

Introduced by Senator Padilla

February 21, 2014

An act to amend Section 14027 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1365, as introduced, Padilla. California Voting Rights Act of 2001.

Existing law, the California Voting Rights Act of 2001 (CVRA), prohibits the use of an at-large election in a political subdivision if it would impair the ability of a protected class, as defined, to elect candidates of its choice or otherwise influence the outcome of an election. The CVRA provides that a voter who is a member of a protected class may bring an action in superior court to enforce the provisions of the CVRA, and, if the voter prevails in the case, he or she may be awarded reasonable litigation costs and attorney's fees.

This bill would also prohibit the use of a district-based election in a political subdivision if it would impair the ability of a protected class, as defined, to elect candidates of its choice or otherwise influence the outcome of an election.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

- 1 SECTION 1. Section 14027 of the Elections Code is amended
- 2 to read:
- 3 14027. An at-large method of election ~~may~~ *or a district-based*
- 4 *election shall* not be imposed or applied in a manner that impairs

- 1 the ability of a protected class to elect candidates of its choice or
- 2 its ability to influence the outcome of an election, as a result of
- 3 the dilution or the abridgment of the rights of voters who are
- 4 members of a protected class, as defined pursuant to Section 14026.