

Date of Hearing: March 25, 2026

ASSEMBLY COMMITTEE ON ELECTIONS

Gail Pellerin, Chair

AB 1853 (Pellerin) – As Introduced February 11, 2026

SUBJECT: Statewide referendum measures: fiscal impact statements.

SUMMARY: Makes clarifying changes to the content of the condensed ballot title and summary for a state referendum measure. Updates the summaries of the meanings of a “yes” and a “no” vote on a statewide referendum that are printed in the state voter information guide (VIG).

Specifically, **this bill:**

- 1) Clarifies that the condensed ballot title and summary for a state referendum measure includes a fiscal impact summary, and that the fiscal impact summary is included toward the 75-word limit.
- 2) Clarifies, for a statewide referendum measure, that the concise summary of the effect of the vote on the measure that appears in the VIG provides the general meaning and effect of a vote to “keep the law” and “overturn the law,” instead of a summary of the general meaning and effect of “yes” and “no” vote on a statewide referendum.

EXISTING LAW:

- 1) Allows electors to approve or reject statutes or parts of statutes, except as specified, through the referendum process. (California Constitution Article II, §9)
- 2) Provides that for a statewide measure, the term “ballot label” means a condensed version of the ballot title and summary, including the fiscal impact summary, that is no more than 75 words. (Elections Code §303(b))
- 3) Requires, for a statewide referendum measure, the ballot label to consist of the condensed title and summary which includes the ballot title in the form of a question and a condensed summary containing the chief purposes and points of the law proposed to be overturned, as specified. Requires the condensed title and summary to be no more than 75 words total. (Elections Code §303.1)
- 4) Defines the term “ballot title and summary” to mean, for a statewide initiative measure or measure proposed by the Legislature, the summary of the chief purpose and points including the fiscal impact summary of any measure that appears in the state VIG. Requires the ballot title and summary for a statewide initiative measure or measure proposed by the Legislature to include a statement of the measure’s fiscal impact. (Elections Code §303.5(b))
- 5) Prohibits the condensed ballot title and summary for a statewide initiative measure, or measure proposed by the Legislature, from containing more than 75 words and requires the condensed version of the ballot title and summary to include the financial impact summary. (Elections Code §9051(b)(1)) Prohibits the condensed title and summary for a statewide

referendum measure from containing more than 75 words, including the ballot title that shall be in the form of a question, as specified. (Elections Code §9051(b)(2))

- 6) Requires the state VIG to include a concise summary of the meaning and effect of “yes” and “no” votes on each state ballot measure. Requires the summary statements to be prepared by the Legislative Analyst’s Office (LAO). (Elections Code §9085)

FISCAL EFFECT: The Legislative Counsel has keyed this bill non-fiscal.

COMMENTS:

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

Article II, Section 9, of the California Constitution provides for the referendum process, which gives voters the ability to overturn an action taken by the Legislature. Last session, in an effort to reduce confusion when electors vote on a state referendum measure, AB 421 (Bryan) changed the question that voters are asked so that they are asked whether they want to “keep the law” passed by the Legislature or if they want to “overturn the law” that the Legislature enacted.

However, in 2024, while the Attorney General, Legislative Analyst Office, Secretary of State, and others were collectively working together to implement AB 421, they identified two technical issues. Specifically, while state law generally requires the ballot label for a statewide ballot measure to include the fiscal impact summary, the law for state referenda makes no reference to the fiscal impact summary being included. As a result, there is ambiguity about whether the ballot label for state referenda are required to include fiscal information. AB 1853 clarifies that the condensed ballot title and summary for a state referendum measure will include a fiscal impact summary, and that the fiscal impact summary will be included toward the 75-word limit.

Additionally, state law related to the section of the state voter information guide that provides the summary of the meaning and effect of a “yes” and a “no” vote on a state ballot measure was not updated to reflect the new “keep the law” or “overturn the law” referendum format changes made by AB 421. AB 1853 updates the summaries in the state voter information guide to make them consistent with the terms voters see on the ballot.

- 2) **Previous Legislation and State Referenda:** Whenever a state ballot measure qualifies for the ballot, the Attorney General (AG) and LAO share responsibility for preparing ballot titles and summaries. The AG prepares the title and chief points and purposes of the ballot measure, while the LAO prepares the fiscal impact summary. Additionally, both offices work together to prepare a condensed version of the ballot title and summary that appears on the ballot that must comply with the 75-word limit, also referred to as the ballot label. For a state referendum measure, current law requires the ballot label to consist of the condensed title and summary which includes the ballot title in the form of a question and a condensed summary containing the chief purposes and points of the law proposed to be overturned, as specified.

Last session, AB 421 (Bryan), Chapter 162, Statutes of 2023, changed the question that voters are asked so that they are asked whether they want to “keep the law” passed by the Legislature or if they want to “overturn the law” that the Legislature enacted. The previous framework of casting a “Yes” vote to enact the legislation but opposing the referendum, and a “No” vote to overturn the legislation but support the referendum, was inherently confusing to voters.

In 2024, while the AG, LAO, Secretary of State (SOS), and others were collectively working together to implement AB 421, they identified two technical issues. Specifically, while state law generally requires the ballot label for a statewide ballot measure to include the fiscal impact summary, the law for state referenda makes no reference to the fiscal impact summary being included. As a result, there is ambiguity about whether the ballot label for state referenda are required to include fiscal information. Additionally, state law related to the section of the state VIG that provides the summaries of the meaning and effect of a “yes” and a “no” vote on a state ballot measure was not updated to reflect the new “keep the law” or “overturn the law” format changes that AB 421 made.

This bill clarifies that the condensed ballot title and summary for a state referendum measure will include a fiscal impact summary, and that the fiscal impact summary will be included toward the 75-word limit. According to the author, this is consistent with the requirements for non-referenda ballot measures, and is consistent with the content of the condensed ballot title and summary before the enactment of AB 421. Additionally, this bill updates the summaries of the meanings of a “yes” and a “no” vote on a statewide referendum so that they are consistent with the terms that voters see when voting on a statewide referendum: namely, whether to “keep the law” or “overturn the law.”

According to the author, this bill makes clarifying changes that are consistent with the policy goals of AB 421, and will help the LAO, SOS, and AG effectively prepare ballot materials related to statewide referenda for future elections.

3) **Arguments in Support:** In support of this bill, the League of Women Voters California, writes:

Referenda can be especially confusing for voters because the question on the ballot asks whether the state should keep or reject a law that has already been enacted. AB 1853 improves clarity by ensuring that voters are given direct, understandable information about both the fiscal consequences of the measure and the practical effect of their vote.

The bill also brings referendum materials into closer alignment with the information voters already expect for statewide initiative measures. California voters should receive clear, consistent, and useful ballot information regardless of the type of statewide measure before them.

REGISTERED SUPPORT / OPPOSITION:

Support

Elevate California

League of Women Voters of California

Opposition

None on file.

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