

SUPREME COURT OF PENNSYLVANIA

Appeals from the 2021 Pennsylvania Legislative Reapportionment Commission Plan (consolidated)

2021 Pennsylvania Legislative Reapportionment Commission Plan appeals · No. Nos. 4 WM 2022, 11 MM 2022, 14 MM 2022, 16 MM 2022, 17 MM 2022, 18 MM 2022, 7 WM 2022, 11 WM 2022, and 12 WM 2022 ·
Decided March 16, 2022

SUMMARY

The Supreme Court of Pennsylvania held that the Pennsylvania Legislative Reapportionment Commission's Final Reapportionment Plan filed on February 4, 2022, complied with the Pennsylvania and United States Constitutions and was not contrary to law. The Court ordered that the plan have the force of law and be used in forthcoming General Assembly elections, dismissed outstanding motions, vacated a prior order temporarily suspending the primary-election calendar, and relinquished jurisdiction.

OPINION

PER CURIAM.

IN THE SUPREME COURT OF PENNSYLVANIA RYAN COVERT, DARLENE J. COVERT,;
No. 4 WM 2022 AND ERIK HULICK,;; Appeal from the Legislative Petitioners:
Reapportionment Commission Plan: dated February 4, 2022 v.: 2021 PENNSYLVANIA
LEGISLATIVE: REAPPORTIONMENT COMMISSION,; Respondent: KERRY
BENNINGHOFF, INDIVIDUALLY,; No. 11 MM 2022 AND AS MAJORITY LEADER OF
THE: PENNSYLVANIA HOUSE OF: Appeal from the Legislative REPRESENTATIVES,;
Reapportionment Commission Plan: dated February 4, 2022 Petitioner: v.: 2021 LEGISLATIVE
REAPPORTIONMENT: COMMISSION,; Respondent: LISA M. BOSCOLA, SENATOR 18TH:
No. 14 MM 2022 DISTRICT,;; Appeal from the Legislative Petitioner: Reapportionment
Commission Plan: dated February 4, 2022 v.: 2021 LEGISLATIVE REAPPORTIONMENT:
COMMISSION,; Respondent: ERIC ROE,; No. 16 MM 2022 Petitioner: Appeal from the
Legislative: Reapportionment Commission Plan: dated February 4, 2022 v.: 2021 LEGISLATIVE
REAPPORTIONMENT: COMMISSION,; Respondent: RON Y. DONAGI, PHILIP T.
GRESSMAN,; No. 17 MM 2022 PAMELA GORKIN, DAVID P. MARSH,; JAMES L.
ROSENBERGER, EUGENE: Appeal from the Legislative BOMAN, GARY GORDON, LIZ
MCMAHON,; Reapportionment Commission Plan TIMOTHY FEEMAN, AND GARTH
ISAAK,; dated February 4, 2022 Petitioners: v.: 2021 LEGISLATIVE REAPPORTIONMENT:
COMMISSION,; Respondent: GABRIEL INGRAM, RUTH MOTON, MARK: No. 18 MM 2022
KIRCHGASSER AND SUSAN POWELL,;; Appeal from the Legislative Petitioners:

Reapportionment Commission Plan: dated February 4, 2022 v.: 2021 LEGISLATIVE REAPPORTIONMENT: COMMISSION,: Respondent: TODD ELLIOTT KOGER,: No. 7 WM 2022 Petitioner: Appeal from the Legislative: Reapportionment Commission Plan: dated February 4, 2022 v.: 2021 PENNSYLVANIA LEGISLATIVE: REAPPORTIONMENT COMMISSION,: Respondent: JACKIE HUTZ,: No. 11 WM 2022 Petitioner: Appeal from the Legislative: Reapportionment Commission Plan: dated February 4, 2022 v.: 2021 PA LEGISLATIVE: REAPPORTIONMENT COMMISSION,: Respondent: EDWARD J. KRESS,: No. 12 WM 2022 Petitioner: Appeal from the Legislative: Reapportionment Commission Plan: dated February 4, 2022 v.: 2021 LEGISLATIVE REAPPORTIONMENT: COMMISSION OF THE COMMONWEALTH: OF PENNSYLVANIA,: Respondent: ORDER PER CURIAM AND NOW, this 16th day of March, 2022, upon consideration of the above- captioned legislative reapportionment appeals filed pursuant to PA. CONST. art. II, § 17(d) (indicating that “[a]ny aggrieved person may file an appeal from the final plan [of the 2021 Pennsylvania Legislative Reapportionment Commission] directly to the Supreme Court”), this Court finds that the Final Reapportionment Plan of the Pennsylvania Legislative Reapportionment Commission filed on February 4, 2022, is in compliance with the mandates of the Pennsylvania Constitution and the United States Constitution and is not contrary to law, and, therefore, shall have the force of law.

See PA. CONST. art. II, § 17(d) & (e) (specifying that “[i]f the appellant establishes that the final plan is contrary to law, the Supreme Court shall issue an order remanding the plan to the commission” and that “[w]hen the Supreme Court has finally decided an appeal...the reapportionment plan shall have the force of law...”). Further, it is hereby ordered that said Plan shall be used in all forthcoming elections to the General Assembly until the next constitutionally-mandated reapportionment shall be approved.

All outstanding motions filed in the above-captioned matters are hereby DISMISSED. This Court’s February 23, 2022 Order, at Judicial Administration Docket No. 569, which temporarily suspended the General Primary Election calendar relative to elections for seats in the General Assembly, is VACATED. Our adjustment to that calendar is resolved by separate order at that docket number and entered today.

Jurisdiction relinquished.