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**SENATE COMMITTEE ON  
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**  
Senator Sabrina Cervantes, Chair  
2025 - 2026 Regular

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<b>Bill No:</b>	ACA 8	<b>Hearing Date:</b>	8/19/25
<b>Author:</b>	Rivas and McGuire		
<b>Version:</b>	8/18/25		
<b>Urgency:</b>		<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Carrie Cornwell		

**Subject:** Congressional redistricting.

**DIGEST**

This proposed constitutional amendment would, if approved by the voters, implement new congressional districts pursuant to AB 604 (Aguiar-Curry and Gonzalez) that could take effect as soon as the 2026 elections, if Texas or another state redistricts its congressional seats absent a federal court order to do so. These districts would remain in force until the 2032 election.

**ANALYSIS**

Existing law contained in Article XXI of the California Constitution:

- 1) Requires that in the year following the year in which a national census is taken under the direction of Congress at the start of a decade, the Citizens Redistricting Commission (CRC) adjusts the lines of congressional, State Senatorial, Assembly and Board of Equalization districts, pursuant to specified standards and procedures.
- 2) Creates the CRC in each year ending in the number zero to consist of 14 members, five who are registered with the largest political party in the state; five who are registered with the second largest political party in the state; four who are not registered to either of those parties.
- 3) Specifies that the CRC shall create single-member districts that comply with the U.S. Constitution and the federal Voting Rights Act, among other requirements.
- 4) Requires the CRC to issue both map of districts and a report explaining how the maps comply with the constitutional requirements for districts.
- 5) Places original and exclusive jurisdiction for legal challenges to a map with the California Supreme Court.

This measure asks the people of the State of California to amend Article XXI of the California Constitution to:

- 1) State the policy of the State of California to support the use of fair, nonpartisan redistricting commissions nationwide and also calls on the Congress of the United States to pass federal legislation and to propose an amendment of the United States

Constitution to require the use of fair, nonpartisan, and independent redistricting commissions nationwide.

- 2) Adopt the maps for congressional districts described in AB 604 (Aguiar-Curry and Gonzalez) to temporarily be used for every congressional election for a term of office commencing on or after the date this measure becomes operative and prior to the operative date of new congressional boundary lines drawn by the CRC following the 2030 national census.
- 3) Make this provision on the constitution operative only if Texas, Florida, or another state adopts a new congressional district map after August 1, 2025, and prior to January 1, 2031, and such redistricting is not required by a federal court order. A mid-decade congressional redistricting in the State of Ohio will only trigger this measure to take effect if that redistricting creates new congressional districts pursuant to a specified partisan process prescribed in the Ohio State Constitution.
- 4) Give the California Attorney General sole legal standing to defend any action regarding a congressional district map adopted pursuant to its provisions.
- 5) Retain with the California Supreme Court original and exclusive jurisdiction for all proceedings in which a congressional map adopted under this measure is challenged.
- 6) Make clear that the CRC shall continue to adjust the boundary lines of the congressional, State Senatorial, Assembly, and Board of Equalization districts pursuant to its existing standards and processes in 2031, for first use in the 2032 election, and every 10 years thereafter.
- 7) Make the provisions of this measure severable.

### **BACKGROUND**

Prior to 2011, Article XXI of the California Constitution gave the California Legislature the power to establish district maps for congressional and state offices once every ten years following a U.S. Census.

In November 2008, the voters passed Proposition 11, which amended Article XXI to the California Constitution to create an independent redistricting commission, the CRC, to redistrict State Senatorial, Assembly, and Board of Equalization districts every ten years following a U.S. Census. In November 2010, Proposition 20 passed and added establishing congressional district maps to the duties of the CRC.

The CRC created congressional, State Senatorial, Assembly, and Board of Equalization districts for the first time in 2011 and then again in 2021.

### **COMMENTS**

- 1) Author's Statement. 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. This measure is that response.

This measure, 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 gerrymander its congressional districts before the 2030 census. With the next census, this measure would return all congressional district line drawing powers back to the Citizens Redistricting Commission. Importantly, this measure 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 this proposed constitutional amendment, 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) Effective Date. This proposed constitutional amendment would appear on the ballot as Proposition 50 at a special election called by SB 280 (Cervantes and Pellerin) for November 4, 2025. Should this measure pass at that election, the new maps for congressional districts contained in AB 604 would only be used if another state puts into use its own new congressional districts that are not required by a court order or a specific partisan process in Ohio. Thus, California's new congressional district maps could be triggered any time between now and the 2030 election.
- 3) Support and Opposition. Communications of support and opposition received relate to mid-decade redistricting in general, and not to a specific measure within this legislative package. Supporters in general assert that this legislation is a needed response to the actions others states, specifically Texas, are taking at the urging of President Trump. They also point out that this legislation asks the voters of the state to decide on whether to approve new congressional districts, rather than politicians making the decision. Supporters further note that the legislation reaffirms California's support of independent redistricting commissions both here and nationwide.

Opponents' concerns center on the financial burden of the special election, the short timeframe for public comment on this legislative package, and that California's congressional delegation already includes relatively few Republican members. The League of Women Voters of California (LWV) notes that it stands "entirely apart from political parties on mid-cycle redistricting and squarely in the fight against President Trump's authoritarian and dangerous policies that threaten the civil rights and liberties of all Americans." The LWV here and in other states, however, opposes all attempts to gerrymander congressional lines on a partisan basis.

**RELATED/PRIOR LEGISLATION**

AB 604 (Aguiar-Curry and Gonzalez) contains the legal descriptions of California congressional districts that would be adopted pursuant to this proposed constitutional amendment.

SB 280 (Cervantes and Pellerin) calls a special election for November 4, 2025, requires the Secretary of State to submit ACA 8 to the voters at that election as Proposition 50, and provides for the conduct of that election.

**POSITIONS**

Please see comment #3 for more details about support and opposition.

**Support:** AAPI Equity Alliance  
AFSCME California  
Alliance for a Better Community  
Altadena Chamber of Commerce  
Arab Resource & Organizing Center Action  
Asian American Drug Abuse Program  
Battleground California  
CA Church IMPACT  
CAUSE Action Fund  
California Donor Table  
California Federation of Labor Unions, AFL-CIO  
California Professional Firefighters  
California Teachers Association  
Central Valley Immigrant Integration Collaborative  
Climate Action Campaign  
Democracy Strategy Partners  
Democratic Party of Orange County  
Democratic Party of San Fernando Valley  
Indivisible California: StateStrong (CASS)  
Little Manila Rising  
Los Angeles County Young Democrats  
Outdoor Outreach  
Planned Parenthood Affiliates of California  
Reproductive Freedom for All California  
San Francisco Democratic Party  
SEIU California  
TruEvolution  
UDW/AFSCME Local 3930  
United Way Santa Cruz County  
The Unity Council  
Voices for Progress  
WDN Action  
Women's March Foundation  
Thousands of individuals

**Oppose:** 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  
United Latinos Action  
Unity Party of California  
Thousands of individuals

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