

AMENDED IN SENATE JUNE 19, 2023

AMENDED IN ASSEMBLY MAY 18, 2023

AMENDED IN ASSEMBLY APRIL 11, 2023

AMENDED IN ASSEMBLY MARCH 23, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

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**ASSEMBLY BILL**

**No. 764**

**Introduced by Assembly Members Bryan and Cervantes**

February 13, 2023

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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:

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

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13 and as of that date is repealed, unless a later enacted statute, that  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

15 SEC. 2. Section 35 of the Code of Civil Procedure, as amended  
16 by Section 2 of Chapter 745 of the Statutes of 2022, is amended  
17 to read:

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

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

26 SEC. 3. Section 1002 of the Education Code is amended to  
27 read:

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

35 (b) Following each decennial federal census, the county  
36 committee shall adopt trustee area boundaries pursuant to Chapter  
37 2 (commencing with Section 21100) of Division 21 of the Elections  
38 Code.

1 (c) Except as to the redistricting deadline provided in Section  
2 21140 of the Elections Code, changes in trustee area boundaries  
3 or a proposed reduction in the number of county board of education  
4 members shall be made in writing and filed with the county board  
5 of supervisors not later than the first day of March of any school  
6 year.

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

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

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

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

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

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

3 1005. (a) Notwithstanding subdivision (a) of Section 1000,  
4 the term of office of any member of a county board of education  
5 who has been elected and whose term of office has not expired  
6 shall not be affected by any change in the boundaries of the area  
7 from which the member was elected and that member shall  
8 continue to represent the constituents residing in the area  
9 boundaries from which the member was elected for the duration  
10 of that term of office. This section does not prevent a board from  
11 assigning a trustee or county office of education official to provide  
12 constituent services to residents of an area that is temporarily not  
13 represented by a trustee due to redistricting.

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

20 (c) For a county board of education employing both a primary  
21 and a general election, a change in the boundaries of a trustee area  
22 shall not be made between the direct primary election and the  
23 general election.

24 SEC. 6. Section 5019 of the Education Code is amended to  
25 read:

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

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

39 (3) Notwithstanding paragraph (1), the county committee on  
40 school district organization shall not rearrange trustee area

1 boundaries in a school district or community college district that  
2 has established a hybrid or independent redistricting commission  
3 for this purpose pursuant to Section 23003 of the Elections Code,  
4 the charter of a city or city and county, or a legal settlement.

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

12 (c) (1) A proposal to make the changes described in subdivision  
13 (a) or (b) may be initiated by the county committee on school  
14 district organization or made to the county committee on school  
15 district organization either by a petition signed by 5 percent or 50,  
16 whichever is less, of the qualified registered voters residing in a  
17 district in which there are 2,500 or fewer qualified registered voters,  
18 by 3 percent or 100, whichever is less, of the qualified registered  
19 voters residing in a district in which there are 2,501 to 10,000  
20 qualified registered voters, by 1 percent or 250, whichever is less,  
21 of the qualified registered voters residing in a district in which  
22 there are 10,001 to 50,000 qualified registered voters, by 500 or  
23 more of the qualified registered voters residing in a district in  
24 which there are 50,001 to 100,000 qualified registered voters, by  
25 750 or more of the qualified registered voters residing in a district  
26 in which there are 100,001 to 250,000 qualified registered voters,  
27 or by 1,000 or more of the qualified registered voters residing in  
28 a district in which there are 250,001 or more qualified registered  
29 voters or by resolution of the governing board of the district. For  
30 this purpose, the necessary signatures for a petition shall be  
31 obtained within a period of 180 days before the submission of the  
32 petition to the county committee on school district organization,  
33 and the number of qualified registered voters in the district shall  
34 be determined pursuant to the most recent report submitted by the  
35 county elections official to the Secretary of State under Section  
36 2187 of the Elections Code.

37 (2) When a proposal is made pursuant to paragraph (1), the  
38 county committee on school district organization shall call and  
39 conduct at least one hearing in the district on the matter. At the

1 conclusion of the hearing, the county committee on school district  
2 organization shall approve or disapprove the proposal.

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

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

20 SEC. 7. Section 5019.5 of the Education Code is amended to  
21 read:

22 5019.5. (a) Following each decennial federal census, the  
23 governing board of each school district or community college  
24 district in which trustee areas have been established shall adopt  
25 trustee area boundaries pursuant to Chapter 2 (commencing with  
26 Section 21100) of Division 21 of the Elections Code.

27 (b) Notwithstanding subdivision (a) of Section 21130 of the  
28 Elections Code, if a school district or community college district  
29 has one or more multiple-member trustee areas, the governing  
30 board shall adopt the boundaries of the areas of the district so that  
31 the population of each area is substantially the same proportion of  
32 the total population of the district as the ratio that the number of  
33 governing board members elected from the area bears to the total  
34 number of members of the governing board, as required by the  
35 United States Constitution. Substantial proportionality of  
36 population shall be based on the total population of residents as  
37 provided in paragraphs (1) and (2) of subdivision (a) of Section  
38 21130 of the Elections Code.

39 (c) Except as provided in subdivision (a), the authority to  
40 establish or abolish trustee areas, rearrange the boundaries of



1 trustee areas, increase or decrease the number of members of the  
2 governing board, or adopt any method of electing governing board  
3 members may be exercised only as otherwise provided under this  
4 article and Division 21 (commencing with Section 21000) of the  
5 Elections Code, as applicable.

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

7 SEC. 9. Section 5020 of the Education Code is amended to  
8 read:

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

17 (2) Notwithstanding paragraph (1), a county committee may,  
18 by resolution, approve a proposal to establish trustee areas and to  
19 elect governing board members using district-based elections, as  
20 defined in subdivision (b) of Section 14026 of the Elections Code,  
21 without being required to submit the resolution to the electors of  
22 the district for approval. A resolution adopted pursuant to this  
23 paragraph shall include a declaration that the change in the method  
24 of electing members of the governing body is being made in  
25 furtherance of the purposes of the California Voting Rights Act  
26 of 2001 (Chapter 1.5 (commencing with Section 14025) of Division  
27 14 of the Elections Code). The resolution shall take effect upon  
28 adoption and shall govern all elections for governing board  
29 members occurring at least 125 days after the adoption of the  
30 resolution.

31 (b) If a petition requesting an election on a proposal to rearrange  
32 trustee area boundaries is filed, containing at least 5 percent of the  
33 signatures of the district's registered voters as determined by the  
34 elections official, the proposal shall be presented to the electors  
35 of the district, at the next succeeding election for the members of  
36 the governing board, at the next succeeding statewide primary or  
37 general election, or at the next succeeding regularly scheduled  
38 election at which the electors of the district are otherwise entitled  
39 to vote if there is sufficient time to place the issue on the ballot.

1 The rearranged trustee areas shall comply with the criteria and  
2 requirements in Section 21130 of the Elections Code.

3 (c) If a petition requesting an election on a proposal to establish  
4 or abolish trustee areas, to increase or decrease the number of  
5 members of the board, or to adopt one of the alternative methods  
6 of electing governing board members specified in Section 5030 is  
7 filed, containing at least 10 percent of the signatures of the district's  
8 registered voters as determined by the elections official, the  
9 proposal shall be presented to the electors of the district, at the  
10 next succeeding election for the members of the governing board,  
11 at the next succeeding statewide primary or general election, or at  
12 the next succeeding regularly scheduled election at which the  
13 electors of the district are otherwise entitled to vote if there is  
14 sufficient time to place the issue on the ballot. Before the proposal  
15 is presented to the electors, the county committee on school district  
16 organization may call and conduct one or more public hearings on  
17 the proposal.

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

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

29 "For the establishment (or abolition or rearrangement) of trustee  
30 areas in \_\_\_\_ (insert name) School District—Yes" and "For the  
31 establishment (or abolition or rearrangement) of trustee areas in  
32 \_\_\_\_ (insert name) School District—No."

33 "For increasing the number of members of the governing board  
34 of \_\_\_\_ (insert name) School District from five to seven—Yes"  
35 and "For increasing the number of members of the governing board  
36 of \_\_\_\_ (insert name) School District from five to seven—No."

37 "For decreasing the number of members of the governing board  
38 of \_\_\_\_ (insert name) School District from seven to five—Yes"  
39 and "For decreasing the number of members of the governing

1 board of \_\_\_\_ (insert name) School District from seven to  
2 five—No.”

3 “For the election of each member of the governing board of the  
4 \_\_\_\_ (insert name) School District by the registered voters of the  
5 entire \_\_\_\_ (insert name) School District—Yes” and “For the  
6 election of each member of the governing board of the \_\_\_\_ (insert  
7 name) School District by the registered voters of the entire \_\_\_\_  
8 (insert name) School District—No.”

9 “For the election of one member of the governing board of the  
10 \_\_\_\_ (insert name) School District residing in each trustee area  
11 elected by the registered voters in that trustee area—Yes” and “For  
12 the election of one member of the governing board of the \_\_\_\_  
13 (insert name) School District residing in each trustee area elected  
14 by the registered voters in that trustee area—No.”

15 “For the election of one member, or more than one member for  
16 one or more trustee areas, of the governing board of the \_\_\_\_  
17 (insert name) School District residing in each trustee area elected  
18 by the registered voters of the entire \_\_\_\_ (insert name) School  
19 District—Yes” and “For the election of one member, or more than  
20 one member for one or more trustee areas, of the governing board  
21 of the \_\_\_\_ (insert name) School District residing in each trustee  
22 area elected by the registered voters of the entire \_\_\_\_ (insert name)  
23 School District—No.”

24 “For the establishment (or abolition) of a common governing  
25 board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert  
26 name) School District—Yes” and “For the establishment (or  
27 abolition) of a common governing board in the \_\_\_\_ (insert name)  
28 School District and the \_\_\_\_ (insert name) School District—No.”

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

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

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

39 SEC. 10. Section 5021 of the Education Code is amended to  
40 read:

1 5021. (a) If a proposal for the establishment of trustee areas  
 2 formulated under Sections 5019 and 5020 is approved by a majority  
 3 of the voters voting at the election, or by the county committee on  
 4 school district organization when no election is required, any  
 5 affected incumbent board member shall serve out the board  
 6 member’s term of office and succeeding board members shall be  
 7 nominated and elected in accordance with Section 5030. If two or  
 8 more trustee areas are established at an election that are not  
 9 represented in the membership of the governing board of the school  
 10 district or community college district, the county committee shall  
 11 determine by lot the trustee area from which the nomination and  
 12 election for the next vacancy on the governing board shall be made.

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

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

30 SEC. 11. Section 5023 of the Education Code is amended to  
 31 read:

32 5023. (a) Whenever an elementary, high school, or unified  
 33 school district, or a portion of any such district, is annexed to  
 34 another school district in which trustee areas have been established,  
 35 the county committee on school district organization of the county  
 36 having jurisdiction over the annexing district shall study and make  
 37 recommendations with respect to trustee areas of the annexing  
 38 district as enlarged. If the recommendations include moving  
 39 territory from an existing trustee area in the annexing district to  
 40 another trustee area of the annexing district, the recommendations

1 shall comply with the criteria and requirements in Section 21130  
2 of the Elections Code. Procedures contained in Section 5019 shall  
3 be used for purposes of this section.

4 (b) Recommendations adopted under provisions of subdivision  
5 (a), if approved by the electors, shall become effective on the same  
6 date that the annexing district as enlarged becomes effective for  
7 all purposes.

8 SEC. 12. Section 5027 of the Education Code is amended to  
9 read:

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

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

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

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

29

30 CHAPTER 2. FAIR AND INCLUSIVE REDISTRICTING FOR  
31 MUNICIPALITIES AND POLITICAL SUBDIVISIONS (FAIR MAPS) ACT  
32 OF 2023

33

34 21100. (a) This chapter shall be known and may be cited as  
35 the Fair And Inclusive Redistricting for Municipalities And  
36 Political Subdivisions (FAIR MAPS) Act of 2023.

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

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

4 (2) Ensuring the integrity, fairness, transparency, and  
5 accessibility of the local redistricting process is a matter of  
6 statewide interest and concern.

7 (3) Prohibiting discriminatory local redistricting—~~practices~~  
8 *practices, including racially discriminatory gerrymandering,*  
9 *partisan gerrymandering, and incumbency protection*  
10 *gerrymandering*, is a matter of statewide interest and concern.

11 (4) Protecting the people from unrepresentative and delusive  
12 local electoral systems is a matter of statewide interest and concern.

13 (5) As a result of changes to state law governing the city and  
14 county redistricting process that were included in the FAIR MAPS  
15 Act (Chapter 557 of the Statutes of 2019), the adjustment of district  
16 boundaries in cities and counties during the 2020 redistricting  
17 cycle was more transparent, participatory, and representative than  
18 in prior years.

19 (6) Notwithstanding these improvements to the redistricting  
20 process, research evaluating the 2020 redistricting cycle  
21 demonstrates that improvements to the FAIR MAPS Act are  
22 necessary to address ambiguities, loopholes, and deficiencies in  
23 the legislation that prevented the law's important goals from being  
24 fully realized.

25 (7) This chapter addresses a matter of statewide concern rather  
26 than a municipal affair as that term is used in Section 5 of Article  
27 XI of the California Constitution. Therefore, this chapter applies  
28 to all cities, including charter cities, except as specified.

29 (c) The purpose of this chapter is to do all of the following:

30 (1) Implement the guarantees of the California Constitution,  
31 including Sections 2, 3, and 7 of Article I and Sections 1, 2, 3, and  
32 4 of Article II.

33 (2) Ensure the integrity, fairness, transparency, and accessibility  
34 of the local redistricting process, prohibit discriminatory local  
35 redistricting practices, and protect the people from unrepresentative  
36 and delusive local electoral systems.

37 (3) Establish requirements to ensure minimum standards of  
38 transparency and accessibility in the local redistricting process so  
39 that the public is able to provide information to assist their local  
40 governments in adopting fair and equitable district maps.

1 (4) Establish mandatory destructing and redistricting criteria to  
2 promote fair and effective representation for all people,  
3 neighborhoods, and communities, and particularly for  
4 disadvantaged, historically marginalized, under-resourced,  
5 low-income, and underrepresented neighborhoods and  
6 communities.

7 (5) Establish ranked criteria that prioritize keeping whole  
8 neighborhoods and communities of interest together, facilitate  
9 political organization and constituent representation, and prohibit  
10 gerrymandering, including incumbent-protection gerrymandering.

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

14 (d) This chapter shall be liberally construed to effectuate its  
15 purposes.

16 21110. For purposes of this chapter, the following terms have  
17 the following meanings:

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

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

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

26 (2) ~~(A)~~ For a city, any language that is spoken by a group of  
27 city residents with limited English proficiency who constitute 3  
28 percent or more of the city’s total population over four years of  
29 age for whom language can be ~~determined~~. *determined, as*  
30 *determined by the Secretary of State in accordance with paragraph*  
31 *(2) of subdivision (c) of Section 21170.*

32 ~~(B)~~ ~~To determine the applicable languages for each city, in 2030~~  
33 ~~and in each year ending in the number zero thereafter, the Secretary~~  
34 ~~of State, in consultation with the database developed in accordance~~  
35 ~~with subdivision (b) of Section 8253 of the Government Code,~~  
36 ~~shall request a special tabulation from the United States Census~~  
37 ~~Bureau of the most recent data on limited English proficiency from~~  
38 ~~the bureau’s American Community Survey that satisfies~~  
39 ~~subparagraph (A). If the bureau is unable to produce that data, the~~  
40 ~~Secretary of State shall base the Secretary of State’s determination~~

1 on the table from the American Community Survey enumerating  
2 the number of residents with limited English proficiency that has  
3 the largest number of languages included, that is publicly available,  
4 and that was produced within the previous 10 years.

5 (3) For a school district that is not a small education district,  
6 any language in which a school within the district is required to  
7 provide translated materials pursuant to Section 48985 of the  
8 Education Code.

9 (4) For a community college district that is not a small education  
10 district, any language that qualifies as an applicable language  
11 pursuant to paragraph (1) for a county in which the community  
12 college district is located.

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

15 (c) "Election district" means an election district of the legislative  
16 body, including a county supervisorial district, county board of  
17 education trustee area, city council district, school district trustee  
18 area, community college district trustee area, or a special district  
19 governing board division.

20 (d) "Legislative body" means a county board of supervisors, a  
21 county board of education, a city council, a governing board of a  
22 school district, a governing board of a community college district,  
23 or a governing board of a special district.

24 (e) "Local jurisdiction" means a county, a county office of  
25 education, a general law city, a charter city, a school district, a  
26 community college district, or a special district.

27 (f) "Small education district" means any of the following:

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

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

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

36 (g) "Member," unless otherwise specified, means a member of  
37 a legislative body elected by or from districts, including a county  
38 supervisor, county board of education member, city council  
39 member, school district trustee, community college district trustee,  
40 or special district governing board member.



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

4 (i) “*Advisory redistricting commission*,” “*hybrid redistricting*  
5 *commission*,” and “*independent redistricting commission*” have  
6 the same meanings as those terms are defined in Section 23000,  
7 and include any commission created by a charter city that meets  
8 those definitions.

9 21120. This chapter applies to a county, county office of  
10 education, general law city, charter city, school district, community  
11 college district, or special district whose legislative body is elected  
12 by districts or from districts.

13 21130. (a) Following or concurrent with the decision to  
14 establish district-based elections for a legislative body, or following  
15 each federal decennial census for a legislative body that is already  
16 elected using district-based elections, the districting body shall,  
17 by ordinance or resolution, adopt boundaries for all of the election  
18 districts of the legislative body so that the election districts shall  
19 be substantially equal in population as required by the United  
20 States Constitution.

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

25 (2) Notwithstanding paragraph (1), an incarcerated person, as  
26 that term is used in Section 21003, shall not be counted towards  
27 a local jurisdiction’s population, except for an incarcerated person  
28 whose last known place of residence may be assigned to a census  
29 block in the local jurisdiction, if information about the last known  
30 place of residence for incarcerated persons is included in the  
31 computerized database for redistricting that is developed in  
32 accordance with subdivision (b) of Section 8253 of the Government  
33 Code, and that database is made publicly available.

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

38 (1) Consistent with the districting body’s existing obligations  
39 under the federal Voting Rights Act, the districting body shall  
40 determine whether it is possible to create an election district or

1 districts in which a minority group is sufficiently large and  
2 geographically compact to constitute a majority in a single-member  
3 district, as set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986),  
4 and as interpreted in case law regarding enforcement of the federal  
5 Voting Rights Act with respect to redistricting. The districting  
6 body shall publish on its redistricting web page, at a minimum,  
7 the results of its analysis within seven days of completing the  
8 analysis or prior to adopting election district boundaries, whichever  
9 occurs first.

10 (2) If the districting body, consistent with its existing obligations  
11 under the federal Voting Rights Act, conducts an analysis to  
12 determine whether “racially polarized voting,” as defined in case  
13 law regarding enforcement of the federal Voting Rights Act, exists  
14 in the local jurisdiction, the districting body shall publish on its  
15 redistricting web page, at a minimum, a summary of its analysis  
16 and findings within seven days of completing the analysis or prior  
17 to adopting election district boundaries, whichever occurs first.

18 (c) The districting body shall adopt election district boundaries  
19 using the following criteria as set forth in the following order of  
20 priority:

21 (1) To the maximum extent practicable, election districts shall  
22 be geographically contiguous. Areas that meet only at the points  
23 of adjoining corners are not contiguous. Areas that are separated  
24 by water and not connected by a bridge, tunnel, or regular ferry  
25 service are not contiguous.

26 (2) To the maximum extent practicable, and where it does not  
27 conflict with the preceding criterion in this subdivision, the  
28 geographic integrity of any local neighborhood or local community  
29 of interest shall be respected in a manner that minimizes its  
30 division. A “community of interest” is a population that shares  
31 common social or economic interests that should be included within  
32 a single election district for purposes of its effective and fair  
33 representation. Characteristics of communities of interest may  
34 include, but are not limited to, shared public policy concerns such  
35 as education, public safety, public health, environment, housing,  
36 transportation, and access to social services. Characteristics of  
37 communities of interest may also include, but are not limited to,  
38 cultural districts, shared socioeconomic characteristics, similar  
39 voter registration rates and participation rates, and shared histories.

1 Communities of interest do not include relationships with political  
2 parties, incumbents, or political candidates.

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

8 (4) To the maximum extent practicable, and where it does not  
9 conflict with the preceding criteria in this subdivision, election  
10 districts shall be bounded by natural and artificial barriers, by  
11 streets, or by the boundaries of the local jurisdiction. Election  
12 district boundaries should be easily identifiable and understandable  
13 by residents.

14 (5) To the maximum extent practicable, and where it does not  
15 conflict with the preceding criteria in this subdivision, election  
16 districts shall be drawn to encourage geographical compactness  
17 in a manner that nearby areas of population are not bypassed in  
18 favor of more distant populations.

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

22 (e) The districting body shall not adopt election district  
23 boundaries using any criterion that is prioritized over the criteria  
24 in subdivision (c) or that, expressly or as applied, conflicts with  
25 one of the requirements in subdivisions (a) through to (d), *inclusive*,  
26 except as provided in subdivision (g).

27 (f) Within 21 days of adopting final election district boundaries,  
28 the districting body shall issue a report that explains the basis on  
29 which the districting body made its decisions in achieving  
30 compliance with the requirements and criteria described in this  
31 section, including, as to each neighborhood, community of interest,  
32 city, or census designated place that was split into two or more  
33 districts, the reason for that split. This paragraph does not apply  
34 to a special district or small education district. Notwithstanding  
35 subdivision (i) of Section 23003, if a local jurisdiction establishes  
36 a hybrid redistricting commission to recommend changes to the  
37 legislative body's district boundaries, the report required by this  
38 subdivision shall be issued by the districting body, and not by the  
39 commission.

1 (g) Subdivision (c) does not apply to a charter city that has  
2 adopted comprehensive or exclusive redistricting criteria in its city  
3 charter that includes a requirement to keep whole either  
4 communities of interest or neighborhoods. *In such a charter city,*  
5 *the report required by subdivision (f) shall explain the basis on*  
6 *which the districting body made its decisions in achieving*  
7 *compliance with the requirements described in this section and*  
8 *the criteria described in the city charter, including, as to each*  
9 *neighborhood or community of interest that was split into two or*  
10 *more districts, the reason for that split.* For purposes of this  
11 subdivision, “comprehensive or exclusive” means either that the  
12 city’s charter excludes consideration of redistricting criteria other  
13 than those that are identified in the city charter or that the city’s  
14 charter provides two or more mandatory traditional redistricting  
15 criteria other than the requirement that districts be equal in  
16 population.

17 (h) If a local jurisdiction establishes an advisory or hybrid  
18 redistricting commission to recommend changes to the legislative  
19 body’s district boundaries, any recommendation adopted by the  
20 commission shall comply with the requirements of subdivisions  
21 (a) through (e), inclusive, except as provided in subdivision (g).

22 (i) The criteria and requirements of this section apply to all  
23 election district boundaries adopted after January 1, 2024, including  
24 district boundaries adopted when a legislative body transitions  
25 from being elected at-large to elected by districts or from districts.

26 21140. (a) For redistricting occurring in 2031 and thereafter,  
27 the boundaries of the election districts shall be adopted by the  
28 districting body not later than 204 days before the local  
29 jurisdiction’s next regular election occurring after January 1 in  
30 each year ending in the number two.

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

34 (c) This section does not apply to a charter city that has adopted  
35 a different redistricting deadline by ordinance or in its city charter,  
36 provided that, if the county conducts the city’s elections, the county  
37 is able to administratively accommodate this later deadline. If the  
38 county cannot accommodate that deadline, the county shall provide  
39 the charter city with the latest deadline the county can reasonably  
40 accommodate, which shall be used as the map-adoption deadline

1 for purposes of Section 21180 and which the city shall post to the  
2 city's redistricting web page.

3 21150. (a) Before a districting body adopts new election  
4 district boundaries, including when a local jurisdiction redistricts  
5 following the federal decennial census or between federal decennial  
6 censuses, but not including when a legislative body transitions  
7 from being elected at-large to elected by districts or from districts,  
8 the local jurisdiction shall hold at least one workshop *before the*  
9 *districting body draws a draft map or maps of the proposed*  
10 *election district boundaries* and the districting body shall hold  
11 public hearings, as specified by this section, at which the public  
12 is invited to provide input regarding the composition of one or  
13 more neighborhoods, communities of interest, or election districts.

14 (b) For purposes of this chapter, a workshop is a standalone  
15 meeting which is conducted by either a local jurisdiction's staff,  
16 a consultant hired by the local jurisdiction, or by one or more  
17 members of the districting body but fewer than a majority of the  
18 members of the districting body. ~~At least one workshop shall be~~  
19 ~~held before the districting body draws a draft map or maps of the~~  
20 ~~proposed election district boundaries.~~ At each workshop, the local  
21 jurisdiction shall provide the public with information on the  
22 redistricting process, information on how the public may provide  
23 public comment, and instructions on how to use an online mapping  
24 tool to create draft maps or community of interest maps, if  
25 applicable. Local jurisdictions may, and are encouraged to, assist  
26 the public in drawing and submitting draft maps at the workshop.  
27 All submitted draft maps and an oral summary that characterizes  
28 the number and nature of the public comments received at the  
29 workshop concerning the proposed boundaries of a neighborhood,  
30 community of interest, or election district shall be presented to the  
31 districting body at the next public hearing.

32 (c) This subdivision applies to special districts and small  
33 education districts.

34 (1) After drawing a draft map or maps, the districting body shall  
35 hold at least two public hearings. This subdivision does not prevent  
36 a districting body from holding a public hearing before drawing a  
37 draft map or maps.

38 (d) This subdivision applies to counties and cities with a  
39 population of fewer than 250,000 residents as determined by the  
40 most recent census and to all school districts, community college

1 districts, and county offices of education that are not a small  
2 education district.

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

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

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

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

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

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

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

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

24 (g) (1) In lieu of the districting body, an advisory redistricting  
25 commission that complies with Section 23002 may hold the public  
26 hearings required by paragraph (1) of subdivision (d), paragraph  
27 (1) of subdivision (e), and paragraph (1) of subdivision (f). An  
28 advisory redistricting commission may draw draft maps and hold  
29 public hearings to consider draft maps, but those public hearings  
30 shall not fulfill the districting body's responsibility to hold public  
31 hearings under paragraph (1) of subdivision (c), paragraph (2) of  
32 subdivision (d), paragraph (2) of subdivision (e), or paragraph (2)  
33 of subdivision (f).

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

38 (3) A public hearing held by an advisory or hybrid redistricting  
39 commission pursuant to this subdivision shall comply with the

1 requirements of this section that would apply to the hearing if the  
2 hearing were held by the districting body.

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

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

7 (j) To promote the accessibility of the public hearings, the  
8 districting body shall permit the public to attend and provide live  
9 public comment at each public hearing both in-person and  
10 remotely, which should include providing an accessible and clearly  
11 audible call-in or internet-based service option. Notwithstanding  
12 any other law, the districting body shall not be required to provide  
13 a physical location from which the public may remotely provide  
14 public comment at a public hearing and the districting body shall  
15 not require that the public go to a physical location to remotely  
16 provide public comment.

17 (k) If a public hearing is consolidated with a regular or special  
18 meeting of the districting body that includes other substantive  
19 agenda items, the public hearing shall begin at a fixed time  
20 regardless of its order on the agenda, except that the districting  
21 body may first conclude any item being discussed or acted upon,  
22 including any associated public comment, when that time occurs.  
23 The time of the public hearing shall be noticed to the public.

24 (l) Consistent with the Ralph M. Brown Act (Chapter 9  
25 commencing with Section 54950) of Part 1 of Division 2 of Title  
26 5 of the Government Code), the districting body may reasonably  
27 limit an individual's speaking time at a public hearing. The total  
28 amount of time available for all public comment at a public hearing  
29 shall not be limited to less than two hours; however, the public  
30 comment period may end before two hours if every person desiring  
31 to provide public comment has done so.

32 (m) Subdivisions (h) to (j), inclusive, do not apply to special  
33 districts or small education districts.

34 21160. (a) The local jurisdiction shall make a good faith effort  
35 to encourage residents, including those in underrepresented  
36 communities and non-English-speaking communities, to participate  
37 in the redistricting process.

38 (b) Prior to March 1, 2031, and prior to March 1 of every year  
39 ending in one thereafter, the legislative body or districting body  
40 shall adopt a redistricting public education and outreach plan to

1 inform residents about the local jurisdiction’s redistricting process  
2 and how to participate. Notwithstanding subdivision (i) of Section  
3 23003, if a local jurisdiction establishes a hybrid redistricting  
4 commission to recommend changes to the legislative body’s district  
5 boundaries, the public education and outreach plan required by  
6 this subdivision shall be adopted by the local jurisdiction, and not  
7 by the commission.

8 (1) A draft version of the plan shall be posted online for a 14-day  
9 review and comment period prior to being adopted. In developing  
10 the draft plan, the local jurisdiction shall consult with good  
11 government, civil rights, civic engagement, neighborhood, or  
12 community groups or organizations that are active in the local  
13 jurisdiction, including those active in language minority  
14 communities, and shall identify those consulted groups or  
15 organizations in the draft report.

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

17 (A) How the local jurisdiction will devote the necessary  
18 resources on education and outreach to ensure that residents,  
19 including residents speaking an applicable language, are informed  
20 about the local jurisdiction’s redistricting process.

21 (B) Whether and how the local jurisdiction will use the media,  
22 including social media, newspapers, radio, and television, and  
23 including ethnic media and media that serve language minority  
24 communities. The plan shall identify which media the local  
25 jurisdiction anticipates using.

26 (C) Whether and how the local jurisdiction will use paid  
27 advertising, including in media publications, on billboards, and  
28 on public transportation.

29 (D) How the local jurisdiction will inform good government,  
30 civil rights, civic engagement, neighborhood, or community groups  
31 or organizations that are active in the local jurisdiction, including  
32 those active in language minority communities, about the local  
33 jurisdiction redistricting process and whether and how the local  
34 jurisdiction will partner with such groups to inform the public.  
35 The plan shall identify which groups or organizations the local  
36 jurisdiction anticipates informing or partnering with.

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



1 (F) Whether and how the local jurisdiction will have direct  
2 contact with residents or registered voters, including through direct  
3 mail.

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

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

9 (c) Throughout the redistricting process, the local jurisdiction  
10 shall make a good faith effort to provide redistricting information  
11 to all of the following:

12 (1) Media organizations that provide local jurisdiction news  
13 coverage, including media organizations that serve language  
14 minority communities.

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

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

24 (d) The local jurisdiction shall arrange for the live translation  
25 in an applicable language of a workshop or public hearing held  
26 pursuant to this chapter if a request for translation is made at least  
27 72 hours before the workshop or public hearing, unless less than  
28 five days' notice is provided for the workshop or public hearing,  
29 in which case the request shall be made at least 48 hours before  
30 the workshop or public hearing.

31 (e) Notwithstanding Section 54954.2 of the Government Code,  
32 the local jurisdiction shall publish the date, time, and location for  
33 any workshop or public hearing on the internet at least five days  
34 before the workshop or public hearing. However, if there are fewer  
35 than 28 days until the deadline to adopt boundaries, the local  
36 jurisdiction may publish the ~~agenda~~ *date, time, and location for*  
37 *the workshop or public hearing* on the internet for at least ~~three~~  
38 ~~days~~ *72 hours* before the workshop or public hearing.

39 (f) (1) A draft map shall be published on the internet for at least  
40 seven days before being adopted as a final map by the districting

1 body provided that, if there are fewer than 28 days until the  
2 deadline to adopt boundaries, the draft map may instead be  
3 published on the internet for at least ~~three days~~. *72 hours*.

4 (2) Each draft map prepared by a member of an advisory or  
5 hybrid redistricting commission, a member of the districting body,  
6 or by employees or contractors of the local jurisdiction, or any  
7 draft map submitted by the public that a member of the advisory  
8 or hybrid redistricting commission or districting body asks be  
9 discussed or considered at a future public hearing, shall be  
10 accompanied by information on the total population, citizen voting  
11 age population, and racial and ethnic characteristics of the citizen  
12 voting age population of each proposed election district, to the  
13 extent the local jurisdiction has that data.

14 (3) (A) An advisory or hybrid redistricting commission, the  
15 districting body, and employees or contractors of the local  
16 jurisdiction shall not release draft maps of election districts earlier  
17 than three weeks after the block-level redistricting database  
18 required by subdivision (b) of Section 8253 of the Government  
19 Code is first made publicly available. This subparagraph does not  
20 prohibit the commission or districting body from holding  
21 workshops or public hearings on the placement of election district  
22 boundaries before the earliest date that draft maps of election  
23 districts may be released.

24 (B) If the period of time between the date that the redistricting  
25 database is made publicly available and the map adoption deadline  
26 is fewer than 90 days and more than 59 days, the waiting period  
27 described in subparagraph (A) is reduced to ~~one week~~. *seven days*.

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

32 (g) The local jurisdiction shall either video or audio record or  
33 prepare a written summary of each oral public comment, and each  
34 deliberation by a districting body or an advisory or hybrid  
35 redistricting commission, made at every workshop or public  
36 hearing held pursuant to this chapter. The local jurisdiction shall  
37 make the recording or written summary of a workshop or public  
38 hearing available to the public on its redistricting web page no  
39 later than seven days after the workshop or public hearing or no  
40 later than at least 24 hours before the next workshop or public

1 hearing, whichever deadline is earlier. Notwithstanding subdivision  
2 (i) of Section 23003, if a local jurisdiction establishes a hybrid  
3 redistricting commission, the local jurisdiction, not the hybrid  
4 redistricting commission, shall be responsible for meeting the  
5 requirements of this subdivision.

6 (h) (1) The districting body, or an advisory or hybrid  
7 redistricting commission, shall allow the public to submit written  
8 public comment or draft neighborhood, community of interest, or  
9 district maps both in a paper format and electronically.

10 (2) The local jurisdiction shall make any written public  
11 comments or draft maps available to the public on its redistricting  
12 web page no later than seven days after receiving the public  
13 comment or draft map or no later than at least 24 hours before the  
14 next workshop or public hearing, if the public comment or draft  
15 map is received at least two business days before that workshop  
16 or public hearing, whichever deadline is earlier.

17 (i) Prior to holding its first workshop or public hearing, the local  
18 jurisdiction shall establish, and maintain for at least 10 years after  
19 the adoption of new election district boundaries, an accessible  
20 internet web page dedicated to redistricting. The web page may  
21 be hosted on the local jurisdiction's existing internet website or  
22 another internet website maintained by the local jurisdiction. Prior  
23 to the first workshop or public hearing and until new district  
24 boundaries are adopted, the homepage of the local jurisdiction's  
25 internet website shall include a prominent link to the redistricting  
26 web page. The web page shall include, or link to, all of the  
27 following information:

28 (1) A general explanation of the redistricting process for the  
29 local jurisdiction. This explanation shall be provided in English  
30 and applicable languages.

31 (2) An explanation of the procedures for a member of the public  
32 to provide in-person or remote oral public comment during a public  
33 hearing or to submit written public comment or a draft map to the  
34 districting body, or an advisory or hybrid redistricting commission,  
35 either in a paper or electronic format, for consideration at a future  
36 public hearing. The explanation shall be provided in English and  
37 applicable languages.

38 (3) A calendar of all workshop and public hearing dates. A  
39 calendar listing that includes the date, time, and location of the

1 workshop or public hearing dates satisfies the notice required by  
2 subdivision (e).

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

8 (5) Instructions and a method for a person to sign up to receive  
9 regular notices regarding redistricting, including notices of  
10 upcoming workshops or public hearings. These instructions shall  
11 be provided in English and applicable languages.

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

13 (7) The recording or written summary of each workshop and  
14 public hearing.

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

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

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

21 (11) The existing map of election district boundaries prior to  
22 redistricting.

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

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

29 (k) Subdivisions (b) to (g), inclusive, paragraph (2) of  
30 subdivision (h), and paragraphs (4) to (10), inclusive, of subdivision  
31 (i) do not apply to special districts or small education districts.  
32 Subdivision (i) does not apply to special districts or small education  
33 districts that do not have a website for the jurisdiction and are not  
34 legally required to establish such a website.

35 21170. (a) No later than December 15, 2030, and no later than  
36 December 15 in each year ending in the number zero thereafter,  
37 the Secretary of State shall publish in a conspicuous location on  
38 the Secretary of State's internet website all of the following  
39 documents:

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

4 (2) A template explaining the procedures for providing public  
5 comment in the local jurisdiction redistricting process that meets  
6 the requirements of paragraph (2) of subdivision (i) of Section  
7 21160.

8 (3) A template of a notice explaining the languages in which a  
9 local jurisdiction is required to provide live translation upon request  
10 and how to make such a request that meets the requirements of  
11 paragraph (4) of subdivision (i) of Section 21160.

12 (4) A template of instructions for a member of the public to sign  
13 up for regular notices regarding redistricting that meets the  
14 requirements of paragraph (5) of subdivision (i) of Section 21160.

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

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

20 (b) No later than November 1, 2030, and no later than November  
21 1 in each year ending in the number zero thereafter, the Secretary  
22 of State shall post online drafts of the documents described in  
23 subdivision (a) for at least a 30-day public comment period before  
24 finalizing any draft. Prior to posting these drafts, the Secretary of  
25 State shall solicit input from good government organizations, civil  
26 rights organizations, firms providing redistricting mapping services,  
27 and statewide associations representing affected local government  
28 agencies.

29 (c) (1) No later than January 1, 2031, and no later than January  
30 1 in every year ending in the number one thereafter, the Secretary  
31 of State shall publish the applicable languages for each city and  
32 county in a conspicuous location on the Secretary of State's internet  
33 website.

34 (2) *To determine the applicable languages for each city, in 2030*  
35 *and in each year ending in the number zero thereafter, the*  
36 *Secretary of State, in consultation with the developer of the*  
37 *database developed in accordance with subdivision (b) of Section*  
38 *8253 of the Government Code, shall request a special tabulation*  
39 *from the United States Census Bureau of the most recent data on*  
40 *limited English proficiency from the bureau's American Community*

1 *Survey that satisfies paragraph (2) of subdivision (b) of Section*  
2 *21110. If the bureau is unable to produce that data, the Secretary*  
3 *of State shall base the Secretary of State's determination on the*  
4 *table from the American Community Survey enumerating the*  
5 *number of residents with limited English proficiency that has the*  
6 *largest number of languages included, that is publicly available,*  
7 *and that was produced within the previous 10 years.*

8 (d) No later than February 28, 2031, and no later than February  
9 28 in each year ending in the number one thereafter, the Secretary  
10 of State shall translate the documents described in paragraphs (1)  
11 to (5), inclusive, of subdivision (a) in any applicable language  
12 required for any city or county and shall publish these documents  
13 on a conspicuous location on the Secretary of State's internet  
14 website.

15 (e) Prior to finalizing any translated documents pursuant to  
16 subdivision (d), the Secretary of State shall post online drafts of  
17 these documents for at least a 15-day public comment period before  
18 finalizing any draft. Prior to posting these drafts, the Secretary of  
19 State shall solicit input from the Language Accessibility Advisory  
20 Committee and organizations representing communities that speak  
21 each applicable language.

22 (f) To assist local jurisdictions with complying with this chapter,  
23 the Secretary of State shall provide a training to local jurisdictions  
24 subject to this chapter and associations representing such local  
25 jurisdictions that summarizes the requirements imposed on a local  
26 jurisdiction by this chapter. This training shall be video recorded  
27 and posted in a conspicuous location on the Secretary of State's  
28 internet website.

29 (g) (1) Within 30 days of the computerized database described  
30 in subdivision (b) of Section 8253 of the Government Code being  
31 made available to the public, the Secretary of State shall make  
32 available to the public a free electronic mapping tool, loaded with  
33 relevant population and demographic data for each county and city  
34 whose legislative body is elected by district, which tool can be  
35 used by the public to create neighborhood maps, community of  
36 interest maps, or draft district maps that can be submitted to the  
37 local jurisdiction's districting body or to an advisory or hybrid  
38 redistricting commission. The Secretary of State is authorized and  
39 encouraged to create a mapping tool for other local jurisdictions  
40 whose legislative bodies are elected by district.

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

4 21180. (a) If the districting body does not adopt election  
5 district boundaries by the deadlines set forth in subdivision (a) of  
6 Section 21140 or adopted pursuant to subdivision (c) of Section  
7 21140, as applicable, the districting body shall immediately petition  
8 a superior court in a county in which the local jurisdiction is located  
9 for an order adopting election district boundaries. If the districting  
10 body does not petition the superior court within five days after the  
11 deadline, any interested person may file that petition and shall be  
12 entitled to recover reasonable attorney's fees and costs from the  
13 local jurisdiction for doing so.

14 (b) Upon granting a petition filed pursuant to subdivision (a),  
15 the superior court shall adopt election district boundaries in  
16 accordance with the requirements and criteria set forth in Section  
17 21130, which shall be used in the local jurisdiction's next regular  
18 election. The superior court or a special master appointed by the  
19 superior court shall hold one or more public hearings before the  
20 superior court adopts the election district boundaries.

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

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

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

31 21190. (a) Any interested person may bring an action in the  
32 superior court of the county where a violation of this chapter is  
33 alleged to have occurred or is threatened to occur.

34 (b) Any interested person may commence an action by  
35 mandamus, injunction, or declaratory relief for the purpose of  
36 stopping ongoing violations or preventing future violations or  
37 threatened violations of this chapter or to determine the  
38 applicability of this chapter to ongoing actions or threatened future  
39 actions.

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

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

12 (A) Cure or correct the alleged violation and inform the  
13 interested person in writing of its actions to cure or correct the  
14 alleged violation.

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

17 (2) If the local jurisdiction takes no action or does not cure or  
18 correct the violation within the 15-day period described in  
19 paragraph (1), the interested person shall have 15 days thereafter  
20 to bring an action. A court may award court costs and reasonable  
21 attorneys' attorney's fees to the plaintiff where it is found that a  
22 districting body or an advisory or hybrid redistricting commission  
23 violated this chapter and failed to correct the violation or  
24 unreasonably delayed correcting the violation after receiving the  
25 demand required by this subdivision.

26 (e) If a plaintiff proves a violation of this chapter is threatened,  
27 is occurring, or occurred, a court shall order appropriate remedies  
28 tailored to prevent or remedy the threatened violation or violation,  
29 which may include requiring that the local jurisdiction comply  
30 with the requirements of this chapter, requiring that the districting  
31 body or an advisory or hybrid redistricting commission hold an  
32 additional public hearing, voiding any action taken by the  
33 districting body or an advisory or hybrid redistricting commission  
34 in violation of this chapter, ordering the districting body to redraw  
35 an adopted map, changing an adopted map's district boundaries  
36 to bring the map into compliance with the requirements and criteria  
37 in Section 21130, or adopting a new map in compliance with the  
38 requirements and criteria in Section 21130 after the court or a  
39 special master holds a public hearing.



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

6 (2) Subject to the approval of the court, the special master may  
7 employ redistricting experts or other consultants or counsel,  
8 independent experts in the field of redistricting and computer  
9 technology, and other necessary personnel to assist them in their  
10 work. In addition, the special master may seek the full cooperation  
11 of the local jurisdiction in producing and using whatever data,  
12 computer models and programs, and technical assistance that was  
13 made available to the districting body or an advisory or hybrid  
14 redistricting commission and local jurisdiction personnel who are  
15 knowledgeable in the mechanics of drafting redistricting legislation.  
16 The court may assist the special master in securing the necessary  
17 personnel and the physical facilities required for their work, and  
18 to prepare for the prompt submission to the local jurisdiction of a  
19 request for local jurisdiction funding for the necessary expenses  
20 of the special master and the special master's staff.

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

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

26 SEC. 15. Section 21500 of the Elections Code is amended to  
27 read:

28 21500. Following a county's decision to elect its board using  
29 district-based elections, or following each federal decennial census  
30 for a county whose board is already elected using district-based  
31 elections, the board shall, by ordinance or resolution, adopt  
32 boundaries for all of the supervisorial districts of the county  
33 pursuant to Chapter 2 (commencing with Section 21100).

34 SEC. 16. Section 21500.1 of the Elections Code is amended  
35 to read:

36 21500.1. This chapter applies to a county that elects members  
37 of the county's board of supervisors by districts or from districts.

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

39 SEC. 18. Section 21503 of the Elections Code is amended to  
40 read:

1 21503. (a) After redistricting or districting, a board shall not  
 2 adopt new supervisorial district boundaries until after the next  
 3 federal decennial census, except under the following circumstances:

- 4 (1) A court orders the board to redistrict.
- 5 (2) The board is settling a legal claim that its supervisorial  
 6 district boundaries violate the United States Constitution, the  
 7 federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.),  
 8 or this chapter.

9 (3) The boundaries of the county change by the addition or  
 10 subtraction of territory.

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

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

17 (b) This section does not prohibit a board from adopting  
 18 supervisorial districts between federal decennial censuses if the  
 19 board is adopting supervisorial districts for the first time, including  
 20 when a board adopts supervisorial districts for the purpose of  
 21 transitioning from electing its supervisors in at-large elections to  
 22 elections by districts or from districts.

23 SEC. 19. Section 21506 of the Elections Code is amended to  
 24 read:

25 21506. (a) The term of office of any supervisor who has been  
 26 elected and whose term of office has not expired shall not be  
 27 affected by any change in the boundaries of the district from which  
 28 the supervisor was elected and that supervisor shall continue to  
 29 represent the constituents residing in the district boundaries from  
 30 which the supervisor was elected for the duration of that term of  
 31 office. This section does not prevent a board from assigning a  
 32 county elected official or county official to provide constituent  
 33 services for residents of an area that is temporarily not represented  
 34 by a supervisor due to redistricting.

35 (b) At the first election for county supervisors in each county  
 36 following adoption of the boundaries of supervisorial districts,  
 37 excluding a special election to fill a vacancy or a recall election,  
 38 a supervisor shall be elected for each district under the new district  
 39 plan that has the same district number as a district whose

1 incumbent's term is due to expire. This subdivision does not apply  
2 when a county transitions from at-large to district-based elections.

3 (c) For a county employing both a primary and a general  
4 election, a change in the boundaries of a supervisorial district shall  
5 not be made between the direct primary election and the general  
6 election.

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

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

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

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

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

15 SEC. 24. Section 21534 of the Elections Code is amended to  
16 read:

17 21534. (a) The commission shall establish single-member  
18 supervisorial districts for the board pursuant to a mapping process  
19 using the following criteria as set forth in the following order of  
20 priority:

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

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

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

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

1 (3) Districts shall be geographically contiguous.

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

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

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

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

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

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

1 appointments to make public comment, providing personal  
2 protective equipment, or holding hearings in outdoor spaces.

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

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

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

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

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

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

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

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

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

33 (B) Coordinating with community organizations.

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

39 (7) The board shall take all steps necessary to ensure that a  
40 complete and accurate computerized database is available for

1 redistricting, and that procedures are in place to provide to the  
 2 public ready access to redistricting data and computer software  
 3 equivalent to what is available to the commission members.

4 (8) The board shall provide reasonable funding and staffing for  
 5 the commission.

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

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

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

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

21 SEC. 25. Section 21544 of the Elections Code is amended to  
 22 read:

23 21544. (a) The commission shall establish single-member  
 24 supervisorial districts for the board pursuant to a mapping process  
 25 using the following criteria as set forth in the following order of  
 26 priority:

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

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

36 (C) Notwithstanding subparagraph (B), an incarcerated person,  
 37 as that term is used in Section 21003, shall not be counted towards  
 38 the county's population, except for an incarcerated person whose  
 39 last known place of residence may be assigned to a census block  
 40 in the county, if information about the last known place of

1 residence for incarcerated persons is included in the computerized  
2 database for redistricting that is developed in accordance with  
3 subdivision (b) of Section 8253 of the Government Code, and that  
4 database is made publicly available.

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

7 (3) Districts shall be geographically contiguous.

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

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

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

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

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

32 (B) In the event any state or local health order prohibits large  
33 gatherings, the commission may modify the location of the  
34 hearings, including through the use of virtual hearings that use  
35 technology to permit remote viewing and participation, to the  
36 extent required to comply with public health requirements. If the  
37 commission modifies the location of a hearing, it shall provide  
38 opportunities to view and listen to proceedings by video, to listen  
39 to proceedings by phone, and to provide public comment by phone  
40 and in writing with no limitation on the number of commenters.

1 The commission shall, to the greatest extent practicable, provide  
2 an opportunity for in-person participation for at least one hearing  
3 in each supervisorial district. Methods for providing in-person  
4 participation may include setting up multiple rooms with  
5 audiovisual connections to the hearing, allowing community  
6 members to make appointments to make public comment,  
7 providing personal protective equipment, or holding hearings in  
8 outdoor spaces.

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

11 (A) Post the map for public comment on the website of the  
12 County of Riverside.

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

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

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

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

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

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

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

39 (B) Coordinating with community organizations.



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

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

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

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

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

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

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

28 SEC. 26. Section 21552 of the Elections Code is amended to  
29 read:

30 21552. (a) The commission shall establish single-member  
31 supervisorial districts for the board pursuant to a mapping process  
32 using the following criteria as set forth in the following order of  
33 priority:

34 (1) (A) Districts shall comply with the United States  
35 Constitution and each district shall have a reasonably equal  
36 population with other districts for the board, except where deviation  
37 is required to comply with the federal Voting Rights Act of 1965  
38 (52 U.S.C. Sec. 10101 et seq.) or is allowable by law.

39 (B) Population equality shall be based on the total population  
40 of residents of the county as determined by the most recent federal

1 decennial census for which the redistricting data described in Public  
2 Law 94-171 are available.

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

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

14 (3) Districts shall be geographically contiguous.

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

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

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

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

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

39 (B) In the event any state or local health order prohibits large  
40 gatherings, the commission may modify the location of the

1 hearings, including use of virtual hearings that use technology to  
2 permit remote viewing and participation, to the extent required to  
3 comply with public health requirements. If the commission  
4 modifies the location of a hearing, it shall provide opportunities  
5 to view and listen to proceedings by video, to listen to proceedings  
6 by phone, and to provide public comment by phone and in writing  
7 with no limitation on the number of commenters. The commission  
8 shall, to the greatest extent practicable, provide an opportunity for  
9 in-person participation for at least one hearing in each supervisorial  
10 district. Methods for providing in-person participation may include,  
11 but are not limited to, setting up multiple rooms with audiovisual  
12 connections to the hearing, allowing community members to make  
13 appointments to make public comment, providing personal  
14 protective equipment, or holding hearings in outdoor spaces.

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

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

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

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

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

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

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

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

4 (A) Providing information through media, social media, and  
5 public service announcements.

6 (B) Coordinating with community organizations.

7 (C) Posting information on the internet website of the County  
8 of San Diego that explains the redistricting process and includes  
9 a notice of each public hearing and the procedures for testifying  
10 during a hearing or submitting written testimony directly to the  
11 commission.

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

17 (8) The board shall provide for reasonable funding and staffing  
18 for the commission.

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

22 (d) (1) The commission shall adopt a redistricting plan adjusting  
23 the boundaries of the supervisorial districts and shall file the plan  
24 with the Clerk of the Board of Supervisors by the map adoption  
25 deadline set forth in subdivision (a) of Section 21140. The  
26 commission shall not release a draft map before the date set forth  
27 in paragraph (3) of subdivision (f) of Section 21160.

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

30 (3) The commission shall issue, with the final map, a report that  
31 explains the basis on which the commission made its decisions in  
32 achieving compliance with the criteria described in subdivisions  
33 (a) and (b).

34 SEC. 27. Section 21564 of the Elections Code is amended to  
35 read:

36 21564. (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 a state or local health order prohibits large  
9 gatherings, the commission may modify the location of the  
10 hearings, including through the use of virtual hearings that use  
11 technology to permit remote viewing and participation, to the  
12 extent required to comply with public health requirements. If the  
13 commission modifies the location of a hearing, it shall provide  
14 opportunities to view and listen to proceedings by video, to listen  
15 to proceedings by phone, and to provide public comment by phone  
16 and in writing with no limitation on the number of commenters.  
17 The commission shall, to the greatest extent practicable, provide  
18 an opportunity for in-person participation for at least one hearing  
19 in each supervisorial district. Methods for providing in-person  
20 participation may include, but are not limited to, setting up multiple  
21 rooms with audiovisual connections to the hearing, allowing  
22 community members to make appointments to make public  
23 comment, providing personal protective equipment, or holding  
24 hearings in outdoor spaces.

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

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

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

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

36 (B) Notwithstanding Section 54954.2 of the Government Code,  
37 the commission shall post the agenda for the public hearings  
38 described in paragraphs (2) and (3) at least seven days before the  
39 hearings. The agenda for a meeting required by paragraph (3) shall  
40 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 Fresno who are members of a language minority is greater than  
8 or equal to 3 percent of the total voting age residents of the county.

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

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

14 (B) Coordinating with community organizations.

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

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

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

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

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

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

38 (3) The commission shall issue, with the final map, a report that  
39 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. 28. Section 21574 of the Elections Code is amended to  
4 read:

5 21574. (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 a 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, but are not limited to, setting up multiple  
27 rooms with audiovisual connections to the hearing, allowing  
28 community members to make appointments to make public  
29 comment, providing personal protective equipment, or holding  
30 hearings in 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 internet website  
34 of the County of Kern.

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 Kern who are members of a language minority is greater than  
15 or equal to 3 percent of the total voting age residents of the county.

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

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

21 (B) Coordinating with community organizations.

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

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

31 (8) The board shall provide reasonable funding and staffing for  
32 the commission.

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

36 (d) (1) The commission shall adopt a redistricting plan adjusting  
37 the boundaries of the supervisorial districts and shall file the plan  
38 with the county elections official by the map adoption deadline  
39 set forth in subdivision (a) of Section 21140. The commission shall

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

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

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

9 SEC. 29. Section 21600 of the Elections Code is amended to  
10 read:

11 21600. This article applies to a general law city that elects  
12 members of the city's legislative body by districts or from districts,  
13 as *those terms are* defined in Section 34871 of the Government  
14 Code.

15 SEC. 30. Section 21601 of the Elections Code is amended to  
16 read:

17 21601. Following a city's decision to elect its council using  
18 district-based elections, or following each federal decennial census  
19 for a city whose council is already elected using district-based  
20 elections, the council shall, by ordinance or resolution, adopt  
21 boundaries for all of the council districts of the city pursuant to  
22 Chapter 2 (commencing with Section 21100).

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

24 SEC. 32. Section 21603 of the Elections Code is amended to  
25 read:

26 21603. (a) If the boundaries of a city expand by the addition  
27 of new territory, including through annexation of unincorporated  
28 territory or consolidation with another city, the council shall add  
29 that new territory to the nearest existing council district without  
30 changing the boundaries of other council district boundaries.

31 (b) Notwithstanding subdivision (a), the council may adopt new  
32 boundaries for each council district pursuant to Chapter 2  
33 (commencing with Section 21100) if the boundaries of the city  
34 expand by the addition of new territory and if both of the following  
35 conditions are met:

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

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

1 SEC. 33. Section 21605 of the Elections Code is amended to  
2 read:

3 21605. (a) After redistricting or districting, a council shall not  
4 adopt new council district boundaries until after the next federal  
5 decennial census, except under the following circumstances:

- 6 (1) A court orders the council to redistrict.
- 7 (2) The council is settling a legal claim that its council district  
8 boundaries violate the United States Constitution, the federal  
9 Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this  
10 article.
- 11 (3) The boundaries of the city change by the addition of territory  
12 pursuant to Section 21603 or by the subtraction of territory.
- 13 (4) The number of council members elected by districts or from  
14 districts is increased or decreased.
- 15 (5) An independent redistricting commission is established  
16 pursuant to Section 23003 to adopt new council districts between  
17 federal decennial censuses and the districts being replaced were  
18 adopted by the city council.

19 (b) This section does not prohibit a council from adopting  
20 council districts between federal decennial censuses if the council  
21 is adopting council districts for the first time, including when a  
22 city adopts council districts for the purpose of transitioning from  
23 electing its council members in at-large elections to elections by  
24 districts or from districts.

25 SEC. 34. Section 21606 of the Elections Code is amended to  
26 read:

27 21606. (a) The term of office of any council member who has  
28 been elected and whose term of office has not expired shall not be  
29 affected by any change in the boundaries of the district from which  
30 the council member was elected and that member shall continue  
31 to represent the constituents residing in the district boundaries  
32 from which the member was elected for the duration of that term  
33 of office. This section does not prevent a city council from  
34 assigning a city elected official or city official to provide  
35 constituent services to residents of an area that is temporarily not  
36 represented by a council member due to redistricting.

37 (b) At the first election for council members in each city  
38 following adoption of the boundaries of council districts, excluding  
39 a special election to fill a vacancy or a recall election, a council  
40 member shall be elected for each district under the new district

1 plan that has the same district number as a district whose  
2 incumbent’s term is due to expire. This subdivision does not apply  
3 when a city transitions from at-large to district-based elections.

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

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

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

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

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

12 SEC. 39. Section 21620 of the Elections Code is amended to  
13 read:

14 21620. This article applies to a charter city that elects members  
15 of the city’s legislative body by districts or from districts, as *those*  
16 *terms are* defined in Section 34871 of the Government Code.

17 SEC. 40. Section 21621 of the Elections Code is amended to  
18 read:

19 21621. Following a city’s decision to elect its council using  
20 district-based elections, or following each federal decennial census  
21 for a city whose council is already elected using district-based  
22 elections, the council shall, by ordinance or resolution, adopt  
23 boundaries for all of the council districts of the city pursuant to  
24 Chapter 2 (commencing with Section 21100).

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

26 SEC. 42. Section 21623 of the Elections Code is amended to  
27 read:

28 21623. (a) If the boundaries of a city expand by the addition  
29 of new territory, including through annexation of unincorporated  
30 territory or consolidation with another city, the council shall add  
31 that new territory to the nearest existing council district without  
32 changing the boundaries of other council district boundaries.

33 (b) Notwithstanding subdivision (a), the council may adopt new  
34 boundaries for each council district pursuant to Chapter 2  
35 (commencing with Section 21100) if the boundaries of the city  
36 expand by the addition of new territory and if both of the following  
37 conditions are met:

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

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

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

7 SEC. 43. Section 21625 of the Elections Code is amended to  
8 read:

9 21625. (a) After redistricting or districting, a council shall not  
10 adopt new council district boundaries until after the next federal  
11 decennial census, except under the following circumstances:

- 12 (1) A court orders the council to redistrict.
- 13 (2) The council is settling a legal claim that its council district  
14 boundaries violate the United States Constitution, the federal  
15 Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this  
16 article.

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

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

21 (5) An independent redistricting ~~commission~~ *commission, whose*  
22 *members are not directly appointed by the legislative body or an*  
23 *elected official of the local jurisdiction, is established pursuant to*  
24 ~~Section 23003~~ to adopt new council districts between federal  
25 decennial censuses and the districts being replaced were adopted  
26 by the city council.

27 (b) This section does not prohibit a council from adopting  
28 council districts between federal decennial censuses if the council  
29 is adopting council districts for the first time, including when a  
30 city adopts council districts for the purpose of transitioning from  
31 electing its council members in at-large elections to elections by  
32 districts or from districts.

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

35 SEC. 44. Section 21626 of the Elections Code is amended to  
36 read:

37 21626. (a) The term of office of any council member who has  
38 been elected and whose term of office has not expired shall not be  
39 affected by any change in the boundaries of the district from which  
40 the council member was elected and that member shall continue

1 to represent the constituents residing in the district boundaries  
2 from which the member was elected for the duration of that term  
3 of office. This section does not prevent a city council from  
4 assigning a city elected official or city official to provide  
5 constituent services to residents of an area that is temporarily not  
6 represented by a council member due to redistricting.

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

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

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

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

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

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

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

25 SEC. 49. Section 21630 of the Elections Code is amended to  
26 read:

27 21630. If a council assigns the responsibility to recommend or  
28 to adopt new district boundaries to a hybrid or independent  
29 redistricting commission as defined in Section 23000, the charter  
30 city remains subject to the redistricting deadlines, requirements,  
31 and restrictions that apply to the council under this article and  
32 Chapter 2 (commencing with Section 21100), unless otherwise  
33 exempted by law. A redistricting commission described in this  
34 section may perform the duties required of a city council under  
35 this article.

36 SEC. 50. Section 22000 of the Elections Code is amended to  
37 read:

38 22000. (a) Following a special district's decision to elect its  
39 board of directors using district-based elections, or following each  
40 federal decennial census for a special district whose board of

1 directors is already elected using district-based elections, the board  
2 of directors shall, by resolution, adopt boundaries for all of the  
3 divisions of the special district pursuant to Chapter 2 (commencing  
4 with Section 21100).

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

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

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

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

15 (2) If division boundaries are adjusted, the director of the  
16 division whose boundaries have been adjusted shall continue to  
17 be the director of the division bearing the number of that division  
18 as formerly comprised until the office becomes vacant by means  
19 of term expiration or otherwise, whether or not the director is a  
20 resident within the boundaries of the division as adjusted. The  
21 director shall continue to represent the constituents residing in the  
22 district boundaries from which the director was elected for the  
23 duration of that term of office. This section does not prevent a  
24 board from assigning a director or special district official to provide  
25 constituent services to residents of an area that is temporarily not  
26 represented by a director due to redistricting.

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

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

32 (h) This section shall not be construed to prohibit or restrict a  
33 district from adjusting the boundaries of any divisions pursuant to  
34 Chapter 2 (commencing with Section 21100) whenever the board  
35 of directors of the district determines by a two-thirds vote of the  
36 board that a sufficient change in population has occurred that makes  
37 it desirable in the opinion of the board to adjust the boundaries of  
38 any divisions, or whenever any territory is added by or excluded  
39 from the district.

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



1 SEC. 52. Section 22001 is added to the Elections Code, to read:  
2 22001. This chapter and Chapter 2 (commencing with Section  
3 21100) do not apply to special districts in which only landowners  
4 vote for directors or whose directors are all elected at large or  
5 appointed.

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

7 SEC. 54. Section 23002 of the Elections Code is amended to  
8 read:

9 23002. (a) This section applies to advisory redistricting  
10 commissions.

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

16 (c) A person who is an elected official of the local jurisdiction,  
17 or a family member, staff member, or paid campaign staff of an  
18 elected official of the local jurisdiction, shall not be appointed to  
19 serve on the commission.

20 (d) A local jurisdiction may impose additional requirements or  
21 restrictions on the commission, members of the commission, or  
22 applicants to the commission in excess of those prescribed by this  
23 section.

24 (e) The commission is subject to the Ralph M. Brown Act  
25 (Chapter 9 (commencing with Section 54950) of Part 1 of Division  
26 2 of Title 5 of the Government Code) and the California Public  
27 Records Act (Division 10 (commencing with Section 7920.000)  
28 of Title 1 of the Government Code).

29 SEC. 55. Section 23003 of the Elections Code is amended to  
30 read:

31 23003. (a) This section applies to hybrid redistricting  
32 commissions and independent redistricting commissions.

33 (b) Notwithstanding any other law, the local jurisdiction may  
34 prescribe the manner in which members are appointed to the  
35 commission, provided that the jurisdiction uses an application  
36 process open to all eligible residents and provided that the  
37 commissioners are not appointed by the legislative body or an  
38 elected official of the local jurisdiction.

39 (c) A person shall not be appointed to serve on the commission  
40 if the person or any family member of the person has been elected

1 or appointed to, or been a candidate for, an elective office of the  
2 local jurisdiction in the eight years preceding the person's  
3 application.

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

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

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

11 (B) Served as an officer of, employee of, or paid consultant to,  
12 a political party or as an elected or appointed member of a political  
13 party central committee.

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

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

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

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

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

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

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

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

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

1 (e) A member of the commission shall not do any of the  
2 following:

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

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

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

10 (B) The election for that office will be conducted using district  
11 boundaries that were adopted by the commission on which the  
12 member served, and those district boundaries have not been  
13 subsequently readopted by a commission after the end of the  
14 member's term on the commission.

15 (C) The election for that office will be conducted using district  
16 boundaries that were adopted by a legislative body pursuant to a  
17 recommendation by the commission on which the member served,  
18 and those district boundaries have not been subsequently readopted  
19 by a legislative body pursuant to a recommendation by a  
20 commission after the end of the member's term on the commission.

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

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

26 (B) Receive a noncompetitively bid contract with the local  
27 jurisdiction.

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

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

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

34 (g) Each member of the commission shall be a designated  
35 employee in the conflict of interest code for the commission  
36 pursuant to Article 3 (commencing with Section 87300) of Chapter  
37 7 of Title 9 of the Government Code.

38 (h) The commission is subject to the Ralph M. Brown Act  
39 (Chapter 9 (commencing with Section 54950) of Part 1 of Division  
40 2 of Title 5 of the Government Code) and the California Public

1 Records Act (Division 10 (commencing with Section 7920.000)  
 2 of Title 1 of the Government Code).

3 (i) The commission shall be subject to the same redistricting  
 4 deadlines, requirements, and restrictions that would otherwise  
 5 apply to a legislative body. A local jurisdiction may also impose  
 6 additional requirements and restrictions on the commission, on  
 7 members of the commission, or on applicants to the commission  
 8 in excess of those prescribed by this section.

9 (j) The commission shall publish a map of the proposed new  
 10 district boundaries and make that map available to the public for  
 11 at least seven days before that map may be adopted. The  
 12 commission shall hold at least three public hearings preceding the  
 13 hearing at which the new boundaries are adopted.

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

17 (l) District boundaries adopted by an independent redistricting  
 18 commission or adopted by a legislative body from  
 19 recommendations provided by a hybrid redistricting commission,  
 20 shall not be altered by the legislative body or the commission until  
 21 after the next federal decennial census occurs, unless those  
 22 boundaries have been invalidated by a final judgment or order of  
 23 a court of competent jurisdiction.

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

28 SEC. 56. Section 34874 of the Government Code is amended  
 29 to read:

30 34874. (a) An amendatory ordinance altering the boundaries  
 31 of the legislative districts established pursuant to this article shall  
 32 not be submitted to the registered voters until the ordinance has  
 33 been submitted to the planning commission of the city or, in  
 34 absence of a planning commission, to the legislative body of said  
 35 city for an examination as to the definiteness and certainty of the  
 36 boundaries of the legislative districts proposed.

37 (b) An amendatory ordinance altering the boundaries of  
 38 legislative districts shall comply with the requirements and criteria  
 39 of Section 21130 of the Elections Code.

1 SEC. 57. Section 34877.5 of the Government Code is amended  
2 to read:

3 34877.5. (a) After an ordinance is passed by the voters  
4 pursuant to Section 34876.5, or after an ordinance is enacted by  
5 the legislative body pursuant to Section 34886, the legislative body  
6 shall prepare a proposed map that describes the boundaries and  
7 numbers of the districts for the legislative body. In preparing the  
8 proposed map, the legislative body shall comply with the  
9 requirements and criteria of Section 21130 of the Elections Code  
10 and shall seek public input, including accepting proposed maps  
11 submitted by the public.

12 (b) If the legislative body is changing from an at-large method  
13 of election to a district-based election, as those terms are defined  
14 in Section 14026 of the Elections Code, the legislative body shall  
15 hold public hearings pursuant to Section 10010 of the Elections  
16 Code. If the legislative body is otherwise adjusting the district  
17 boundaries, the legislative body shall hold public hearings on the  
18 proposed district boundaries pursuant to Section 21150 of the  
19 Elections Code.

20 SEC. 58. Section 34884 of the Government Code is amended  
21 to read:

22 34884. (a) If, at the time a vote is held on the subject of  
23 incorporation of a new city, a majority of the votes cast is for  
24 incorporation and, if, in accordance with Section 57116, a majority  
25 of the votes cast on the question of whether members of the city  
26 council in future elections are to be elected by district or at large  
27 is in favor of election by district, all of the following procedures  
28 apply:

29 (1) Before the first day on which voters may nominate  
30 candidates for election at the next regular municipal election, the  
31 legislative body shall, by ordinance or resolution, establish the  
32 boundaries of the districts of the legislative body. The districts  
33 shall be substantially equal in population as required by the United  
34 States Constitution. The districts shall comply with the  
35 requirements and criteria of Section 21130 of the Elections Code.

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

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

6 (b) The result of the vote cast on the question of whether  
7 members of the city council in future elections are to be elected  
8 by district or at large shall not preclude the submission to the voters  
9 at any future election of a measure in accordance with Section  
10 34871.

11 SEC. 59. Section 34886 of the Government Code is amended  
12 to read:

13 34886. Notwithstanding Section 34871 or any other law, the  
14 legislative body of a city may adopt an ordinance that requires the  
15 members of the legislative body to be elected by district or by  
16 district with an elective mayor, as described in subdivisions (a)  
17 and (c) of Section 34871, without being required to submit the  
18 ordinance to the voters for approval. An ordinance adopted  
19 pursuant to this section shall comply with the requirements and  
20 criteria of Section 21130 of the Elections Code and include a  
21 declaration that the change in the method of electing members of  
22 the legislative body is being made in furtherance of the purposes  
23 of the California Voting Rights Act of 2001 (Chapter 1.5  
24 (commencing with Section 14025) of Division 14 of the Elections  
25 Code).

26 SEC. 60. Section 57301 of the Government Code is amended  
27 to read:

28 57301. If at any time between each decennial federal census,  
29 a city annexes or detaches territory or consolidates with another  
30 city, the city council of the city annexing or detaching the territory  
31 or the city council of the successor city, may reexamine the  
32 boundaries of its council districts pursuant to Section 21603 or  
33 21623 of the Elections Code, as applicable.

34 SEC. 61. The district boundary criteria specified in this act  
35 apply to election district boundaries that are adopted or readopted  
36 on or after January 1, 2024. Election district boundaries adopted  
37 before January 1, 2024, shall comply with the applicable district  
38 boundary criteria in effect at the time of their adoption.

39 SEC. 62. The Legislature finds and declares that, as to cities  
40 and counties, many of the provisions of Chapter 2 (commencing

1 with 21100) of Division 21 of the Elections Code, as added by this  
2 act, do not constitute a change in, but are declaratory of, existing  
3 law, and that a court should not draw a contrary inference based  
4 on the language of this act in resolving an action brought under  
5 the prior rules for city and county redistricting.

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

10 SEC. 64. If the Commission on State Mandates determines  
11 that this act contains costs mandated by the state, reimbursement  
12 to local agencies and school districts for those costs shall be made  
13 pursuant to Part 7 (commencing with Section 17500) of Division  
14 4 of Title 2 of the Government Code.

O