

SENATE THIRD READING  
SB 314 (Ashby)  
As Amended September 5, 2023  
Majority vote

## SUMMARY

Creates a Citizens Redistricting Commission (Commission) in Sacramento County, as specified.

### Major Provisions

- 1) Provides for the creation of the Commission, and tasks it with adjusting the boundary lines of the county's supervisorial districts in the year following the year in which the decennial federal census is taken. Requires the Commission to consist of 14 members and two non-voting alternates, and to be created no later than December 31 in each year ending in the number zero.
- 2) Requires the political party preferences of commissioners to be as proportional as possible to the political party registrations of voters in the county, as specified. Requires at least one commissioner to reside in each of the existing supervisorial districts.
- 3) Outlines the selection process, terms, and conduct for Commission members, including prohibiting a Commission member from communicating with any individual or organization regarding redistricting matters outside of a public meeting.
- 4) Allows Sacramento County to create its redistricting commission in accordance with the provisions of this bill or of AB 1248 (Bryan) of the current legislative session if both bills become law.

## COMMENTS

"Redistricting" is the process by which the boundaries of districts of a governmental body are adjusted. Redistricting generally occurs at the beginning of each decade following the decennial federal census, when new district lines are adopted based on the census data so that the populations of each district of a governmental body are roughly equal.

The authority to establish district boundaries for a local jurisdiction generally is held by the governing body. Prior to 2017, state law generally permitted a county or a city to create an *advisory* redistricting commission (described in state law at the time as a "committee" of residents of the jurisdiction), but did not expressly permit local jurisdictions to create commissions that had the authority to establish district boundaries. In 2016, the Legislature passed and the Governor signed SB 1108 (Allen), Chapter 784, Statutes of 2016, which permits a county or a general law city to establish a redistricting commission, subject to certain conditions. SB 1018 (Allen), Chapter 462, Statutes of 2018, built upon SB 1108 by allowing all local governmental entities to establish redistricting commissions, and by modifying some of the rules governing local redistricting commissions.

Separately, the Legislature has enacted a number of bills to require specified counties to establish redistricting commissions. SB 958 (Lara), Chapter 781, Statutes of 2016, required the establishment of a Citizens Redistricting Commission in Los Angeles County. Similarly, AB 801 (Weber), Chapter 711, Statutes of 2017, required the establishment of a Citizens Redistricting

Commission in San Diego County. These commissions were in place for redistricting following the 2020 federal decennial census, and drew the district lines for those counties' supervisorial districts.

Last year, the Legislature approved AB 1307 (Cervantes), Chapter 403, Statutes of 2022, which creates a Citizens Redistricting Commission in Riverside County, AB 2030 (Arambula), Chapter 407, Statutes of 2022, which creates a Citizens Redistricting Commission in Fresno County, and AB 2494 (Salas), Chapter 411, Statutes of 2022, which creates a Citizens Redistricting Commission in Kern County, as specified. All of those commissions will be created for the next redistricting process following the 2030 census.

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 on the Senate Floor. If both this bill and AB 1248 become law, Sacramento County would have the option to create its redistricting commission in accordance with the provisions of either this bill or AB 1248.

### **According to the Author**

"Electoral districts must be created fairly with equal representation as their guide. The establishment of independent redistricting commissions is a cornerstone to government ethics and transparency. By establishing an Independent Citizens Redistricting Commission in Sacramento County, we can better ensure that Sacramento County's district lines accurately reflect the various communities represented and provide much needed transparency to the redistricting process."

### **Arguments in Support**

In support of this bill, AAPIs for Civic Empowerment Education Fund writes. "If a county does not use an independent redistricting commission, the incumbent county supervisors draw their own district boundaries after each Census. In 2021, the Sacramento County Board of Supervisors drew their own district lines. They held hearings and took public comment, but ultimately made the final decision themselves as to what their own areas of representation would be. A recent report from Common Cause CA analyzed the 2020 local redistricting cycle and found that independent redistricting commissions, 'significantly outperformed legislative bodies in terms of conducting a transparent process, promoting public participation, and drawing community-reflective maps.' The establishment of independent redistricting commissions is a cornerstone to government ethics and transparency."

### **Arguments in Opposition**

In opposition to this bill, a lobbyist at the Pacific Advocacy Group (a lobbying firm) writes, "[SB 314] sets several qualifications to serve on the commission, but you not only disqualify me but my entire immediate family from serving on the commission because of my chosen profession. I find the idea repugnant, that a universe of applicants, including a representative of a collective bargaining entity of County employees is qualified to serve, but I, and my family is not."

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee, 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.

## VOTES

### SENATE FLOOR: 32-7-1

**YES:** Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Rubio, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener

**NO:** Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto

**ABS, ABST OR NV:** Wilk

### ASM ELECTIONS: 6-2-0

**YES:** Bryan, Bennett, Lee, Low, Pellerin, Blanca Rubio

**NO:** Lackey, Essayli

### ASM LOCAL GOVERNMENT: 6-1-1

**YES:** Juan Carrillo, Boerner, Haney, Pacheco, Ramos, Wilson

**NO:** Waldron

**ABS, ABST OR NV:** Dixon

### ASM APPROPRIATIONS: 12-4-0

**YES:** Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Hart, Lowenthal, Papan, Pellerin, Soria, Weber, Wilson

**NO:** Megan Dahle, Dixon, Mathis, Sanchez

## UPDATED

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