



# OFFICE OF THE SECRETARY OF STATE

## ELECTIONS DIVISION

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| <b>DIRECTIVE OF THE<br/>SECRETARY OF STATE</b> | <b>SUBJECT:</b><br><b>Redistricting</b> | <b>DIRECTIVE ISSUED AT THE<br/>REQUEST OF:</b><br><b>Secretary of State</b> | <b>DATE:</b><br><b>September 9,<br/>2021</b> | <b>NO.:</b><br><b>2021-1</b> |
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The Secretary of State, in carrying out the duties of the office, is authorized to issue detailed directives when necessary to maintain uniformity in the application, operation and interpretation of Oregon election laws. (ORS 246.110 and 246.120). The information provided below is an official directive of the Secretary of State. ORS 246.120 and 246.410 specify that a county clerk must comply with this directive. ORS 246.410 specifies that a local government or special government body, as defined in ORS 174.116 and 174.117, that fixes electoral district boundaries based on census population figures, must comply with this directive.

In an effort to promote uniform and consistent application of traditional districting principles established by the Oregon Constitution, Oregon statute and court precedent, in the drawing and redrawing of electoral districts and precincts, the Secretary of State issues this directive to each county clerk and to any local government, as defined in ORS 174.116, or special government body, as defined in ORS 174.117, that fixes or modifies electoral district boundaries based on population. More uniform and consistent application of traditional districting principles will assist the efficient and cost-effective administration of elections, reduce the probability of administrative errors and promote easily understandable boundaries for voters, analysts and election officials.

Each county clerk, and any local governments or special government bodies that fix electoral district boundaries based on population, shall consider the following when drawing district or precinct boundaries:

Each district or precinct, as nearly as practicable, shall:

- Be contiguous;
- Utilize existing geographic or political boundaries;
- Not divide communities of common interest; and
- Be connected by transportation links.
- For districts, be of equal population.

No district shall be drawn for the purpose of favoring any political party, incumbent elected official or other person.

No district shall be drawn for the purpose of diluting the voting strength of any language or ethnic minority group.

Each county clerk and any local government, as defined in ORS 174.116, or special government body, as defined in ORS 174.117, that fixes or modifies electoral district boundaries based on population shall, to the greatest extent practicable, consider newly drawn legislative and congressional district boundaries as well as the boundaries of neighboring jurisdictions when drawing districts. When drawing new district boundaries, the Secretary of State recommends close consultation with relevant county clerks for advice on meeting the election administration goals of this directive.

When drawing or altering precinct boundaries, county clerks shall, as nearly as practicable, contain precincts wholly within one state House district and one Congressional district, and must seek to minimize the change to current precincts. County clerks must also, to the extent possible, consider forecasted population trends to reduce the necessity for new precincts prior to the next decennial census. As soon as practicable after creating new precincts or altering existing precinct boundaries, county clerks shall notify the State Elections Division.

The timelines and processes associated with the apportionment of legislative districts is described in Appendix 2 of [\*State ex rel Kotek v. Fagan\*](#), 367 Or. 803 (2021). The timelines and processes associated with the apportionment of congressional districts is described in Chapter 419, Oregon Laws 2021 ([Enrolled Senate Bill 259](#)). Redistricting shall be completed with enough time for all candidates to file to appear on the ballot for all offices, including new or reapportioned districts. If events necessitate an update to this directive, further information will be provided.