

115TH CONGRESS  
1ST SESSION

# H. R. 151

To require any State which, after enacting a Congressional redistricting plan after a decennial census and apportionment of Representatives, enacts a subsequent Congressional redistricting plan prior to the next decennial census and apportionment of Representatives, to obtain a declaratory judgment or preclearance in the manner provided under section 5 of the Voting Rights Act of 1965 in order for the subsequent plan to take effect.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2017

Mr. AL GREEN of Texas introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To require any State which, after enacting a Congressional redistricting plan after a decennial census and apportionment of Representatives, enacts a subsequent Congressional redistricting plan prior to the next decennial census and apportionment of Representatives, to obtain a declaratory judgment or preclearance in the manner provided under section 5 of the Voting Rights Act of 1965 in order for the subsequent plan to take effect.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Redistricting and  
3 Voter Protection Act of 2017”.

4 **SEC. 2. REQUIRING DECLARATORY JUDGMENT OR**  
5 **PRECLEARANCE AS PREREQUISITE FOR MUL-**  
6 **TIPLE CONGRESSIONAL REDISTRICTING**  
7 **PLANS ENACTED PURSUANT TO SAME DE-**  
8 **CENNIAL CENSUS AND APPORTIONMENT OF**  
9 **REPRESENTATIVES.**

10 (a) DECLARATORY JUDGMENT THAT PLAN DOES  
11 NOT DENY OR ABRIDGE RIGHT TO VOTE ON ACCOUNT  
12 OF RACE OR COLOR.—Except as provided in subsection  
13 (b), after a State enacts a Congressional redistricting plan  
14 in the manner provided by law after an apportionment of  
15 Representatives under section 22(a) of the Act entitled  
16 “An Act to provide for the fifteenth and subsequent decen-  
17 nial censuses and to provide for an apportionment of Rep-  
18 resentatives in Congress”, approved June 18, 1929 (2  
19 U.S.C. 2a), any subsequent Congressional redistricting  
20 plan enacted by the State prior to the next apportionment  
21 of Representatives under such section shall not take effect  
22 unless and until—

23 (1) the State commences a civil action in the  
24 United States District Court for the District of Co-  
25 lumbia for a declaratory judgment that such subse-  
26 quent plan neither has the purpose nor will have the

1 effect of denying or abridging the right to vote on  
2 account of race or color, or in contravention of the  
3 guarantees set forth in section 4(f)(2) of the Voting  
4 Rights Act of 1965 (52 U.S.C. 10303(f)(2)); and

5 (2) the court enters such a declaratory judg-  
6 ment.

7 (b) PRECLEARANCE.—A subsequent Congressional  
8 redistricting plan described in subsection (a) may take ef-  
9 fect if—

10 (1) the chief legal officer or other appropriate  
11 official of the State involved submits the plan to the  
12 Attorney General and the Attorney General has not  
13 interposed an objection within 60 days of such sub-  
14 mission; or

15 (2) upon good cause shown, to facilitate an ex-  
16 pedited approval within 60 days of such submission,  
17 the Attorney General has affirmatively indicated  
18 that such objection will not be made.

19 (c) APPLICATION OF VOTING RIGHTS ACT OF  
20 1965.—For purposes of the Voting Rights Act of 1965,  
21 a declaratory judgment under subsection (a) or a  
22 preclearance under subsection (b), and the proceedings re-  
23 lated to such judgment or preclearance, shall be treated  
24 as a declaratory judgment or preclearance under section  
25 5 of such Act (52 U.S.C. 10304).

1 **SEC. 3. NO EFFECT ON REDISTRICTING PLANS ENACTED**  
2 **PURSUANT TO COURT ORDER.**

3 Section 1 does not apply with respect to any subse-  
4 quent Congressional redistricting plan described in section  
5 1(a) if the plan is enacted by a State pursuant to a court  
6 order in order to comply with the Constitution or to en-  
7 force the Voting Rights Act of 1965 (52 U.S.C. 10301  
8 et seq.).

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