

Date of Hearing: August 19, 2025

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
ACA 8 (Rivas and McGuire) – As Amended August 18, 2025

SUBJECT: Congressional redistricting.

SUMMARY: Provides for the use of new congressional district maps for elections held through 2030 if Texas, Florida, or other states voluntarily put a new congressional map into effect, as specified, and if voters approve this measure. Specifically, **this measure:**

- 1) Provides that this measure shall be known and may be cited as “The Election Rigging Response Act.”
- 2) Makes various findings and declarations, including the following:
 - a) President Donald Trump has called on Republican-led states to undertake an unprecedented mid-decade redistricting of congressional seats to rig the 2026 election before voting begins.
 - b) President Trump and Republicans are attempting to gain enough seats through redistricting to rig the 2026 election outcome regardless of how the people vote.
 - c) California has long stood as a national leader for fair independent, nonpartisan redistricting.
 - d) California calls on all other states to commit to fair and impartial drawing of maps.
 - e) The 2026 midterm elections for Congress must be conducted on a level playing field without an extreme and unfair advantage for Republicans.
 - f) The people of California, not politicians, should have the power to approve temporary congressional district maps in response to President Trump’s election-rigging scheme.
 - g) It is the intent of the people that California’s temporary maps be designed to neutralize the partisan gerrymandering being threatened by Republican-led states without eroding fair representation for all communities.
- 3) States the policy of the State of California to support the use of fair, independent, and nonpartisan redistricting commissions nationwide, and declares that the people of California call on Congress to pass federal legislation and propose an amendment to the United States Constitution to require the use of fair, independent, and nonpartisan redistricting commissions nationwide.
- 4) Requires the single-member districts for Congress reflected in AB 604 (Aguiar-Curry and Lena Gonzalez) to temporarily be used for every congressional election for a term of office commencing after this measure becomes operative, and prior to the operative date of new congressional boundary lines drawn by the Citizens Redistricting Commission (CRC) pursuant to the state constitution. Provides that this provision becomes operative only if

Texas, Florida, or another state adopts a new congressional district map that takes effect after August 1, 2025, and before January 1, 2031, and such redistricting is not required by a federal court order. Provides that this provision becomes operative if Ohio adopts a new congressional district map only if that map is not approved with bipartisan support, as specified.

- 5) Gives the Attorney General the sole legal standing to defend any action, and gives the California Supreme Court original and exclusive jurisdiction in all proceedings, related to a congressional map adopted pursuant to this measure.
- 6) Specifies that the CRC shall continue to adjust the boundary lines of the congressional, State Senatorial, Assembly, and Board of Equalization (BOE) districts in conformance with the standards and process set forth in the California Constitution in 2031 and every 10 years thereafter.
- 7) Contains a severability clause.

EXISTING LAW:

- 1) Establishes the CRC, and requires it to adjust the boundary lines of the congressional, State Senatorial, Assembly, and BOE districts in the year following the year in which the national census is taken under the direction of Congress at the beginning of each decade, as specified. (California Constitution, Article XXI, §§1 & 2)
- 2) Provides that the California Supreme Court has original and exclusive jurisdiction in all proceedings in which a CRC-drawn map is challenged. (California Constitution, Article XXI, §3)
- 3) Permits the Legislature to propose an amendment or revision of the Constitution by a two-thirds vote of each house of the Legislature. Provides that a proposed amendment or revision shall be submitted to the electors and takes effect if approved by a majority of votes cast thereon, as specified. (California Constitution, Article XVIII, §§1 & 4)

FISCAL EFFECT: Unknown.

COMMENTS:

- 1) **Purpose of the Measure:** According to the author:

President Trump and Republicans in Texas and other states are attempting to redraw congressional districts mid-decade in an effort to rig the upcoming election to keep their own party in power in Washington. Californians deserve better and demand a response to this undemocratic and un-American power grab. ACA 8 is that response.

ACA 8, also known as the Election Rigging Response Act, would allow for the temporary use of voter-approved congressional district boundaries through the 2030 congressional term if—and only if—Texas or another state chooses to partisanly gerrymander its congressional districts before the 2030 census. With the next census, ACA 8 would return all congressional district line drawing

powers back to the Citizens Redistricting Commission. Importantly, ACA 8 would empower the voters to decide whether to use these temporary congressional district lines if another state decides to redraw its congressional map mid-decade. Additionally, through ACA 8, the voters would call on Congress to pass federal legislation and an amendment to the U.S. Constitution to require fair, nonpartisan, and independent redistricting nationwide.

The Election Rigging Response Act sends a strong message to other states that they cannot play by different rules when it comes to redistricting. It upholds California's values by neutralizing partisan gerrymandering by other states, all while giving voters the final say on the matter.

- 2) **Redistricting Overview:** "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. Over the course of the decade, districts can become significantly unequal in population due to differential growth rates in various locations of a jurisdiction. Redistricting is the way this inequality is corrected.
- 3) **California Redistricting and the Citizens Redistricting Commission:** The California Legislature last redrew the boundary lines of the congressional, State Senatorial, Assembly, and BOE districts in 2001 based on the results of the 2000 census. Those district lines were finalized and approved in September 2001.

In 2008, California voters approved Proposition 11, which created the CRC, and gave it the responsibility for drawing district lines for the state Senate, Assembly, and the BOE. It also changed the criteria used when drawing those lines. In 2010, voters approved Proposition 20, which expanded the CRC's duties to include drawing California's congressional districts, and made additional changes to the procedures and criteria to be used by the CRC. The passage of Propositions 11 and 20 meant that the California Legislature did not play a direct role in adopting district boundaries for congressional, legislative, and BOE districts following the 2010 and 2020 federal censuses.

Under current law, the districts drawn by the CRC after the 2020 census are scheduled to remain in place until the CRC adopts new maps following the 2030 census. Those new districts would take effect for regularly-scheduled elections in 2032 and beyond.

If this ACA is approved by voters, California could use different districts for its congressional elections as soon as the 2026 statewide elections. Those districts, which are provided for in AB 604 (Aguiar-Curry and Lena Gonzalez) of the current legislative session, would only go into effect if one or more other states also voluntarily conducted mid-decade congressional redistricting. States required to redraw districts because of a federal court order would not trigger California's new congressional district maps. (Ohio must redraw its congressional district maps this year under its state constitution. Ohio's action would trigger the use of California's AB 604 maps only if Ohio adopts its new district maps without bipartisan support, as provided in a specific provision of the Ohio Constitution.)

- 4) **Mid-Decade Redistricting Efforts in Other States:** As noted above, redistricting normally takes place once a decade, following the federal census. After new maps are adopted, they may be challenged in court. These lawsuits can take years to resolve, and result in revised maps or entirely new plans. Aside from these court-ordered redistricting efforts, it has historically been rare for jurisdictions to undertake major redistricting before the next decennial census.

On July 9, 2025, Texas Governor Greg Abbott called a special session of the Texas Legislature to begin on July 21. One of the topics for that session was “[l]egislation that provides a revised congressional redistricting plan.” Press reports indicate that this topic was added after aides to President Donald Trump urged Texas to redraw its congressional map, following allegations from the United States Justice Department that the existing map could be illegal. President Trump was later quoted as saying that Republicans were “entitled to five more seats” in Texas.¹

The Texas Constitution (Article III, Section 40), limits special sessions to 30 days, meaning that the session that began on July 21 could not extend beyond this week. According to news reports, dozens of Democratic legislators left the state to deny the Texas House a quorum, stalling the redistricting effort. The special session was adjourned sine die on August 15 without a new congressional map being adopted, but Governor Abbott immediately called a second special session to begin later the same day. Earlier in the week, Governor Abbott announced that if the special session ended without a quorum, he would “continue to call special session after special session” until the agenda for the special session is enacted.²

Following Texas’ push for mid-decade redistricting, press reports suggest that leaders in several other states are considering mid-decade congressional redistricting in time for the 2026 elections, including California, Florida, Illinois, Indiana, Maryland, Missouri, Nebraska, and South Carolina.

- 5) **Support and Opposition:** At the time this analysis was prepared, the committee had not received position letters specifically addressing this measure. However, the committee has received significant public input through a Redistricting Public Comment portal that was made available on the Committee’s website on August 13, 2025. As of 8:00 AM on August 18, 2025, the committee has received more than 13,100 comments through the portal. Many of these submissions cannot be clearly categorized as either supportive of or opposed to the effort to provide new congressional district maps for elections if this measure is approved by voters and other states voluntarily put a new congressional map into effect.

The arguments summarized below reflect public comments that generally expressed support for, or opposition to, the proposal for California to use new congressional district maps for elections through 2030 if Texas, Florida, or other states voluntarily implement new congressional maps. The positions of organizations and individuals to that proposal generally, however, may not necessarily be the same as their positions on this specific measure, or on other related legislation identified below. For that reason, this analysis refers

¹ <https://www.politico.com/news/2025/08/05/trump-texas-redistricting-00493624>, visited 8/13/25.

² <https://gov.texas.gov/news/post/governor-abbott-statement-on-texas-legislature-plan-to-sine-die>, visited 8/13/25.

to those perspectives as arguments for or against the broader “Congressional Redistricting Proposal.”

- a) **Arguments in Support of Congressional Redistricting Proposal:** Organizations and individuals that have submitted public comment in support argue that it is a necessary response to efforts by President Trump, Texas Republicans, and other Republican-led states to redraw congressional maps mid-decade for partisan advantage. They contend that these moves are designed to rig the outcome of the 2026 midterm elections, regardless of how people actually vote, and pose an existential threat to American democracy.

Backers also emphasize that California voters—not politicians—would ultimately decide whether to approve the proposed new congressional districts. Furthermore, those maps would take effect only if one or more other states voluntarily engages in mid-decade redistricting.

Finally, many supporters stress their strong commitment to the CRC and to expanding independent redistricting commissions nationwide. They view this proposal as a temporary safeguard, and support it because it preserves the CRC’s role in future redistricting efforts.

The following organizations have submitted public comment in support of the congressional redistricting proposal: AAPI Equity Alliance, Alliance for a Better Community, Altadena Chamber of Commerce, Arab Resource & Organizing Center Action, California Donor Table, Democracy Strategy Partners, Democratic Party of Orange County, Democratic Party of San Fernando Valley, Little Manila Rising, Los Angeles County Young Democrats, Outdoor Outreach, Planned Parenthood Affiliates of California, San Francisco Democratic Party, SEIU California, The Unity Council, TruEvolution, Voices for Progress, and WDN Action.

Based on submissions that have been reviewed and categorized by committee staff, thousands of public comments have been submitted by individuals in support of the congressional redistricting proposal.

- b) **Arguments in Opposition to Congressional Redistricting Proposal:** Organizations and individuals that have submitted public comment in opposition warn that overriding the work of the CRC would set a dangerous precedent and weaken California’s commitment to independent redistricting. They stress that political gerrymandering erodes democracy, even when done in response to partisan moves in other states.

Opponents also raise concerns about the financial burden of a special election, arguing it would strain an already challenged state budget. Many argue that Republicans are already underrepresented in California’s congressional delegation compared to the Party’s share of the statewide vote. Others indicate that they feel disenfranchised and unrepresented under our current system, and believe that this proposal would exacerbate those issues.

Finally, critics point out that the proposed maps were released only recently, leaving little time for meaningful public review, analysis, or input on the new district lines before consideration by the Legislature.

The League of Women Voters of California submitted public comment in opposition to the proposal to provide new congressional district maps for elections. Additionally, in late July, prior to the announcement of more details about the congressional redistricting proposal, the following organizations submitted a letter in opposition to an effort that would “dismantle California’s Independent Citizens Redistricting Commission and return control over congressional maps to elected officials”: California Business Roundtable, California Consumer Advocates for Affordability and Safety, California Hispanic Chamber of Commerce, California Manufacturers and Technology Association, Govern for California, Greater San Fernando Valley Chamber of Commerce, Independent Voter Education, Independent Voter Project, NFIB, Protect the Voters FIRST Act, Simi Valley Chamber of Commerce, The Two Hundred for Homeownership, and United Latinos Action.

Based on submissions that have been reviewed and categorized by committee staff, thousands of public comments have been submitted by individuals in opposition to the congressional redistricting proposal.

- 6) **Related Legislation:** SB 280 (Cervantes and Pellerin), which is also being heard in this committee today, calls a special statewide election to be held on November 4, 2025, provides for the administration of that election, and provides for this constitutional amendment to be submitted to voters at that election, among other provisions.

AB 604 (Aguiar-Curry and Lena Gonzalez), which is pending in the Senate Elections & Constitutional Amendments Committee, and which this committee is discussing as an informational item at today’s hearing, specifies the boundaries for California’s congressional districts that will take effect if the voters approve this measure and if another state voluntarily engages in mid-decade congressional redistricting, as specified.

- 7) **Approval by Voters:** As a constitutional amendment, this measure requires the approval of the voters to take effect.

REGISTERED SUPPORT / OPPOSITION:

See comment #5 above for an explanation about support for and opposition to this measure.

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