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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 258\*  
134<sup>th</sup> General Assembly

## Bill Analysis

[Click here for S.B. 258's Fiscal Note](#)

**Version:** As Reported by House Government Oversight

**Primary Sponsor:** Sen. McColley

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### SUMMARY

- Establishes new congressional district boundaries for Ohio based on the results of the 2020 federal census.
- States several legislative findings concerning the congressional district plan described in the bill.
- Delays certain election deadlines for purposes of the congressional primary election to be held on May 3, 2022.

### DETAILED ANALYSIS

#### Congressional district plan

##### Generally

The bill establishes new congressional district boundaries for Ohio based on the results of the 2020 federal census. Beginning in 2022, Ohio is entitled to 15 members of the U.S. House of Representatives instead of the current 16 members.



\* This analysis was prepared before the report of the House Government Oversight Committee appeared in the House Journal. Note that the legislative history may be incomplete.

The bill describes each district by county and census block. Please note that LSC did not generate the map image and cannot verify that it accurately represents the districts as described in the bill.<sup>1</sup>

### **Unassigned territory**

Any territory that the bill does not assign to a district is included in the district with the least population, according to the 2020 census, that is contiguous to the unassigned territory.<sup>2</sup>

### **Definitions and incorporation by reference**

As used in the bill, “census block” and “county” have the same meanings and describe the same geographical boundaries as used by the Census Bureau in reporting the 2020 decennial census. The official report of the 2020 census and all official documents relating to the report are incorporated by reference into the bill.<sup>3</sup>

### **Legislative findings**

The bill states that, concerning the congressional district plan, the General Assembly finds as follows:<sup>4</sup>

- The plan does not unduly favor or disfavor a political party or its incumbents. The plan contains six Republican-leaning districts, two Democratic-leaning districts, and seven competitive districts. The number of competitive districts in the plan significantly exceeds the number of competitive districts contained in Ohio’s current plan. Two incumbents expected to seek office again, both Republican, are paired in one district in the bill. No other incumbent, either Republican or Democratic, expected to seek office again, is paired with another incumbent in a congressional district in this plan.
- The plan does not unduly split governmental units and gives preference to keeping whole, in the order named, counties, then townships and municipal corporations. The plan splits only 12 counties and only 14 townships and municipal corporations. Ohio’s current plan splits 23 counties and over 30 townships and municipal corporations.
- A visual inspection of the plan demonstrates that it draws districts that are compact, particularly when visually compared to Ohio’s current plan.

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<sup>1</sup> R.C. 3521.01 through 3521.0115. Each district’s number matches its assigned supplemental Revised Code section number – for example, District 1 is located in R.C. 3521.011, and District 15 is located in R.C. 3521.0115.

<sup>2</sup> R.C. 3521.01(B).

<sup>3</sup> R.C. 3521.01(A).

<sup>4</sup> Section 3 of the bill.

Under the Ohio Constitution, if the General Assembly passes a congressional district plan by a simple majority vote of each chamber, and not by a specified bipartisan vote, the plan must include an explanation of the plan’s compliance with the standards described above.<sup>5</sup>

## 2022 congressional primary election deadlines

For purposes of the congressional primary election to be held on May 3, 2022, the bill delays certain deadlines as follows:

Action	Current deadline	Deadline under the bill
U.S. House candidate files a declaration of candidacy and petition to appear on the ballot at the primary election <sup>6</sup>	February 2, 2022	March 4, 2022
Filing a protest against a U.S. House candidate’s declaration of candidacy and petition	February 18, 2022	To be determined by the Secretary of State
Secretary of State certifies the forms of the official ballots	February 22, 2022	To be determined by the Secretary of State
U.S. House candidate files a declaration of intent to be a write-in candidate at the primary election <sup>7</sup>	February 22, 2022	March 4, 2022
Filing a protest against a U.S. House candidate’s declaration of intent to be a write-in candidate at the primary election	February 25, 2022	To be determined by the Secretary of State

The bill specifies that any U.S. House candidate filing for the 2022 primary election that is submitted before the bill takes effect is null and void, and the election officials must refund the candidate’s filing fee. A candidate who has already filed before the bill takes effect may refile by the applicable deadline specified above.<sup>8</sup>

## Background on congressional redistricting

The Ohio Constitution lays out the timelines, procedures, required votes, and district drawing standards for congressional redistricting, as adopted by Ohioans in a 2018 constitutional amendment.<sup>9</sup> For an overview, see LSC’s Members Brief, [Redistricting in Ohio](#). For a more detailed

<sup>5</sup> Ohio Constitution, Article XIX, Section 1(F)(3)(d).

<sup>6</sup> R.C. 3513.05. See also Ohio Secretary of State, [2022 Elections Calendar](#).

<sup>7</sup> R.C. 3513.041.

<sup>8</sup> Section 4 of the bill.

<sup>9</sup> Ohio Const., art. XIX.

explanation of the constitutional requirements for congressional redistricting, see LSC's [final analysis of S.J.R. 5 of the 132<sup>nd</sup> General Assembly](#).

LSC cannot determine whether a given district plan complies with the Ohio Constitution, the U.S. Constitution, or federal law.

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## HISTORY

Action	Date
Introduced	10-27-21
Reported, S. Local Government & Elections	11-16-21
Passed Senate (24-7)	11-16-21
Reported, H. Government Oversight	---

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