



(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R.

To require the congressional districts established by a State to meet certain requirements, to prohibit States from carrying out more than one congressional redistricting after a decennial census and apportionment, to exclude aliens without lawful status under the immigration laws from number of persons used to determine apportionment of representatives and number of electoral votes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. LAWLER introduced the following bill; which was referred to the Committee on _____

A BILL

To require the congressional districts established by a State to meet certain requirements, to prohibit States from carrying out more than one congressional redistricting after a decennial census and apportionment, to exclude aliens without lawful status under the immigration laws from number of persons used to determine apportionment of representatives and number of electoral votes, and for other purposes.

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 “Fair Apportionment
3 and Independent Redistricting for Maps that Avoid Par-
4 tisanship Act” or the “FAIR MAP Act”.

5 SEC. 2. REQUIREMENTS FOR CONGRESSIONAL DISTRICTS.

6 (a) REQUIREMENTS.—The congressional districts of
7 a State shall meet each of the following requirements:

8 (1) Each congressional district in the State
9 shall consist of contiguous territory (except to the
10 extent necessary to include any area which is sur-
11 rounded by a body of water).

12 (2) Each congressional district in the State
13 shall be as compact in form as practicable.

14 (3) No congressional district in the State shall
15 be drawn to discourage competition, or for the pur-
16 pose of favoring or disfavoring an incumbent, a par-
17 ticular candidate, or a particular political party. In
18 establishing congressional districts, the State shall
19 consider the maintenance of cores of existing dis-
20 tricts, of pre-existing political subdivisions, including
21 counties, cities, and towns, and of communities of
22 interest.

23 (4) To the extent practicable, the population of
24 each congressional district in the State shall not
25 vary from the population of any other congressional
26 district in the State (as determined on the basis of

1 the total count of citizens of the United States and
2 aliens with lawful status under the immigration laws
3 (as such term is defined in section 101 of the Immig-
4 ration and Nationality Act (8 U.S.C. 1101)) of the
5 most recent decennial census conducted by the Bu-
6 reau of the Census).

7 (b) EFFECTIVE DATE.—Subsection (a) shall apply
8 with respect to congressional districts established on or
9 after the date of the enactment of this Act.

10 SEC. 3. LIMIT ON CONGRESSIONAL REDISTRICTING AFTER
11 AN APPORTIONMENT.

12 The Act entitled "An Act for the relief of Doctor Ri-
13 cardo Vallejo Samala and to provide for congressional re-
14 districting", approved December 14, 1967 (2 U.S.C. 2c),
15 is amended by adding at the end the following: "A State
16 which has been redistricted in the manner provided by law
17 after an apportionment under section 22(a) of the Act en-
18 titled 'An Act to provide for the fifteenth and subsequent
19 decennial censuses and to provide for an apportionment
20 of Representatives in Congress', approved June 18, 1929
21 (2 U.S.C. 2a), may not be redistricted again until after
22 the next apportionment of Representatives under such sec-
23 tion, unless a court requires the State to conduct such
24 subsequent redistricting to comply with the Constitution,

1 to enforce the Voting Rights Act of 1965 (42 U.S.C. 1973
2 et seq.), or to comply with the FAIR MAP Act.”.

3 **SEC. 4. EXCLUSION OF ALIENS WITHOUT LAWFUL STATUS**

4 **UNDER THE IMMIGRATION LAWS FROM NUM-**
5 **BER OF PERSONS USED TO DETERMINE AP-**
6 **PORTIONMENT OF REPRESENTATIVES AND**
7 **NUMBER OF ELECTORAL VOTES.**

8 (a) IMMIGRATION STATUS ON DECENTNIAL CEN-
9 SUS.—Section 141 of title 13, United States Code, is
10 amended—

11 (1) by redesignating subsection (g) as sub-
12 section (h); and

13 (2) by inserting after subsection (f) the fol-
14 lowing:

15 “(g) In conducting the 2030 decennial census and
16 each decennial census thereafter, the Secretary shall in-
17 clude in any questionnaire distributed or otherwise used
18 for the purpose of determining the total population by
19 States a checkbox or other similar option for the respond-
20 ent to indicate, for the respondent and for each of the
21 members of the household of the respondent, whether that
22 individual is a citizen of the United States or an alien with
23 lawful status under the immigration laws (as such term
24 is defined in section 101 of the Immigration and Nation-
25 ality Act (8 U.S.C. 1101)).”.

1 (b) EXCLUSION.—

2 (1) IN GENERAL.—Section 22(a) of the Act en-
3 titled “An Act to provide for the fifteenth and subse-
4 quent decennial censuses and to provide for appor-
5 tionment of Representatives in Congress”, approved
6 June 18, 1929 (2 U.S.C. 2a(a)), is amended by in-
7 serting after “not taxed” the following: “and aliens
8 without lawful status under the immigration laws
9 (as such term is defined in section 101 of the Immi-
10 gration and Nationality Act (8 U.S.C. 1101))”.

11 (2) EFFECTIVE DATE.—The amendment made
12 by paragraph (1) shall apply with respect to the ap-
13 portionment of Representatives carried out pursuant
14 to the decennial census conducted during 2030 and
15 any succeeding decennial census.

16 **SEC. 5. CONGRESSIONAL REDISTRICTING CHALLENGES.**

17 (a) JURISDICTION OF FEDERAL COURTS.—Notwith-
18 standing any other provision of law, any challenge to the
19 congressional districts established by a State shall be
20 brought in a district court of the United States.

21 (b) EFFECTIVE DATE.—Subsection (a) shall apply
22 with respect to congressional districts established on or
23 after the date of the enactment of this Act.

1 **SEC. 6. PROHIBITING STATES FROM USING RANKED**
2 **CHOICE VOTING IN FEDERAL ELECTIONS.**

3 (a) REQUIREMENT.—Subtitle A of title III of the
4 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.)
5 is amended—

6 (1) by redesignating sections 305 and 306 as
7 sections 306 and 307, respectively; and
8 (2) by inserting after section 304 the following
9 new section:

10 **“SEC. 305. PROHIBITING STATES FROM THE USE OF**
11 **RANKED CHOICE VOTING WITH RESPECT TO**
12 **AN ELECTION FOR FEDERAL OFFICE.**

13 “A State may not carry out an election for Federal
14 office in the State using a system of ranked choice voting
15 under which each voter shall rank the candidates for the
16 office in the order of the voter’s preference.”.

17 (b) CONFORMING AMENDMENT RELATING TO EN-
18 FORCEMENT.—Section 401 of the Help America Vote Act
19 of 2002 (52 U.S.C. 21111) is amended by striking “303,
20 and 304” and inserting “303, 304, and 305”.

21 (c) CLERICAL AMENDMENT.—The table of contents
22 of such Act is amended—

23 (1) by redesignating the items relating to sec-
24 tions 305 and 306 as relating to sections 306 and
25 307, respectively; and

“See. 305. Prohibiting States from the use of ranked choice voting with respect to an election for Federal office.”.

3 (d) EFFECTIVE DATE.—The amendments made by
4 this section shall apply with respect to elections held on
5 or after the date of the enactment of this Act.

6 SEC. 7. PHOTO IDENTIFICATION OR SIGNATURE
7 VERIFICATION REQUIRED.

8 (a) INDIVIDUALS VOTING IN PERSON.—Notwith-
9 standing any other provision of law, no State or local elec-
10 tion official may provide a ballot for an election for Fed-
11 eral office to an individual voting in person unless the indi-
12 vidual presents to the official a valid photo identification
13 card issued by a Federal, State, or Tribal government that
14 identifies the individual.

15 (b) INDIVIDUALS VOTING OTHER THAN IN PER-
16 SON.—

22 (A) the individual submits with the ballot
23 a card or envelope signed by the individual; and

10 SEC. 8. SAME-DAY REGISTRATION PROHIBITED.

11 A State may not permit an individual to vote in an
12 election for Federal office unless the individual is duly reg-
13 istered to vote prior to the date of such election.

14 SEC. 9. NO EFFECT ON ELECTIONS FOR STATE AND LOCAL
15 OFFICE.

Nothing in this Act or in any amendment made by this Act may be construed to affect the manner in which a State carries out elections for State or local office, including the process by which a State establishes the districts used in such elections.