



|      |                  |                |              |                 |                  |              |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|
| Home | Bill Information | California Law | Publications | Other Resources | My Subscriptions | My Favorites |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|

**AB-421 Elections: referendum measures.** (2023-2024)

SHARE THIS:  

Date Published: 09/09/2023 04:00 AM

**Assembly Bill No. 421**

**CHAPTER 162**

An act to amend Sections 303.5, 9033, 9050, 9051, 9086, 13120, and 13247 of, and to add Section 303.1 to, the Elections Code, and to amend Section 88002 of the Government Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

[ Approved by Governor September 08, 2023. Filed with Secretary of State September 08, 2023. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 421, Bryan. Elections: referendum measures.

(1) Existing law imposes ballot layout specifications, including, among other things, the content of the ballot label, defined as that portion of the ballot containing the names of the candidates or the statement of a measure. Existing law requires the ballot label to include, among other things, a condensed version of the ballot title and summary and a list of the names of supporters and opponents, as specified. Existing law defines the ballot title and summary and requires that it include a summary of the chief purpose and points, including the fiscal impact, of any measure that appears in the state voter information guide. Existing law requires the ballots used when voting on a statute referred to the voters as a referendum measure to use words asking the voter whether the statute that is the subject to referendum should be adopted, followed by the choices "Yes" and "No."

This bill would revise the ballot title and summary and ballot label requirements for statewide referendum measures by instead requiring that the ballot title and summary be posed in the form of a question asking whether the state should keep or overturn the law that is proposed to be overturned, followed by a summary of the chief purposes and points of the law. The bill would require this question and a condensed version of the summary to be included on the ballot label. The bill would require the ballot title and summary that appears in the state voter information guide for a statewide referendum measure to be followed by the measure's top funders, as specified. Commencing January 1, 2025, the bill would additionally require the names of supporters and opponents in the ballot arguments printed in the state voter information guide to be listed on the ballot label, as specified. The bill would require the ballot label for statewide referendum measures to be followed by the choices "Keep the law" and "Overturn the law."

(2) Existing law requires the Secretary of State, upon receipt of a referendum measure petition certified to have been signed by the requisite number of qualified voters to issue a certificate of qualification certifying that the referendum measure is qualified for the ballot, notify the proponents of the referendum measure and the elections official of each county that the measure is qualified for the ballot, and include the referendum measure in a list of all statewide referendum measures that have qualified for the ballot, as specified.

This bill would, for a referendum measure, require the Secretary of State to identify the date of the next statewide general election or the next special statewide election that will occur not less than 31 days after the date the Secretary of State receives a petition certified to have been signed by the requisite number of qualified voters. The bill would, on the 131st day prior to the date of the

identified election, or upon receipt of a certified petition described above, require the Secretary of State to take the steps described above. The bill would void a certificate of qualification for a referendum measure pending on the effective date of this bill and would require the Secretary of State to reissue a new certificate pursuant to these provisions, and permit the proponents of the measure to withdraw the measure, as specified. The bill would, upon the Secretary of State's transmission of notification to the proponents and elections officials, provide that the statute that is the subject of the referendum measure ceases to have effect unless and until the Secretary of State or a court of competent jurisdiction concludes that the petition was not signed by the requisite number of qualified voters, the proponents of the referendum measure withdraw the measure, or the voters vote to keep the statute that is the subject of the referendum at the statewide election in which the referendum measure appears on the ballot.

This bill would require any judicial action or proceeding to challenge, review, set aside, void, or annul this bill or any portion of this bill to be commenced within 45 days after the date this bill would become effective, and would prohibit relief granted by the court from interfering with the November 5, 2024, statewide general election or any special election held after the date this bill would become effective.

(3) Existing law requires the state voter information guide to contain, as to each state measure to be voted upon, the official summary prepared by the Attorney General, among other things.

This bill would require, in the state voter information guide for a statewide referendum measure, that the official summary prepared by the Attorney General be followed by a blank horizontal line and a listing of the top funders of the petition to overturn the law, as specified. The bill would require the Secretary of State to determine the list of top funders no later than the date a referendum qualifies for the ballot.

The Political Reform Act of 1974, an initiative measure, authorizes the Legislature, without following the procedures required for amending the act absent voter approval, to add to the ballot pamphlet information regarding candidates or other information.

This bill would declare that it permits or requires the inclusion of additional information in the ballot pamphlet in accordance with the above-described authority.

(4) Because this bill would impose new requirements on local elections officials, it 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.

(5) 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.** Pursuant to the Legislature's authority under subdivision (e) of Section 10 of Article II of the California Constitution to provide for "the manner in which a petition shall be circulated, presented, and certified, and the manner in which a measure shall be submitted to the electors[.]" it is the intent of the Legislature to require the ballot label for a referendum to be in the form of a question presenting a clear choice to "Keep the law" or "Overturn the law," adding clarity and reducing voter confusion when voting on referendum measures.

**SEC. 2.** Section 303.1 is added to the Elections Code, to read:

**303.1.** Notwithstanding Section 303, for a statewide referendum measure, the ballot label shall 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. The condensed title shall be in the form of a question as follows: "Should California keep or overturn a law passed in [enter year statute was enacted] [followed by no more than 15 words stating the general subject or nature of the law]?" The condensed title shall be followed by a condensed summary containing the chief purposes and points of the law proposed to be overturned. The condensed title and summary shall be no more than 75 words total. Commencing January 1, 2025, the condensed title and summary shall be followed by a listing of the names of supporters and opponents in the ballot arguments printed in the state voter information guide as described in subdivision (c) of Section 9051.

**SEC. 3.** Section 303.5 of the Elections Code is amended to read:

**303.5.** (a) "Ballot title" is the name of a statewide initiative measure or measure proposed by the Legislature, or, in the case of a statewide referendum measure, the question included in the ballot label and the ballot title and summary.

(b) (1) "Ballot title and summary" means, 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 voter information guide. The ballot title and summary for a statewide initiative measure or measure proposed by the Legislature shall include a statement of the measure's fiscal impact. The ballot title and summary for a statewide initiative measure or measure proposed by the Legislature shall not exceed 100 words, not including the fiscal impact statement.

(2) (A) For a statewide referendum measure, "ballot title and summary" means the ballot title that is in the form of a question followed by a summary of the chief purpose and points of the law proposed to be overturned that appears in the state voter information guide. The ballot title shall be posed in the form of a question as follows: "Should California keep or overturn a law passed in [enter year statute was enacted][followed by no more than 15 words stating the general subject or nature of the law]?" The ballot title shall be followed by a summary containing the chief purposes and points of the law proposed to be overturned, including the fiscal impact statement. The ballot title and summary for a statewide referendum measure shall not exceed 100 words, not including the fiscal impact statement.

(B) The ballot title and summary that appears in the state voter information guide for a statewide referendum measure shall be followed by the measure's top funders as set forth in subclause (II) of clause (i) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 9086 of this code and subclause (II) of clause (i) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 88002 of the Government Code.

(c) (1) "Circulating title and summary" means the text that is required to be placed on a petition for signatures that is either one of the following:

(A) The summary of the chief purpose and points of a proposed initiative measure that affects the Constitution or laws of the state, and the fiscal impact of the proposed initiative measure.

(B) The summary of the chief purpose and points of a referendum measure that affects a law or laws of the state, which includes the ballot title that is in the form of a question as follows: "Should California keep or overturn a law passed in [enter year statute was enacted] [followed by no more than 15 words stating the general subject or nature of the law]?" The ballot title shall be followed by a summary containing the chief purposes and points of the law proposed to be overturned.

(2) The circulating title and summary shall not exceed 100 words, not including the fiscal impact summary for a statewide initiative measure.

**SEC. 4.** Section 9033 of the Elections Code is amended to read:

**9033.** (a) When the Secretary of State has received from one or more elections officials or registrars a petition, certified to have been signed by the requisite number of qualified voters, the Secretary of State shall forthwith notify the proponents and immediately transmit to the elections official or registrar of voters of every county or city and county in the state a notice directing that signature verification be terminated.

(b) (1) In the case of an initiative measure, the Secretary of State shall identify the date of the next statewide general election as defined in subdivision (a) of Section 9016, or the next special statewide election, that will occur not less than 131 days after the date the Secretary of State receives a petition certified to have been signed by the requisite number of qualified voters.

(2) On the 131st day prior to the date of the election identified pursuant to paragraph (1), the Secretary of State shall do all of the following:

(A) Issue a certificate of qualification certifying that the initiative measure, as of that date, is qualified for the ballot at the election identified pursuant to paragraph (1).

(B) Notify the proponents of the initiative measure and the elections official of each county that the measure, as of that date, is qualified for the ballot at the election identified pursuant to paragraph (1).

(C) Include the initiative measure in a list of all statewide initiative measures that are eligible to be placed on the ballot at the election identified pursuant to paragraph (1) and publish the list on the Secretary of State's internet website.

(3) Upon the issuance of a certificate of qualification pursuant to paragraph (2), an initiative measure shall be deemed qualified for the ballot for purposes of subdivision (c) of Section 8 of Article II of the California Constitution.

(c) (1) In the case of a referendum measure, the Secretary of State shall identify the date of the next statewide general election as defined in subdivision (a) of Section 9016, or the next special statewide election, that will occur not less than 31 days after the date the Secretary of State receives a petition certified to have been signed by the requisite number of qualified voters.

(2) On the 131st day prior to the date of the election identified pursuant to paragraph (1), or upon receipt of a petition certified to have been signed by the requisite number of qualified voters if fewer than 131 days remain until the election identified

pursuant to paragraph (1), the Secretary of State shall do all of the following:

(A) Issue a certificate of qualification certifying that the referendum measure, as of that date, is qualified for the ballot at the election identified pursuant to paragraph (1).

(B) Notify the proponents of the referendum measure and the elections official of each county that the measure, as of that date, is qualified for the ballot at the election identified pursuant to paragraph (1).

(C) Include the referendum measure in a list of all statewide referendum measures that are eligible to be placed on the ballot at the election identified pursuant to paragraph (1) and publish the list on the Secretary of State's internet website.

(3) Upon the issuance of a certificate of qualification pursuant to paragraph (1), a referendum measure shall be deemed qualified for the ballot for purposes of subdivision (c) of Section 9 of Article II of the California Constitution.

(4) If a referendum measure has been issued a certificate of qualification as of the effective date of the act adding this paragraph but has not yet appeared on the ballot, the Secretary of State shall void that certificate of qualification, and shall issue a new certificate of qualification pursuant to the provisions of this subdivision. The proponents of any such referendum measure shall be permitted to withdraw that measure pursuant to subdivision (b) of Section 9604 at any time between the effective date of the act adding this paragraph and the date on which the Secretary of State issues a new certificate of qualification in accordance with subparagraph (A) of paragraph (2) of this subdivision.

(d) In the case of a referendum measure, upon the Secretary of State's transmission of notification to the proponents and elections officials under subdivision (c) of Section 9030 that the number of signatures filed with all elections officials is 100 percent or more of the number of qualified voters needed to declare the petition sufficient, the statute that is the subject of the referendum measure shall cease to have effect unless and until one of the following occurs:

(1) The Secretary of State or a court of competent jurisdiction concludes that the petition was not signed by the requisite number of qualified voters.

(2) The proponents of the referendum measure withdraw the measure under Section 9604.

(3) The voters vote to keep the statute that is the subject of the referendum at the statewide election in which the referendum measure appears on the ballot.

**SEC. 5.** Section 9050 of the Elections Code is amended to read:

**9050.** (a) After the Secretary of State determines that a measure will appear on the ballot at the next statewide election, the Secretary of State shall promptly transmit a copy of the measure to the Attorney General. The Attorney General shall provide and return to the Secretary of State a ballot title and summary, as described in subdivision (b) of Section 303.5, and the condensed ballot title and summary prepared pursuant to Section 303 for each measure submitted to the voters of the whole state by a date sufficient to meet the state voter information guide public display deadlines.

(b) (1) For each statewide initiative measure, or measure proposed by the Legislature, within one week after receiving the lists of supporters and opponents of a measure, the Secretary of State shall provide to county elections officials the ballot label, consisting of the condensed title and summary prepared by the Attorney General followed by the list of supporters and opponents, pursuant to subdivision (a) of Section 303.

(2) For each statewide referendum measure, the Secretary of State shall provide to county elections officials the ballot label, consisting of the condensed title and summary prepared by the Attorney General. Commencing January 1, 2025, the condensed title and summary shall be followed by a listing of the names of supporters and opponents in the ballot arguments printed in the state voter information guide as described in subdivision (c) of Section 9051.

**SEC. 6.** Section 9051 of the Elections Code is amended to read:

**9051.** (a) (1) The ballot title and summary may differ from the legislative, circulating, or other title and summary of the measure and shall not exceed 100 words, not including the fiscal impact statement.

(2) The ballot title and summary shall include a summary of the Legislative Analyst's estimate of the net state and local government fiscal impact prepared pursuant to Section 9087 of this code and Section 88003 of the Government Code.

(b) (1) The condensed ballot title and summary for a statewide initiative measure, or measure proposed by the Legislature, shall not contain more than 75 words and shall be a condensed version of the ballot title and summary including the financial impact summary prepared pursuant to Section 9087 of this code and Section 88003 of the Government Code.

(2) The condensed title and summary for a statewide referendum measure shall not contain more than 75 words, including the ballot title that shall be in the form of a question as specified in subdivision (b) of Section 303.

(c) (1) The ballot label for a statewide initiative measure, or measure proposed by the Legislature, shall include the condensed ballot title and summary described in paragraph (1) of subdivision (b), followed by the following:

(A) After the text "Supporters:", a listing of nonprofit organizations, businesses, or individuals taken from the signers or the text of the argument in favor of the ballot measure printed in the state voter information guide. The list of supporters shall not exceed 125 characters in length. Each supporter shall be separated by a semicolon. A nonprofit organization, business, or individual shall not be listed unless they support the ballot measure.

(B) After the text "Opponents:", a listing of nonprofit organizations, businesses, or individuals taken from the signers or the text of the argument against the ballot measure printed in the state voter information guide. The list of opponents shall not exceed 125 characters in length. Each opponent shall be separated by a semicolon. A nonprofit organization, business, or individual shall not be listed unless they oppose the ballot measure.

(C) A supporter or opponent shall not be listed pursuant to subparagraph (A) or (B) unless it is one of the following:

(i) A nonprofit organization that was not originally created as a committee described in Section 82013 of the Government Code, that has been in existence for at least four years, and that, during the four-year period prior to the time that the organization is listed pursuant to subparagraph (A) or (B), either has received contributions from more than 500 donors or has had at least one full-time employee.

(ii) A business that has been in existence for at least four years and that has had at least one full-time employee during the four-year period prior to the time that the organization is listed pursuant to subparagraph (A) or (B).

(iii) A current or former elected official, who may be listed with the official's title (e.g., "State Senator Mary Smith," "Assembly Member Carlos Garcia," or "former Eureka City Council Member Amy Lee"). These titles may be shortened (e.g. "Senator" or "Sen." for "State Senator" or "Asm." for "Assembly Member").

(iv) An individual who is not a current or former elected official may be listed only with the individual's first and last name and an honorific (e.g., "Dr.," "M.D.," "Ph.D.," or "Esquire"), with no other title or designation, unless it is a title representing a nonprofit organization or business that meets the requirements of clause (i) or (ii) and that is eligible to be listed under subparagraph (A) if the individual supports the ballot measure or under subparagraph (B) if the individual opposes the ballot measure.

(D) Spaces, commas, semicolons, and any other characters count towards the 125-character limit in subparagraphs (A) and (B).

(E) A supporter or opponent shall not be listed pursuant to subparagraph (A) or (B) if the supporter or opponent is a political party or is representing a political party.

(F) The name of a nonprofit organization or business included in the list of supporters and opponents as required by this subdivision may be shortened by the proponents or opponents who submit it using acronyms, abbreviations, or by leaving out words in the entity's name, as long as doing so would not confuse voters with another well-known organization or business that did not take the same position on the ballot measure (e.g., "Hot Air Balloon Flyers of Montana Education Fund" may be shortened to "Hot Air Balloons Montana").

(G) Supporters and opponents listed on the ballot label pursuant to subparagraph (A) or (B) shall be added as text after the condensed ballot title and summary and shall be separated by semicolons. Supporters and opponents need not be displayed on separate horizontal lines on the ballot. If no list of supporters is provided by the proponents or there are none that meet the requirements of this section, then "Supporters:" shall be followed by "None submitted." If no list of opponents is provided by the opponents or there are none that meet the requirements of this section, then "Opponents:" shall be followed by "None submitted."

(H) If the ballot emphasizes the text "Supporters:" or "Opponents:" by use of boldface font, underlining, or any other method that differentiates that text from the list of supporters or opponents that follow, the text "Supporters:" or "Opponents:" may be displayed with only the initial letter capitalized. If that text is not emphasized, then each letter of that text shall be capitalized.

(I) If including the list of Supporters and Opponents in the ballot labels as required by this section would necessitate the printing of an extra ballot card compared to the ballot labels not including them, the type size of the part of all of the ballot labels starting with "Supporters:" may be reduced by the minimal amount needed to stop them from necessitating an extra ballot card, as long as the type size is no smaller than 8-point and as long as the type size is reduced by the same amount for all ballot measures.

(2) (A) The proponents of a statewide initiative measure or measure proposed by the Legislature, or, commencing January 1, 2025, the supporters of the statute subject to a statewide referendum, shall provide the list of supporters described in subparagraph (A) of paragraph (1) to the Secretary of State when submitting the arguments supporting the ballot measure.

(i) For every supporter listed that is a nonprofit organization, a business, or an individual whose title includes a nonprofit organization or business, the supporters shall include a signed statement by a representative of the nonprofit organization or business, under penalty of perjury, that includes its name and business address and that attests (I) that the nonprofit organization or business supports the measure, (II) that the nonprofit organization or business has been in existence for at least four years, (III) that the nonprofit organization or business has had at least one full-time employee for the last four years, or, if it is a nonprofit organization, that it has had at least 500 donors in the last four years, and (IV) that it was not originally created as a committee described in Section 82013 of the Government Code.

(ii) For every supporter listed that is an individual, the proponents shall include a signed statement by the individual that includes the individual's name and address and attests that the individual supports the measure.

(B) The opponents of a statewide initiative measure or measure proposed by the Legislature, or, commencing January 1, 2025, the opponents of the statute subject to a statewide referendum, shall provide the list of opponents described in subparagraph (B) of paragraph (1) to the Secretary of State when submitting the arguments opposing the ballot measure.

(i) For every opponent listed that is a nonprofit organization, a business, or an individual whose title includes a nonprofit organization or business, the opponents shall include a signed statement by a representative of the nonprofit organization or business, under penalty of perjury, that includes its name and business address and that attests (I) that the nonprofit organization or business opposes the measure, (II) that the nonprofit organization or business has been in existence for at least four years, (III) that the nonprofit organization or business has had at least one full-time employee for the last four years, or, if it is a nonprofit organization, that it has had at least 500 donors in the last four years, and (IV) that it was not originally created as a committee described in Section 82013 of the Government Code.

(ii) For every opponent listed that is an individual, the opponents shall include a signed statement by the individual that includes the individual's name and address and attests that the individual opposes the measure.

(C) In order to enable the Secretary of State to determine whether the nonprofit organizations and businesses listed in the supporters or opponents have been in existence for at least four years, the proponents and opponents shall submit with the list of supporters and opponents described in subparagraphs (A) and (B) a certified copy of the articles of incorporation, articles of organization, or similar document for each nonprofit organization or business on the list that verifies that the nonprofit organization or business has been in existence for at least four years.

(D) The Secretary of State shall confirm that a submission listing supporters or opponents includes the documentation required by subparagraphs (A) through (C) and otherwise meets the requirements of this section. The Secretary of State shall ask the proponents or opponents to resubmit a list if the requirements are not met. The Secretary of State may establish deadlines by when proponents or opponents must resubmit a list and any other documents required by the Secretary of State to meet the deadline in subdivision (b) of Section 9050.

(d) (1) Commencing January 1, 2025, the ballot label for a statewide referendum measure shall include the condensed title and summary described in paragraph (2) of subdivision (b), followed by a listing of the names of supporters and opponents in the ballot arguments printed in the state voter information guide as described in subdivision (c).

(2) For purposes of subparagraph (A) of paragraph (1) of subdivision (c), "Supporters" shall be listed on the ballot label as "Supporters of the law" for statewide referendum measures.

(3) For purposes of subparagraph (B) of paragraph (1) of subdivision (c), "Opponents" shall be listed on the ballot label as "Opponents of the law" for statewide referendum measures.

(e) In providing the ballot title and summary, the Attorney General shall give a true and impartial statement of the purpose of the measure in such language that the ballot title and summary shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure.

(f) The Attorney General shall invite and consider public comment in preparing each ballot title and summary.

**SEC. 7.** Section 9086 of the Elections Code is amended to read:

**9086.** The state voter information guide shall contain as to each state measure to be voted upon, the following, in the order set forth in this section:

(a) (1) Upon the top portion of the first page, and not exceeding one-third of the page, shall appear:

(A) Identification of the measure by number and title.

(B) The official summary prepared by the Attorney General.

(i) For a statewide referendum measure, the official summary prepared by the Attorney General shall precede all of the following in the order set forth in this clause:

(I) A blank horizontal line.

(II) After the text "TOP FUNDERS OF PETITION TO OVERTURN THE LAW:" a listing of the three persons who made the most aggregated contributions and expenditures of \$50,000 or more to qualify the referendum as of the last day petitions are filed with an elections official. A person who is required to be listed after the official summary pursuant to this clause is a "top funder."

(III) If a person that is a primarily formed ballot measure committee within the meaning of Section 82047.5 of the Government Code or a general purpose committee within the meaning of Section 82027.5 of the Government Code is one of the persons who made the most aggregated contributions and expenditures to qualify the referendum as of the last day petitions are filed with an elections official, the primarily formed committee or general purpose committee shall not be listed as a top funder pursuant to subclause (II), and, instead, the highest contributors to the primarily formed committee or general purpose committee within the prior 90 days shall be listed as top funders pursuant to subclause (II) if their contributions to the primarily formed committee or general purpose committee, combined with all other contributions and expenditures to qualify the referendum, qualify the person or persons as top funders.

(ii) The name of a top funder may be shortened at the discretion of the Secretary of State by using acronyms, abbreviations, or by leaving out words in the entity's name, as long as doing so would not confuse or mislead voters about the identity of a top funder.

(iii) Each top funder shall be printed in a font size that is the same as a majority of the text on the page and separated by a semicolon.

(iv) The Secretary of State shall determine the list of top funders no later than the date a referendum qualifies for the ballot.

(C) The total number of votes cast for and against the measure in both the State Senate and Assembly, if the measure was passed by the Legislature.

(2) The space in the title and summary that is used for an explanatory table prepared pursuant to paragraph (2) of subdivision (e) of Section 9087 and Section 88003 of the Government Code shall not be included when measuring the amount of space the information described in paragraph (1) has taken for purposes of determining compliance with the restriction prohibiting the information described in paragraph (1) from exceeding one-third of the page.

(b) Beginning at the top of the right page shall appear the analysis prepared by the Legislative Analyst if the analysis fits on a single page. If it does not fit on a single page, the analysis shall begin on the lower portion of the first left page and shall continue on subsequent pages until it is completed.

(c) Immediately below the analysis prepared by the Legislative Analyst shall appear a printed statement that refers voters to the Secretary of State's internet website for a list of committees primarily formed to support or oppose a ballot measure, and information on how to access the committee's top 10 contributors.

(d) Arguments for and against the measure shall be placed on the next left and right pages, respectively, following the final page of the analysis of the Legislative Analyst. The rebuttals shall be placed immediately below the arguments.

(e) If an argument against the measure has not been submitted, the argument for the measure shall appear on the right page facing the analysis.

(f) Before each state measure, a conspicuous notice identifying the location on the Secretary of State's internet website of the complete text of the state measure. The Secretary of State's internet website shall contain the provisions of the proposed measure and the existing laws repealed or revised by the measure. The provisions of the proposed measure differing from the existing laws affected shall be distinguished in print, so as to facilitate comparison. There shall be printed immediately below each state measure, except for a measure relating to debts and liabilities under Section 1 of Article XVI of the California Constitution, including a bond measure, in no less than 10-point bold type, a legend substantially as follows: "If you desire a copy of the full text of the state measure, please call the Secretary of State at (insert toll-free telephone number) and a copy will be mailed at no cost to you."

(g) The following statement shall be printed at the bottom of each page where arguments appear: "Arguments printed on this page are the opinions of the authors, and have not been checked for accuracy by any official agency."

**SEC. 8.** Section 13120 of the Elections Code is amended to read:

**13120.** (a) The ballots used when voting upon a county, city, or district ordinance referred to the voters of the respective jurisdiction as a referendum measure pursuant to Division 9 (commencing with Section 9000) shall have printed on them the words "Shall the ordinance (stating the nature thereof, including any identifying number or title) be adopted?" Opposite the statement of the ordinance to be voted on and to its right, or immediately below if there is not sufficient space opposite the statement of the ordinance and to its right, the words "Yes" and "No" shall be printed on separate lines, with voting targets. If a voter marks the voting target next to the printed word "Yes," the voter's vote shall be counted in favor of the adoption of the ordinance. If the voter marks the voting target next to the printed word "No," the voter's vote shall be counted against its adoption.

(b) The ballots used when voting upon a state statute referred to the voters of the state as a referendum measure pursuant to Division 9 (commencing with Section 9000) shall have printed on them the words "Shall California keep or overturn a law passed in [enter year statute was enacted] [followed by no more than 15 words stating the general subject or nature of the law]?" Opposite the statement of the statute to be voted on and to its right, or immediately below if there is not sufficient space opposite the statement of the statute and to its right, the words "Keep the law" and "Overturn the law" shall be printed on separate lines, with voting targets. If a voter marks the voting target next to the printed words "Keep the law," the voter's vote shall be counted in favor of the adoption of the statute. If the voter marks the voting target next to the printed words "Overturn the law," the voter's vote shall be counted against its adoption.

**SEC. 9.** Section 13247 of the Elections Code is amended to read:

**13247.** The statement of all measures submitted to the voters shall be abbreviated on the ballot in a ballot label as provided for in Section 9051. The ballot label shall be followed by the words, "Yes" and "No", except for a statewide referendum measure. The ballot label for a statewide referendum measure shall be followed by the words, "Keep the law" and "Overturn the law."

**SEC. 10.** Section 88002 of the Government Code is amended to read:

**88002.** The ballot pamphlet shall contain as to each state measure to be voted upon, the following in the order set forth in this section:

(a) (1) Upon the top portion of the first page and not exceeding one-third of the page shall appear:

(A) The identification of the measure by number and title.

(B) The official summary prepared by the Attorney General.

(i) For a statewide referendum measure, the official summary prepared by the Attorney General shall precede all of the following in the order set forth in this clause:

(I) A blank horizontal line.

(II) After the text "TOP FUNDERS OF PETITION TO OVERTURN THE LAW:" a listing of the three persons who made the most aggregated contributions and expenditures of \$50,000 or more to qualify the referendum as of the last day petitions are filed with an elections official. A person who is required to be listed after the official summary pursuant to this clause is a "top funder."

(III) If a person that is a primarily formed ballot measure committee within the meaning of Section 82047.5 of the Government Code or a general purpose committee within the meaning of Section 82027.5 of the Government Code is one of the persons who made the most aggregated contributions and expenditures to qualify the referendum as of the last day petitions are filed with an elections official, the primarily formed committee or general purpose committee shall not be listed as a top funder pursuant to subclause (II), and, instead, the highest contributors to the primarily formed committee or general purpose committee within the prior 90 days shall be listed as top funders pursuant to subclause (II) if their contributions to the primarily formed committee or general purpose committee, combined with all other contributions and expenditures to qualify the referendum, qualify the person or persons as top funders.

(ii) The name of a top funder may be shortened at the discretion of the Secretary of State by using acronyms, abbreviations, or by leaving out words in the entity's name, as long as doing so would not confuse or mislead voters about the identity of a top funder.



(iii) Each top funder shall be printed in a font size that is the same as a majority of the text on the page and separated by a semicolon.

(iv) The Secretary of State shall determine the list of top funders no later than the date a referendum qualifies for the ballot.

(C) The total number of votes cast for and against the measure in both the State Senate and Assembly if the measure was passed by the Legislature.

(2) The space in the title and summary that is used for an explanatory table prepared pursuant to paragraph (2) of subdivision (e) of Section 9087 of the Elections Code and Section 88003 shall not be included when measuring the amount of space the information described in paragraph (1) has taken for purposes of determining compliance with the restriction prohibiting the information described in paragraph (1) from exceeding one-third of the page.

(b) Beginning at the top of the right page shall appear the analysis prepared by the Legislative Analyst, provided that the analysis fits on a single page. If it does not fit on a single page, then the analysis shall begin on the lower portion of the first left page and shall continue on subsequent pages until it is completed.

(c) Immediately below the analysis prepared by the Legislative Analyst shall appear a printed statement that refers voters to the Secretary of State's internet website for a list of committees primarily formed to support or oppose a ballot measure, and information on how to access the committee's top 10 contributors.

(d) Arguments for and against the measure shall be placed on the next left and right pages, respectively, following the page on which the analysis of the Legislative Analyst ends. The rebuttals shall be placed immediately below the arguments.

(e) If no argument against the measure has been submitted, the argument for the measure shall appear on the right page facing the analysis.

(f) The complete text of each measure shall appear at the back of the pamphlet. The text of the measure shall contain the provisions of the proposed measure and the existing provisions of law repealed or revised by the measure. The provisions of the proposed measure differing from the existing provisions of law affected shall be distinguished in print, so as to facilitate comparison.

(g) The following statement shall be printed at the bottom of each page where arguments appear: "Arguments printed on this page are the opinions of the authors and have not been checked for accuracy by any official agency."

**SEC. 11.** The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

**SEC. 12.** Any judicial action or proceeding to challenge, review, set aside, void, or annul the provisions of this act, or any portion of this act, may proceed only by application or complaint filed in a court of competent jurisdiction within 45 days of the effective date of this act. The action or proceeding, or any appeal therefrom, shall be given precedence on the court's docket and shall have priority over all other civil matters. Any relief granted by a court shall not interfere with the conduct of the November 5, 2024, statewide general election, and in no event shall relief be granted after the 88th day preceding that election.

**SEC. 13.** 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. 14.** The Legislature finds and declares that this act permits or requires the inclusion of additional information in the ballot pamphlet in accordance with Section 88007 of the Government Code.

**SEC. 15.** 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 give local elections officials the necessary time to implement the changes made by this bill before the November 5, 2024, statewide general election, it is necessary for the bill to take effect immediately.