

Assembly Bill No. 1440

CHAPTER 873

An act to add Sections 21507, 21607, 21621, and 22001 to, to add Chapter 2 (commencing with Section 10010) to Part 1 of Division 10 of, and to repeal Sections 21500.1, 21601.1, and 21620.1 of, the Elections Code, relating to elections.

[Approved by Governor September 30, 2014. Filed with
Secretary of State September 30, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1440, Campos. Elections: district boundaries: public hearing.

Existing law requires county boards of supervisors and the councils of general law and charter cities that elect members by or from districts following each decennial federal census, and using that census as a basis, to adjust the boundaries of the supervisorial and council districts, as specified. Existing law requires a county board of supervisors or a city council of a general law city or the governing body of a charter city to hold at least one public hearing on any proposal to adjust the boundaries of a district prior to a public hearing at which the board or council votes to approve or defeat the proposal.

This bill would also require the governing body of a district to hold at least one public hearing on a proposal to adjust the boundaries of a division prior to a public hearing at which the governing body of the district votes to approve or defeat the proposal. The bill would require a political subdivision that changes from an at-large method of election to a district-based election, as defined, to hold at least 2 public hearings on a proposal to establish the district boundaries of the political subdivision prior to a public hearing at which the governing body of the political subdivision votes to approve or defeat the proposal. The bill would also make technical, nonsubstantive changes to these provisions.

Because the bill would impose additional duties on local agencies, 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.

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

SECTION 1. Chapter 2 (commencing with Section 10010) is added to Part 1 of Division 10 of the Elections Code, to read:

CHAPTER 2. DISTRICT BOUNDARIES

10010. (a) A political subdivision that changes from an at-large method of election to a district-based election shall hold at least two public hearings on a proposal to establish the district boundaries of the political subdivision prior to a public hearing at which the governing body of the political subdivision votes to approve or defeat the proposal.

(b) This section applies to, but is not limited to, a proposal that is required due to a court-imposed change from an at-large method of election to a district-based election.

(c) For purposes of this section, the following terms have the following meanings:

(1) "At-large method of election" has the same meaning as set forth in subdivision (a) of Section 14026.

(2) "District-based election" has the same meaning as set forth in subdivision (b) of Section 14026.

(3) "Political subdivision" has the same meaning as set forth in subdivision (c) of Section 14026.

SEC. 2. Section 21500.1 of the Elections Code is repealed.

SEC. 3. Section 21507 is added to the Elections Code, to read:

21507. Before adjusting the boundaries of a district pursuant to Section 21500, 21503, or 21504, or for any other reason, the board shall hold at least one public hearing on the proposal to adjust the boundaries of the district prior to the public hearing at which the board votes to approve or defeat the proposal.

SEC. 4. Section 21601.1 of the Elections Code is repealed.

SEC. 5. Section 21607 is added to the Elections Code, to read:

21607. Before adjusting the boundaries of a district pursuant to Section 21601, 21603, or 21604, or for any other reason, the council shall hold at least one public hearing on the proposal to adjust the boundaries of the district prior to the public hearing at which the council votes to approve or defeat the proposal.

SEC. 6. Section 21620.1 of the Elections Code is repealed.

SEC. 7. Section 21621 is added to the Elections Code, to read:

21621. Before adjusting the boundaries of a district pursuant to Section 21620 or for any other reason, the governing body shall hold at least one public hearing on the proposal to adjust the boundaries of the district prior to the public hearing at which the governing body votes to approve or defeat the proposal.

SEC. 8. Section 22001 is added to the Elections Code, to read:

22001. Before adjusting the boundaries of a division pursuant to Section 22000 or for any other reason, the governing body of the district shall hold at least one public hearing on the proposal to adjust the boundaries of the division prior to the public hearing at which the governing body votes to approve or defeat the proposal.

SEC. 9. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.