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SB-681 Local referenda and charter amendments: withdrawal. (2019-2020)

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Senate Bill No. 681

CHAPTER 569

An act to add Sections 9144.5, 9237.2, 9266.5, and 9341.5 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 08, 2019. Filed with Secretary of State October 08, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 681, Stern. Local referenda and charter amendments: withdrawal.

Existing law authorizes the proponent of a county, municipal, or district initiative to withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

This bill would authorize the proponent of a county, municipal, or district referendum to withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official. The bill would grant the same authority to withdraw to the proponent of an amendment of a city or county charter. Because the exercise of this authority would impose associated duties on local elections officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 9144.5 is added to the Elections Code, to read:

9144.5. The proponent of a referendum may withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 2. Section 9237.2 is added to the Elections Code, to read:

9237.2. The proponent of a referendum may withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 3. Section 9266.5 is added to the Elections Code, to read:

9266.5. The proponent of a measure proposing to amend a charter may withdraw the charter amendment at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 4. Section 9341.5 is added to the Elections Code, to read:

9341.5. The proponent of a referendum may withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to extend the ability to withdraw a petition to proponents of an amendment of a city or county charter or local referendum at the earliest possible opportunity, it is necessary that this bill go into immediate effect.