

Comparison of Advisory and Independent Districting Committees

Effective January 1, 2017, State law allows general law cities to appoint advisory and independent districting committees. An advisory committee makes district recommendations to the City Council, while an independent commission has authority to adopt district boundaries on its own. This chart compares the key differences between advisory and independent committees.

	Advisory Committee	Independent Commission
Statutory Authority	Elections Code 23002	Elections Code 23003
Scope	Recommends a districting map to the City Council	Has authority to independently adopt City districting map
Selection Process	<ul style="list-style-type: none"> • Must be resident of City • City may prescribe the manner in which members are appointed to the commission. 	<ul style="list-style-type: none"> • Must be resident of City • City may prescribe the manner in which members are appointed to the commission, provided it uses an application process open to all eligible residents. • City may also impose additional qualifications and restrictions on members of the commission in excess of those prescribed by State law. • Must not be comprised of members from a single political party
Member Disqualification	<ul style="list-style-type: none"> • A person who is an elected official of the City • A family member, staff member, or paid campaign staff of an elected official of the City 	<p>A person, or the family member of a person, who has done any of the following in the preceding <u>eight years</u>, shall not be appointed to serve on a commission:</p> <ol style="list-style-type: none"> (1) Been elected or appointed to, or been a candidate for, an elective office of the City. (2) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the City. (3) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.

		<p>(4) Served as a staff member of, consultant to, or contracted with, a currently serving elected officer of the City</p> <p>(5) Been registered to lobby the City.</p> <p>(6) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the City</p>
Conduct Prohibitions While Serving on Committee		While serving on the commission, members may not endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of the City.
Post-Service Conduct Prohibitions		<ul style="list-style-type: none"> • For 10 years commencing on appointment to the commission, a commission member is prohibited from being a candidate for an elective office of the City • For 4 years commencing on appointment to the commission, a commission member may not: <ul style="list-style-type: none"> (1) Accept an appointment to an office (i.e., City Board or Commission) of the City. (2) Accept employment as a staff member of, or consultant to, an elected official or candidate for elective office of the City. (3) Receive a noncompetitively bid contract with the City. (4) Register as a lobbyist for the City.
Commission Requirements	<ul style="list-style-type: none"> • Form 700 likely required • Subject to the Brown Act • Subject to Public Records Act 	<ul style="list-style-type: none"> • Must file Form 700 • Subject to the Brown Act • Subject to Public Records Act • Commission shall not draw districts favoring or discriminating against incumbents or candidates
Public Hearings	City Council must conduct one public hearing before acting on Advisory Committee's recommendation	Commission must conduct three public hearings