

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

(23-0007) AUTHORIZES ELECTRONIC SIGNATURE GATHERING FOR INITIATIVE, REFERENDUM, AND RECALL PETITIONS. INITIATIVE STATUTE. Requires Secretary of State to develop an online platform allowing voters to view and sign electronically state and local initiative, referendum, and recall petitions on the Secretary of State's website, or to download, print, and sign petitions for submission to the Secretary of State. Requires Secretary of State or local elections official to verify these signatures. Requires Secretary of State to invite arguments for and against initiative, referendum, and recall measures, and to post submitted arguments on its website. Requires Secretary of State's website to include ongoing count of each measure's signatures submitted electronically or via downloaded and printed petitions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: One-time state and local government costs in the tens of millions of dollars or more to develop an online system for electronic petition signature gathering. Ongoing annual costs of millions of dollars or more to maintain the new system. Potential net costs or savings due to changed state and local government processes for verifying petition signatures.

To the Honorable Secretary of State of California:

We, the undersigned, registered, qualified voters of California, residents of the County (or City and County) referenced on the signature page of this petition, hereby propose amendments to the California Elections Code, relating to Initiative Referendum and Recall reform, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or as otherwise provided by law.

SECTION 1. Section 107 is added to the Elections Code, to read:

107. (a) No later than 180 days after this section takes effect, the Secretary of State shall develop a system that allows a voter to view initiative, referendum, and recall petitions on the Secretary of State's Internet Web site and do either of the following:

(1) Provide necessary identifying information and electronically sign the petition directly on the Secretary of State's Internet Web site.

(2) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide necessary identifying information.

(b) The system developed pursuant to subdivision (a) shall enable the Secretary of State to verify the authenticity of an electronic signature.

SEC. 2. Section 9023 is added to the Elections Code, to read:

9023. (a) An initiative or referendum petition that is cleared for circulation may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the Secretary of State that he or she elects to have a petition circulated pursuant to Section 107, the Secretary of State shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 9020 and electronically sign the petition directly on the Secretary of State's Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 9020.

(C) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B) of paragraph (1).

(D) Invite the submission of arguments for and against the measure, and post any submitted arguments on his or her Internet Web site.

(2) A document provided to a person pursuant to subparagraph (B) of paragraph (1) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an initiative or referendum petition. The signature and information obtained pursuant this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a "signature" as defined in Section 354.5 of the Elections Code.

SEC. 3. Section 9036 is added to the Elections Code, to read:

9036. (a) Upon the close of the circulation period for a petition circulated pursuant to Section 9023, the Secretary of State shall verify the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

(1) Electronically signed the petition.

(2) Signed a copy of the petition in portable document format (PDF).

(b) (1) If the total number of valid signatures is less than 100 percent of the number of qualified voters required to find the petition sufficient, the Secretary of State shall so notify the proponents, and he or she shall take no further action with regard to the petition.

(2) If the total number of valid signatures is 100 percent or more of the number of qualified voters needed to declare the petition sufficient, the Secretary of State shall certify pursuant to Section 9033 that the measure is qualified for the ballot.

SEC. 4. Section 9107 .5 is added to the Elections Code, to read:

9107.5. (a) An initiative or referendum petition that is cleared for circulation may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the county elections official that he or she elects to have a petition circulated pursuant to Section 107, the county elections official shall notify the Secretary of State, who shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 9020 and electronically sign the petition directly on the Secretary of State's Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 9020.

(C) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B).

(D) Invite the submission of arguments for and against the measure, and post any submitted arguments on his or her Internet Web site.

(2) A document provided to a person pursuant to subparagraph (B) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an initiative or

referendum petition. The signature and information obtained pursuant this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a "signature" as defined in Section 354.5 of the Elections Code.

SEC. 5. Section 9118.5 is added to the Elections Code, to read:

9118.5. (a) Upon the close of the circulation period for a petition circulated pursuant to Section 9107.5, the county elections official shall do both of the following:

(1) Request the electronic signature data and documents received in portable document format (PDF) from the Secretary of State.

(2) Examine the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

(A) Electronically signed the petition.

(B) Signed a copy of the petition in portable document format (PDF).

(b) (1) If the county elections official finds the petition to be insufficient, the county elections official shall take no further action on the petition.

(2) If the county elections official finds the petition to be sufficient, the county elections official shall certify the results of the examination to the board of supervisors at the next regular meeting of the board.

SEC. 6. Section 9206.5 is added to the Elections Code, to read: 2

9206.5. (a) An initiative or referendum petition that is cleared for circulation may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the elections official that he or she elects to have a petition circulated pursuant to Section 107, the elections official shall notify the Secretary of State, who shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 9020 and electronically sign the petition directly on his or her Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 9020.

(C) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B) of paragraph (1).

(D) Invite the submission of arguments for and against the measure, and post any submitted arguments on his or her Internet Web site.

(2) A document provided to a person pursuant to subparagraph (B) of paragraph (1) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an initiative or referendum petition. The signature and information obtained pursuant this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a "signature" as defined in Section 354.5 of the Elections Code.

SEC. 7. Section 9215.5 is added to the Elections Code, to read:

9215.5. Upon the close of the circulation period for a petition circulated pursuant to Section 9206.5, the elections official shall examine the petition in the same manner as county petitions are examined in accordance with Section 9118.5, except that for the purposes of this section, references to the board of supervisors shall be treated as references to the legislative body of the city.

SEC. 8. Section 9304.7 is added to the Elections Code, to read:

9304.7. (a) An initiative or referendum petition that is cleared for circulation may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the district elections official that he or she elects to have a petition circulated pursuant to Section 107, the district elections official shall notify the Secretary of State, who shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 9020 and electronically sign the petition directly on his or her Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 9020.

(C) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B) of paragraph (1).

(D) Invite the submission of arguments for and against the measure, and post any submitted arguments on his or her Internet Web site.

(2) A document provided to a person pursuant to subparagraph (B) of paragraph (1) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an initiative or

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referendum petition. The signature and information obtained pursuant this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a “signature” as defined in Section 354.5 of the Elections Code.

SEC. 9. Section 9311.5 is added to the Elections Code, to read:

9311.5. (a) Upon the close of the circulation period for a petition circulated pursuant to Section 9304.7, the district elections official shall do both of the following:

- (1) Request the electronic signature data and documents received in portable document format (PDF) from the Secretary of State.
- (2) Examine the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

- (A) Electronically signed the petition.
- (B) Signed a copy of the petition in portable document format (PDF).

(b) (1) If the district elections official finds the petition to be insufficient, the district elections official shall take no further action on the petition

(2) If the district elections official finds the petition to be sufficient, the district elections official shall certify the results of the examination to the governing board of the district at the next regular meeting of the board.

SEC. 10. Section 11024 of the Elections Code is amended to read:

11024. (a) The statement and answer are intended solely for the information of the voters. ~~No insufficiency~~

(b) The Secretary of State shall post the statement and answer on his or her Internet Web site.

(c) Insufficiency in the form or substance thereof of the statement or answer shall not affect the validity of the election proceedings.

SEC. 11. Section 11042.5 is added to the Elections Code, to read:

11042.5. (a) A recall petition that satisfies the requirements of Section 11042 may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the Secretary of State that he or she elects to circulate a petition pursuant to Section 107, the Secretary of State shall do all of the following:

- (A) Post the text of the petition on his or her Internet Web site.
- (B) Enable a voter to do either of the following:

(i) Provide the information required by Section 11043 and electronically sign the petition directly on the Secretary of State’s Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 11043.

(C) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B) of paragraph

- (1).
- (2) A document provided pursuant to subparagraph (B) of paragraph (1) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an recall petition. The signature and information obtained pursuant to either this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a “signature” as defined in Section 354.5 of the Elections Code.

SEC. 12. Section 11108.5 is added to the Elections Code, to read:

11108.5. Immediately after the deadline for submission of all signatures for a recall petition circulated pursuant to Section 11042.5, the Secretary of State shall verify the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

- (1) Electronically signed the petition.
- (2) Signed a copy of the petition in portable document format (PDF).

SEC. 13. Section 11228 is added to the Elections Code, to read:

11228. Immediately after the deadline for submission of all signatures for a recall petition circulated pursuant to Section 11042.5, the elections official shall do both of the following:

- (1) Request the electronic signature data and documents received in portable document format (PDF) from the Secretary of State.
- (2) Examine the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

- (A) Electronically signed the petition.
- (B) Signed a copy of the petition in portable document format (PDF).

(b) (1) If the elections official finds the petition to be insufficient, the elections official shall take no further action on the petition.

(2) If the elections official finds the petition to be sufficient, the elections official shall submit his or her certificate as to the sufficiency of the petition to the governing body at its next regular meeting.

NOTICE TO THE PUBLIC:

YOU HAVE THE RIGHT TO SEE AN “OFFICIAL TOP FUNDERS” SHEET.

THIS PETITION MAY BE CIRCULATED BY A PAID PETITION GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THE PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT.

The signer of this petition must be registered to vote in _____ County. <small>(Use blue/black ballpoint ink pen only to fill out entire petition!) (Please write the California County where the voter is legally registered to vote in here.)</small>		This column for official use only
REGISTERED VOTERS ONLY	1. Residence Print Your Name: _____ Address ONLY: _____ <small>(clearly print full name as registered to vote—include middle initial) (physical address only—No P.O. Boxes—No abbreviations)</small> Sign As Registered To Vote: _____ City: _____ Zip _____ <small>(Using blue/black ballpoint ink pen—sign as legally registered to vote) (print full city name —No abbreviations—must be CA voter)</small>	DO NOT WRITE

DECLARATION OF CIRCULATOR (To be completed after the above signature has been obtained and before turning in.)

I, _____, am 18 years of age or older. (Special Note: All sections must be filled out in circulator’s OWN hand. Additionally, voters can sign their own petition as the circulator, but all sections MUST be filled out.)
(Using only blue/black ballpoint ink pen, print full legal name—include middle initial)

My residence address is _____
(physical address only—street number, name, city, state, zip) (No P.O. Boxes—No Abbreviations)

I circulated this section of the petition and witnessed each of the appended signatures being written. Each of the signatures on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be.

All signatures on this document were obtained between the dates of _____ and _____
(month / day / year) (month / day / year)

I certify under penalty of perjury under the laws of the State of California that the forgoing is true and correct.

Executed on _____, _____, at _____ County, California. Signature of Circulator _____
(month / day) (year) (write county currently standing in when signing) (sign full legal name-include middle initial)

Each CA voter can sign ONLY ONE petition legally. Signature gatherers can witness as many (ONE TIME) voter signatures as they can get!
For more information on these Statewide Initiative Proposals please go to: <https://www.petitionsafe.com>
Please Return ALL Signed and Completed Petitions To: CALMSEA & CIRRRRA Initiatives, P.O. Box 691, Placerville, CA 95667 2