

SHB 2612 - H AMD TO H AMD (H-4265.4) **1172**

By Representative Nealey

1 On page 3, at the beginning of line 9 of the striking amendment,
2 insert "The court must take into account the partisan preference of
3 the district in prior elections."
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5 On page 3, beginning on line 27 of the striking amendment, strike
6 all of subsections 7 and 8
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8 Renumber the remaining subsections consecutively and correct any
9 internal references accordingly.
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11 On page 6, after line 25 of the striking amendment, insert the
12 following:

13 "(3) When the district lines drawn by, and the district-based or
14 at-large method of election employed by, the political subdivision are
15 in compliance with state statutes regarding the drawing of such lines
16 and the method of election, this compliance shall be an absolute
17 defense to an action under this chapter."
18

EFFECT: Does the following:

- Requires the court to take into account the partisan preference of the district in prior elections in making the determination as to whether there is racially polarized voting.
- Strikes language that provides that the election of candidates who are members of a protected class prior to the filing of an action shall not preclude a finding of racially polarized voting that results in vote dilution.
- Strikes language that provides that members of different protected classes may file an action jointly if they demonstrate to the court that their combined voting preferences as a group are different from the rest of the electorate and demonstrate that there is racially polarized voting that

results in vote dilution.

- Provides that it is an absolute defense to an action under the Washington Voting Rights Act that the district lines drawn by and the method of election employed by the political subdivision are in compliance with state statutes.

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