

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, *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, 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 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.

21 21532. (a) The commission shall be created no later than
22 December ~~31~~ in 31, 2020, and in each year ending in the number
23 zero thereafter.

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

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

15 (d) Each commission member shall meet all of the following
16 qualifications:

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

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

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

26 (4) Within the 10 years immediately preceding the date of
27 application to the commission, neither the applicant, nor an
28 immediate family member of the applicant, may have done any of
29 the following:

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

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

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

1 (D) Served as an officer, employee, or paid consultant of a
2 political party or as an appointed member of a political party central
3 committee.

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

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

9 (6) Possess experience that demonstrates an ability to be
10 impartial.

11 (7) Possess experience that demonstrates an appreciation for
12 the diverse demographics and geography of the County of Los
13 Angeles.

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

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

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

32 (g) (1) After complying with the requirements of subdivision
33 (f), the county elections official shall create a subpool for each of
34 the eight service planning areas in the County of Los Angeles.

35 (2) At a regularly scheduled meeting of the board, the
36 Auditor-Controller of the County of Los Angeles shall conduct a
37 random drawing to select one commissioner from each of the eight
38 subpools established by the county elections official.

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

4 (2) The six appointees shall be chosen based on relevant
5 experience, analytical skills, and ability to be impartial, and to
6 ensure that the commission reflects the county’s diversity,
7 including racial, ethnic, geographic, and gender diversity. The
8 eight commissioners shall also consider political party preference,
9 selecting applicants so that the political party preference of the
10 members of the commission are as proportional as possible to that
11 of the registered voters in the county, as described in subdivision
12 ~~(e); however, formulas or specific ratios shall not applied for this~~
13 ~~purpose.~~ (c).

14 21533. (a) A commission member shall apply this chapter in
15 a manner that is impartial and that reinforces public confidence in
16 the integrity of the redistricting process.

17 (b) The term of office of each member of the commission
18 expires upon the appointment of the first member of the succeeding
19 commission.

20 (c) Nine members of the commission shall constitute a quorum.
21 Nine or more affirmative votes shall be required for any official
22 action.

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

26 (2) For purposes of this subdivision, “consultant” means a
27 person, whether or not compensated, retained to advise the
28 commission or a *commission* member thereof regarding any aspect
29 of the redistricting process.

30 (e) *Each commission member shall be a designated employee*
31 *for purposes of the conflict of interest code adopted by the County*
32 *of Los Angeles pursuant to Article 3 (commencing with Section*
33 *87300) of Chapter 7 of Title 9 of the Government Code.*

34 21534. (a) The commission shall establish single-member
35 supervisorial districts for the board pursuant to a mapping process
36 using the following criteria as set forth in the following order of
37 priority:

38 (1) Districts shall comply with the United States Constitution
39 and each district shall have reasonably equal population with other
40 districts for the board, except where deviation is required to comply

1 with the federal Voting Rights Act *of 1965* (52 U.S.C. Sec. 10101
2 et seq.) or allowable by law.

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

5 (3) Districts shall be geographically contiguous.

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

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

20 (b) The place of residence of any incumbent or political
21 candidate shall not be considered in the creation of a map. Districts
22 shall not be drawn for ~~the purpose~~ *purposes* of favoring or
23 discriminating against an incumbent, political candidate, or political
24 party.

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

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

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

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

36 (B) Conduct at least two public hearings to take place over a
37 period of no fewer than ~~thirty~~ 30 days.

38 (4) (A) The commission shall establish and make available to
39 the public a calendar of all public hearings described in paragraphs
40 (2) and (3).

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

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

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

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

18 (A) Providing information through media, social media, and
19 public service announcements.

20 (B) Coordinating with community organizations.

21 (C) Posting information on the Internet Web site of the County
22 of Los Angeles that explains the redistricting process and includes
23 a notice of each public hearing and the procedures for testifying
24 during a hearing or submitting written testimony directly to the
25 commission.

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

31 (8) All records of the commission relating to redistricting, and
32 all data considered by the commission in drawing a draft map or
33 the final map, are public records.

34 (d) (1) The commission shall adopt a redistricting plan adjusting
35 the boundaries of the supervisorial districts and shall file the plan
36 with the county elections official ~~prior to~~ *before* August 15 of the
37 year following the year in which each decennial federal census is
38 taken.

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

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

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

7 SEC. 2. The Legislature finds and declares that a special law
8 is necessary and that a general law cannot be made applicable
9 within the meaning of Section 16 of Article IV of the California
10 Constitution because of the unique circumstances facing the County
11 of Los Angeles.

12 SEC. 3. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.