

AMENDED IN ASSEMBLY JUNE 21, 2016

AMENDED IN ASSEMBLY JUNE 8, 2016

AMENDED IN SENATE APRIL 26, 2016

SENATE BILL

No. 958

Introduced by Senators Lara and Hall

February 8, 2016

An act to add Chapter 6.3 (commencing with Section 21530) to Division 21 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 958, as amended, Lara. County of Los Angeles Citizens Redistricting Commission.

Existing law requires the board of supervisors of each county, following each decennial federal census, and using that census as a basis, to adjust the boundaries of any or all of the supervisorial districts of the county so that the districts are as nearly equal in population as possible and comply with applicable federal law, and specifies the procedures the board of supervisors must follow in adjusting those boundaries. Existing law establishes the Independent Redistricting Commission in the County of San Diego, which is charged with adjusting the supervisorial district boundaries for the county.

This bill would establish the Citizens Redistricting Commission in the County of Los Angeles, which would be charged with adjusting the boundary lines of the districts of the Board of Supervisors of the County of Los Angeles. The commission would consist of 14 members who meet specified qualifications. This bill would require the commission to adjust the boundaries of the supervisorial districts in accordance with specified criteria and adopt a redistricting plan, which would become

effective 30 days following its submission to the county elections official. 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 Los Angeles.

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 these statutory provisions.

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

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

1 SECTION 1. Chapter 6.3 (commencing with Section 21530)
2 is added to Division 21 of the Elections Code, to read:

3
4 CHAPTER 6.3. COUNTY OF LOS ANGELES CITIZENS
5 REDISTRICTING COMMISSION
6

7 21530. As used in this chapter, the following terms have the
8 following meanings:

9 (a) “Board” means the Board of Supervisors of the County of
10 Los Angeles.

11 (b) “Commission” means the Citizens Redistricting Commission
12 in the County of Los Angeles established pursuant to Section
13 21532.

14 (c) “Immediate family member” means a spouse, child, in-law,
15 parent, or sibling.

16 21531. There is, in the County of Los Angeles, a Citizens
17 Redistricting Commission. In the year following the year in which
18 the decennial federal census is taken, the commission shall adjust
19 the boundary lines of the supervisorial districts of the board in
20 accordance with this chapter.

1 21532. (a) The commission shall be created no later than
2 December 31, 2020, and in each year ending in the number zero
3 thereafter.

4 (b) The selection process is designed to produce a commission
5 that is independent from the influence of the board and reasonably
6 representative of the county’s diversity.

7 (c) The commission shall consist of 14 members. The political
8 party preferences of the commission members, as shown on the
9 members’ most recent affidavits of registration, shall be as
10 proportional as possible to the total number of voters who are
11 registered with each political party in the County of Los Angeles,
12 as determined by registration at the most recent statewide election.
13 However, the political party preferences of the commission
14 members are not required to be exactly the same as the proportion
15 of political party preferences among the registered voters of the
16 county. At least one commission member shall reside in each of
17 ~~the eight service planning areas in the County of Los Angeles.~~ *five*
18 *existing supervisorial districts of the board.*

19 (d) Each commission member shall meet all of the following
20 qualifications:

21 (1) Be a resident of the County of Los Angeles.

22 (2) Be a voter who has been continuously registered in the
23 County of Los Angeles with the same political party or unaffiliated
24 with a political party and who has not changed political party
25 affiliation for five or more years immediately preceding the date
26 of his or her appointment to the commission.

27 (3) Have voted in at least one of the last three statewide elections
28 immediately preceding his or her application to be a member of
29 the commission.

30 (4) Within the 10 years immediately preceding the date of
31 application to the commission, neither the applicant, nor an
32 immediate family member of the applicant, has done any of the
33 following:

34 (A) Been appointed to, elected to, or have been a candidate for
35 office at the local, state, or federal level representing the County
36 of Los Angeles, including as a member of the board.

37 (B) Served as an employee of, or paid consultant for, an elected
38 representative at the local, state, or federal level representing the
39 County of Los Angeles.

1 (C) Served as an employee of, or paid consultant for, a candidate
2 for office at the local, state, or federal level representing the County
3 of Los Angeles.

4 (D) Served as an officer, employee, or paid consultant of a
5 political party or as an appointed member of a political party central
6 committee.

7 (E) Been a registered state or local lobbyist.

8 (5) Possess experience that demonstrates analytical skills
9 relevant to the redistricting process and voting rights, and possess
10 an ability to comprehend and apply the applicable state and federal
11 legal requirements.

12 (6) Possess experience that demonstrates an ability to be
13 impartial.

14 (7) Possess experience that demonstrates an appreciation for
15 the diverse demographics and geography of the County of Los
16 Angeles.

17 (e) An interested person meeting the qualifications specified in
18 subdivision (d) may submit an application to the county elections
19 official to be considered for membership on the commission. The
20 county elections official shall review the applications and eliminate
21 applicants who do not meet the specified qualifications.

22 (f) (1) From the pool of qualified applicants, the county
23 elections official shall select 60 of the most qualified applicants,
24 taking into account the requirements described in subdivision (c).
25 The county elections official shall make public the names of the
26 60 most qualified applicants for at least 30 days. The county
27 elections official shall not communicate with a member of the
28 board, or an agent for a member of the board, about any matter
29 related to the nomination process or applicants before the
30 publication of the list of the 60 most qualified applicants.

31 (2) During the period described in paragraph (1), the county
32 elections official may eliminate any of the previously selected
33 applicants if the official becomes aware that the applicant does
34 not meet the qualifications specified in subdivision (d).

35 (g) (1) After complying with the requirements of subdivision
36 (f), the county elections official shall create a subpool for each of
37 ~~the eight service planning areas in the County of Los Angeles.~~ *five*
38 *existing supervisorial districts of the board.*

39 (2) (A) At a regularly scheduled meeting of the board, the
40 Auditor-Controller of the County of Los Angeles shall conduct a

1 random drawing to select one commissioner from each of the eight
2 *five* subpools established by the county elections official.

3 *(B) After completing the random drawing pursuant to*
4 *subparagraph (A), at the same meeting of the board, the*
5 *Auditor-Controller shall conduct a random drawing from all of*
6 *the remaining applicants, without respect to subpools, to select*
7 *three additional commissioners.*

8 (h) (1) The eight selected commissioners shall review the
9 remaining names in the subpools of applicants and shall appoint
10 six additional applicants to the commission.

11 (2) The six appointees shall be chosen based on relevant
12 experience, analytical skills, and ability to be impartial, and to
13 ensure that the commission reflects the county’s diversity,
14 including racial, ethnic, geographic, and gender diversity. However,
15 formulas or specific ratios shall not be applied for this purpose.
16 The eight commissioners shall also consider political party
17 preference, selecting applicants so that the political party preference
18 of the members of the commission complies with subdivision (c).

19 21533. (a) A commission member shall apply this chapter in
20 a manner that is impartial and that reinforces public confidence in
21 the integrity of the redistricting process.

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

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

28 (d) (1) The commission shall not retain a consultant who would
29 not be qualified as an applicant pursuant to paragraph (4) of
30 subdivision (d) of Section 21532.

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

35 (e) Each commission member shall be a designated employee
36 for purposes of the conflict of interest code adopted by the County
37 of Los Angeles pursuant to Article 3 (commencing with Section
38 87300) of Chapter 7 of Title 9 of the Government Code.

39 21534. (a) The commission shall establish single-member
40 supervisorial districts for the board pursuant to a mapping process

1 using the following criteria as set forth in the following order of
2 priority:

3 (1) Districts shall comply with the United States Constitution
4 and each district shall have a reasonably equal population with
5 other districts for the board, except where deviation is required to
6 comply with the federal Voting Rights Act of 1965 (52 U.S.C.
7 Sec. 10101 et seq.) or allowable by law.

8 (2) Districts shall comply with the federal Voting Rights Act
9 of 1965 (52 U.S.C. Sec. 10101 et seq.).

10 (3) Districts shall be geographically contiguous.

11 (4) The geographic integrity of any city, ~~city and county~~, local
12 neighborhood, or local community of interest shall be respected
13 in a manner that minimizes its division to the extent possible
14 without violating the requirements of paragraphs (1) to (3),
15 inclusive. A community of interest is a contiguous population that
16 shares common social and economic interests that should be
17 included within a single district for purposes of its effective and
18 fair representation. Communities of interest shall not include
19 relationships with political parties, incumbents, or political
20 candidates.

21 (5) To the extent practicable, and where this does not conflict
22 with paragraphs (1) to (4), inclusive, districts shall be drawn to
23 encourage geographical compactness such that nearby areas of
24 population are not bypassed for more distant areas of population.

25 (b) The place of residence of any incumbent or political
26 candidate shall not be considered in the creation of a map. Districts
27 shall not be drawn for purposes of favoring or discriminating
28 against an incumbent, political candidate, or political party.

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

32 (2) Before the commission draws a map, the commission shall
33 conduct at least seven public hearings, to take place over a period
34 of no fewer than 30 days, with at least one public hearing held in
35 each supervisorial district.

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

38 (A) Post the map for public comment on the Internet Web site
39 of the County of Los Angeles.

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

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

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

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

17 (B) For purposes of this paragraph, an “applicable language”
18 means a language for which the number of residents of the County
19 of Los Angeles who are members of a language minority is greater
20 than or equal to 3 percent of the total voting age residents of the
21 county.

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

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

27 (B) Coordinating with community organizations.

28 (C) Posting information on the Internet Web site of the County
29 of Los Angeles that explains the redistricting process and includes
30 a notice of each public hearing and the procedures for testifying
31 during a hearing or submitting written testimony directly to the
32 commission.

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

38 (8) ~~At~~ *The board shall provide for reasonable funding and*
39 *staffing for the commission.*

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

4 (d) (1) The commission shall adopt a redistricting plan adjusting
5 the boundaries of the supervisorial districts and shall file the plan
6 with the county elections official before August 15 of the year
7 following the year in which each decennial federal census is taken.

8 (2) The plan shall be effective 30 days after it is filed with the
9 county elections official.

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

12 (4) The commission shall issue, with the final map, a report that
13 explains the basis on which the commission made its decisions in
14 achieving compliance with the criteria described in subdivisions
15 (a) and (b).

16 ~~21535. Each commission member shall apply this article in a~~
17 ~~manner that is impartial and that reinforces public confidence in~~
18 ~~the integrity of the redistricting process.~~ A commission member
19 shall be ineligible for a period of five years beginning from the
20 date of appointment to hold elective public office at the federal,
21 state, county, or city level in this state. A commission member
22 shall be ineligible for a period of ~~five~~ *three* years beginning from
23 the date of appointment to hold appointive federal, state, or local
24 public office, to serve as paid staff for, or as a paid consultant to,
25 the Board of Equalization, the Congress, the Legislature, or any
26 individual legislator, or to register as a federal, state or local
27 lobbyist in this State.

28 SEC. 2. The Legislature finds and declares that a special law
29 is necessary and that a general law cannot be made applicable
30 within the meaning of Section 16 of Article IV of the California
31 Constitution because of the unique circumstances facing the County
32 of Los Angeles.

33 SEC. 3. If the Commission on State Mandates determines that
34 this act contains costs mandated by the state, reimbursement to
35 local agencies and school districts for those costs shall be made
36 pursuant to Part 7 (commencing with Section 17500) of Division
37 4 of Title 2 of the Government Code.

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