

Date of Hearing: August 28, 2026

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
AB 1853 (Pellerin) – As Amended August 21, 2026

CONCURRENCE IN SENATE AMENDMENTS

SUBJECT: Voter information guide: candidate statements.

SUMMARY: Establishes uniform content rules for what may be included in a candidate statement in a state or local voter information guide (VIG) and establishes how a noncompliant statement may be kept out of a VIG.

The Senate amendments delete the Assembly-approved version of the bill, and instead:

- 1) Require a candidate statement included in either the state VIG or county VIG to be limited to a recitation of the candidate's own:
 - a) Education.
 - b) Professional experience.
 - c) Public service.
 - d) Community involvement.
 - e) Qualifications for the office sought.
- 2) Prohibit a candidate statement from including any of the following:
 - a) References to other candidates for the same or any other office.
 - b) With the exception of the candidate's campaign website, a link or Uniform Resource Locator (URL) to an internet website, a quick response (QR) code, or any other reference directing voters to external content.
 - c) Content that is profane or vulgar, or that threatens or incites violence.
 - d) Content unrelated to the candidate's qualifications for office.
 - e) False statements or misleading claims.
- 3) Require an elections official to omit the noncompliant portion of a candidate statement from the VIG if the official determines, after the candidate statement filing deadline, that the statement contains any of the content described in a) through d) in 2) above. Require the remainder of the candidate statement to be printed in the VIG if it can stand independently and does not mislead voters when the noncompliant portion is removed.

- 4) Require an elections official to omit the entire candidate statement from the VIG if the official determines that the candidate statement cannot reasonably be printed without the noncompliant portion.
- 5) Require any fee paid by a candidate for the printing or inclusion of a candidate statement in the state or county VIG to be nonrefundable if the statement or a portion of the statement appears in the VIG. Require the fee paid by the candidate to be refunded if a candidate statement is omitted from the VIG.
- 6) Provide that the submission of payment constitutes acknowledgment and acceptance of the requirements of this bill, including the finality of the candidate statement after the filing deadline and the possibility that noncompliant content will be omitted. Provide that a candidate shall not be entitled to a refund, credit, or reimbursement under any circumstances arising from enforcement of the requirements of this bill.
- 7) Require an elections official to make reasonable attempts to notify a candidate of the omission of content, and allow a candidate, if notified, to revise the statement so that it does not violate the provisions of this bill. Prohibit the notification process from delaying the printing or distribution of the VIG.
- 8) Permit a candidate to submit a revised statement prior to the filing deadline. Provide that a candidate statement is deemed final upon the close of the applicable filing period and prohibit a candidate from revising, supplementing, or otherwise modifying a candidate statement after the filing deadline. Allow a candidate to withdraw the candidate statement until 5 p.m. on the next working day after the submission deadline.
- 9) Require a candidate statement to be accompanied by a declaration, attested to and signed by the candidate, stating the statement submitted is true and correct.
- 10) Permit any registered voter to seek appropriate judicial relief to enforce the requirements of this bill, as follows:
 - a) For the state VIG, during the 20-day public examination period, a voter may seek a writ of mandate or an injunction requiring that some or all of the material in the candidate statement be amended or deleted. Provide the writ or injunction shall be issued only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with this bill and that issuance of the writ or injunction will not substantially interfere with the printing and distribution of official election materials.
 - b) For a local VIG, during the 10-day public examination period, the elections official or any voter in the jurisdiction where the election will be held may seek a writ of mandate or an injunction requiring any or all of the material in the candidate statement to be amended or deleted. Provide that the writ or injunction shall be issued only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with this bill and that issuance of the writ or injunction will not substantially interfere with the printing and distribution of official election materials.

- 11) Require a court to give priority to actions brought to enforce the requirements of this bill due to the time-sensitive nature of the preparation and distribution of election materials.
- 12) Provide that the Secretary of State (SOS) or a county elections official shall not be liable for taking or failing to take the actions described in this bill.
- 13) Add a severability clause.

EXISTING LAW:

- 1) Requires the SOS to prepare a state VIG for each statewide election, as specified. (Elections Code §9084)
- 2) Permits a candidate for statewide elective office (Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, SOS, Treasurer, Superintendent of Public Instruction, and Board of Equalization) who accepts the voluntary expenditure limits, and a candidate for United States (US) Senate, to purchase the space to place a statement in the state VIG that does not exceed 250 words. Prohibits the statement from making any reference to any opponent of the candidate. Requires the statement to be submitted in accordance with timeframes and procedures set forth by the SOS for the preparation of the state VIG. (Government Code §§85601, 88001)
- 3) Requires the SOS, at least 20 days prior to submitting the state VIG to the printer, to make the state VIG available for public examination. Permits any person eligible to vote to seek a writ of mandate or an injunction requiring any or all of the material in the candidate statement to be amended or deleted. Provides a writ or injunction shall be issued only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of state law and that issuance of the writ or injunction will not substantially interfere with the printing and distributing of official election materials. (Elections Code §9092, Government Code §88006)
- 4) Requires a county elections official to prepare a county VIG in connection with each election, as specified. (Elections Code §13303)
- 5) Permits a candidate for nonpartisan elective office in any local agency to prepare a candidate's statement to appear in the county VIG. Permits the statement to be no more than 200 words, unless the governing body of the local agency authorizes an increase of the word limit to 400 words. Permits the statement to include the name, age, and occupation of the candidate and a brief description of the candidate's education and qualifications expressed by the candidate themselves. Prohibits the statement from including the party affiliation of the candidate, or membership or activity in partisan political organizations. (Elections Code §13307)
- 6) Requires any statement submitted pursuant to 5), in addition to the requirements in 5), to be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way refer to other candidates for that office or to another candidate's qualifications, character, or activities. Prohibits a county elections official from printing,

posting online, or circulating any statement that the elections official determines violates these provisions. (Elections Code §13308)

- 7) Permits a candidate for the US House of Representatives, State Senate, or Assembly to purchase the space to place a statement in a county VIG that does not exceed 250 words. Prohibits the statement from making any reference to any opponent of the candidate. Requires the statement to be submitted in accordance with the timeframes and procedures set forth in the Elections Code for the preparation of the county VIG. (Government Code §85601(c), Elections Code §13307.5)
- 8) Requires an elections official to make candidate statements available for public examination in the elections official's office for a period of 10 calendar days immediately following the filing deadline for the submission of those documents. (Elections Code §13313(a))
- 9) Permits any voter of the jurisdiction in which the election is being held, or the elections official, to seek a writ of mandate or an injunction requiring any or all of the material in the candidate's statement to be amended or deleted during the 10-calendar-day public examination period. Provides that a peremptory writ of mandate or an injunction shall be issued only upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of existing law, and that issuance of the writ or injunction will not substantially interfere with the printing or distribution of official election materials. (Elections Code §13313(b))
- 10) Makes it a misdemeanor, punishable by a fine of not more than \$1,000, for a candidate in an election or an incumbent in a recall election to knowingly make a false statement of material fact in a candidate's statement with intent to mislead the voters in connection with their campaign. (Elections Code §18351)

FISCAL EFFECT: According to the Senate Appropriations Committee:

- This bill would not result in a fiscal impact to the SOS.
- By imposing specified duties on local elections officials, this bill creates a state-mandated local program. To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs. The magnitude is unknown, but could exceed \$50,000 per year (General Fund).
- This bill could result in potentially significant cost pressures to the courts; the magnitude is unknown (Trial Court Trust Fund (TCTF)). The specific number of new actions that could be filed under the bill also is unknown; however, it generally costs about \$10,500 per day to operate a courtroom. Courts are not funded on the basis of workload, and increased pressure on TCTF may create a need for increased funding for courts from the General Fund. The enacted 2026-27 budget includes \$70 million in ongoing support from the General Fund to continue to backfill TCTF for revenue declines.

COMMENTS:

- 1) **Prior Assembly Consideration of this Bill:** As approved by the Assembly, this bill would have made clarifying changes to the content of the condensed ballot title and summary for a state referendum measure and updated the summaries of the meanings of a “yes” and a “no” vote on a statewide referendum that are printed in the state VIG. Subsequent to the Assembly’s approval, this bill was amended in the Senate to delete the Assembly-approved provisions and to add the current provisions, which was approved by the Senate by a vote of 32-0 on August 25, 2026. Accordingly, this bill has been re-referred to this committee for further consideration pursuant to Assembly Rule 77.2.

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

AB 1853 comes in response to a candidate statement that appeared in the June 2026 official state voter information guide that contained no information about the candidate’s education and qualifications; instead, it used the voter guide as a platform to share hateful and antisemitic rhetoric and links to external inappropriate content. AB 1853 strengthens standards governing candidate statements that appear in official state and county voter guides by establishing clear, enforceable standards requiring that candidate statements remain factual, relevant, and appropriate for an official state publication while respecting constitutional free speech protections.

- 3) **Candidate Statements and 2026 Statewide Primary Election State VIG:** Candidate statements are optional statements provided by candidates that appear in VIGs and provide voters with a brief description of the candidate’s education and qualifications for office. Current law allows a candidate running for a federal, state, or local office to have a candidate statement included in the VIG. For instance, a candidate running for the US House of Representatives may purchase space for a 250-word statement in the county VIG for the county or counties in their jurisdiction. Candidates running for statewide office, the State Senate, and the State Assembly who choose to accept voluntary spending limits are able to purchase space for a 250-word candidate statement in either the state or county VIG, depending on the office.

Candidate statements are limited to a recitation of the candidate’s own personal background and qualifications, and are prohibited from making reference to any other candidates for office or to another candidate’s qualifications, character, or activities. According to the author, despite state law the state VIG for the June statewide primary election included a gubernatorial candidate statement that did not describe the candidate’s background or qualifications, but instead consisted of inflammatory, conspiratorial, controversial, and vitriolic content and links to external websites unrelated to the candidate. The author contends that the inclusion of such content in an official government publication relied upon by millions of Californians to make informed voting decisions undermines voter trust and the integrity of the electoral process.

- 4) **Previous VIG Candidate Statements:** According to the Senate Elections and Constitutional Amendments Committee’s analysis of this bill, this was not the first time that this candidate used the VIG to blast out hateful rhetoric unrelated to the contest for office. Over half a dozen similar candidate statements from the same individual were printed in state VIGs

dating back to 2010; none of which provided information about the candidate's qualifications, they contained links to external websites unrelated to the candidate, and included profanity and misleading content. When similar statements appeared in the 2024 and 2026 state VIGs, the SOS included a disclaimer that the views expressed are the candidate's and not those of the SOS.

- 5) **Uniform Standards:** The process for handling a noncompliant candidate statement is inconsistent. For instance, current law explicitly restricts a candidate statement for local office to the candidate's own personal background and qualifications and prohibits referring to other candidates for the same office. However, a statewide, federal, and State Senate and Assembly candidate statement is only expressly prohibited from referring to any opponent of the candidate. In addition, a county elections official is expressly authorized to reject a noncompliant statement submitted for a local office without approval from the courts. However, for other statements appearing in a VIG, a voter must seek a writ of mandate from the courts to prohibit publication of a noncompliant statement.

To ensure consistent application, this bill establishes a uniform set of guidelines and standards that apply to all state and local candidate statements. In addition, this bill explicitly authorizes the SOS and local election officials to reject any or all of a candidate statement that does not comply with the requirements of this bill, permits a candidate to correct problems with a submitted statement, and clarifies that any voter may seek judicial relief to enforce the requirements of this bill.

- 6) **Voter Information Guides:** Under existing law, a county elections official and the SOS provide VIGs to registered voters that contain information about federal, state, and local candidates, and state and local ballot measures, among other important election information. Voter guides are required to be made available for public examination. Specifically, a state VIG is subject to a 20-day public examination period and a county VIG is required to be made available for public examination for 10-calendar-days. During these public review periods, any person eligible to vote may seek a writ of mandate or an injunction requiring any or all of the material in a candidate statement be amended or deleted upon clear and convincing proof that the statement is false, misleading, or inconsistent with the requirements of state law.

According to the SOS, during the 20-day public examination period for the June 2026 statewide primary election state VIG, no challenge was made to the gubernatorial statement in question.

- 7) **Arguments in Support:** In support of a prior version of this bill, a coalition of organizations, wrote:

Earlier this year, California's Official Voter Information Guide for the June 2026 Primary was mailed to 23 million registered voters. Tucked inside that state-issued document was a candidate statement containing antisemitic conspiracy theories, white nationalist rhetoric, and links to websites filled with racist, homophobic, and other hateful content...

The candidate statement in question made no distinction: it targeted Jewish people, people of color, LGBTQ+ Californians, and others in a single document...When content of this kind is distributed under the authority of the State of California to 23 million households, it carries with it an implicit imprimatur of the state itself. That is dangerous. It lends legitimacy to hateful ideas and risks amplifying their reach in ways that have real consequences for real communities.

AB 1853 responds directly to this problem. The bill limits candidate statements in official state and county voter guides to information about a candidate's own education, professional experience, public service, community involvement, and qualifications for office. It bars...links to external content, false or misleading claims... and it gives the Secretary of State and county elections officials clear authority to reject noncompliant statements. Any registered voter may seek judicial enforcement of these standards.

- 8) **Arguments in Opposition:** With an oppose unless amended position to a prior version of this bill, the Peace and Freedom Party of California, wrote:

Candidates running on slates or with the support of their party should be able to include links to the websites of the slates on which they are running and of their parties (when not running for nonpartisan office). Any restriction on including links must allow such links, in addition to the candidates' campaign websites included as contact information...

Most candidate statements include some of the candidates positions on political issues, especially those relevant to the office for which they are running, and their plans for what they would do if elected. Though this is arguably related to the candidates' qualifications for the office sought, it is not clearly so and may be excluded as "unrelated" if election officials are narrowing what is allowed in statements. The language should be clarified to clearly allow such positions and plans, perhaps just qualifying "qualifications" using the phrase based on a court decision, "including viewpoints, ideas, or ideology", so long as they don't violate other restrictions, in candidate statements.

- 9) **Previous Legislation:** SB 251 (Newman) of 2024 would have increased the maximum fine for knowingly making a false statement of a material fact in a candidate's statement from \$1,000 to \$5,000. SB 251 was placed on the Assembly inactive file.

SB 409 (Newman) of 2023 would have required the SOS to establish a pilot program that allows a candidate for elective state office to include in their candidate statement a QR code link to a video statement, as specified. SB 409 was held on the Assembly Committee on Appropriations' suspense file.

REGISTERED SUPPORT / OPPOSITION:

Support

30 Years After
Adat Shalom – West Los Angeles
ADL
Agudath Israel of California
AJC - Los Angeles
AJC - San Diego
AJC Northern California
Bay Area Jewish Coalition Education and Advocacy
Beverly Hills Synagogue
Board of Rabbis of Southern California
California Jewish Democrats
California Religious Action Center of Reform Judaism
Contra Costa Jewish Democrats
Democrats for Israel – Los Angeles
JCC-Federation of San Luis Obispo
JCRC Bay Area
JCRC, Jewish Long Beach
JCRC Santa Barbara County
Jewish California (formerly JPAC)
Jewish Center for Justice
Jewish Community Action Network
Jewish Community Relations Council of Sacramento
Jewish Family and Children's Center of San Francisco, the Peninsula, Marin and Sonoma
Counties
Jewish Family Service LA
Jewish Family Services of Silicon Valley
Jewish Federation Bay Area
Jewish Federation of Greater Santa Barbara
Jewish Federation of Orange County
Jewish Federation of Palm Springs & the Desert
Jewish Federation of San Diego
Jewish Federation of the Greater San Gabriel and Pomona Valleys
Jewish Federation of the Sacramento Region
Jewish Federation of Ventura County
Jewish Free Loan Association
Jewish Partisan Educational Foundation
Jewish Silicon Valley
Jewish War Veterans of the USA, Department of California
JFCS East Bay
JFCS Long Beach and Orange County
Los Angeles County District Attorney's Office
Mosaic Law Congregation
Northern California Council of Jewish Democratic Clubs
Northern California Jewish Labor Committee
Oakland Jewish Alliance
Simon Wiesenthal Center, INC.
StandWithUs

Tam Union Together
Valley Beth Shalom
Young Israel of Century City

Opposition

Peace and Freedom Party (unless amended)

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