

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1979

Introduced by Assembly Member Roger Hernández

February 23, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1979, as amended, Roger Hernández. District-based local elections.

Existing law provides for political subdivisions that encompass areas of representation within the state. With respect to these areas, public officials are generally elected by all of the voters of the political subdivision (at-large) or from districts formed within the political subdivision (district-based). *Existing law, the California Voting Rights Act of 2001, prohibits an at-large method of election to be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class, as defined.*

~~This bill would state the intent of the Legislature to enact legislation relating to district-based local elections~~ *provide that if the governing body of a county or city determines that an at-large method of election would impair the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, the governing body shall order that a district-based method of election be imposed for the election of the member of the board of supervisors or*

city council. Because the bill would increase the workload of county elections officials, it would impose a state-mandated local program.

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: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

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

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~legislation relating to district-based local elections.~~

3 SECTION 1. Section 14027 of the Elections Code is amended
4 to read:

5 14027. (a) An at-large method of election may not be imposed
6 or applied in a manner that impairs the ability of a protected class
7 to elect candidates of its choice or its ability to influence the
8 outcome of an election, as a result of the dilution or the abridgment
9 of the rights of voters who are members of a protected class, as
10 defined pursuant to Section 14026.

11 (b) Notwithstanding any other provision of law, if the governing
12 body of a county or city determines that an at-large method of
13 election of a member of the board of supervisors or city council
14 would impair the ability of a protected class to elect candidates
15 of its choice or its ability to influence the outcome of an election,
16 the governing body shall order that a district-based method of
17 election be imposed for the election of the member of the board of
18 supervisors or city council.

19 SEC. 2. If the Commission on State Mandates determines that
20 this act contains costs mandated by the state, reimbursement to
21 local agencies and school districts for those costs shall be made
22 pursuant to Part 7 (commencing with Section 17500) of Division
23 4 of Title 2 of the Government Code.

O