

Date of Hearing: April 30, 2025

ASSEMBLY COMMITTEE ON ELECTIONS

Gail Pellerin, Chair

AB 1513 (Committee on Elections) – As Introduced March 10, 2025

SUBJECT: Recall elections: superior courts.

SUMMARY: Replaces the term “trial court” with “superior court” in provisions of the Elections Code related to the recall process, and makes related conforming and clarifying changes.

EXISTING LAW:

- 1) Requires a petition to recall a statewide officer to be signed by electors equal in number to 12% of the last vote for the office, with signatures from each of 5 counties equal in number to 1% of the last vote for the office in the county. Requires signatures to recall Senators, members of the Assembly, members of the Board of Equalization, and judges of courts of appeal and trial courts to equal in number 20% of the last vote for the office. (California Constitution, Article II, §14 (b))
- 2) Establishes procedures for the recall of elective officers of the State of California and of all counties, cities, school districts, county boards of education, community college districts, special districts, and judges of courts of appeal and trial courts. (Elections Code §§11000-11386)
- 3) Requires, in the case of a state officer, including judges of courts of appeal and trial courts, the number of signatures required to qualify a recall for the ballot to be as provided for in the California Constitution. Provides that to qualify a recall for the ballot, in the case of a judge of a superior court, which office has never appeared on the ballot since its creation, or did not appear on the ballot at its last election, the number of signatures needed shall be as provided in the California Constitution, except that the percentage shall be based on the number of votes cast within the judicial jurisdiction for the countywide office which had the least number of votes in the most recent general election in the county in which the judge holds their office. (Elections Code §11221)

FISCAL EFFECT: None. This bill is keyed non-fiscal by the Legislative Counsel.

COMMENTS:

- 1) **Purpose of the Bill:** This is an Assembly Elections Committee omnibus bill, containing various minor and technical changes to the Elections Code.
- 2) **Superior Court Recall Elections:** Until the 1990s, the California Constitution provided for three different types of trial courts in the state: superior, municipal, and justice courts. Since that time, California voters approved measures to eliminate justice courts (Proposition 191 of the November 1994 statewide general election) and municipal courts (Proposition 220 of the June 1998 statewide primary election and Proposition 48 of the November 2002 statewide general election). As a result, superior courts are the state’s only trial courts.

Most provisions of the Elections Code related to the election of superior court judges use the term “superior court” when referring to those offices. The provisions of the Elections Code governing the recall of superior court judges, however, use the term “trial court” instead. The use of the “trial court” terminology predates the elimination of municipal and justice courts in the state. The term “trial court,” however, is not defined in the Elections Code, so the use of that term exclusively in provisions of law related to the recall process can lead to confusion about the specific offices that are covered when the Elections Code refers to the recall of “trial court” judges.

Accordingly, this bill replaces the term “trial court” with “superior court” in provisions of the Elections Code related to the recall process, and makes related conforming and clarifying changes.

REGISTERED SUPPORT / OPPOSITION:**Support**

None on file.

Opposition

None on file.

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