

AMENDED IN SENATE MAY 4, 2016

**SENATE BILL**

**No. 1108**

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**Introduced by Senator Allen**  
*(Coauthor: Senator Hertzberg)*

February 17, 2016

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An act to repeal and add Sections 21505 and 21605 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1108, as amended, Allen. Elections: state and local reapportionment.

Existing law authorizes a county board of supervisors to appoint a committee, composed of county residents, to study the matter of changing the boundaries of its supervisorial districts. Existing law directs a committee created pursuant to that provision to report its findings to the board of supervisors, as specified, and it expressly states that recommendations of the committee are advisory only. Existing law similarly authorizes a city council to appoint a committee, composed of city residents, to study the matter of changing the boundaries of its council districts, directs a committee so created to report its findings to the city council, and expressly states that recommendations of the committee are advisory only.

This bill would delete those provisions and instead authorize a county or city to establish a commission, composed of residents of the county or city, to either change the boundaries of the districts or recommend to the governing body changes to the boundaries of the districts. The bill would also require a commission so created to report to the governing body its findings on the need for changes to the boundaries, and its adopted or recommended changes, as specified. *This bill would*

*prohibit the appointment of a person or family member, as defined, of a person who engaged in specified activities during the preceding 8 years, and it would also prohibit commission members from engaging in specified activities while serving and for a specified period of time after serving.*

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 Section 21505 of the Elections Code is repealed.  
2 SEC. 2. Section 21505 is added to the Elections Code, to read:  
3 21505. ~~A~~(a) *For purposes of this section, “family member”*  
4 *means a spouse, registered domestic partner, parent, sibling, child,*  
5 *or in-law.*  
6 (b) *A county may establish a commission composed of county*  
7 *residents to change the boundaries of the supervisorial districts or*  
8 *to recommend to the board changes to the boundaries of the*  
9 *supervisorial districts. The commission shall submit a report to*  
10 *the board of its findings on the need for changes to the boundaries,*  
11 *and its adopted or recommended changes, within six months after*  
12 *the final population figures determined in each federal decennial*  
13 *census have been released, but in any event not later than August*  
14 *1st of the year following the year in which the census is taken. A*  
15 *commission established pursuant to this section shall not be*  
16 *comprised entirely of members who are registered to vote with the*  
17 *same political party.*  
18 (c) *A person, or the family member of a person, who has done*  
19 *any of the following in the preceding eight years, shall not be*  
20 *appointed to serve on a commission established pursuant to*  
21 *subdivision (b):*  
22 (1) *Been elected or appointed to, or been a candidate for, a*  
23 *county elective office.*  
24 (2) *Served as an officer of, employee of, or paid consultant to,*  
25 *a campaign committee or a candidate for elective office in that*  
26 *county.*  
27 (3) *Served as an officer of, employee of, or paid consultant to,*  
28 *a political party or as an elected or appointed member of a political*  
29 *party central committee.*

1 (4) Served as a staff member of, consultant to, or contracted  
2 with, a currently-serving elected officer of the county.

3 (5) Been registered to lobby the county.

4 (6) Contributed five hundred dollars (\$500) or more to a  
5 candidate for a county elective office.

6 (d) A member of a commission established pursuant to  
7 subdivision (b) shall not do any of the following:

8 (1) While serving on the commission, endorse, work for,  
9 volunteer for, or make a campaign contribution to, a candidate  
10 for a county elective office.

11 (2) Be a candidate for a county elective office for 10 years  
12 commencing with the date of his or her appointment to the  
13 commission.

14 (3) For four years commencing with the date of his or her  
15 appointment to the commission:

16 (A) Accept an appointment to a county office.

17 (B) Accept employment as a staff member of, or consultant to,  
18 an elected official or candidate for elective office in the county.

19 (C) Receive a non-competitively bid contract with the county.

20 (D) Register as a lobbyist for the county.

21 (e) Each member of a commission established pursuant to  
22 subdivision (b) shall be a designated employee in the conflict of  
23 interest code for the commission pursuant to Article 3 (commencing  
24 with Section 87300) of Chapter 7 of Title 9 of the Government  
25 Code.

26 (f) A commission established pursuant to subdivision (b) is  
27 subject to the Ralph M. Brown Act (Chapter 9 (commencing with  
28 Section 54950) of Part 1 of Division 2 of Title 5 of the Government  
29 Code) and the California Public Records Act (Chapter 3.5  
30 (commencing with Section 6250) of Division 7 of Title 1 of the  
31 Government Code).

32 SEC. 3. Section 21605 of the Elections Code is repealed.

33 SEC. 4. Section 21605 is added to the ~~Government~~Elections  
34 Code, to read:

35 21605. ~~A~~(a) For purposes of this section, “family member”  
36 means a spouse, registered domestic partner, parent, sibling, child,  
37 or in-law.

38 (b) A city may establish a commission composed of city  
39 residents to change the boundaries of the council districts or to  
40 recommend to the council changes to the boundaries of the council

1 districts. The commission shall submit a report to the council of  
2 its findings on the need for changes to the boundaries, and its  
3 adopted or recommended changes, within six months after the  
4 final population figures determined in each federal decennial census  
5 have been released, but in any event not later than August 1st of  
6 the year following the year in which the census is taken. A  
7 *commission established pursuant to this section shall not be*  
8 *comprised entirely of members who are registered to vote with the*  
9 *same political party.*

10 (c) *A person, or the family member of a person, who has done*  
11 *any of the following in the preceding eight years, shall not be*  
12 *appointed to serve on a commission established pursuant to*  
13 *subdivision (b):*

14 (1) *Been elected or appointed to, or been a candidate for, a city*  
15 *elective office.*

16 (2) *Served as an officer of, employee of, or paid consultant to,*  
17 *a campaign committee or a candidate for elective office in that*  
18 *city.*

19 (3) *Served as an officer of, employee of, or paid consultant to,*  
20 *a political party or as an elected or appointed member of a political*  
21 *party central committee.*

22 (4) *Served as a staff member of, consultant to, or contracted*  
23 *with, a currently-serving elected officer of the city.*

24 (5) *Been registered to lobby the city.*

25 (6) *Contributed five hundred dollars (\$500) or more to a*  
26 *candidate for a city elective office.*

27 (d) *A member of a commission established pursuant to*  
28 *subdivision (b) shall not do any of the following:*

29 (1) *While serving on the commission, endorse, work for,*  
30 *volunteer for, or make a campaign contribution to, a candidate*  
31 *for a city elective office.*

32 (2) *Be a candidate for a city elective office for 10 years*  
33 *commencing with the date of his or her appointment to the*  
34 *commission.*

35 (3) *For four years commencing with the date of his or her*  
36 *appointment to the commission:*

37 (A) *Accept an appointment to a city office.*

38 (B) *Accept employment as a staff member of, or consultant to,*  
39 *an elected official or candidate for elective office in the city.*

40 (C) *Receive a non-competitively bid contract with the city.*

1     (D) Register as a lobbyist for the city.

2     (e) Each member of a commission established pursuant to  
3 subdivision (b) shall be a designated employee in the conflict of  
4 interest code for the commission pursuant to Article 3 (commencing  
5 with Section 87300) of Chapter 7 of Title 9 of the Government  
6 Code.

7     (f) A commission established pursuant to subdivision (b) is  
8 subject to the Ralph M. Brown Act (Chapter 9 (commencing with  
9 Section 54950) of Part 1 of Division 2 of Title 5 of the Government  
10 Code) and the California Public Records Act (Chapter 3.5  
11 (commencing with Section 6250) of Division 7 of Title 1 of the  
12 Government Code).

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