

105TH CONGRESS
1ST SESSION

H. R. 3068

To provide that a State may use a proportional voting system for multiseat congressional districts.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 1997

Ms. MCKINNEY (for herself, Mr. CLYBURN, Mr. FATTAH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JACKSON of Illinois, and Mrs. CLAYTON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide that a State may use a proportional voting system for multiseat congressional districts.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Voters’ Choice Act”.

5 **SEC. 2. MULTISEAT DISTRICTS PERMITTED FOR ELECTION**

6 **OF REPRESENTATIVES FOR STATES WITH A**

7 **PROPORTIONAL VOTING SYSTEM.**

8 (a) IN GENERAL.—Notwithstanding Public Law 90–

9 196 (2 U.S.C. 2c), a State that is entitled to more than

1 one Representative in Congress may establish a number
2 of districts for election of Representatives that is less than
3 the number of Representatives to which the State is enti-
4 tled, if and only if, that State uses a system that meets
5 the following conditions:

6 (1) It meets the constitutional standard that
7 each voter should have equal voting power.

8 (2) Any group of voters making up at least 50
9 percent of the electorate will be able to elect at least
10 half of the Representatives in the multiseat district.

11 (3) It ensures that any group of voters of a size
12 that is at least one vote greater than one-third of
13 the electorate in the multiseat district will be able to
14 elect at least one Representative in the district.

15 (4) It ensures that any group of voters of a size
16 that is at least one vote greater than one-third of
17 the electorate will be able to elect their proportional
18 share of seats.

19 (b) NO RESTRICTION ON SELECTION.—A State is not
20 restricted to selecting systems that require a group of vot-
21 ers to be at least one vote more than one-third of the elec-
22 torate. As long as the conditions specified in subsection
23 (a) are met, a State may use systems that allow a smaller
24 group of voters to elect Representatives.

25 (c) DEFINITIONS.—As used in this Act—

1 (1) the term “voter” means persons casting
2 valid ballots in the election;

3 (2) the term “group of voters” means voters
4 identified by their votes for the same individuals or
5 same political party;

6 (3) the term “electorate” means the total num-
7 ber of voters in the multiseat district;

8 (4) the term “representation threshold” means
9 the electorate divided by one more than the number
10 of seats to be filled in the election for that multiseat
11 district;

12 (5) the term “proportional share of seats”
13 means one less than the number of voters in a given
14 group of voters divided by the representation thresh-
15 old, rounded down to the nearest whole number; and

16 (6) the term “will be able” means that a group
17 of voters of at least the representation threshold will
18 win their proportional share of seats when they take
19 full advantage of the opportunities to elect their pro-
20 portional share of seats provided by the system in
21 use.

22 (d) EQUALITY REQUIREMENT.—In a State that uses
23 multiseat districts, the number of residents per Represent-
24 ative in a district shall be equal for all Representatives
25 elected.

1 (e) ONE-SEAT DISTRICTS ALLOWED.—A State may
2 use one-seat districts alone or in combination with
3 multiseat districts.

4 **SEC. 3. RELATION TO VOTING RIGHTS ACT OF 1965.**

5 The rights and remedies established by this Act are
6 in addition to all other rights and remedies provided by
7 law, and the rights and remedies established by this Act
8 shall not supersede, restrict, or limit the application of the
9 Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.). Noth-
10 ing in this Act authorizes or requires conduct that is pro-
11 hibited by the Voting Rights Act of 1965 (42 U.S.C. 1973
12 et seq.).

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