

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: NORA FRIMANN
City Attorney

**SUBJECT: PROPOSITION 50
NOVEMBER 2025 BALLOT**

DATE: October 24, 2025

RECOMMENDATION

Adopt a resolution of the Council of the City of San Jose taking a position of support on Proposition 50 (“Election Rigging Response Act”), a state ballot measure that is qualified for the California special election on November 4, 2025.

BACKGROUND

In August 2025, the Texas Legislature passed a bill to complete an unprecedented mid-decade redistricting process which would adopt new maps for the 2026 congressional elections. In response, the California Legislature and Governor Newsom have called for a special election and placed Proposition 50, the Election Rigging Response Act, on the November 4, 2025, ballot. Proposition 50 would replace California’s current congressional district maps with new, legislatively drawn maps, in accordance with federal law. California would utilize the legislatively drawn maps for congressional elections starting in 2026 until the California Citizens Redistricting Commission draws new district maps, following the 2030 U.S. Census. On October 15, 2025, the Rules and Open Government Committee directed the City Attorney’s Office to prepare a resolution memorializing the Council’s support for Proposition 50.

ANALYSIS

Article 1, Section 2, Clause 3, of the United States Constitution mandates a census to be completed every ten years. After the United States (U.S.) Census is completed, states typically draw new congressional district maps to reflect their number of House representatives and where each person lives, in a process known as “redistricting.” In 2010, California voters gave the job of redistricting to an independent commission known as the California Citizens Redistricting Commission (“Commission”). The Commission includes 14 members: 5 Democratic members, 5 Republican members, and 4 members who are not registered with either of those political parties. When the Commission draws new congressional district maps, it must follow federal and state laws. The Commission drew the current maps for California’s 52 congressional districts. These maps were based on the 2020 U.S. census and have been used since the 2022 congressional elections.

While each state decides what process to use to draw its new district maps, the process is typically done following the U.S. Census, unless otherwise ordered to be redrawn by a court order. In August 2025, the Texas Legislature passed an unprecedented bill to adopt new maps mid-decade for the 2026 congressional elections. Several other states also are considering changes to their maps before the 2026 elections. In response, the California Legislature and Governor Newsom have called for a special election and placed Proposition 50 on the November 4, 2025, ballot. Proposition 50 would replace California's current congressional district maps with new legislatively drawn maps, in accordance with federal law starting in 2026. These new maps would be utilized until the Commission draws new district maps following the 2030 U.S. Census. Proposition 50 also asks the U.S. Congress to change federal law and propose an amendment to the U.S. Constitution to require redistricting to be done by "fair, independent, and nonpartisan redistricting commissions nationwide." Proposition 50 expresses voter support for this idea but does not change federal law or require any particular action of Congress or the California Legislature.

CONCLUSION

Proposition 50 is qualified for the November 4, 2025 Statewide special election. Approval of the recommendation would result in a resolution memorializing the Council's support for Proposition 50.

CEQA

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.

/s/
NORA FRIMANN
City Attorney

For questions, please contact Matthew Tolnay, Senior Deputy City Attorney, at Matthew.Tolnay@sanjoseca.gov or (408) 535-1912.

ATTACHMENT: Rules and Open Government Committee Memorandum



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, MMC
City Clerk

SUBJECT: SEE BELOW

DATE: October 15, 2025

SUBJECT: Resolution of Support on State Proposition 50

Recommendation

As recommended by the Rules and Open Government Committee on October 15, 2025, direct the City Attorney to draft a resolution of support on behalf of the San José City Council for State Proposition 50 (*The Election Rigging Response Act*).

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Candelas, Cohen, Ortiz, Campos, Tordillos)

[Rules Committee referral 10/15/2025 - Item C.2]



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmember Candelas
Councilmember Cohen
Councilmember Ortiz
Councilmember Campos
Councilmember Tordillos

SUBJECT: SEE BELOW

DATE: 10/09/2025

APPROVED:

SUBJECT: RESOLUTION OF SUPPORT ON STATE PROPOSITION 50

RECOMMENDATION

Direct the City Attorney to draft resolution of support on behalf of the San Jose City Council for State Proposition 50 (*The Election Rigging Response Act*).

ANALYSIS:

As the largest city in Silicon Valley and one of California's most diverse communities, the City of San Jose should protect the principle of fair representation. We believe strongly that the city should stand up for democracy and take an official stand in support of Proposition 50 on the November 2025 ballot, also known as the *Election Rigging Response Act*. Proposition 50 offers a countermeasure: a temporary, emergency legislative redrawing of California's congressional districts in response to these assaults on representative democracy. San Jose, and California more broadly, should not be passive observers while other states weaponize the redrawing of electoral lines to silence or diminish the power of certain communities. We're encouraged by cities and counties endorsing Proposition 50 such as the Counties of Marin, Napa, San Mateo, San Francisco and the Cities of Palo Alto and Los Angeles.

Proposition 50 would apply only to the congressional maps for the 2026, 2028, and 2030 elections. After the 2030 census, redistricting authority would revert to the independent California Citizens Redistricting Commission. This measure does not permanently dismantle the commission — it is a targeted and time-limited response to extraordinary circumstances.

HONORABLE MAYOR AND CITY COUNCIL

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As a city, San Jose has long championed open governance, equitable civic participation, and responsiveness by public officials. Supporting Proposition 50 is consistent with those values.

The signers of this memorandum have not had and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.