

AB 1248 (Asm. Bryan and Sen. Allen):

Expanding Independent Redistricting Commissions for Fair Redistricting

Background

Voters and communities should have the right to choose their elected representatives, rather than the elected officials choosing their voters. Independent redistricting commissions (IRCs) are one tool to ensure that the redistricting process respects and fairly represents communities, neighborhoods, and shared interests.

IRCs have been used successfully at the state level, via the California Citizens Redistricting Commission, and in local government. Five counties are statutorily required to utilize IRCs ([Los Angeles](#), [San Diego](#), [Kern](#), [Fresno](#), and [Riverside](#)), while two other counties, 14 cities, and one school district also utilized IRCs in the 2020 redistricting cycle. [Observational data](#) from local jurisdictions in the 2020 cycle demonstrated that IRCs lead to the most participatory, most inclusive, most transparent, and most fair processes; while the most manipulative, most self-serving, and least participatory processes were all run by sitting incumbents.

The Problem

While local jurisdictions have the ability to create their own IRCs through [SB 1108 \(Allen, 2016\)](#) and [SB 1018 \(Allen, 2018\)](#), most jurisdictions have not. For instance, Santa Barbara is the only county that has passed an ordinance establishing an IRC under the authority granted by SB 1108. Self-interested political incumbents simply do not have an incentive to cede their own authority to gerrymander to protect themselves and their political party.

Unfortunately, this means many communities continue to be subjected to gerrymandering and poor outcomes compared to those with IRCs, as incumbents with an inherent conflict of interest determine district boundaries. Examples range from councilmembers in the City of Alhambra stating it was a priority to not draw incumbents out of their districts, to the City of El Cajon ignoring community of interest testimony from Arab and immigrant communities in favor of keeping district lines unchanged.

Most notably, [leaked audio recordings](#) of councilmembers in Los Angeles revealed, in addition to racist remarks, attempts to intentionally undercut the power of communities of color and renters, and strategically include economic assets into districts, in order to benefit themselves and their allies. The audio recording also revealed elected officials referring to commissioners of the advisory commission as going “rogue” for not simply serving the interests of the elected officials who directly appointed them, highlighting the potential for corruption with direct political appointees.

The Solution: Require Local Jurisdictions to Utilize Independent Redistricting Commissions

Time and time again across the state, local redistricting processes have proven that in order to have the best and fairest outcomes for voters, independent redistricting commissions must be used. **AB 1248 would require the use of IRCs in larger counties, cities, and educational districts’ future redistricting processes.**

Specifically:

- All counties, cities, school districts, and community college districts with a population over 300,000 would be required to establish an IRC before March 1, 2030 pursuant to existing standards and requirements in law ([ELEC Sec 23003](#), and the redistricting procedures and criteria established by the FAIR MAPS Act.
- Additionally, commissioners of these IRCs would be prohibited from engaging in ex parte communications and would be required to receive a stipend in an amount determined by the local jurisdiction.
- For applicable jurisdictions which fail to establish an IRC by the March deadline, the bill would establish in more detail a default commissioner structure of 14 members with 2 alternates, a selection process of commissioners, additional commissioner qualifications, and administrative requirements such as quorum.
- The State Auditor would be required to help connect applicants to the state commission who are no longer being considered with potential local opportunities to serve, in order to promote large and diverse commissioner pools.