35 members per the Arkansas Constitution. Therefore, there are 100 House districts and 35 Senate districts in Arkansas to divide across the state.

The size and shape of these districts are changed periodically to reflect population shifts through a process called reapportionment.

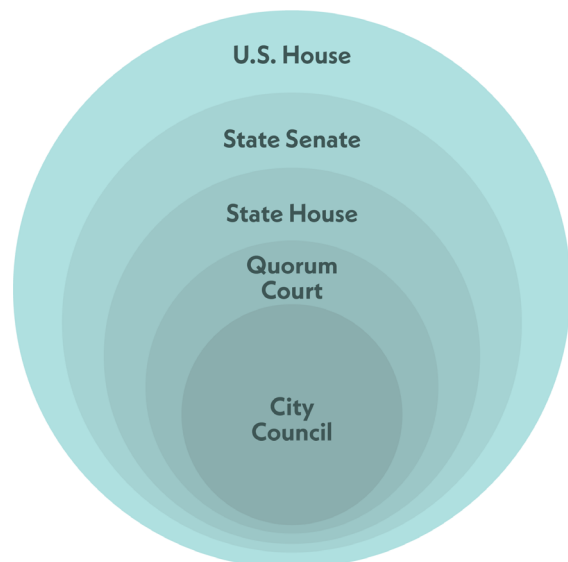
## Who is responsible for deciding the boundaries for state legislature districts?

The Arkansas Board of Apportionment is responsible for redrawing the legislative boundaries for state senators and representatives. The board consists of three constitutional officers – the governor, attorney general and the secretary of state – and meets after the census is completed. They use population data to determine whether district boundaries should change. They also accept public comment.

Once they are done redrawing districts, the board votes on accepting the final map of new Arkansas House and Senate districts. They file the maps with the Secretary of State's Office. The new boundaries go into effect 30 days after being filed unless challenged during that time in the Arkansas Supreme Court. If successfully challenged in court, the Supreme Court could make its own changes to the maps or require the board to revise district boundaries.

Find more information about the process, see the State of Arkansas Board of Apportionment website at <http://arkansasredistricting.org/>.

## Levels of Redistricting



Federal, state and local districts often change after a Census, down to the city council and even school board districts in your community.

## Federal Redistricting

The U.S. House of Representatives consists of 435 seats divided between 50 states based on their population following the U.S. Census. The number of seats per state may change after each Census. If a state's population grows, it may gain seats. The opposite is true if a state loses population.

Arkansas at one time had seven congressional seats but lost three of those seats over several decades when populations grew faster in other states. Based on the 2020 U.S. Census, Arkansas will keep its four seats for the next decade.

The size and shape of districts often changes within states based on state-level population shifts. Arkansas has seen its population decline along its eastern and southern borders and grow in its northwestern corner, causing district boundaries to be changed over time.

### Who is responsible for deciding Arkansas' U.S. House of Representative boundaries?

Senators and representatives in Arkansas' General Assembly are responsible for redrawing congressional boundaries. Both chambers use census data to create and approve a redistricting plan. The governor has the authority to veto a map after it has passed the Arkansas House and Senate. The congressional district map may also be challenged in the Arkansas Supreme Court and in federal court.

### When does federal redistricting take place in Arkansas?

In Arkansas, state legislators typically propose new maps for congressional representatives during the legislative session that takes place the year following the census. The 2021 redistricting process differed from previous decades because the U.S. Census Bureau did not release county-level data while legislators were in session, forcing them to delay their redistricting process until later in 2021. The Board of Apportionment's efforts to update boundaries for state legislature districts were also delayed because of the delayed data release.

## Local Redistricting

City councils, city boards, quorum courts and even school board districts may see their representative boundaries shift after the census based on population changes.

### **Quorum Courts:** County Election

Commissions are responsible for redrawing justice of the peace district boundaries every 10 years in addition to their regular responsibilities of conducting elections in the county. In each of Arkansas' 75 counties, three people serve on the county election commission. Two are appointed by the county committee of the majority party and one is selected by the county committee of the minority party.

**City Councils:** City councils where members are elected by ward rather than citywide are responsible for drawing their own ward boundaries after the census, with the exception being communities with city managers. The County Election Commission has responsibility for communities with city managers.

**School Boards:** School board members create their representative boundaries based on the district's total population. Districts where more than 10% of the residents are considered minorities must follow redistricting requirements from the federal Voting Rights Act of 1965. School board members who are not elected by zone but serve in at-large positions representing the entire school district would not be affected by boundary changes.

## Public Participation in the Redistricting Process

Arkansans can participate in the redistricting process by attending public meetings or hearings on changes to district boundaries. People can also provide feedback during public comment periods at public meetings, or call or write to their city, county, state or school officials.

Boundaries adopted after the federal census will be in place for at least 10 years until the process starts over again.

The Arkansas Board of Apportionment is currently taking public comment for the 2021 redistricting process. Submit your comments at <https://arkansasredistricting.org/>. The website also has information about the process, past maps, recordings of previous public meetings and a calendar of events where public meetings will be listed.

## Helpful Resources

Redistricting in Arkansas. (2021). University of Arkansas System Division of Agriculture Public Policy Center. Retrieved from [www.uaex.uada.edu/redistricting](http://www.uaex.uada.edu/redistricting)

Where are the lines drawn? (2020). Loyola Law School: All about Redistricting. Retrieved from <https://redistricting.lls.edu/redistricting-101/where-are-the-lines-drawn/>

A Look Back on Arkansas Congressional Districts. (2021). Arkansas Geographic Information Services Office. Retrieved from <https://historic-redistricting-agio.hub.arcgis.com/>

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The University of Arkansas System Division of Agriculture's Public Policy Center provides timely, credible, unbiased research, analyses and education on current and emerging public issues. This fact sheet was written by Kristin Higgins, Program Associate, Public Policy Center, University of Arkansas System Division of Agriculture, Little Rock and Amanda Chewning, Master of Public Administration student, Southern Arkansas University, Magnolia.

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