

Date of Hearing: April 29, 2015

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING

Sebastian Ridley-Thomas, Chair

AB 809 (Obernolte) – As Amended March 26, 2015

FOR VOTE ONLY

SUBJECT: Local initiative measures: ballot printing specifications.

SUMMARY: Requires the ballot, if a proposed local initiative imposes a tax or raises the rate of a tax, to include in the statement of the ordinance to be voted on the amount of money to be raised annually and the rate and duration of the tax to be levied.

EXISTING LAW requires ballots used when voting upon a proposed county, city, or district ordinance submitted to voters of the respective local government as an initiative measure to have printed on them specified text relating to the proposed ordinance and dictates the placement of that text.

FISCAL EFFECT: Unknown. State-mandated local program: contains reimbursement direction.

COMMENTS:

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

California continues to rank at the bottom when it comes to transparency and access to government information. The citizens of California have a right to know how taxes will affect them and how those dollars are being spent. AB 809 takes a small step toward achieving this goal by requiring the ballot statement for local tax measures to include information on the amount of money to be raised annually and the rate and duration of the tax to be levied. This will help voters be better informed when making decisions that could impact their personal budgets.

2) **Ballot Form:** Current law requires a ballot to comply with a variety of laws that dictate its form and content. For example, existing law requires a ballot to contain the title of each office, the names of all qualified candidates, as specified, ballot designations, as specified, titles and summaries of measures submitted to voters, and instructions to voters, among other things. Moreover, current law requires a ballot to be printed in a certain form, as specified. Once all of these requirements are met, there is limited space left on the ballot to accommodate further requirements. Consequently, it is common practice to include other important election information in the sample ballot or ballot pamphlet that is sent to all registered voters.

This bill would add another requirement to the ballot for a proposed county, city, or district ordinance that is submitted to the voters as an initiative measure. This bill requires the ballot, if a proposed local ordinance imposes a tax or raises the rate of a tax, to include in the statement of the ordinance the amount of money to be raised annually and the rate and duration of the tax to be levied. According to the author's background materials, when citizens vote on local ballot measures, there is no requirement in law that the ballot label

states either the amount of money to be raised by taxation or the rate of taxes to be levied. The author argues that Californians have a right to know what they are voting on, especially when it involves tax increases that could have a significant impact on their financial position.

While having this information may be helpful in determining how a local measure will raise taxes as well as providing the rate and duration of the tax levied, it will be extremely challenging for elections officials to include more information on the ballot. Moreover, if the law allows for it, many local elections are consolidated with other elections as a cost saving measure. Consequently, it is most likely that the ballot will have a variety of offices and measures to vote on, leaving less room on the ballot for more information to be added.

3) **Arguments in Support:** In support of this bill, the California Taxpayers Association, writes:

When voters are asked whether to support a tax, basic information about the tax should be abundantly clear on the ballot. While the ballot statements for tax ordinances may occasionally contain the rate and the sunset date of proposed taxes, this is not always the case... The most critical information of a tax proposal should be readily apparent, and should not be hidden from voters.

4) **Previous Legislation:** AB 2551 (Wilk), Chapter 908, Statutes of 2014, requires each bond issue proposed by a county, city and county, district, or other political subdivision, or any agency, department, or board thereof, to include the best estimate from official sources of the total debt service, including the principal and interest that would be required to be repaid if all the bonds are issued and sold, and permits the estimate to include information about the assumptions used to determine the estimate.

5) **Prior Consideration:** This bill was heard by this committee on April 15, 2015 and failed on a 2-2 vote. It was subsequently granted reconsideration on a 6-0 vote. Because the committee has already heard testimony on this bill, and the bill has not been amended since, it is being heard in committee today for vote only.

REGISTERED SUPPORT / OPPOSITION:

Support

Howard Jarvis Taxpayers Association (sponsor)
California Taxpayers Association

Opposition

None on file.

Analysis Prepared by: Nichole Becker / E. & R. / (916) 319-2094