

AMENDED IN ASSEMBLY AUGUST 21, 2025

AMENDED IN ASSEMBLY AUGUST 18, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

Assembly Constitutional Amendment

No. 8

Introduced by Assembly Member Rivas and Senator McGuire
(Coauthors: Assembly Members Addis, Aguiar-Curry, Ahrens, Ávila Farías, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Caloza, Carrillo, Connolly, Elhawary, Fong, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Stefani, Valencia, Ward, Wicks, Wilson, and Zbur)
(Coauthors: Senators Archuleta, Becker, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón, Padilla, Pérez, Reyes, Stern, Umberg, Wahab, Weber Pierson, and Wiener)

February 20, 2025

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4 to Article XXI thereof, relating to redistricting.

LEGISLATIVE COUNSEL'S DIGEST

ACA 8, as amended, Rivas. Congressional redistricting.

The California Constitution establishes the Citizens Redistricting Commission, which is required to adjust the boundary lines of congressional, Senate, Assembly, and State Board of Equalization

districts in the year following the year in which the national census is taken at the beginning of each decade.

This measure, *which would include a legislative finding that it is in response to redistricting in Texas in 2025, would*, notwithstanding the authority of the Citizens Redistricting Commission, ~~would~~ require the state to temporarily use the congressional districts reflected in AB 604 of the 2025–26 Regular Session for every congressional election until the new congressional boundary lines are drawn by the commission in 2031. ~~This measure would make the congressional districts reflected in AB 604 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.~~

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

1 *Resolved by the Assembly, the Senate concurring,* That the
2 Legislature of the State of California at its 2025–26 Regular
3 Session, commencing on the second day of December 2024,
4 two-thirds of the membership of each house concurring, hereby
5 proposes to the people of the State of California that the
6 Constitution of the State be amended as follows:

7 First—This measure shall be known, and may be cited, as the
8 “Election Rigging Response Act.”

9 Second—The people of the State of California find and declare
10 all of the following:

11 (a) President Donald Trump has called on Republican-led states
12 to undertake an unprecedented mid-decade redistricting of
13 congressional seats to rig the 2026 United States midterm elections
14 before voting begins.

15 (b) The State of Texas has convened a special session of its
16 Legislature to redraw congressional district maps to unfairly
17 advantage Republicans.

18 (c) The Legislature of the State of Florida has established a
19 select committee to advance an extraordinary mid-decade
20 redistricting to unfairly advantage Republicans.

21 (d) Republicans have urged the State of Ohio to conduct its
22 mid-decade redistricting to unfairly produce more Republican seats
23 in Congress.

1 (e) Republican officials in the States of Indiana, Missouri, New
2 Hampshire, Nebraska, and South Carolina are also considering
3 President Trump’s call for the mid-decade redistricting of
4 congressional seats to unfairly advantage Republicans.

5 (f) President Trump and Republicans are attempting to gain
6 enough seats through redistricting to rig the outcome of the 2026
7 United States midterm elections regardless of how the people vote.

8 (g) President Trump’s election-rigging scheme is an emergency
9 for our democracy.

10 (h) The 2026 United States midterm elections are voters’ only
11 chance to provide an essential check and balance against President
12 Trump’s dangerous agenda.

13 (i) California has long stood as a national leader for fair,
14 independent, and nonpartisan redistricting.

15 (j) California calls on all other states to commit to fair and
16 impartial drawing of maps.

17 (k) California has a duty to defend democracy.

18 (l) The 2026 United States midterm elections for Congress must
19 be conducted on a level playing field without an extreme and unfair
20 advantage for Republicans.

21 (m) The people of California, not politicians, should have the
22 power to approve temporary congressional district maps in response
23 to President Trump’s election-rigging scheme.

24 (n) It is the intent of the people that California’s temporary maps
25 be designed to neutralize the partisan gerrymandering being
26 threatened by Republican-led states without eroding fair
27 representation for all communities.

28 Third—That Section 4 is added to Article XXI thereof, to read:

29 SEC. 4. (a) It is the policy of the State of California to support
30 the use of fair, independent, and nonpartisan redistricting
31 commissions nationwide. The people of the State of California
32 call on the Congress of the United States to pass federal legislation
33 and propose an amendment of the United States Constitution to
34 require the use of fair, independent, and nonpartisan redistricting
35 commissions nationwide.

36 (b) ~~Notwithstanding~~—*In response to the congressional*
37 *redistricting in Texas in 2025, and notwithstanding any other*
38 *provision of this Constitution or existing law, the single-member*
39 *districts for Congress reflected in Assembly Bill 604 of the*
40 *2025–26 Regular Session pursuant to the requirements of Chapter*

1 5 (commencing with Section 21400) of Division 21 of the Elections
2 Code shall temporarily be used for every congressional election
3 for a term of office commencing on or after the date this
4 subdivision becomes operative and before the certification of new
5 congressional boundary lines drawn by the Citizens Redistricting
6 Commission pursuant to subdivision ~~(e)~~. (d).

7 ~~(e) (1) Subdivision (b) shall become operative only if Texas,~~
8 ~~Florida, or another state adopts a new congressional district map~~
9 ~~that takes effect after August 1, 2025, and before January 1, 2031,~~
10 ~~and such redistricting is not required by a federal court order.~~

11 ~~(2) The condition described in paragraph (1) shall include a new~~
12 ~~congressional district map adopted by the State of Ohio only if the~~
13 ~~map is adopted pursuant to division (F)(3) of Section 1 of Article~~
14 ~~XIX of the Ohio Constitution.~~

15 ~~(d)~~

16 (c) (1) The Attorney General has the sole legal standing to
17 defend any action regarding a congressional district map adopted
18 pursuant to subdivision (b).

19 (2) The California Supreme Court has original and exclusive
20 jurisdiction in all proceedings in which a congressional district
21 map adopted pursuant to subdivision (b) is challenged.

22 ~~(e)~~

23 (d) The Citizens Redistricting Commission established pursuant
24 to Section 1 shall continue to adjust the boundary lines of the
25 congressional, State Senatorial, Assembly, and Board of
26 Equalization districts in conformance with the standards and
27 process set forth in Section 2 in 2031, and every 10 years thereafter
28 as provided in Section 1.

29 Fourth—The provisions of this measure are severable. If any
30 portion, section, subdivision, paragraph, clause, sentence, phrase,
31 word, or application of this measure is for any reason held to be
32 invalid by a decision of any court of competent jurisdiction, that
33 decision shall not affect the validity of the remaining portions of
34 this measure. The Legislature hereby declares that it would have
35 proposed, and the voters hereby declare that they would have
36 adopted, this measure and every portion, section, subdivision,
37 paragraph, clause, sentence, phrase, word, and application not
38 declared invalid or unconstitutional without regard to whether any

- 1 portion of this measure or application of this measure would be
- 2 subsequently declared invalid.

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