

Senate Bill No. 1331

CHAPTER 508

An act to add Chapter 6.5 (commencing with Section 21550) to Division 21 of the Elections Code, relating to reapportionment.

[Approved by Governor September 24, 2012. Filed with
Secretary of State September 24, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1331, Kehoe. County of San Diego Independent 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.

This bill would establish the Independent Redistricting Commission in the County of San Diego. The bill would require the clerk of the Board of Supervisors of the County of San Diego to select, at random, the members of the commission from persons interested in, and qualified to serve on, the commission. The bill would require the county to provide reasonable staffing and logistical support to the commission. The bill would require the commission to hold at least 7 public hearings, and would require the commission to adjust the boundaries of the supervisorial boundaries of the county, as specified. The bill would require the commission to adopt a redistricting plan, as specified, and would provide that the plan become effective 30 days following submission to the clerk of the board. The bill would subject the plan to referendum. By increasing the duties on local officials, this bill would impose a state-mandated local program.

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

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 no reimbursement is required by this act for a specified reason.

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

SECTION 1. Chapter 6.5 (commencing with Section 21550) is added to Division 21 of the Elections Code, to read:

CHAPTER 6.5. COUNTY OF SAN DIEGO INDEPENDENT REDISTRICTING COMMISSION

21550. (a) As used in this section, the following terms have the following meanings:

(1) "Board" means the Board of Supervisors of the County of San Diego.

(2) "Clerk" means the clerk of the Board of Supervisors of the County of San Diego.

(3) "Commission" means the Independent Redistricting Commission established by subdivision (b).

(b) (1) There is, in the County of San Diego, an Independent Redistricting Commission.

(2) The commission shall be comprised of five members and two alternates who shall each meet the following qualifications:

(A) Be a resident of the County of San Diego.

(B) Be a registered voter of the County of San Diego.

(C) Be a former or retired state or federal judge.

(D) Not be a current member of the board.

(3) Any interested person meeting the qualifications specified in paragraph (2) may submit his or her name to the clerk to be included in a random drawing. The clerk shall conduct a random drawing at a regularly scheduled meeting of the board to select the members of the commission.

(4) The presiding judge of the Superior Court of the County of San Diego may assist the clerk in identifying former or retired judges that may be qualified to be included in the drawing.

(c) (1) The commission shall adjust the supervisorial district boundaries after each decennial federal census in accordance with this subdivision.

(2) The commission shall adjust the boundaries of the supervisorial district of the county so that the districts are equal, or nearly equal in population. The commission may adjust some or all of the supervisorial district boundaries to accomplish this goal.

(3) The resulting supervisorial districts shall comply with any applicable provisions of Section 1973 of Title 42 of the United States Code, as amended.

(4) The commission may consider all of the following factors in establishing the boundaries of the supervisorial districts:

(A) Topography.

(B) Geography.

(C) Cohesiveness, contiguity, integrity, and compactness of territory.

(D) Community of interests in each district.

(5) The commission shall utilize federal census tracts and blocks in establishing the boundaries of supervisorial districts.

(d) The board shall provide for reasonable staffing and logistical support for the commission.

(e) The commission shall be subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), and shall conduct at least seven public hearings with at least one public hearing held in each supervisorial district.

(f) (1) The commission shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts, as specified in subdivision (c), and shall file the plan with the clerk prior to the first day of October of the year following the year in which each decennial federal census is taken.

(2) The plan shall be effective 30 days after it is filed with the clerk.

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

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances facing the County of San Diego.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.