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AB-764 Local redistricting. (2023-2024)

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Assembly Bill No. 764

CHAPTER 343

An act to amend Section 35 of the Code of Civil Procedure, to amend Sections 1002, 5019, 5019.5, 5020, 5021, 5023, 5027, and 5028 of, to repeal Section 5019.7 of, and to repeal and add Section 1005 of, the Education Code, to amend Sections 21500, 21500.1, 21503, 21506, 21534, 21544, 21552, 21564, 21574, 21600, 21601, 21603, 21605, 21606, 21620, 21621, 21623, 21625, 21626, 21630, 22000, 23002, and 23003 of, to add Chapter 2 (commencing with Section 21100) to Division 21 of, to repeal Sections 21501, 21507, 21507.1, 21508, 21509, 21602, 21607, 21607.1, 21608, 21609, 21622, 21627, 21627.1, 21628, 21629, and 22002 of, and to repeal and add Section 22001 of, the Elections Code, and to amend Sections 34874, 34877.5, 34884, 34886, and 57301 of the Government Code, relating to elections.

[Approved by Governor October 07, 2023. Filed with Secretary of State October 07, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 764, Bryan. Local redistricting.

Existing law requires counties, general law and charter cities, and special districts that elect their governing boards using district-based elections to adopt, in a prescribed manner, new district boundaries following each federal decennial census. Existing law also requires county boards of education, and the governing boards of school districts and community college districts in which trustee areas have been established, to adopt new boundaries for their trustee areas following each federal decennial census.

This bill would revise and recast these provisions. The bill would require counties, county boards of education, cities, school districts, community college districts, and special districts, if the governing body of these local jurisdictions is elected by districts, to comply with uniform requirements related to redistricting. The bill would require local jurisdictions to adopt district boundaries, using specified criteria, following the decision to establish district-based elections and following each federal decennial census.

This bill would define the term "districting body," as specified, and clarify requirements applicable to advisory or hybrid redistricting commissions. This bill would require an advisory or hybrid redistricting commission to comply with specified requirements when recommending changes to the legislative body's district boundaries.

The bill would require a local jurisdiction, before adopting new district boundaries, to hold at least one public workshop and at least 5 public hearings, except as specified. This bill would require all public hearings held by an advisory or hybrid redistricting commission to comply with the same requirements applicable to hearings held by the districting body. This bill would impose requirements relating to workshops and public hearings upon local jurisdictions, districting bodies, and advisory and hybrid redistricting commissions, as specified. The bill would require the local jurisdiction to adopt a redistricting public education and outreach plan before holding a hearing or workshop, as specified. If a local jurisdiction establishes a hybrid redistricting commission to recommend changes to the legislative body's district boundaries, this bill would require the local jurisdiction, not the hybrid redistricting commission, to adopt the public education and outreach plan, as specified. The bill would also require the local jurisdiction to establish and maintain an accessible internet web page dedicated to redistricting to provide specified

information to the public. The bill would require a local jurisdiction to make available on its redistricting web page, within specified time frames, both of the following: (1) recordings or written summaries of oral public comments made at workshops or public hearings, and (2) written comments and draft maps. The bill would require the Secretary of State to develop templates for such web pages and to provide a redistricting training for local jurisdictions. This bill would also require the Secretary of State to make available to the public a free electronic mapping tool, as specified.

For redistricting occurring in 2031 and thereafter, the bill would require district boundaries to be adopted no later than 204 days before the local jurisdiction's next regular election occurring after January 1 in each year ending in the number 2. If the responsible body misses that deadline, the bill would require the body to immediately petition a superior court in a county in which the local jurisdiction is located for an order adopting election district boundaries, and if the body does not petition a superior court, a resident of the local jurisdiction would be permitted to file that petition. If the court grants a petition, the bill would permit the court to appoint a special master to assist with adopting district boundaries.

Under existing law, county boards of supervisors and city councils that have adopted district-based elections are prohibited from adopting new district boundaries until after the next federal decennial census, except under certain circumstances.

This bill would authorize the adoption of new district boundaries before the next federal decennial census if the number of supervisors or city council members elected by districts changes or if an independent redistricting commission is established to adopt new districts before the next census.

The bill would provide that a member of the governing body of a local jurisdiction continues to represent the constituents residing in the district boundaries from which the member was elected for the duration of that term of office. The bill would specify that a local jurisdiction may assign a public official, as specified, to provide constituent services to residents of an area that is temporarily not represented by a member of the governing body of the local jurisdiction due to redistricting.

This bill would incorporate additional changes to Section 23003 of the Elections Code proposed by Assembly Bill 1248 to be operative only if this bill and Assembly Bill 1248 are enacted and this bill is enacted last.

By increasing the duties of local officials with respect to redistricting, the bill would create 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 the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 35 of the Code of Civil Procedure, as amended by Section 1 of Chapter 745 of the Statutes of 2022, is amended to read:

35. (a) Proceedings in cases involving the registration or denial of registration of voters, the certification or denial of certification of candidates, the certification or denial of certification of ballot measures, election contests, actions under Section 20010 of the Elections Code, and actions under Chapter 2 (commencing with Section 21100) of Division 21 of the Elections Code shall be placed on the calendar in the order of their date of filing and shall be given precedence.

(b) This section shall remain in effect only until January 1, 2027, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2027, deletes or extends that date.

SEC. 2. Section 35 of the Code of Civil Procedure, as amended by Section 2 of Chapter 745 of the Statutes of 2022, is amended to read:

35. (a) Proceedings in cases involving the registration or denial of registration of voters, the certification or denial of certification of candidates, the certification or denial of certification of ballot measures, election contests, and actions under Chapter 2 (commencing with Section 21100) of Division 21 of the Elections Code shall be placed on the calendar in the order of their date of filing and shall be given precedence.

(b) This section shall become operative January 1, 2027.

SEC. 3. Section 1002 of the Education Code is amended to read:

1002. (a) Upon being so requested by the county board of education, the county committee on school district organization, by a two-thirds vote of the members, may either change the boundaries of any or all of the trustee areas of the county pursuant to Chapter 2 (commencing with Section 21100) of Division 21 of the Elections Code, or propose to increase or decrease the number of members of the county board of education, or both.

(b) Following each decennial federal census, the county committee shall adopt trustee area boundaries pursuant to Chapter 2 (commencing with Section 21100) of Division 21 of the Elections Code.

(c) Except as to the redistricting deadline provided in Section 21140 of the Elections Code, changes in trustee area boundaries or a proposed reduction in the number of county board of education members shall be made in writing and filed with the county board of supervisors not later than the first day of March of any school year.

(d) Whenever the boundaries of trustee areas are changed so as to be coterminous with those of supervisorial districts of the county, excluding any part of a trustee area that is outside of the county pursuant to Section 1001, the election for members of the county board of education shall be consolidated with the countywide election.

SEC. 4. Section 1005 of the Education Code is repealed.

SEC. 5. Section 1005 is added to the Education Code, to read:

1005. (a) Notwithstanding subdivision (a) of Section 1000, the term of office of any member of a county board of education who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the area from which the member was elected and that member shall continue to represent the constituents residing in the area boundaries from which the member was elected for the duration of that term of office. This section does not prevent a board from assigning a trustee or county office of education official to provide constituent services to residents of an area that is temporarily not represented by a trustee due to redistricting.

(b) At the first election for a member of the county board of education following adoption of the boundaries of trustee areas, excluding a special election to fill a vacancy or a recall election, a member shall be elected for each area under the new trustee area plan that has the same district number as a trustee area whose incumbent's term is due to expire.

(c) For a county board of education employing both a primary and a general election, a change in the boundaries of a trustee area shall not be made between the direct primary election and the general election.

SEC. 6. Section 5019 of the Education Code is amended to read:

5019. (a) (1) In any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven from five, or decrease from seven to five, the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(2) For any school district whose average daily attendance during the preceding year was less than 300, the county committee on school district organization may decrease from five to three the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(3) Notwithstanding paragraph (1), the county committee on school district organization shall not rearrange trustee area boundaries in a school district or community college district that has established a hybrid or independent redistricting commission for this purpose pursuant to Section 23003 of the Elections Code, the charter of a city or city and county, or a legal settlement.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters

residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization, and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) the rearrangement of the boundaries of trustee areas for a particular district, then the rearrangement of the trustee areas shall be effectuated for the next district election occurring at least 125 days after its approval, unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 125 days after its approval by the voters.

(e) Trustee areas shall comply with the requirements and criteria of Section 21130 of the Elections Code.

SEC. 7. Section 5019.5 of the Education Code is amended to read:

5019.5. (a) Following each decennial federal census, the governing board of each school district or community college district in which trustee areas have been established shall adopt trustee area boundaries pursuant to Chapter 2 (commencing with Section 21100) of Division 21 of the Elections Code.

(b) Notwithstanding subdivision (a) of Section 21130 of the Elections Code, if a school district or community college district has one or more multiple-member trustee areas, the governing board shall adopt the boundaries of the areas of the district so that the population of each area is substantially the same proportion of the total population of the district as the ratio that the number of governing board members elected from the area bears to the total number of members of the governing board, as required by the United States Constitution. Substantial proportionality of population shall be based on the total population of residents as provided in paragraphs (1) and (2) of subdivision (a) of Section 21130 of the Elections Code.

(c) Except as provided in subdivision (a), the authority to establish or abolish trustee areas, rearrange the boundaries of trustee areas, increase or decrease the number of members of the governing board, or adopt any method of electing governing board members may be exercised only as otherwise provided under this article and Division 21 (commencing with Section 21000) of the Elections Code, as applicable.

SEC. 8. Section 5019.7 of the Education Code is repealed.

SEC. 9. Section 5020 of the Education Code is amended to read:

5020. (a) (1) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(2) Notwithstanding paragraph (1), a county committee may, by resolution, approve a proposal to establish trustee areas and to elect governing board members using district-based elections, as defined in subdivision (b) of Section 14026 of the Elections Code, without being required to submit the resolution to the electors of the district for approval. A resolution adopted pursuant to this paragraph shall include a declaration that the change in the method of electing members of the governing body is being made in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the Elections Code). The resolution shall take effect upon adoption and shall govern all elections for governing board members occurring at least 125 days after the adoption of the resolution.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote if there is sufficient time to place the issue on the ballot. The rearranged trustee areas shall comply with the criteria and requirements in Section 21130 of the Elections Code.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote if there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote if there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

"For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District—Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in ____ (insert name) School District—No."

"For increasing the number of members of the governing board of ____ (insert name) School District from five to seven—Yes" and "For increasing the number of members of the governing board of ____ (insert name) School District from five to seven—No."

"For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five—Yes" and "For decreasing the number of members of the governing board of ____ (insert name) School District from seven to five—No."

"For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District—Yes" and "For the election of each member of the governing board of the ____ (insert name) School District by the registered voters of the entire ____ (insert name) School District—No."

"For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—Yes" and "For the election of one member of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area—No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District—Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the ____ (insert name) School District residing in each trustee area elected by the registered voters of the entire ____ (insert name) School District—No."

"For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District—Yes" and "For the establishment (or abolition) of a common governing board in the ____ (insert name) School District and the ____ (insert name) School District—No."

(f) If more than one proposal appears on the ballot, all must carry in order for any to become effective, except as follows:

(1) A proposal to adopt one of the methods of election of board members specified in Section 5030 that is approved by the voters shall become effective unless a proposal that is inconsistent with that proposal has been approved by a greater number of voters.

(2) An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.

SEC. 10. Section 5021 of the Education Code is amended to read:

5021. (a) If a proposal for the establishment of trustee areas formulated under Sections 5019 and 5020 is approved by a majority of the voters voting at the election, or by the county committee on school district organization when no election is required, any affected incumbent board member shall serve out the board member's term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. If two or more trustee areas are established at an election that are not represented in the membership of the governing board of the school district or community college district, the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by a majority of the voters voting on the measure, or by the county committee when no election is required, or by the board, and if the boundary changes affect the board membership, any affected incumbent board member shall serve out the board member's term of office and that member shall continue to represent the constituents residing in the area boundaries from which the member was elected for the duration of that term of office. Succeeding board members shall be nominated and elected in accordance with Section 5030. This section does not prevent a board from assigning a trustee or school district or community college district official to provide constituent services to residents of an area that is temporarily not represented by a trustee due to redistricting.

(c) If a proposal for abolishing trustee areas is approved by a majority of the voters voting at the election, the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

SEC. 11. Section 5023 of the Education Code is amended to read:

5023. (a) Whenever an elementary, high school, or unified school district, or a portion of any such district, is annexed to another school district in which trustee areas have been established, the county committee on school district organization of the county having jurisdiction over the annexing district shall study and make recommendations with respect to trustee areas of the annexing district as enlarged. If the recommendations include moving territory from an existing trustee area in the annexing district to another trustee area of the annexing district, the recommendations shall comply with the criteria and requirements in Section 21130 of the Elections Code. Procedures contained in Section 5019 shall be used for purposes of this section.

(b) Recommendations adopted under provisions of subdivision (a), if approved by the electors, shall become effective on the same date that the annexing district as enlarged becomes effective for all purposes.

SEC. 12. Section 5027 of the Education Code is amended to read:

5027. Notwithstanding Section 5019, Section 5019.5, or Chapter 2 (commencing with Section 21100) of Division 21 of the Elections Code, whenever the boundaries of a county high school district are coterminous with the boundaries of a county, the board shall consist of one member from each supervisorial district in the county elected at large from the district, and the high school district shall not go through a redistricting process separate from the process for redistricting the county board of supervisors.

SEC. 13. Section 5028 of the Education Code is amended to read:

5028. In every community college district that was divided into five trustee areas on or before September 7, 1955, one member of the board shall be elected from each trustee area by the registered voters of the trustee area. Following each federal decennial census, the governing board shall, by resolution, adopt boundaries for all of the trustee areas pursuant to Chapter 2 (commencing with Section 21100) of Division 21 of the Elections Code.

SEC. 14. Chapter 2 (commencing with Section 21100) is added to Division 21 of the Elections Code, to read:

CHAPTER 2. Fair And Inclusive Redistricting for Municipalities And Political Subdivisions (FAIR MAPS) Act of 2023

21100. (a) This chapter shall be known and may be cited as the Fair And Inclusive Redistricting for Municipalities And Political Subdivisions (FAIR MAPS) Act of 2023.

(b) In enacting this chapter, the Legislature finds and declares all of the following:

(1) The California Constitution guarantees to the people equal protection of the law and provides that the Legislature shall prohibit improper practices that affect elections.

(2) Ensuring the integrity, fairness, transparency, and accessibility of the local redistricting process is a matter of statewide interest and concern.

(3) Prohibiting discriminatory local redistricting practices, including racially discriminatory gerrymandering, partisan gerrymandering, and incumbency protection gerrymandering, is a matter of statewide interest and concern.

(4) Protecting the people from unrepresentative and dilutive local electoral systems is a matter of statewide interest and concern.

(5) As a result of changes to state law governing the city and county redistricting process that were included in the FAIR MAPS Act (Chapter 557 of the Statutes of 2019), the adjustment of district boundaries in cities and counties during the 2020 redistricting cycle was more transparent, participatory, and representative than in prior years.

(6) Notwithstanding these improvements to the redistricting process, research evaluating the 2020 redistricting cycle demonstrates that improvements to the FAIR MAPS Act are necessary to address ambiguities, loopholes, and deficiencies in the legislation that prevented the law's important goals from being fully realized.

(7) This chapter addresses a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this chapter applies to all cities, including charter cities, except as specified.

(c) The purpose of this chapter is to do all of the following:

(1) Implement the guarantees of the California Constitution, including Sections 2, 3, and 7 of Article I and Sections 1, 2, 3, and 4 of Article II.

(2) Ensure the integrity, fairness, transparency, and accessibility of the local redistricting process, prohibit discriminatory local redistricting practices, and protect the people from unrepresentative and dilutive local electoral systems.

(3) Establish requirements to ensure minimum standards of transparency and accessibility in the local redistricting process so that the public is able to provide information to assist their local governments in adopting fair and equitable district maps.

(4) Establish mandatory districting and redistricting criteria to promote fair and effective representation for all people, neighborhoods, and communities, and particularly for disadvantaged, historically marginalized, under-resourced, low-income, and underrepresented neighborhoods and communities.

(5) Establish ranked criteria that prioritize keeping whole neighborhoods and communities of interest together, facilitate political organization and constituent representation, and prohibit gerrymandering, including incumbent-protection gerrymandering.

(6) Provide a means for residents to hold their local governments accountable for conducting a fair and transparent redistricting process and adopting district maps that comply with this chapter.

(d) This chapter shall be liberally construed to effectuate its purposes.

21110. For purposes of this chapter, the following terms have the following meanings:

(a) "Adopt" or "adoption" in regard to election district boundaries means the passage of an ordinance or resolution specifying those boundaries.

(b) "Applicable language" means the following:

(1) For a county or county office of education that is not a small education district, any language in which ballots are required to be provided in the county pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

(2) For a city, any language that is spoken by a group of city residents with limited English proficiency who constitute 3 percent or more of the city's total population over four years of age for whom language can be determined, as determined by the Secretary of State in accordance with paragraph (2) of subdivision (c) of Section 21170.

(3) For a school district that is not a small education district, any language in which a school within the district is required to provide translated materials pursuant to Section 48985 of the Education Code.

(4) For a community college district that is not a small education district, any language that qualifies as an applicable language pursuant to paragraph (1) for a county in which the community college district is located.

(5) For a special district or a small education district, no applicable language shall be required under this chapter.

(c) "Election district" means an election district of the legislative body, including a county supervisorial district, county board of education trustee area, city council district, school district trustee area, community college district trustee area, or a special district governing board division.

(d) "Legislative body" means a county board of supervisors, a county board of education, a city council, a governing board of a school district, a governing board of a community college district, or a governing board of a special district.

(e) "Local jurisdiction" means a county, a county office of education, a general law city, a charter city, a school district, a community college district, or a special district.

(f) "Small education district" means any of the following:

(1) A county office of education in a county that has a total population of fewer than 250,000 residents, as of the most recent census.

(2) A school district serving an area that has a total population of fewer than 250,000 residents, as of the most recent census.

(3) A community college district serving an area that has a total population of fewer than 250,000 residents, as of the most recent census.

(g) "Member," unless otherwise specified, means a member of a legislative body elected by or from districts, including a county supervisor, county board of education member, city council member, school district trustee, community college district trustee, or special district governing board member.

(h) "Districting body" means the body that has the power to adopt a legislative body's election districts, and which may include an independent redistricting commission.

(i) "Advisory redistricting commission," "hybrid redistricting commission," and "independent redistricting commission" have the same meanings as those terms are defined in Section 23000, and include any commission created by a charter city that meets those definitions.

21120. This chapter applies to a county, county office of education, general law city, charter city, school district, community college district, or special district whose legislative body is elected by districts or from districts.

21130. (a) Following or concurrent with the decision to establish district-based elections for a legislative body, or following each federal decennial census for a legislative body that is already elected using district-based elections, the districting body shall, by ordinance or resolution, adopt boundaries for all of the election districts of the legislative body so that the election districts shall be substantially equal in population as required by the United States Constitution.

(1) Population equality shall be based on the total population of residents of the local jurisdiction as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.

(2) Notwithstanding paragraph (1), an incarcerated person, as that term is used in Section 21003, shall not be counted towards a local jurisdiction's population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the local jurisdiction, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.

(b) The districting body shall adopt election district boundaries that comply with the United States Constitution, the California Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).

(1) Consistent with the districting body's existing obligations under the federal Voting Rights Act, the districting body shall determine whether it is possible to create an election district or districts in which a minority group is sufficiently large and geographically compact to constitute a majority in a single-member district, as set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986), and as interpreted in case law regarding enforcement of the federal Voting Rights Act with respect to redistricting. The districting body shall publish on its redistricting web page, at a minimum, the results of its analysis within seven days of completing the analysis or prior to adopting election district boundaries, whichever occurs first.

(2) If the districting body, consistent with its existing obligations under the federal Voting Rights Act, conducts an analysis to determine whether "racially polarized voting," as defined in case law regarding enforcement of the federal Voting Rights Act, exists in the local jurisdiction, the districting body shall publish on its redistricting web page, at a minimum, a summary of its analysis and findings within seven days of completing the analysis or prior to adopting election district boundaries, whichever occurs first.

(c) The districting body shall adopt election district boundaries using the following criteria as set forth in the following order of priority:

(1) To the maximum extent practicable, election districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.

(2) To the maximum extent practicable, and where it does not conflict with the preceding criterion in this subdivision, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A "community of interest" is a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation. Characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. Characteristics of communities of interest may also include, but are not

limited to, cultural districts, shared socioeconomic characteristics, similar voter registration rates and participation rates, and shared histories. Communities of interest do not include relationships with political parties, incumbents, or political candidates.

(3) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, the geographic integrity of a city or census designated place shall be respected in a manner that minimizes its division. This paragraph does not apply to a city.

(4) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, election districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the local jurisdiction. Election district boundaries should be easily identifiable and understandable by residents.

(5) To the maximum extent practicable, and where it does not conflict with the preceding criteria in this subdivision, election districts shall be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations.

(d) The districting body shall not adopt election district boundaries for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

(e) The districting body shall not adopt election district boundaries using any criterion that is prioritized over the criteria in subdivision (c) or that, expressly or as applied, conflicts with one of the requirements in subdivisions (a) to (d), inclusive, except as provided in subdivision (g).

(f) Within 21 days of adopting final election district boundaries, the districting body shall issue a report that explains the basis on which the districting body made its decisions in achieving compliance with the requirements and criteria described in this section, including, as to each neighborhood, community of interest, city, or census designated place that was split into two or more districts, the reason for that split. This paragraph does not apply to a special district or small education district. Notwithstanding subdivision (i) of Section 23003, if a local jurisdiction establishes a hybrid redistricting commission to recommend changes to the legislative body's district boundaries, the report required by this subdivision shall be issued by the districting body, and not by the commission.

(g) Subdivision (c) does not apply to a charter city that has adopted comprehensive or exclusive redistricting criteria in its city charter that includes a requirement to keep whole either communities of interest or neighborhoods. In such a charter city, the report required by subdivision (f) shall explain the basis on which the districting body made its decisions in achieving compliance with the requirements described in this section and the criteria described in the city charter, including, as to each neighborhood or community of interest that was split into two or more districts, the reason for that split. For purposes of this subdivision, "comprehensive or exclusive" means either that the city's charter excludes consideration of redistricting criteria other than those that are identified in the city charter or that the city's charter provides two or more mandatory traditional redistricting criteria other than the requirement that districts be equal in population.

(h) If a local jurisdiction establishes an advisory or hybrid redistricting commission to recommend changes to the legislative body's district boundaries, any recommendation adopted by the commission shall comply with the requirements of subdivisions (a) through (e), inclusive, except as provided in subdivision (g).

(i) The criteria and requirements of this section apply to all election district boundaries adopted after January 1, 2024, including district boundaries adopted when a legislative body transitions from being elected at-large to elected by districts or from districts.

21140. (a) For redistricting occurring in 2031 and thereafter, the boundaries of the election districts shall be adopted by the districting body not later than 204 days before the local jurisdiction's next regular election occurring after January 1 in each year ending in the number two.

(b) This section does not apply when a legislative body transitions from being elected at-large to elected by districts or from districts.

(c) This section does not apply to a charter city that has adopted a different redistricting deadline by ordinance or in its city charter, provided that, if the county conducts the city's elections, the county is able to administratively accommodate this later deadline. If the county cannot accommodate that deadline, the county shall provide the charter city with the latest deadline the county can reasonably accommodate, which shall be used as the map-adoption deadline for purposes of Section 21180 and which the city shall post to the city's redistricting web page.

21150. (a) Before a districting body adopts new election district boundaries, including when a local jurisdiction redistricts following the federal decennial census or between federal decennial censuses, but not including when a legislative body transitions from being elected at-large to elected by districts or from districts, the local jurisdiction shall hold at least one workshop before the districting body draws a draft map or maps of the proposed election district boundaries and the districting body shall hold public

hearings, as specified by this section, at which the public is invited to provide input regarding the composition of one or more neighborhoods, communities of interest, or election districts.

(b) For purposes of this chapter, a workshop is a standalone meeting which is conducted by either a local jurisdiction's staff, a consultant hired by the local jurisdiction, or by one or more members of the districting body but fewer than a majority of the members of the districting body. At each workshop, the local jurisdiction shall provide the public with information on the redistricting process, information on how the public may provide public comment, and instructions on how to use an online mapping tool to create draft maps or community of interest maps, if applicable. Local jurisdictions may, and are encouraged to, assist the public in drawing and submitting draft maps at the workshop. All submitted draft maps and an oral summary that characterizes the number and nature of the public comments received at the workshop concerning the proposed boundaries of a neighborhood, community of interest, or election district shall be presented to the districting body at the next public hearing.

(c) This subdivision applies to special districts and small education districts.

(1) After drawing a draft map or maps, the districting body shall hold at least two public hearings. This subdivision does not prevent a districting body from holding a public hearing before drawing a draft map or maps.

(d) This subdivision applies to counties, cities, school districts, community college districts, and county offices of education that are not a small education district.

(1) Before the districting body draws a draft map or maps of the proposed election district boundaries, the districting body shall hold at least two public hearings.

(2) After drawing a draft map or maps, a districting body shall hold at least three public hearings.

(e) (1) In lieu of the districting body, an advisory redistricting commission that complies with Section 23002 may hold the public hearings required by paragraph (1) of subdivision (d). An advisory redistricting commission may draw draft maps and hold public hearings to consider draft maps, but those public hearings shall not fulfill the districting body's responsibility to hold public hearings under paragraph (1) of subdivision (c) or paragraph (2) of subdivision (d).

(2) In lieu of the districting body, a hybrid redistricting commission, as defined in subdivision (c) of Section 23000, may hold the public hearings required by subdivisions (c) and (d) of this section.

(3) A public hearing held by an advisory or hybrid redistricting commission pursuant to this subdivision shall comply with the requirements of this section that would apply to the hearing if the hearing were held by the districting body.

(f) At least two workshops or public hearings shall be held on a Saturday, on a Sunday, or after 6 p.m. on a weekday.

(g) The building in which a workshop or public hearing is held shall be accessible to persons with disabilities.

(h) To promote the accessibility of the public hearings, the districting body shall permit the public to attend and provide live public comment at each public hearing both in-person and remotely, which should include providing an accessible and clearly audible call-in or internet-based service option. Notwithstanding any other law, the districting body shall not be required to provide a physical location from which the public may remotely provide public comment at a public hearing and the districting body shall not require that the public go to a physical location to remotely provide public comment.

(i) If a public hearing is consolidated with a regular or special meeting of the districting body that includes other substantive agenda items, the public hearing shall begin at a fixed time regardless of its order on the agenda, except that the districting body may first conclude any item being discussed or acted upon, including any associated public comment, when that time occurs. The time of the public hearing shall be noticed to the public.

(j) Consistent with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), the districting body may reasonably limit an individual's speaking time at a public hearing. The total amount of time available for all public comment at a public hearing shall not be limited to less than two hours; however, the public comment period may end before two hours if every person desiring to provide public comment has done so.

(k) Subdivisions (f) to (h), inclusive, do not apply to special districts or small education districts.

21160. (a) The local jurisdiction shall make a good faith effort to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in the redistricting process.

(b) No later than four weeks before the first hearing or workshop held pursuant to Section 21150, the legislative body or districting body shall adopt a redistricting public education and outreach plan to inform residents about the local jurisdiction's redistricting process and how to participate. Notwithstanding subdivision (i) of Section 23003, if a local jurisdiction establishes a hybrid

redistricting commission to recommend changes to the legislative body's district boundaries, the public education and outreach plan required by this subdivision shall be adopted by the local jurisdiction, and not by the commission.

(1) A draft version of the plan shall be posted online for a 14-day review and comment period prior to being adopted. In developing the draft plan, the local jurisdiction shall make a good faith effort to consult with organizations that are active in the local jurisdiction, including those active in language minority communities, and shall identify those consulted organizations in the draft report.

(2) The plan shall include a description of all of the following:

(A) How the local jurisdiction will devote the necessary resources on education and outreach to ensure that residents, including residents speaking an applicable language, are informed about the local jurisdiction's redistricting process.

(B) The specific methods the jurisdiction plans to use to inform residents about the redistricting process and how to participate. Examples may include media, including an identification of any media outlets that the jurisdiction plans to use, direct contact with residents, and community events or town halls.

(C) How the local jurisdiction will inform organizations that are active in the local jurisdiction, including organizations that requested to be notified of the jurisdiction's redistricting and organizations active in language minority communities, about the local jurisdiction redistricting process and which of these organizations, if any, that the jurisdiction will partner with to inform the public.

(D) Whether and how the local jurisdiction will coordinate its outreach and messaging with other local jurisdictions in the same county that are also redistricting.

(E) The number of workshops and public hearings the local jurisdiction intends to hold and their anticipated dates.

(3) A jurisdiction may use the redistricting public education and outreach template developed pursuant to paragraph (6) of subdivision (a) of Section 21170 when satisfying the requirements of this subdivision.

(c) Throughout the redistricting process, the local jurisdiction shall make a good faith effort to provide redistricting information to all of the following:

(1) Media organizations that provide local jurisdiction news coverage, including media organizations that serve language minority communities.

(2) Good government, civil rights, civic engagement, neighborhood, and community groups or organizations that are active in the local jurisdiction, including those active in language minority communities.

(3) Any person that has requested to be notified concerning the local jurisdiction's redistricting process. The local jurisdiction shall maintain a contact list for all such persons and provide them with regular updates throughout the redistricting process including, at minimum, notices of upcoming workshops or public hearings.

(d) The local jurisdiction shall arrange for the live translation in an applicable language of a workshop or public hearing held pursuant to this chapter if a request for translation is made at least 72 hours before the workshop or public hearing, unless less than five days' notice is provided for the workshop or public hearing, in which case the request shall be made at least 48 hours before the workshop or public hearing.

(e) Notwithstanding Section 54954.2 of the Government Code, the local jurisdiction shall publish the date, time, and location for any workshop or public hearing on the internet at least five days before the workshop or public hearing. However, if there are fewer than 28 days until the deadline to adopt boundaries, the local jurisdiction may publish the date, time, and location for the workshop or public hearing on the internet for at least 72 hours before the workshop or public hearing.

(f) (1) A draft map shall be published on the internet for at least 7 days before being adopted as a final map by the districting body provided that, if there are fewer than 28 days until the deadline to adopt boundaries, the draft map may instead be published on the internet for at least 72 hours.

(2) Each draft map prepared by a member of an advisory or hybrid redistricting commission, a member of the districting body, or by employees or contractors of the local jurisdiction, or any draft map submitted by the public that a member of the advisory or hybrid redistricting commission or districting body asks be discussed or considered at a future public hearing, shall be accompanied by information on the total population, citizen voting age population, and racial and ethnic characteristics of the citizen voting age population of each proposed election district, to the extent the local jurisdiction has that data.

(3) (A) An advisory or hybrid redistricting commission, the districting body, and employees or contractors of the local jurisdiction shall not release draft maps of election districts earlier than three weeks after the block-level redistricting database required by

subdivision (b) of Section 8253 of the Government Code is first made publicly available. This subparagraph does not prohibit the commission or districting body from holding workshops or public hearings on the placement of election district boundaries before the earliest date that draft maps of election districts may be released.

(B) If the period of time between the date that the redistricting database is made publicly available and the map adoption deadline is fewer than 90 days and more than 59 days, the waiting period described in subparagraph (A) is reduced to 7 days.

(C) If the period of time between the date that the redistricting database is made publicly available and the map adoption deadline is fewer than 60 days, the waiting period described in subparagraph (A) does not apply.

(g) (1) The local jurisdiction shall either video or audio record or prepare a written summary of each oral public comment, and each deliberation by a districting body or an advisory or hybrid redistricting commission, made at every workshop or public hearing held pursuant to this chapter. The local jurisdiction shall make the recording or written summary of a workshop or public hearing available to the public on its redistricting web page no later than 14 days after the workshop or public hearing. Notwithstanding subdivision (i) of Section 23003, if a local jurisdiction establishes a hybrid redistricting commission, the local jurisdiction, not the hybrid redistricting commission, shall be responsible for meeting the requirements of this subdivision.

(2) Notwithstanding paragraph (1), the local jurisdiction shall do both of the following:

(A) At least 72 hours before holding the first of its final two workshops or public hearings, make all of the recordings or written summaries of the workshops and public hearings that the local jurisdiction has already held available to the public on its redistricting web page.

(B) Make all of the recordings or written summaries of the public hearings required by paragraph (1) of subdivision (d) of Section 21150 available to the public on its redistricting web page at least 72 hours before the first public hearing required by paragraph (2) of subdivision (d) of Section 21150.

(h) (1) The districting body, or an advisory or hybrid redistricting commission, shall allow the public to submit written public comment or draft neighborhood, community of interest, or district maps both in a paper format and electronically.

(2) The local jurisdiction shall make any written public comments or draft maps available to the public on its redistricting web page no later than 14 days after receiving the public comment or draft map.

(3) Notwithstanding paragraph (2), the local jurisdiction shall do both of the following:

(A) At least 72 hours before holding the first of its final two workshops or public hearings, make all of the written comments or draft maps available to the public on its redistricting web page, except for any public comment or draft map received less than four business days before that workshop or public hearing.

(B) Make all of the written comments or draft maps available to the public on its redistricting web page at least 72 hours before the first public hearing required by paragraph (2) of subdivision (d) of Section 21150, except for any public comment or draft map received less than four business days before that workshop or public hearing.

(i) Prior to holding its first workshop or public hearing, the local jurisdiction shall establish, and maintain for at least 10 years after the adoption of new election district boundaries, an accessible internet web page dedicated to redistricting. The web page may be hosted on the local jurisdiction's existing internet website or another internet website maintained by the local jurisdiction. Prior to the first workshop or public hearing and until new district boundaries are adopted, the homepage of the local jurisdiction's internet website shall include a prominent link to the redistricting web page. The web page shall include, or link to, all of the following information:

(1) A general explanation of the redistricting process for the local jurisdiction. This explanation shall be provided in English and applicable languages.

(2) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public hearing or to submit written public comment or a draft map to the districting body, or an advisory or hybrid redistricting commission, either in a paper or electronic format, for consideration at a future public hearing. The explanation shall be provided in English and applicable languages.

(3) A calendar of all workshop and public hearing dates. A calendar listing that includes the date, time, and location of the workshop or public hearing dates satisfies the notice required by subdivision (e).

(4) A notice of the applicable languages in which the local jurisdiction will provide live translation of a workshop or public hearing upon request and instructions for making such a request. This notice and these instructions shall be provided in

English and applicable languages.

(5) Instructions and a method for a person to sign up to receive regular notices regarding redistricting, including notices of upcoming workshops or public hearings. These instructions shall be provided in English and applicable languages.

(6) The notice and agenda for each workshop and public hearing.

(7) The recording or written summary of each workshop and public hearing.

(8) Each draft map considered by the districting body or an advisory or hybrid redistricting commission at a public hearing.

(9) Each written public comment submitted to the local jurisdiction.

(10) The results of the local jurisdiction's analysis under paragraphs (1) and (2) of subdivision (b) of Section 21130.

(11) The existing map of election district boundaries prior to redistricting.

(12) The adopted final map of election district boundaries after redistricting, and where applicable, the report required pursuant to subdivision (f) of Section 21130.

(j) This section does not apply when a legislative body transitions from being elected at-large to elected by districts or from districts.

(k) Subdivisions (b) to (g), inclusive, paragraphs (2) and (3) of subdivision (h), and paragraphs (4) to (10), inclusive, of subdivision (i) do not apply to special districts or small education districts. Subdivision (i) does not apply to special districts or small education districts that do not have a website for the jurisdiction and are not legally required to establish such a website.

21170. (a) No later than December 15, 2030, and no later than December 15 in each year ending in the number zero thereafter, the Secretary of State shall publish in a conspicuous location on the Secretary of State's internet website all of the following documents:

(1) A template explaining the local jurisdiction redistricting process that meets the requirements of paragraph (1) of subdivision (i) of Section 21160.

(2) A template explaining the procedures for providing public comment in the local jurisdiction redistricting process that meets the requirements of paragraph (2) of subdivision (i) of Section 21160.

(3) A template of a notice explaining the languages in which a local jurisdiction is required to provide live translation upon request and how to make such a request that meets the requirements of paragraph (4) of subdivision (i) of Section 21160.

(4) A template of instructions for a member of the public to sign up for regular notices regarding redistricting that meets the requirements of paragraph (5) of subdivision (i) of Section 21160.

(5) A template form for a member of the public to describe and identify the boundaries of a neighborhood or community of interest.

(6) To assist local jurisdictions with complying with this chapter, a template of a redistricting public education and outreach plan that can be used to meet the requirements of subdivision (b) of Section 21160.

(7) To assist local jurisdictions with complying with this chapter, a brief summary and checklist of all the requirements imposed on a local jurisdiction by this chapter.

(b) No later than November 1, 2030, and no later than November 1 in each year ending in the number zero thereafter, the Secretary of State shall post online drafts of the documents described in subdivision (a) for at least a 30-day public comment period before finalizing any draft. Prior to posting these drafts, the Secretary of State shall solicit input from good government organizations, civil rights organizations, firms providing redistricting mapping services, and statewide associations representing affected local government agencies.

(c) (1) No later than January 1, 2031, and no later than January 1 in every year ending in the number one thereafter, the Secretary of State shall publish the applicable languages for each city and county in a conspicuous location on the Secretary of State's internet website.

(2) To determine the applicable languages for each city, in 2030 and in each year ending in the number zero thereafter, the Secretary of State, in consultation with the developer of the database developed in accordance with subdivision (b) of Section 8253 of the Government Code, shall request a special tabulation from the United States Census Bureau of the most recent data on limited English proficiency from the bureau's American Community Survey that satisfies paragraph (2) of subdivision

(b) of Section 21110. If the bureau is unable to produce that data, the Secretary of State shall base the Secretary of State's determination on the table from the American Community Survey enumerating the number of residents with limited English proficiency that has the largest number of languages included, that is publicly available, and that was produced within the previous 10 years.

(d) No later than February 28, 2031, and no later than February 28 in each year ending in the number one thereafter, the Secretary of State shall translate the documents described in paragraphs (1) to (5), inclusive, of subdivision (a) in any applicable language required for any city or county and shall publish these documents on a conspicuous location on the Secretary of State's internet website.

(e) Prior to finalizing any translated documents pursuant to subdivision (d), the Secretary of State shall post online drafts of these documents for at least a 15-day public comment period before finalizing any draft. Prior to posting these drafts, the Secretary of State shall solicit input from the Language Accessibility Advisory Committee and organizations representing communities that speak each applicable language.

(f) To assist local jurisdictions with complying with this chapter, the Secretary of State shall provide a training to local jurisdictions subject to this chapter and associations representing such local jurisdictions that summarizes the requirements imposed on a local jurisdiction by this chapter. This training shall be video recorded and posted in a conspicuous location on the Secretary of State's internet website.

(g) (1) Within 30 days of the computerized database described in subdivision (b) of Section 8253 of the Government Code being made available to the public, the Secretary of State shall make available to the public a free electronic mapping tool, loaded with relevant population and demographic data for each county and city whose legislative body is elected by district, which tool can be used by the public to create neighborhood maps, community of interest maps, or draft district maps that can be submitted to the local jurisdiction's districting body or to an advisory or hybrid redistricting commission. The Secretary of State is authorized and encouraged to create a mapping tool for other local jurisdictions whose legislative bodies are elected by district.

(2) Implementation of this subdivision shall be contingent on an appropriation being made for this purpose in the annual Budget Act or another statute.

21180. (a) If the districting body does not adopt election district boundaries by the deadlines set forth in subdivision (a) of Section 21140 or adopted pursuant to subdivision (c) of Section 21140, as applicable, the districting body shall immediately petition a superior court in a county in which the local jurisdiction is located for an order adopting election district boundaries. If the districting body does not petition a superior court within five days after the deadline, any resident of the local jurisdiction may file that petition.

(b) (1) Upon granting a petition filed pursuant to subdivision (a), the superior court shall adopt election district boundaries in accordance with the requirements and criteria set forth in Section 21130, which shall be used in the local jurisdiction's next regular election.

(2) The superior court may appoint a special master to assist the court with adopting the district boundaries. The local jurisdiction shall pay the cost for the special master and associated costs.

(3) The superior court or a special master appointed by the superior court may hold one or more public hearings before the superior court adopts the election district boundaries.

(4) Subject to the approval of the court, the special master may employ redistricting experts or other consultants or counsel, independent experts in the field of redistricting and computer technology, and other necessary personnel to assist them in their work. The special master may also seek the full cooperation of the local jurisdiction in producing and using any data, computer models and programs, or technical assistance that was made available to the districting body or an advisory or hybrid redistricting commission and local jurisdiction personnel who are knowledgeable in the mechanics of drafting redistricting legislation. The court may assist the special master in securing the necessary personnel and the physical facilities required for their work and in preparing for the prompt submission to the local jurisdiction of a request for local jurisdiction funding for the necessary expenses of the special master and the special master's staff.

(c) The election district boundaries adopted by the superior court shall have the same force and effect as an enacted resolution or ordinance of the districting body, but shall not be subject to a referendum.

(d) The superior court may order the adjustment of electoral deadlines as necessary to implement the new election district boundaries in the next regular election.

(e) This section does not apply to a charter city that has adopted in its city charter a different method for adopting city council district boundaries when a redistricting deadline is missed.

(f) This chapter does not limit the discretionary remedial authority of any federal or state court, including any authority to award attorney's fees and costs under other provisions of law.

SEC. 15. Section 21500 of the Elections Code is amended to read:

21500. Following a county's decision to elect its board using district-based elections, or following each federal decennial census for a county whose board is already elected using district-based elections, the board shall, by ordinance or resolution, adopt boundaries for all of the supervisorial districts of the county pursuant to Chapter 2 (commencing with Section 21100).

SEC. 16. Section 21500.1 of the Elections Code is amended to read:

21500.1. This chapter applies to a county that elects members of the county's board of supervisors by districts or from districts.

SEC. 17. Section 21501 of the Elections Code is repealed.

SEC. 18. Section 21503 of the Elections Code is amended to read:

21503. (a) After redistricting or districting, a board shall not adopt new supervisorial district boundaries until after the next federal decennial census, except under the following circumstances:

(1) A court orders the board to redistrict.

(2) The board is settling a legal claim that its supervisorial district boundaries violate the United States Constitution, the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this chapter.

(3) The boundaries of the county change by the addition or subtraction of territory.

(4) The number of supervisors elected by districts or from districts is increased or decreased.

(5) An independent redistricting commission is established pursuant to Section 23003 to adopt new supervisorial districts between federal decennial censuses and the districts being replaced were adopted by the board of supervisors.

(b) This section does not prohibit a board from adopting supervisorial districts between federal decennial censuses if the board is adopting supervisorial districts for the first time, including when a board adopts supervisorial districts for the purpose of transitioning from electing its supervisors in at-large elections to elections by districts or from districts.

SEC. 19. Section 21506 of the Elections Code is amended to read:

21506. (a) The term of office of any supervisor who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which the supervisor was elected and that supervisor shall continue to represent the constituents residing in the district boundaries from which the supervisor was elected for the duration of that term of office. This section does not prevent a board from assigning a county elected official or county official to provide constituent services for residents of an area that is temporarily not represented by a supervisor due to redistricting.

(b) At the first election for county supervisors in each county following adoption of the boundaries of supervisorial districts, excluding a special election to fill a vacancy or a recall election, a supervisor shall be elected for each district under the new district plan that has the same district number as a district whose incumbent's term is due to expire. This subdivision does not apply when a county transitions from at-large to district-based elections.

(c) For a county employing both a primary and a general election, a change in the boundaries of a supervisorial district shall not be made between the direct primary election and the general election.

(d) Except as provided in subdivision (a), a person is not eligible to hold office as a member of a board of supervisors unless that person meets the requirements of Section 201 of the Elections Code and Section 24001 of the Government Code.

SEC. 20. Section 21507 of the Elections Code is repealed.

SEC. 21. Section 21507.1 of the Elections Code is repealed.

SEC. 22. Section 21508 of the Elections Code is repealed.

SEC. 23. Section 21509 of the Elections Code is repealed.

SEC. 24. Section 21534 of the Elections Code is amended to read:

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

(1) (A) Districts shall comply with the United States Constitution and each district shall have a reasonably equal population with other districts for the board, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or allowable by law.

(B) Population equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.

(C) Notwithstanding subparagraph (B), an incarcerated person, as that term is used in Section 21003, shall not be counted towards the county's population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the county, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.

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

(3) Districts shall be geographically contiguous.

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

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

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

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

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

(B) In the event any state or local health order prohibits large gatherings, the commission may modify the location of the hearings, including use of virtual hearings that use technology to permit remote viewing and participation, to the extent required to comply with public health requirements. If the commission modifies the location of a hearing, it shall provide opportunities to view and listen to proceedings by video, to listen to proceedings by phone, and to provide public comment by phone and in writing with no limitation on the number of commenters. The commission shall, to the greatest extent practicable, provide an opportunity for in-person participation for at least one hearing in each supervisorial district. Methods for providing in-person participation may include, but are not limited to, setting up multiple rooms with audiovisual connections to the hearing, allowing community members to make appointments to make public comment, providing personal protective equipment, or holding hearings in outdoor spaces.

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

(A) Post the map for public comment on the internet website of the County of Los Angeles.

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

(4) (A) The commission shall establish and make available to the public a calendar of all public hearings described in paragraphs (2) and (3). Hearings shall be scheduled at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible.

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

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

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

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

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

(B) Coordinating with community organizations.

(C) Posting information on the internet website of the County of Los Angeles that explains the redistricting process and includes a notice of each public hearing and the procedures for testifying during a hearing or submitting written testimony directly to the commission.

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

(8) The board shall provide reasonable funding and staffing for the commission.

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

(d) (1) The commission shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the county elections official by the map adoption deadline set forth in subdivision (a) of Section 21140. The commission shall not release a draft map before the date set forth in paragraph (3) of subdivision (f) of Section 21160.

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

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

SEC. 25. Section 21544 of the Elections Code is amended to read:

21544. (a) The commission shall establish single-member supervisorial districts for the board pursuant to a mapping process using the following criteria as set forth in the following order of priority:

(1) (A) Districts shall comply with the United States Constitution and each district shall have a reasonably equal population with other districts for the board, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or allowable by law.

(B) Population equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.

(C) Notwithstanding subparagraph (B), an incarcerated person, as that term is used in Section 21003, shall not be counted towards the county's population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the county, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.

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

(3) Districts shall be geographically contiguous.

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

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

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

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

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

(B) In the event any state or local health order prohibits large gatherings, the commission may modify the location of the hearings, including through the use of virtual hearings that use technology to permit remote viewing and participation, to the extent required to comply with public health requirements. If the commission modifies the location of a hearing, it shall provide opportunities to view and listen to proceedings by video, to listen to proceedings by phone, and to provide public comment by phone and in writing with no limitation on the number of commenters. The commission shall, to the greatest extent practicable, provide an opportunity for in-person participation for at least one hearing in each supervisorial district. Methods for providing in-person participation may include setting up multiple rooms with audiovisual connections to the hearing, allowing community members to make appointments to make public comment, providing personal protective equipment, or holding hearings in outdoor spaces.

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

(A) Post the map for public comment on the website of the County of Riverside.

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

(4) (A) The commission shall establish and make available to the public a calendar of all public hearings described in paragraphs (2) and (3). Hearings shall be scheduled at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible.

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

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

(B) For purposes of this paragraph, an "applicable language" means a language for which the number of residents of the County of Riverside who are members of a language minority is greater than or equal to 3 percent of the total voting age residents of the county.

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

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

(B) Coordinating with community organizations.

(C) Posting information on the website of the County of Riverside that explains the redistricting process and includes a notice of each public hearing and the procedures for testifying during a hearing or submitting written testimony directly to the commission.

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

(8) The board shall provide for reasonable funding and staffing for the commission.

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

(d) (1) The commission shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the county elections official by the map adoption deadline set forth in subdivision (a) of Section 21140. The commission shall not release a draft map before the date set forth in paragraph (3) of subdivision (f) of Section 21160.

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

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

SEC. 26. Section 21552 of the Elections Code is amended to read:

21552. (a) The commission shall establish single-member supervisorial districts for the board pursuant to a mapping process using the following criteria as set forth in the following order of priority:

(1) (A) Districts shall comply with the United States Constitution and each district shall have a reasonably equal population with other districts for the board, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or is allowable by law.

(B) Population equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.

(C) Notwithstanding subparagraph (B), an incarcerated person, as that term is used in Section 21003, shall not be counted towards the county's population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the county, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.

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

(3) Districts shall be geographically contiguous.

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

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

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

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

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

(B) In the event any state or local health order prohibits large gatherings, the commission may modify the location of the hearings, including use of virtual hearings that use technology to permit remote viewing and participation, to the extent required to comply with public health requirements. If the commission modifies the location of a hearing, it shall provide opportunities to view and listen to proceedings by video, to listen to proceedings by phone, and to provide public comment by phone and in writing with no limitation on the number of commenters. The commission shall, to the greatest extent practicable, provide an opportunity for in-person participation for at least one hearing in each supervisorial district. Methods for providing in-person participation may include, but are not limited to, setting up multiple rooms with audiovisual connections to the hearing, allowing community members to make appointments to make public comment, providing personal protective equipment, or holding hearings in outdoor spaces.

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

(A) Post the map for public comment on the internet website of the County of San Diego.

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

(4) (A) The commission shall establish and make available to the public a calendar of all public hearings described in paragraphs (2) and (3). Hearings shall be scheduled at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible.

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

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

(B) For purposes of this paragraph, an "applicable language" means a language for which the number of residents of the County of San Diego who are members of a language minority is greater than or equal to 3 percent of the total voting age residents of the county.

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

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

(B) Coordinating with community organizations.

(C) Posting information on the internet website of the County of San Diego that explains the redistricting process and includes a notice of each public hearing and the procedures for testifying during a hearing or submitting written testimony directly to the commission.

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

(8) The board shall provide for reasonable funding and staffing for the commission.

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

(d) (1) The commission shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the Clerk of the Board of Supervisors by the map adoption deadline set forth in subdivision (a) of Section 21140. The commission shall not release a draft map before the date set forth in paragraph (3) of subdivision (f) of Section 21160.

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

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

SEC. 27. Section 21564 of the Elections Code is amended to read:

21564. (a) The commission shall establish single-member supervisorial districts for the board pursuant to a mapping process using the following criteria as set forth in the following order of priority:

(1) (A) Districts shall comply with the United States Constitution and each district shall have a reasonably equal population with other districts for the board, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or allowable by law.

(B) Population equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.

(C) Notwithstanding subparagraph (B), an incarcerated person, as that term is used in Section 21003, shall not be counted towards the county's population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the county, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.

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

(3) Districts shall be geographically contiguous.

(4) The geographic integrity of any city, local neighborhood, or local community of interest shall be respected in a manner that minimizes its division to the extent possible without violating the requirements of paragraphs (1) to (3), inclusive. A community of interest is a contiguous population that shares common social and economic interests that should be included within a single

district for purposes of its effective and fair representation. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

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

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

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

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

(B) In the event a state or local health order prohibits large gatherings, the commission may modify the location of the hearings, including through the use of virtual hearings that use technology to permit remote viewing and participation, to the extent required to comply with public health requirements. If the commission modifies the location of a hearing, it shall provide opportunities to view and listen to proceedings by video, to listen to proceedings by phone, and to provide public comment by phone and in writing with no limitation on the number of commenters. The commission shall, to the greatest extent practicable, provide an opportunity for in-person participation for at least one hearing in each supervisorial district. Methods for providing in-person participation may include, but are not limited to, setting up multiple rooms with audiovisual connections to the hearing, allowing community members to make appointments to make public comment, providing personal protective equipment, or holding hearings in outdoor spaces.

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

(A) Post the map for public comment on the internet website of the County of Fresno.

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

(4) (A) The commission shall establish and make available to the public a calendar of all public hearings described in paragraphs (2) and (3). Hearings shall be scheduled at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible.

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

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

(B) For purposes of this paragraph, an "applicable language" means a language for which the number of residents of the County of Fresno who are members of a language minority is greater than or equal to 3 percent of the total voting age residents of the county.

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

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

(B) Coordinating with community organizations.

(C) Posting information on the internet website of the County of Fresno that explains the redistricting process and includes a notice of each public hearing and the procedures for testifying during a hearing or submitting written testimony directly to the commission.

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

(8) The board shall provide reasonable funding and staffing for the commission.

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

(d) (1) The commission shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the county elections official by the map adoption deadline set forth in subdivision (a) of Section 21140. The commission shall not release a draft map before the date set forth in paragraph (3) of subdivision (f) of Section 21160.

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

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

SEC. 28. Section 21574 of the Elections Code is amended to read:

21574. (a) The commission shall establish single-member supervisorial districts for the board pursuant to a mapping process using the following criteria as set forth in the following order of priority:

(1) (A) Districts shall comply with the United States Constitution and each district shall have a reasonably equal population with other districts for the board, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or allowable by law.

(B) Population equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census for which the redistricting data described in Public Law 94-171 are available.

(C) Notwithstanding subparagraph (B), an incarcerated person, as that term is used in Section 21003, shall not be counted towards the county's population, except for an incarcerated person whose last known place of residence may be assigned to a census block in the county, if information about the last known place of residence for incarcerated persons is included in the computerized database for redistricting that is developed in accordance with subdivision (b) of Section 8253 of the Government Code, and that database is made publicly available.

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

(3) Districts shall be geographically contiguous.

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

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

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

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

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

(B) In the event a state or local health order prohibits large gatherings, the commission may modify the location of the hearings, including through the use of virtual hearings that use technology to permit remote viewing and participation, to the extent required to comply with public health requirements. If the commission modifies the location of a hearing, it shall provide opportunities to view and listen to proceedings by video, to listen to proceedings by phone, and to provide public comment by phone and in writing with no limitation on the number of commenters. The commission shall, to the greatest extent practicable, provide an opportunity for in-person participation for at least one hearing in each supervisorial district. Methods for providing in-person participation may include, but are not limited to, setting up multiple rooms with audiovisual connections to the hearing, allowing community members to make appointments to make public comment, providing personal protective equipment, or holding hearings in outdoor spaces.

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

(A) Post the map for public comment on the internet website of the County of Kern.

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

(4) (A) The commission shall establish and make available to the public a calendar of all public hearings described in paragraphs (2) and (3). Hearings shall be scheduled at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible.

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

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

(B) For purposes of this paragraph, an "applicable language" means a language for which the number of residents of the County of Kern who are members of a language minority is greater than or equal to 3 percent of the total voting age residents of the county.

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

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

(B) Coordinating with community organizations.

(C) Posting information on the internet website of the County of Kern that explains the redistricting process and includes a notice of each public hearing and the procedures for testifying during a hearing or submitting written testimony directly to the commission.

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

(8) The board shall provide reasonable funding and staffing for the commission.

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

(d) (1) The commission shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the county elections official by the map adoption deadline set forth in subdivision (a) of Section 21140. The commission shall not release a draft map before the date set forth in paragraph (3) of subdivision (f) of Section 21160.

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

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

SEC. 29. Section 21600 of the Elections Code is amended to read:

21600. This article applies to a general law city that elects members of the city's legislative body by districts or from districts, as those terms are defined in Section 34871 of the Government Code.

SEC. 30. Section 21601 of the Elections Code is amended to read:

21601. Following a city's decision to elect its council using district-based elections, or following each federal decennial census for a city whose council is already elected using district-based elections, the council shall, by ordinance or resolution, adopt boundaries for all of the council districts of the city pursuant to Chapter 2 (commencing with Section 21100).

SEC. 31. Section 21602 of the Elections Code is repealed.

SEC. 32. Section 21603 of the Elections Code is amended to read:

21603. (a) If the boundaries of a city expand by the addition of new territory, including through annexation of unincorporated territory or consolidation with another city, the council shall add that new territory to the nearest existing council district without

changing the boundaries of other council district boundaries.

(b) Notwithstanding subdivision (a), the council may adopt new boundaries for each council district pursuant to Chapter 2 (commencing with Section 21100) if the boundaries of the city expand by the addition of new territory and if both of the following conditions are met:

(1) There are more than four years until the council is next required to redistrict pursuant to Section 21601.

(2) The population of the new territory being annexed or consolidated is greater than 25 percent of the city's population, as determined by the most recent federal decennial census.

SEC. 33. Section 21605 of the Elections Code is amended to read:

21605. (a) After redistricting or districting, a council shall not adopt new council district boundaries until after the next federal decennial census, except under the following circumstances:

(1) A court orders the council to redistrict.

(2) The council is settling a legal claim that its council district boundaries violate the United States Constitution, the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this article.

(3) The boundaries of the city change by the addition of territory pursuant to Section 21603 or by the subtraction of territory.

(4) The number of council members elected by districts or from districts is increased or decreased.

(5) An independent redistricting commission is established pursuant to Section 23003 to adopt new council districts between federal decennial censuses and the districts being replaced were adopted by the city council.

(b) This section does not prohibit a council from adopting council districts between federal decennial censuses if the council is adopting council districts for the first time, including when a city adopts council districts for the purpose of transitioning from electing its council members in at-large elections to elections by districts or from districts.

SEC. 34. Section 21606 of the Elections Code is amended to read:

21606. (a) The term of office of any council member who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which the council member was elected and that member shall continue to represent the constituents residing in the district boundaries from which the member was elected for the duration of that term of office. This section does not prevent a city council from assigning a city elected official or city official to provide constituent services to residents of an area that is temporarily not represented by a council member due to redistricting.

(b) At the first election for council members in each city following adoption of the boundaries of council districts, excluding a special election to fill a vacancy or a recall election, a council member shall be elected for each district under the new district plan that has the same district number as a district whose incumbent's term is due to expire. This subdivision does not apply when a city transitions from at-large to district-based elections.

(c) Except as provided in subdivision (a), a person is not eligible to hold office as a member of a city council unless that person meets the requirements of Section 201 of the Elections Code and Section 34882 of the Government Code.

SEC. 35. Section 21607 of the Elections Code is repealed.

SEC. 36. Section 21607.1 of the Elections Code is repealed.

SEC. 37. Section 21608 of the Elections Code is repealed.

SEC. 38. Section 21609 of the Elections Code is repealed.

SEC. 39. Section 21620 of the Elections Code is amended to read:

21620. This article applies to a charter city that elects members of the city's legislative body by districts or from districts, as those terms are defined in Section 34871 of the Government Code.

SEC. 40. Section 21621 of the Elections Code is amended to read:

21621. Following a city's decision to elect its council using district-based elections, or following each federal decennial census for a city whose council is already elected using district-based elections, the council shall, by ordinance or resolution, adopt

boundaries for all of the council districts of the city pursuant to Chapter 2 (commencing with Section 21100).

SEC. 41. Section 21622 of the Elections Code is repealed.

SEC. 42. Section 21623 of the Elections Code is amended to read:

21623. (a) If the boundaries of a city expand by the addition of new territory, including through annexation of unincorporated territory or consolidation with another city, the council shall add that new territory to the nearest existing council district without changing the boundaries of other council district boundaries.

(b) Notwithstanding subdivision (a), the council may adopt new boundaries for each council district pursuant to Chapter 2 (commencing with Section 21100) if the boundaries of the city expand by the addition of new territory and if both of the following conditions are met:

(1) There are more than four years until the council is next required to redistrict pursuant to Section 21621.

(2) The population of the new territory being annexed or consolidated is greater than 25 percent of the city's population as determined by the most recent federal decennial census.

(c) This section does not apply to a charter city that has adopted, by ordinance or in its city charter, a different standard for adding new territory to existing council districts.

SEC. 43. Section 21625 of the Elections Code is amended to read:

21625. (a) After redistricting or districting, a council shall not adopt new council district boundaries until after the next federal decennial census, except under the following circumstances:

(1) A court orders the council to redistrict.

(2) The council is settling a legal claim that its council district boundaries violate the United States Constitution, the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.), or this article.

(3) The boundaries of the city change by the addition of territory pursuant to Section 21623 or by the subtraction of territory.

(4) The number of council members elected by districts or from districts is increased or decreased.

(5) An independent redistricting commission, whose members are not directly appointed by the legislative body or an elected official of the local jurisdiction, is established to adopt new council districts between federal decennial censuses and the districts being replaced were adopted by the city council.

(b) This section does not prohibit a council from adopting council districts between federal decennial censuses if the council is adopting council districts for the first time, including when a city adopts council districts for the purpose of transitioning from electing its council members in at-large elections to elections by districts or from districts.

(c) This section does not apply to a charter city that has adopted different rules for mid-cycle redistricting in its city charter.

SEC. 44. Section 21626 of the Elections Code is amended to read:

21626. (a) The term of office of any council member who has been elected and whose term of office has not expired shall not be affected by any change in the boundaries of the district from which the council member was elected and that member shall continue to represent the constituents residing in the district boundaries from which the member was elected for the duration of that term of office. This section does not prevent a city council from assigning a city elected official or city official to provide constituent services to residents of an area that is temporarily not represented by a council member due to redistricting.

(b) At the first election for council members in each city following adoption of the boundaries of council districts, excluding a special election to fill a vacancy or a recall election, a council member shall be elected for each district under the new district plan that has the same district number as a district whose incumbent's term is due to expire. This subdivision does not apply when a city transitions from at-large to district-based elections.

(c) For a city employing both a primary and a general election, a change in the boundaries of a council district shall not be made between the direct primary election and the general election.

(d) Except as provided in subdivision (a), a person is not eligible to hold office as a member of a city council unless that person meets the requirements of Section 201 of the Elections Code and Section 34882 of the Government Code.

SEC. 45. Section 21627 of the Elections Code is repealed.

SEC. 46. Section 21627.1 of the Elections Code is repealed.

SEC. 47. Section 21628 of the Elections Code is repealed.

SEC. 48. Section 21629 of the Elections Code is repealed.

SEC. 49. Section 21630 of the Elections Code is amended to read:

21630. If a council assigns the responsibility to recommend or to adopt new district boundaries to a hybrid or independent redistricting commission as defined in Section 23000, the charter city remains subject to the redistricting deadlines, requirements, and restrictions that apply to the council under this article and Chapter 2 (commencing with Section 21100), unless otherwise exempted by law. A redistricting commission described in this section may perform the duties required of a city council under this article.

SEC. 50. Section 22000 of the Elections Code is amended to read:

22000. (a) Following a special district's decision to elect its board of directors using district-based elections, or following each federal decennial census for a special district whose board of directors is already elected using district-based elections, the board of directors shall, by resolution, adopt boundaries for all of the divisions of the special district pursuant to Chapter 2 (commencing with Section 21100).

(b) The resolution specified in subdivision (a) shall be adopted by a vote of not less than a majority of the directors.

(c) At the time of, or after, any annexation of territory to the district, the board of directors shall designate, by resolution, the division of which the annexed territory shall be a part.

(d) Except as provided in Section 21140, no change in division boundaries may be made within 180 days preceding the election of any director.

(e) (1) A change in division boundaries shall not affect the term of office of any director.

(2) If division boundaries are adjusted, the director of the division whose boundaries have been adjusted shall continue to be the director of the division bearing the number of that division as formerly comprised until the office becomes vacant by means of term expiration or otherwise, whether or not the director is a resident within the boundaries of the division as adjusted. The director shall continue to represent the constituents residing in the district boundaries from which the director was elected for the duration of that term of office. This section does not prevent a board from assigning a director or special district official to provide constituent services to residents of an area that is temporarily not represented by a director due to redistricting.

(f) The successor to the office in a division whose boundaries have been adjusted shall be a resident and voter of that division.

(g) A district is not required to adjust the boundaries of any divisions pursuant to this section until after the 2000 federal decennial census.

(h) This section shall not be construed to prohibit or restrict a district from adjusting the boundaries of any divisions pursuant to Chapter 2 (commencing with Section 21100) whenever the board of directors of the district determines by a two-thirds vote of the board that a sufficient change in population has occurred that makes it desirable in the opinion of the board to adjust the boundaries of any divisions, or whenever any territory is added by or excluded from the district.

SEC. 51. Section 22001 of the Elections Code is repealed.

SEC. 52. Section 22001 is added to the Elections Code, to read:

22001. This chapter and Chapter 2 (commencing with Section 21100) do not apply to special districts in which only landowners vote for directors or whose directors are all elected at large or appointed.

SEC. 53. Section 22002 of the Elections Code is repealed.

SEC. 54. Section 23002 of the Elections Code is amended to read:

23002. (a) This section applies to advisory redistricting commissions.

(b) Notwithstanding any other law, the local jurisdiction may prescribe the manner in which members are appointed to the commission, provided that the commissioners are not appointed by the legislative body or an elected official of the local jurisdiction.

(c) A person who is an elected official of the local jurisdiction, or a family member, staff member, or paid campaign staff of an elected official of the local jurisdiction, shall not be appointed to serve on the commission.

(d) A local jurisdiction may impose additional requirements or restrictions on the commission, members of the commission, or applicants to the commission in excess of those prescribed by this section.

(e) The commission is 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 the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

SEC. 55. Section 23003 of the Elections Code is amended to read:

23003. (a) This section applies to hybrid redistricting commissions and independent redistricting commissions.

(b) Notwithstanding any other law, the local jurisdiction may prescribe the manner in which members are appointed to the commission, provided that the jurisdiction uses an application process open to all eligible residents and provided that the commissioners are not appointed by the legislative body or an elected official of the local jurisdiction.

(c) A person shall not be appointed to serve on the commission if the person or any family member of the person has been elected or appointed to, or been a candidate for, an elective office of the local jurisdiction in the eight years preceding the person's application.

(d) A person shall not be appointed to serve on the commission if either of the following applies:

(1) The person or the person's spouse has done any of the following in the eight years preceding the person's application:

(A) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the local jurisdiction.

(B) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.

(C) Served as a staff member or a consultant to, or who has contracted with, a currently serving elected officer of the local jurisdiction.

(D) Been registered to lobby the local jurisdiction.

(E) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The local jurisdiction may adjust this amount by the cumulative change in the California Consumer Price Index, or its successor, in every year ending in zero.

(2) A family member of the person, other than the person's spouse, has done any of the following in the four years preceding the person's application:

(A) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the local jurisdiction.

(B) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.

(C) Served as a staff member of or consultant to, or has contracted with, a currently serving elected officer of the local jurisdiction.

(D) Been registered to lobby the local jurisdiction.

(E) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The local jurisdiction may adjust this amount by the cumulative change in the California Consumer Price Index, or its successor, in every year ending in zero.

(e) A member of the commission shall not do any of the following:

(1) While serving on the commission, endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of the local jurisdiction.

(2) Be a candidate for an elective office of the local jurisdiction if any of the following is true:

(A) Less than five years has elapsed since the date of the member's appointment to the commission.

(B) The election for that office will be conducted using district boundaries that were adopted by the commission on which the member served, and those district boundaries have not been subsequently readopted by a commission after the end of the member's term on the commission.

(C) The election for that office will be conducted using district boundaries that were adopted by a legislative body pursuant to a recommendation by the commission on which the member served, and those district boundaries have not been subsequently readopted by a legislative body pursuant to a recommendation by a commission after the end of the member's term on the commission.

(3) For four years commencing with the date of the person's appointment to the commission:

(A) Accept employment as a staff member of, or consultant to, an elected official or candidate for elective office of the local jurisdiction.

(B) Receive a noncompetitively bid contract with the local jurisdiction.

(C) Register as a lobbyist for the local jurisdiction.

(4) For two years commencing with the date of the person's appointment to the commission, accept an appointment to an office of the local jurisdiction.

(f) The commission shall not be comprised entirely of members who are registered to vote with the same political party preference.

(g) Each member of the commission shall be a designated employee in the conflict of interest code for the commission pursuant to Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 of the Government Code.

(h) The commission is 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 the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

(i) The commission shall be subject to the same redistricting deadlines, requirements, and restrictions that would otherwise apply to a legislative body. A local jurisdiction may also impose additional requirements and restrictions on the commission, on members of the commission, or on applicants to the commission in excess of those prescribed by this section.

(j) The commission shall publish a map of the proposed new district boundaries and make that map available to the public for at least seven days before that map may be adopted. The commission shall hold at least three public hearings preceding the hearing at which the new boundaries are adopted.

(k) The commission shall not draw districts for the purpose of favoring or discriminating against a political party or an incumbent or political candidate.

(l) District boundaries adopted by an independent redistricting commission or adopted by a legislative body from recommendations provided by a hybrid redistricting commission, shall not be altered by the legislative body or the commission until after the next federal decennial census occurs, unless those boundaries have been invalidated by a final judgment or order of a court of competent jurisdiction.

(m) For the purposes of subdivisions (c) and (d), "local jurisdiction" does not include a local jurisdiction that contracts with a county independent redistricting commission pursuant to Section 23004.

SEC. 55.5. Section 23003 of the Elections Code is amended to read:

23003. (a) This section applies to hybrid redistricting commissions, and to independent redistricting commissions, including independent redistricting commissions established by an ordinance, resolution, or charter amendment of the local jurisdiction, as described in Section 23001.5, and independent redistricting commissions established pursuant to Section 23005 or Section 23006.

(b) (1) Notwithstanding any other law, the local jurisdiction may prescribe the manner in which members are appointed to the commission, provided that the jurisdiction uses an application process open to all eligible residents and provided that the commissioners are not appointed by the legislative body or an elected official of the local jurisdiction.

(2) Paragraph (1) does not apply to a local jurisdiction required to establish an independent redistricting commission pursuant to Section 23005 or Section 23006.

(c) A person shall not be appointed to serve on the commission if the person or any family member of the person has been elected or appointed to, or been a candidate for, an elective office of the local jurisdiction in the eight years preceding the person's application.

(d) A person shall not be appointed to serve on the commission if either of the following applies:

(1) The person or the person's spouse has done any of the following in the eight years preceding the person's application:

(A) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the local jurisdiction.

(B) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.

(C) Served as a staff member or a consultant to, or who has contracted with, a currently serving elected officer of the local jurisdiction.

(D) Been registered to lobby the local jurisdiction.

(E) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The local jurisdiction may adjust this amount by the cumulative change in the California Consumer Price Index, or its successor, in every year ending in zero.

(2) A family member of the person, other than the person's spouse, has done any of the following in the four years preceding the person's application:

(A) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the local jurisdiction.

(B) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.

(C) Served as a staff member of or consultant to, or has contracted with, a currently serving elected officer of the local jurisdiction.

(D) Been registered to lobby the local jurisdiction.

(E) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The local jurisdiction may adjust this amount by the cumulative change in the California Consumer Price Index, or its successor, in every year ending in zero.

(e) A member of the commission shall not do any of the following:

(1) While serving on the commission, endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of the local jurisdiction.

(2) Be a candidate for an elective office of the local jurisdiction if any of the following is true:

(A) Less than five years has elapsed since the date of the member's appointment to the commission.

(B) The election for that office will be conducted using district boundaries that were adopted by the commission on which the member served, and those district boundaries have not been subsequently readopted by a commission after the end of the member's term on the commission.

(C) The election for that office will be conducted using district boundaries that were adopted by a legislative body pursuant to a recommendation by the commission on which the member served, and those district boundaries have not been subsequently readopted by a legislative body pursuant to a recommendation by a commission after the end of the member's term on the commission.

(3) For four years commencing with the date of the person's appointment to the commission:

(A) Accept employment as a staff member of, or consultant to, an elected official or candidate for elective office of the local jurisdiction.

(B) Receive a noncompetitively bid contract with the local jurisdiction.

(C) Register as a lobbyist for the local jurisdiction.

(4) For two years commencing with the date of the person's appointment to the commission, accept an appointment to an office of the local jurisdiction.

(f) The commission shall not be comprised entirely of members who are registered to vote with the same political party preference.

(g) Each member of the commission shall be a designated employee in the conflict of interest code for the commission pursuant to Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 of the Government Code.

(h) The commission is 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 the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

(i) The commission shall be subject to the same redistricting deadlines, requirements, procedures, criteria, and restrictions that would otherwise apply to a legislative body. A local jurisdiction may also impose additional requirements and restrictions on the commission, on members of the commission, or on applicants to the commission in excess of those prescribed by this section.

(j) The commission shall publish a map of the proposed new district boundaries and make that map available to the public for at least seven days before that map may be adopted. The commission shall hold at least three public hearings preceding the hearing at which the new boundaries are adopted, or the number of public hearings that would otherwise apply to the legislative body for which district boundaries are being drawn, whichever is greater.

(k) The commission shall not draw districts for the purpose of favoring or discriminating against a political party or an incumbent or political candidate.

(l) District boundaries adopted by an independent redistricting commission or adopted by a legislative body from recommendations provided by a hybrid redistricting commission, shall not be altered by the legislative body or the commission until after the next federal decennial census occurs, unless those boundaries have been invalidated by a final judgment or order of a court of competent jurisdiction, or as may be necessary to account for changes to a jurisdiction's territory, including changes through annexation or consolidation.

(m) For the purposes of subdivisions (c) and (d), "local jurisdiction" does not include a local jurisdiction that contracts with a county independent redistricting commission pursuant to Section 23004.

SEC. 56. Section 34874 of the Government Code is amended to read:

34874. (a) An amendatory ordinance altering the boundaries of the legislative districts established pursuant to this article shall not be submitted to the registered voters until the ordinance has been submitted to the planning commission of the city or, in absence of a planning commission, to the legislative body of said city for an examination as to the definiteness and certainty of the boundaries of the legislative districts proposed.

(b) An amendatory ordinance altering the boundaries of legislative districts shall comply with the requirements and criteria of Section 21130 of the Elections Code.

SEC. 57. Section 34877.5 of the Government Code is amended to read:

34877.5. (a) After an ordinance is passed by the voters pursuant to Section 34876.5, or after an ordinance is enacted by the legislative body pursuant to Section 34886, the legislative body shall prepare a proposed map that describes the boundaries and numbers of the districts for the legislative body. In preparing the proposed map, the legislative body shall comply with the requirements and criteria of Section 21130 of the Elections Code and shall seek public input, including accepting proposed maps submitted by the public.

(b) If the legislative body is changing from an at-large method of election to a district-based election, as those terms are defined in Section 14026 of the Elections Code, the legislative body shall hold public hearings pursuant to Section 10010 of the Elections Code. If the legislative body is otherwise adjusting the district boundaries, the legislative body shall hold public hearings on the proposed district boundaries pursuant to Section 21150 of the Elections Code.

SEC. 58. Section 34884 of the Government Code is amended to read:

34884. (a) If, at the time a vote is held on the subject of incorporation of a new city, a majority of the votes cast is for incorporation and, if, in accordance with Section 57116, a majority of the votes cast on the question of whether members of the city council in future elections are to be elected by district or at large is in favor of election by district, all of the following procedures apply:

(1) Before the first day on which voters may nominate candidates for election at the next regular municipal election, the legislative body shall, by ordinance or resolution, establish the boundaries of the districts of the legislative body. The districts shall be substantially equal in population as required by the United States Constitution. The districts shall comply with the requirements and criteria of Section 21130 of the Elections Code.

(2) The terms of office of the two members elected with the lowest vote shall expire on the Tuesday succeeding the next regular municipal election. At that election, members shall be elected by district in the even-numbered districts and shall hold office for four years.

(3) The terms of office of the three members elected with the highest vote shall expire on the Tuesday succeeding the second regular municipal election following the incorporation. At that election, members shall be elected by district in the odd-numbered districts and shall hold office for four years.

(b) The result of the vote cast on the question of whether members of the city council in future elections are to be elected by district or at large shall not preclude the submission to the voters at any future election of a measure in accordance with Section 34871.

SEC. 59. Section 34886 of the Government Code is amended to read:

34886. Notwithstanding Section 34871 or any other law, the legislative body of a city may adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor, as described in subdivisions (a) and (c) of Section 34871, without being required to submit the ordinance to the voters for approval. An ordinance adopted pursuant to this section shall comply with the requirements and criteria of Section 21130 of the Elections Code and include a declaration that the change in the method of electing members of the legislative body is being made in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the Elections Code).

SEC. 60. Section 57301 of the Government Code is amended to read:

57301. If at any time between each decennial federal census, a city annexes or detaches territory or consolidates with another city, the city council of the city annexing or detaching the territory or the city council of the successor city, may reexamine the boundaries of its council districts pursuant to Section 21603 or 21623 of the Elections Code, as applicable.

SEC. 61. The district boundary criteria specified in this act apply to election district boundaries that are adopted or readopted on or after January 1, 2024. Election district boundaries adopted before January 1, 2024, shall comply with the applicable district boundary criteria in effect at the time of their adoption.

SEC. 62. The Legislature finds and declares that, as to cities and counties, many of the provisions of Chapter 2 (commencing with 21100) of Division 21 of the Elections Code, as added by this act, do not constitute a change in, but are declaratory of, existing law, and that a court should not draw a contrary inference based on the language of this act in resolving an action brought under the prior rules for city and county redistricting.

SEC. 63. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 64. 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.

SEC. 65. Section 55.5 of this bill incorporates amendments to Section 23003 of the Elections Code proposed by both this bill and Assembly Bill 1248. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2024, (2) each bill amends Section 23003 of the Elections Code, and (3) this bill is enacted after Assembly Bill 1248, in which case Section 55 of this bill shall not become operative.