

AMENDED IN ASSEMBLY AUGUST 16, 2021

AMENDED IN SENATE MAY 3, 2021

AMENDED IN SENATE APRIL 5, 2021

AMENDED IN SENATE MARCH 4, 2021

**SENATE BILL**

**No. 594**

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**Introduced by Senator Glazer**

February 18, 2021

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*An act to amend Sections 21500, 21509, 21601, 21609, 21621, 21629, 22000, and 22001 of, and to add Sections 22000.1 and 22002 to, the Elections Code, to amend Section 61026 of the Government Code, to amend Sections 6592 and 13847 of the Health and Safety Code, and to amend Section 5785.1 of the Public Resources Code, relating to elections, and declaring the urgency thereof, to take effect immediately. An act to amend Sections 21500, 21601, and 21621 of, to add Section 22002 to, and to add and repeal Section 22000.1 of, and Chapter 1.5 (commencing with Section 8160) to Part 1 of Division 8 of, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 594, as amended, Glazer. ~~Elections: local redistricting.~~ *Elections: redistricting.*

*(1) (a) The California Constitution establishes the Citizens Redistricting Commission for the purpose of drawing district lines for the election of Members of the State Senate, Assembly, Congress, and the State Board of Equalization, and requires the commission to do so by August 15 in each year ending in the number one thereafter. For redistricting occurring in 2021, the Supreme Court of California, by*

*peremptory writ of mandate in Legislature of State of California v. Padilla (2020) 9 Cal.5th 867, extended that deadline to December 15, 2021, or to a later date if specified conditions are met, due to a delay in the release of federal census data caused by the COVID-19 pandemic.*

*This bill would, for the June 7, 2022, statewide direct primary election, make various changes, described below, to existing law relating to candidate nominations and compilation of registered voter data in order to accommodate the extended state redistricting deadline. The bill would define “state redistricting deadline” for these purposes to mean the extended deadline established by the Supreme Court of California described above, or that deadline as modified in any subsequent related proceeding. If a subsequent proceeding further modifies the deadline, the bill would require the Secretary of State, within 7 days, to prepare a calendar of key election dates and deadlines and requirements for the nomination of candidates. The bill would repeal these provisions on January 1, 2023. By increasing the duties of local elections officials, the bill would impose a state-mandated local program.*

*(b) Existing law provides that a person is not eligible to be elected to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination papers are issued to the person.*

*This bill would provide that a person is not ineligible to be elected to the office of Member of the State Board of Equalization, State Senator, or Member of the Assembly on the ground that the person was not otherwise qualified to vote for the office if, at the time that nomination papers are issued to the person, the person is registered to vote and would be qualified to vote for the office if the person was a resident of, and registered to vote in, the election district from which the office is elected.*

*(c) Existing law generally requires nomination documents for elective office to be made available to candidates not more than 113 days before the election.*

*This bill would require those nomination documents to be first available on February 14, 2022, or the 46th day after the state redistricting deadline, whichever is later.*

*(d) Existing law authorizes a candidate for elective office to submit a petition containing a specified number of signatures in lieu of all or part of the fee for filing nomination papers. Existing law requires the Secretary of State to make forms for securing signatures available to*

*each candidate commencing 60 days before the first day for circulating nomination papers, except as specified, and requires candidates to file in-lieu-filing-fee petitions at least 30 days before the close of the nomination period.*

*This bill would require the Secretary of State to make those forms available commencing 7 days after the state redistricting deadline, and require in-lieu-filing-fee petitions to be filed not later than February 9, 2022, or 41 days after the state redistricting deadline, whichever is later. The bill would require the elections official to proportionally reduce the required number of signatures for a petition by the same proportion as the reduction in the number of days for a candidate to collect signatures on a petition compared to the number of days specified in existing law for a candidate to collect signatures for a regular election for the same office.*

*(e) Existing law requires each county elections official to provide the Secretary of State with specified information regarding the number of voters and their party preferences in the county and each supervisorial, Congressional, Senate, Assembly, and Board of Equalization district in the county on the 135th day before each direct primary election, with respect to all voters who are registered voters on the 154th day before the primary election. Existing law requires the Secretary of State to compile a statewide list of this information within 30 days after receiving it from each county elections official.*

*This bill would require the Secretary of State to determine, by December 31, 2021, whether it is feasible to include in the statewide list described above the number of voters by party preference in each supervisorial, Congressional, Senate, Assembly, and Board of Equalization district with respect to all voters who are registered voters on the 154th day before the June 7, 2022, statewide direct primary election. If the Secretary of State determines it is not feasible, the bill would not require that information to be included in the information provided by the counties and the compiled statewide list. The bill would require the Secretary of State to prepare a supplemental statewide list showing that information on a date specified by the Secretary of State, but not later than the 88th day before the election.*

*(f) Existing law requires the Secretary of State, at least 158 days before the statewide direct primary election, to prepare and transmit to each county elections official a notice designating all of the offices, except those of county officers and judges, for which candidates are to be nominated.*

*This bill would instead require that notice to be transmitted not later than the 6th day after the state redistricting deadline.*

*(2) Existing law requires, after each federal decennial census, the board of directors of certain special districts to adjust, by resolution, their division boundaries so that their divisions are equal in population and in compliance with specified requirements, and prohibits those districts from making a change in division boundaries within 180 days preceding the election of any director. Existing law also requires certain special districts that elect their board members from or by divisions to adjust their boundaries before November 1 of the year following the year in which each decennial census is taken.*

*For district conducting elections in 2022, this bill would, notwithstanding those provisions, require a governing board to adopt adjusted division boundaries no later than April 17, 2022, if the board has a regular election to elect members of its governing board on the same date as the 2022 statewide general election. If the board does not have a regular election on that date, the bill would require the board to adopt adjusted division boundaries prior to 180 days preceding the district's first regular election occurring after January 1, 2022. The bill would repeal these provisions on January 1, 2023. The bill would also clarify that the date of adoption of a resolution adjusting division boundaries is the date of passage of the resolution by the board.*

*(3) Existing law requires counties, general law cities, and charter cities that elect members of their legislative bodies using district-based elections to adopt boundaries for those supervisorial or council districts following each federal decennial census, as specified. Existing law expressly authorizes a city council to adopt district boundaries by resolution or ordinance.*

*This bill would clarify that "adopting" district boundaries for these purposes means the passage of an ordinance or resolution specifying those boundaries.*

*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.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law requires counties, general law cities, and charter cities that elect members of their legislative bodies using district-based elections to adopt boundaries for those supervisorial or council districts following each federal decennial census, as specified. Existing law expressly authorizes a city council to adopt district boundaries by resolution or ordinance. If a legislative body does not adopt district boundaries by a specified deadline, existing law requires the legislative body, and authorizes a resident of the county or city, to petition the superior court for an order adopting boundaries. Existing law provides that the superior court's order is immediately effective in the same manner as an enacted ordinance or resolution of the legislative body.~~

~~This bill would clarify that “adopting” district boundaries for these purposes means the passage of an ordinance or resolution specifying those boundaries. The bill would expressly authorize a county board of supervisors to adopt supervisorial district boundaries by ordinance or resolution. The bill would also clarify that a superior court's order adopting district boundaries is immediately effective and has the same force and effect as an enacted ordinance or resolution of the legislative body.~~

~~Existing law requires, after each federal decennial census, the board of directors of certain special districts to adjust, by resolution, their division boundaries so that their divisions are equal in population and in compliance with specified requirements. Existing law also requires certain special districts that elect their board members from or by divisions to adjust their boundaries before November 1 of the year following the year in which each decennial census is taken.~~

~~This bill would, notwithstanding any other law, require the boards of directors of special districts described above to adjust division boundaries prior to 180 days before each district's next regular election occurring after January 1 in each year ending in the number 2. The bill would make conforming changes. The bill would clarify that the date of adoption of a resolution adjusting division boundaries is the date of passage of the resolution by the board.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

~~Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.~~

*The people of the State of California do enact as follows:*

1     SECTION 1. Chapter 1.5 (commencing with Section 8160) is  
 2     added to Part 1 of Division 8 of the Elections Code, to read:

3  
 4                    CHAPTER 1.5. JUNE 7, 2022, DIRECT PRIMARY  
 5

6     8160. This chapter applies only to the June 7, 2022, statewide  
 7     direct primary election.

8     8161. As used in this chapter:

9     (a) “Commission” means the Citizens Redistricting Commission  
 10    established in accordance with Article XXI of the California  
 11    Constitution.

12   (b) “State redistricting deadline” means the deadline established  
 13   by subdivision (g) of Section 2 of Article XXI of the California  
 14   Constitution, as modified by the California Supreme Court in  
 15   *Legislature of State of California v. Padilla* (2020), 9 Cal.5th 867,  
 16   and in any subsequent proceedings in or relating to that case, for  
 17   the Commission to approve four final maps that separately set  
 18   forth the district boundary lines for the congressional, State  
 19   Senatorial, Assembly, and State Board of Equalization districts.

20   8162. (a) Notwithstanding Section 201 or any other law, a  
 21   person who is a registered voter and otherwise qualified to vote  
 22   for an office at the time that the person files nomination papers is  
 23   not ineligible to be elected to that office on the grounds that the  
 24   person was not otherwise qualified to vote for that office at the  
 25   time that nomination papers are issued to the person if both of the  
 26   following are true:

27   (1) The office for which the person files nomination papers is  
 28   one of the following:

- 29   (A) Member of the State Board of Equalization.
- 30   (B) State Senator.
- 31   (C) Member of the Assembly.

32   (2) At the time nomination papers are issued the person is  
 33   registered to vote and the person would be qualified to vote for  
 34   the office if the person was a resident of, and registered to vote  
 35   in, the election district from which the office is elected.

36   (b) An elections official, upon request, shall issue nomination  
 37   papers to a person for an office specified in paragraph (1) of  
 38   subdivision (a), regardless of whether that person is a resident of

1 *the election district from which the office is elected, if the person*  
2 *satisfies the requirements of paragraph (2) of subdivision (a).*

3 *8163. (a) Notwithstanding subdivision (b) of Section 8106,*  
4 *and except as provided in paragraph (2) of subdivision (a) of*  
5 *Section 21501 and paragraph (2) of subdivision (a) of Section*  
6 *21622, forms for securing signatures on an in-lieu-filing-fee*  
7 *petition shall be made available commencing seven days after the*  
8 *state redistricting deadline.*

9 *(b) Notwithstanding paragraph (3) of subdivision (b) of Section*  
10 *8106, in-lieu-filing-fee petitions shall be filed not later than*  
11 *February 9, 2022, or 41 days after the state redistricting deadline,*  
12 *whichever is later. Within 10 days after receipt of a petition, the*  
13 *elections official shall notify the candidate of any deficiency. The*  
14 *candidate shall then, at the time of obtaining nomination forms,*  
15 *pay a pro rata portion of the filing fee to cover the deficiency.*

16 *(c) Notwithstanding subdivision (a) of Section 8106, the*  
17 *elections official shall reduce the required number of signatures*  
18 *on an in-lieu-filing-fee petition by the same proportion as the*  
19 *reduction in the number of days for the candidate to collect*  
20 *signatures on such a petition compared to the number of days for*  
21 *a candidate to collect signatures on a petition for a regular election*  
22 *for the same office, as provided by subdivision (b) of Section 8106.*

23 *8164. Notwithstanding Sections 8020, 10220, 10407, 10510,*  
24 *and 10603, nomination documents shall first be available on*  
25 *February 14, 2022, or the 46th day after the state redistricting*  
26 *deadline, whichever is later.*

27 *8165. Not later than December 31, 2021, the Secretary of State*  
28 *shall determine whether it is feasible to include the number of*  
29 *voters, by party preferences, in each supervisorial district,*  
30 *Assembly district, Senate district, Board of Equalization district,*  
31 *and congressional district in the state in the statewide list compiled*  
32 *by the Secretary of State pursuant to subdivision (b) of Section*  
33 *2187 with respect to all voters who are registered voters on the*  
34 *154th day before the June 7, 2022 primary election in accordance*  
35 *with paragraph (1) of subdivision (c) of Section 2187, and shall*  
36 *publicly announce that determination. If the Secretary of State*  
37 *determines that it is not feasible to include that information, all*  
38 *of the following apply:*

39 *(a) Notwithstanding paragraph (5) of subdivision (a) of Section*  
40 *2187, the information provided by the county elections official*

1 pursuant to paragraph (1) of subdivision (c) of Section 2187 is  
2 not required to include the number of voters by political party  
3 preferences in each of the following subdivisions, located in whole  
4 or in part within the county:

- 5 (1) Supervisorial district.
- 6 (2) Congressional district.
- 7 (3) Senate district.
- 8 (4) Assembly district.
- 9 (5) Board of Equalization district.

10 (b) Notwithstanding subdivision (b) of Section 2187, the  
11 statewide list compiled by the Secretary of State pursuant to that  
12 subdivision with respect to all voters who are registered voters on  
13 the 154th day before the June 7, 2022 primary election shall not  
14 include the number of voters, by party preferences, in each  
15 supervisorial district, Assembly district, Senate district, and  
16 congressional district in the state.

17 (c) (1) The Secretary of State shall prepare a supplemental  
18 statewide list showing the number of voters, by party preference,  
19 in the state and in each county, city, supervisorial district,  
20 Assembly district, Senate district, and congressional district in the  
21 state with respect to all voters who are registered voters on a date  
22 specified by the Secretary of State. The date specified by the  
23 Secretary of State shall be as soon as is feasible after the state  
24 redistricting deadline, as determined by the Secretary of State, but  
25 not later than the 88th day before the June 7, 2022 primary  
26 election. The Secretary of State shall compile this list within 30  
27 days of receiving the information specified in paragraph (2). A  
28 copy of this list shall be made available, upon request, to any  
29 elector in this state.

30 (2) For the purpose of preparing the supplemental statewide  
31 list required by paragraph (1), each county elections official shall  
32 prepare the information referenced in subdivision (a) of Section  
33 2187 and provide notice to the Secretary of State by a date  
34 specified by the Secretary of State.

35 8166. Notwithstanding Section 12103, the notice required by  
36 that section designating all the offices, except those of county  
37 officers and judges, for which candidates are to be nominated shall  
38 be prepared by the Secretary of State and transmitted to each  
39 county elections official not later than the sixth day after the state  
40 redistricting deadline.

1 8167. Not later than seven days after any change to or  
2 clarification of the state redistricting deadline that occurs as a  
3 result of subsequent proceedings before the California Supreme  
4 Court in or relating to *Legislature of State of California v. Padilla*  
5 (2020), 9 Cal.5th 867, the Secretary of State shall prepare a  
6 calendar of key election dates and deadlines and requirements for  
7 the nomination and election of candidates pursuant to California  
8 law, including this chapter.

9 8168. This chapter shall remain in effect only until January 1,  
10 2023, and as of that date is repealed.

11 SEC. 2. Section 21500 of the Elections Code is amended to  
12 read:

13 21500. (a) Following a county’s decision to elect its board  
14 using district-based elections, or following each federal decennial  
15 census for a county whose board is already elected using  
16 district-based elections, the board ~~shall~~ shall, by ordinance or  
17 resolution, adopt boundaries for all of the supervisorial districts  
18 of the county so that the supervisorial districts shall be substantially  
19 equal in population as required by the United States Constitution.

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

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

33 (b) The board shall adopt supervisorial district boundaries that  
34 comply with the United States Constitution, the California  
35 Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C.  
36 Sec. 10301 et seq.).

37 (c) The board shall adopt supervisorial district boundaries using  
38 the following criteria as set forth in the following order of priority:

39 (1) To the extent practicable, supervisorial districts shall be  
40 geographically contiguous. Areas that meet only at the points of

1 adjoining corners are not contiguous. Areas that are separated by  
2 water and not connected by a bridge, tunnel, or regular ferry service  
3 are not contiguous.

4 (2) To the extent practicable, the geographic integrity of any  
5 local neighborhood or local community of interest shall be  
6 respected in a manner that minimizes its division. A “community  
7 of interest” is a population that shares common social or economic  
8 interests that should be included within a single supervisorial  
9 district for purposes of its effective and fair representation.  
10 Communities of interest do not include relationships with political  
11 parties, incumbents, or political candidates.

12 (3) To the extent practicable, the geographic integrity of a city  
13 or census designated place shall be respected in a manner that  
14 minimizes its division.

15 (4) Supervisorial district boundaries should be easily identifiable  
16 and understandable by residents. To the extent practicable,  
17 supervisorial districts shall be bounded by natural and artificial  
18 barriers, by streets, or by the boundaries of the county.

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

24 (d) The board shall not adopt supervisorial district boundaries  
25 for the purpose of favoring or discriminating against a political  
26 party.

27 (e) *For purposes of this chapter, “adopt” or “adoption” in*  
28 *regard to supervisorial district boundaries means the passage of*  
29 *an ordinance or resolution specifying those boundaries.*

30 *SEC. 3. Section 21601 of the Elections Code is amended to*  
31 *read:*

32 21601. (a) Following a city’s decision to elect its council using  
33 district-based elections, or following each federal decennial census  
34 for a city whose council is already elected using district-based  
35 elections, the council shall, by ordinance or resolution, adopt  
36 boundaries for all of the council districts of the city so that the  
37 council districts shall be substantially equal in population as  
38 required by the United States Constitution.

39 (1) Population equality shall be based on the total population  
40 of residents of the city as determined by the most recent federal

1 decennial census for which the redistricting data described in Public  
2 Law 94-171 are available.

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

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

16 (c) The council shall adopt district boundaries using the  
17 following criteria as set forth in the following order of priority:

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

23 (2) To the extent practicable, the geographic integrity of any  
24 local neighborhood or local community of interest shall be  
25 respected in a manner that minimizes its division. A "community  
26 of interest" is a population that shares common social or economic  
27 interests that should be included within a single district for purposes  
28 of its effective and fair representation. Communities of interest do  
29 not include relationships with political parties, incumbents, or  
30 political candidates.

31 (3) Council district boundaries should be easily identifiable and  
32 understandable by residents. To the extent practicable, council  
33 districts shall be bounded by natural and artificial barriers, by  
34 streets, or by the boundaries of the city.

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

1 (d) The council shall not adopt council district boundaries for  
2 the purpose of favoring or discriminating against a political party.

3 (e) *For purposes of this article, “adopt” or “adoption” in*  
4 *regard to council district boundaries means the passage of an*  
5 *ordinance or resolution specifying those boundaries.*

6 SEC. 4. *Section 21621 of the Elections Code is amended to*  
7 *read:*

8 21621. (a) Following a city’s decision to elect its council using  
9 district-based elections, or following each federal decennial census  
10 for a city whose council is already elected using district-based  
11 elections, the council shall, by ordinance or resolution, adopt  
12 boundaries for all of the council districts of the city so that the  
13 council districts shall be substantially equal in population as  
14 required by the United States Constitution.

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

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

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

32 (c) The council shall adopt district boundaries using the  
33 following criteria as set forth in the following order of priority:

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

39 (2) To the extent practicable, the geographic integrity of any  
40 local neighborhood or local community of interest shall be

1 respected in a manner that minimizes its division. A “community  
2 of interest” is a population that shares common social or economic  
3 interests that should be included within a single district for purposes  
4 of its effective and fair representation. Communities of interest do  
5 not include relationships with political parties, incumbents, or  
6 political candidates.

7 (3) Council district boundaries should be easily identifiable and  
8 understandable by residents. To the extent practicable, council  
9 districts shall be bounded by natural and artificial barriers, by  
10 streets, or by the boundaries of the city.

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

16 (d) The council shall not adopt council district boundaries for  
17 the purpose of favoring or discriminating against a political party.

18 (e) Subdivision (c) does not apply to a charter city that has  
19 adopted comprehensive or exclusive redistricting criteria in its city  
20 charter. For purposes of this subdivision, “comprehensive or  
21 exclusive” means either that the city’s charter excludes  
22 consideration of redistricting criteria other than those that are  
23 identified in the city charter or that the city’s charter provides two  
24 or more traditional criteria for redistricting other than the  
25 requirement that districts be equal in population.

26 (f) *For purposes of this article, “adopt” or “adoption” in regard*  
27 *to council district boundaries means the passage of an ordinance*  
28 *or resolution specifying those boundaries.*

29 *SEC. 5. Section 22000.1 is added to the Elections Code, to*  
30 *read:*

31 *22000.1. (a) Notwithstanding Section 22000, Section 61026*  
32 *of the Government Code, Section 6592 or 13847 of the Health and*  
33 *Safety Code, Section 5785.1 of the Public Resources Code, Section*  
34 *28750.2 of the Public Utilities Code, or any other law, the board*  
35 *of directors of a district that is required to adjust division*  
36 *boundaries after each federal decennial census shall adopt the*  
37 *adjusted boundaries of the divisions not later than the deadlines*  
38 *provided in subdivision (b).*

39 *(b) (1) The governing board of a district that has a regular*  
40 *election to elect members of its governing board on the same date*

1 as the 2022 statewide general election shall adopt adjusted division  
2 boundaries no later than April 17, 2022.

3 (2) The governing board of a district that does not have a  
4 regular election to elect members of its governing board on the  
5 same date as the 2022 statewide general election shall adopt  
6 adjusted division boundaries prior to 180 days before the district's  
7 first regular election to elect members of the governing board  
8 occurring after January 1, 2022.

9 (c) This section shall remain in effect only until January 1, 2023,  
10 and as of that date is repealed.

11 SEC. 6. Section 22002 is added to the Elections Code, to read:  
12 22002. For purposes of this chapter, the date of adoption of a  
13 resolution adjusting division boundaries is the date of passage of  
14 the resolution by the board.

15 SEC. 7. If the Commission on State Mandates determines that  
16 this act contains costs mandated by the state, reimbursement to  
17 local agencies and school districts for those costs shall be made  
18 pursuant to Part 7 (commencing with Section 17500) of Division  
19 4 of Title 2 of the Government Code.

20 SEC. 8. This act is an urgency statute necessary for the  
21 immediate preservation of the public peace, health, or safety within  
22 the meaning of Article IV of the California Constitution and shall  
23 go into immediate effect. The facts constituting the necessity are:

24 To ensure that delays in the adoption of district maps that occur  
25 due to the delayed release of data from the 2020 decennial federal  
26 census do not interfere with the effective and orderly conduct of  
27 the June 7, 2022, statewide direct primary election, and in order  
28 for the changes made by this act to aid cities, counties, and special  
29 districts undertaking the redistricting process in 2021, it is  
30 necessary that this act take effect immediately.

31 SECTION 1. Section 21500 of the Elections Code is amended  
32 to read:

33 21500. ~~(a) Following a county's decision to elect its board~~  
34 ~~using district-based elections, or following each federal decennial~~  
35 ~~census for a county whose board is already elected using~~  
36 ~~district-based elections, the board shall, by ordinance or resolution,~~  
37 ~~adopt boundaries for all of the supervisorial districts of the county~~  
38 ~~so that the supervisorial districts shall be substantially equal in~~  
39 ~~population as required by the United States Constitution.~~

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

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

14 (b) ~~The board shall adopt supervisorial district boundaries that~~  
15 ~~comply with the United States Constitution, the California~~  
16 ~~Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C.~~  
17 ~~Sec. 10301 et seq.).~~

18 (e) ~~The board shall adopt supervisorial district boundaries using~~  
19 ~~the following criteria as set forth in the following order of priority:~~

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

25 (2) ~~To the extent practicable, the geographic integrity of any~~  
26 ~~local neighborhood or local community of interest shall be~~  
27 ~~respected in a manner that minimizes its division. A "community~~  
28 ~~of interest" is a population that shares common social or economic~~  
29 ~~interests that should be included within a single supervisorial~~  
30 ~~district for purposes of its effective and fair representation.~~  
31 ~~Communities of interest do not include relationships with political~~  
32 ~~parties, incumbents, or political candidates.~~

33 (3) ~~To the extent practicable, the geographic integrity of a city~~  
34 ~~or census designated place shall be respected in a manner that~~  
35 ~~minimizes its division.~~

36 (4) ~~Supervisorial district boundaries should be easily identifiable~~  
37 ~~and understandable by residents. To the extent practicable,~~  
38 ~~supervisorial districts shall be bounded by natural and artificial~~  
39 ~~barriers, by streets, or by the boundaries of the county.~~

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

6     ~~(d) The board shall not adopt supervisorial district boundaries~~  
7 ~~for the purpose of favoring or discriminating against a political~~  
8 ~~party.~~

9     ~~(e) For purposes of this chapter, “adopt” or “adoption” in regard~~  
10 ~~to supervisorial district boundaries means the passage of an~~  
11 ~~ordinance or resolution specifying those boundaries.~~

12     ~~SEC. 2. Section 21509 of the Elections Code is amended to~~  
13 ~~read:~~

14     ~~21509. (a) If the board does not adopt supervisorial district~~  
15 ~~boundaries by the deadlines set forth in Section 21501, the board~~  
16 ~~shall immediately petition the superior court of the county for an~~  
17 ~~order adopting supervisorial district boundaries. If the board does~~  
18 ~~not petition the superior court within five days after the deadline,~~  
19 ~~any resident of the county may file that petition and shall be entitled~~  
20 ~~to recover the resident’s reasonable attorney’s fees and costs from~~  
21 ~~the county for doing so.~~

22     ~~(b) (1) Upon finding that a petition filed pursuant to subdivision~~  
23 ~~(a) is valid, the superior court shall adopt supervisorial district~~  
24 ~~boundaries in accordance with the criteria set forth in Section~~  
25 ~~21500, which shall be used in the county’s next regular election.~~  
26 ~~The superior court may also order the adjustment of electoral~~  
27 ~~deadlines as necessary to implement the new supervisorial district~~  
28 ~~boundaries in the next regular election.~~

29     ~~(2) The superior court may appoint a special master to assist~~  
30 ~~the court with adopting the supervisorial district boundaries. The~~  
31 ~~county shall pay the cost for the special master and associated~~  
32 ~~costs.~~

33     ~~(3) The superior court or the special master shall hold one or~~  
34 ~~more public hearings before the superior court adopts the~~  
35 ~~supervisorial district boundaries.~~

36     ~~(4) Subject to the approval of the superior court, the special~~  
37 ~~master may employ redistricting experts or other consultants or~~  
38 ~~counsel, independent experts in the field of redistricting and~~  
39 ~~computer technology, and other necessary personnel to assist them~~  
40 ~~in their work. In addition, the special master may seek the full~~

1 cooperation of the county in producing and using whatever data,  
2 computer models and programs, and technical assistance that was  
3 made available to the board and county personnel who are  
4 knowledgeable in the mechanics of drafting redistricting legislation.  
5 The superior court may assist the special master in securing the  
6 necessary personnel and the physical facilities required for their  
7 work, and to prepare for the prompt submission to the county of  
8 a request for county funding for the necessary expenses of the  
9 special master and the special master's staff.

10 (5) ~~The supervisorial district boundaries adopted by the superior~~  
11 ~~court shall be immediately effective and shall have the same force~~  
12 ~~and effect as an enacted resolution or ordinance of the board.~~

13 ~~SEC. 3. Section 21601 of the Elections Code is amended to~~  
14 ~~read:~~

15 ~~21601. (a) Following a city's decision to elect its council using~~  
16 ~~district-based elections, or following each federal decennial census~~  
17 ~~for a city whose council is already elected using district-based~~  
18 ~~elections, the council shall, by ordinance or resolution, adopt~~  
19 ~~boundaries for all of the council districts of the city so that the~~  
20 ~~council districts shall be substantially equal in population as~~  
21 ~~required by the United States Constitution.~~

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

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

35 ~~(b) The council shall adopt council district boundaries that~~  
36 ~~comply with the United States Constitution, the California~~  
37 ~~Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C.~~  
38 ~~Sec. 10301 et seq.).~~

39 ~~(c) The council shall adopt district boundaries using the~~  
40 ~~following criteria as set forth in the following order of priority:~~

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

6 ~~(2) To the extent practicable, the geographic integrity of any~~  
7 ~~local neighborhood or local community of interest shall be~~  
8 ~~respected in a manner that minimizes its division. A “community~~  
9 ~~of interest” is a population that shares common social or economic~~  
10 ~~interests that should be included within a single district for purposes~~  
11 ~~of its effective and fair representation. Communities of interest do~~  
12 ~~not include relationships with political parties, incumbents, or~~  
13 ~~political candidates.~~

14 ~~(3) Council district boundaries should be easily identifiable and~~  
15 ~~understandable by residents. To the extent practicable, council~~  
16 ~~districts shall be bounded by natural and artificial barriers, by~~  
17 ~~streets, or by the boundaries of the city.~~

18 ~~(4) To the extent practicable, and where it does not conflict with~~  
19 ~~the preceding criteria in this subdivision, council districts shall be~~  
20 ~~drawn to encourage geographical compactness in a manner that~~  
21 ~~nearby areas of population are not bypassed in favor of more distant~~  
22 ~~populations.~~

23 ~~(d) The council shall not adopt council district boundaries for~~  
24 ~~the purpose of favoring or discriminating against a political party.~~

25 ~~(e) For purposes of this article, “adopt” or “adoption” in regard~~  
26 ~~to council district boundaries means the passage of an ordinance~~  
27 ~~or resolution specifying those boundaries.~~

28 ~~SEC. 4. Section 21609 of the Elections Code is amended to~~  
29 ~~read:~~

30 ~~21609. (a) If the council does not adopt council district~~  
31 ~~boundaries by the deadlines set forth in Section 21602, the council~~  
32 ~~shall immediately petition the superior court in the county in which~~  
33 ~~the city is located for an order adopting council district boundaries.~~  
34 ~~If the council does not petition the superior court within five days~~  
35 ~~after the deadline, any resident of the city may file that petition~~  
36 ~~and shall be entitled to recover the resident’s reasonable attorney’s~~  
37 ~~fees and costs from the city for doing so.~~

38 ~~(b) (1) Upon finding that a petition filed pursuant to subdivision~~  
39 ~~(a) is valid, the superior court shall adopt council district~~  
40 ~~boundaries in accordance with the criteria set forth in Section~~

1 21601, which shall be used in the city's next regular election. The  
2 superior court may also order the adjustment of electoral deadlines  
3 as necessary to implement the new council district boundaries in  
4 the next regular election.

5 (2) The superior court may appoint a special master to assist  
6 the court with adopting the council district boundaries. The city  
7 shall pay the cost for the special master and associated costs.

8 (3) The superior court or the special master shall hold one or  
9 more public hearings before the superior court adopts the council  
10 district boundaries.

11 (4) Subject to the approval of the superior court, the special  
12 master may employ redistricting experts or other consultants or  
13 counsel, independent experts in the field of redistricting and  
14 computer technology, and other necessary personnel to assist them  
15 in their work. In addition, the special master may seek the full  
16 cooperation of the city in producing and using whatever data,  
17 computer models and programs, and technical assistance that was  
18 made available to the council and city personnel who are  
19 knowledgeable in the mechanics of drafting redistricting legislation.  
20 The superior court may assist the special master in securing the  
21 necessary personnel and the physical facilities required for their  
22 work, and to prepare for the prompt submission to the city of a  
23 request for city funding for the necessary expenses of the special  
24 master and the special master's staff.

25 (5) The council district boundaries adopted by the superior court  
26 shall be immediately effective and shall have the same force and  
27 effect as an enacted resolution or ordinance of the city council.

28 SEC. 5. Section 21621 of the Elections Code is amended to  
29 read:

30 21621. (a) Following a city's decision to elect its council using  
31 district-based elections, or following each federal decennial census  
32 for a city whose council is already elected using district-based  
33 elections, the council shall, by ordinance or resolution, adopt  
34 boundaries for all of the council districts of the city so that the  
35 council districts shall be substantially equal in population as  
36 required by the United States Constitution.

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

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

10 ~~(b) The council shall adopt council district boundaries that~~  
11 ~~comply with the United States Constitution, the California~~  
12 ~~Constitution, and the federal Voting Rights Act of 1965 (52 U.S.C.~~  
13 ~~Sec. 10301 et seq.).~~

14 ~~(c) The council shall adopt district boundaries using the~~  
15 ~~following criteria as set forth in the following order of priority:~~

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

21 ~~(2) To the extent practicable, the geographic integrity of any~~  
22 ~~local neighborhood or local community of interest shall be~~  
23 ~~respected in a manner that minimizes its division. A "community~~  
24 ~~of interest" is a population that shares common social or economic~~  
25 ~~interests that should be included within a single district for purposes~~  
26 ~~of its effective and fair representation. Communities of interest do~~  
27 ~~not include relationships with political parties, incumbents, or~~  
28 ~~political candidates.~~

29 ~~(3) Council district boundaries should be easily identifiable and~~  
30 ~~understandable by residents. To the extent practicable, council~~  
31 ~~districts shall be bounded by natural and artificial barriers, by~~  
32 ~~streets, or by the boundaries of the city.~~

33 ~~(4) To the extent practicable, and where it does not conflict with~~  
34 ~~the preceding criteria in this subdivision, council districts shall be~~  
35 ~~drawn to encourage geographical compactness in a manner that~~  
36 ~~nearby areas of population are not bypassed in favor of more distant~~  
37 ~~populations.~~

38 ~~(d) The council shall not adopt council district boundaries for~~  
39 ~~the purpose of favoring or discriminating against a political party.~~

1 ~~(e) Subdivision (e) does not apply to a charter city that has~~  
2 ~~adopted comprehensive or exclusive redistricting criteria in its city~~  
3 ~~charter. For purposes of this subdivision, “comprehensive or~~  
4 ~~exclusive” means either that the city’s charter excludes~~  
5 ~~consideration of redistricting criteria other than those that are~~  
6 ~~identified in the city charter or that the city’s charter provides two~~  
7 ~~or more traditional criteria for redistricting other than the~~  
8 ~~requirement that districts be equal in population.~~

9 ~~(f) For purposes of this article, “adopt” or “adoption” in regard~~  
10 ~~to council district boundaries means the passage of an ordinance~~  
11 ~~or resolution specifying those boundaries.~~

12 ~~SEC. 6. Section 21629 of the Elections Code is amended to~~  
13 ~~read:~~

14 ~~21629. (a) If the council does not adopt council district~~  
15 ~~boundaries by the deadlines set forth in Section 21622, the council~~  
16 ~~shall immediately petition the superior court in the county in which~~  
17 ~~the city is located for an order adopting council district boundaries.~~  
18 ~~If the council does not petition the superior court within five days~~  
19 ~~after the deadline, any resident of the city may file that petition~~  
20 ~~and shall be entitled to recover the resident’s reasonable attorney’s~~  
21 ~~fees and costs from the city for doing so.~~

22 ~~(b) (1) Upon finding that a petition filed pursuant to subdivision~~  
23 ~~(a) is valid, the superior court shall adopt council district~~  
24 ~~boundaries in accordance with the criteria set forth in Section~~  
25 ~~21621, which shall be used in the city’s next regular election. The~~  
26 ~~superior court may also order the adjustment of electoral deadlines~~  
27 ~~as necessary to implement the new council district boundaries in~~  
28 ~~the next regular election.~~

29 ~~(2) The superior court may appoint a special master to assist~~  
30 ~~the court with adopting the council district boundaries. The city~~  
31 ~~shall pay the cost for the special master and associated costs.~~

32 ~~(3) The superior court or the special master shall hold one or~~  
33 ~~more public hearings before the superior court adopts the council~~  
34 ~~district boundaries.~~

35 ~~(4) Subject to the approval of the superior court, the special~~  
36 ~~master may employ redistricting experts or other consultants or~~  
37 ~~counsel, independent experts in the field of redistricting and~~  
38 ~~computer technology, and other necessary personnel to assist them~~  
39 ~~in their work. In addition, the special master may seek the full~~  
40 ~~cooperation of the city in producing and using whatever data,~~

1 computer models and programs, and technical assistance that was  
 2 made available to the council and city personnel who are  
 3 knowledgeable in the mechanics of drafting redistricting legislation.  
 4 The superior court may assist the special master in securing the  
 5 necessary personnel and the physical facilities required for their  
 6 work, and to prepare for the prompt submission to the city of a  
 7 request for city funding for the necessary expenses of the special  
 8 master and the special master’s staff.

9 (5) The council district boundaries adopted by the superior court  
 10 shall be immediately effective and shall have the same force and  
 11 effect as an enacted resolution or ordinance of the city council.

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

15 SEC. 7. Section 22000 of the Elections Code is amended to  
 16 read:

17 22000. (a) Each district required by its authorizing act to adjust  
 18 division boundaries pursuant to this section shall, by resolution,  
 19 after each federal decennial census, and using that census as a  
 20 basis, adjust the boundaries of any divisions so that the divisions  
 21 are, as far as practicable, equal in population and in compliance  
 22 with Section 10301 of Title 52 of the United States Code, as  
 23 amended, to the extent those provisions apply. In adjusting the  
 24 boundaries of the divisions, the board may give consideration to  
 25 the following factors: (1) topography, (2) geography, (3)  
 26 cohesiveness, contiguity, integrity, and compactness of territory,  
 27 and (4) community of interests of the division. This section does  
 28 not apply to divisions in which only landowners vote for directors  
 29 or whose directors are all elected at large or appointed.

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

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

35 (d) A change in division boundaries shall not be adopted within  
 36 180 days preceding the election of any director.

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

39 (2) If division boundaries are adjusted, the director of the  
 40 division whose boundaries have been adjusted shall continue to

1 be the director of the division bearing the number of that director's  
2 division as formerly comprised until the office becomes vacant by  
3 means of term expiration or otherwise, whether or not the director  
4 is a resident within the boundaries of the division as adjusted.

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

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

10 (h) ~~This section shall not be construed to prohibit or restrict a  
11 district from adjusting the boundaries of any divisions whenever  
12 the governing body of the district determines by a two-thirds vote  
13 of the governing body that a sufficient change in population has  
14 occurred that makes it desirable in the opinion of the governing  
15 body to adjust the boundaries of any divisions, or whenever any  
16 territory is added by or excluded from the district.~~

17 ~~SEC. 8. Section 22000.1 is added to the Elections Code, to  
18 read:~~

19 ~~22000.1. Notwithstanding any other date specified in law, the  
20 board of directors of a district that is required to adjust division  
21 boundaries after each federal decennial census shall adopt the  
22 adjusted boundaries of the divisions prior to 180 days before the  
23 district's next regular election occurring after January 1 of each  
24 year ending in the number two.~~

25 ~~SEC. 9. Section 22001 of the Elections Code is amended to  
26 read:~~

27 ~~22001. Before adjusting the boundaries of a division pursuant  
28 to Section 22000 or 22000.1 or for any other reason, the governing  
29 body of the district shall hold at least one public hearing on the  
30 proposal to adjust the boundaries of the division prior to the public  
31 hearing at which the governing body votes to approve or defeat  
32 the proposal.~~

33 ~~SEC. 10. Section 22002 is added to the Elections Code, to read:~~

34 ~~22002. For purposes of this chapter, the date of adoption of a  
35 resolution adjusting division boundaries is the date of passage of  
36 the resolution by the board.~~

37 ~~SEC. 11. Section 61026 of the Government Code is amended  
38 to read:~~

39 ~~61026. In the case of a board of directors elected by divisions  
40 or from divisions, the board of directors shall adjust the boundaries~~

1 of the divisions following each federal decennial census in  
2 accordance with Section 22000.1 of the Elections Code. If at any  
3 time between each decennial census, a change of organization or  
4 reorganization alters the population of the district, the board of  
5 directors shall reexamine the boundaries of its divisions. If the  
6 board of directors finds that the population of any division has  
7 varied so that the divisions no longer meet the criteria specified  
8 in subdivision (d) of Section 61025, the board of directors shall  
9 adjust the boundaries of the divisions so that the divisions shall  
10 be as nearly equal in population as possible. The board of directors  
11 shall make this change within 60 days of the effective date of the  
12 change of organization or reorganization.

13 SEC. 12. Section 6592 of the Health and Safety Code is  
14 amended to read:

15 6592. In the case of a district board elected by election  
16 divisions, the district board shall adjust the boundaries of the  
17 election divisions following each federal decennial census in  
18 accordance with Section 22000.1 of the Elections Code. If at any  
19 time between each decennial federal census a change of  
20 organization alters the population of the district or the district  
21 increases or decreases the number of members of the district board,  
22 the district board shall reexamine the boundaries of its election  
23 divisions. If the district board finds that the population of any  
24 election division has varied so that the divisions no longer meet  
25 the criteria specified in subdivision (e) of Section 6591, the district  
26 board shall adjust the boundaries of the election divisions so that  
27 the divisions shall be as nearly equal in population as possible.  
28 The district board shall make this change within 60 days of the  
29 effective date of the change of organization or an increase or  
30 decrease in the number of members of the district board.

31 SEC. 13. Section 13847 of the Health and Safety Code is  
32 amended to read:

33 13847. In the case of a district board elected by election  
34 divisions, the district board shall adjust the boundaries of the  
35 election divisions following each federal decennial census in  
36 accordance with Section 22000.1 of the Elections Code. If at any  
37 time between each decennial federal census a change of  
38 organization alters the population of the district or the district  
39 increases or decreases the number of members of the district board,  
40 the district board shall reexamine the boundaries of its election

1 divisions. If the district board finds that the population of any  
2 election division has varied so that the divisions no longer meet  
3 the criteria specified in subdivision (d) of Section 13846, the  
4 district board shall adjust the boundaries of the election divisions  
5 so that the divisions shall be as nearly equal in population as  
6 possible. The district board shall make this change within 60 days  
7 of the effective date of the change of organization or an increase  
8 or decrease in the number of members of the district board.

9 SEC. 14. Section 5785.1 of the Public Resources Code is  
10 amended to read:

11 5785.1. (a) In the case of a board of directors elected by  
12 divisions or from divisions, the board of directors shall adjust the  
13 boundaries of the divisions following each federal decennial census  
14 in accordance with Section 22000.1 of the Elections Code. If, at  
15 any time between each decennial census, a change of organization  
16 or reorganization alters the population of the district, the board of  
17 directors shall reexamine the boundaries of its divisions. If the  
18 board of directors finds that the population of any division has  
19 varied so that the divisions no longer meet the criteria specified  
20 in subdivision (f) of Section 5785, the board of directors shall  
21 adjust the boundaries of the divisions so that the divisions shall  
22 be as nearly equal in population as possible. The board of directors  
23 shall make this change within 60 days of the effective date of the  
24 change of organization or reorganization.

25 (b) In the case of a board of directors that has been appointed  
26 by more than one county board of supervisors or city council, the  
27 board of directors shall adjust the proportionate distribution of the  
28 appointments before November 1 of the year following the year  
29 in which each decennial census is taken. If at any time between  
30 each decennial census, a change of organization or reorganization  
31 alters the population of the district, the board of directors shall  
32 reexamine the proportionate distribution of appointments. If the  
33 board of directors finds that the population of the district has varied  
34 so that the distribution of appointments is no longer proportionate,  
35 the board of directors shall adjust the proportionate distribution of  
36 appointments accordingly. The board of directors shall make this  
37 change within 60 days of the effective date of the change of  
38 organization or reorganization. The county board of supervisors  
39 or city council shall appoint members to the board of directors as  
40 vacancies occur.

1     ~~SEC. 15. This act is an urgency statute necessary for the~~  
2     ~~immediate preservation of the public peace, health, or safety within~~  
3     ~~the meaning of Article IV of the California Constitution and shall~~  
4     ~~go into immediate effect. The facts constituting the necessity are:~~  
5     ~~In order for the changes made by this act to aid cities, counties,~~  
6     ~~and special districts undertaking the redistricting process in 2021,~~  
7     ~~it is necessary that this act take effect immediately.~~