

ASSEMBLY THIRD READING

ATR Bill Id:ACA 8 Author:(Rivas and McGuire)

As Amended Ver:August 18, 2025

2/3 vote

SUMMARY

Provides for the temporary 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.

Major Provisions

- 1) States the policy of the state 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.
- 2) Requires the single-member districts for Congress reflected in AB 604 (Aguiar-Curry and Lena Gonzalez) of the current legislative session 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.
- 3) 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.
- 4) 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.

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 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.

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. Aside from court-ordered redistricting efforts in response to such challenges, 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.

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.

As a constitutional amendment, this measure requires the approval of the voters to take effect.

Please see the policy committee analysis for a full discussion of this 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."

Arguments in Support

In support of this measure, a coalition of groups including SEIU California wrote:

"The threats coming out of Texas are clear: gerrymandered districts designed to lock in one-party control and marginalize the very communities—Black, Latino, Asian American, Indigenous, young, and urban voters—that have powered the state's growth. These actions are not just attacks on Texans. They are an attack on all Americans who believe in fair elections and equal representation. If states like Texas redraw their maps with the explicit goal of rigging national outcomes, then the rest of the country cannot simply stand by and do nothing—especially not California. We live in a national democracy. Every congressional district affects the laws we all live under, the courts we are governed by, and the rights we are guaranteed...California must be prepared to act—not in retaliation, but in defense. Allowing California to redraw congressional lines may become necessary to protect the broader democratic equilibrium. This is not about replicating bad behavior—it is about responding to a broken system with the seriousness it demands...If we believe in equal representation, then we cannot allow a handful of states, under the direction of authoritarian-aligned leaders, to tip the scales unchecked."

Arguments in Opposition

In opposition to this measure, California Business Roundtable and CalTax wrote:

"California should lead the nation by continuing to defend voter-enacted reforms that created a fair, transparent, citizen-led redistricting. For more than a decade, California's independent redistricting system has been the national gold standard. Created by voters through Proposition 11 in 2008, expanded through Proposition 20 in 2010, and protected against repeal through the defeat of Proposition 27 that same year, our model has been tested at the ballot box multiple times—and each time, voters have chosen non-partisan citizen-led fairness over partisan and self-interested politics...Any changes to voter-enacted constitutional provisions must undergo rigorous analysis, transparent vetting, and a genuine public-participation process. Yet ACA 8, AB 604, and SB 280 were made public only hours ago and [had] their first hearings set for 9:30 a.m. on Tuesday, August 19—less than 24 hours later...This is not a robust public discussion and silences the views of countless constituents who are directly impacted by these new maps. To label this timeline or process robust and with meaningful public input is to deny voters the deliberation and participation they are owed. Rushing a constitutional change is incompatible with responsible governance."

FISCAL COMMENTS

- 1) One-time costs in the high hundreds of thousands of dollars to the Secretary of State (SOS) for printing and mailing expenses associated with including this measure in the Voter Information Guide for the November 4, 2025, special election (General Fund (GF)). The SOS

estimates such expenses to be approximately \$123,000 per page. Actual costs related to this measure will depend on the length of the title and summary, analysis by the Legislative Analyst's Office, proponent and opponent arguments, and text of the proposal for publication in the Voter Information Guide. SB 280 (Cervantes), of the 2025-26 Legislative Session, appropriates funds to the SOS for the actual and reasonably necessary costs to administer the special election.

- 2) Possible cost pressures of an unknown amount to the AG to defend an action related to the maps, and to the California Supreme Court to hear such proceedings (GF or special fund).

VOTES

ASM ELECTIONS: 5-2-0

YES: Pellerin, Bennett, Berman, Solache, Stefani

NO: Macedo, Tangipa

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

NO: Dixon, Jeff Gonzalez, Ta, Tangipa

ASM ELECTIONS: Vote not relevant

YES:

NO:

ABS, ABST OR NV:

UPDATED

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