



OFFICE OF THE COUNTY COUNSELOR

JACKSON COUNTY COURTHOUSE

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February 28, 2022

STATEMENT OF THE COUNTY COUNSELOR'S OFFICE ON THE REAPPORTIONMENT COMMITTEE REPORT

Due, in part, to the well-documented delays in the federal government's release of data from the 2020 decennial census, Jackson County's reapportionment process occurred later than normal. This late start, as well as prior court rulings that state primary and general elections should be treated as a "unitary process," caused our office to originally conclude that the new legislative districts outlined in the report of the reapportionment committee filed on February 18, 2022, could not be in effect for the August 2022 primary election. However, upon further consideration we have determined that our original conclusion was incorrect.

Article II, section 18 of the county charter states: "The County Legislature shall be elected according to such districts (specified in the committee report) at the *next general election* held at least eight months after the report is filed, and thereafter until the next reapportionment." Emphasis added. The 2022 general election will be held on November 8. That date is more than eight months after February 18 -- not much more, but definitely more. Even though the legislative district lines contained in the committee's report must also apply to the August primary, which is less than six months away, the charter does not speak to the timing of the primary election, only the general. Therefore, it's the opinion of the county counselor's office that the new district lines of the reapportionment committee's report apply to the 2022 primary and general elections.

We have advised the clerk of the legislature to treat filings already made as effective for the applicable new district, so long as the candidate is a resident of the new district. In addition, anyone interested in these seats has until March 29, 2022, in which to file.

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