

Potential Legislative Changes (3/30/2022)

A. Potential changes with general Commissioner consensus

	Topic	Code Section to Amend*	Notes
A1.	Requiring reallocation of state incarcerated people to their last known place of residence	EC Section 21003 (d)	Amend existing language.
A2.	Reallocation of federal incarcerated people to their last known place of residence, if provided.	EC Section 21003 (d)	Amend existing language.
A3.	Empowering the Commission to make grants for prospective work	GC Section 8253.6 (b)	Requires new language. No existing grant authority language.
A4.	Exempting the Commission from State procurement and contracting regulations	GC Section 8253.6 (b)	Need to amend language.
A5.	Define Fully Functional – Executive and administrative teams on board	GC Section 8251 (b), CCR Title 2 Section 60861	Work with the State Auditor on language, fully functional noted in GC Section 8253(a)(5) and CCR Title 2 Section 60861.
A6.	Three days' public notice for meetings held in August in the year ending in the number one.	GC 8253 (a)(1)	From June 15 to August 15?

B. Other areas currently intersecting with work being conducted by other Committees

	Topic	Code Section to Amend	Notes
B1.	Revise Bagley Keene to allow for permanent remote and hybrid meetings	N/A	Adherence noted in GC Section 8253 (a)(1). In process – AB 1733, discuss supporting the bill.
B2.	Reallocation of federal incarcerated people to their last known address, if provided.	EC Section 21003 (d)	Another Committee is also simultaneously working on this.
B3.	Amend budget act language so the Commission does not need to request release of the funds already appropriated to the Commission.	Budget Act Language	Work with Department of Finance on budget act language

C. Areas needing further discussion

	Topic	Code Section to Amend	Notes
C1.	Allow “No Party Preference” to be considered a party for purposes of considering commissioner membership categories	GC 8252 (f) &(g) Art. XXI, Sec 2 (c)(2)	Further clarifying existing language
C2.	Clarify/provide definition for what public input means	GC Section 8251 (b)	First mentioned in GC Section 8253 (a)(1).
C3.	Clarify taking public comment during regular, non-mapping business meetings does not constitute “receiving input on redistricting matters” (subject to 14-day meeting notice requirement)		See C2 above.
C4.	Commissioner Vacancies: Discuss need to fill vacancies after final maps are approved.	GC Section 8252.5	Discussion item if the Commission wants to change, amend existing language.
C5.	Clarify what a day is in defining mapping deadlines	GC Section 8251(b)	Code defines a day (a calendar day). Black’s Law Dictionary defines a day as a full 24 hours (midnight to midnight).
C6.	Ability to hire outside counsel without AG prior approval		
C7.	Clarify/provide definition of what redistricting matters means	GC Section 8251(b)	First appears in GC Section 8253(a)(3).
C8.	Earlier start date for Commissioners (office set up, coordination with Census), also would impact start date of application process	GC Sec 8252	
C9.	Strikes by the Legislature are not transparent, should the Legislature be allowed to strike applicants from the subpools? How many strikes by the Legislature?	GC 8252 (e)	
C10.	Liaisons with Attorney General, CA State Auditor, Department of Finance, Legislature	?	
C11.	Commissioner Compensation – salary as exempt?	GC 8253.5	
C12.	Add language to note nothing impedes the Commission from rotating the chair.	GC 8253 (a)(4)	

C13.	Statewide database to be open source		
C14.	Randomly draw 6 versus 8 names from the remaining pool of applicants	GC 8252 (f)	
C15.	Further restrict amendments to government code statutes (not within one year of certification of maps)		
C16.	Expand mandate to support local redistricting efforts		
C17.	Changes to size or composition of Applicant review panel		

D. Constitutional Code Language

	Topic	Code Section to Amend	Notes
D1	Change final map date from August 15 to September 15	Section 2 (g), Article XXI	
D2	Change # of Commissioners from 14 to 15 by adding one to “neither of the two largest” parties	Section 2(c)(2), Article XXI	Changes to the Constitution AND changes to the Government Code statutes (possibly GC 8252 (f) or (g); 8252.5(b)) will be needed.
D3	Change on how “Other” category is handled for Commissioner member makeup		Also see C1
D4	Change to the creation timeline for the Commission	Article 21, Section 2	Also see C8
D5	Commissioner alternates?	GC 8252.5	

* *Government Code (GC), Election Code (EC), and CA Code of Regulations (CCR) Language*

Code Sections specifically mentioning the California Citizens Redistricting Commission:

- California Constitutional Provisions: Sections 1, 2, & 3 of Article XXI
- Government Code (GC): Sections 8251 to 8253.6
- Elections Code (EC): Division 1, Chapter 1, Section 21003; Division 8, Chapter 1.5, Section 8161
- California Code of Regulations (CCR): Title 1 Sections 60840, 60855, 60856, and 60861