
SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair

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Author: Reyes

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Consultant: Vargas

COUNTY OF SAN BERNARDINO CITIZENS REDISTRICTING COMMISSION

Creates the Citizens' Redistricting Commission of San Bernardino County and tasks it with adjusting the boundary lines of San Bernardino supervisorial districts.

Background

State law requires each county board of supervisors, following each decennial federal census to adjust the county's supervisorial district boundaries to ensure the districts are as nearly equal in population as possible and comply with the federal Voting Rights Act (VRA). Each Board of Supervisors must adopt supervisorial district boundaries that meet the following criteria in the following order of priority:

- To the extent practicable, are geographically contiguous;
- To the extent practicable, respect the geographic integrity of any local neighborhood or local community of interest;
- To the extent practicable, respect the geographic integrity of a city or census designated place;
- Are easily identifiable and understandable by residents. To the extent practicable, they should be bounded by natural and artificial barriers, by streets, or by the boundaries of the county;
- To the extent practicable, and where it does not conflict with the criteria listed above, are drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations; and
- Do not favor or discriminate against a political party.

A board of supervisors must hold at least four public hearings to allow for public input regarding the composition of one or more supervisorial districts. This also includes translating documents for the public if more than 10,000 or 5 percent of all total voting-age citizens speak other than English.

Redistricting commissions. In 2008, California voters approved Proposition 11, which amended the California Constitution to transfer the power to redraw electoral district boundaries for congressional and state legislative seats to an independent 14-member citizen's redistricting commission.

Previously, state law allowed a county board of supervisors to appoint an advisory committee to study and make recommendations on changes to supervisorial boundaries (SB 407, Bradley, 1970). However, because the California Constitution specifically says, "charter counties are subject to statutes that relate to apportioning population of governing body districts," charter

counties couldn't create citizens redistricting commissions to redraw supervisorial districts until state law was amended to specifically authorize them to do so. In 2016, the Legislature repealed the authorization to appoint advisory committees and instead allowed a charter and general law county or a general law city to establish a commission to either (1) change the boundaries of the districts or (2) recommend to the governing body changes to the boundaries of the districts (SB 1108, Allen, 2016).

Individual county redistricting commissions. Because counties couldn't independently establish redistricting commissions until the passage of SB 1108, the Legislature statutorily authorized redistricting commissions in two counties: San Diego and Los Angeles. In 2012, at the request of San Diego County officials, the Legislature established a redistricting commission in San Diego County and charged it with adjusting the boundaries of supervisorial districts after each decennial federal census (SB 1331, Kehoe, 2012).

In 2016, the Legislature established a redistricting commission for Los Angeles County (SB 958, Lara, 2016). The Los Angeles County redistricting commission comprises 14 members—one each, chosen at random, from the eight planning areas in Los Angeles County and six additional members chosen by the initial eight members. The final commission membership must reflect the political party membership in the county as a whole. To be eligible to sit on the commission, a person must meet a number of qualifications, such as having consistent voting registration across recent elections and possessing experience demonstrating their analytical ability and impartiality. SB 958 also imposed requirements on commissioners intended to mitigate conflicts of interest. The redistricting commission must be constituted after each census and adjust the boundaries in accordance with the following parameters in order of priority:

- Comply with the United States Constitution;
- Have reasonably equal population among the districts, except where deviation is required to comply with the federal VRA or allowable by law;
- Comply with the federal VRA;
- Are geographically contiguous;
- Respect the geographic integrity of any city, county, city and county, local neighborhood, or local community of interest, in a manner that minimizes their division to the extent possible without violating other specified criteria; and
- To the extent practicable, and where it does not conflict with other specified criteria, be drawn to encourage geographical compactness so nearby areas of population are not bypassed for more distant populations.

In 2018, the Legislature reformed the San Diego County Commission to more closely mirror the structure of the Los Angeles County Commission (AB 801, Weber). Both the Los Angeles and San Diego Commissions approved final maps in their respective counties in December 2021.

The Legislature subsequently created redistricting commissions for the Counties of Kern, Fresno, and Riverside, Orange, Sacramento, San Luis Obispo, and Merced. These commissions borrow provisions mainly from the Los Angeles model. Some commissions were enacted with differences from the Los Angeles model, such as San Luis Obispo and Merced. These differ mainly by requiring fewer commissioners, allowing for fewer applicants to make up the pool of candidates to become commissioners, and adding a requirement that the first five commissioners conduct interviews when choosing the remaining members. In 2021, Santa Barbara County established an independent redistricting commission through an ordinance.

San Bernardino County. San Bernardino County is located in the Inland Empire region of Southern California. It has a population of 2.2 million and over 20,000 square miles, making it the largest county in California. San Bernardino County is governed by a five-member Board of Supervisors (Board). In March 2021, the Board established an Advisory Redistricting Commission to assist with the required revisions to the supervisorial district boundaries after the 2020 Census. According to the Commission, “the established Commission consists of seven members and five alternate members, appointed by the Board of Supervisors of each district and the Presiding Judge of San Bernardino County Superior Court.”

In November 2021, the Commission presented three map options to the Board, gathered feedback, and revised two of those options. The Board adopted the final map on December 14, 2021.

The author wants to create an independent redistricting commission for San Bernardino County.

Proposed Law

Senate Bill 1414 creates the Citizens’ Redistricting Commission of San Bernardino County (the Commission), and tasks it with adjusting the boundary lines of San Bernardino County’s supervisorial districts in the year following the year in which the decennial federal census is taken. Under the bill, the Commission must be created no later than December 31, 2030, and in each year ending in the number zero thereafter.

Membership. SB 1414 requires the Commission to consist of 14 members. The political party preferences—including those who decline to state a political party preference—of the members must be as proportional as possible to voter registrations in San Bernardino County. The measure requires at least one Commission member to reside in each of the five existing supervisorial districts of the board. The bill states that in selecting the Commission membership, the goal is to produce a commission independent from the influence of the San Bernardino County Board of Supervisors and be reasonably representative of the county’s diversity.

To serve on the commission, SB 1414 requires an applicant for a seat on the Commission to:

- Be a resident of San Bernardino County;
- Be a voter who has been continuously registered in San Bernardino County with the same political party or no party preference and who has not changed political party affiliation for five or more years immediately preceding the date of their appointment to the Commission;
- Have voted in at least one of the last three statewide elections immediately preceding their application to be a member of the Commission;
- Possess experience that demonstrates analytical skills relevant to the redistricting process and voting rights, and possess an ability to comprehend and apply the applicable state and federal legal requirements;
- Possess experience that demonstrates an ability to be impartial; and
- Possess experience that demonstrates an appreciation for the diverse demographics and geography of San Bernardino County.

SB 1414 disqualifies applicants and their immediate family members from serving on the Commission if they engaged in political activity related to San Bernardino County within the eight years prior to applying. This includes holding or running for office, working for an elected official or candidate, serving a political party, or working as a registered lobbyist.

Application and selection. Under the bill, people interested in serving on the Commission who meet the qualifications specified above may submit an application to the county elections official. The county elections official must review the applications and eliminate applicants who do not meet the specified qualifications. The county elections official then selects up to 60 qualified applicants, taking into account the relevant requirements, and makes their names public for at least 30 days. The county elections official cannot communicate with a member of the board, or an agent for a member of the board, about any matter related to the nomination process or the applicants before publishing the list of the 60 most qualified applicants. During the 30 days names are public, the county elections official may eliminate any of the previously selected applicants if the official becomes aware the applicant does not meet the above qualifications. The county elections official then creates a sub-pool for each of the five existing supervisorial districts in San Bernardino County.

The Auditor-Controller of San Bernardino County then conducts a random drawing at a regularly scheduled meeting of the San Bernardino County Board of Supervisors, to select one commissioner from each of the five subpools established by the county elections official, and to then conduct a random drawing from all of the remaining applicants to select three additional commissioners. The eight selected commissioners then review the remaining names in the subpools of applicants and appoint six additional applicants to the Commission, based on relevant experience, analytical skills, and ability to be impartial; and to ensure that the Commission reflects the county's diversity, including racial, ethnic, geographic, and gender diversity, provided that formulas or specific ratios are not applied for this purpose. During the selection, the eight members must consider political party preference, selecting applicants so that the political party preferences of the members of the Commission are as proportional as possible to the registered voters in the county. Commission members must apply these requirements in a manner that is impartial, and reinforces public confidence in the integrity of the redistricting process. SB 1414 states the term of office of each member of the Commission expires upon the appointment of the first member of the succeeding commission.

Commission process. Under SB 1414, nine members of the Commission constitute a quorum, and nine or more affirmative votes are required for any official action. The Commission must require any consultant it retains to disclose actual or potential conflicts of interest before delivering advice to the Commission, which it must weigh when determining whether to retain the consultant. Each Commission member is a designated employee for purposes of the conflict of interest code adopted by San Bernardino County.

SB 1414 requires the Commission to comply with the Ralph M. Brown Act (Brown Act), and conduct at least seven public hearings, to take place over a period of no fewer than 30 days, with at least one public hearing held in each supervisorial district.

The Commission may change a hearing location if a state or local health order prohibits large gatherings and may use virtual hearings that permit remote viewing and participation to the extent required to comply with public health requirements and the Brown Act. If the Commission modifies the location of a hearing, it must provide opportunities to view and listen to proceedings by video, to listen to proceedings by phone, and to provide public comment by

phone and in writing with no limitation on the number of commenters. Additionally, the Commission must provide an opportunity for in-person participation during at least one hearing in each supervisorial district.

Under the bill, the Commission must establish and make available to the public a calendar of all public hearings, and schedule hearings at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible. The Commission must post the agenda for the public hearings at least seven days before the hearings. The Commission must arrange for the live translation of a hearing in an “applicable language” if a request for translation is made at least 24 hours before the hearing.

SB 1414 directs the Commission to encourage county residents to participate in the redistricting public review process, including by:

- Providing information through media, social media, and public service announcements;
- Coordinating with community organizations; and
- Posting information on San Bernardino County’s website that explains the redistricting process and includes a notice of each public hearing and the procedures for testifying during a hearing or submitting written testimony directly to the Commission.

The Commission must ensure all outreach materials, public notifications, agendas, and content on its internet website, including instructions for testifying and submitting written public testimony, are translated in all applicable languages. The Commission must also take all steps necessary to ensure (1) a complete and accurate computerized database is available for redistricting, and (2) procedures are in place to provide the public ready access to redistricting data and computer software equivalent to what is available to the Commission members. The measure requires the Board to provide reasonable funding and staffing for the Commission. The bill also provides all Commission records relating to redistricting, and all data considered by the Commission in drawing a draft map or the final map, are public records.

Establishing districts. SB 1414 requires the Commission to draw maps for single-member supervisorial districts using the same criteria set for establishing boundaries as required for the Los Angeles County Redistricting Commission. After drawing the draft maps, the Commission must post the maps for public comment on San Bernardino County’s website, and conduct at least three public hearings to take place over a period of no fewer than 30 days before the hearing at which the new boundaries are adopted.

The Commission must adopt a redistricting plan and file it with the county elections official by the map adoption deadline set by current law for county supervisorial maps, and the Commission cannot release a draft map before the date set forth in existing law for county supervisorial draft maps to be released. The Commission must also include with the final map, a report that explains the basis on which the Commission made its decisions in achieving compliance with the criteria required by law. The bill provides the redistricting plan is subject to referendum in the same manner as ordinances are.

Other provisions. SB 1414 bars a Commission member from holding elective public office at the federal, state, county, or city level in this state for a period of five years beginning from the date of appointment to the Commission. The measure likewise prohibits a Commission member from holding appointive federal, state, or local public office, serving as paid staff for, or as a paid

consultant to, the Board of Equalization, the Congress, the Legislature, or any individual legislator, or registering as a federal, state, or local lobbyist in this state for a period of three years starting with the same date. SB 1414 also prohibits a commissioner from endorsing, working, volunteering for, or making a campaign contribution to a candidate for elective office in San Bernardino County while serving on the Commission.

SB 1414 contains a process for Commission members to be removed for substantial neglect of duty, gross misconduct in office, causing the Commission to be unable to discharge its duties, or not meeting the required qualifications at the time of appointment or if the Commission member no longer meets the required qualifications while serving on the Commission. Commission members cannot vote on their own removal.

Prior to removal, the Commission must provide to any member subject to removal:

- The reasons for their proposed removal, in writing;
- At least one week's written notice of the public hearing where the Commission will vote on their proposed removal; and
- The opportunity to respond to or rebut the reasons for their removal in writing and at the public hearing.

The Commission may employ legal counsel in seeking removal of a member and any decision to remove a member is final, non-appealable, and not subject to judicial review.

The bill defines several terms, and makes declarations that a special law is necessary because of the unique circumstances facing San Bernardino County.

Comments

1. Purpose of the bill. According to the author, "SB 1414 requires the establishment of an Independent Redistricting Commission in the County of San Bernardino. This will create fair and equitable supervisorial maps for our community.

"San Bernardino County is one of the most diverse and fastest-growing regions in California, and our communities deserve a redistricting process that is fair, transparent, and rooted in the voices of residents — not politics. This measure will help ensure that every neighborhood has an equitable opportunity to be represented, and that our district lines reflect the people who live here. An independent commission builds trust in our elections and strengthens our democracy for the long term.

"Under current law, county boards of supervisors adjust district boundaries following each census. Several large California counties have already adopted independent commissions to oversee this process. This bill would bring San Bernardino County in line with these best practices by shifting redistricting authority to an independent, community-focused body. SB 1414 will empower the over 2.2 million people of San Bernardino County to reclaim their voting rights and strengthen our democracy."

2. Home rule. SB 1414 requires the creation of an independent redistricting commission in San Bernardino County to draw the boundaries for supervisorial districts, commencing upon the 2030 census. However, counties can already establish redistricting commissions by ordinance under

SB 1108—and local voters may do so through their initiative power. In 2021, San Bernardino County Board of Supervisors adopted an ordinance after voters approved a charter amendment directing the Board to establish either an advisory or an independent redistricting commission. The Board chose an advisory commission and appointed residents through an application process. The commission presented the Board with different map options and the Board voted on the final map in December 2021. The Committee may wish to consider whether redistricting in San Bernardino County is a decision best made by the Legislature, or local voters and their elected officials.

3. Patchwork. SB 1414 is the eighth bill in the last five years to create an independent redistricting commission in a specific county (Merced, San Luis Obispo, Sacramento, Orange, Fresno, Kern, Riverside). These bills followed two previous efforts in 2012 and 2016 for San Diego and Los Angeles counties, raising the question of whether all counties above a certain population threshold should have an independent commission. However, SB 139 (Allen, 2019) and AB 1248 (Bryan, 2023), which would have required a county with a population of 300,000 or more and 400,000 or more, respectively, to establish an independent redistricting commission to adopt the county supervisorial districts, were vetoed by Governor Newsom due to the millions in cost on the state budget. SB 1414 raises the question whether the Legislature should require most or all counties to establish independent redistricting commissions, instead of the current approach of one-off legislation for individual counties.

4. Mandate. The California Constitution requires the state to reimburse local governments for the costs of new or expanded state mandated local programs. Because SB 1414 imposes additional duties on local officials, Legislative Counsel says that it imposes a new state mandate. The bill requires the state to reimburse local agencies if the Commission on State Mandates determines that the bill imposes a reimbursable mandate.

5. Special legislation. The California Constitution prohibits special legislation when a general law can apply (Article IV, §16). SB 1414 finds and declares that legislation that applies only to San Bernardino County is needed due to the unique circumstances facing the County of San Bernardino.

6. Incoming! The Senate Rules Committee has ordered a double referral of SB 1414: first to the Committee on Elections and Constitutional Amendments, which approved SB 1414 at its April 7th hearing on a vote of 4-1, and second to the Committee on Local Government.

Support and Opposition (4/10/2026)

Support: California Common CAUSE (Co-Sponsor)
 Inland Empire United (Co-Sponsor)
 League of Women Voters of California (Co-Sponsor)
 Courage California
 Inland Coalition for Immigrant Justice
 Inland Equity Partnership
 Starting Over INC.
 Starting Over Strong

Opposition: None Submitted