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ACA-8 Congressional redistricting. (2025-2026)

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Assembly Constitutional Amendment No. 8

CHAPTER 156

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4 to Article XXI thereof, relating to redistricting.

[Filed with Secretary of State August 21, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

ACA 8, Rivas. Congressional redistricting.

The California Constitution establishes the Citizens Redistricting Commission, which is required to adjust the boundary lines of congressional, Senate, Assembly, and State Board of Equalization districts in the year following the year in which the national census is taken at the beginning of each decade.

This measure, which would include a legislative finding that it is in response to redistricting in Texas in 2025, would, notwithstanding the authority of the Citizens Redistricting Commission, require the state to temporarily use the congressional districts reflected in AB 604 of the 2025–26 Regular Session for every congressional election until the new congressional boundary lines are drawn by the commission in 2031.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2025–26 Regular Session, commencing on the second day of December 2024, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First— This measure shall be known, and may be cited, as the “Election Rigging Response Act.”

Second— The people of the State of California find and declare all of the following:

(a) President Donald Trump has called on Republican-led states to undertake an unprecedented mid-decade redistricting of congressional seats to rig the 2026 United States midterm elections before voting begins.

(b) The State of Texas has convened a special session of its Legislature to redraw congressional district maps to unfairly advantage Republicans.

(c) The Legislature of the State of Florida has established a select committee to advance an extraordinary mid-decade redistricting to unfairly advantage Republicans.

(d) Republicans have urged the State of Ohio to conduct its mid-decade redistricting to unfairly produce more Republican seats in Congress.

(e) Republican officials in the States of Indiana, Missouri, New Hampshire, Nebraska, and South Carolina are also considering President Trump's call for the mid-decade redistricting of congressional seats to unfairly advantage Republicans.

(f) President Trump and Republicans are attempting to gain enough seats through redistricting to rig the outcome of the 2026 United States midterm elections regardless of how the people vote.

(g) President Trump's election-rigging scheme is an emergency for our democracy.

(h) The 2026 United States midterm elections are voters' only chance to provide an essential check and balance against President Trump's dangerous agenda.

(i) California has long stood as a national leader for fair, independent, and nonpartisan redistricting.

(j) California calls on all other states to commit to fair and impartial drawing of maps.

(k) California has a duty to defend democracy.

(l) The 2026 United States midterm elections for Congress must be conducted on a level playing field without an extreme and unfair advantage for Republicans.

(m) The people of California, not politicians, should have the power to approve temporary congressional district maps in response to President Trump's election-rigging scheme.

(n) It is the intent of the people that California's temporary maps be designed to neutralize the partisan gerrymandering being threatened by Republican-led states without eroding fair representation for all communities.

Third— That Section 4 is added to Article XXI thereof, to read:

SEC. 4. (a) It is the policy of the State of California to support the use of fair, independent, and nonpartisan redistricting commissions nationwide. The people of the State of California call on the Congress of the United States to pass federal legislation and propose an amendment of the United States Constitution to require the use of fair, independent, and nonpartisan redistricting commissions nationwide.

(b) In response to the congressional redistricting in Texas in 2025, and notwithstanding any other provision of this Constitution or existing law, the single-member districts for Congress reflected in Assembly Bill 604 of the 2025–26 Regular Session pursuant to the requirements of Chapter 5 (commencing with Section 21400) of Division 21 of the Elections Code shall temporarily be used for every congressional election for a term of office commencing on or after the date this subdivision becomes operative and before the certification of new congressional boundary lines drawn by the Citizens Redistricting Commission pursuant to subdivision (d).

(c) (1) The Attorney General has the sole legal standing to defend any action regarding a congressional district map adopted pursuant to subdivision (b).

(2) The California Supreme Court has original and exclusive jurisdiction in all proceedings in which a congressional district map adopted pursuant to subdivision (b) is challenged.

(d) The Citizens Redistricting Commission established pursuant to Section 1 shall continue to adjust the boundary lines of the congressional, State Senatorial, Assembly, and Board of Equalization districts in conformance with the standards and process set forth in Section 2 in 2031, and every 10 years thereafter as provided in Section 1.

Fourth— The provisions of this measure are severable. If any portion, section, subdivision, paragraph, clause, sentence, phrase, word, or application of this measure is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this measure. The Legislature hereby declares that it would have proposed, and the voters hereby declare that they would have adopted, this measure and every portion, section, subdivision, paragraph, clause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any portion of this measure or application of this measure would be subsequently declared invalid.