

Date of Hearing: May 1, 2012

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING

Paul Fong, Chair

AB 2692 (Elections & Redistricting Committee) – As Introduced: March 14, 2012

SUBJECT: Electoral districts and precincts.

SUMMARY: Makes various minor and technical changes to state law governing elections. Specifically, this bill:

- 1) Repeals obsolete provisions of existing law that specified the boundaries of Assembly districts that were used for elections to the Assembly for terms commencing between 2002 and 2010. Repeals obsolete provisions of existing law that specified the boundaries of congressional districts that were used for elections to the United States House of Representatives for terms commencing between 2003 and 2011.
- 2) Provides for the repeal, on January 1, 2015, of provisions of existing law that specified the boundaries of Senate districts that were used for elections to the Senate for terms commencing between 2002 and 2010. Provides for the repeal, on January 1, 2015, of provisions of existing law that specified the boundaries of Board of Equalization (BOE) districts that were used for elections to the BOE for terms commencing between 2003 and 2011.
- 3) Repeals a provision of law that requires elections officials, when establishing precinct boundaries, to avoid crossing census tract or enumeration district lines to the extent possible and without subjecting voters to significant inconvenience.
- 4) Repeals a provision of law that requires elections officials, when providing the Legislature with information and statistics necessary for use in connection with the drawing of legislative districts, to identify each precinct according to the census tract or enumeration district in which it is located.

EXISTING LAW:

- 1) Establishes the boundaries of Senate, Assembly, BOE, and congressional districts based on the 2000 census.
- 2) Establishes the Citizens Redistricting Commission (CRC), and gives it the responsibility for establishing the district lines for Senate, Assembly, Congress, and the BOE.
- 3) Prohibits elections officials, when establishing precinct boundaries, from establishing any precinct so that its boundary crosses the boundary of any supervisorial district, congressional district, senatorial district, Assembly district, BOE district, judicial district, incorporated city, ward, or city council district. Requires elections officials, to the extent possible and without subjecting voters to significant inconvenience, to avoid crossing census tracts or enumeration district lines when establishing precinct boundaries.

- 4) Requires the county elections official in each county to compile and make available to the Legislature or any appropriate committee of the Legislature any information and statistics that may be necessary for use in connection with the creation of new legislative districts, including election returns for each precinct. Requires the elections official, when providing this information, to identify each precinct according to the census tract or enumeration district in which it is located.

FISCAL EFFECT: Keyed non-fiscal by the Legislative Counsel.

COMMENTS:

- 1) Purpose of the Bill: This is one of the Assembly Elections and Redistricting Committee's annual omnibus bills, containing various minor and technical changes to provisions of state law governing elections.
- 2) Legal Descriptions of Legislative, Congressional, and Board of Equalization Districts: With the approval of Propositions 11 (2008) and 20 (2010), the authority for establishing the boundaries for Assembly, Senate, congressional, and BOE districts was transferred from the Legislature and the Governor to the newly-established CRC. Because the CRC establishes districts by adopting a resolution, and not through the enactment of a statute, the legal descriptions of the 2001 districts that were established by the Legislature remain in the Elections Code (see generally Elections Code Sections 21100-21140 for Senate districts, Sections 21200-21280 for Assembly districts, Sections 21300-21304 for BOE districts, and Sections 21400-21453 for congressional districts). In printed versions of the Elections Code, these legal descriptions of outdated district lines can take up a few hundred pages.

This bill would repeal the legal descriptions of the 2001 Assembly and congressional districts effective January 1, 2013. Additionally, this bill would repeal the legal descriptions of Senate and BOE districts effective January 1, 2015. The Senate and BOE district boundaries would remain in statute until 2015 because members of those bodies elected in 2010 will continue to represent those district boundaries until their terms expire in late 2014 (in the case of the Senate) or early 2015 (in the case of the BOE). Additionally, the Senate district boundaries will remain in the code until 2015 because any special election held to fill out the remainder of a term of a Senator who was elected in 2010 will be conducted using these 2001 district lines.

- 3) Precinct Boundaries: Existing law requires elections officials, when they are creating precinct boundaries, to avoid crossing census tract lines to the extent possible. Additionally, when elections officials compile and report precinct-level information and statistics that are used for redistricting purposes, the officials are required to identify each precinct by census tract. While census data is vital to the redistricting process, census tracts are no longer used in describing district boundaries. As a result, the requirements in existing law that precincts be identified by census tract needlessly add additional cost and complexity for elections officials when creating precincts and reporting election information.

This bill would remove references to census tracts in the process of creating precincts and reporting election data. This provision was requested by the California Association of Clerks and Election Officials.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Clerks and Election Officials

Opposition

None on file.

Analysis Prepared by: Ethan Jones / E. & R. / (916) 319-2094