CLIENT ALERTS & INSIGHTS

Why Ohio's Congressional Redistricting is Still in the Headlines

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Key Takeaways

- Ohio's congressional district map is currently being redrawn because the map adopted in 2021 by the Ohio General Assembly didn't garner sufficient bi-partisan support under the criteria set by a 2018 amendment to the Ohio Constitution.
- The map redrawing creates uncertainty as to what congressional districts will ultimately look like for the remainder of the decade, and the process will consume a lot of the Ohio General Assembly's time over the next few months.
- Benesch's Government Relations team can help advance your policy agenda through this uncertainty.

Legislative redistricting has sparked fierce partisan battles across the country for hundreds of years. It seems that after every census, Republicans and Democrats engage in a tug-of-war, looking to cement an advantage for the next ten years-or to at least blunt the other side's advantage. But why is the fight over Ohio congressional districts being waged now, in the middle of the decade?

In 2015, Ohio voters overwhelmingly passed a constitutional amendment to change how state legislative redistricting is accomplished. Article XI of the Ohio Constitution created the seven-member Ohio Redistricting Commission, comprised of the Governor, Secretary of State, a State Auditor, and a Republican and Democrat appointed by the party leaders of the Ohio House and Ohio Senate.

Three years later, in 2018, voters adopted Article XIX to the Ohio Constitution, dealing specifically with congressional redistricting. This amendment sets up a multi-step process to encourage bi-partisan support for congressional district maps. By September 30 in a year ending with "1," the legislature can adopt a congressional district map by a 3/5 vote of members, which must include the votes of half of the members of each major political party. If passed, this map will be in place for ten years. If not passed on time and with the requisite vote, the task falls to the Ohio Redistricting Commission, which must adopt a map by October 31 with at least four votes, including two from each major political party. That map will also last ten years. If the Redistricting Commission fails to adopt a map, the obligation returns to the legislature, which must pass a map by November 30 of a year ending in "1." If the map passes with 3/5 of the vote, including votes of at least 1/3 of the members from both major political parties, the map will last ten years. If the map passes by a simple

majority without the required bi-partisan support, the map must be governed by specified criteria listed in the constitutional amendment and will be in place only for the next two congressional elections.

If no bi-partisan map is adopted for the ten-year cycle in the year ending in "1," four years later, in a year ending in "5," the process essentially repeats itself, beginning with two required public hearings of a Joint Committee on Congressional Redistricting prior to a legislative vote on a map by September 30. If the legislature cannot pass a map with the required bi-partisan support, the Redistricting Commission must vote on a map by October 31. If the Redistricting Commission also cannot muster bi-partisan support for a map, the legislature must adopt one by November 30 with at least a simple majority under the criteria listed in the Ohio Constitution. The map adopted under this process will be in place until the next year starting with a "1."

Even with these reforms, map proposals for state legislative and congressional districts have been challenged in court numerous times for being unconstitutional partisan gerrymanders. For example, in 2021 and 2022, maps passed by the legislature were struck down and redrafted by the Ohio Supreme Court because they violated the new constitutional criteria, unduly favoring Republicans. Several iterations of maps were proposed, struck down, revised or negotiated-demonstrating the tension between constitutional rules and political realities. This resulted in a delay of partisan legislative primaries for the Ohio House and Senate from May until August 2022.

Ohio citizens tried and failed to adopt another system by putting Issue 1 on the ballot in November 2024. This was a citizen-initiated constitutional amendment proposed to replace the existing Redistricting Commission with a 15-member citizen-led commission (with members drawn from public applicants, including independents, Republicans and Democrats). The goal was to make map drawing more independent, reduce partisan influence and ensure fairness under constitutional standards. Issue 1 lost in a landslide.

So where are we today? It's a year ending in "5," so Ohio's congressional district map will expire at the end of the year since it did not receive the requisite bi-partisan support when passed in 2021. Ohio has restarted its congressional redistricting process with a September 30, 2025, deadline for the General Assembly to adopt a bi-partisan map under the criteria stated above. The Joint Committee on Congressional Redistricting has already held a public hearing, with partisan sniping over a Democrat proposed map and the lack of a Republican map. To encourage public input, Republican leaders have opened an online portal where citizens can submit proposed maps. More than 50 maps were submitted in the first week.

The redistricting process has constitutional deadlines and high stakes that may impact which party will control the 120th Congress, so we should expect the legislature to spend a lot of the remainder of 2025 finalizing congressional maps. We should also expect matters to go down to the November 30 wire, with plenty of partisan bickering and posturing along the way. Republicans have the advantage but Democrats do have a voice. Secretary of State Frank LaRose has stated that U.S. House maps are needed by the November deadline to maintain the election schedule. Stay tuned for more to come, as we can expect this fight to last right through Thanksgiving!

While redistricting will be a significant focus and priority, other items we expect the Ohio General Assembly to consider during the short remainder of scheduled session dates this year include a

budget corrections bill, property tax reform to thwart a proposed ballot issue on the topic and a potential compromise on hemp and cannabis.

For questions about Ohio's political or legislative process, or for help building relationships with Ohio elected officials, please reach out to a member of Benesch's Government Relations Practice Group.