

Date of Hearing: August 16, 2023

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

SB 314 (Ashby) – As Amended June 27, 2023

Policy Committee:	Elections	Vote:	6 - 2
	Local Government		6 - 1

Urgency: No      State Mandated Local Program: Yes      Reimbursable: Yes

**SUMMARY:**

This bill establishes the Citizens Redistricting Commission (Commission) in the County of Sacramento.

Specifically, this bill:

- 1) Requires establishment of the Commission, no later than December 31, 2030, with 14 voting members and two non-voting alternates who meet specified qualifications, to adjust the boundaries of the county's supervisorial districts after every decennial census.
- 2) Outlines the selection process, terms, and conduct for Commission members, such as prohibiting a Commission member from communicating with any individual or organization regarding redistricting matters outside of a public meeting.

**FISCAL EFFECT:**

By requiring Sacramento County to provide funding and staffing for the creation and operation of the Commission, including specified duties for the county executive to begin the member selection process, this bill creates a state-mandated local program. If the Commission on State Mandates (CSM) determines the provisions of this bill create a new program or impose a higher level of service for which the state must reimburse local costs, Sacramento County could claim reimbursement from the state. The magnitude of these costs is unknown, but at least in the hundreds of thousands of dollars every ten years (General Fund (GF)).

For reference, the CSM adopted a statewide cost estimate of \$1.2 million one-time GF to reimburse Los Angeles County for costs related SB 958 (Lara), Chapter 781, Statutes of 2016, which established the Citizens Redistricting Commission for Los Angeles County.

**COMMENTS:**

- 1) **Purpose.** According to the author, establishing the Commission will "better ensure that Sacramento County's district lines accurately reflect the various communities represented and provide much needed transparency to the redistricting process."
- 2) **Support and Opposition.** This bill is supported by California Common Cause and other voter empowerment groups, as well as the Democratic Party of Sacramento and other local community groups. For example, Organize Sacramento argues that, in 2021, the Sacramento

County Board of Supervisors “held hearings and took public comment, but ultimately made the final decision themselves as to what their own areas of representation would be.”

This bill is opposed by an individual lobbyist who is a Sacramento County constituent, arguing this bill will “not only disqualify me but my entire immediate family from serving on the commission because of my chosen profession.” Additionally, the Sacramento Board of Supervisors shares a position of concern “related to the proposed increase in responsibilities assigned to our Voter Registration and Elections staff” and argues this bill “removes local control and discretion from Sacramento County’s elected representatives, while other counties with similar demographics and population base maintain local control and discretion over the redistricting process.”

- 3) **Local Redistricting Commissions.** Prior to 2017, counties and general law cities were able to create advisory redistricting commissions, but were not able to create independent commissions with the authority to establish district boundaries. Instead, the authority to establish district boundaries for a local jurisdiction was generally held by the governing body of that jurisdiction.

SB 1108 (Allen), Chapter 784, Statutes of 2016, permitted a county or a general law city to establish an independent redistricting commission, subject to certain conditions. Legislation has also been enacted to require specific counties to establish redistricting commissions – the counties of Los Angeles and San Diego had commissions in place for redistricting following the 2020 decennial census and the counties of Riverside, Fresno, and Kern have commissions in place for redistricting following the 2030 decennial census. This bill adds Sacramento County to that list for 2030. While a prior version of this bill required the political party preferences of commissioners to be as proportionate as possible to county registration numbers, recent amendments removed such provisions from this bill.

- 4) **Related Legislation.** AB 34 (Valencia) creates a Citizens Redistricting Commission in Orange County. AB 34 is pending hearing in the Senate Appropriations Committee.

AB 764 (Bryan) makes various changes to existing law governing redistricting by counties, cities, special districts, school districts, community college districts, and county boards of education. AB 764 is pending hearing in the Senate Appropriations Committee.

AB 1248 (Bryan) requires a county or city with over 300,000 residents and a school district or community college district with over 500,000 residents to establish an independent redistricting commission. AB 1248 is pending hearing in the Senate Appropriations Committee.

SB 52 (Durazo) requires a city matching the description of the City of Los Angeles to create an independent redistricting commission. SB 52 is pending hearing in this committee.