

Model Community-District Election Act

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How to use this template: This is model legislation — a template statute that any state legislature can adopt and adapt to create Community-District elections for the U.S. House of Representatives. Bracketed text marks placeholders (state-specific statutory citations, district boundaries, procedural details, and effective dates) that must be customized to each state’s constitution and code before introduction. As with any model act, it becomes final only when a legislature enacts its own version — it is not intended to be adopted word-for-word. Legislators, staff, and advocates working with this draft are encouraged to contact Hear the People for drafting assistance.

An Act

To amend the [Election Code Applicable to Federal Elections]¹ to elect Representatives in the United States House of Representatives by electors of community-districts.

Be it enacted by the [General Assembly] of the [State/Commonwealth] of [State]:

SUBTITLE I—GENERAL PROVISIONS

Section 1.01. Title of Act

This act shall be known as the “[House of Representatives Community Election Act]”² (the “Act”).

Section 1.02. Purpose and Legislative Intent

It is the intent of the Legislature to empower citizens to have a more direct role in the election of their Representatives to the U.S. House of Representatives through Community District elections. The Legislature is acting pursuant to the authority granted to it by Article I, section 2 of the United States Constitution to regulate the time, manner, and place of elections. By bringing citizens closer to the election process and by reducing the amount of time and money required to be elected to Congress, the Legislature believes Representatives who are closer to the electorate and more representative of the electorate will serve in the U.S. House.³

Section 1.03. General Effective date

Except as otherwise provided in this Act, this Act and the statutory amendments made by this Act shall take effect on [date].

Section 1.04. Severability

¹ Bracketed text indicates language that may changed based on state-specific terminology and code of statutes organization. In this instance, this bracketed language will be replaced with the state-specific name of the statutory provisions to be amended.

² This title is a placeholder. Adopting jurisdictions may rename the Act to align with local legislative naming conventions.

³ This section is optional, but it is a good opportunity to detail the purpose and legislative intent of this model legislation to state legislators considering adopting it.

If any provision of the Act or the applicability of this Act to any person or circumstance is for any reason held unconstitutional, illegal, inoperative, or void, by a court of proper jurisdiction, such holdings of invalidity shall not affect the remaining portions of the Act, which shall remain in full force and effect, without the invalid provision or application.

Section 1.05. References

Except as otherwise expressly provided, whenever an amendment or repeal is expressed as an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the [State/Commonwealth] [Statute Name] ([Statutory Section Reference]).

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SUBTITLE II—ELECTION OF REPRESENTATIVES IN UNITED STATES CONGRESS BY ELECTORS OF MICRO-DISTRICTS

Section 2.01. Division of Congressional Districts into Community-Districts

The following provisions shall be added as a new [Section #] of [Chapter #] of [Title #] of the [Revised Code of State/Commonwealth].

- (1) Each of the [State/Commonwealth]’s [#] congressional districts shall be further divided into at least 100 community districts. The population of each community district shall not exceed 10,000 people, and additional community districts shall be created to maintain this number pursuant to Subsection 4 below.
- (2) The community districts shall be created as follows:⁴

COMMUNITY-DISTRICT 1 OF CONGRESSIONAL DISTRICT 1

<u>Area</u>	<u>Population</u>
[Geographical Area] ⁵	
[Geographical Subarea]	[#####]
[Geographical Subarea 2]	[#####]
Community-district 1 of Congressional District 1 Total	[#####]
...	

⁴ The following section is abbreviated in the interest of space, but it is intended to include the geographical constraints of each of the 100 community-districts of each of the state’s federal congressional districts.

⁵ The descriptions of the community-district boundaries will be highly variable based on existing state-specific terminology. In general, though, this section will set forth the geographical areas (e.g., counties, cities, tracts of land, or precincts) comprising each community-district.

...
...

COMMUNITY-DISTRICT 100 OF CONGRESSIONAL DISTRICT [#]⁶

Area

Population

[Geographical Area]

[Geographical Subarea]	[#####]
[Geographical Subarea 2]	[#####]

Community-district 100 of Congressional District [#] Total	[#####]
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- (3) The [General Assembly] of this [state/commonwealth] shall apportion each of the community-districts in accordance with the requirements for apportioning federal congressional districts under this [state/commonwealth]’s constitution and applicable statutes and regulations, and the requirements under the U.S. Constitution and applicable federal statutes and regulations.
- (4) Notwithstanding any other provision of applicable law to the contrary, the [General Assembly] of this [state/commonwealth] shall make the first apportionment of community-districts no later than is necessary to effectuate the provisions set forth in [Section 2.02 of this Act]⁷ by the next regularly scheduled election of Representatives of the U.S. House of Representatives (“U.S. Representatives”). Each subsequent reapportionment of community-districts shall occur concurrently with the process for reapportionment of the several congressional districts of this [state/commonwealth].

Section 2.02. Election of Representatives in U.S. House of Representatives

[Section #] of [Chapter #] of [Title #] of the [Revised Code of State/Commonwealth] is amended—

U.S. Representatives shall be chosen pursuant to the following process:

- (1) At the primary election for federal offices, the qualified electors of each of the 100 community-districts of each of the several congressional districts shall select one individual from each political party qualified in this state to be a candidate for elector to represent the community-district at the Representative Elector Conference (each, a “Representative Elector”).
- (2) The name of the candidates for Representative Elector selected pursuant to [subsection (1) of this Section 2.02] shall be printed on the general election ballots

⁶ This number will reflect the number of federal congressional districts apportioned to the state.

⁷ Internal section references are bracketed to indicate that they will likely need to change to reflect the statutory provisions where this language will eventually be codified.

for the respective community-districts in accordance with applicable law of this [state/commonwealth].

- (3) At the general election, the qualified voters of the 100 community-districts of the several congressional districts shall each elect one Representative Elector from among the candidates listed on the general election ballot for the congressional district of which the community-district is a part.
- (4) No later than [#] days following the general election, the 100 Representative Electors of each of the several congressional districts shall convene at a location within the congressional district of which they are a part a conference of the representative electors for the purpose of choosing a U.S. Representative ("Representative Elector Conference"). At the Representative Elector Conference, each Representative Elector shall be entitled to cast one vote on each ballot for one of the Representative Electors among the 100 elected at the general election.
- (5) [The Representative Electors of each Representative Elector Conference shall choose from among them a chairperson to oversee and conduct the proceedings of the Conference of the Representative Electors. The Representative Elector Conference shall be conducted in accordance with the rules of order and procedure set forth in regulations promulgated by the Secretary of State, which shall include, at a minimum, rules for debate and motions.]⁸
- (6) [*OPTION 1—Plurality:* After all 100 votes of the Representative Electors have been cast, the chairperson shall tally the votes. The Representative Elector who receives the most votes shall be chosen as the U.S. Representative for the congressional district of which the Representative Electors were elected at the general election to represent. In the event of a tie vote, the names of the Representative Electors receiving the greatest number of votes shall be placed on a subsequent ballot to be voted upon again by the 100 Representative Electors until such ballot results in one Representative Elector receiving the greatest number of votes of the 100 votes cast.]

[*OPTION 2—Majority:* After all 100 votes of the Representative Electors have been cast, the chairperson shall tally the votes. A Representative Elector who receives at least 51 of the votes cast shall be chosen as the U.S. Representative for the congressional district of which the Representative Electors were elected at the general election to represent. If, after the votes are tallied for a particular ballot, no Representative Elector has received at least 51 of the votes cast, the names of the Representative Electors receiving the greatest number of votes and next greatest number of votes cast shall be placed on a subsequent ballot to be voted again by the 100 Representative Electors until such ballot results in one Representative Elector receiving at least 51 of the votes cast.]⁹

⁸ If there are specific rules of order and procedure to be applied to the Elector Conference, those may be inserted here. The legislation can also direct the Secretary of State or another state agency to promulgate regulations governing the Elector Conferences.

⁹ Listed are two options for the Elector Conference to select a U.S. Representative, either by plurality vote (i.e., the individual with the most votes wins, regardless of how many votes they receive) or by majority (i.e., an individual must receive at least 51 votes of the 100 votes cast to be elected U.S. Representative). Adopting states may select the mechanism that best fits local preferences.

- (7) Upon the conclusion of the balloting procedures set forth in subsection 6, the chairperson of each Representative Elector Conference shall promptly certify and deliver its congressional district's selection of the U.S. Representative to the Secretary of State pursuant to the procedures set forth in regulations promulgated by the Secretary of State.

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