

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1164 (Cervantes) – As Amended July 2, 2026

Policy Committee:	Judiciary	Vote:	9 - 3
	Elections		6 - 2

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill replaces the California Voting Rights Act of 2001 (CVRA 2001) with a new state voting rights act with broader rules to prevent voter suppression and vote dilution.

Specifically, this bill enacts the California Voting Rights Act of 2026 (CVRA 2026), which:

- 1) Prohibits a political subdivision or state agency from implementing or enforcing an election policy or practice that results in, or is likely to result in, voter suppression.
- 2) 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 protected class members.
- 3) Grants the Attorney General (AG) or an individual or entity aggrieved by voter suppression or dilution, to bring an action for certain relief ordered by the court, subject to expedited pretrial, trial, and appellate proceedings.
- 4) Provides processes and timelines a potential plaintiff must follow to file an action, including sending a notice letter to the political subdivision identifying the potential violation and how the party's proposed remedy would address the violation, and provides procedures the political subdivision must follow in response.
- 5) Prohibits a political subdivision from enacting or administering a new or modified method of election, annexation or deannexation, or reduction in language assistance ("covered practice"), without obtaining preapproval from the Attorney General (AG) if the political subdivision violated certain voting rights laws within the previous 10 years.
- 6) Requires the AG to establish a process and timeline for a political subdivision to submit preapproval requests and publish on the AG's website a list of political subdivisions subject to preapproval requirements and all submitted requests; provides the appeal process for a political subdivision denied preapproval by the AG; and allows an individual or entity aggrieved by voter suppression or dilution to bring an action challenging a preapproval determination granted by the AG.
- 7) Prohibits a political subdivision ordered to change its method of election pursuant to a legal decision from reverting to the previous method without first obtaining an order from the applicable county superior court certifying that the reversion will not violate CVRA 2026.

- 8) Requires the Secretary of State (SOS) to examine, test, and certify or conditionally approve a voting system for use in an election conducted using a method adopted to remedy a violation of CVRA 2026 and issue related regulations.

FISCAL EFFECT:

- 1) Costs of approximately \$1.3 million in fiscal year (FY) 2026-27, \$2.3 million in FY 2027-28, and \$2.2 million annually thereafter to the Department of Justice (DOJ) for increased workload to develop and defend regulations, provide and defend pre-approval to certain political subdivisions, and conduct related engagement, reviews, investigations, and enforcement (General Fund (GF)). DOJ anticipates needing at least nine new positions and an external consultant for specialized workload on issues pertinent to voting rights, elections, district maps, and demographics.
- 2) Costs of approximately \$859,000 in the first year and \$574,000 annually thereafter to the SOS to promulgate regulations and examine, test, certify, or conditionally approve voting systems, software, procedures, and voting technologies adopted to remedy a CVRA 2026 violation (GF). The SOS anticipates needing three additional positions for the increased workload while maintaining separation of duties between certification and monitoring functions and operational continuity during peak election periods.
- 3) By requiring a political subdivision to follow CVRA 2026 procedures and modifying the duties of local elections officials, this bill likely creates a state-mandated local program. If the Commission on State Mandates 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, a local agency could claim reimbursement from the state (GF). The magnitude of these costs is unknown, but definitely significant.

Additionally, a local agency may incur non-reimbursable costs to the extent the agency is subject to an action brought by the AG or an aggrieved individual or entity.

- 4) Ongoing cost pressures of an unknown, but potentially significant amount, to the courts in additional workload by allowing the AG or an aggrieved individual or entity to bring an action to enforce voting rights on an expedited timeline, allowing an aggrieved individual or entity to bring an action to challenge a preapproval determination granted by the AG, and requiring a court to certify certain election methods would not violate CVRA 2026 (GF or Trial Court Trust Fund (TCTF)). It is unclear how many actions may occur statewide and how much court time may be needed to resolve each case, but it generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court funding from the GF. The state budget provides annual GF backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in fiscal year 2025-26.

COMMENTS:

- 1) **Purpose.** The author contends that the U.S. Supreme Court has “gradually chipped away at the federal Voting Rights Act of 1965 [(VRA)] over the last two decades, culminating with its recent horrific decision in *Louisiana v. Callais*.” According to the author:

Because [CVRA 2001] 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. [CVRA 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.

- 2) **Federal and State Voting Rights Acts.** The 15th Amendment to the U.S. Constitution and the federal VRA prohibits the denial of a citizen's right to vote on account of the voter's race or color. CVRA 2001 prohibits 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 a candidate or influence the outcome of an election, as a result of the dilution or abridgement of the rights of voters who are members of the protected class. A court, upon finding a violation of CVRA 2001, must implement appropriate remedies tailored to remedy the violation, such as the imposition of district-based elections. At the time CVRA 2001 was enacted, legal challenges to at-large election systems that diluted a protected class generally were brought under Section 2 of the federal VRA. However, CVRA 2001 was specifically designed to eliminate the federal requirement that plaintiffs demonstrate a minority community is geographically concentrated in order to challenge an at-large election system successfully.

In April 2026, the U.S. Supreme Court's *Louisiana v. Callais* decision upheld the constitutionality of Section 2 of the VRA, but also established additional criteria for evaluating claims under Section 2, including a requirement that plaintiffs demonstrate that a challenged district map was the result of intentional racial discrimination. This bill updates CVRA 2001 in light of the *Callais* decision and other recent actions weakening the federal VRA protections. According to the Assembly Elections Committee's analysis of this bill:

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...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.

The Assembly Elections Committee's analysis of this bill includes a fuller discussion of implementation challenges and considerations related to this bill.

- 3) **Support and Opposition.** This bill is sponsored by the California Democracy Partnership, which argues this bill “will prevent voting discrimination, promote fair participation, and expand opportunities for communities of color to have a meaningful opportunity to elect candidates of choice.” This bill is also supported by other civil rights groups, voter empowerment groups, and labor organizations.

This bill is opposed by various local government entities, with the League of California Cities arguing this bill “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.”

- 4) **Previous Legislation.** SB 1365 (Padilla), of the 2013-14 Legislative Session, and AB 182 (Alejo), of the 2015-16 Legislative Session, both proposed expanding CVRA 2001 to allow challenges to district-based elections. Both bills were vetoed by Governor Brown, who stated the federal VRA and CVRA 2001 already provided important safeguards to ensure the voting strength of minority communities was protected.

AB 280 (Alejo), of the 2013-14 Legislative Session, and AB 1301 (Jones-Sawyer), of the 2015-16 Legislative Session, both proposed establishing a state preclearance system under which certain political subdivisions would have been required to get approval from the SOS before implementing certain elections policy changes. AB 280 was held on the Senate Appropriations Committee's suspense file. AB 1301 was vetoed by Governor Brown, who stated “impairment of key provisions in the federal [VRA] deserves a national remedy” and was “unconvinced that a California-only pre-clearance system is needed.”

Analysis Prepared by: Irene Ho / APPR. / (916) 319-2081