

AMENDED IN ASSEMBLY MAY 18, 2023

AMENDED IN ASSEMBLY APRIL 11, 2023

AMENDED IN ASSEMBLY MARCH 23, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 764

Introduced by Assembly Members Bryan and Cervantes

February 13, 2023

An act to amend Section 35 of the Code of Civil Procedure, to amend Sections 1002, 5019, 5019.5, 5020, 5021, 5023, 5027, and 5028 of, to repeal Section 5019.7 of, and to repeal and add Section 1005 of, the Education Code, to amend Sections 21500, 21500.1, 21503, 21506, 21534, 21544, 21552, 21564, 21574, 21600, 21601, 21603, 21605, 21606, 21620, 21621, 21623, 21625, 21626, 21630, 22000, 23002, and 23003 of, to add Chapter 2 (commencing with Section 21100) to Division 21 of, to repeal Sections 21501, 21507, 21507.1, 21508, 21509, 21602, 21607, 21607.1, 21608, 21609, 21622, 21627, 21627.1, 21628, 21629, and 22002 of, and to repeal and add Section 22001 of, the Elections Code, and to amend Sections 34874, 34877.5, 34884, 34886, and 57301 of the Government Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 764, as amended, Bryan. Local redistricting.

Existing law requires counties, general law and charter cities, and special districts that elect their governing boards using district-based elections to adopt, in a prescribed manner, new district boundaries following each federal decennial census. Existing law also requires county boards of education, and the governing boards of school districts and community college districts in which trustee areas have been

established, to adopt new boundaries for their trustee areas following each federal decennial census.

This bill would revise and recast these provisions. The bill would require counties, county boards of education, cities, school districts, community college districts, and special districts, if the governing body of these local governments is elected by districts, to comply with uniform requirements related to redistricting. The bill would require local governments to adopt district boundaries, using specified criteria, following the decision to establish district-based elections and following each federal decennial census.

This bill would define the term “destructing body,” as specified, and clarify requirements applicable to advisory or hybrid redistricting commissions. This bill would require an advisory or hybrid redistricting commission to comply with specified requirements when recommending changes to the legislative body’s district boundaries.

The bill would require a local government, before adopting new district boundaries, to hold at least one public workshop and a specified number of public hearings, with the number of hearings determined by the type and size of the local government. This bill would require all public hearings held by an advisory or hybrid redistricting commission to comply with the same requirements applicable to hearings held by the destructing body. This bill would impose requirements relating to workshops and public hearings upon local jurisdictions, destructing bodies, and advisory and hybrid redistricting commissions, as specified. The bill would require the local government to adopt a redistricting public education and outreach plan before March 1 of every year ending in 1. If a local jurisdiction establishes a hybrid redistricting commission to recommend changes to the legislative body’s district boundaries, this bill would require the local jurisdiction, not the hybrid redistricting commission, to adopt the public education and outreach plan, as specified. The bill would also require the local government to establish and maintain an accessible internet web page dedicated to redistricting to provide specified information to the public. The bill would require the Secretary of State to develop templates for such web pages and to provide a redistricting training for local governments. This bill would also require the Secretary of State to make available to the public a free electronic mapping tool, as specified.

For redistricting occurring in 2031 and thereafter, the bill would require district boundaries to be adopted no later than 204 days before the local government’s next regular election occurring after January 1

in each year ending in the number 2. If the responsible body misses that deadline, the bill would require the body to immediately petition a superior court in a county in which the local jurisdiction is located for an order adopting election district boundaries, as specified. The bill would authorize any interested person to bring an action in superior court alleging a violation of the bill's requirements.

Under existing law, county boards of supervisors and city councils that have adopted district-based elections are prohibited from adopting new district boundaries until after the next federal decennial census, except under certain circumstances.

This bill would authorize the adoption of new district boundaries before the next federal decennial census if the number of supervisors or city council members elected by districts changes or if an independent redistricting commission is established to adopt new districts before the next census.

The bill would provide that a member of the governing body of a local government continues to represent the constituents residing in the district boundaries from which the member was elected for the duration of that term of office. The bill would specify that a local government may assign a public official, as specified, to provide constituent services to residents of an area that is temporarily not represented by a member of the governing body of the local government due to redistricting.

By increasing the duties of local officials with respect to redistricting, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 35 of the Code of Civil Procedure, as
- 2 amended by Section 1 of Chapter 745 of the Statutes of 2022, is
- 3 amended to read:

1 35. (a) Proceedings in cases involving the registration or denial
 2 of registration of voters, the certification or denial of certification
 3 of candidates, the certification or denial of certification of ballot
 4 measures, election contests, actions under Section 20010 of the
 5 Elections Code, and actions under Chapter 2 (commencing with
 6 Section 21100) ~~to~~ of Division 21 of the Elections Code shall be
 7 placed on the calendar in the order of their date of filing and shall
 8 be given precedence.

9 (b) This section shall remain in effect only until January 1, 2027,
 10 and as of that date is repealed, unless a later enacted statute, that
 11 is enacted before January 1, 2027, deletes or extends that date.

12 SEC. 2. Section 35 of the Code of Civil Procedure, as amended
 13 by Section 2 of Chapter 745 of the Statutes of 2022, is amended
 14 to read:

15 35. (a) Proceedings in cases involving the registration or denial
 16 of registration of voters, the certification or denial of certification
 17 of candidates, the certification or denial of certification of ballot
 18 measures, election contests, and actions under Chapter 2
 19 (commencing with Section 21100) ~~to~~ of Division 21 of the
 20 Elections Code shall be placed on the calendar in the order of their
 21 date of filing and shall be given precedence.

22 (b) This section shall become operative January 1, 2027.

23 SEC. 3. Section 1002 of the Education Code is amended to
 24 read:

25 1002. (a) Upon being so requested by the county board of
 26 education, the county committee on school district organization,
 27 by a two-thirds vote of the members, may either change the
 28 boundaries of any or all of the trustee areas of the county pursuant
 29 to Chapter 2 (commencing with Section 21100) of Division 21 of
 30 the Elections Code, or propose to increase or decrease the number
 31 of members of the county board of education, or both.

32 (b) Following each decennial federal census, the county
 33 committee shall adopt trustee area boundaries pursuant to Chapter
 34 2 (commencing with Section 21100) of Division 21 of the Elections
 35 Code.

36 (c) Except as to the redistricting deadline provided in Section
 37 21140 of the Elections Code, changes in trustee area boundaries
 38 or a proposed reduction in the number of county board of education
 39 members shall be made in writing and filed with the county board

1 of supervisors not later than the first day of March of any school
2 year.

3 (d) Whenever the boundaries of trustee areas are changed so as
4 to be coterminous with those of supervisorial districts of the county,
5 excluding any part of a trustee area that is outside of the county
6 pursuant to Section 1001, the election for members of the county
7 board of education shall be consolidated with the countywide
8 election.

9 (e) Whenever the number of members of the county board of
10 education elected by single-member trustee area is equal to the
11 number of county supervisors elected by single-member
12 supervisorial district, the trustee areas shall be coterminous with
13 those of the supervisorial districts of the county and the county
14 committee shall not redistrict the trustee areas, except that the
15 county committee shall assign for voting purposes a trustee area
16 to qualified electors residing outside of the county as provided in
17 Section 1001.

18 (f) (1) Where the governing board of a county unified school
19 district or a unified or elementary school district that includes all
20 of the territory over which a county superintendent of schools has
21 jurisdiction serves as the county board of education pursuant to
22 subdivision (a) of Section 1000, and where the number of members
23 of the governing board elected by single-member trustee area is
24 equal to the number of county supervisors elected by
25 single-member supervisorial district, notwithstanding any other
26 law, trustee areas shall be established pursuant to subdivision (e).

27 (2) Where the governing board of a county unified school district
28 or a unified or elementary school district that includes all of the
29 territory over which a county superintendent of schools has
30 jurisdiction serves as the county board of education pursuant to
31 subdivision (a) of Section 1000, and where the number of members
32 of the governing board elected by single-member trustee area is
33 not equal to the number of county supervisors elected by
34 single-member supervisorial district, trustee areas shall be
35 established pursuant to Article 1 (commencing with Section 5000)
36 of Chapter 1 of Part 4 and not pursuant to this article.

37 SEC. 4. Section 1005 of the Education Code is repealed.

38 SEC. 5. Section 1005 is added to the Education Code, to read:

39 1005. (a) Notwithstanding subdivision (a) of Section 1000,
40 the term of office of any member of a county board of education

1 who has been elected and whose term of office has not expired
 2 shall not be affected by any change in the boundaries of the area
 3 from which the member was elected and that member shall
 4 continue to represent the constituents residing in the area
 5 boundaries from which the member was elected for the duration
 6 of that term of office. This section does not prevent a board from
 7 assigning a trustee or county office of education official to provide
 8 constituent services to residents of an area that is temporarily not
 9 represented by a trustee due to redistricting.

10 (b) At the first election for a member of the county board of
 11 education following adoption of the boundaries of trustee areas,
 12 excluding a special election to fill a vacancy or a recall election,
 13 a member shall be elected for each area under the new trustee area
 14 plan that has the same district number as a trustee area whose
 15 incumbent’s term is due to expire.

16 (c) For a county board of education employing both a primary
 17 and a general election, a change in the boundaries of a trustee area
 18 shall not be made between the direct primary election and the
 19 general election.

20 SEC. 6. Section 5019 of the Education Code is amended to
 21 read:

22 5019. (a) (1) In any school district or community college
 23 district, the county committee on school district organization may
 24 establish trustee areas, rearrange the boundaries of trustee areas,
 25 abolish trustee areas, and increase to seven from five, or decrease
 26 from seven to five, the number of members of the governing board,
 27 or adopt one of the alternative methods of electing governing board
 28 members specified in Section 5030.

29 (2) For any school district whose average daily attendance
 30 during the preceding year was less than 300, the county committee
 31 on school district organization may decrease from five to three the
 32 number of members of the governing board, or adopt one of the
 33 alternative methods of electing governing board members specified
 34 in Section 5030.

35 (3) Notwithstanding paragraph (1), the county committee on
 36 school district organization shall not rearrange trustee area
 37 boundaries in a school district or community college district that
 38 has established a hybrid or independent redistricting commission
 39 for this purpose pursuant to Section 23003 of the Elections Code,
 40 the charter of a city or city and county, or a legal settlement.

1 (b) The county committee on school district organization may
2 establish or abolish a common governing board for a high school
3 district and an elementary school district within the boundaries of
4 the high school district. The resolution of the county committee
5 on school district organization approving the establishment or
6 abolition of a common governing board shall be presented to the
7 electors of the school districts as specified in Section 5020.

8 (c) (1) A proposal to make the changes described in subdivision
9 (a) or (b) may be initiated by the county committee on school
10 district organization or made to the county committee on school
11 district organization either by a petition signed by 5 percent or 50,
12 whichever is less, of the qualified registered voters residing in a
13 district in which there are 2,500 or fewer qualified registered voters,
14 by 3 percent or 100, whichever is less, of the qualified registered
15 voters residing in a district in which there are 2,501 to 10,000
16 qualified registered voters, by 1 percent or 250, whichever is less,
17 of the qualified registered voters residing in a district in which
18 there are 10,001 to 50,000 qualified registered voters, by 500 or
19 more of the qualified registered voters residing in a district in
20 which there are 50,001 to 100,000 qualified registered voters, by
21 750 or more of the qualified registered voters residing in a district
22 in which there are 100,001 to 250,000 qualified registered voters,
23 or by 1,000 or more of the qualified registered voters residing in
24 a district in which there are 250,001 or more qualified registered
25 voters or by resolution of the governing board of the district. For
26 this purpose, the necessary signatures for a petition shall be
27 obtained within a period of 180 days before the submission of the
28 petition to the county committee on school district organization,
29 and the number of qualified registered voters in the district shall
30 be determined pursuant to the most recent report submitted by the
31 county elections official to the Secretary of State under Section
32 2187 of the Elections Code.

33 (2) When a proposal is made pursuant to paragraph (1), the
34 county committee on school district organization shall call and
35 conduct at least one hearing in the district on the matter. At the
36 conclusion of the hearing, the county committee on school district
37 organization shall approve or disapprove the proposal.

38 (d) If the county committee on school district organization
39 approves pursuant to subdivision (a) the rearrangement of the
40 boundaries of trustee areas for a particular district, then the

1 rearrangement of the trustee areas shall be effectuated for the next
2 district election occurring at least 125 days after its approval, unless
3 at least 5 percent of the registered voters of the district sign a
4 petition requesting an election on the proposed rearrangement of
5 trustee area boundaries. The petition for an election shall be
6 submitted to the county elections official within 60 days of the
7 proposal's adoption by the county committee on school district
8 organization. If the qualified registered voters approve pursuant
9 to subdivision (b) or (c) the rearrangement of the boundaries to
10 the trustee areas for a particular district, the rearrangement of the
11 trustee areas shall be effective for the next district election
12 occurring at least 125 days after its approval by the voters.

13 (e) Trustee areas shall comply with the requirements and criteria
14 of Section 21130 of the Elections Code.

15 SEC. 7. Section 5019.5 of the Education Code is amended to
16 read:

17 5019.5. (a) Following each decennial federal census, the
18 governing board of each school district or community college
19 district in which trustee areas have been established shall adopt
20 trustee area boundaries pursuant to Chapter 2 (commencing with
21 Section 21100) of Division 21 of the Elections Code.

22 (b) Notwithstanding subdivision (a) of Section 21130 of the
23 Elections Code, if a school district or community college district
24 has one or more multiple-member trustee areas, the governing
25 board shall adopt the boundaries of the areas of the district so that
26 the population of each area is substantially the same proportion of
27 the total population of the district as the ratio that the number of
28 governing board members elected from the area bears to the total
29 number of members of the governing board, as required by the
30 United States Constitution. Substantial proportionality of
31 population shall be based on the total population of residents as
32 provided in paragraphs (1) and (2) of subdivision (a) of Section
33 21130 of the Elections Code.

34 (c) Except as provided in subdivision (a), the authority to
35 establish or abolish trustee areas, rearrange the boundaries of
36 trustee areas, increase or decrease the number of members of the
37 governing board, or adopt any method of electing governing board
38 members may be exercised only as otherwise provided under this
39 article and Division 21 (commencing with Section 21000) of the
40 Elections Code, as applicable.

1 SEC. 8. Section 5019.7 of the Education Code is repealed.

2 SEC. 9. Section 5020 of the Education Code is amended to
3 read:

4 5020. (a) (1) The resolution of the county committee
5 approving a proposal to establish or abolish trustee areas, to adopt
6 one of the alternative methods of electing governing board
7 members specified in Section 5030, or to increase or decrease the
8 number of members of the governing board shall constitute an
9 order of election, and the proposal shall be presented to the electors
10 of the district not later than the next succeeding election for
11 members of the governing board.

12 (2) Notwithstanding paragraph (1), a county committee may,
13 by resolution, approve a proposal to establish trustee areas and to
14 elect governing board members using district-based elections, as
15 defined in subdivision (b) of Section 14026 of the Elections Code,
16 without being required to submit the resolution to the electors of
17 the district for approval. A resolution adopted pursuant to this
18 paragraph shall include a declaration that the change in the method
19 of electing members of the governing body is being made in
20 furtherance of the purposes of the California Voting Rights Act
21 of 2001 (Chapter 1.5 (commencing with Section 14025) of Division
22 14 of the Elections Code). The resolution shall take effect upon
23 adoption and shall govern all elections for governing board
24 members occurring at least 125 days after the adoption of the
25 resolution.

26 (b) If a petition requesting an election on a proposal to rearrange
27 trustee area boundaries is filed, containing at least 5 percent of the
28 signatures of the district's registered voters as determined by the
29 elections official, the proposal shall be presented to the electors
30 of the district, at the next succeeding election for the members of
31 the governing board, at the next succeeding statewide primary or
32 general election, or at the next succeeding regularly scheduled
33 election at which the electors of the district are otherwise entitled
34 to vote if there is sufficient time to place the issue on the ballot.
35 The rearranged trustee areas shall comply with the criteria and
36 requirements in Section 21130 of the Elections Code.

37 (c) If a petition requesting an election on a proposal to establish
38 or abolish trustee areas, to increase or decrease the number of
39 members of the board, or to adopt one of the alternative methods
40 of electing governing board members specified in Section 5030 is

1 filed, containing at least 10 percent of the signatures of the district’s
 2 registered voters as determined by the elections official, the
 3 proposal shall be presented to the electors of the district, at the
 4 next succeeding election for the members of the governing board,
 5 at the next succeeding statewide primary or general election, or at
 6 the next succeeding regularly scheduled election at which the
 7 electors of the district are otherwise entitled to vote if there is
 8 sufficient time to place the issue on the ballot. Before the proposal
 9 is presented to the electors, the county committee on school district
 10 organization may call and conduct one or more public hearings on
 11 the proposal.

12 (d) The resolution of the county committee approving a proposal
 13 to establish or abolish a common governing board for a high school
 14 and an elementary school district within the boundaries of the high
 15 school district shall constitute an order of election. The proposal
 16 shall be presented to the electors of the district at the next
 17 succeeding statewide primary or general election, or at the next
 18 succeeding regularly scheduled election at which the electors of
 19 the district are otherwise entitled to vote if there is sufficient time
 20 to place the issue on the ballot.

21 (e) For each proposal there shall be a separate proposition on
 22 the ballot. The ballot shall contain the following words:

23 “For the establishment (or abolition or rearrangement) of trustee
 24 areas in ____ (insert name) School District—Yes” and “For the
 25 establishment (or abolition or rearrangement) of trustee areas in
 26 ____ (insert name) School District—No.”

27 “For increasing the number of members of the governing board
 28 of ____ (insert name) School District from five to seven—Yes”
 29 and “For increasing the number of members of the governing board
 30 of ____ (insert name) School District from five to seven—No.”

31 “For decreasing the number of members of the governing board
 32 of ____ (insert name) School District from seven to five—Yes”
 33 and “For decreasing the number of members of the governing
 34 board of ____ (insert name) School District from seven to
 35 five—No.”

36 “For the election of each member of the governing board of the
 37 ____ (insert name) School District by the registered voters of the
 38 entire ____ (insert name) School District—Yes” and “For the
 39 election of each member of the governing board of the ____ (insert

1 name) School District by the registered voters of the entire ____
2 (insert name) School District—No.”

3 “For the election of one member of the governing board of the
4 ____ (insert name) School District residing in each trustee area
5 elected by the registered voters in that trustee area—Yes” and “For
6 the election of one member of the governing board of the ____
7 (insert name) School District residing in each trustee area elected
8 by the registered voters in that trustee area—No.”

9 “For the election of one member, or more than one member for
10 one or more trustee areas, of the governing board of the ____
11 (insert name) School District residing in each trustee area elected
12 by the registered voters of the entire ____ (insert name) School
13 District—Yes” and “For the election of one member, or more than
14 one member for one or more trustee areas, of the governing board
15 of the ____ (insert name) School District residing in each trustee
16 area elected by the registered voters of the entire ____ (insert name)
17 School District—No.”

18 “For the establishment (or abolition) of a common governing
19 board in the ____ (insert name) School District and the ____ (insert
20 name) School District—Yes” and “For the establishment (or
21 abolition) of a common governing board in the ____ (insert name)
22 School District and the ____ (insert name) School District—No.”

23 (f) If more than one proposal appears on the ballot, all must
24 carry in order for any to become effective, except as follows:

25 (1) A proposal to adopt one of the methods of election of board
26 members specified in Section 5030 that is approved by the voters
27 shall become effective unless a proposal that is inconsistent with
28 that proposal has been approved by a greater number of voters.

29 (2) An inconsistent proposal approved by a lesser number of
30 voters than the number which have approved a proposal to adopt
31 one of the methods of election of board members specified in
32 Section 5030 shall not be effective.

33 SEC. 10. Section 5021 of the Education Code is amended to
34 read:

35 5021. (a) If a proposal for the establishment of trustee areas
36 formulated under Sections 5019 and 5020 is approved by a majority
37 of the voters voting at the election, or by the county committee on
38 school district organization when no election is required, any
39 affected incumbent board member shall serve out the board
40 member’s term of office and succeeding board members shall be

1 nominated and elected in accordance with Section 5030. If two or
2 more trustee areas are established at an election that are not
3 represented in the membership of the governing board of the school
4 district or community college district, the county committee shall
5 determine by lot the trustee area from which the nomination and
6 election for the next vacancy on the governing board shall be made.

7 (b) If a proposal for rearrangement of boundaries is approved
8 by a majority of the voters voting on the measure, or by the county
9 committee when no election is required, or by the board, and if
10 the boundary changes affect the board membership, any affected
11 incumbent board member shall serve out the board member's term
12 of office and that member shall continue to represent the
13 constituents residing in the area boundaries from which the member
14 was elected for the duration of that term of office. Succeeding
15 board members shall be nominated and elected in accordance with
16 Section 5030. This section does not prevent a board from assigning
17 a trustee or school district or community college district official
18 to provide constituent services to residents of an area that is
19 temporarily not represented by a trustee due to redistricting.

20 (c) If a proposal for abolishing trustee areas is approved by a
21 majority of the voters voting at the election, the incumbent board
22 members shall serve out their terms of office and succeeding board
23 members shall be nominated and elected at large from the district.

24 SEC. 11. Section 5023 of the Education Code is amended to
25 read:

26 5023. (a) Whenever an elementary, high school, or unified
27 school district, or a portion of any such district, is annexed to
28 another school district in which trustee areas have been established,
29 the county committee on school district organization of the county
30 having jurisdiction over the annexing district shall study and make
31 recommendations with respect to trustee areas of the annexing
32 district as enlarged. If the recommendations include moving
33 territory from an existing trustee area in the annexing district to
34 another trustee area of the annexing district, the recommendations
35 shall comply with the criteria and requirements in Section 21130
36 of the Elections Code. Procedures contained in Section 5019 shall
37 be used for purposes of this section.

38 (b) Recommendations adopted under provisions of subdivision
39 (a), if approved by the electors, shall become effective on the same

1 date that the annexing district as enlarged becomes effective for
2 all purposes.

3 SEC. 12. Section 5027 of the Education Code is amended to
4 read:

5 5027. Notwithstanding Section 5019, Section 5019.5, or
6 Chapter 2 (commencing with Section 21100) of Division 21 of the
7 Elections Code, whenever the boundaries of a county high school
8 district are coterminous with the boundaries of a county, the board
9 shall consist of one member from each supervisorial district in the
10 county elected at large from the district, and the high school district
11 shall not go through a redistricting process separate from the
12 process for redistricting the county board of supervisors.

13 SEC. 13. Section 5028 of the Education Code is amended to
14 read:

15 5028. In every community college district that was divided
16 into five trustee areas on or before September 7, 1955, one member
17 of the board shall be elected from each trustee area by the registered
18 voters of the trustee area. Following each federal decennial census,
19 the governing board shall, by resolution, adopt boundaries for all
20 of the trustee areas pursuant to Chapter 2 (commencing with
21 Section 21100) of Division 21 of the Elections Code.

22 SEC. 14. Chapter 2 (commencing with Section 21100) is added
23 to Division 21 of the Elections Code, to read:

24

25 CHAPTER 2. FAIR AND INCLUSIVE REDISTRICTING FOR
26 MUNICIPALITIES AND POLITICAL SUBDIVISIONS (FAIR MAPS) ACT
27 OF 2023

28

29 21100. (a) This chapter shall be known and may be cited as
30 the Fair And Inclusive Redistricting for Municipalities And
31 Political Subdivisions (FAIR MAPS) Act of 2023.

32 (b) In enacting this chapter, the Legislature finds and declares
33 all of the following:

34 (1) The California Constitution guarantees to the people equal
35 protection of the law and provides that the Legislature shall prohibit
36 improper practices that affect elections.

37 (2) Ensuring the integrity, fairness, transparency, and
38 accessibility of the local redistricting process is a matter of
39 statewide interest and concern.

- 1 (3) Prohibiting discriminatory local redistricting practices is a
2 matter of statewide interest and concern.
- 3 (4) Protecting the people from unrepresentative and delusive
4 local electoral systems is a matter of statewide interest and concern.
- 5 (5) As a result of changes to state law governing the city and
6 county redistricting process that were included in the FAIR MAPS
7 Act (Chapter 557 of the Statutes of 2019), the adjustment of district
8 boundaries in cities and counties during the 2020 redistricting
9 cycle was more transparent, participatory, and representative than
10 in prior years.
- 11 (6) Notwithstanding these improvements to the redistricting
12 process, research evaluating the 2020 redistricting cycle
13 demonstrates that improvements to the FAIR MAPS Act are
14 necessary to address ambiguities, loopholes, and deficiencies in
15 the legislation that prevented the law’s important goals from being
16 fully realized.
- 17 (7) This chapter addresses a matter of statewide concern rather
18 than a municipal affair as that term is used in Section 5 of Article
19 XI of the California Constitution. Therefore, this chapter applies
20 to all cities, including charter cities, except as specified.
- 21 (c) The purpose of this chapter is to do all of the following:
- 22 (1) Implement the guarantees of the California Constitution,
23 including Sections 2, 3, and 7 of Article I and Sections 1, 2, 3, and
24 4 of Article II.
- 25 (2) Ensure the integrity, fairness, transparency, and accessibility
26 of the local redistricting process, prohibit discriminatory local
27 redistricting practices, and protect the people from unrepresentative
28 and delusive local electoral systems.
- 29 (3) Establish requirements to ensure minimum standards of
30 transparency and accessibility in the local redistricting process so
31 that the public is able to provide information to assist their local
32 governments in adopting fair and equitable district maps.
- 33 (4) Establish mandatory destructing and redistricting criteria to
34 promote fair and effective representation for all people,
35 neighborhoods, and communities, and particularly for
36 disadvantaged, historically marginalized, under-resourced,
37 low-income, and underrepresented neighborhoods and
38 communities.
- 39 (5) Establish ranked criteria that prioritize keeping whole
40 neighborhoods and communities of interest together, facilitate

1 political organization and constituent representation, and prohibit
2 gerrymandering, including incumbent-protection gerrymandering.

3 (6) Provide a means for residents to hold their local governments
4 accountable for conducting a fair and transparent redistricting
5 process and adopting district maps that comply with this chapter.

6 (d) This chapter shall be liberally construed to effectuate its
7 purposes.

8 21110. For purposes of this chapter, the following terms have
9 the following meanings:

10 (a) “Adopt” or “adoption” in regard to election district
11 boundaries means the passage of an ordinance or resolution
12 specifying those boundaries.

13 (b) “Applicable language” means the following:

14 (1) For a county or county office of education that is not a small
15 education district, any language in which ballots are required to
16 be provided in the county pursuant to Section 203 of the federal
17 Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

18 (2) (A) For a city, any language that is spoken by a group of
19 city residents with limited English proficiency who constitute 3
20 percent or more of the city’s total population over four years of
21 age for whom language can be determined.

22 (B) To determine the applicable languages for each city, in 2030
23 and in each year ending in the number zero thereafter, the Secretary
24 of State, in consultation with the database developed in accordance
25 with subdivision (b) of Section 8253 of the Government Code,
26 shall request a special tabulation from the United States Census
27 Bureau of the most recent data on limited English proficiency from
28 the bureau’s American Community Survey that satisfies
29 subparagraph (A). If the bureau is unable to produce that data, the
30 Secretary of State shall base the Secretary of State’s determination
31 on the table from the American Community Survey enumerating
32 the number of residents with limited English proficiency that has
33 the largest number of languages included, that is publicly available,
34 and that was produced within the previous 10 years.

35 (3) For a school district that is not a small education district,
36 any language in which a school within the district is required to
37 provide translated materials pursuant to Section 48985 of the
38 Education Code.

39 (4) For a community college district that is not a small education
40 district, any language that qualifies as an applicable language

1 pursuant to paragraph (1) for a county in which the community
2 college district is located.

3 (5) For a special district or a small education district, no
4 applicable language shall be required under this chapter.

5 (c) “Election district” means an election district of the legislative
6 body, including a county supervisorial district, county board of
7 education trustee area, city council district, school district trustee
8 area, community college district trustee area, or a special district
9 governing board division.

10 (d) “Legislative body” means a county board of supervisors, a
11 county board of education, a city council, a governing board of a
12 school district, a governing board of a community college district,
13 or a governing board of a special district.

14 (e) “Local jurisdiction” means a county, a county office of
15 education, a general law city, a charter city, a school district, a
16 community college district, or a special district.

17 (f) “Small education district” means any of the following:

18 (1) A county office of education in a county that has a total
19 population of fewer than 250,000 residents, as of the most recent
20 census.

21 (2) A school district serving an area that has a total population
22 of fewer than 250,000 residents, as of the most recent census.

23 (3) A community college district serving an area that has a total
24 population of fewer than 250,000 residents, as of the most recent
25 census.

26 (g) “Member,” unless otherwise specified, means a member of
27 a legislative body elected by or from districts, including a county
28 supervisor, county board of education member, city council
29 member, school district trustee, community college district trustee,
30 or special district governing board member.

31 (h) “Districting body” means the body that has the power to
32 adopt a legislative body’s election districts, and which may include
33 an independent redistricting commission.

34 21120. This chapter applies to a county, county office of
35 education, general law city, charter city, school district, community
36 college district, or special district whose legislative body is elected
37 by districts or from districts.

38 21130. (a) Following or concurrent with the decision to
39 establish district-based elections for a legislative body, or following
40 each federal decennial census for a legislative body that is already

1 elected using district-based elections, the districting body shall,
2 by ordinance or resolution, adopt boundaries for all of the election
3 districts of the legislative body so that the election districts shall
4 be substantially equal in population as required by the United
5 States Constitution.

6 (1) Population equality shall be based on the total population
7 of residents of the local jurisdiction as determined by the most
8 recent federal decennial census for which the redistricting data
9 described in Public Law 94-171 are available.

10 (2) Notwithstanding paragraph (1), an incarcerated person, as
11 that term is used in Section 21003, shall not be counted towards
12 a local jurisdiction’s population, except for an incarcerated person
13 whose last known place of residence may be assigned to a census
14 block in the local jurisdiction, if information about the last known
15 place of residence for incarcerated persons is included in the
16 computerized database for redistricting that is developed in
17 accordance with subdivision (b) of Section 8253 of the Government
18 Code, and that database is made publicly available.

19 (b) The districting body shall adopt election district boundaries
20 that comply with the United States Constitution, the California
21 Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C.
22 Sec. 10301 et seq.).

23 (1) Consistent with the districting body’s existing obligations
24 under the federal Voting Rights Act, the districting body shall
25 determine whether it is possible to create an election district or
26 districts in which a minority group is sufficiently large and
27 geographically compact to constitute a majority in a single-member
28 district, as set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986),
29 and as interpreted in case law regarding enforcement of the federal
30 Voting Rights Act with respect to redistricting. The districting
31 body shall publish on its redistricting web page, at a minimum,
32 the results of its analysis within ~~7~~ *seven* days of completing the
33 analysis or prior to adopting election district boundaries, whichever
34 occurs first.

35 (2) If the districting body, consistent with its existing obligations
36 under the federal Voting Rights Act, conducts an analysis to
37 determine whether “racially polarized voting,” as defined in case
38 law regarding enforcement of the federal Voting Rights Act, exists
39 in the local jurisdiction, the districting body shall publish on its
40 redistricting web page, at a minimum, a summary of its analysis

1 and findings within ~~7~~ *seven* days of completing the analysis or
2 prior to adopting election district boundaries, whichever occurs
3 first.

4 (c) The districting body shall adopt election district boundaries
5 using the following criteria as set forth in the following order of
6 priority:

7 (1) To the maximum extent practicable, election districts shall
8 be geographically contiguous. Areas that meet only at the points
9 of adjoining corners are not contiguous. Areas that are separated
10 by water and not connected by a bridge, tunnel, or regular ferry
11 service are not contiguous.

12 (2) To the maximum extent practicable, and where it does not
13 conflict with the preceding criterion in this subdivision, the
14 geographic integrity of any local neighborhood or local community
15 of interest shall be respected in a manner that minimizes its
16 division. A “community of interest” is a population that shares
17 common social or economic interests that should be included within
18 a single election district for purposes of its effective and fair
19 representation. Characteristics of communities of interest may
20 include, but are not limited to, shared public policy concerns such
21 as education, public safety, public health, environment, housing,
22 transportation, and access to social services. Characteristics of
23 communities of interest may also include, but are not limited to,
24 cultural districts, shared socioeconomic characteristics, similar
25 voter registration rates and participation rates, and shared histories.
26 Communities of interest do not include relationships with political
27 parties, incumbents, or political candidates.

28 (3) To the maximum extent practicable, and where it does not
29 conflict with the preceding criteria in this subdivision, the
30 geographic integrity of a city or census designated place shall be
31 respected in a manner that minimizes its division. This paragraph
32 does not apply to a city.

33 (4) To the maximum extent practicable, and where it does not
34 conflict with the preceding criteria in this subdivision, election
35 districts shall be bounded by natural and artificial barriers, by
36 streets, or by the boundaries of the local jurisdiction. Election
37 district boundaries should be easily identifiable and understandable
38 by residents.

39 (5) To the maximum extent practicable, and where it does not
40 conflict with the preceding criteria in this subdivision, election

1 districts shall be drawn to encourage geographical compactness
2 in a manner that nearby areas of population are not bypassed in
3 favor of more distant populations.

4 (d) The districting body shall not adopt election district
5 boundaries for the purpose of favoring or discriminating against
6 an incumbent, political candidate, or political party.

7 (e) The districting body shall not adopt election district
8 boundaries using any criterion that is prioritized over the criteria
9 in subdivision (c) or that, expressly or as applied, conflicts with
10 one of the requirements in subdivisions (a) through (d), except as
11 provided in subdivision (g).

12 (f) Within 21 days of adopting final election district boundaries,
13 the districting body shall issue a report that explains the basis on
14 which the districting body made its decisions in achieving
15 compliance with the requirements and criteria described in this
16 section, including, as to each neighborhood, community of interest,
17 city, or census designated place that was split into two or more
18 districts, the reason for that split. This paragraph does not apply
19 to a special district or small education district. Notwithstanding
20 subdivision (i) of Section 23003, if a local jurisdiction establishes
21 a hybrid redistricting commission to recommend changes to the
22 legislative body's district boundaries, the report required by this
23 subdivision shall be issued by the districting body, and not by the
24 commission.

25 (g) Subdivision (c) does not apply to a charter city that has
26 adopted comprehensive or exclusive redistricting criteria in its city
27 charter that includes a requirement to keep whole either
28 communities of interest or neighborhoods. For purposes of this
29 subdivision, "comprehensive or exclusive" means either that the
30 city's charter excludes consideration of redistricting criteria other
31 than those that are identified in the city charter or that the city's
32 charter provides two or more mandatory traditional redistricting
33 criteria other than the requirement that districts be equal in
34 population.

35 (h) If a local jurisdiction establishes an advisory or hybrid
36 redistricting commission to recommend changes to the legislative
37 body's district boundaries, any recommendation adopted by the
38 commission shall comply with the requirements of subdivisions
39 (a) through (e), inclusive, except as provided in subdivision (g).

1 (i) The criteria and requirements of this section apply to all
 2 election district boundaries adopted after January 1, 2024, including
 3 district boundaries adopted when a legislative body transitions
 4 from being elected at-large to elected by districts or from districts.
 5 21140. (a) For redistricting occurring in 2031 and thereafter,
 6 the boundaries of the election districts shall be adopted by the
 7 districting body not later than 204 days before the local
 8 jurisdiction’s next regular election occurring after January 1 in
 9 each year ending in the number two.

10 (b) This section does not apply when a legislative body
 11 transitions from being elected at-large to elected by districts or
 12 from districts.

13 (c) This section does not apply to a charter city that has adopted
 14 a different redistricting deadline by ordinance or in its city charter,
 15 provided that, if the county conducts the city’s elections, the county
 16 is able to administratively accommodate this later deadline. If the
 17 county cannot accommodate that deadline, the county shall provide
 18 the charter city with the latest deadline the county can reasonably
 19 accommodate, which shall be used as the map-adoption deadline
 20 for purposes of Section 21180 and which the city shall post to the
 21 city’s redistricting web page.

22 21150. (a) Before a districting body adopts new election
 23 district boundaries, including when a local jurisdiction redistricts
 24 following the federal decennial census or between federal decennial
 25 censuses, but not including when a legislative body transitions
 26 from being elected at-large to elected by districts or from districts,
 27 the local jurisdiction shall hold at least one workshop and the
 28 districting body shall hold public hearings, as specified by this
 29 section, at which the public is invited to provide input regarding
 30 the composition of one or more neighborhoods, communities of
 31 interest, or election districts.

32 (b) For purposes of this chapter, a workshop is a standalone
 33 meeting which is conducted by either a local jurisdiction’s staff,
 34 a consultant hired by the local jurisdiction, or by one or more
 35 members of the districting body but fewer than a majority of the
 36 members of the districting body. At least one workshop shall be
 37 held before the districting body draws a draft map or maps of the
 38 proposed election district boundaries. At each workshop, the local
 39 jurisdiction shall provide the public with information on the
 40 redistricting process, information on how the public may provide

1 public comment, and instructions on how to use an online mapping
2 tool to create draft maps or community of interest maps, if
3 applicable. Local jurisdictions may, and are encouraged to, assist
4 the public in drawing and submitting draft maps at the workshop.
5 All submitted draft maps and an oral summary ~~of any public~~
6 ~~comment~~ *that characterizes the number and nature of the public*
7 *comments* received at the workshop concerning the proposed
8 boundaries of a neighborhood, community of interest, or election
9 district shall be presented to the districting body at the next public
10 hearing.

11 (c) This subdivision applies to special districts and small
12 education districts.

13 (1) After drawing a draft map or maps, the districting body shall
14 hold at least two public hearings. This subdivision does not prevent
15 a districting body from holding a public hearing before drawing a
16 draft map or maps.

17 (d) This subdivision applies to counties and cities with a
18 population of fewer than 250,000 residents as determined by the
19 most recent census and to all school districts, community college
20 districts, and county offices of education that are not a small
21 education district.

22 (1) Before the districting body draws a draft map or maps of
23 the proposed election district boundaries, the districting body shall
24 hold at least one public hearing.

25 (2) After drawing a draft map or maps, the districting body shall
26 hold at least four additional public hearings.

27 (e) This subdivision applies to counties and cities with a
28 population of 250,000 or more, but fewer than 500,000, residents
29 as determined by the most recent census.

30 (1) Before the districting body draws a draft map or maps of
31 the proposed election district boundaries, the districting body shall
32 hold at least two public hearings.

33 (2) After drawing a draft map or maps, the districting body shall
34 hold at least five additional public hearings.

35 (f) This subdivision applies to counties and cities with a
36 population of 500,000 or more residents as determined by the most
37 recent census.

38 (1) Before the districting body draws a draft map or maps of
39 the proposed election district boundaries, the districting body shall
40 hold at least two public hearings.

1 (2) After drawing a draft map or maps, the districting body shall
2 hold at least seven additional public hearings.

3 (g) (1) In lieu of the districting body, an advisory redistricting
4 commission that complies with Section 23002 may hold the public
5 hearings required by paragraph (1) of subdivision (d), paragraph
6 (1) of subdivision (e), and paragraph (1) of subdivision (f). An
7 advisory redistricting commission may draw draft maps and hold
8 public hearings to consider draft maps, but those public hearings
9 shall not fulfill the districting body’s responsibility to hold public
10 hearings under paragraph (1) of subdivision (c), paragraph (2) of
11 subdivision (d), paragraph (2) of subdivision (e), or paragraph (2)
12 of subdivision (f).

13 (2) In lieu of the districting body, a hybrid redistricting
14 commission, as defined in subdivision (c) of Section 23000, may
15 hold the public hearings required by subdivisions (c) to (f),
16 inclusive, of this section.

17 (3) A public hearing held by an advisory or hybrid redistricting
18 commission pursuant to this subdivision shall comply with the
19 requirements of this section that would apply to the hearing if the
20 hearing were held by the districting body.

21 (h) At least two workshops or public hearings shall be held on
22 a Saturday, on a Sunday, or after 6 p.m. on a weekday.

23 ~~(i) At least one public hearing shall not be consolidated with a~~
24 ~~regular or special meeting of the districting body that includes~~
25 ~~other substantive agenda items.~~

26 ~~(j)~~

27 (i) The building in which a workshop or public hearing is held
28 shall be accessible to persons with disabilities.

29 ~~(k)~~

30 (j) To promote the accessibility of the public hearings, the
31 districting body shall permit the public to attend and provide live
32 public comment at each public hearing both in-person and
33 remotely, which should include providing an accessible and
34 ~~clearly-audible~~ *clearly audible* call-in or internet-based service
35 option. Notwithstanding any other law, the districting body shall
36 not be required to provide a physical location from which the public
37 may remotely provide public comment at a public hearing and the
38 districting body shall not require that the public go to a physical
39 location to remotely provide public comment.

40 ~~(l)~~

1 (k) If a public hearing is consolidated with a regular or special
2 meeting of the districting body that includes other substantive
3 agenda items, the public hearing shall begin at a fixed time
4 regardless of its order on the agenda, except that the districting
5 body may first conclude any item being discussed or acted upon,
6 including any associated public comment, when that time occurs.
7 The time of the public hearing shall be noticed to the public.

8 ~~(m)~~

9 (l) Consistent with the Ralph M. Brown Act (Chapter 9
10 commencing with Section 54950) of Part 1 of Division 2 of Title
11 5 of the Government Code), the districting body may reasonably
12 limit an individual's speaking time at a public hearing. The total
13 amount of time available for all public comment at a public hearing
14 shall not be limited to less than two hours; however, the public
15 comment period may end before two hours if every person desiring
16 to provide public comment has done so.

17 ~~(n)~~

18 (m) Subdivisions (h) to ~~(k)~~, (j), inclusive, do not apply to special
19 districts or small education districts.

20 21160. (a) The local jurisdiction shall make a good faith effort
21 to encourage residents, including those in underrepresented
22 communities and ~~non-English-speaking~~ *non-English-speaking*
23 communities, to participate in the redistricting process.

24 (b) Prior to March 1, 2031, and prior to March 1 of every year
25 ending in one thereafter, the legislative body or districting body
26 shall adopt a redistricting public education and outreach plan to
27 inform residents about the local jurisdiction's redistricting process
28 and how to participate. Notwithstanding subdivision (i) of Section
29 23003, if a local jurisdiction establishes a hybrid redistricting
30 commission to recommend changes to the legislative body's district
31 boundaries, the public education and outreach plan required by
32 this subdivision shall be adopted by the local jurisdiction, and not
33 by the commission.

34 (1) A draft version of the plan shall be posted online for a ~~14~~
35 ~~day~~ *14-day* review and comment period prior to being adopted. In
36 developing the draft plan, the local jurisdiction shall consult with
37 good government, civil rights, civic engagement, neighborhood,
38 or community groups or organizations that are active in the local
39 jurisdiction, including those active in language minority

1 communities, and shall identify those consulted groups or
2 organizations in the draft report.

3 (2) The plan shall include a description of all of the following:

4 (A) How the local jurisdiction will devote the necessary
5 resources on education and outreach to ensure that residents,
6 including residents speaking an applicable language, are informed
7 about the local jurisdiction's redistricting process.

8 (B) Whether and how the local jurisdiction will use the media,
9 including social media, newspapers, radio, and television, and
10 including ethnic media and media that serve language minority
11 communities. The plan shall identify which media the local
12 jurisdiction anticipates using.

13 (C) Whether and how the local jurisdiction will use paid
14 advertising, including in media publications, on billboards, and
15 on public transportation.

16 (D) How the local jurisdiction will inform good government,
17 civil rights, civic engagement, neighborhood, or community groups
18 or organizations that are active in the local jurisdiction, including
19 those active in language minority communities, about the local
20 jurisdiction redistricting process and whether and how the local
21 jurisdiction will partner with such groups to inform the public.
22 The plan shall identify which groups or organizations the local
23 jurisdiction anticipates informing or partnering with.

24 (E) Whether and how the local jurisdiction will have a
25 community presence, including attending or hosting community
26 events or public town halls.

27 (F) Whether and how the local jurisdiction will have direct
28 contact with residents or registered voters, including through direct
29 mail.

30 (G) Whether and how the local jurisdiction will coordinate its
31 outreach and messaging with other local jurisdictions in the same
32 county that are also redistricting.

33 (H) The number of workshops and public hearings the local
34 jurisdiction intends to hold and their anticipated dates.

35 (c) Throughout the redistricting process, the local jurisdiction
36 shall make a good faith effort to provide redistricting information
37 to all of the following:

38 (1) Media organizations that provide local jurisdiction news
39 coverage, including media organizations that serve language
40 minority communities.

1 (2) Good government, civil rights, civic engagement,
2 neighborhood, and community groups or organizations that are
3 active in the local jurisdiction, including those active in language
4 minority communities.

5 (3) Any person that has requested to be notified concerning the
6 local jurisdiction's redistricting process. The local jurisdiction
7 shall maintain a contact list for all such persons and provide them
8 with regular updates throughout the redistricting process including,
9 at minimum, notices of upcoming workshops or public hearings.

10 (d) The local jurisdiction shall arrange for the live translation
11 in an applicable language of a workshop or public hearing held
12 pursuant to this chapter if a request for translation is made at least
13 72 hours before the workshop or public hearing, unless less than
14 five days' notice is provided for the workshop or public hearing,
15 in which case the request shall be made at least 48 hours before
16 the workshop or public hearing.

17 (e) Notwithstanding Section 54954.2 of the Government Code,
18 the local jurisdiction shall publish the date, time, and location for
19 any workshop or public hearing on the internet at least five days
20 before the workshop or public hearing. However, if there are fewer
21 than 28 days until the deadline to adopt boundaries, the local
22 jurisdiction may publish the agenda on the internet for at least
23 three days before the workshop or public hearing.

24 (f) (1) A draft map shall be published on the internet for at least
25 seven days before being adopted as a final map by the districting
26 body provided that, if there are fewer than 28 days until the
27 deadline to adopt boundaries, the draft map may instead be
28 published on the internet for at least three days.

29 (2) Each draft map prepared by a member of an advisory or
30 hybrid redistricting commission, a member of the districting body,
31 or by employees or contractors of the local jurisdiction, or any
32 draft map submitted by the public that a member of the advisory
33 or hybrid redistricting commission or districting body asks be
34 discussed or considered at a future public hearing, shall be
35 accompanied by information on the total population, citizen voting
36 age population, and racial and ethnic characteristics of the citizen
37 voting age population of each proposed election district, to the
38 extent the local jurisdiction has that data.

39 (3) (A) An advisory or hybrid redistricting commission, the
40 districting body, and employees or contractors of the local

1 jurisdiction shall not release draft maps of election districts earlier
2 than three weeks after the block-level redistricting database
3 required by subdivision (b) of Section 8253 of the Government
4 Code is first made publicly available. This subparagraph does not
5 prohibit the commission or districting body from holding
6 workshops or public hearings on the placement of election district
7 boundaries before the earliest date that draft maps of election
8 districts may be released.

9 (B) If the period of time between the date that the redistricting
10 database is made publicly available and the map adoption deadline
11 is fewer than 90 days and more than 59 days, the waiting period
12 described in subparagraph (A) is reduced to one week.

13 (C) If the period of time between the date that the redistricting
14 database is made publicly available and the map adoption deadline
15 is fewer than 60 days, the waiting period described in subparagraph
16 (A) does not apply.

17 (g) The local jurisdiction shall either video or audio record or
18 prepare a written summary of each oral public comment, and each
19 deliberation by a districting body or an advisory or hybrid
20 redistricting commission, made at every workshop or public
21 hearing held pursuant to this chapter. The local jurisdiction shall
22 make the recording or written summary of a workshop or public
23 hearing available to the public on its redistricting web page no
24 later than ~~7~~ seven days after the workshop or public hearing or no
25 later than at least 24 hours before the next workshop or public
26 hearing, whichever deadline is earlier. Notwithstanding subdivision
27 (i) of Section 23003, if a local jurisdiction establishes a hybrid
28 redistricting commission, the local jurisdiction, not the hybrid
29 redistricting commission, shall be responsible for meeting the
30 requirements of this subdivision.

31 (h) (1) The districting body, or an advisory or hybrid
32 redistricting commission, shall allow the public to submit written
33 public comment or draft neighborhood, community of interest, or
34 district maps both in a paper format and electronically. ~~Each written~~
35 ~~public comment or draft map shall be included with the agenda~~
36 ~~for the next public hearing after the public comment or draft map~~
37 ~~was received if the public comment or draft map is received at~~
38 ~~least 48 hours before that public hearing.~~

39 (2) The local jurisdiction shall make any written public
40 comments or draft maps available to the public on its redistricting

1 web page no later than ~~7~~ *seven* days after receiving the public
2 comment or draft map or no later than at least 24 hours before the
3 next workshop or public hearing, if the public comment or draft
4 map is received at least two business days before that workshop
5 or public hearing, whichever deadline is earlier.

6 (i) Prior to holding its first workshop or public hearing, the local
7 jurisdiction shall establish, and maintain for at least 10 years after
8 the adoption of new election district boundaries, an accessible
9 internet web page dedicated to redistricting. The web page may
10 be hosted on the local jurisdiction's existing internet website or
11 another internet website maintained by the local jurisdiction. Prior
12 to the first workshop or public hearing and until new district
13 boundaries are adopted, the homepage of the local jurisdiction's
14 internet website shall include a prominent link to the redistricting
15 web page. The web page shall include, or link to, all of the
16 following information:

17 (1) A general explanation of the redistricting process for the
18 local jurisdiction. This explanation shall be provided in English
19 and applicable languages.

20 (2) An explanation of the procedures for a member of the public
21 to provide in-person or remote oral public comment during a public
22 hearing or to submit written public comment or a draft map to the
23 districting body, or an advisory or hybrid redistricting commission,
24 either in a paper or electronic format, for consideration at a future
25 public hearing. ~~The explanation shall include the deadline for the~~
26 ~~public to submit written comment or a draft map in advance of a~~
27 ~~public hearing for that comment or draft map to be included in the~~
28 ~~agenda at that public hearing.~~ The explanation shall be provided
29 in English and applicable languages.

30 (3) A calendar of all workshop and public hearing dates. A
31 calendar listing that includes the ~~date~~ *date*, time, and location of
32 the workshop or public hearing dates satisfies the notice required
33 by subdivision (e).

34 (4) A notice of the applicable languages in which the local
35 jurisdiction will provide live translation of a workshop or public
36 hearing upon request and instructions for making such a request.
37 This notice and these instructions shall be provided in English and
38 applicable languages.

39 (5) Instructions and a method for a person to ~~sign-up~~ *sign up* to
40 receive regular notices regarding redistricting, including notices

1 of upcoming workshops or public hearings. These instructions
2 shall be provided in English and applicable languages.

3 (6) The notice and agenda for each workshop and public hearing.

4 (7) The recording or written summary of each workshop and
5 public hearing.

6 (8) Each draft map considered by the districting body or an
7 advisory or hybrid redistricting commission at a public hearing.

8 (9) Each written public comment submitted to the local
9 jurisdiction.

10 (10) The results of the local jurisdiction's analysis under
11 paragraphs (1) and (2) of subdivision (b) of Section 21130.

12 (11) The existing map of election district boundaries prior to
13 redistricting.

14 (12) The adopted final map of election district boundaries after
15 redistricting, and where applicable, the report required pursuant
16 to subdivision (f) of Section 21130.

17 (j) This section does not apply when a legislative body
18 transitions from being elected at-large to elected by districts or
19 from districts.

20 (k) Subdivisions (b) to (g), inclusive, paragraph (2) of
21 subdivision (h), and paragraphs (4) to (10), inclusive, of subdivision
22 (i) do not apply to special districts or small education districts.
23 Subdivision (i) does not apply to special districts or small education
24 districts that do not have a website for the jurisdiction and are not
25 legally required to establish such a website.

26 21170. (a) No later than December 15, 2030, and no later than
27 December 15 in each year ending in the number zero thereafter,
28 the Secretary of State shall publish in a conspicuous location on
29 the Secretary of State's internet website all of the following
30 documents:

31 (1) A template explaining the local jurisdiction redistricting
32 process that meets the requirements of paragraph (1) of subdivision
33 (i) of Section 21160.

34 (2) A template explaining the procedures for providing public
35 comment in the local jurisdiction redistricting process that meets
36 the requirements of paragraph (2) of subdivision (i) of Section
37 21160.

38 (3) A template of a notice explaining the languages in which a
39 local jurisdiction is required to provide live translation upon request

1 and how to make such a request that meets the requirements of
2 paragraph (4) of subdivision (i) of Section 21160.

3 (4) A template of instructions for a member of the public to
4 ~~sign-up~~ *sign up* for regular notices regarding redistricting that
5 meets the requirements of paragraph (5) of subdivision (i) of
6 Section 21160.

7 (5) A template form for a member of the public to describe and
8 identify the boundaries of a neighborhood or community of interest.

9 (6) To assist local jurisdictions with complying with this chapter,
10 a brief summary and checklist of all the requirements imposed on
11 a local jurisdiction by this chapter.

12 (b) No later than November 1, 2030, and no later than November
13 1 in each year ending in the number zero thereafter, the Secretary
14 of State shall post online drafts of the documents described in
15 subdivision (a) for at least a 30-day public comment period before
16 finalizing any draft. Prior to posting these drafts, the Secretary *of*
17 *State* shall solicit input from good government organizations, civil
18 rights organizations, firms providing redistricting mapping services,
19 and statewide associations representing affected local government
20 agencies.

21 (c) No later than January 1, 2031, and no later than January 1
22 in every year ending in the number one thereafter, the Secretary
23 of State shall publish the applicable languages for each city and
24 county in a conspicuous location on the Secretary of State's internet
25 website.

26 (d) No later than February 28, 2031, and no later than February
27 28 in each year ending in the number one thereafter, the Secretary
28 of State shall translate the documents described in paragraphs (1)
29 to (5), inclusive, of subdivision (a) in any applicable language
30 required for any city or county and shall publish these documents
31 on a conspicuous location on the Secretary of State's internet
32 website.

33 (e) Prior to finalizing any translated documents pursuant to
34 subdivision (d), the Secretary of State shall post online drafts of
35 these documents for at least a 15-day public comment period before
36 finalizing any draft. Prior to posting these drafts, the Secretary *of*
37 *State* shall solicit input from the Language Accessibility Advisory
38 Committee and organizations representing communities that speak
39 each applicable language.

1 (f) To assist local jurisdictions with complying with this chapter,
2 the Secretary of State shall provide a training to local jurisdictions
3 subject to this chapter and associations representing such local
4 jurisdictions that summarizes the requirements imposed on a local
5 jurisdiction by this chapter. This training shall be video recorded
6 and posted in a conspicuous location on the Secretary of State's
7 internet website.

8 (g) (1) Within 30 days of the computerized database described
9 in subdivision (b) of Section 8253 of the Government Code being
10 made available to the public, the Secretary of State shall make
11 available to the public a free electronic mapping tool, loaded with
12 relevant population and demographic data for each county and city
13 whose legislative body is elected ~~by district~~, *by district*, which
14 tool can be used by the public to create neighborhood maps,
15 community of interest maps, or draft district maps that can be
16 submitted to the local jurisdiction's districting body or to an
17 advisory or hybrid redistricting commission. The Secretary of State
18 is authorized and encouraged to create a mapping tool for other
19 local jurisdictions whose legislative bodies are elected ~~by district~~.
20 *by district*.

21 (2) Implementation of this subdivision shall be contingent on
22 an appropriation being made for this purpose in the annual Budget
23 Act or another statute.

24 21180. (a) If the districting body does not adopt election
25 district boundaries by the deadlines set forth in subdivision (a) of
26 Section 21140 or adopted pursuant to subdivision (c) of Section
27 21140, as applicable, the districting body shall immediately petition
28 a superior court in a county in which the local jurisdiction is located
29 for an order adopting election district boundaries. If the districting
30 body does not petition the superior court within five days after the
31 deadline, any interested person may file that petition and shall be
32 entitled to recover reasonable attorney's fees and costs from the
33 local jurisdiction for doing so.

34 (b) Upon granting a petition filed pursuant to subdivision (a),
35 the superior court shall adopt election district boundaries in
36 accordance with the requirements and criteria set forth in Section
37 21130, which shall be used in the local jurisdiction's next regular
38 election. The superior court or a special master appointed by the
39 superior court shall hold one or more public hearings before the
40 superior court adopts the election district boundaries.

1 (c) The election district boundaries adopted by the superior
2 court shall have the same force and effect as an enacted resolution
3 or ordinance of the districting body, but shall not be subject to a
4 referendum.

5 (d) The superior court may order the adjustment of electoral
6 deadlines as necessary to implement the new election district
7 boundaries in the next regular election.

8 (e) This section does not apply to a charter city that has adopted
9 in its city charter a different method for adopting city council
10 district boundaries when a redistricting deadline is missed.

11 21190. (a) Any interested person may bring an action in the
12 superior court of the county where a violation of this chapter is
13 alleged to have occurred or is threatened to occur.

14 (b) Any interested person may commence an action by
15 mandamus, injunction, or declaratory relief for the purpose of
16 stopping ongoing violations or preventing future violations or
17 threatened violations of this chapter or to determine the
18 applicability of this chapter to ongoing actions or threatened future
19 actions.

20 (c) An action for a violation of Section 21130 may be brought
21 at any time prior to an election which shall be conducted using
22 district boundaries adopted pursuant to that section.

23 (d) (1) Prior to bringing an action for a past violation of this
24 chapter, other than a violation of Sections 21130, 21170, or 21180,
25 an interested person shall make a written demand of the districting
26 body or of the advisory or hybrid redistricting commission to cure
27 or correct the alleged violation. The written demand shall be made
28 within 30 days from the date the violation occurred or at any point
29 for a continuing violation. Within 15 days of receipt of the demand,
30 the local jurisdiction shall do either of the following:

31 (A) Cure or correct the alleged violation and inform the
32 interested person in writing of its actions to cure or correct the
33 alleged violation.

34 (B) Inform the interested person in writing of its decision not
35 to cure or correct the alleged violation.

36 (2) If the local jurisdiction takes no action or does not cure or
37 correct the violation within the 15-day period described in
38 paragraph (1), the interested person shall have 15 days thereafter
39 to bring an action. A court may award court costs and reasonable
40 *attorney attorneys'* fees to the plaintiff where it is found that a

1 districting body or an advisory or hybrid redistricting commission
2 violated this chapter and failed to correct the violation or
3 unreasonably delayed correcting the violation after receiving the
4 demand required by this subdivision.

5 (e) If a plaintiff proves a violation of this chapter is threatened,
6 is occurring, or occurred, a court shall order appropriate remedies
7 tailored to prevent or remedy the threatened violation or violation,
8 which may include requiring that the local jurisdiction comply
9 with the requirements of this chapter, requiring that the districting
10 body or an advisory or hybrid redistricting commission hold an
11 additional public hearing, voiding any action taken by the
12 districting body or an advisory or hybrid redistricting commission
13 in violation of this chapter, ordering the districting body to redraw
14 an adopted map, changing an adopted map's district boundaries
15 to bring the map ~~in~~ into compliance with the requirements and
16 criteria in Section 21130, or adopting a new map in compliance
17 with the requirements and criteria in Section 21130 after the court
18 or a special master holds a public hearing.

19 (f) (1) If, upon finding a violation of this chapter, a court is
20 required to change or adopt new election district boundaries the
21 court may appoint a special master to assist the court. The local
22 jurisdiction shall pay the cost for the special master and associated
23 costs.

24 (2) Subject to the approval of the court, the special master may
25 employ redistricting experts or other consultants or counsel,
26 independent experts in the field of redistricting and computer
27 technology, and other necessary personnel to assist them in their
28 work. In addition, the special master may seek the full cooperation
29 of the local jurisdiction in producing and using whatever data,
30 computer models and programs, and technical assistance that was
31 made available to the districting body or an advisory or hybrid
32 redistricting commission and local jurisdiction personnel who are
33 knowledgeable in the mechanics of drafting redistricting legislation.
34 The court may assist the special master in securing the necessary
35 personnel and the physical facilities required for their work, and
36 to prepare for the prompt submission to the local jurisdiction of a
37 request for local jurisdiction funding for the necessary expenses
38 of the special master and the special master's staff.

1 (g) Consistent with Section 35 of the Code of Civil Procedure,
2 a court shall give precedence to an action brought under this
3 chapter.

4 (h) This chapter does not limit the discretionary remedial
5 authority of any federal or state court.

6 SEC. 15. Section 21500 of the Elections Code is amended to
7 read:

8 21500. Following a county's decision to elect its board using
9 district-based elections, or following each federal decennial census
10 for a county whose board is already elected using district-based
11 elections, the board shall, by ordinance or resolution, adopt
12 boundaries for all of the supervisorial districts of the county
13 pursuant to Chapter 2 (commencing with Section 21100).

14 SEC. 16. Section 21500.1 of the Elections Code is amended
15 to read:

16 21500.1. This chapter applies to a county that elects members
17 of the county's board of supervisors by districts or from districts.

18 SEC. 17. Section 21501 of the Elections Code is repealed.

19 SEC. 18. Section 21503 of the Elections Code is amended to
20 read:

21 21503. (a) After redistricting or districting, a board shall not
22 adopt new supervisorial district boundaries until after the next
23 federal decennial census, except under the following circumstances:

24 (1) A court orders the board to redistrict.

25 (2) The board is settling a legal claim that its supervisorial
26 district boundaries violate the United States Constitution, the
27 federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.),
28 or this chapter.

29 (3) The boundaries of the county change by the addition or
30 subtraction of territory.

31 (4) The number of supervisors elected by districts or from
32 districts is increased or decreased.

33 (5) An independent redistricting commission is established
34 pursuant to Section 23003 to adopt new supervisorial districts
35 between federal decennial censuses and the districts being replaced
36 were adopted by the board of supervisors.

37 (b) This section does not prohibit a board from adopting
38 supervisorial districts between federal decennial censuses if the
39 board is adopting supervisorial districts for the first time, including
40 when a board adopts supervisorial districts for the purpose of

1 transitioning from electing its supervisors in at-large elections to
2 elections by districts or from districts.

3 SEC. 19. Section 21506 of the Elections Code is amended to
4 read:

5 21506. (a) The term of office of any supervisor who has been
6 elected and whose term of office has not expired shall not be
7 affected by any change in the boundaries of the district from which
8 the supervisor was elected and that supervisor shall continue to
9 represent the constituents residing in the district boundaries from
10 which the supervisor was elected for the duration of that term of
11 office. This section does not prevent a board from assigning a
12 county elected official or county official to provide constituent
13 services for residents of an area that is temporarily not represented
14 by a supervisor due to redistricting.

15 (b) At the first election for county supervisors in each county
16 following adoption of the boundaries of supervisorial districts,
17 excluding a special election to fill a vacancy or a recall election,
18 a supervisor shall be elected for each district under the new district
19 plan that has the same district number as a district whose
20 incumbent’s term is due to expire. This subdivision does not apply
21 when a county transitions from at-large to district-based elections.

22 (c) For a county employing both a primary and a general
23 election, a change in the boundaries of a supervisorial district shall
24 not be made between the direct primary election and the general
25 election.

26 (d) Except as provided in subdivision (a), a person is not eligible
27 to hold office as a member of a board of supervisors unless that
28 person meets the requirements of Section 201 of the Elections
29 Code and Section 24001 of the Government Code.

30 SEC. 20. Section 21507 of the Elections Code is repealed.

31 SEC. 21. Section 21507.1 of the Elections Code is repealed.

32 SEC. 22. Section 21508 of the Elections Code is repealed.

33 SEC. 23. Section 21509 of the Elections Code is repealed.

34 SEC. 24. Section 21534 of the Elections Code is amended to
35 read:

36 21534. (a) The commission shall establish single-member
37 supervisorial districts for the board pursuant to a mapping process
38 using the following criteria as set forth in the following order of
39 priority:

1 (1) (A) Districts shall comply with the United States
2 Constitution and each district shall have a reasonably equal
3 population with other districts for the board, except where deviation
4 is required to comply with the federal Voting Rights Act of 1965
5 (52 U.S.C. Sec. 10101 et seq.) or allowable by law.

6 (B) Population equality shall be based on the total population
7 of residents of the county as determined by the most recent federal
8 decennial census for which the redistricting data described in Public
9 Law 94-171 are available.

10 (C) Notwithstanding subparagraph (B), an incarcerated person,
11 as that term is used in Section 21003, shall not be counted towards
12 the county's population, except for an incarcerated person whose
13 last known place of residence may be assigned to a census block
14 in the county, if information about the last known place of
15 residence for incarcerated persons is included in the computerized
16 database for redistricting that is developed in accordance with
17 subdivision (b) of Section 8253 of the Government Code, and that
18 database is made publicly available.

19 (2) Districts shall comply with the federal Voting Rights Act
20 of 1965 (52 U.S.C. Sec. 10101 et seq.).

21 (3) Districts shall be geographically contiguous.

22 (4) The geographic integrity of any city, local neighborhood,
23 or local community of interest shall be respected in a manner that
24 minimizes its division to the extent possible without violating the
25 requirements of paragraphs (1) to (3), inclusive. A community of
26 interest is a contiguous population that shares common social and
27 economic interests that should be included within a single district
28 for purposes of its effective and fair representation. Communities
29 of interest shall not include relationships with political parties,
30 incumbents, or political candidates.

31 (5) To the extent practicable, and where this does not conflict
32 with paragraphs (1) to (4), inclusive, districts shall be drawn to
33 encourage geographical compactness such that nearby areas of
34 population are not bypassed for more distant areas of population.

35 (b) The place of residence of any incumbent or political
36 candidate shall not be considered in the creation of a map. Districts
37 shall not be drawn for purposes of favoring or discriminating
38 against an incumbent, political candidate, or political party.

1 (c) (1) The commission shall comply with the Ralph M. Brown
2 Act (Chapter 9 (commencing with Section 54950) of Part 1 of
3 Division 2 of Title 5 of the Government Code).

4 (2) (A) Before the commission draws a map, the commission
5 shall conduct at least seven public hearings, to take place over a
6 period of no fewer than 30 days, with at least one public hearing
7 held in each supervisorial district.

8 (B) In the event any state or local health order prohibits large
9 gatherings, the commission may modify the location of the
10 hearings, including use of virtual hearings that use technology to
11 permit remote viewing and participation, to the extent required to
12 comply with public health requirements. If the commission
13 modifies the location of a hearing, it shall provide opportunities
14 to view and listen to proceedings by video, to listen to proceedings
15 by phone, and to provide public comment by phone and in writing
16 with no limitation on the number of commenters. The commission
17 shall, to the greatest extent practicable, provide an opportunity for
18 in-person participation for at least one hearing in each supervisorial
19 district. Methods for providing in-person participation may include,
20 but are not limited to, setting up multiple rooms with audiovisual
21 connections to the hearing, allowing community members to make
22 appointments to make public comment, providing personal
23 protective equipment, or holding hearings in outdoor spaces.

24 (3) After the commission draws a draft map, the commission
25 shall do both of the following:

26 (A) Post the map for public comment on the internet website
27 of the County of Los Angeles.

28 (B) Conduct at least two public hearings to take place over a
29 period of no fewer than 30 days.

30 (4) (A) The commission shall establish and make available to
31 the public a calendar of all public hearings described in paragraphs
32 (2) and (3). Hearings shall be scheduled at various times and days
33 of the week to accommodate a variety of work schedules and to
34 reach as large an audience as possible.

35 (B) Notwithstanding Section 54954.2 of the Government Code,
36 the commission shall post the agenda for the public hearings
37 described in paragraphs (2) and (3) at least seven days before the
38 hearings. The agenda for a meeting required by paragraph (3) shall
39 include a copy of the draft map.

1 (5) (A) The commission shall arrange for the live translation
2 of a hearing held pursuant to this chapter in an applicable language
3 if a request for translation is made at least 24 hours before the
4 hearing.

5 (B) For purposes of this paragraph, an “applicable language”
6 means a language for which the number of residents of the County
7 of Los Angeles who are members of a language minority is greater
8 than or equal to 3 percent of the total voting age residents of the
9 county.

10 (6) The commission shall take steps to encourage county
11 residents to participate in the redistricting public review process.
12 These steps may include:

13 (A) Providing information through media, social media, and
14 public service announcements.

15 (B) Coordinating with community organizations.

16 (C) Posting information on the internet website of the County
17 of Los Angeles that explains the redistricting process and includes
18 a notice of each public hearing and the procedures for testifying
19 during a hearing or submitting written testimony directly to the
20 commission.

21 (7) The board shall take all steps necessary to ensure that a
22 complete and accurate computerized database is available for
23 redistricting, and that procedures are in place to provide to the
24 public ready access to redistricting data and computer software
25 equivalent to what is available to the commission members.

26 (8) The board shall provide reasonable funding and staffing for
27 the commission.

28 (9) All records of the commission relating to redistricting, and
29 all data considered by the commission in drawing a draft map or
30 the final map, are public records.

31 (d) (1) The commission shall adopt a redistricting plan adjusting
32 the boundaries of the supervisorial districts and shall file the plan
33 with the county elections official by the map adoption deadline
34 set forth in subdivision (a) of Section 21140. The commission shall
35 not release a draft map before the date set forth in paragraph (3)
36 of subdivision (f) of Section 21160.

37 (2) The plan shall be subject to referendum in the same manner
38 as ordinances.

39 (3) The commission shall issue, with the final map, a report that
40 explains the basis on which the commission made its decisions in

1 achieving compliance with the criteria described in subdivisions
2 (a) and (b).

3 SEC. 25. Section 21544 of the Elections Code is amended to
4 read:

5 21544. (a) The commission shall establish single-member
6 supervisorial districts for the board pursuant to a mapping process
7 using the following criteria as set forth in the following order of
8 priority:

9 (1) (A) Districts shall comply with the United States
10 Constitution and each district shall have a reasonably equal
11 population with other districts for the board, except where deviation
12 is required to comply with the federal Voting Rights Act of 1965
13 (52 U.S.C. Sec. 10101 et seq.) or allowable by law.

14 (B) Population equality shall be based on the total population
15 of residents of the county as determined by the most recent federal
16 decennial census for which the redistricting data described in Public
17 Law 94-171 are available.

18 (C) Notwithstanding subparagraph (B), an incarcerated person,
19 as that term is used in Section 21003, shall not be counted towards
20 the county's population, except for an incarcerated person whose
21 last known place of residence may be assigned to a census block
22 in the county, if information about the last known place of
23 residence for incarcerated persons is included in the computerized
24 database for redistricting that is developed in accordance with
25 subdivision (b) of Section 8253 of the Government Code, and that
26 database is made publicly available.

27 (2) Districts shall comply with the federal Voting Rights Act
28 of 1965 (52 U.S.C. Sec. 10101 et seq.).

29 (3) Districts shall be geographically contiguous.

30 (4) The geographic integrity of any city, local neighborhood,
31 or local community of interest shall be respected in a manner that
32 minimizes its division to the extent possible without violating the
33 requirements of paragraphs (1) to (3), inclusive. A community of
34 interest is a contiguous population that shares common social and
35 economic interests that should be included within a single district
36 for purposes of its effective and fair representation. Communities
37 of interest shall not include relationships with political parties,
38 incumbents, or political candidates.

39 (5) To the extent practicable, and where this does not conflict
40 with paragraphs (1) to (4), inclusive, districts shall be drawn to

1 encourage geographical compactness such that nearby areas of
2 population are not bypassed for more distant areas of population.

3 (b) The place of residence of any incumbent or political
4 candidate shall not be considered in the creation of a map. Districts
5 shall not be drawn for purposes of favoring or discriminating
6 against an incumbent, political candidate, or political party.

7 (c) (1) The commission shall comply with the Ralph M. Brown
8 Act (Chapter 9 (commencing with Section 54950) of Part 1 of
9 Division 2 of Title 5 of the Government Code).

10 (2) (A) Before the commission draws a map, the commission
11 shall conduct at least seven public hearings, to take place over a
12 period of no fewer than 30 days, with at least one public hearing
13 held in each supervisorial district.

14 (B) In the event any state or local health order prohibits large
15 gatherings, the commission may modify the location of the
16 hearings, including through the use of virtual hearings that use
17 technology to permit remote viewing and participation, to the
18 extent required to comply with public health requirements. If the
19 commission modifies the location of a hearing, it shall provide
20 opportunities to view and listen to proceedings by video, to listen
21 to proceedings by phone, and to provide public comment by phone
22 and in writing with no limitation on the number of commenters.
23 The commission shall, to the greatest extent practicable, provide
24 an opportunity for in-person participation for at least one hearing
25 in each supervisorial district. Methods for providing in-person
26 participation may include setting up multiple rooms with
27 audiovisual connections to the hearing, allowing community
28 members to make appointments to make public comment,
29 providing personal protective equipment, or holding hearings in
30 outdoor spaces.

31 (3) After the commission draws a draft map, the commission
32 shall do both of the following:

33 (A) Post the map for public comment on the website of the
34 County of Riverside.

35 (B) Conduct at least two public hearings to take place over a
36 period of no fewer than 30 days.

37 (4) (A) The commission shall establish and make available to
38 the public a calendar of all public hearings described in paragraphs
39 (2) and (3). Hearings shall be scheduled at various times and days

1 of the week to accommodate a variety of work schedules and to
2 reach as large an audience as possible.

3 (B) Notwithstanding Section 54954.2 of the Government Code,
4 the commission shall post the agenda for the public hearings
5 described in paragraphs (2) and (3) at least seven days before the
6 hearings. The agenda for a meeting required by paragraph (3) shall
7 include a copy of the draft map.

8 (5) (A) The commission shall arrange for the live translation
9 of a hearing held pursuant to this chapter in an applicable language
10 if a request for translation is made at least 24 hours before the
11 hearing.

12 (B) For purposes of this paragraph, an “applicable language”
13 means a language for which the number of residents of the County
14 of Riverside who are members of a language minority is greater
15 than or equal to 3 percent of the total voting age residents of the
16 county.

17 (6) The commission shall take steps to encourage county
18 residents to participate in the redistricting public review process.
19 These steps may include:

20 (A) Providing information through media, social media, and
21 public service announcements.

22 (B) Coordinating with community organizations.

23 (C) Posting information on the website of the County of
24 Riverside that explains the redistricting process and includes a
25 notice of each public hearing and the procedures for testifying
26 during a hearing or submitting written testimony directly to the
27 commission.

28 (7) The board shall take all steps necessary to ensure that a
29 complete and accurate computerized database is available for
30 redistricting, and that procedures are in place to provide to the
31 public ready access to redistricting data and computer software
32 equivalent to what is available to the commission members.

33 (8) The board shall provide for reasonable funding and staffing
34 for the commission.

35 (9) All records of the commission relating to redistricting, and
36 all data considered by the commission in drawing a draft map or
37 the final map, are public records.

38 (d) (1) The commission shall adopt a redistricting plan adjusting
39 the boundaries of the supervisorial districts and shall file the plan
40 with the county elections official by the map adoption deadline

1 set forth in subdivision (a) of Section 21140. The commission shall
2 not release a draft map before the date set forth in paragraph (3)
3 of subdivision (f) of Section 21160.

4 (2) The plan shall be subject to referendum in the same manner
5 as ordinances.

6 (3) The commission shall issue, with the final map, a report that
7 explains the basis on which the commission made its decisions in
8 achieving compliance with the criteria described in subdivisions
9 (a) and (b).

10 SEC. 26. Section 21552 of the Elections Code is amended to
11 read:

12 21552. (a) The commission shall establish single-member
13 supervisorial districts for the board pursuant to a mapping process
14 using the following criteria as set forth in the following order of
15 priority:

16 (1) (A) Districts shall comply with the United States
17 Constitution and each district shall have a reasonably equal
18 population with other districts for the board, except where deviation
19 is required to comply with the federal Voting Rights Act of 1965
20 (52 U.S.C. Sec. 10101 et seq.) or is allowable by law.

21 (B) Population equality shall be based on the total population
22 of residents of the county as determined by the most recent federal
23 decennial census for which the redistricting data described in Public
24 Law 94-171 are available.

25 (C) Notwithstanding subparagraph (B), an incarcerated person,
26 as that term is used in Section 21003, shall not be counted towards
27 the county's population, except for an incarcerated person whose
28 last known place of residence may be assigned to a census block
29 in the county, if information about the last known place of
30 residence for incarcerated persons is included in the computerized
31 database for redistricting that is developed in accordance with
32 subdivision (b) of Section 8253 of the Government Code, and that
33 database is made publicly available.

34 (2) Districts shall comply with the federal Voting Rights Act
35 of 1965 (52 U.S.C. Sec. 10101 et seq.).

36 (3) Districts shall be geographically contiguous.

37 (4) The geographic integrity of any city, local neighborhood,
38 or local community of interest shall be respected in a manner that
39 minimizes its division to the extent possible without violating the
40 requirements of paragraphs (1) to (3), inclusive. A community of

1 interest is a contiguous population that shares common social and
2 economic interests that should be included within a single district
3 for purposes of its effective and fair representation. Communities
4 of interest shall not include relationships with political parties,
5 incumbents, or political candidates.

6 (5) To the extent practicable, and where it does not conflict with
7 paragraphs (1) to (4), inclusive, districts shall be drawn to
8 encourage geographical compactness such that nearby areas of
9 population are not bypassed for more distant areas of population.

10 (b) The place of residence of any incumbent or political
11 candidate shall not be considered in the creation of a map. Districts
12 shall not be drawn for purposes of favoring or discriminating
13 against an incumbent, political candidate, or political party.

14 (c) (1) The commission shall comply with the Ralph M. Brown
15 Act (Chapter 9 (commencing with Section 54950) of Part 1 of
16 Division 2 of Title 5 of the Government Code).

17 (2) (A) Before the commission draws a map, the commission
18 shall conduct at least seven public hearings, to take place over a
19 period of no fewer than 30 days, with at least one public hearing
20 held in each supervisorial district.

21 (B) In the event any state or local health order prohibits large
22 gatherings, the commission may modify the location of the
23 hearings, including use of virtual hearings that use technology to
24 permit remote viewing and participation, to the extent required to
25 comply with public health requirements. If the commission
26 modifies the location of a hearing, it shall provide opportunities
27 to view and listen to proceedings by video, to listen to proceedings
28 by phone, and to provide public comment by phone and in writing
29 with no limitation on the number of commenters. The commission
30 shall, to the greatest extent practicable, provide an opportunity for
31 in-person participation for at least one hearing in each supervisorial
32 district. Methods for providing in-person participation may include,
33 but are not limited to, setting up multiple rooms with audiovisual
34 connections to the hearing, allowing community members to make
35 appointments to make public comment, providing personal
36 protective equipment, or holding hearings in outdoor spaces.

37 (3) After the commission draws a draft map, the commission
38 shall do both of the following:

39 (A) Post the map for public comment on the internet website
40 of the County of San Diego.

1 (B) Conduct at least two public hearings to take place over a
2 period of no fewer than 30 days.

3 (4) (A) The commission shall establish and make available to
4 the public a calendar of all public hearings described in paragraphs
5 (2) and (3). Hearings shall be scheduled at various times and days
6 of the week to accommodate a variety of work schedules and to
7 reach as large an audience as possible.

8 (B) Notwithstanding Section 54954.2 of the Government Code,
9 the commission shall post the agenda for the public hearings
10 described in paragraphs (2) and (3) at least seven days before the
11 hearings. The agenda for a meeting required by paragraph (3) shall
12 include a copy of the draft map.

13 (5) (A) The commission shall arrange for the live translation
14 of a hearing held pursuant to this chapter in an applicable language
15 if a request for translation is made at least 24 hours before the
16 hearing.

17 (B) For purposes of this paragraph, an “applicable language”
18 means a language for which the number of residents of the County
19 of San Diego who are members of a language minority is greater
20 than or equal to 3 percent of the total voting age residents of the
21 county.

22 (6) The commission shall take steps to encourage county
23 residents to participate in the redistricting public review process.
24 These steps may include:

25 (A) Providing information through media, social media, and
26 public service announcements.

27 (B) Coordinating with community organizations.

28 (C) Posting information on the internet website of the County
29 of San Diego that explains the redistricting process and includes
30 a notice of each public hearing and the procedures for testifying
31 during a hearing or submitting written testimony directly to the
32 commission.

33 (7) The board shall take all steps necessary to ensure that a
34 complete and accurate computerized database is available for
35 redistricting, and that procedures are in place to provide to the
36 public ready access to redistricting data and computer software
37 equivalent to what is available to the commission members.

38 (8) The board shall provide for reasonable funding and staffing
39 for the commission.

1 (9) All records of the commission relating to redistricting, and
2 all data considered by the commission in drawing a draft map or
3 the final map, are public records.

4 (d) (1) The commission shall adopt a redistricting plan adjusting
5 the boundaries of the supervisorial districts and shall file the plan
6 with the Clerk of the Board of Supervisors by the map adoption
7 deadline set forth in subdivision (a) of Section 21140. The
8 commission shall not release a draft map before the date set forth
9 in paragraph (3) of subdivision (f) of Section 21160.

10 (2) The plan shall be subject to referendum in the same manner
11 as ordinances.

12 (3) The commission shall issue, with the final map, a report that
13 explains the basis on which the commission made its decisions in
14 achieving compliance with the criteria described in subdivisions
15 (a) and (b).

16 SEC. 27. Section 21564 of the Elections Code is amended to
17 read:

18 21564. (a) The commission shall establish single-member
19 supervisorial districts for the board pursuant to a mapping process
20 using the following criteria as set forth in the following order of
21 priority:

22 (1) (A) Districts shall comply with the United States
23 Constitution and each district shall have a reasonably equal
24 population with other districts for the board, except where deviation
25 is required to comply with the federal Voting Rights Act of 1965
26 (52 U.S.C. Sec. 10101 et seq.) or allowable by law.

27 (B) Population equality shall be based on the total population
28 of residents of the county as determined by the most recent federal
29 decennial census for which the redistricting data described in Public
30 Law 94-171 are available.

31 (C) Notwithstanding subparagraph (B), an incarcerated person,
32 as that term is used in Section 21003, shall not be counted towards
33 the county's population, except for an incarcerated person whose
34 last known place of residence may be assigned to a census block
35 in the county, if information about the last known place of
36 residence for incarcerated persons is included in the computerized
37 database for redistricting that is developed in accordance with
38 subdivision (b) of Section 8253 of the Government Code, and that
39 database is made publicly available.

1 (2) Districts shall comply with the federal Voting Rights Act
2 of 1965 (52 U.S.C. Sec. 10101 et seq.).

3 (3) Districts shall be geographically contiguous.

4 (4) The geographic integrity of any city, local neighborhood,
5 or local community of interest shall be respected in a manner that
6 minimizes its division to the extent possible without violating the
7 requirements of paragraphs (1) to (3), inclusive. A community of
8 interest is a contiguous population that shares common social and
9 economic interests that should be included within a single district
10 for purposes of its effective and fair representation. Communities
11 of interest shall not include relationships with political parties,
12 incumbents, or political candidates.

13 (5) To the extent practicable, and where this does not conflict
14 with paragraphs (1) to (4), inclusive, districts shall be drawn to
15 encourage geographical compactness such that nearby areas of
16 population are not bypassed for more distant areas of population.

17 (b) The place of residence of any incumbent or political
18 candidate shall not be considered in the creation of a map. Districts
19 shall not be drawn for purposes of favoring or discriminating
20 against an incumbent, political candidate, or political party.

21 (c) (1) The commission shall comply with the Ralph M. Brown
22 Act (Chapter 9 (commencing with Section 54950) of Part 1 of
23 Division 2 of Title 5 of the Government Code).

24 (2) (A) Before the commission draws a map, the commission
25 shall conduct at least seven public hearings, to take place over a
26 period of no fewer than 30 days, with at least one public hearing
27 held in each supervisorial district.

28 (B) In the event a state or local health order prohibits large
29 gatherings, the commission may modify the location of the
30 hearings, including through the use of virtual hearings that use
31 technology to permit remote viewing and participation, to the
32 extent required to comply with public health requirements. If the
33 commission modifies the location of a hearing, it shall provide
34 opportunities to view and listen to proceedings by video, to listen
35 to proceedings by phone, and to provide public comment by phone
36 and in writing with no limitation on the number of commenters.
37 The commission shall, to the greatest extent practicable, provide
38 an opportunity for in-person participation for at least one hearing
39 in each supervisorial district. Methods for providing in-person
40 participation may include, but are not limited to, setting up multiple

1 rooms with audiovisual connections to the hearing, allowing
2 community members to make appointments to make public
3 comment, providing personal protective equipment, or holding
4 hearings in outdoor spaces.

5 (3) After the commission draws a draft map, the commission
6 shall do both of the following:

7 (A) Post the map for public comment on the internet website
8 of the County of Fresno.

9 (B) Conduct at least two public hearings to take place over a
10 period of no fewer than 30 days.

11 (4) (A) The commission shall establish and make available to
12 the public a calendar of all public hearings described in paragraphs
13 (2) and (3). Hearings shall be scheduled at various times and days
14 of the week to accommodate a variety of work schedules and to
15 reach as large an audience as possible.

16 (B) Notwithstanding Section 54954.2 of the Government Code,
17 the commission shall post the agenda for the public hearings
18 described in paragraphs (2) and (3) at least seven days before the
19 hearings. The agenda for a meeting required by paragraph (3) shall
20 include a copy of the draft map.

21 (5) (A) The commission shall arrange for the live translation
22 of a hearing held pursuant to this chapter in an applicable language
23 if a request for translation is made at least 24 hours before the
24 hearing.

25 (B) For purposes of this paragraph, an “applicable language”
26 means a language for which the number of residents of the County
27 of Fresno who are members of a language minority is greater than
28 or equal to 3 percent of the total voting age residents of the county.

29 (6) The commission shall take steps to encourage county
30 residents to participate in the redistricting public review process.
31 These steps may include:

32 (A) Providing information through media, social media, and
33 public service announcements.

34 (B) Coordinating with community organizations.

35 (C) Posting information on the internet website of the County
36 of Fresno that explains the redistricting process and includes a
37 notice of each public hearing and the procedures for testifying
38 during a hearing or submitting written testimony directly to the
39 commission.

1 (7) The board shall take all steps necessary to ensure that a
2 complete and accurate computerized database is available for
3 redistricting, and that procedures are in place to provide to the
4 public ready access to redistricting data and computer software
5 equivalent to what is available to the commission members.

6 (8) The board shall provide reasonable funding and staffing for
7 the commission.

8 (9) All records of the commission relating to redistricting, and
9 all data considered by the commission in drawing a draft map or
10 the final map, are public records.

11 (d) (1) The commission shall adopt a redistricting plan adjusting
12 the boundaries of the supervisorial districts and shall file the plan
13 with the county elections official by the map adoption deadline
14 set forth in subdivision (a) of Section 21140. The commission shall
15 not release a draft map before the date set forth in paragraph (3)
16 of subdivision (f) of Section 21160.

17 (2) The plan shall be subject to referendum in the same manner
18 as ordinances.

19 (3) The commission shall issue, with the final map, a report that
20 explains the basis on which the commission made its decisions in
21 achieving compliance with the criteria described in subdivisions
22 (a) and (b).

23 SEC. 28. Section 21574 of the Elections Code is amended to
24 read:

25 21574. (a) The commission shall establish single-member
26 supervisorial districts for the board pursuant to a mapping process
27 using the following criteria as set forth in the following order of
28 priority:

29 (1) (A) Districts shall comply with the United States
30 Constitution and each district shall have a reasonably equal
31 population with other districts for the board, except where deviation
32 is required to comply with the federal Voting Rights Act of 1965
33 (52 U.S.C. Sec. 10101 et seq.) or allowable by law.

34 (B) Population equality shall be based on the total population
35 of residents of the county as determined by the most recent federal
36 decennial census for which the redistricting data described in Public
37 Law 94-171 are available.

38 (C) Notwithstanding subparagraph (B), an incarcerated person,
39 as that term is used in Section 21003, shall not be counted towards
40 the county's population, except for an incarcerated person whose

1 last known place of residence may be assigned to a census block
2 in the county, if information about the last known place of
3 residence for incarcerated persons is included in the computerized
4 database for redistricting that is developed in accordance with
5 subdivision (b) of Section 8253 of the Government Code, and that
6 database is made publicly available.

7 (2) Districts shall comply with the federal Voting Rights Act
8 of 1965 (52 U.S.C. Sec. 10101 et seq.).

9 (3) Districts shall be geographically contiguous.

10 (4) The geographic integrity of any city, local neighborhood,
11 or local community of interest shall be respected in a manner that
12 minimizes its division to the extent possible without violating the
13 requirements of paragraphs (1) to (3), inclusive. A community of
14 interest is a contiguous population that shares common social and
15 economic interests that should be included within a single district
16 for purposes of its effective and fair representation. Communities
17 of interest shall not include relationships with political parties,
18 incumbents, or political candidates.

19 (5) To the extent practicable, and where this does not conflict
20 with paragraphs (1) to (4), inclusive, districts shall be drawn to
21 encourage geographical compactness such that nearby areas of
22 population are not bypassed for more distant areas of population.

23 (b) The place of residence of any incumbent or political
24 candidate shall not be considered in the creation of a map. Districts
25 shall not be drawn for purposes of favoring or discriminating
26 against an incumbent, political candidate, or political party.

27 (c) (1) The commission shall comply with the Ralph M. Brown
28 Act (Chapter 9 (commencing with Section 54950) of Part 1 of
29 Division 2 of Title 5 of the Government Code).

30 (2) (A) Before the commission draws a map, the commission
31 shall conduct at least seven public hearings, to take place over a
32 period of no fewer than 30 days, with at least one public hearing
33 held in each supervisorial district.

34 (B) In the event a state or local health order prohibits large
35 gatherings, the commission may modify the location of the
36 hearings, including through the use of virtual hearings that use
37 technology to permit remote viewing and participation, to the
38 extent required to comply with public health requirements. If the
39 commission modifies the location of a hearing, it shall provide
40 opportunities to view and listen to proceedings by video, to listen

1 to proceedings by phone, and to provide public comment by phone
2 and in writing with no limitation on the number of commenters.
3 The commission shall, to the greatest extent practicable, provide
4 an opportunity for in-person participation for at least one hearing
5 in each supervisorial district. Methods for providing in-person
6 participation may include, but are not limited to, setting up multiple
7 rooms with audiovisual connections to the hearing, allowing
8 community members to make appointments to make public
9 comment, providing personal protective equipment, or holding
10 hearings in outdoor spaces.

11 (3) After the commission draws a draft map, the commission
12 shall do both of the following:

13 (A) Post the map for public comment on the internet website
14 of the County of Kern.

15 (B) Conduct at least two public hearings to take place over a
16 period of no fewer than 30 days.

17 (4) (A) The commission shall establish and make available to
18 the public a calendar of all public hearings described in paragraphs
19 (2) and (3). Hearings shall be scheduled at various times and days
20 of the week to accommodate a variety of work schedules and to
21 reach as large an audience as possible.

22 (B) Notwithstanding Section 54954.2 of the Government Code,
23 the commission shall post the agenda for the public hearings
24 described in paragraphs (2) and (3) at least seven days before the
25 hearings. The agenda for a meeting required by paragraph (3) shall
26 include a copy of the draft map.

27 (5) (A) The commission shall arrange for the live translation
28 of a hearing held pursuant to this chapter in an applicable language
29 if a request for translation is made at least 24 hours before the
30 hearing.

31 (B) For purposes of this paragraph, an “applicable language”
32 means a language for which the number of residents of the County
33 of Kern who are members of a language minority is greater than
34 or equal to 3 percent of the total voting age residents of the county.

35 (6) The commission shall take steps to encourage county
36 residents to participate in the redistricting public review process.
37 These steps may include:

38 (A) Providing information through media, social media, and
39 public service announcements.

40 (B) Coordinating with community organizations.

1 (C) Posting information on the internet website of the County
2 of Kern that explains the redistricting process and includes a notice
3 of each public hearing and the procedures for testifying during a
4 hearing or submitting written testimony directly to the commission.

5 (7) The board shall take all steps necessary to ensure that a
6 complete and accurate computerized database is available for
7 redistricting, and that procedures are in place to provide to the
8 public ready access to redistricting data and computer software
9 equivalent to what is available to the commission members.

10 (8) The board shall provide reasonable funding and staffing for
11 the commission.

12 (9) All records of the commission relating to redistricting, and
13 all data considered by the commission in drawing a draft map or
14 the final map, are public records.

15 (d) (1) The commission shall adopt a redistricting plan adjusting
16 the boundaries of the supervisorial districts and shall file the plan
17 with the county elections official by the map adoption deadline
18 set forth in subdivision (a) of Section 21140. The commission shall
19 not release a draft map before the date set forth in paragraph (3)
20 of subdivision (f) of Section 21160.

21 (2) The plan shall be subject to referendum in the same manner
22 as ordinances.

23 (3) The commission shall issue, with the final map, a report that
24 explains the basis on which the commission made its decisions in
25 achieving compliance with the criteria described in subdivisions
26 (a) and (b).

27 SEC. 29. Section 21600 of the Elections Code is amended to
28 read:

29 21600. This article applies to a general law city that elects
30 members of the city’s legislative body by districts or from districts,
31 as defined in Section 34871 of the Government Code.

32 SEC. 30. Section 21601 of the Elections Code is amended to
33 read:

34 21601. Following a city’s decision to elect its council using
35 district-based elections, or following each federal decennial census
36 for a city whose council is already elected using district-based
37 elections, the council shall, by ordinance or resolution, adopt
38 boundaries for all of the council districts of the city pursuant to
39 Chapter 2 (commencing with Section 21100).

40 SEC. 31. Section 21602 of the Elections Code is repealed.

1 SEC. 32. Section 21603 of the Elections Code is amended to
2 read:

3 21603. (a) If the boundaries of a city expand by the addition
4 of new territory, including through annexation of unincorporated
5 territory or consolidation with another city, the council shall add
6 that new territory to the nearest existing council district without
7 changing the boundaries of other council district boundaries.

8 (b) Notwithstanding subdivision (a), the council may adopt new
9 boundaries for each council district pursuant to Chapter 2
10 (commencing with Section 21100) if the boundaries of the city
11 expand by the addition of new territory and if both of the following
12 conditions are met:

13 (1) There are more than four years until the council is next
14 required to redistrict pursuant to Section 21601.

15 (2) The population of the new territory being annexed or
16 consolidated is greater than 25 percent of the city's population, as
17 determined by the most recent federal decennial census.

18 SEC. 33. Section 21605 of the Elections Code is amended to
19 read:

20 21605. (a) After redistricting or districting, a council shall not
21 adopt new council district boundaries until after the next federal
22 decennial census, except under the following circumstances:

23 (1) A court orders the council to redistrict.

24 (2) The council is settling a legal claim that its council district
25 boundaries violate the United States Constitution, the federal
26 Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this
27 article.

28 (3) The boundaries of the city change by the addition of territory
29 pursuant to Section 21603 or by the subtraction of territory.

30 (4) The number of council members elected by districts or from
31 districts is increased or decreased.

32 (5) An independent redistricting commission is established
33 pursuant to Section 23003 to adopt new council districts between
34 federal decennial censuses and the districts being replaced were
35 adopted by the city council.

36 (b) This section does not prohibit a council from adopting
37 council districts between federal decennial censuses if the council
38 is adopting council districts for the first time, including when a
39 city adopts council districts for the purpose of transitioning from

1 electing its council members in at-large elections to elections by
 2 districts or from districts.

3 SEC. 34. Section 21606 of the Elections Code is amended to
 4 read:

5 21606. (a) The term of office of any council member who has
 6 been elected and whose term of office has not expired shall not be
 7 affected by any change in the boundaries of the district from which
 8 the council member was elected and that member shall continue
 9 to represent the constituents residing in the district boundaries
 10 from which the member was elected for the duration of that term
 11 of office. This section does not prevent a city council from
 12 assigning a city elected official or city official to provide
 13 constituent services to residents of an area that is temporarily not
 14 represented by a council member due to redistricting.

15 (b) At the first election for council members in each city
 16 following adoption of the boundaries of council districts, excluding
 17 a special election to fill a vacancy or a recall election, a council
 18 member shall be elected for each district under the new district
 19 plan that has the same district number as a district whose
 20 incumbent’s term is due to expire. This subdivision does not apply
 21 when a city transitions from at-large to district-based elections.

22 (c) Except as provided in subdivision (a), a person is not eligible
 23 to hold office as a member of a city council unless that person
 24 meets the requirements of Section 201 of the Elections Code and
 25 Section 34882 of the Government Code.

26 SEC. 35. Section 21607 of the Elections Code is repealed.

27 SEC. 36. Section 21607.1 of the Elections Code is repealed.

28 SEC. 37. Section 21608 of the Elections Code is repealed.

29 SEC. 38. Section 21609 of the Elections Code is repealed.

30 SEC. 39. Section 21620 of the Elections Code is amended to
 31 read:

32 21620. This article applies to a charter city that elects members
 33 of the city’s legislative body by districts or from districts, as
 34 defined in Section 34871 of the Government Code.

35 SEC. 40. Section 21621 of the Elections Code is amended to
 36 read:

37 21621. Following a city’s decision to elect its council using
 38 district-based elections, or following each federal decennial census
 39 for a city whose council is already elected using district-based
 40 elections, the council shall, by ordinance or resolution, adopt

1 boundaries for all of the council districts of the city pursuant to
2 Chapter 2 (commencing with Section 21100).

3 SEC. 41. Section 21622 of the Elections Code is repealed.

4 SEC. 42. Section 21623 of the Elections Code is amended to
5 read:

6 21623. (a) If the boundaries of a city expand by the addition
7 of new territory, including through annexation of unincorporated
8 territory or consolidation with another city, the council shall add
9 that new territory to the nearest existing council district without
10 changing the boundaries of other council district boundaries.

11 (b) Notwithstanding subdivision (a), the council may adopt new
12 boundaries for each council district pursuant to Chapter 2
13 (commencing with Section 21100) if the boundaries of the city
14 expand by the addition of new territory and if both of the following
15 conditions are met:

16 (1) There are more than four years until the council is next
17 required to redistrict pursuant to Section 21621.

18 (2) The population of the new territory being annexed or
19 consolidated is greater than 25 percent of the city's population as
20 determined by the most recent federal decennial census.

21 (c) This section does not apply to a charter city that has adopted,
22 by ordinance or in its city charter, a different standard for adding
23 new territory to existing council districts.

24 SEC. 43. Section 21625 of the Elections Code is amended to
25 read:

26 21625. (a) After redistricting or districting, a council shall not
27 adopt new council district boundaries until after the next federal
28 decennial census, except under the following circumstances:

29 (1) A court orders the council to redistrict.

30 (2) The council is settling a legal claim that its council district
31 boundaries violate the United States Constitution, the federal
32 Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this
33 article.

34 (3) The boundaries of the city change by the addition of territory
35 pursuant to Section 21623 or by the subtraction of territory.

36 (4) The number of council members elected by districts or from
37 districts is increased or decreased.

38 (5) An independent redistricting commission is established
39 pursuant to Section 23003 to adopt new council districts between

1 federal decennial censuses and the districts being replaced were
2 adopted by the city council.

3 (b) This section does not prohibit a council from adopting
4 council districts between federal decennial censuses if the council
5 is adopting council districts for the first time, including when a
6 city adopts council districts for the purpose of transitioning from
7 electing its council members in at-large elections to elections by
8 districts or from districts.

9 (c) This section does not apply to a charter city that has adopted
10 different rules for mid-cycle redistricting in its city charter.

11 SEC. 44. Section 21626 of the Elections Code is amended to
12 read:

13 21626. (a) The term of office of any council member who has
14 been elected and whose term of office has not expired shall not be
15 affected by any change in the boundaries of the district from which
16 the council member was elected and that member shall continue
17 to represent the constituents residing in the district boundaries
18 from which the member was elected for the duration of that term
19 of office. This section does not prevent a city council from
20 assigning a city elected official or city official to provide
21 constituent services to residents of an area that is temporarily not
22 represented by a council member due to redistricting.

23 (b) At the first election for council members in each city
24 following adoption of the boundaries of council districts, excluding
25 a special election to fill a vacancy or a recall election, a council
26 member shall be elected for each district under the new district
27 plan that has the same district number as a district whose
28 incumbent's term is due to expire. This subdivision does not apply
29 when a city transitions from at-large to district-based elections.

30 (c) For a city employing both a primary and a general election,
31 a change in the boundaries of a council district shall not be made
32 between the direct primary election and the general election.

33 (d) Except as provided in subdivision (a), a person is not eligible
34 to hold office as a member of a city council unless that person
35 meets the requirements of Section 201 of the Elections Code and
36 Section 34882 of the Government Code.

37 SEC. 45. Section 21627 of the Elections Code is repealed.

38 SEC. 46. Section 21627.1 of the Elections Code is repealed.

39 SEC. 47. Section 21628 of the Elections Code is repealed.

40 SEC. 48. Section 21629 of the Elections Code is repealed.

1 SEC. 49. Section 21630 of the Elections Code is amended to
2 read:

3 21630. If a council assigns the responsibility to recommend or
4 to adopt new district boundaries to a hybrid or independent
5 redistricting commission as defined in Section 23000, the charter
6 city remains subject to the redistricting deadlines, requirements,
7 and restrictions that apply to the council under this article and
8 Chapter 2 (commencing with Section 21100), unless otherwise
9 exempted by law. A redistricting commission described in this
10 section may perform the duties required of a city council under
11 this article.

12 SEC. 50. Section 22000 of the Elections Code is amended to
13 read:

14 22000. (a) Following a special district's decision to elect its
15 board of directors using district-based elections, or following each
16 federal decennial census for a special district whose board of
17 directors is already elected using district-based elections, the board
18 of directors shall, by resolution, adopt boundaries for all of the
19 divisions of the special district pursuant to Chapter 2 (commencing
20 with Section 21100).

21 (b) The resolution specified in subdivision (a) shall be adopted
22 by a vote of not less than a majority of the directors.

23 (c) At the time of, or after, any annexation of territory to the
24 district, the board of directors shall designate, by resolution, the
25 division of which the annexed territory shall be a part.

26 (d) Except as provided in Section 21140, no change in division
27 boundaries may be made within 180 days preceding the election
28 of any director.

29 (e) (1) A change in division boundaries shall not affect the term
30 of office of any director.

31 (2) If division boundaries are adjusted, the director of the
32 division whose boundaries have been adjusted shall continue to
33 be the director of the division bearing the number of that division
34 as formerly comprised until the office becomes vacant by means
35 of term expiration or otherwise, whether or not the director is a
36 resident within the boundaries of the division as adjusted. The
37 director shall continue to represent the constituents residing in the
38 district boundaries from which the director was elected for the
39 duration of that term of office. This section does not prevent a
40 board from assigning a director or special district official to provide

1 constituent services to residents of an area that is temporarily not
2 represented by a director due to redistricting.

3 (f) The successor to the office in a division whose boundaries
4 have been adjusted shall be a resident and voter of that division.

5 (g) A district is not required to adjust the boundaries of any
6 divisions pursuant to this section until after the 2000 federal
7 decennial census.

8 (h) This section shall not be construed to prohibit or restrict a
9 district from adjusting the boundaries of any divisions pursuant to
10 Chapter 2 (commencing with Section 21100) whenever the board
11 of directors of the district determines by a two-thirds vote of the
12 board that a sufficient change in population has occurred that makes
13 it desirable in the opinion of the board to adjust the boundaries of
14 any divisions, or whenever any territory is added by or excluded
15 from the district.

16 SEC. 51. Section 22001 of the Elections Code is repealed.

17 SEC. 52. Section 22001 is added to the Elections Code, to read:

18 22001. This chapter and Chapter 2 (commencing with Section
19 21100) do not apply to special districts in which only landowners
20 vote for directors or whose directors are all elected at large or
21 appointed.

22 SEC. 53. Section 22002 of the Elections Code is repealed.

23 SEC. 54. Section 23002 of the Elections Code is amended to
24 read:

25 23002. (a) This section applies to advisory redistricting
26 commissions.

27 (b) Notwithstanding any other law, the local jurisdiction may
28 prescribe the manner in which members are appointed to the
29 commission, provided that the commissioners are not appointed
30 by the legislative body or an elected official of the local
31 jurisdiction.

32 (c) A person who is an elected official of the local jurisdiction,
33 or a family member, staff member, or paid campaign staff of an
34 elected official of the local jurisdiction, shall not be appointed to
35 serve on the commission.

36 (d) A local jurisdiction may impose additional requirements or
37 restrictions on the commission, members of the commission, or
38 applicants to the commission in excess of those prescribed by this
39 section.

1 (e) The commission is subject to the Ralph M. Brown Act
2 (Chapter 9 (commencing with Section 54950) of Part 1 of Division
3 2 of Title 5 of the Government Code) and the California Public
4 Records Act (Division 10 (commencing with Section 7920.000)
5 of Title 1 of the Government Code).

6 SEC. 55. Section 23003 of the Elections Code is amended to
7 read:

8 23003. (a) This section applies to hybrid redistricting
9 commissions and independent redistricting commissions.

10 (b) Notwithstanding any other law, the local jurisdiction may
11 prescribe the manner in which members are appointed to the
12 commission, provided that the jurisdiction uses an application
13 process open to all eligible residents and provided that the
14 commissioners are not appointed by the legislative body or an
15 elected official of the local jurisdiction.

16 (c) A person shall not be appointed to serve on the commission
17 if the person or any family member of the person has been elected
18 or appointed to, or been a candidate for, an elective office of the
19 local jurisdiction in the eight years preceding the person's
20 application.

21 (d) A person shall not be appointed to serve on the commission
22 if either of the following applies:

23 (1) The person or the person's spouse has done any of the
24 following in the eight years preceding the person's application:

25 (A) Served as an officer of, employee of, or paid consultant to,
26 a campaign committee or a candidate for elective office of the
27 local jurisdiction.

28 (B) Served as an officer of, employee of, or paid consultant to,
29 a political party or as an elected or appointed member of a political
30 party central committee.

31 (C) Served as a staff member or a consultant to, or who has
32 contracted with, a currently serving elected officer of the local
33 jurisdiction.

34 (D) Been registered to lobby the local jurisdiction.

35 (E) Contributed five hundred dollars (\$500) or more in a year
36 to any candidate for an elective office of the local jurisdiction. The
37 local jurisdiction may adjust this amount by the cumulative change
38 in the California Consumer Price Index, or its successor, in every
39 year ending in zero.

1 (2) A family member of the person, other than the person's
2 spouse, has done any of the following in the four years preceding
3 the person's application:

4 (A) Served as an officer of, employee of, or paid consultant to,
5 a campaign committee or a candidate for elective office of the
6 local jurisdiction.

7 (B) Served as an officer of, employee of, or paid consultant to,
8 a political party or as an elected or appointed member of a political
9 party central committee.

10 (C) Served as a staff member of or consultant to, or has
11 contracted with, a currently serving elected officer of the local
12 jurisdiction.

13 (D) Been registered to lobby the local jurisdiction.

14 (E) Contributed five hundred dollars (\$500) or more in a year
15 to any candidate for an elective office of the local jurisdiction. The
16 local jurisdiction may adjust this amount by the cumulative change
17 in the California Consumer Price Index, or its successor, in every
18 year ending in zero.

19 (e) A member of the commission shall not do any of the
20 following:

21 (1) While serving on the commission, endorse, work for,
22 volunteer for, or make a campaign contribution to, a candidate for
23 an elective office of the local jurisdiction.

24 (2) Be a candidate for an elective office of the local jurisdiction
25 if any of the following is true:

26 (A) Less than five years has elapsed since the date of the
27 member's appointment to the commission.

28 (B) The election for that office will be conducted using district
29 boundaries that were adopted by the commission on which the
30 member served, and those district boundaries have not been
31 subsequently readopted by a commission after the end of the
32 member's term on the commission.

33 (C) The election for that office will be conducted using district
34 boundaries that were adopted by a legislative body pursuant to a
35 recommendation by the commission on which the member served,
36 and those district boundaries have not been subsequently readopted
37 by a legislative body pursuant to a recommendation by a
38 commission after the end of the member's term on the commission.

39 (3) For four years commencing with the date of the person's
40 appointment to the commission:

1 (A) Accept employment as a staff member of, or consultant to,
2 an elected official or candidate for elective office of the local
3 jurisdiction.

4 (B) Receive a noncompetitively bid contract with the local
5 jurisdiction.

6 (C) Register as a lobbyist for the local jurisdiction.

7 (4) For two years commencing with the date of the person's
8 appointment to the commission, accept an appointment to an office
9 of the local jurisdiction.

10 (f) The commission shall not be comprised entirely of members
11 who are registered to vote with the same political party preference.

12 (g) Each member of the commission shall be a designated
13 employee in the conflict of interest code for the commission
14 pursuant to Article 3 (commencing with Section 87300) of Chapter
15 7 of Title 9 of the Government Code.

16 (h) The commission is subject to the Ralph M. Brown Act
17 (Chapter 9 (commencing with Section 54950) of Part 1 of Division
18 2 of Title 5 of the Government Code) and the California Public
19 Records Act (Division 10 (commencing with Section 7920.000)
20 of Title 1 of the Government Code).

21 (i) The commission shall be subject to the same redistricting
22 deadlines, requirements, and restrictions that would otherwise
23 apply to a legislative body. A local jurisdiction may also impose
24 additional requirements and restrictions on the commission, on
25 members of the commission, or on applicants to the commission
26 in excess of those prescribed by this section.

27 (j) The commission shall publish a map of the proposed new
28 district boundaries and make that map available to the public for
29 at least seven days before that map may be adopted. The
30 commission shall hold at least three public hearings preceding the
31 hearing at which the new boundaries are adopted.

32 (k) The commission shall not draw districts for the purpose of
33 favoring or discriminating against a political party or an incumbent
34 or political candidate.

35 (l) District boundaries adopted by an independent redistricting
36 commission or adopted by a legislative body from
37 recommendations provided by a hybrid redistricting commission,
38 shall not be altered by the legislative body or the commission until
39 after the next federal decennial census occurs, unless those

1 boundaries have been invalidated by a final judgment or order of
2 a court of competent jurisdiction.

3 (m) For the purposes of subdivisions (c) and (d), “local
4 jurisdiction” does not include a local jurisdiction that contracts
5 with a county independent redistricting commission pursuant to
6 Section 23004.

7 SEC. 56. Section 34874 of the Government Code is amended
8 to read:

9 34874. (a) An amendatory ordinance altering the boundaries
10 of the legislative districts established pursuant to this article shall
11 not be submitted to the registered voters until the ordinance has
12 been submitted to the planning commission of the city or, in
13 absence of a planning commission, to the legislative body of said
14 city for an examination as to the definiteness and certainty of the
15 boundaries of the legislative districts proposed.

16 (b) An amendatory ordinance altering the boundaries of
17 legislative districts shall comply with the requirements and criteria
18 of Section 21130 of the Elections Code.

19 SEC. 57. Section 34877.5 of the Government Code is amended
20 to read:

21 34877.5. (a) After an ordinance is passed by the voters
22 pursuant to Section 34876.5, or after an ordinance is enacted by
23 the legislative body pursuant to Section 34886, the legislative body
24 shall prepare a proposed map that describes the boundaries and
25 numbers of the districts for the legislative body. In preparing the
26 proposed map, the legislative body shall comply with the
27 requirements and criteria of Section 21130 of the Elections Code
28 and shall seek public input, including accepting proposed maps
29 submitted by the public.

30 (b) If the legislative body is changing from an at-large method
31 of election to a district-based election, as those terms are defined
32 in Section 14026 of the Elections Code, the legislative body shall
33 hold public hearings pursuant to Section 10010 of the Elections
34 Code. If the legislative body is otherwise adjusting the district
35 boundaries, the legislative body shall hold public hearings on the
36 proposed district boundaries pursuant to Section 21150 of the
37 Elections Code.

38 SEC. 58. Section 34884 of the Government Code is amended
39 to read:

1 34884. (a) If, at the time a vote is held on the subject of
2 incorporation of a new city, a majority of the votes cast is for
3 incorporation and, if, in accordance with Section 57116, a majority
4 of the votes cast on the question of whether members of the city
5 council in future elections are to be elected by district or at large
6 is in favor of election by district, all of the following procedures
7 apply:

8 (1) Before the first day on which voters may nominate
9 candidates for election at the next regular municipal election, the
10 legislative body shall, by ordinance or resolution, establish the
11 boundaries of the districts of the legislative body. The districts
12 shall be substantially equal in population as required by the United
13 States Constitution. The districts shall comply with the
14 requirements and criteria of Section 21130 of the Elections Code.

15 (2) The terms of office of the two members elected with the
16 lowest vote shall expire on the Tuesday succeeding the next regular
17 municipal election. At that election, members shall be elected by
18 district in the even-numbered districts and shall hold office for
19 four years.

20 (3) The terms of office of the three members elected with the
21 highest vote shall expire on the Tuesday succeeding the second
22 regular municipal election following the incorporation. At that
23 election, members shall be elected by district in the odd-numbered
24 districts and shall hold office for four years.

25 (b) The result of the vote cast on the question of whether
26 members of the city council in future elections are to be elected
27 by district or at large shall not preclude the submission to the voters
28 at any future election of a measure in accordance with Section
29 34871.

30 SEC. 59. Section 34886 of the Government Code is amended
31 to read:

32 34886. Notwithstanding Section 34871 or any other law, the
33 legislative body of a city may adopt an ordinance that requires the
34 members of the legislative body to be elected by district or by
35 district with an elective mayor, as described in subdivisions (a)
36 and (c) of Section 34871, without being required to submit the
37 ordinance to the voters for approval. An ordinance adopted
38 pursuant to this section shall comply with the requirements and
39 criteria of Section 21130 of the Elections Code and include a
40 declaration that the change in the method of electing members of

1 the legislative body is being made in furtherance of the purposes
2 of the California Voting Rights Act of 2001 (Chapter 1.5
3 (commencing with Section 14025) of Division 14 of the Elections
4 Code).

5 SEC. 60. Section 57301 of the Government Code is amended
6 to read:

7 57301. If at any time between each decennial federal census,
8 a city annexes or detaches territory or consolidates with another
9 city, the city council of the city annexing or detaching the territory
10 or the city council of the successor city, may reexamine the
11 boundaries of its council districts pursuant to Section 21603 or
12 21623 of the Elections Code, as applicable.

13 SEC. 61. The district boundary criteria specified in this act
14 apply to election district boundaries that are adopted or readopted
15 on or after January 1, 2024. Election district boundaries adopted
16 before January 1, 2024, shall comply with the applicable district
17 boundary criteria in effect at the time of their adoption.

18 SEC. 62. The Legislature finds and declares that, as to cities
19 and counties, many of the provisions of Chapter 2 (commencing
20 with 21100) of Division 21 of the Elections Code, as added by this
21 act, do not constitute a change in, but are declaratory of, existing
22 law, and that a court should not draw a contrary inference based
23 on the language of this act in resolving an action brought under
24 the prior rules for city and county redistricting.

25 SEC. 63. The provisions of this act are severable. If any
26 provision of this act or its application is held invalid, that invalidity
27 shall not affect other provisions or applications that can be given
28 effect without the invalid provision or application.

29 SEC. 64. If the Commission on State Mandates determines
30 that this act contains costs mandated by the state, reimbursement
31 to local agencies and school districts for those costs shall be made
32 pursuant to Part 7 (commencing with Section 17500) of Division
33 4 of Title 2 of the Government Code.

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