Date of Hearing: July 1, 2026

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
SB 1164 (Cervantes) – As Amended June 24, 2026

SENATE VOTE: 29-9

SUBJECT: Elections.

SUMMARY: Replaces the California Voting Rights Act of 2001 (CVRA), which prohibits at-large election methods that impair voting rights, with a new state voting rights act that seeks to protect voters from voter suppression and vote dilution. Requires local government agencies that violate specified laws related to voting rights to receive preapproval from the Attorney General (AG) before implementing certain changes to election practices for a 10-year period. Specifically, **this bill**:

1) Provides for the purpose of this bill that the term "protected class" means any group of individuals who are members of any race, color, or language-minority group, including two or more such groups, as specified.

2) Prohibits a political subdivision or state agency from implementing an election policy or practice that results in, or is likely to result in, voter suppression.

    a) Provides that a violation of this provision is established if any of the following is present:

        i) A material disparity affecting protected class members in voter participation, access to voting opportunities, or the opportunity or ability to participate in any stage of the political process, because of the policy or practice.

        ii) Based on the totality of the circumstances, an impairment of the equal opportunity or ability of protected class members to participate in any stage of the political process.

        iii) An eligible voter faces an undue burden on participating in the political process because of their incarceration or prior criminal conviction.

    b) Provides that a violation of this provision does not exist where the subdivision or agency demonstrates both of the following by clear and convincing evidence:

        i) The election policy or practice is necessary to significantly further a compelling and particularized governmental interest.

        ii) No reasonable alternative election policy or practice exists that comparably furthers the governmental interest and results in a smaller disparity between protected class members and other members of the electorate.

3) Prohibits a political subdivision from employing a method of election that has the effect, or will likely have the effect, of diluting the vote of members of a protected class of voters. Provides that vote dilution is established if another method of election or a change to the

existing method of election exists that could be constitutionally adopted or ordered to mitigate the impairment, and either of the following conditions exist:

a) Elections in the political subdivision exhibit racially polarized voting resulting in an impairment of the equal opportunity or ability of protected class members to nominate or elect candidates of their choice.

b) Based on the totality of circumstances, the equal opportunity or ability of protected class members to nominate or elect candidates of their choice is impaired.

4) Establishes guidelines and rules for evaluating voter suppression and vote dilution claims.

   a) Provides that specified factors may be relevant in evaluating a claim, including any history of discrimination against members of the protected class and historical disparities in political and voting participation and electoral success by members of the protected class.

   b) Provides that any ongoing civil litigation filed before this bill becomes effective is governed by the legal standards in the existing CVRA for the purpose of establishing liability.

5) Requires laws, regulations, ordinances, and similar policies related to voting to be construed by state courts liberally in favor of the right to vote in actions brought pursuant to this bill related to voter suppression or vote dilution.

6) Permits an action to cure a violation of this bill related to voter suppression or vote dilution to be brought by any individual or entity aggrieved by the violation or by the AG.

   a) Requires a party other than the AG, before bringing an action against a political subdivision under this bill, to send a notice to the subdivision explaining how its election policies or procedures, or method of election, may violate this bill. Requires the letter to propose a remedy to address the violation and prohibits the party from filing an action within 45 days after sending the notice. Provides that this pre-litigation notice requirement does not apply in the following circumstances:

      i) Where the party is seeking a preliminary injunction for an upcoming election.

      ii) Where another party has already submitted a notice alleging a similar violation and that party is eligible to file an action.

      iii) Where the prospect of obtaining relief from the political subdivision without litigation would be futile.

   b) Provides that actions brought under this bill are subject to expedited proceedings in court and receive automatic calendar preference. Permits a court to order any appropriate relief tailored to remedy a violation of this bill, including remedies not otherwise allowed under existing state law. Requires any such remedy to be implemented promptly, including in

the next relevant election wherever possible.

c) Allows a successful plaintiff in a case to recover all reasonable costs and fees, including attorney's fees, from a defendant. Prohibits a successful defendant from being awarded fees or costs except where the court finds the action to be frivolous, unreasonable, or without foundation.

d) Provides all the following, in the situation where a political subdivision changes or seeks to change an election policy or procedure or method of election in response to a notice letter, and prior to litigation being filed:

i) Limits the amount of reasonable costs and fees that a prospective plaintiff may recover to $25,000 for attorney's fees and associated costs, and $50,000 for external expenses such as expert or consultant fees.

ii) Permits the political subdivision to obtain court approval to implement a remedy that it otherwise lacks authority to implement if that remedy is responsive to the notice letter.

iii) Requires a political subdivision that is changing its method of election in response to a notice letter alleging vote dilution to develop a voter education and outreach plan related to the change for at least the first two election cycles after the change.

e) Specifies that this bill does not create a cause of action related to state redistricting nor does it affect state constitutional provisions related to legislative deliberations.

7) Requires a political subdivision to receive preapproval from the AG before changing its method of election, annexing or de-annexing territory, or reducing language assistance, if the subdivision was found liable in the previous 10 years for violating this bill or specified federal laws and constitutional provisions related to the right to vote for protected class members.

a) Permits the AG to grant approval for a covered change only if it will not diminish the ability of protected class members to participate in the political process or elect candidates of its choice.

b) Requires the AG to create a process and a timeline for political subdivisions subject to the preapproval requirement to submit requests for preapproval, including at a minimum, procedures for public comment and transparency.

c) Requires the AG to determine annually which political subdivisions are subject to preapproval requirements, and to post a list of those subdivisions on its website. Specifies that any denial of preapproval may be appealed only by the political subdivision within 30 days of the denial.

8) Prohibits a political subdivision that changes its method of election under this bill or the existing CVRA from reverting to the method of election it previously used without first

obtaining a court order certifying that the reversion will not harm the electoral opportunities of the protected class of voters that was the subject of the potential violation motivating the prior change.

9) Requires the Secretary of State (SOS) to test and certify voting systems that can be used in the state to conduct an election using a method of election adopted to remedy a violation of this bill. Requires the SOS to test and certify voting systems by the end of 2018 for use with a method of election adopted to remedy a violation of this bill if that election method has been used in a public election in the state, or if the federal Election Assistance Commission (EAC) has certified a system that is capable of conducting an election using that method.

10) Requires a body engaged in local redistricting to comply with the requirements of this bill when adopting new district boundaries. Prohibits a body that is adopting district boundaries for nonpartisan offices from using party affiliation data when redistricting or from relying on partisan advantage or political ideology when defending district boundaries in a legal challenge.

EXISTING LAW:

1) Prohibits, pursuant to Section 2 of the federal Voting Rights Act of 1965 (VRA), voting practices or procedures that deny or abridge the right of a United States (US) citizen to vote on the basis of race, color, or membership in a language minority group. Provides that a violation of this provision is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of the protected class of citizens in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. (52 U.S.C. Section 10301)

2) Prohibits, pursuant to the CVRA, an at-large method of election from being imposed or applied in a political subdivision in a manner that impairs the ability of a protected class of voters to elect the candidate of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgement of the rights of voters who are members of a protected class. Requires a court, upon finding a violation of the CVRA, to implement appropriate remedies, including the imposition of district-based elections, which are tailored to remedy the violation. (Elections Code §§14025-14032)

3) Requires a potential plaintiff, before commencing an action to enforce the CVRA, to send a written notice to the political subdivision against which the action would be brought. Prohibits the plaintiff from commencing an action to enforce the CVRA during the 45-day period after sending that notice. Permits the political subdivision, during that 45-day period, to pass a resolution outlining its intention to transition from at-large to district-based elections, and prohibits the plaintiff from commencing an action to enforce the CVRA against the political subdivision within 90 days of the passage of that resolution. Allows the political subdivision and prospective plaintiff to extend that no-litigation period for up to an additional 90 days in order to provide additional time to conduct public outreach, encourage public participation, and receive public input, as specified. (Elections Code §10010(e))

4) Requires a political subdivision that adopts an ordinance transitioning from an at-large to a district-based election system in response to a written notice from a prospective plaintiff to reimburse the prospective plaintiff for the cost of the work product generated to support the notice. Caps the required reimbursement at $30,000, as adjusted for inflation (as currently adjusted for inflation, the cap is approximately $41,000). (Elections Code §10010(f))

FISCAL EFFECT: Unknown. State-mandated local program; contains reimbursement direction.

COMMENTS:

1) **Purpose of the Bill**: According to the author:

> Under the stewardship of Chief Justice John Roberts, the Supreme Court of the United States has gradually chipped away at the federal Voting Rights Act of 1965 over the last two decades, culminating with its recent horrific decision in Louisiana v. Callais. Because the California Voting Rights Act of 2021 only prohibits discriminatory at-large election systems, California law is now inadequate to provide the voting rights safeguards that have protected Californian voters for generations. The California Voting Rights Act of 2026 will enshrine many of the provisions prohibiting vote dilution, voter suppression, and other forms of voter discrimination that once existed in the federal VRA into state law. This bill will also ensure that California continues to lead on voting rights by providing the California Attorney General and individual California voters with improved means to enforce state elections laws.

2) **California Voting Rights Act of 2001**: SB 976 (Polanco), Chapter 129, Statutes of 2002, enacted the CVRA to address racially polarized voting in at-large elections for local office in California. In areas where racial block voting occurs, at-large election systems can dilute the voting strength of minority communities when the majority typically supports candidates that differ from those preferred by minority communities. In such situations, dividing a jurisdiction into districts can result in districts in which minority communities can elect candidates of their choice or otherwise influence election outcomes.

   At the time the CVRA was enacted, legal challenges to at-large election systems that diluted the voting strength of protected classes of voters generally were brought under Section 2 of the VRA. In *Thornburg v. Gingles* (1986) 478 U.S. 30, the US Supreme Court established three preconditions that plaintiffs must satisfy to prove that an election system diluted the voting strength of a protected minority group, in violation of Section 2 of the VRA:

   a) The minority community was sufficiently concentrated geographically that it was possible to create a district in which the minority could elect its own candidate;

   b) The minority community was politically cohesive, in that minority voters usually supported minority candidates; and,

c) There was racially polarized voting among the majority community, which usually (but not necessarily always), voted for majority candidates rather than for minority candidates.

To prevail under Section 2 of the VRA, plaintiffs must establish all three *Gingles* preconditions. The CVRA, however, was specifically designed to eliminate the requirement that plaintiffs demonstrate a minority community is geographically concentrated in order to challenge an at-large election system successfully.

The first lawsuit brought under the CVRA was filed in 2004 against the City of Modesto. The city challenged the constitutionality of the law and ultimately appealed the case to the US Supreme Court, which declined to hear the appeal in October 2007. This period of legal uncertainty may have limited the law's impact during its first several years.

Following the resolution of the Modesto litigation, however, the CVRA prompted widespread changes to local election systems throughout California. Since then, hundreds of local government jurisdictions have transitioned from at-large elections to district-based elections. While some jurisdictions made these changes in response to litigation or threats of litigation, others acted proactively because they believed their election systems could be vulnerable to a CVRA challenge and sought to avoid the potential costs of defending a lawsuit.

3) **Erosion of the Federal Voting Rights Act**: The 15th Amendment to the US Constitution provides, in part, that "[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude." The amendment also grants Congress the authority to enact legislation to enforce its provisions. The 15th Amendment was ratified in February 1870.

Nearly a century later, Congress concluded that many states and local governments were failing to comply with the amendment's guarantees. Congressional hearings found that litigation alone had been largely ineffective in eliminating discriminatory voting practices because jurisdictions often replaced invalidated practices with new discriminatory measures. In response, Congress enacted the VRA, which was signed into law by President Lyndon B. Johnson.

As subsequently amended, the VRA contains numerous provisions designed to protect voting rights. Most notably, Section 2 prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in a language minority group. Section 4 established a coverage formula to identify jurisdictions with a history of voting discrimination, while Section 5 required those jurisdictions to obtain approval from either the US Department of Justice or the US District Court for the District of Columbia before implementing changes affecting voting. This approval process—commonly known as "preclearance"—was intended to ensure that proposed changes did not have the purpose or effect of denying or abridging the right to vote on account of race or color.

On June 25, 2013, the US Supreme Court issued its decision in *Shelby County v. Holder* (2013) 570 U.S. 529. The Court held that the coverage formula contained in Section 4 of the VRA was unconstitutional and therefore could no longer be used to determine which

jurisdictions were subject to Section 5 preclearance requirements. The Court reasoned that, although the formula was justified when enacted, it no longer reflected current conditions. The Court did not invalidate Section 5 itself; however, without a valid coverage formula, no jurisdiction remains subject to Section 5 preclearance unless Congress adopts a new formula. Congress has not done so.

The *Shelby County* decision significantly reduced the federal government's ability to prevent potentially discriminatory voting changes before they take effect. More recently, another US Supreme Court decision has raised additional questions regarding the scope of protections available under the VRA.

Specifically, in April of this year, the US Supreme Court ruled in *Louisiana v. Callais* (*Callais*) that a Louisiana congressional district map that included two majority-minority districts among the state's six congressional districts was unconstitutional. While upholding the constitutionality of Section 2 of the VRA, the majority opinion of the court also "update[d] the *Gingles* framework" to establish additional criteria for evaluating claims under Section 2, including a requirement that plaintiffs in a Section 2 case demonstrate that a challenged district map was the result of intentional racial discrimination. A dissenting opinion in the case concluded that those changes "render[] Section 2 all but a dead letter."

4) **A Broader California Voting Rights Act**: In light of recent court decisions that have weakened protections under the VRA, supporters of this bill argue that California law should be updated to fill gaps in federal protections by providing broader safeguards against both vote dilution and voter suppression.

   The existing CVRA addresses vote dilution, but only in the context of at-large election systems. As a result, district-based election systems in which district boundaries are drawn in a manner that diminishes the ability of a protected class of voters to elect candidates of choice or influence election outcomes generally cannot be challenged under the current CVRA. This bill would expand the law to permit such challenges. In addition, the bill would create a new cause of action allowing affected voters to challenge election policies or practices that result in voter suppression, including practices unrelated to district boundaries, such as the placement of voting locations or the timing of elections.

   These changes would significantly expand the scope of the CVRA. Under existing law, a local jurisdiction's adoption of district-based elections generally serves as a complete defense to a CVRA claim. Moreover, although courts have authority to impose remedies other than district-based elections in appropriate cases, the adoption of district elections has been by far the most common response to CVRA challenges. In practice, relatively few CVRA claims have proceeded to trial; most jurisdictions that have modified their election systems in response to the CVRA have done so before litigation was filed, often in response to a demand letter or threat of legal action.

   By contrast, this bill would authorize challenges to virtually any election method, policy, or practice used by political subdivisions and would grant courts broad authority to fashion remedies tailored to address identified violations. Those remedies could include measures that are not currently authorized by state law. For example, although California law does not

presently provide a framework for conducting elections using proportional representation systems—and most local governments lack authority to adopt such systems independently—the bill expressly contemplates the possibility that a court could order the use of a "share-based" election method, such as proportional representation. Similarly, the bill contemplates that a court could order changes to the size of a local governing body, including, in some circumstances, requiring a governing body to exceed the size otherwise permitted by state law. (The bill does require any such increase in the size of a governing body to be "reasonable," and restricts the ability of a court to order a change in the size of a county's board of supervisors.)

This flexibility could enable courts to develop remedies that more effectively address vote dilution and voter suppression. At the same time, the breadth of the bill's remedial authority makes it difficult to assess all potential effects on election administration and local governance. Although the bill includes provisions intended to address some of those concerns, the wide range of potential remedies makes it impossible to anticipate every consequence or develop safeguards for all possible scenarios. In addition, allowing courts to implement election methods or governance structures that are not currently authorized by state law could reduce the Legislature's opportunity to evaluate and balance the policy considerations associated with those changes before they are implemented in public elections.

The bill also strengthens the CVRA by establishing a preapproval requirement for certain jurisdictions that have violated specified voting-rights laws. Under the bill, a local government agency found to have committed such violations would be required to obtain approval from the AG for certain election-related changes for a period of ten years. This process is modeled on the preclearance system that previously applied to certain jurisdictions under Section 5 of the VRA, as discussed above.

5) **Alternative Election Methods and Voting System Certification**: California law requires all voting systems to be certified by the SOS before being used in elections held in the state. In accordance with SB 360 (Padilla), Chapter 602, Statutes of 2013, California develops its own voting system standards and conducts its own testing to determine whether systems meet those standards.

   A key purpose of the certification process is to ensure that voting systems are capable of administering elections in accordance with state law. Accordingly, certification includes functional testing to verify that a system can accurately conduct elections using the methods and procedures authorized in California. In general, however, the testing process does not evaluate a system's ability to administer election methods that are not currently permitted or used in the state.

   As discussed above, this bill would authorize courts to impose remedies that could include election methods not authorized under California law and not currently used in California elections. If such an election method has never been implemented in the state, it is unlikely that any voting system has been tested or certified by the SOS for use with that method.

   To address this issue, the bill requires the SOS, by the end of 2028, to test and certify voting

systems for any election method for which a voting system has been certified by the federal EAC as capable of administering that method. Whether this requirement is operationally feasible remains unclear, however, and it raises several policy considerations that warrant careful review.

For example, California's voting system certification process is generally vendor-driven. Voting system vendors seeking to market their products in California typically initiate the certification process by submitting an application to the SOS. The SOS does not ordinarily identify and evaluate voting systems on its own initiative. Moreover, because certification requires extensive examination of a system's hardware, software, and source code, it is not clear that the SOS could conduct a meaningful review without the cooperation of the vendor. Under the current process, applicants are also generally responsible for covering the costs associated with testing and certification. It is therefore uncertain whether vendors would be willing to incur those costs solely because a future CVRA case might result in a court ordering the use of an election method that is not currently authorized or used in California.

The bill's language could also be interpreted to require the SOS to approve a voting system for use in California if that system has been certified by the EAC, even if it does not satisfy California's own voting system standards. Such an outcome would be inconsistent with the policy direction established by SB 360. In enacting that measure, California intentionally separated its certification process from the federal system in part because of concerns that the EAC was not updating voting system standards quickly enough to keep pace with technological developments. More recent concerns regarding the EAC's political independence have led California to further isolate its voting system certification process from federal voting system reviews that are led by the EAC.

Given these considerations, it is unclear whether the bill's approach to ensuring the availability of voting systems capable of administering alternative election methods can be implemented effectively without creating significant practical challenges or undermining longstanding state policies governing voting system certification.

6) **Pre-Litigation Notice Timelines**: Like the existing CVRA, this bill generally requires a prospective private plaintiff to provide a jurisdiction with notice before filing a lawsuit alleging vote dilution or voter suppression. With limited exceptions, a plaintiff may not initiate litigation until at least 45 days after providing that notice. This pre-litigation process is intended to give jurisdictions an opportunity to review and address potentially problematic election methods, policies, or practices before litigation becomes necessary.

   Under existing law, a jurisdiction that receives a CVRA notice may adopt a resolution expressing its intent to transition from at-large elections to district-based elections. If it does so, the prospective plaintiff is prohibited from filing a CVRA action for 90 days following adoption of the resolution. The jurisdiction and the prospective plaintiff may also agree to extend that period for an additional 90 days. This extended timeline is intended to provide sufficient time for the jurisdiction to conduct the public outreach and deliberative processes necessary to develop and adopt district boundaries.

This bill preserves that 90-day safe-harbor period for claims alleging vote dilution. However, it does not establish a comparable process for claims alleging voter suppression. As a result, a jurisdiction that receives a notice asserting that one of its election policies or practices results in voter suppression could be subject to litigation as little as 45 days later, even if the jurisdiction is actively considering or implementing changes to address the concerns raised in the notice.

Whether 45 days provides sufficient time for a local jurisdiction to evaluate the allegations, engage the public, and make potentially significant changes to election policies or practices is unclear. Unlike the process for transitioning to district-based elections, the bill does not provide an extended period during which jurisdictions can attempt to resolve voter-suppression claims before litigation may proceed.

7) **Court Relief and Upcoming Elections**: This bill generally provides that, if a court finds that a jurisdiction has engaged in vote dilution or voter suppression, any remedy ordered by the court should be implemented in the next relevant election whenever possible. By contrast, existing law governing pre-election litigation generally provides that relief may be granted for an upcoming election only when doing so "will not substantially interfere with the conduct of the election."

   In California, most local elections are not conducted as standalone elections. Instead, they are typically consolidated with federal, state, and other local elections and are administered simultaneously. As a result, court orders issued shortly before an election that affect a single jurisdiction may have broader operational consequences, potentially disrupting election preparations for multiple jurisdictions participating in the same consolidated election.

   Given these considerations, the author may wish to consider amendments that align the bill with existing law by providing that relief affecting an upcoming election may be ordered only if the court determines that implementation of the remedy will not substantially interfere with the conduct of that election. Such an approach could help ensure that courts retain the ability to remedy violations while minimizing the risk of disruption to election administration.

8) **Arguments in Support**: The sponsor of this bill—the California Democracy Partnership, a coalition of labor, civil rights, and community-based organizations, writes:

   > More than two decades ago, California enacted the first state-level voting rights act, the California Voting Rights Act of 2001 (CVRA of 2001) to address the persistent harms caused by at-large election systems that weaken or drown out people's voices based on race. The law has transformed democracy across California: more than 600 local governments have abandoned at-large elections, many in response to claims of vote dilution. The CVRA of 2001, however, is limited in scope. It addresses only at-large elections and provides no relief against dilutive district maps or other suppressive and discriminatory voting practices…
   >
   > Voting rights are under active attack at the federal level: in court; in Congress; by Executive Orders; and through the weaponization of the U.S. Department of

Justice, which has historically been a bulwark against discrimination but is now a direct threat to voters of color. Indeed, over the past 15 years the U.S. Supreme Court has eviscerated the federal VRA's core protections. This past April, in *Louisiana v. Callais*, the Court delivered perhaps the most devastating blow to the federal VRA yet, undercutting voters' ability to successfully challenge discriminatory election systems and district maps under that landmark law.

The challenges California faces are not limited to federal attacks. Despite its progressive reputation, other conditions that foster voting discrimination persist in California: unfair district maps that weaken the voting power of communities of color, higher numbers of mail ballots rejections for voters of color, and lack of access to voting materials in county jails.

In addition, as election deniers have taken control of some local governments, we have seen increasing efforts to sow chaos in California's elections. In 2023, for example, Shasta County abruptly terminated its contract with Dominion Voting Systems, opting instead to hand-count ballots based on the debunked claim that the 2020 presidential election was stolen. In 2024, the City of Huntington Beach passed a voter ID requirement for its elections, attempting to create unnecessary barriers for eligible voters. And, just this March, Riverside County Sheriff Chad Bianco seized hundreds of thousands of ballots from the 2025 special election based solely on what appears to be a gross misrepresentation of how elections officials process ballots…

Ongoing federal and local threats to voting rights highlight why California must act now to protect all voters, especially voters of color. SB 1164 is a direct response that will prevent voting discrimination, promote fair participation, and expand opportunities for communities of color to have a meaningful opportunity to elect candidates of choice.

9) **Arguments in Opposition**: The League of California Cities (Cal Cities), which submitted a letter to a prior version of this bill with an "oppose unless amended" position, writes:

Cal Cities recognizes the intent of SB 1164 to strengthen protections against voter suppression and vote dilution in response to recent federal court decisions. We share the goal of protecting voting rights and ensuring equitable participation in the democratic process. However, SB 1164 introduces "voter suppression" and "voter dilution" into the CVRA without adequately defining these violations, establishing standards for compliance, and affording cities the opportunities to comply with the law without litigation. This will significantly expand liability for cities shifting resolution of core policy questions into the courts…

Of particular concern, cities that have already complied with the [CVRA] by converting to district-based elections remain fully exposed to new litigation under SB 1164. Many jurisdictions made these changes at significant cost and often at voter direction. Yet those same cities could face repeated challenges and additional redistricting requirements despite prior compliance efforts.

SB 1164 expands liability by subjecting both at-large and district-based jurisdictions and virtually any election-related policy or practice to ongoing challenge. Cities could be required to undertake repeated redistricting efforts within a relatively short timeframe, including both before and after the 2031 census cycle, creating uncertainty and instability in local election administration...

SB 1164 increases litigation exposure while removing important protections that allow cities to reasonably defend against claims. Claims of voter dilution and voter suppression are of particular concern. The bill does not establish standards for these claims and further fails to allow a city to remedy an alleged violation.

The bill broadly expands standing to individuals and organizations, permits actions to be filed outside the affected jurisdiction, and limits the ability of cities to assert traditional legal and procedural defenses…

At the same time, the bill fails to balance the equities thereby changing the threshold for obtaining injunctive relief and maintains fee-shifting provisions that incentivize litigation. Provisions requiring public posting of demand letters may further increase exposure by enabling duplicative lawsuits, even where a city is already working in good faith to address an identified concern…

SB 1164 will result in substantial costs for cities due to expanded litigation exposure, attorneys' fees, expert costs, and ongoing compliance obligations.

Cal Cities supports strong voting rights protections and recognizes the importance of ensuring equitable access to the electoral process. However, SB 1164 replaces an established framework with one that lacks clear compliance standards, expands litigation exposure for cities acting in good faith, and creates substantial uncertainty for local election administration.

10) **Previous Legislation**: SB 1365 (Padilla) of 2014 and AB 182 (Alejo) of 2015 both proposed expanding the CVRA to allow challenges to district-based elections. Governor Brown vetoed both bills, arguing in his veto messages that the VRA and CVRA already provided important safeguards to ensure that the voting strength of minority communities was protected.

    AB 280 (Alejo) of 2014 and AB 1301 (Jones-Sawyer) of 2015 would have established a state "preclearance" system under which certain political subdivisions are required to get approval from the SOS before implementing specified policy changes related to elections. AB 280 was held on the Senate Appropriations Committee's suspense file, while AB 1301 was vetoed by Governor Brown. In his veto message, Governor Brown stated that "[w]hile I agree that the impairment of key provisions in the federal Voting Rights Act deserves a national remedy, I am unconvinced that a California-only pre-clearance system is needed."

11) **Double Referral**: This bill was heard in the Assembly Judiciary Committee on June 23, 2026, where it was approved by a 9-3 vote.

This analysis focuses on policy issues within the jurisdiction of the Assembly Elections Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Democracy Partnership (Sponsor)
AAPIs for Civic Empowerment
ACLU California Action
AHRI for Justice
American Association of University Women - California (prior version)
American Civil Liberties Union California Action
American Federation of State, County and Municipal Employees AFL-CIO (prior version)
Asian Law Caucus
Asian Pacific Environmental Network Action
Black American Political Association of California (BAPAC) Sacramento Chapter
Black Women Organized for Political Action (BWOPA) (prior version)
CA Healthy Nail Salon Collaborative
California Black Power Network
California Clean Money Campaign (prior version)
California Common Cause
California Community Foundation (prior version)
California Domestic Workers Coalition (prior version)
California Environmental Voters
California Federation of Labor Unions, AFL-CIO (prior version)
California Immigrant Policy Center
California Native Vote Project
California School Employees Association (prior version)
California State PTA (prior version)
California Teachers Association (prior version)
Californians for Electoral Reform (if amended) (prior version)
Campaign Legal Center
Catalyst California
CFT – A Union of Educators & Classified Professionals, AFT, AFL-CIO
Chinese Progressive Association
City of Albany (prior version)
Coalition for Humane Immigrant Rights (CHIRLA)
Courage California (prior version)
Democrats of Rossmoor (prior version)
Demos (prior version)
Dolores Huerta Foundation (prior version)
Drug Policy Alliance (prior version)
Fairvote Action (prior version)
Hmong Innovating Politics
Indivisible CA StateStrong (prior version)
Inland Empire United

League of Women Voters of California
Legal Defense Fund
MALDEF
National Council of Jewish Women CA (prior version)
Neighborhood Elections Now; California Voting Rights Initiative (prior version)
NextGen California
Partnership for the Advancement of New Americans — PANA
Pilipino Workers Center of Southern California (prior version)
Power California (prior version)
PRC/Black Leadership Council (prior version)
Secure Justice (prior version)
SEIU California
Silicon Valley Community Foundation
Starting Over Inc. (prior version)
Starting Over Strong (prior version)
The Greenlining Institute
UCLA Voting Rights Project
United Domestic Workers/AFSCME Local 3930
Viet Vote SD
Vietrise (prior version)
Voter Equality Association (prior version)
Western Center on Law & Poverty, Inc. (prior version)
Women Lawyers of Sacramento (prior version)
1 individual

Opposition

Association of California Cities - Orange County (ACC-OC) (prior version)
City of Carson (unless amended) (prior version)
League of California Cities (unless amended) (prior version)
3 individuals

Analysis Prepared by: Ethan Jones / ELECTIONS / (916) 319-2094