

AMENDED IN ASSEMBLY MAY 9, 2016

AMENDED IN ASSEMBLY APRIL 5, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2389

Introduced by Assembly Member Ridley-Thomas

February 18, 2016

An act to *amend Section 10508 of, and add Part 5.5 (commencing with Section 10650) to Division 10* ~~of~~ *of*, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2389, as amended, Ridley-Thomas. Special districts: district-based elections: reapportionment.

Existing law provides for political subdivisions, including special districts, 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 by or from districts formed within the political subdivision (district-based). Under existing law, the manner of election of a governing body of a special district is generally specified in the statutes creating the district. If a political subdivision changes from an at-large method of election to a district-based election, existing law generally requires the political subdivision to submit to the voters an ordinance or resolution providing for the election of members of the governing body by district.

This bill would authorize a governing body of a special district, as defined, to require, by resolution, that the members of its governing body be elected using district-based elections without being required to submit the resolution to the voters for approval. This bill would

require the resolution to include a declaration that the change in the method of election is being made in furtherance of the purposes of the California Voting Rights Act of 2001.

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 10508 of the Elections Code is amended
 2 to read:

3 10508. The principal act shall govern whether directors of a
 4 district are elected by divisions or by the district at large. A
 5 governing body may require that the directors of the governing
 6 body be elected using district-based elections pursuant to Section
 7 10650.

8 ~~SECTION 1.~~

9 SEC. 2. Part 5.5 (commencing with Section 10650) is added
 10 to Division 10 of the Elections Code, to read:

11
 12 PART 5.5. SPECIAL DISTRICT ELECTIONS

13
 14 10650. (a) Notwithstanding any other law, a governing body
 15 of a special district may require, by resolution, that the members
 16 of its governing body be elected using district-based elections, as
 17 defined in subdivision (b) of Section 14026, without being required
 18 to submit the resolution to the voters for approval. A resolution
 19 adopted pursuant to this subdivision shall include a declaration
 20 that the change in the method of electing members of the governing
 21 body is being made in furtherance of the purposes of the California
 22 Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section
 23 14025) of Division 14 of the Elections Code).

24 (b) For purposes of this section, “special district” means an
 25 agency of the state formed pursuant to general law or special act
 26 for the local performance of governmental or proprietary functions
 27 within limited boundaries, ~~except boundaries.~~ “Special district”
 28 does not include a city, county, city and county, school or
 29 community college district, ~~or special assessment district.~~ district,
 30 or district with appointed members on its governing body.

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