

Introduced by Senator HancockFebruary 8, 2011

An act to amend Section 9001 of the Elections Code, relating to ballot initiatives.

LEGISLATIVE COUNSEL'S DIGEST

SB 202, as introduced, Hancock. Ballot initiatives: filing fees.

Existing law requires a fee of \$200 to be paid by the proponents when a proposed ballot initiative or referendum is submitted to the Attorney General for preparation of a circulating title and summary.

This bill would find that the current \$200 fee is inadequate to cover the costs to the state to process a proposed initiative and would increase the filing fee from \$200 to \$2,000.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (1) That the current two hundred dollar (\$200) fee imposed for
4 filing a proposed ballot initiative with the Attorney General is
5 inadequate to cover the administrative costs to the state to process
6 the proposed initiative.
7 (2) Originally set in 1943, the \$200 fee was intended to cover
8 the administrative costs of the initiative process to the state.
9 (3) According to the Consumer Price Index, the value of the
10 \$200 in 1943 corresponds to approximately \$2480 today.

(4) From 2000-2009, 647 initiative proposals were submitted for preparation of a title and summary; in contrast, 1990-1999 saw only 391 measures filed. That is a 60% increase this decade over the previous one and more measures were submitted from 2000-2009 than during the 74 year period from 1912 to 1986.

SEC. 2. Section 9001 of the Elections Code is amended to read:

9001. (a) Prior to the circulation of any initiative or referendum petition for signatures, the text of the proposed measure shall be submitted to the Attorney General with a written request that a circulating title and summary of the chief purpose and points of the proposed measure be prepared. The electors presenting the request shall be known as the “proponents.” The Attorney General shall preserve the written request until after the next general election.

(b) Each and every proponent of any proposed initiative measure shall, at the time of submitting the text of the proposed measure, provide both of the following:

(1) An original signed certification stating that “I, (insert name), declare under penalty of perjury that I am a citizen of the United States, 18 years of age or older, and a resident of (insert county), California.”

(2) Public contact information.

(c) The proponents of any initiative measure, at the time of submitting the text of the proposed measure to the Attorney General, shall pay a fee *to the Attorney General* of two-hundred thousand dollars ~~(\$200)~~ (\$2,000), which shall be placed in a trust fund in the office of the Treasurer and refunded to the proponents if the measure qualifies for the ballot within two years from the date the summary is furnished to the proponents. If the measure does not qualify within that period, the fee shall be immediately paid into the General Fund of the state.

(d) All referenda and proposed initiative measures must be submitted to the Attorney General’s Initiative Coordinator located in the Sacramento Attorney General’s Office via U.S. Postal Service, alternative mail service, or personal delivery. Only printed documents will be accepted, facsimile or e-mail delivery will not be accepted.

1 (e) The Attorney General's office shall not deem a request for
2 a circulating title and summary submitted until all of the
3 requirements of this section are met.

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