

Texas Redistricting: 1990s Timeline

1990

- April 1, 1990 Census Day
- December 31, 1990 Census Bureau reports total state populations to the president. The number of congressional seats for each state is determined. Texas has enough population to gain three new congressional seats.

1991

- January 8, 1991 72nd Legislature, Regular Session, convenes.
- February 5, 1991 Legislature receives 1990 unadjusted census figures for Texas.
- February 7, 1991 Lawsuits filed in state district court (*Mena v. Richards*, No. C-454-91-F 332nd D.C., Hidalgo County) and federal district court (*Mena v. Mosbacher*, No. C-B-91-010, S.D. Tex.) to prevent the state from using the 1990 census figures without adjusting for alleged minority undercount.
- April 18, 1991 Census Bureau releases estimate that it failed to count between 236,490 and 632,490 Texans in the 1990 census.
- May 24, 1991 Final passage of house districts in H.B. 150 (PlanH641) and senate districts in S.B. 31 (PlanS552).
- May 27, 1991 72nd Legislature, Regular Session, adjourns.
- June 7, 1991 *Terrazas v. Slagle* is filed in federal court challenging the house districts adopted in H.B. 150 (PLANH641) and senate districts adopted in S.B. 31 (PLANS552) as well as the existing congressional districts (PLANC001--no new congressional plan had yet been enacted) on the basis of minority vote dilution and partisan gerrymandering. A three-judge federal district court is named to hear the case (the "Austin panel").
- June 17, 1991 Plaintiffs amend the *Mena v. Richards* and *Mena v. Mosbacher* lawsuits to include voting rights complaints against the house (PLANH641) and senate (PLANS552) redistricting plans and the existing SBOE (PLANE001) and congressional (PLANC001) plans.
- July 15, 1991 Decision to not statistically adjust the 1990 census is announced by U.S. secretary of commerce. 72nd Legislature, 1st Called Session, convenes.
- August 5-8, 1991 State district court in Hidalgo County holds hearing in *Mena v. Richards* challenging the legislature's use of unadjusted census figures for redistricting.
- August 8, 1991 Senate Bill 31 (PLANS552) is submitted to the U.S. Department of Justice for preclearance.
- August 13, 1991 72nd Legislature, 1st Called Session, adjourns.

Texas Redistricting: 1990s Timeline

- August 19, 1991 72nd Legislature, 2nd Called Session, convenes.
- August 22, 1991 State district court rules in *Mena v. Richards* that census figures used to redistrict are invalid and orders the state to develop a method to adjust for the census undercount by September 30, 1991.
- August 24, 1991 Legislative Redistricting Board meets to consider its possible role in legislative redistricting.
- August 25, 1991 Legislature adopts State Board of Education districts (S.B. 2, 72nd Legislature, 2nd Called Session, PLANE522). This plan remains in effect during the 1990s. Legislature adopts congressional districts (H.B. 1, 72nd Legislature, 2nd Called Session, PLANC657). This plan remains in effect until 1996, when the court in *Vera v. Bush* orders PLANC746 into effect. 72nd Legislature, 2nd Called Session, adjourns.
- September 12, 1991 House district plan (H.B. 150, PLANH641) is submitted to the justice department for preclearance.
- September 17, 1991 Congressional district plan (H.B. 1, 72nd Legislature, 2nd Called Session, PLANC657) is submitted to the justice department for preclearance.
- September 19, 1991 State Board of Education district plan (S.B. 2, 72nd Legislature, 2nd Called Session, PLANE522) is submitted to the justice department for preclearance.
- September 20, 1991 Texas attorney general files suit in U.S. District Court for the District of Columbia (*Texas v. United States*, 785 F. Supp. 201 (D.D.C. 1992)) seeking preclearance of the legislature's house, senate, congressional, and State Board of Education plans and seeking interim authority to use those plans for the 1992 elections.
- October 7, 1991 New lawsuit (*Quiroz v. Richards*, No. C-4395-91-F, 332nd D.C., Hidalgo County) is filed in which the state district court approves a new senate plan (PLANS560), drawn as a settlement between the state and the plaintiffs in *Mena v. Richards*.
- October 8, 1991 Request for preclearance of S.B. 31 (PLANS552) is withdrawn and the settlement senate district plan (PLANS560) is submitted to the justice department for preclearance.
- November 12, 1991 Justice department objects to H.B. 150 (PLANH641), citing the effect of the plan on Hispanic voting strength in Bexar, Dallas, and El Paso Counties and certain areas of South Texas.
- November 18, 1991 Quiroz senate settlement plan (PLANS560), congressional plan (H.B. 1, 72nd Legislature, 2nd Called Session, PLANC657), and State Board of Education plan (S.B. 2, 72nd Legislature, 2nd Called Session, PLANE522) are precleared by the justice department.
- November 25, 1991 *Mena v. Richards* (challenge to H.B. 150, PLANH641) trial begins in state district court. *Terrazas v. Ramirez*, 829 S.W.2d 712 (Tex. 1991), is filed with the Texas Supreme Court seeking to void the Quiroz senate settlement plan (PLANS560).

Texas Redistricting: 1990s Timeline

- November 26, 1991 House Committee on Redistricting adopts a revised house redistricting plan (PLANH693). The Mena plaintiffs reject the plan.
- November 27, 1991 Attorney general submits the committee's revised house plan (PLANH693) to the state district court for consideration as a proposed settlement in *Mena v. Richards*. The court rejects the committee's plan and accepts an alternative plan, the Mena plaintiffs' proposed plan (PLANH694). The court orders PLANH694 into effect for the 1992 elections and submits it to the justice department for preclearance.
- December 9, 1991 After negotiations between house members and the Mena plaintiffs, PLANH707 is agreed on, and the state offers the plan as a settlement. This plan is approved and ordered into effect by the state district court in place of PLANH694.
- December 10, 1991 Texas Supreme Court hears arguments on the *Terrazas v. Ramirez* challenge to the Quiroz senate settlement plan (PLANS560). Austin panel begins hearings in *Terrazas v. Slagle*.
- December 12, 1991 State district court in *Mena v. Richards* approves a corrected version of the house settlement plan (PLANH711). The secretary of state submits this plan to the justice department for preclearance.
- December 17, 1991 Texas Supreme Court, in *Terrazas v. Ramirez*, 829 S.W.2d 712 (Tex. 1991), orders the state district court to vacate its judgment in *Quiroz v. Richards* approving the senate settlement plan (PLANS560). The justice department withdraws preclearance of the plan.
- December 24, 1991 Federal district court (Austin panel, *Terrazas v. Slagle*, 789 F. Supp. 828 (W.D. Tex. 1991), *aff'd sub nom. Richards v. Terrazas*, 505 U.S. 1214, 112 S. Ct. (1992) (mem.) and *Slagle v. Terrazas*, 506 U.S. 801, 113 S. Ct. (1992) (mem.)) orders court-drawn senate and house plans into effect for the 1992 elections (PLANS567 and PLANH714). The panel suspends the prior residency requirement for house and senate candidates and postpones from January 2 to January 10 the filing deadline for candidates. These plans are effective for the 1992 primary and general elections. The panel approves the legislature's congressional redistricting plan (PLANC657).

1992

- January 2, 1992 72nd Legislature, 3rd Called Session, convenes. Legislature enacts senate settlement plan from *Quiroz v. Richards* (S.B. 1, PLANS560) and new house plan similar to house settlement plan from *Mena v. Richards* (H.B. 1, PLANH738).
- January 8, 1992 72nd Legislature, 3rd Called Session, adjourns.

Texas Redistricting: 1990s Timeline

- January 10, 1992 Senate plan enacted in S.B. 1 (PLANS560) is submitted to the justice department for preclearance. The Austin panel rejects the state's request to substitute the S.B. 1 senate plan (PLANS560) for the court-ordered plan (PLANS567).
- January 12, 1992 State appeals the Austin panel's order to use PLANS567 to the U.S. Supreme Court, requesting that court to void the Austin panel's order and allow the primary to be held using S.B. 1, 72nd Legislature, 3rd Called Session (PLANS560).
- January 14, 1992 Austin panel issues a temporary restraining order to prevent the immediate implementation of S.B. 1, 72nd Legislature, 3rd Called Session (PLANS560), and H.B. 1, 72nd Legislature, 3rd Called Session (PLANH738).
- January 16, 1992 U.S. Supreme Court denies the state's request to void the Terrazas court's order to use its court-ordered plans (PLANS567 and PLANH714) for the 1992 primary elections.
- February 4, 1992 State asks the U.S. District Court for the District of Columbia in *Texas v. the United States* to declare S.B. 1, 72nd Legislature, 3rd Called Session (PLANS560), precleared.
- February 5, 1992 State asks the U.S. Supreme Court to overturn the Austin panel's senate plan (PLANS567) and block the March 10 primary from being held under that plan.
- February 10, 1992 State asks the Austin panel to vacate its order requiring the March 10 primary to be held under the court-ordered senate plan (PLANS567).
- February 15, 1992 U.S. Supreme Court refuses to block the March primary from being held under the Austin panel's senate plan (PLANS567).
- February 24, 1992 D.C. federal court in *Texas v. the United States* holds that the November 18, 1991, preclearance of the Mena (Quiroz) settlement plan did not constitute preclearance of S.B. 1 (72nd Legislature, 3rd Called Session), which enacted the same senate plan.
- March 9, 1992 Justice department refuses to preclear S.B. 1 (72nd Legislature, 3rd Called Session, PLANS560).
- June 29, 1992 U.S. Supreme Court affirms the Austin panel's order establishing the court-ordered senate plan (PLANS567).
- July 20, 1992 H.B. 1 (72nd Legislature, 3rd Called Session, PLANH738) is precleared by the justice department.
- July 27, 1992 D.C. federal court (*Texas v. United States*, 802 F. Supp. 481 (D.D.C. 1992)) grants preclearance of S.B. 1 (72nd Legislature, 3rd Called Session, PLANS560) under Section 5 of the Voting Rights Act of 1965.
- August 6, 1992 Secretary of state orders senate plan from S.B. 1 (72nd Legislature, 3rd Called Session, PLANS560) to be used for the November elections since it has been precleared in *Texas v. United States*.

Texas Redistricting: 1990s Timeline

- August 7, 1992 Suit is filed with the Austin panel to overturn the order of the secretary of state to use S.B. 1 (72nd Legislature, 3rd Called Session, PLANS560) for the November elections.
- August 21, 1992 Austin panel rules (*Terrazas v. Slagle*, 821 F. Supp. 1154 (W.D. Tex. 1992)) that the state must use the court-ordered senate plan (PLANS567) for the 1992 general election because primaries had already been held under that plan.
- October 5, 1992 U.S. Supreme Court upholds the Austin panel's court-ordered senate plan (PLANS567).

1993

- April 5, 1993 In its final decision in *Terrazas v. Slagle*, the Austin panel dismisses the suit and upholds the legislature's senate and house plans (PLANS560 and PLANH738) for the 1994 elections. The Austin panel issues a summary judgment finding no partisan gerrymandering in the state's congressional plan. (*Terrazas v. Slagle*, 821 F. Supp. 1162 (W.D. Tex. 1993) (per curiam)).

1994

- January 26, 1994 New suit (*Vera v. Richards*, 861 F. Supp. 1304 (S.D. Tex. 1994), aff'd sub nom. *Bush v. Vera*, 517 U.S. 952, 116 S. Ct. 1941 (1996)) is filed in federal district court in Houston challenging Texas' 30-district congressional plan (PLANC657) as unconstitutionally racially gerrymandered.
- March 3, 1994 Vera court denies plaintiffs' request for preliminary injunction to stop Texas' congressional elections.
- May 20, 1994 Vera court authorizes the intervention of the justice department in the suit and denies the state's request for a continuance.
- June 27, 1994 Court begins hearing *Vera v. Richards*.
- August 17, 1994 Vera court issues its opinion (*Vera v. Richards*, 861 F. Supp. 1304 (S.D. Tex. 1994), aff'd sub nom. *Bush v. Vera*, 517 U.S. 952, 116 S. Ct. 1941 (1996)) holding three congressional districts (18, 29, and 30) in violation of the Fourteenth Amendment to the U.S. Constitution. The court orders the legislature to adopt a new congressional plan by March 15, 1995. Texas' attorney general appeals to the U.S. Supreme Court.
- September 2, 1994 Court in *Vera v. Richards* issues an order allowing the congressional elections in November 1994 to be held using the lines as previously drawn by the legislature. The court again directs the legislature to develop a new plan by March 15, 1995, to correct invalid Districts 18, 29, and 30.
- September 19, 1994 Court in *Vera v. Richards* issues amended order enjoining the state from conducting the 1996 congressional elections using the districts enacted in 1991 (PLANC657).

Texas Redistricting: 1990s Timeline

- November 21, 1994 Vera court denies the state's request for a stay of the March 15, 1995, deadline for drawing a congressional plan.
- December 23, 1994 U.S. Supreme Court grants a stay of the March 15, 1995, deadline for re-drawing congressional districts in the *Vera v. Richards* case pending resolution of the state's appeal to the supreme court.

1995

- January 10, 1995 74th Legislature, Regular Session, convenes.
- January 25, 1995 New suit is filed (*Thomas v. Bush*, No. A-95-CV-186-SS (W.D. Tex. 1995) (filed in Southern District as No. H-95-0237, transferred to Western District on state's motion to change venue)) challenging certain senate and house districts as unconstitutionally racially gerrymandered. Thirteen senate districts are specifically challenged, and unspecified house districts are challenged in seven counties.
- March 17, 1995 Plaintiffs add Senate Districts 7, 15, 21, and 30 to the *Thomas v. Bush* lawsuit. For the house, plaintiffs add two counties to the initial seven counties in which districts are challenged and specifically list 54 challenged house districts.
- March 24, 1995 State requests a stay of further proceedings in the legislative redistricting lawsuit (*Thomas v. Bush*), including all discovery, until the U.S. Supreme Court issues opinions in the pending cases from Louisiana and Georgia challenging congressional districts and moves to dismiss Governor Bush as a party in the suit.
- March 28, 1995 House Committee on Redistricting holds a public hearing on house, senate, and congressional redistricting.
- March 29, 1995 Federal district judge grants the state's request for a change of venue to Austin in the legislative redistricting lawsuit (*Thomas v. Bush*).
- March 31, 1995 State requests that the judges who served on the *Terrazas v. Slagle* Austin panel for the 1991-1993 challenge of the legislative districts be appointed to the panel on the legislative redistricting case. Senate Committee of the Whole on Legislative and Congressional Redistricting holds public hearings in Dallas. Plaintiffs appeal the change of venue decision, oppose the state's motion to stay the proceedings, oppose the motion to dismiss the governor, and, before the state's filing of a motion to consolidate with *Terrazas*, oppose any consolidation.
- April 6, 1995 State files a motion to consolidate the legislative redistricting case with the *Terrazas v. Slagle* case.
- April 7, 1995 Senate Committee of the Whole on Legislative and Congressional Redistricting holds public hearings in Houston.

Texas Redistricting: 1990s Timeline

- April 12, 1995 Federal district court in Austin issues an order (1) setting a trial date for August 14, 1995; (2) denying the plaintiffs' motion for rehearing of an earlier court order changing venue to Austin; (3) denying the state's motion to consolidate the case with the Terrazas v. Slagle case; (4) denying the state's requested stay until after the U.S. Supreme Court's decision in two other racial gerrymandering cases; and (5) keeping under advisement the state's motion to dismiss the governor from the suit.
- April 20, 1995 House Committee on Redistricting holds public hearings.
- May 29, 1995 74th Legislature, Regular Session, adjourns.
- September 15, 1995 Federal district court in Austin orders an agreed settlement in the *Thomas v. Bush* case relating to state senate districts (PLANS730) and state house districts (PLANH849). The senate order allows for the staggered senate terms established by lot in January 1994 to remain in effect. In the new house plan, 36 districts are changed. For the senate and house districts that are different from the districts used in the 1994 elections, the one-year prior residency requirement is waived so that a candidate who would qualify to run in a former district can run either in the same-numbered district under the new plan or in the new district in which the candidate resides.

1996

- June 13, 1996 U.S. Supreme Court (*Bush v. Vera*, 116 S. Ct. 1941 (1996)) upholds the Houston three-judge district court's decision holding three congressional districts (PLANC657, Districts 18, 29, and 30) unconstitutionally gerrymandered on the basis of race and remands the case to the district court.
- July 22, 1996 Federal district court in Vera hears testimony and gives the parties until July 25 to submit further briefs and until July 31 to comment on any plans submitted to the court.
- August 6, 1996 Federal district court (*Vera v. Bush*, 933 F. Supp. 1341 (S.D.Tex. 1996)) enters an order that redraws 13 of the state's congressional districts (PLANC746). The order provides for a new primary, with candidates from all parties running against one another, to be held in the redrawn districts on the same day as the 1996 general election, with a runoff election to be held December 10 in each district in which no candidate receives a majority in the primary. The remaining 17 congressional districts are found to be legal and are unaffected by the court's ruling.
- November 5, 1996 Special congressional primary election is held in 13 districts under the Vera court order.
- December 10, 1996 Runoff election is held in four congressional districts under the Vera court order.

Texas Redistricting: 1990s Timeline

1997

- January 14, 1997 75th Legislature, Regular Session, convenes.
- April 10, 1997 State court of appeals holds that the legislature's enactment of the *Thomas v. Bush* court-ordered plan (PLANS730) used in the preceding election is not a new apportionment of the senate and therefore does not require all senators to run for reelection under Section 3, Article III, of the Texas Constitution. *Armbrister v. Morales*, 943 S.W.2d 202 (Tex. App.--Austin 1997). The decision reversed the district court, which held that legislative enactment of the court-ordered plan was a new apportionment.
- May 7, 1997 Final passage of H.B. 6 (PLANH863), which includes the court-ordered settlement districts to be used for the 1996 house elections plus minor changes in Collin, Jefferson, and Williamson Counties (Districts 21, 22, 52, 53, 66, and 67), and S.B. 715, which enacts PLANS730, the court-ordered settlement for the senate districts.
- May 15, 1997 House passes H.B. 772 (PLANC764, congressional districts), which is referred to the Senate Committee of the Whole on Legislative and Congressional Redistricting but is not passed by the senate.
- May 20, 1997 Final passage of H.B. 2254 (PLANH881), which makes changes in house districts in Lubbock, McLennan, Bexar, and Harris Counties (Districts 56, 57, 83, 84, 119, 120, 131, and 146).
- June 2, 1997 75th Legislature, Regular Session, adjourns.
- September 15, 1997 Three-judge Houston court (*Vera v. Bush*, 980 F. Supp. 251; 980 F. Supp. 254 (S.D.Tex. 1997)) orders the court-ordered plan, PLANC746, to remain in effect for the 1998 elections since the legislature failed to enact a new congressional plan.