



April 30, 2023

The Honorable Chris Holden, Chair  
Assembly Appropriations Committee  
1021 O Street, Suite 5650  
Sacramento, CA 95814

Re: **AB 1248 (Bryan): Local redistricting: independent commissions  
As introduced 2/16/23 – OPPOSE UNLESS AMENDED  
Awaiting hearing – Assembly Appropriations Committee**

Dear Assemblymember Holden:

On behalf of the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), and the California State Association of Counties (CSAC), we write to share our opposition to Assembly Bill 1248, which would require counties with populations of 300,000 or above to create an independent redistricting commission for the 2030 redistricting process. While we acknowledge the Legislature's interest in requiring broad adoption of independent redistricting commissions at the local level, AB 1248 does not provide the necessary resources for counties to execute a successful independent redistricting commission process. To that end, we respectfully request that AB 1248 be amended to ensure counties are fully reimbursed for costs and incorporate more robust statutory and technical assistance supports to ensure that local agencies are able to effectively deliver on the promise of independent redistricting.

In terms of numbers of affected agencies, AB 1248 applies to counties most broadly. According to the most recent Department of Finance population estimates, the bill would currently apply in 22 counties; removing those counties already subject statutorily to independent redistricting commissions (Fresno, Los Angeles, Kern, Riverside, and San Diego) and those with ordinances establishing their own independent commissions (Santa Barbara), leaves 16 counties subject to the bill. By the 2030 census, it is likely that a couple additional counties could be added to the list. These counties, and likely their city and school counterparts, will be expected to faithfully execute the Legislature's direction to create, fund, and administer these commissions while at the same time managing their own activities to ensure that the new commissions are in fact independent.

Balancing the need for appropriate and necessary involvement at the county level with the statutory directive to ensure the commission's independence is a complex and challenging endeavor and, to date, California law does not contain additional direction to counties or their corresponding commissions nor does the state provide any technical assistance to assist when issues arise. In general, the state should provide additional guidance to counties and the corresponding commissions in the statute in areas where there is a lack of clarity and provide some avenue for technical assistance; this work should be informed by the experiences in Los Angeles, San Diego, and Santa Barbara Counties during the previous redistricting cycle, to ensure consistent practices on issues like contracting for staff, reasonable expectations for covering costs, managing litigation, maintaining a commission, and the like. Without such direction, counties and their commissions will be left to make decisions about managing the commission process on their own, informed only by the practices of their peers or their own best judgment. While counties are capable of addressing such uncertainties in the normal course of business, the "independent" nature of these commissions make it inherently difficult to have confidence as to where the line between independence and not exists.

We also reiterate the well-known fact that county elections and redistricting work are under-resourced, from a fiscal and human perspective and that there is a current lack of redistricting professionals available to provide competent assistance at a reasonable cost. The existing shortage of redistricting professionals will be exacerbated by the proposed AB 764, the FAIR MAPS Act of 2023, which will apply to hundreds of local government entities and require significant professional assistance to accomplish. There are simply not enough redistricting attorneys, map drawers, and consultants to go around and counties – and their independent redistricting commissions – will be ill-equipped to assess the expertise of such professionals without assistance. In addition, we are concerned with the capacity to implement this bill in the five rural counties included within the population threshold. The funding disparities, along with staffing and consultant shortages, are often magnified in smaller and more remote counties.

We note that the County of Los Angeles has successfully concluded a mandate claim with the Commission on State Mandates for reimbursement of about \$1 million in costs associated with their 2021 independent commission work and that the counties of Fresno, Kern, and Riverside each received \$1 million in the 2022-23 state budget for purposes of executing their mandated independent commissions. While there may be some variation in costs among counties, given the likelihood that these commissions will operate under similar parameters with similar costs, it is reasonable to assume that each additional county subject to AB 1248 will incur costs of roughly \$1 million.

The promise of local independent redistricting commissions, as outlined in AB 1248, is to "ensure better outcomes for communities, in terms of fairness, transparency, public engagement, and representation." To successfully achieve this promise, counties need more than a directive to establish a commission. They – and their corresponding commissions – need real, concrete supports from the state, including statutory changes informed by the

experiences of counties that have already been through the process, financial resources, and real-time technical assistance. Without this kind of support, we are concerned that counties will be set up for failure and such a failure would only serve to validate public distrust in the redistricting process and in our democratic systems that are already under intense public scrutiny.

We appreciate your consideration of these concerns, as we offer them in recognition of the Legislature's interest in requiring local independent redistricting commissions. If these efforts are to be successful, the state must do more to ensure that counties have the resources they need to effectuate a process that the Legislature expects and that voters deserve. Please don't hesitate to reach out if we can offer additional assistance.

Sincerely,



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cc: Members and Consultants, Assembly Appropriations Committee  
The Honorable Isaac Bryan, California State Assembly