

Assembly Bill No. 1807

CHAPTER 809

An act to amend Sections 21543, 21544, and 21545 of the Elections Code, relating to elections.

[Approved by Governor September 28, 2024. Filed with
Secretary of State September 28, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1807, Cervantes. County of Riverside Citizens Redistricting Commission.

Existing law establishes the Citizens Redistricting Commission in the County of Riverside. Existing law requires the commission to adjust the boundary lines of the districts of the Board of Supervisors of the County of Riverside in accordance with specified criteria and by following specified procedures. Existing law establishes the qualifications for membership on the commission.

Existing law, the FAIR Maps Act of 2023, establishes specified criteria for certain local jurisdictions to follow when adopting district boundaries.

This bill would require the Citizens Redistricting Commission in the County of Riverside to adjust district boundaries in accordance with the criteria set forth in the FAIR Maps Act of 2023. The bill would require the commission to follow additional procedures relating to the translation of materials. The bill would prohibit members of the commission from communicating with an individual regarding redistricting matters outside of a public meeting, as specified, and would prohibit a member from engaging in certain activities while serving on the commission and for three years thereafter. By increasing the duties on local officials, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the unique circumstances facing the County of Riverside.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. Section 21543 of the Elections Code is amended to read: 21543. (a) A commission member shall apply this chapter in a manner that is impartial and that reinforces public confidence in the integrity of the redistricting process.

(b) The term of office of each member of the commission expires upon the appointment of the first member of the succeeding commission.

(c) Nine members of the commission shall constitute a quorum. Nine or more affirmative votes shall be required for any official action.

(d) (1) The commission shall not retain a consultant who would not be qualified as an applicant pursuant to paragraph (4) of subdivision (d) of Section 21542.

(2) For purposes of this subdivision, “consultant” means a person, whether or not compensated, retained to advise the commission or a commission member regarding any aspect of the redistricting process.

(e) Each commission member shall be a designated employee for purposes of the conflict of interest code adopted by the County of Riverside pursuant to Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 of the Government Code.

(f) (1) A commission member shall not communicate with any individual or organization regarding redistricting matters outside of a public meeting.

(2) This subdivision does not do either of the following:

(A) Restrict the commission from communicating with the staff of the legislative body of the local jurisdiction regarding administrative matters of the commission.

(B) Restrict a commissioner from directly communicating with another commissioner, commission staff, legal counsel, or consultants retained by the commission.

SEC. 2. Section 21544 of the Elections Code is amended to read:

21544. (a) The commission shall establish single-member supervisorial districts for the board pursuant to a mapping process using the criteria set forth in Section 21130.

(b) (1) The commission shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(2) (A) Before the commission draws a map, the commission shall 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.

(B) In the event any state or local health order prohibits large gatherings, the commission may modify the location of the hearings, including through the use of virtual hearings that use technology to permit remote viewing and participation, to the extent required to comply with public health requirements. If the commission modifies the location of a hearing, it shall 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. The commission shall, to the greatest extent practicable, provide an opportunity for in-person participation for at least one hearing in each supervisorial district. Methods for providing in-person participation may include setting up multiple rooms with audiovisual connections to the hearing, allowing community members to make appointments to make public comment, providing personal protective equipment, or holding hearings in outdoor spaces.

(3) After the commission draws a draft map, the commission shall do both of the following:

(A) Post the map for public comment on the website of the County of Riverside.

(B) Conduct at least two public hearings to take place over a period of no fewer than 30 days.

(4) (A) The commission shall establish and make available to the public a calendar of all public hearings described in paragraphs (2) and (3). Hearings shall be scheduled at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible.

(B) Notwithstanding Section 54954.2 of the Government Code, the commission shall post the agenda for the public hearings described in paragraphs (2) and (3) at least seven days before the hearings. The agenda for a meeting required by paragraph (3) shall include a copy of the draft map.

(5) (A) The commission shall arrange for the live translation of a hearing held pursuant to this chapter in an applicable language if a request for translation is made at least 24 hours before the hearing.

(B) For purposes of this subdivision, an “applicable language” means a language for which the number of residents of the County of Riverside who are members of a language minority is greater than or equal to 3 percent of the total voting age residents of the county.

(6) The commission shall take steps to encourage county residents to participate in the redistricting public review process. These steps may include:

(A) Providing information through media, social media, and public service announcements.

(B) Coordinating with community organizations.

(C) Posting information on the website of the County of Riverside 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.

(7) The board shall take all steps necessary to ensure that a complete and accurate computerized database is available for redistricting, and that procedures are in place to provide to the public ready access to redistricting data and computer software equivalent to what is available to the commission members.

(8) The board shall provide for reasonable funding and staffing for the commission.

(9) All records of the commission relating to redistricting, and all data considered by the commission in drawing a draft map or the final map, are public records.

(10) The commission shall ensure that all outreach materials, public notifications, agendas, and content on its website, including instructions for testifying and submitting written public testimony, are translated in all applicable languages.

(c) (1) The commission shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the county elections official by the map adoption deadline set forth in subdivision (a) of Section 21140. The commission shall not release a draft map before the date set forth in paragraph (3) of subdivision (f) of Section 21160.

(2) The plan shall be subject to referendum in the same manner as ordinances.

(3) The commission shall issue, with the final map, a report that explains the basis on which the commission made its decisions in achieving compliance with the criteria described in subdivision (a).

SEC. 3. Section 21545 of the Elections Code is amended to read:

21545. (a) A commission member shall be ineligible for a period of five years beginning from the date of appointment to hold elective public office at the federal, state, or local level in this state.

(b) A commission member shall be ineligible for a period of three years beginning from the date of appointment to do any of the following:

(1) Hold appointive federal, state, or local public office, serve as paid staff for, or as a paid consultant to, the Board of Equalization, the Congress, the Legislature, or any individual legislator, or register as a federal, state, or local lobbyist in this state.

(2) Accept employment as a staff member of, or a consultant to, an elected official or candidate for elective office of the County of Riverside.

(3) Receive a noncompetitively bid contract with the County of Riverside.

(c) While serving on the commission, a commission member shall not endorse, work for, or make a campaign contribution to a candidate for an elective office of the County of Riverside.

SEC. 4. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique conditions facing the County of Riverside.

SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.