Senate Bill No. 202

CHAPTER 558

An act to amend Section 9016 of the Elections Code, and to repeal Section 1 of Chapter 732 of the Statutes of 2010, relating to elections.

[Approved by Governor October 7, 2011. Filed with
Secretary of State October 7, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

SB 202, Hancock. Elections: ballot measures.

Existing law permits the voters to propose and adopt a statute or constitutional amendment through the power of the initiative, and to approve or reject a statute or a part of a statute through the power of the referendum, by presenting to the Secretary of State a petition that sets forth the text of the proposed measure and is certified to have been signed by a specified number of electors.

Existing law requires the Secretary of State to submit a certified initiative measure at the next general election held at least 131 days after the measure qualifies for the ballot or at any statewide special election that is held prior to that general election and is held at least 131 days after the measure qualifies for the ballot, and further requires the Secretary of State to submit a certified referendum measure at the next general election held at least 31 days after the measure qualifies for the ballot or at any statewide special election that is held prior to that general election. Under existing law, "general election" is defined to mean either the election held throughout the state on the first Tuesday after the first Monday in November of each even-numbered year or any statewide election held on a regular election date, as specified.

This bill would provide that, notwithstanding the above definition of "general election," that term means, for purposes of submitting to the voters an initiative or referendum measure that is certified for the ballot on or after July 1, 2011, only the election held throughout the state on the first Tuesday after the first Monday in November of each even-numbered year.

Existing law requires the Secretary of State to submit ACA 4 of the 2009–10 Regular Session, a proposed legislative constitutional amendment relating to state finance, to the voters at the 2012 statewide presidential primary election, as specified.

This bill would repeal those provisions and would, instead, require the Secretary of State to submit ACA 4 to the voters at the November 4, 2014, statewide general election.

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

SECTION 1. Section 9016 of the Elections Code is amended to read:

9016. (a) Notwithstanding Section 324, for purposes of subdivision (c) of Section 8 of, and subdivision (c) of Section 9 of, Article II of the California Constitution, "general election" means only the election held throughout the state on the first Tuesday after the first Monday in November of each even-numbered year with respect to an initiative or referendum measure that is certified for the ballot on or after July 1, 2011.

(b) Notwithstanding any other provision of law, an initiative measure shall not be submitted to the voters at a statewide special election held less than 131 days after the date the measure is certified for the ballot.

SEC. 2. Section 1 of Chapter 732 of the Statutes of 2010 is repealed.

SEC. 3. Notwithstanding Section 9040 of the Elections Code or any other provision of law, the Secretary of State shall submit Assembly Constitutional Amendment 4 of the 2009–10 Regular Session to the voters at the November 4, 2014, statewide general election.

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