

AMENDED IN SENATE MARCH 31, 2016

SENATE BILL

No. 1251

Introduced by Senator Moorlach

February 18, 2016

An act to amend Section 9084 of the Elections Code, and to amend Section 88001 of, and to add Chapter 5.3 (commencing with Section 8347) to Division 1 of Title 2 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1251, as amended, Moorlach. Publication of state financial obligations: Internet Web site and ballot pamphlet.

(1) Existing law requires a local agency, if it maintains an Internet Web site and is required to report specific financial information to the Controller, to post, in a conspicuous location on its Internet Web site, information on the annual compensation of its elected officials, officers, and employees. Existing law authorizes a local agency to meet this requirement by posting a link to the Controller's Government Compensation in California Internet Web site in a conspicuous location on its Internet Web site.

This bill would establish the California Financial Transparency Act of 2016 and would require _____ ~~[an entity of state government]~~ *the Legislative Analyst* to create and maintain a dedicated *Internet Web page*, ~~page that is hyperlinked to the homepage of its~~ *the Internet Web site*, ~~site of the Legislative Analyst's Office~~ that lists specific state financial obligations.

(2) The Political Reform Act of 1974 and the Elections Code each require the Secretary of State to prepare a ballot pamphlet that contains specific information.

This bill would require the Secretary of State to include in a ballot pamphlet a copy of all the information posted on ~~a~~ *the* dedicated *Internet* Web ~~page, page that is~~ hyperlinked to the homepage of the Internet Web site of ~~an unspecified entity in state government,~~ *the Legislative Analyst's Office* pursuant to the California Financial Transparency Act of 2016.

(3) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

The act also provides that, notwithstanding this vote requirement, the Legislature may amend specified provisions to add to the ballot pamphlet information regarding candidates or other information.

This bill, which would require additional information to be included in the ballot pamphlet, without making other changes to the act, would therefore require a majority vote.

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. Section 9084 of the Elections Code is amended
- 2 to read:
- 3 9084. The ballot pamphlet shall contain all of the following:
- 4 (a) A complete copy of each state measure.
- 5 (b) A copy of the specific constitutional or statutory provision,
- 6 if any, that each state measure would repeal or revise.
- 7 (c) A copy of the arguments and rebuttals for and against each
- 8 state measure.
- 9 (d) A copy of the analysis of each state measure.
- 10 (e) Tables of contents, indexes, art work, graphics, and other
- 11 materials that the Secretary of State determines will make the ballot
- 12 pamphlet easier to understand or more useful for the average voter.
- 13 (f) A notice, conspicuously printed on the cover of the ballot
- 14 pamphlet, indicating that additional copies of the ballot pamphlet
- 15 will be mailed by the county elections official upon request.
- 16 (g) A written explanation of the judicial retention procedure as
- 17 required by Section 9083.
- 18 (h) The Voter Bill of Rights pursuant to Section 2300.

1 (i) If the ballot contains an election for the office of United
 2 States Senator, information on candidates for United States Senator.
 3 A candidate for United States Senator may purchase the space to
 4 place a statement in the state ballot pamphlet that does not exceed
 5 250 words. The statement may not make any reference to any
 6 opponent of the candidate. The statement shall be submitted in
 7 accordance with timeframes and procedures set forth by the
 8 Secretary of State for the preparation of the state ballot pamphlet.

9 (j) If the ballot contains a question on the confirmation or
 10 retention of a justice of the Supreme Court, information on justices
 11 of the Supreme Court who are subject to confirmation or retention.

12 (k) If the ballot contains an election for the offices of President
 13 and Vice President of the United States, a notice that refers voters
 14 to the Secretary of State’s Internet Web site for information about
 15 candidates for the offices of President and Vice President of the
 16 United States.

17 (l) A written explanation of the appropriate election procedures
 18 for party-nominated, voter-nominated, and nonpartisan offices as
 19 required by Section 9083.5.

20 (m) A written explanation of the top 10 contributor lists required
 21 by Section 84223 of the Government Code, including a description
 22 of the Internet Web sites where those lists are available to the
 23 public.

24 (n) A copy of all the information posted on the *dedicated*
 25 *Internet Web page of that is hyperlinked to the homepage of the*
 26 *Internet Web site of the _____ Legislative Analyst’s Office* pursuant
 27 to the California Financial Transparency Act of 2016 (Chapter 5.3
 28 (commencing with Section 8347) of Division 1 of Title 2 of the
 29 Government Code).

30 SEC. 2. Chapter 5.3 (commencing with Section 8347) is added
 31 to Division 1 of Title 2 of the Government Code, to read:

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33 CHAPTER 5.3. CALIFORNIA FINANCIAL TRANSPARENCY ACT OF
 34 2016

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36 8347. This chapter shall be known and may be cited as the
 37 California Financial Transparency Act of 2016.

38 8347.10. The _____ [an entity of state government] *Legislative*
 39 *Analyst* shall post all of the following current total amounts on a

1 dedicated *Internet* Web page that is hyperlinked to the homepage
2 of ~~its~~ *the Internet Web site: site of the Legislative Analyst's Office:*

- 3 (a) State revenues.
- 4 (b) State expenditures.
- 5 (c) Unfunded state pension liability.
- 6 (d) Unfunded state retiree medical benefit liability.
- 7 (e) Unfunded infrastructure needs.
- 8 (f) Bond debt.
- 9 (g) *Unrestricted net position.*

10 8347.20. On or before January 1 and July 1 of each year, the
11 *Legislative Analyst* shall update the *Internet* Web page
12 required by Section 8347.10.

13 SEC. 3. Section 88001 of the Government Code is amended
14 to read:

15 88001. The ballot pamphlet shall contain all of the following:

- 16 (a) A complete copy of each state measure.
- 17 (b) A copy of the specific constitutional or statutory provision,
18 if any, that would be repealed or revised by each state measure.
- 19 (c) A copy of the arguments and rebuttals for and against each
20 state measure.
- 21 (d) A copy of the analysis of each state measure.
- 22 (e) Tables of contents, indexes, art work, graphics, and other
23 materials that the Secretary of State determines will make the ballot
24 pamphlet easier to understand or more useful for the average voter.
- 25 (f) A notice, conspicuously printed on the cover of the ballot
26 pamphlet, indicating that additional copies of the ballot pamphlet
27 will be mailed by the county elections official upon request.
- 28 (g) A written explanation of the judicial retention procedure as
29 required by Section 9083 of the Elections Code.
- 30 (h) The Voter Bill of Rights pursuant to Section 2300 of the
31 Elections Code.
- 32 (i) If the ballot contains an election for the office of United
33 States Senator, information on candidates for United States Senator.
34 A candidate for United States Senator may purchase the space to
35 place a statement in the state ballot pamphlet that does not exceed
36 250 words. The statement may not make any reference to any
37 opponent of the candidate. The statement shall be submitted in
38 accordance with timeframes and procedures set forth by the
39 Secretary of State for the preparation of the state ballot pamphlet.

1 (j) If the ballot contains a question as to the confirmation or
2 retention of a justice of the Supreme Court, information on justices
3 of the Supreme Court who are subject to confirmation or retention.

4 (k) If the ballot contains an election for the offices of President
5 and Vice President of the United States, a notice that refers voters
6 to the Secretary of State’s Internet Web site for information about
7 candidates for the offices of President and Vice President of the
8 United States.

9 (l) A written explanation of the appropriate election procedures
10 for party-nominated, voter-nominated, and nonpartisan offices as
11 required by Section 9083.5 of the Elections Code.

12 (m) A written explanation of the top 10 contributor lists required
13 by Section 84223, including a description of the Internet Web sites
14 where those lists are available to the public.

15 (n) A copy of all the information posted on the *dedicated*
16 *Internet Web page* ~~of that is hyperlinked to the homepage of the~~
17 Internet Web site of the ~~_____~~ *Legislative Analyst’s Office* pursuant
18 to the California Financial Transparency Act of 2016 (Chapter 5.3
19 (commencing with Section 8347) of Division 1 of Title 2).

20 SEC. 4. The Legislature finds and declares that Section 3 of
21 this act, amending Section 88001 of the Government Code, is an
22 amendment of the Political Reform Act of 1974 that requires the
23 inclusion of additional information on the ballot pamphlet in
24 accordance with Section 88007 of the Government Code.