

Date of Hearing: July 2, 2025

ASSEMBLY COMMITTEE ON ELECTIONS

Gail Pellerin, Chair

SB 852 (Committee on Elections and Constitutional Amendments) –  
As Amended June 17, 2025

**SENATE VOTE:** (vote not relevant)

**SUBJECT:** Political Reform Act of 1974: Citizens Redistricting Commission.

**SUMMARY:** Makes it discretionary, rather than mandatory, for the California Citizens Redistricting Commission (CRC) to fill a vacancy that occurs after the end of a year ending in the number two. Makes various minor changes to the Political Reform Act (PRA). Specifically, **this bill:**

- 1) Eliminates a requirement for the Fair Political Practices Commission (FPPC) to distribute copies of bills that propose to amend the PRA to the news media and to other persons who requested such copies. Requires, instead, that each such bill in its final form be printed, distributed to Members of the Legislature, and published on the internet for a specified number of days before final passage in each house of the Legislature.
- 2) Requires a public official who manages public investments to file their statement of economic interests (SEI) using the FPPC's electronic filing system.
- 3) Repeals a requirement for the CRC to fill any vacancy that occurs on or after December 31 of a year ending in the number two within 90 days, and instead permits the CRC to fill such a vacancy.

**EXISTING LAW:**

- 1) Requires candidates for, and current holders of, specified elected or appointed state and local offices and designated employees of state and local agencies to file SEIs disclosing their financial interests. (Government Code §§87200-87505) Requires public officials and candidates who file SEIs with the FPPC to use the FPPC's electronic filing system, as specified. (Government Code §87500(a))
- 2) Lists certain high-ranking public officials who are subject to the most expansive disclosure requirements under the PRA. These filers, who are commonly referred to as “87200 filers” after the section of the Government Code in which they are listed, include public officials who manage public investments. (Government Code §87200)
- 3) Permits the PRA to be amended by a bill that is not submitted for voter approval only if the bill furthers the purposes of the PRA, is passed by a two-thirds vote in each house and signed by the Governor, and the final form of the bill is delivered to the FPPC by a specified number of days before final passage so that the FPPC may distribute it to the news media and to interested persons, as specified. (Government Code §81012)

- 4) Requires the Legislative Counsel to permit the public to sign up through the public legislative information system to receive email alerts of legislative activity related to bills to amend the PRA. (Government Code §81012.5)
- 5) Establishes the CRC, and requires it to adjust the boundary lines of the congressional, State Senatorial, Assembly, and Board of Equalization (BOE) districts in the year following the year in which the national census is taken under the direction of Congress at the beginning of each decade, as specified. (California Constitution, Article XXI, §§1 & 2)
- 6) Requires the CRC to fill any vacancy that occurs prior to December 31 of a year ending in the number two within 30 days after the vacancy occurs, as specified. Requires the CRC to fill any vacancy that occurs on or after December 31 of a year ending in the number two within 90 days after the vacancy occurs, as specified. (Government Code §8252.5)
- 7) Provides that statutory provisions that govern the formation and operation of the CRC may be amended through the enactment of a bill that does not require voter approval only if all of the following conditions are met:
  - a) The CRC recommends amendments to those procedures to carry out its purpose and intent by the same vote required for the adoption of the final set of maps, and the exact language of the amendments provided by the CRC is enacted as a statute approved by a two-thirds vote of each house of the Legislature and signed by the Governor.
  - b) The bill containing the amendments provided by the CRC is in print for at least 12 days before final passage by the Legislature.
  - c) The amendments further the purposes of the ballot measure that created the CRC.
  - d) The amendments may not be passed by the Legislature in a year ending in 9, 0, or 1. (Government Code §8251)

**FISCAL EFFECT:** Unknown. State-mandated local program; contains a crimes and infractions disclaimer.

**COMMENTS:**

- 1) **Purpose of the Bill:** According to the author:

This bill is the Senate Committee on Elections and Constitutional Amendments' Government Code omnibus bill and contains two changes to the PRA that the FPPC requested as well as a change the Citizens' Redistricting Commission (CRC) requested to its own governance. These changes eliminate an obsolete requirement for the FPPC to send a notification to subscribers to inform them of bills that would amend the PRA; fix a drafting error in AB 1170 of 2024 that omitted public officials who manage public investments from those who must file their Form 700s electronically; and permit, rather than require, the CRC to fill a vacancy that occurs on the commission after its work is completed.

- 2) **Statements of Economic Interests and Previous Legislation:** As part of the PRA's comprehensive framework to prevent conflicts of interest by public officials, existing law requires certain high-level state and local officials (87200 filers) to file SEIs (commonly referred to as a Form 700). Candidates for those positions must also file SEIs. In addition, public officials and employees who are designated in their agency's conflict of interest code are required to file SEIs.

In an effort to enhance transparency and efficiency, AB 1170 (Valencia), Chapter 211, Statutes of 2024, required individuals who file their SEIs with the FPPC to do so electronically. According to the FPPC, which sponsored the bill, AB 1170 was intended to cover all 87200 filers. However, one group—public officials who manage public investments—was inadvertently excluded and remains the only category of 87200 filers not required to file SEIs electronically with the FPPC. While some of these officials are required to file electronically with the FPPC due to other provisions of law, they typically file their SEIs with their employing agencies rather than the FPPC.

This bill would close that gap by requiring public officials who manage public investments to file their SEIs electronically using the FPPC's system. As a result, all 87200 filers—a group of officials that generally includes the highest-level public officials and those with the highest potential to influence governmental decisions—would file their SEI's electronically with the FPPC. This change was proposed by the FPPC.

- 3) **Political Reform Act Amendments and Previous Legislation:** When an initiative statute is enacted into law by California voters, that statute can be amended or repealed by another statute that becomes effective when approved by the electors. Alternately, an initiative may allow for it to be amended by the Legislature without voter approval, and may set conditions for any such amendments. When California voters passed Proposition 9 in 1974, which created the PRA and established the FPPC, it allowed the PRA to be amended without voter approval if certain conditions were met. One condition for such amendments was a requirement that the bill in its final form be delivered to the FPPC for distribution to the news media and interested persons by a specified number of days before the final vote. In accordance with that requirement, FPPC staff send manual notifications by email whenever a PRA bill is introduced or amended. According to the FPPC, three individuals are currently signed up for that email list.

Last session, the Legislature enacted and Governor Newsom signed SB 681 (Allen), Chapter 499, Statutes of 2023. Among other provisions, SB 681 required the Legislative Counsel to allow the public to receive email alerts of legislative activity related to bills to amend the PRA. All alerts sent by this system are sent no later than 9 a.m. on the calendar day after the legislative action. In light of this new tracking service, this bill eliminates the requirement for the FPPC to manually notify interested persons about bills that propose to amend the PRA without being submitted to the voters. Instead, this bill would provide that a bill amending the PRA without being submitted to the voters must be printed, distributed to Members of the Legislature, and published on the internet by a specified number of days before final passage in each house. This change was proposed by the FPPC.

- 4) **California Citizens Redistricting Commission Vacancies:** Proposition 11, which was approved by the voters at the 2008 statewide general election, created the CRC, and gave it the responsibility for establishing district lines for Assembly, Senate, and the BOE. Proposition 11 also modified the criteria to be used when drawing district lines. Proposition 20, which was approved by the voters at the 2010 statewide general election, gave the CRC the responsibility for establishing lines for California's congressional districts, and made other changes to the procedures and criteria to be used by the CRC.

Proposition 11 included a procedure for filling vacancies on the CRC. Under that procedure (as modified by SB 1096 (Elections & Constitutional Amendments Committee), Chapter 271, Statutes of 2012), the CRC has 30 days to fill a vacancy that occurs before December 31 of a year ending in the number two, and has 90 days to fill a vacancy occurring after that point.

In December 2024, one of the members of the CRC passed away. The CRC subsequently held a public meeting on March 28, 2025, at which the CRC discussed the resulting vacancy. The CRC filled the vacancy at that meeting, and also voted unanimously (with two members absent from the vote) to propose statutory amendments to make it discretionary, rather than mandatory, for the CRC to fill a vacancy that occurs on or after December 31 in the year ending in the number two.

As described above, an initiative measure can allow the Legislature to amend its statutory provisions without voter approval, subject to specified conditions. Proposition 11 allows the statutory provisions that govern CRC operations to be amended without voter approval if specified conditions are met, including requirements that the CRC recommend the exact language of the amendments by the same vote required for the CRC to adopt a final set of redistricting maps.

The language included in this bill that proposes to change state law governing CRC vacancies is the exact language that was unanimously approved by the CRC at its March 28, 2025 meeting, and that provision was included in this bill at the request of the CRC.

- 5) **Arguments in Support:** In support of this bill, the California Citizens Redistricting Commission writes:

Government Code Section 8252.5 notes any vacancy that occurs on or after December 31 of a year ending in the number two shall be filled by the Commission within the 90 days after the vacancy occurs. This timeline would be after the Commission has approved the final maps which is the primary responsibility of the Commission. As such, once the maps are drawn and approved, the Commission typically does not meet as frequently. Requiring the Commission to fill a vacancy within 90 days puts an unneeded burden on the Commissioners to meet when it may not be necessary to meet or necessary to fill a vacancy. The bill language change would allow the Commission the ability to decide if, and when, to fill a vacancy.

- 6) **Supermajority Vote Requirement:** As detailed above, proposed statutory changes that are not submitted to the voters for their consideration, and that amend the PRA or state statutes governing the operation of the CRC, must comply with various conditions, including a requirement that the amendments be approved by a two-thirds vote of both houses of the Legislature. Accordingly, this bill has been keyed by the Legislative Counsel as requiring a two-thirds vote of each house of the Legislature for final passage.

**REGISTERED SUPPORT / OPPOSITION:****Support**

California Citizens Redistricting Commission  
Fair Political Practices Commission

**Opposition**

None on file.

**Analysis Prepared by:** Ethan Jones / ELECTIONS / (916) 319-2094