

Exhibit No. 8 – Explanation of Redistricting Process

Introduction

On March 23, 2011, the Census Bureau of the United States Department of Commerce (“Census Bureau”) released detailed population data for the State of South Carolina collected during the 2010 decennial census. This information reflected that the population of the state had increased approximately 15.3% from the 2000 Census and that the statewide population has increased by approximately 610,000 to 4,625,364. However, the pattern of growth was uneven across the state, with certain counties and regions growing at a slower rate, or even declining in population, while others grew at a much faster rate. Additionally, the 2010 Census data demonstrated that minority population areas shifted over the intervening period, with some areas declining significantly in population while others grew at uneven rates.

When reviewed in the context of the existing districts for the South Carolina House of Representatives, the variations in population were substantial. Overall, the districts varied in deviation after the 2010 Census from -24.63% to +81.12%. Of the 124 legislative districts, 76 were under the ideal district size of 37,301. A review of the data demonstrates that the vast amount of growth in the state had occurred in only approximately one-third of the districts in the state. Of the 48 districts that were overpopulated, 23 exceeded the 2010 ideal population by 10% or more.

The Census reflected that the racial populations grew at disproportionate rates across the state as well. The total white population increased by 13.52% and the total black population by 8.90%. The total Hispanic population also increased by 147.89% although this increase only reflected a total increase in the Hispanic population of 95,076 persons. Additionally, minority populations had shifted since the 2000 Census from traditionally urban and rural areas of the

Exhibit No. 8
Explanation of Redistricting Process
Page 2 of 39

state to suburban areas. As a result, the majority-minority districts that existed following the enactment of the existing House districts in 2003 declined in both population and racial composition.

Recognizing the considerable adjustments needed to be made to comply with the United States Constitution, the Voting Rights Act of 1965 (“VRA”), and other applicable state and federal law, the House in April 2011 began the process of redrawing the lines for its legislative districts. In enacting House Bill 3991, the House endeavored to balance the populations of the districts such that all were substantially equal while also attempting to maintain minority representation where practicable. In so doing, the House followed traditional redistricting principles to develop the foundation for a plan that the House believes complies with constitutional requirements, Section 2 and Section 5 of the VRA, and the mandates of the substantial body of case law governing redistricting plans.

Overview of Census Data

On December 21, 2010, the Census Bureau released its first round of 2010 Census statistics detailing each state’s population totals and their implications for the new membership of the United States House of Representatives. On March 23, 2011, the Census Bureau released more detailed 2010 Census population totals and demographics to the Honorable Robert W. Harrell, Jr., Speaker of the South Carolina House of Representatives. This data provided the State’s first look at population counts for smaller geographic areas as well as for race, Hispanic origin, voting age and housing unit data released from the 2010 Census. This information, reflected in the P.L. 94-171 official 2010 Census Redistricting Data Summary File, was

Exhibit No. 8
Explanation of Redistricting Process
Page 3 of 39

subsequently used by the House of Representatives to redraw and realign its legislative districts, taking into account population shifts since the 2000 Census.

1. Population Growth

a. County Comparison

From 2000 to 2010, the population in South Carolina grew from 4,011,832¹ to 4,625,364, representing a numerical increase of 613,532 and a percentage increase of approximately 15.3%. However, this growth was not uniform across the state, with some counties growing at a much slower rate and others experiencing reductions in population since the 2000 Census. In all, 12 counties in the state, all of which comprise predominantly rural areas in South Carolina, experienced a net population loss of up to 7.5% from the 2000 Census population tabulation. Combined, these 12 counties experienced an average population loss of -4.21% over the past ten years.

Other counties in South Carolina saw either stagnant or slow population growth that was less than the statewide average. For example, Marlboro, Orangeburg, Colleton, and four other counties saw population increases of less than 3%, with these counties experiencing an average population growth of only 1.82%. Additionally, 16 other counties in the state experienced growth ranging from 3.62% to 12.93%, all below the statewide average of 15.3%. In total, 35 of South Carolina's 46 counties experienced less than average population growth or, in some circumstances, population decline, and, on average, these counties only grew at a rate of 6.81%.

¹ Based upon corrected Census numbers.

Exhibit No. 8
Explanation of Redistricting Process
Page 4 of 39

Only 11 counties in South Carolina grew at a more rapid rate than the statewide average. These counties, which, on average, grew 26.02%, comprise predominantly urban or suburban areas thus suggesting a population shift from the surrounding rural communities in the state. In all, these counties, which comprise only one-fourth of the counties in the state, grew by 461,058 persons, representing approximately 75% of the total growth in the state.

Table 1-a
Total Population Growth by County

	2000 Total Population	2010 Total Population	Percent Growth
SouthCarolina (Statewide)	4,011,832	4,625,364	15.29%
Abbeville	26,167	25,417	-2.87%
Aiken	142,556	160,099	12.31%
Allendale	11,211	10,419	-7.06%
Anderson	165,743	187,126	12.90%
Bamberg	16,658	15,987	-4.03%
Barnwell	23,478	22,621	-3.65%
Beaufort	120,948	162,233	34.13%
Berkeley	142,548	177,843	24.76%
Calhoun	15,177	15,175	-0.01%
Charleston	310,099	350,209	12.93%
Cherokee	52,537	55,342	5.34%
Chester	34,072	33,140	-2.74%
Chesterfield	42,768	46,734	9.27%
Clarendon	32,502	34,971	7.60%
Colleton	38,264	38,892	1.64%
Darlington	67,394	68,681	1.91%
Dillon	30,722	32,062	4.36%
Dorchester	96,327	136,555	41.76%
Edgefield	24,560	26,985	9.87%
Fairfield	23,454	23,956	2.14%
Florence	125,761	136,885	8.85%
Georgetown	55,762	60,158	7.88%
Greenville	379,617	451,225	18.86%
Greenwood	66,272	69,661	5.11%
Hampton	21,382	21,090	-1.37%
Horry	196,660	269,291	36.93%
Jasper	20,671	24,777	19.86%
Kershaw	52,647	61,697	17.19%
Lancaster	61,351	76,652	24.94%
Laurens	69,553	66,537	-4.34%
Lee	20,119	19,220	-4.47%
Lexington	216,010	262,391	21.47%

Exhibit No. 8
Explanation of Redistricting Process
Page 7 of 39

	2000 Total Population	2010 Total Population	Percent Growth
McCormick	9,958	10,233	2.76%
Marion	35,466	33,062	-6.78%
Marlboro	28,818	28,933	0.40%
Newberry	36,004	37,508	4.18%
Oconee	66,215	74,273	12.17%
Orangeburg	91,514	92,501	1.08%
Pickens	110,757	119,224	7.64%
Richland	320,781	384,504	19.86%
Saluda	19,181	19,875	3.62%
Spartanburg	253,784	284,307	12.03%
Sumter	104,636	107,456	2.70%
Union	29,884	28,961	-3.09%
Williamsburg	37,221	34,423	-7.52%
York	164,623	226,073	37.33%

b. Regional Comparison

Similar differences occurred between regions² of the states. The Upstate Region³ overall grew by only approximately 11.6%, with the majority of the growth occurring in only four out of the ten counties in the region. Abbeville, Laurens, and Union Counties all experienced population declines from the 2000 Census. Greenville County was the only county to exceed the statewide average growth, increasing in population by 18.9%. Excluding Greenville, however, the Upstate region experienced population growth of only 8.32%, or about half of the statewide average.

The Midlands Region⁴ experienced moderately higher growth, increasing in population by approximately 13.9% from the 2000 Census. However, the majority of this growth again occurred in only a few counties, with Lexington, Richland, and Kershaw Counties growing 21.47%, 19.86%, and 17.19%, respectively. The remaining seven counties in the Midlands Region all reported substantially slower growth and Bamberg County experienced significant population declines.

The Pee Dee Region⁵ grew by approximately 13.55%. However, the majority of this increase was due to continued growth in Horry County, which saw a population increase of 36.93% over the past ten years. Excluding the Horry County population from the average growth

² The regions referenced in this section are generally defined by the counties contained within that area and are for illustrative purposes only.

³ The Upstate Region generally refers to the following counties: Abbeville, Anderson, Cherokee, Greenville, Greenwood, Laurens, Oconee, Pickens, Spartanburg, and Union.

⁴ The Midlands Region generally refers to the following counties: Bamberg, Calhoun, Fairfield, Kershaw, Lexington, Newberry, Orangeburg, Richland, Saluda, and Sumter.

⁵ The Pee Dee Region generally refers to the following counties: Chesterfield, Clarendon, Darlington, Dillon, Florence, Georgetown, Horry, Lee, Marion, Marlboro, and Williamsburg.

Exhibit No. 8
Explanation of Redistricting Process
Page 9 of 39

in the area demonstrates that the other ten counties in the region experienced a marked difference in growth than did Horry County. These counties, which are predominantly rural areas of South Carolina, only grew by 3.9%, or approximately one-fourth of the rate of the statewide average. In fact, Lee, Marion, and Williamsburg counties all experienced significant population declines from the 2000 Census totals.

The Low Country Region⁶ grew by approximately 22.72%, representing the second largest growth area in the state. Beaufort County accounted for the majority of the increase, reporting a population increase of 34.13%, followed by Jasper County with 19.86% growth. However, Colleton and Hampton Counties experienced minimal or negative population growth as did other rural counties throughout the state.

The Charleston Region⁷ grew by approximately 21.06%. Dorchester County experienced the most growth – 41.76% – followed by Berkeley County, which reported growth of 24.76%. Charleston County is the only county in the region that did not grow faster than the statewide average, experiencing population growth of 12.93%.

The Savannah River Region⁸ grew by approximately 8.78%; however, all of the counties in this region either grew slower than the statewide average or declined in population. The county experiencing the most growth in this region was Aiken County, with 12.31% growth,

⁶ The Low Country Region generally refers to the following counties: Beaufort, Colleton, Hampton, and Jasper.

⁷ The Charleston Region generally refers to the following counties: Charleston, Berkeley, and Dorchester.

⁸ The Savannah River Region generally refers to the following counties: Aiken, Edgefield, Allendale, Barnwell, and McCormick.

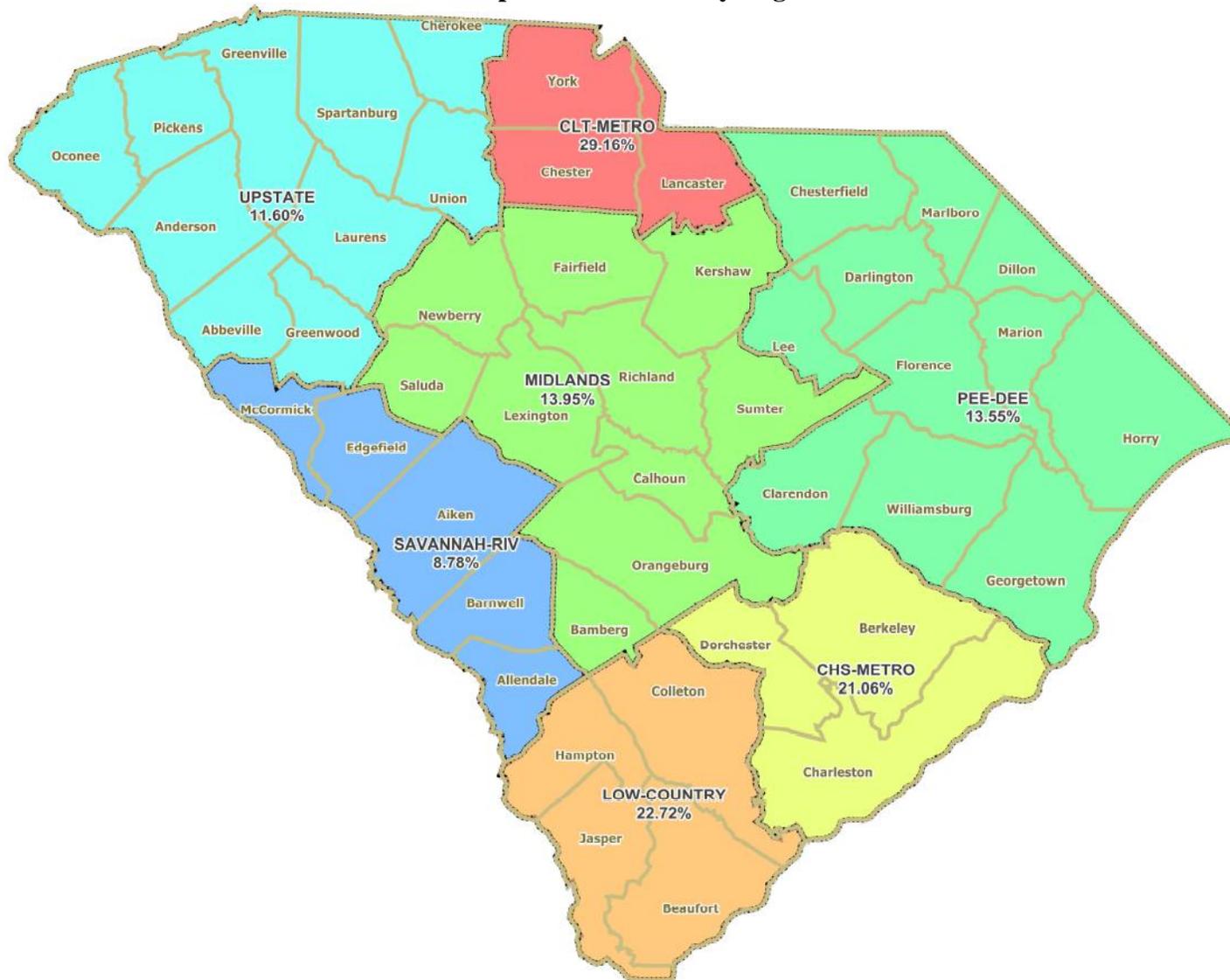
Exhibit No. 8
Explanation of Redistricting Process
Page 10 of 39

followed by Edgefield County, with 9.87%. Allendale and Barnwell Counties both experienced population declines, but McCormick County experienced minimal population growth.

The Charlotte Metropolitan Region⁹ comprised the fastest growing region in the state, increasing in population by approximately 29.16% since the 2000 Census. This growth, which was largely driven due to substantial population increases in exurban areas of Charlotte, North Carolina, largely occurred in York and Lancaster Counties, which grew at rates of 37.33 and 24.94% respectively. However, Chester County, which is a more rural county in the area, experienced a population decline of -2.74% due to population migrations since the 2000 Census.

⁹ The Charlotte Metropolitan Region generally refers to the following counties: York, Lancaster, and Chester.

Figure 1-b
Total Population Growth by Region



c. District Comparison

The wide variations in population growth were similarly reflected in the population deviations of the districts. As stated earlier, the districts varied in deviation from -24.63% to +81.12% with 76 legislative districts falling under the ideal district size of 37,301. There were 48 overpopulated districts, 23 of which exceeded the 2010 ideal population by 10% or more. Thus, substantial population growth occurred in only one-fourth of the districts in the state.

Compounding the problems associated with the wide variances in population deviations was the fact that the underpopulated districts largely existed in the same regions or areas of the state. For example, in the Pee Dee Region, the nine districts in the counties of Chesterfield, Marlboro, Dillon, Darlington, and Florence all were below the ideal deviation, which resulted in a total underpopulation of approximately 35,000 people – almost precisely the amount for one district. Similarly, the districts in Laurens County were underpopulated by a total of 15,000 people, as were the districts in the adjoining counties of Greenwood, Union, and Newberry. Similar population needs existed in the Low Country Region as well, with all of the rural districts in this area being significantly underpopulated.

By contrast, other areas of the state grew dramatically resulting in districts which were substantially overpopulated. By way of example, District 118 was overpopulated by 30,258 persons resulting from significant growth in retirement communities in Beaufort County. Additionally, every district in York County was overpopulated with District 48 existing as the second largest district in the state, and District 45 being in the top ten districts for population size. District 79 in Richland County was also significantly overpopulated by 21,828 people due to significant growth in Northeast Richland County resulting from sustained residential

Exhibit No. 8
Explanation of Redistricting Process
Page 13 of 39

development in that area. As in 2000, Horry County and Berkeley County continued to experience substantial population influx due to expanding communities near Myrtle Beach and Charleston, SC, resulting in Districts 98 and 105 having overpopulations of 18,282 and 18,470 respectively.

Figure 1-c
Deviation by House District Based on 2010 Census Data

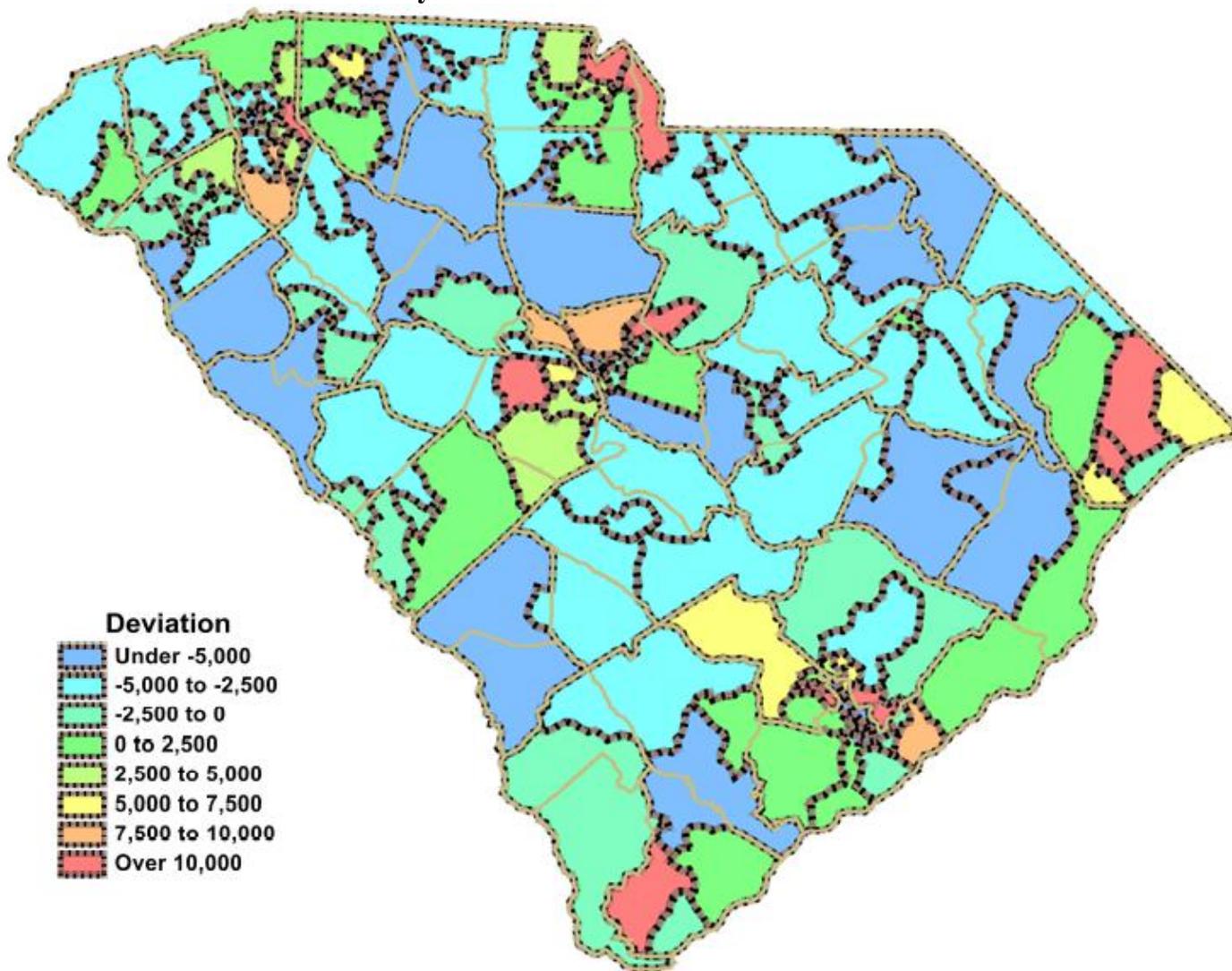


Table 1-c
Deviation by District

	Population	Deviation	Percent Deviation
District 1	34,202	-3,099	-8.31%
District 2	37,913	612	1.64%
District 3	36,002	-1,299	-3.48%
District 4	33,418	-3,883	-10.41%
District 5	33,699	-3,602	-9.66%
District 6	37,254	-47	-0.13%
District 7	32,794	-4,507	-12.08%
District 8	35,520	-1,781	-4.77%
District 9	36,394	-907	-2.43%
District 10	40,461	3,160	8.47%
District 11	32,278	-5,023	-13.47%
District 12	31,604	-5,697	-15.27%
District 13	35,216	-2,085	-5.59%
District 14	33,392	-3,909	-10.48%
District 15	30,253	-7,048	-18.89%
District 16	32,736	-4,565	-12.24%
District 17	37,353	52	0.14%
District 18	42,176	4,875	13.07%
District 19	34,502	-2,799	-7.50%
District 20	34,651	-2,650	-7.10%
District 21	49,541	12,240	32.81%
District 22	34,915	-2,386	-6.40%
District 23	30,538	-6,763	-18.13%
District 24	40,136	2,835	7.60%
District 25	33,532	-3,769	-10.10%
District 26	34,846	-2,455	-6.58%
District 27	41,268	3,967	10.64%
District 28	45,037	7,736	20.74%
District 29	32,990	-4,311	-11.56%
District 30	34,013	-3,288	-8.81%
District 31	29,474	-7,827	-20.98%
District 32	31,424	-5,877	-15.76%

Exhibit No. 8
Explanation of Redistricting Process
Page 16 of 39

	Population	Deviation	Percent Deviation
District 33	32,160	-5,141	-13.78%
District 34	37,321	20	0.05%
District 35	39,561	2,260	6.06%
District 36	38,439	1,138	3.05%
District 37	43,626	6,325	16.96%
District 38	37,612	311	0.83%
District 39	34,678	-2,623	-7.03%
District 40	34,899	-2,402	-6.44%
District 41	31,110	-6,191	-16.60%
District 42	31,209	-6,092	-16.33%
District 43	37,678	377	1.01%
District 44	34,343	-2,958	-7.93%
District 45	50,117	12,816	34.36%
District 46	40,384	3,083	8.27%
District 47	40,075	2,774	7.44%
District 48	63,391	26,090	69.94%
District 49	37,806	505	1.35%
District 50	33,358	-3,943	-10.57%
District 51	31,515	-5,786	-15.51%
District 52	34,835	-2,466	-6.61%
District 53	34,472	-2,829	-7.58%
District 54	32,159	-5,142	-13.79%
District 55	34,048	-3,253	-8.72%
District 56	32,076	-5,225	-14.01%
District 57	30,096	-7,205	-19.32%
District 58	38,710	1,409	3.78%
District 59	32,551	-4,750	-12.73%
District 60	34,706	-2,595	-6.96%
District 61	33,723	-3,578	-9.59%
District 62	33,398	-3,903	-10.46%
District 63	38,360	1,059	2.84%
District 64	34,361	-2,940	-7.88%
District 65	33,735	-3,566	-9.56%
District 66	32,845	-4,456	-11.95%

Exhibit No. 8
Explanation of Redistricting Process
Page 17 of 39

	Population	Deviation	Percent Deviation
District 67	36,320	-981	-2.63%
District 68	49,349	12,048	32.30%
District 69	42,328	5,027	13.48%
District 70	28,992	-8,309	-22.28%
District 71	45,921	8,620	23.11%
District 72	40,039	2,738	7.34%
District 73	31,016	-6,285	-16.85%
District 74	28,112	-9,189	-24.63%
District 75	37,149	-152	-0.41%
District 76	35,411	-1,890	-5.07%
District 77	45,080	7,779	20.85%
District 78	35,446	-1,855	-4.97%
District 79	59,129	21,828	58.52%
District 80	39,082	1,781	4.77%
District 81	35,525	-1,776	-4.76%
District 82	34,746	-2,555	-6.85%
District 83	36,663	-638	-1.71%
District 84	36,703	-598	-1.60%
District 85	34,760	-2,541	-6.81%
District 86	39,715	2,414	6.47%
District 87	47,453	10,152	27.22%
District 88	39,968	2,667	7.15%
District 89	33,501	-3,800	-10.19%
District 90	32,339	-4,962	-13.30%
District 91	30,470	-6,831	-18.31%
District 92	40,550	3,249	8.71%
District 93	32,607	-4,694	-12.58%
District 94	39,444	2,143	5.75%
District 95	33,332	-3,969	-10.64%
District 96	41,272	3,971	10.65%
District 97	42,529	5,228	14.02%
District 98	55,583	18,282	49.01%
District 99	49,234	11,933	31.99%
District 100	34,763	-2,538	-6.80%

Exhibit No. 8
Explanation of Redistricting Process
Page 18 of 39

	Population	Deviation	Percent Deviation
District 101	29,972	-7,329	-19.65%
District 102	37,248	-53	-0.14%
District 103	30,594	-6,707	-17.98%
District 104	42,872	5,571	14.94%
District 105	55,771	18,470	49.52%
District 106	43,961	6,660	17.85%
District 107	36,642	-659	-1.77%
District 108	38,039	738	1.98%
District 109	30,686	-6,615	-17.73%
District 110	36,192	-1,109	-2.97%
District 111	31,008	-6,293	-16.87%
District 112	45,649	8,348	22.38%
District 113	29,036	-8,265	-22.16%
District 114	37,736	435	1.17%
District 115	36,465	-836	-2.24%
District 116	37,937	636	1.71%
District 117	44,750	7,449	19.97%
District 118	67,559	30,258	81.12%
District 119	38,151	850	2.28%
District 120	33,404	-3,897	-10.45%
District 121	29,679	-7,622	-20.43%
District 122	35,907	-1,394	-3.74%
District 123	35,356	-1,945	-5.21%
District 124	37,330	29	0.08%

2. Minority Population

a. Statewide

South Carolina's black population grew from 1,185,216 persons in 2000 to 1,290,684 persons in 2010, reflecting a growth rate of 8.9%. This population growth was substantially less than the statewide average growth rate of 15.29% and of the growth rate of white population of 13.52%. This diminished level of growth led to the black population comprising only 27.90% of the state's population in 2010 as compared to 29.54% of the population in 2000.

As to racial demographics, the total white population of the state grew by 13.52%, constituting 66.16% of the total population of the state. However, in 2000, the white population comprised 67.19% of the population, and thus declined by approximately 1.0% in proportion to the total population.

Although the Hispanic population grew substantially from 2000 to 2010 at a rate of 147.89%, the total Hispanic population remained relatively small. In 2000, there were 95,076 Hispanics in the state, which comprised only 2.37% of the population. Over the intervening ten years, the Hispanic population increased by approximately 140,000 persons, but nevertheless only constitutes 5.1% of the state's total population and is geographically dispersed. As a result, no political subdivision in the state is comprised of a majority Hispanic population.

b. County Comparison

In only seven of the 46 counties¹⁰ did the black population exceed the statewide average growth rate as reported by the 2010 Census. None of these counties were comprised of a majority black population. Additionally, the population shifts were more pronounced in 18 counties,¹¹ where the black population decreased from the levels reported in 2000. Of these counties, seven¹² were majority black counties in 2000. However, based upon population shifts reported in the 2010 Census, this number decreased to six because blacks in McCormick County now comprise only a plurality of that county's population. Only five majority black counties¹³ in South Carolina experienced a growth in black population, but in every instance that growth was substantially below the statewide average of 15.29%.

¹⁰ Berkeley, Greenville, Horry, Richland, York, Lexington, and Dorchester Counties.

¹¹ Calhoun, Abbeville, Saluda, Williamsburg, Marion, Laurens, Georgetown, Colleton, Chester, Bamberg, McCormick, Hampton, Allendale, Lee, Newberry, Charleston, Union, and Edgefield Counties.

¹² Williamsburg, Marion, Bamberg, McCormick, Hampton, Allendale and Lee Counties.

¹³ Marlboro, Clarendon, Fairfield, Orangeburg, and Jasper.

Figure 2-b
 Black Population Changes by County

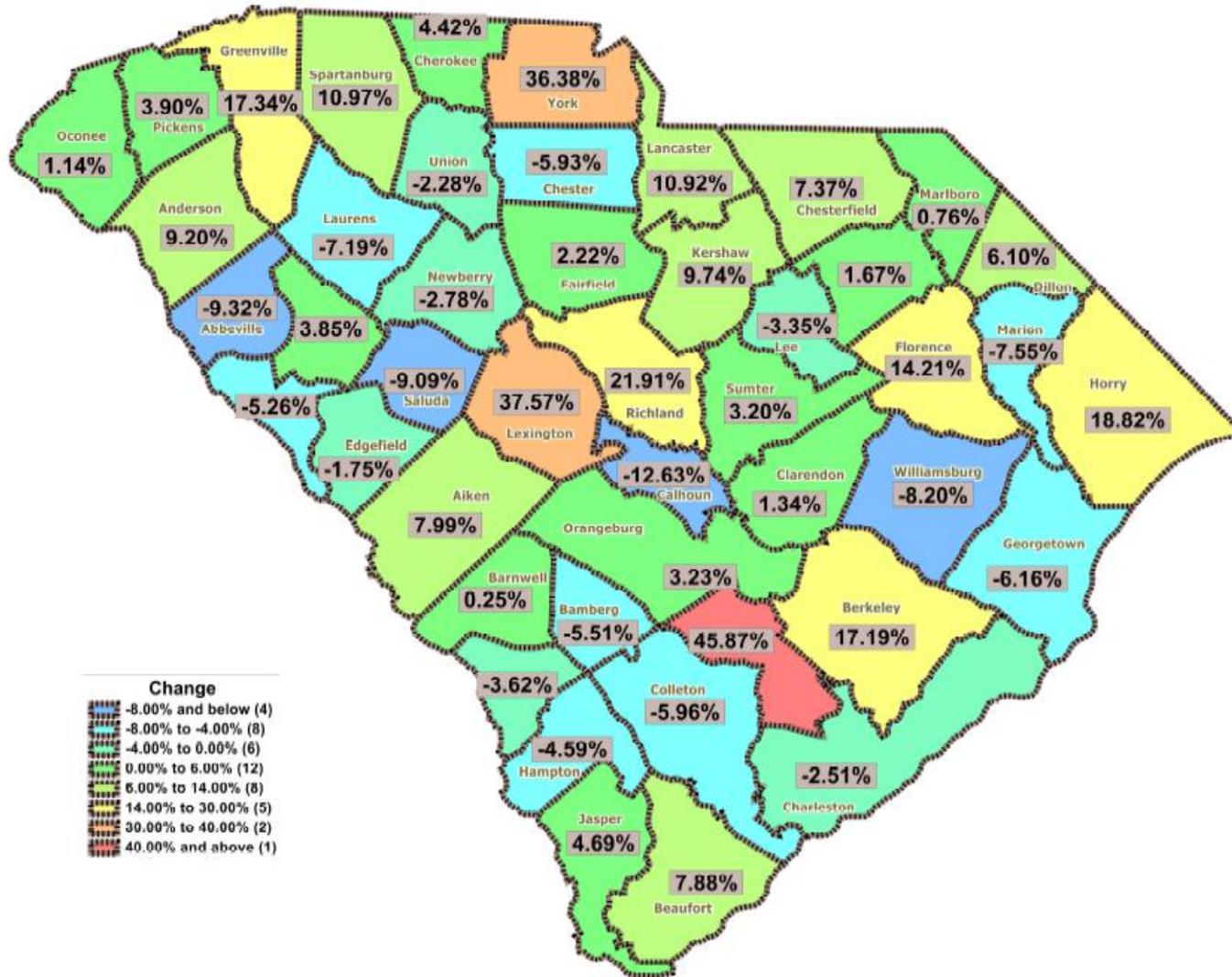


Table 2-b
Minority Population Changes by County

	2000 % White Population	2010 % White Population	Change in White Population	2000 % Black Population	2010 % Black Population	Change in Black Population	2000 % Hispanic Population	2010 % Hispanic Population	Change in Hispanic Population
South Carolina (Statewide)	67.19%	66.16%	13.52%	29.54%	27.90%	8.90%	2.37%	5.10%	147.89%
Abbeville	68.33%	69.60%	-1.06%	30.29%	28.28%	-9.32%	0.83%	1.00%	17.51%
Aiken	71.37%	69.62%	9.55%	25.56%	24.58%	7.99%	2.12%	4.89%	158.64%
Allendale	27.37%	23.66%	-19.65%	71.00%	73.63%	-3.62%	1.61%	2.29%	32.04%
Anderson	81.56%	80.06%	10.83%	16.59%	16.04%	9.20%	1.11%	2.91%	197.33%
Bamberg	36.47%	36.09%	-5.02%	62.50%	61.53%	-5.51%	0.71%	1.61%	118.64%
Barnwell	55.18%	52.60%	-8.16%	42.55%	44.27%	0.25%	1.39%	1.82%	25.69%
Beaufort	70.65%	71.88%	36.46%	23.98%	19.29%	7.88%	6.79%	12.06%	138.39%
Berkeley	68.05%	66.48%	21.89%	26.65%	25.03%	17.19%	2.76%	6.05%	173.32%
Calhoun	50.06%	53.88%	7.63%	48.71%	42.56%	-12.63%	1.40%	3.02%	116.04%
Charleston	61.89%	64.22%	17.18%	34.48%	29.76%	-2.51%	2.40%	5.39%	153.93%
Cherokee	76.92%	75.03%	2.76%	20.56%	20.38%	4.42%	2.08%	3.67%	86.08%
Chester	59.92%	59.79%	-2.95%	38.65%	37.38%	-5.93%	0.75%	1.45%	87.84%
Chesterfield	64.34%	62.81%	6.68%	33.22%	32.64%	7.37%	2.27%	3.56%	71.58%
Clarendon	44.93%	47.02%	12.62%	53.14%	50.05%	1.34%	1.72%	2.57%	60.54%
Colleton	55.52%	57.01%	4.37%	42.18%	39.03%	-5.96%	1.44%	2.81%	98.55%
Darlington	56.98%	55.86%	-0.09%	41.70%	41.60%	1.67%	0.98%	1.66%	73.25%
Dillon	50.39%	48.03%	-0.53%	45.35%	46.10%	6.10%	1.75%	2.60%	54.55%
Dorchester	71.11%	67.83%	35.22%	25.10%	25.83%	45.87%	1.79%	4.45%	252.79%

Exhibit No. 8
Explanation of Redistricting Process
Page 23 of 39

	2000 % White Population	2010 % White Population	Change in White Population	2000 % Black Population	2010 % Black Population	Change in Black Population	2000 % Hispanic Population	2010 % Hispanic Population	Change in Hispanic Population
Edgefield	56.85%	58.64%	13.34%	41.57%	37.17%	-1.75%	2.05%	5.24%	181.11%
Fairfield	39.58%	38.55%	-0.50%	59.09%	59.14%	2.22%	1.07%	1.56%	49.60%
Florence	58.65%	54.88%	1.84%	39.34%	41.28%	14.21%	1.10%	2.21%	119.09%
Georgetown	59.73%	63.18%	14.11%	38.63%	33.60%	-6.16%	1.65%	3.10%	103.16%
Greenville	77.53%	73.82%	13.17%	18.30%	18.06%	17.34%	3.76%	8.09%	155.51%
Greenwood	65.57%	62.85%	0.75%	31.74%	31.36%	3.85%	2.87%	5.44%	99.21%
Hampton	42.90%	42.67%	-1.90%	55.68%	53.86%	-4.59%	2.56%	3.53%	36.01%
Horry	81.03%	79.87%	34.96%	15.49%	13.44%	18.82%	2.57%	6.20%	229.90%
Jasper	42.41%	43.02%	21.58%	52.71%	46.03%	4.69%	5.76%	15.14%	215.29%
Kershaw	71.61%	71.26%	16.61%	26.29%	24.62%	9.74%	1.68%	3.72%	159.37%
Lancaster	71.03%	71.55%	25.86%	26.86%	23.85%	10.92%	1.59%	4.41%	246.01%
Laurens	71.58%	70.41%	-5.91%	26.23%	25.45%	-7.19%	1.94%	4.10%	101.85%
Lee	35.03%	33.40%	-8.92%	63.56%	64.30%	-3.35%	1.31%	1.74%	26.52%
Lexington	84.18%	79.28%	14.40%	12.63%	14.30%	37.57%	1.92%	5.54%	250.43%
Marion	41.69%	40.63%	-9.15%	56.35%	55.88%	-7.55%	1.79%	2.39%	24.76%
Marlboro	44.49%	41.43%	-6.50%	50.73%	50.91%	0.76%	0.71%	2.77%	290.24%
McCormick	44.78%	48.71%	11.80%	53.88%	49.67%	-5.26%	0.86%	0.79%	-5.81%
Newberry	64.20%	62.12%	0.80%	33.21%	31.00%	-2.78%	4.26%	7.17%	75.47%
Oconee	89.14%	87.75%	10.42%	8.38%	7.56%	1.14%	2.36%	4.51%	114.40%
Orangeburg	37.20%	34.35%	-6.68%	60.90%	62.20%	3.23%	0.96%	1.91%	101.94%
Pickens	90.27%	88.70%	5.77%	6.82%	6.59%	3.90%	1.70%	3.14%	99.20%
Richland	50.28%	47.33%	12.83%	45.14%	45.91%	21.91%	2.72%	4.85%	113.90%
Saluda	65.80%	61.09%	-3.81%	29.99%	26.31%	-9.09%	7.30%	14.37%	103.93%
Spartanburg	75.09%	72.34%	7.93%	20.80%	20.60%	10.97%	2.79%	5.86%	135.25%

Exhibit No. 8
Explanation of Redistricting Process
Page 24 of 39

	2000 % White Population	2010 % White Population	Change in White Population	2000 % Black Population	2010 % Black Population	Change in Black Population	2000 % Hispanic Population	2010 % Hispanic Population	Change in Hispanic Population
Sumter	50.14%	48.23%	-1.21%	46.69%	46.92%	3.20%	1.83%	3.29%	84.15%
Union	67.80%	66.59%	-4.82%	31.05%	31.30%	-2.28%	0.67%	0.97%	41.71%
Williamsburg	32.73%	31.78%	-10.22%	66.25%	65.76%	-8.20%	0.73%	2.00%	152.38%
York	77.24%	74.82%	33.03%	19.15%	19.02%	36.38%	1.96%	4.46%	212.89%

c. Majority-Minority Districts

These population changes were also reflected in the statistics for the current House districts which significantly impacting the majority-minority legislative districts in the state. No district, either under the 2000 Census or the 2010 Census, had a majority Hispanic total or voting age population. However, based upon the plan passed in 2000 the 2000 Census showed that 29 districts had a black voting age population percentage of more than 50%, and 27 districts had a non-Hispanic black voting age population percentage of more than 50%. Following the 2010 Census, only 21 districts had a black voting age or a non-Hispanic black voting age population of more than 50%.

Of the previous 29 majority-minority districts, per the 2010 Census data, 26 were underpopulated from the statewide ideal deviation of 37,301. Twenty-one of the majority-minority districts were underpopulated by more than 3,000 people, and 13 were underpopulated by over 6,000 people. Only three of the majority-minority districts were overpopulated, but one of those districts – District 116 – had increased in white population to the extent that it was no longer a majority black district.

Table 2-c
Minority Percentages of Districts

	% White Voting Age Population	% Non-Hispanic Black Voting Age Population
District 1	91.31%	2.94%
District 2	84.72%	11.25%
District 3	83.87%	8.46%
District 4	93.18%	3.96%
District 5	86.66%	8.15%
District 6	75.51%	19.13%

Exhibit No. 8
Explanation of Redistricting Process
Page 26 of 39

	% White Voting Age Population	% Non- Hispanic Black Voting Age Population
District 7	83.52%	14.24%
District 8	81.45%	14.55%
District 9	72.79%	22.67%
District 10	90.12%	6.11%
District 11	73.81%	23.97%
District 12	44.61%	47.96%
District 13	72.11%	23.31%
District 14	79.96%	17.69%
District 15	68.90%	25.99%
District 16	67.88%	26.77%
District 17	91.43%	4.63%
District 18	79.95%	10.90%
District 19	75.19%	10.53%
District 20	80.22%	8.65%
District 21	81.22%	6.72%
District 22	76.86%	11.33%
District 23	41.47%	49.08%
District 24	77.64%	14.13%
District 25	35.65%	56.23%
District 26	74.34%	12.25%
District 27	80.10%	11.78%
District 28	75.53%	16.69%
District 29	79.89%	16.87%
District 30	73.34%	21.70%
District 31	33.33%	56.65%
District 32	78.67%	16.12%
District 33	81.00%	14.55%
District 34	64.19%	25.73%
District 35	84.08%	10.92%
District 36	73.61%	16.73%
District 37	72.80%	17.43%
District 38	88.88%	6.84%
District 39	67.55%	22.53%
District 40	66.12%	27.83%

Exhibit No. 8
Explanation of Redistricting Process
Page 27 of 39

	% White Voting Age Population	% Non- Hispanic Black Voting Age Population
District 41	39.78%	57.99%
District 42	69.61%	28.65%
District 43	74.08%	21.48%
District 44	71.27%	25.13%
District 45	75.18%	18.03%
District 46	73.52%	17.99%
District 47	83.02%	12.01%
District 48	82.55%	8.61%
District 49	46.81%	49.14%
District 50	37.72%	58.82%
District 51	29.75%	65.18%
District 52	66.71%	28.92%
District 53	63.18%	32.61%
District 54	43.21%	48.93%
District 55	52.42%	42.27%
District 56	60.36%	36.24%
District 57	42.87%	53.61%
District 58	72.25%	22.82%
District 59	39.73%	57.60%
District 60	61.18%	35.31%
District 61	56.47%	39.94%
District 62	38.96%	59.10%
District 63	73.29%	21.46%
District 64	48.25%	48.46%
District 65	72.26%	24.53%
District 66	34.51%	62.31%
District 67	68.73%	25.11%
District 68	82.03%	8.48%
District 69	77.68%	12.87%
District 70	34.71%	60.83%
District 71	73.62%	20.70%
District 72	61.86%	30.44%
District 73	22.93%	72.96%
District 74	42.66%	52.91%

Exhibit No. 8
Explanation of Redistricting Process
Page 28 of 39

	% White Voting Age Population	% Non- Hispanic Black Voting Age Population
District 75	72.84%	16.25%
District 76	27.99%	61.61%
District 77	38.37%	55.13%
District 78	57.49%	28.66%
District 79	57.37%	34.70%
District 80	43.83%	46.78%
District 81	79.40%	14.82%
District 82	42.90%	50.45%
District 83	75.32%	18.67%
District 84	71.43%	21.54%
District 85	81.02%	13.37%
District 86	72.89%	20.72%
District 87	87.23%	7.58%
District 88	76.90%	15.58%
District 89	69.86%	18.16%
District 90	49.47%	47.67%
District 91	41.60%	55.22%
District 92	72.63%	16.41%
District 93	52.72%	43.47%
District 94	72.41%	20.99%
District 95	27.02%	68.55%
District 96	80.72%	13.08%
District 97	61.06%	34.01%
District 98	68.01%	22.28%
District 99	64.15%	17.72%
District 100	72.73%	19.99%
District 101	34.21%	62.33%
District 102	52.24%	43.85%
District 103	48.00%	48.45%
District 104	80.07%	14.17%
District 105	79.75%	13.51%
District 106	89.82%	5.27%
District 107	75.48%	10.00%
District 108	72.21%	24.51%

Exhibit No. 8
Explanation of Redistricting Process
Page 29 of 39

	% White Voting Age Population	% Non- Hispanic Black Voting Age Population
District 109	37.86%	53.56%
District 110	87.47%	7.98%
District 111	48.02%	46.91%
District 112	88.05%	7.53%
District 113	33.54%	53.66%
District 114	74.55%	18.75%
District 115	81.70%	14.65%
District 116	52.30%	42.03%
District 117	60.35%	26.47%
District 118	75.13%	9.63%
District 119	76.39%	17.33%
District 120	63.01%	33.01%
District 121	41.15%	51.86%
District 122	38.94%	48.91%
District 123	81.12%	5.54%
District 124	65.71%	26.96%

The Redistricting Process

1. Preparation for redistricting

Prior to the release of the P.L. 94-171 data on March 23, 2011, the House of Representatives prepared for the redistricting process and released preliminary information to both legislators and members of the public. At the beginning of the process, the Speaker of the House assigned the task of redistricting primarily to the House Judiciary Committee, chaired by the Honorable James H. Harrison. Chairman Harrison, along with his staff, were charged with the responsibility of overseeing the redistricting process and assisting members with modifying their districts in a manner which complied with the U.S. Constitution, the VRA, and applicable federal and state law.

Beginning in December 2010, the House Judiciary Committee began organizing and equipping staff with the necessary equipment to redraw the district lines. In addition to acquiring the necessary computers and technical staff to facilitate this process, the House employed the Maptitude for Redistricting software, published by the Caliper Corporation, as the medium through which the districts would be drawn. Following the organization of the redistricting procedures, the House released information on the current districts to the public and its membership. House legislators received maps of their current districts as well as corresponding demographic data for the districts statewide. As well, the House made available data from the American Community Survey for legislator review and incorporation into the mapping software. Election data was also provided including voter registration information as well as election returns from 2006 through 2010.

On March 17, 2011, the House published a website containing similar information, along with proposed meeting schedules, transcripts as they became available, points of contact, district maps and statistics, and any plans submitted to the House for its consideration. This information was routinely updated throughout the process to encourage public participation and to ensure public availability of information concerning redistricting.

In addition to these procedures, Chairman Harrison selected the Election Laws Subcommittee, chaired by the Honorable Alan D. Clemmons, to manage the initial redistricting proposals and to direct the drafting of an initial plan which met all legal requirements. The Subcommittee members, which consisted of three Republicans and two Democrats (both of whom are members of the Legislative Black Caucus), received and reviewed substantial statistical information, case law, research papers, DOJ guidelines, and other pertinent documentation to further their understanding of the requirements of redistricting.

2. Public Hearings

The Election Laws Subcommittee began the redistricting process with public hearings held across the state of South Carolina. In all, the Subcommittee held nine hearings in Columbia, Beaufort, Florence, Rock Hill, Myrtle Beach, Aiken, Denmark, Greenville, and Summerville. These areas, which represent the major regions of the state, were selected to enable interested members of the public to have their voices heard on how the legislatures should be redrawn while efficiently minimizing their travel time.

As stated by Chairman Clemmons at the beginning of each session, the public hearings were held to receive input which would form the basis of how the Subcommittee, the Full Committee, and the House would proceed in completing a workable redistricting plan. The

Subcommittee requested input that would assist in understanding specific issues in areas throughout the state and that identified communities of interest which should be considered when drawing the district lines. These hearings were transcribed as part of the record in this matter and, in all, approximately 160 persons spoke at the hearings with an estimated 500 total in attendance.

3. Redistricting Criteria

Following the conclusion of the public hearings, the Subcommittee convened on April 28, 2011 to discuss proposed redistricting criteria and guidelines that would be followed in drafting a redistricting plan for the 124 legislative districts in the state. In particular, the 2011 Guidelines and Criteria for Congressional and Legislative Redistricting (“Guidelines”) adopted by the Subcommittee specified compliance with the United States Constitution and the opinions of the United States Supreme Court, the VRA, and the South Carolina Constitution and the laws of this state. *See* Attachment No. 1 - Guidelines. The adopted Guidelines directed that the population of the legislative districts would be based upon the 2010 Census, and that efforts would be made to limit the overall range of deviation from the ideal population of 37,301 to less than 5%, or a relative deviation in excess of plus or minus 2.5% for each district. In addition, the Guidelines specified compliance with various traditional redistricting criteria including contiguity, compactness, consideration of communities of interest, and consideration of incumbency protection.

4. Legislative Activity

On March 23, 2011, the House of Representatives received the P.L. 94-171 data and began incorporating that information into the Maptitude software. Over the ensuing days, House

Exhibit No. 8
Explanation of Redistricting Process
Page 33 of 39

staff tested the data and software program to ensure that it could be used accurately and effectively. In addition, maps of the current districts updated to reflect demographic data from the 2010 Census were developed and distributed to the House members for their initial review. On March 29, 2011, House staff began reserving appointments for legislators to begin reviewing and drawing their districts and the Map Room first opened to legislators on April 4, 2011.

On March 30, 2011, Speaker Harrell filed H. 3991 as a skeleton bill; i.e., a bill to be amended and given content by the House Election Laws Subcommittee and Judiciary Committee. The bill was given first reading on that same date and referred to the House Judiciary Committee. On May 18, 2011, the Election Laws Subcommittee convened a meeting to review and distribute to members of the subcommittee the redistricting plan developed under the direction of Chairman Clemmons and Chairman Harrison. Each of the Subcommittee members were provided detailed maps and demographics of the proposal and were afforded the opportunity to review the plan in detail before any substantive debate on the plan began.

The following week, on May 23, 2011, the Subcommittee convened a public hearing to discuss H. 3991 and any amendments to be offered thereto. Chairman Clemmons sponsored Amendment No. 1 consisting of a statewide plan redistricting each of the 124 house districts. Representative Clemmons explained the plan, which thereafter was passed unanimously by the five-member committee consisting of three Republicans and two African American Democrats. Representative Clemmons expressed his belief that the plan complied with federal constitutional equal population requirements, compliance with equal protection and Voting Rights Act requirements, and resulted in a plan that was contiguous and compact and that maintained

Exhibit No. 8
Explanation of Redistricting Process
Page 34 of 39

communities of interest. Several amendments were offered by the Subcommittee members and on May 18, 2011, the Subcommittee reported H. 3991 favorably with amendments.

On Monday, June 6, 2011, the Full House Judiciary Committee convened to consider the Subcommittee report on H. 3991. Again, the plan, as amended by the subcommittee was adopted unanimously by the Full House Judiciary Committee which consists of 15 Republicans and 10 Democrats, five of whom are African Americans. Following adoption of the statewide plan, a total of 55 amendments were offered by committee members. That same day, the Full Committee favorably reported the bill to the full House.

On Tuesday, June 14, the full House convened to consider H. 3991. By a vote of 85 to 27, the plan recommended by the House Judiciary Committee was adopted by the House. Individual members sponsored 33 amendments and the bill received second reading by a vote of 92-24 including twenty-three Democrats voting for the plan which included ten members of the Legislative Black Caucus. The bipartisan support of H. 3991 was reflected in public comments made by Representative Harry Ott, House Minority Leader, that “[t]his plan is fair.” *See* Exhibit No. 19, p.52 (Rep. Ott also said, “It’s not perfect, and we’ve got a few Democrats who find themselves in collapsed districts. But there’s an equal number of Republicans who find themselves in the same situation.”).

On Tuesday, June 15, Representative Harrison sponsored a technical amendment to the bill which corrected the population deviations of two districts resulting from the adoption of competing amendments during the previous day’s debate. Following the adoption of this technical amendment, the House gave third reading to the bill by a vote of 82-23 and sent the bill to the Senate for its consideration.

On June 16, 2011, the Senate received the bill from the House, gave it first reading and placed the bill on its calendar without reference to a committee. On June 21, 2011, the Senate voted on the bill, giving the bill second reading by a vote of 37 to 5. On June 22, the Senate amended the bill and gave the bill third reading.

On the same day that the Senate approved the plan, H. 3991 was returned to the House for consideration of Senate Amendments. The House then proposed additional amendments to the bill and returned it to the Senate, which concurred with the House Amendments and passed the bill by a vote of 35-1. The bill was enrolled and ratified the same date, June 22, 2011, and was sent to Governor Nikki Haley for consideration. Governor Haley signed the bill on June 28, 2011.

5. Effect of Redistricting Plan

As passed by the General Assembly and signed by the Governor of South Carolina, H. 3991 complies with the United States Constitution, the applicable provisions of the VRA, governing federal and state law, and traditional redistricting principles.

First and foremost, H. 3991 achieves substantial population equality among the districts as required by the United States Constitution and as applied to state legislative bodies through United States Supreme Court opinions. Prior to the modification of the district lines, the House districts had an overall deviation of 105.75% ranging from -24.63% to +81.12%. As proposed in H. 3991, the districts achieve an overall deviation of 4.99% with a range of -2.49% to +2.50%. This deviation comports with the Guidelines adopted by the Election Laws Subcommittee and represents substantial population equality among the districts.

Exhibit No. 8
Explanation of Redistricting Process
Page 36 of 39

In addition, the plan complies with traditional redistricting criteria as adopted by the Election Laws Subcommittee. In particular, each of the 124 districts is contiguous and compact in form. The districts do not have bizarre shapes, but follow census geography and prior configurations of the districts which reflect the state's most recent ongoing population shifts. Additionally, the plan considers communities of interest where possible, in particular by maintaining county, municipal and precinct boundaries where possible.

With respect to the impact of H. 3991 on minorities, the plan passed by the South Carolina House of Representatives complies with Section 5 of the VRA and is not retrogressive. As compared to the 29 majority-minority districts which existed following the adoption of the current House plan in 2003 and as compared to the 21 districts which existed in the Benchmark plan following the 2010 Census, H. 3991 contains 30 districts with majority black voting age and non-Hispanic black voting age populations. In order to achieve population equality while maintaining these majority-minority districts, the South Carolina House of Representatives modified district lines by adding population from adjoining areas. As a result, of the 29 majority-minority districts in existence in 2000, the House was able to maintain 28 majority-minority districts. The only exception was District 116, which had naturally retrogressed to a NHBVAP of 42.03%, but was within the acceptable population deviation. Although efforts were made to reestablish District 116 as a majority-minority district, the House concluded that it could not be drawn in a way that it would include compact minority population communities comprising a majority of the district.

However, the House did elevate two other districts to majority-minority status: District 79 and District 103. District 79 in Richland in 2000 had a BVAP of 22.23% and a NHBVAP of

Exhibit No. 8
Explanation of Redistricting Process
Page 37 of 39

22.16%. However, in 2010, those numbers grew to 34.79% and 34.70% respectively, but District 79 was overpopulated by approximately 21,700 people. By adjusting the district boundaries, the House brought District 79 within deviation and also established it with a BVAP of 51.63% and a NHBVAP of 51.44%. As well, District 103 in Georgetown and Williamsburg counties only had a BVAP of 49.30% and a NHBVAP of 49.09% in 2000. As a result of the 2010 Census, the district had fallen to a BVAP of 48.48% and a NHBVAP of 48.45%, but was underpopulated by more than 6,700 people. Based on the plan proposed in H. 3991, the House of Representatives elevated District 103 to majority-minority status, such that its BVAP is 51.98% and NHBVAP is 51.57%. Thus, the House plan in H. 3991 increases the number of majority-minority districts from 29 to 30.

As a result of these changes, the House asserts that H. 3991 does not dilute racial or ethnic minority strength and does not have the intent or effect of dispersing or concentrating minority candidates in a manner that prevents minorities from electing their candidates of choice. To the contrary, and in accordance with the VRA, the laws of the United States of America, the laws of the State of South Carolina, and the public policy of this state, the proposed redistricting plan neither has the purpose nor the effect of denying or abridging any U.S. citizen's right to vote on account of race, color, or status as a member of a language minority group. Moreover, the plan does not decrease the absolute the absolute number of representatives which a minority group has a fair chance to elect. Rather, the minority voting strength under H. 3991 enhances the position of racial minorities with respect to their effective exercise of the electoral franchise and, therefore, does not constitute retrogression and does not have the effect of diluting or abridging the right to vote on account of race within the meaning of Section 5.

Exhibit No. 8
Explanation of Redistricting Process
Page 38 of 39

Consistent with the adopted redistricting criteria, H. 3991 properly considered incumbency in the redistricting process resulting in a plan which established 116 legislative districts with incumbent legislators, and four new districts with no incumbent legislator residing in the districts. Population requirements in certain areas of the state compelled the merger of certain districts in order to achieve substantial population equality, resulting in two incumbent legislators residing in each of the four remaining districts.

Because certain areas of the state did not experience similar population growth, but either experienced limited growth or actually decreased in population, four districts are merged with other districts in this plan. With approximately 7,000 people less than the ideal population size, District 15 in Laurens County was the most underpopulated non-majority-minority district, in the area. The surrounding districts, 14, 16, 40, and 42 also were underpopulated. The combined effect of the population needs of those districts necessitated the merger of District 15 into other districts.

District 26 in Greenville and Pickens County was underpopulated by only 2,500 people. But Districts 3, 4, and 5 had to pick up population from District 26 to fall within deviation. Additionally, District 26 had to withdraw from Greenville County to some extent due to population needs of other districts in that County. As a result, District 26 was significantly underpopulated. Simultaneously, District 10 in Anderson had to surrender population to the other Districts in and around Anderson County. District 56 in Darlington County was also underpopulated, as were all of the districts in the Pee Dee region. Specifically, Districts 53, 54, 55, 56, 59, 62, and 65 were all underpopulated by a total of 29,000—nearly the ideal population size for a single district. That fact coupled with population needs in other parts of the Pee Dee

Exhibit No. 8
Explanation of Redistricting Process
Page 39 of 39

necessitated the merger of a district in that area. The House determined that District 56 was the most logical district to merge because it fell in the middle of the area with significant population needs.

In addition to being underpopulated by 4,000 people, District 120 in Colleton County 2 was situated in the middle of several districts that also were underpopulated. Specifically, Districts 90, 91, 120, 121, and 122 were underpopulated by a total of approximately 25,000 people. District 120 also was the only district in the area that was not a majority-minority district in that area. These factors, coupled with population needs resulting from the creation of the new Beaufort district driven by population increased in that area, led to the merger of District 120.

Four new districts were created due to population growth in other areas of the state. The largest district in the State after the 2010 Census, District 118 in Beaufort was overpopulated by 30,200 people and, thus, had almost twice the ideal population size for a single district. This necessitated creating a new district in Beaufort. The second largest district, District 48 in York was overpopulated by 26,000 people, which required creating a new district in that area. District 105 was the fourth largest district and was overpopulated by 18,400 people. The excess population of District 105, when combined with excess population of approximately 12,000 in the adjacent District 68, required creating a new district in Horry County. District 98 in Dorchester was the fifth most overpopulated district, with 18,200 people above the upper level of the deviation range. Also, Districts 99, 112, and 117 in Berkeley and Charleston Counties were overpopulated by a total of approximately 27,500 people. The combined overpopulation of those districts necessitated the creation of a new district in Berkeley County.

**S.C. House of Representatives
Judiciary Committee
Election Laws Subcommittee**

**2011 Guidelines and Criteria For Congressional and
Legislative Redistricting**

The South Carolina House of Representatives, the House Judiciary Committee, and the House Election Laws Subcommittee have the authority to determine the criteria that the South Carolina House of Representatives will use to create Congressional and legislative districts. Therefore, the Election Laws Subcommittee of the South Carolina House of Representatives adopts as its criteria these guidelines and criteria.

I. Constitutional Law

Redistricting plans shall comply with the United States Constitution and the opinions of the United States Supreme Court.

II. Voting Rights Act.

Redistricting plans shall comply with the Voting Rights Act of 1965, as amended. Pursuant to the Voting Rights Act of 1965, and in accordance with the opinions of the Supreme Court, race may be a factor considered in the creation of redistricting plans, but it must not be the predominant factor motivating the legislature's decisions concerning the redistricting plan and

must not unconstitutionally predominate over other criteria set forth in these guidelines. The dilution of racial or ethnic minority voting strength is contrary to the laws of the United States and of the State of South Carolina, and also is against the public policy of this state. Accordingly, these criteria are subordinate to the Voting Rights Act of 1965, as amended, and the laws of the United States or of the State of South Carolina. Any proposed redistricting plan that is demonstrated to have the intent or effect of dispersing or concentrating minority population in a manner that prevents minorities from electing their candidates of choice will neither be accepted nor approved.

III. State Constitution and Laws.

Except as otherwise required by the Constitution and laws of the United States, redistricting plans also shall comply with the South Carolina Constitution and the laws of this state.

IV. Equal Population/Deviation

- a. The population of the Congressional and legislative districts will be determined based solely on the enumeration of the 2010 federal decennial census pursuant to the United States Constitution, Article I, Section 2.

- b. The number of persons in Congressional districts shall be nearly equal as is practicable. The ideal population for Congressional districts shall be 660,766. In every case, efforts shall be made to achieve strict equality or produce the lowest overall range of deviation possible when taking into consideration geographic limitations.
- c. The ideal population for a South Carolina House of Representatives district shall be 37,301. In every case, efforts should be made to limit the overall range of deviation from the ideal population to less than five percent, or a relative deviation in excess of plus or minus two and one-half percent for each South Carolina House district. Nevertheless, any overall deviation greater than five percent from equality of population among South Carolina House districts shall be justified when it is the result of geographic limitations, the promotion of a constitutionally permissible state policy, or to otherwise comply with the criteria identified in these guidelines.

V. Contiguity

Congressional and legislative districts shall be comprised of contiguous territory. Contiguity by water is sufficient. Areas which meet only at the points of adjoining corners shall not be considered contiguous.

VI. Compactness

Congressional and legislative districts shall be compact in form and shall follow census geography. Bizarre shapes are to be avoided except when required by one or more of the following factors: (a) census geography; (b) efforts to achieve equal population, as is practicable; or (c) efforts to comply with the Voting Rights Act of 1965, as amended. Compactness may require the division of population concentrations when to do otherwise would mean dramatically altering the character of a district or would require tortuous configuration of an adjoining district.

Compactness will be judged in part by the configuration of prior plans. Particular reference will be made to prior plans implemented after the 2000 census because these configurations more accurately reflect the present realities imposed by the state's most recent ongoing population shifts. Compactness will not be judged based upon any mathematical, statistical, or formula-based calculation or determination.

VII. Communities Of Interest

Communities of interest shall be considered in the redistricting process. A variety of factors may contribute to a community of interest including, but not limited to the following: (a) economic; (b) social and cultural; (c) historic influences; (d) political beliefs; (e) voting behavior; (f)

governmental services; (g) commonality of communications; and (h) geographic location and features. Communities of interest shall be considered and balanced by the Election Laws Subcommittee, the House Judiciary Committee, and the South Carolina House of Representatives. County boundaries, municipality boundaries, and precinct lines (as represented by the Census Bureau's Voting Tabulation District lines) may be considered as evidence of communities of interest to be balanced, but will be given no greater weight, as a matter of state policy, than other identifiable communities of interest.

It is possible that competing communities of interest will be identified during the redistricting process. Although it may not be possible to accommodate all communities of interests, the Election Laws Subcommittee, the House Judiciary Committee, and the South Carolina House of Representatives will attempt to accommodate diverse communities of interest to the extent possible.

VIII. Incumbency Protection

Incumbency protection shall be considered in the reapportionment process. Reasonable efforts shall be made to ensure that incumbent legislators remain in their current districts. Reasonable efforts shall be made to ensure that incumbent legislators are not placed into districts where they

will be compelled to run against other incumbent members of the South Carolina House of Representatives.

IX. Priority Of Criteria

- a. In establishing congressional and legislative districts, all criteria identified in these guidelines shall be considered. However, if there is a conflict among the requirements of these guidelines, the Voting Rights Act of 1965 (as amended), equality of population among districts, and the United States Constitution shall be given priority.
- b. If application of the criteria set forth in these guidelines will cause a violation of applicable constitutional, federal, or state law, and there is no other way to conform to the criteria without a violation of law, deviations from the criteria are permitted. However, any deviation from the criteria shall not be any more than necessary to avoid the violation of law, and the remainder of the redistricting plan shall remain faithful to the criteria.

X. Public Input

Subcommittee shall make reasonable efforts to be transparent and allow public input into the redistricting process.