

November 6, 2003

Hon. Bill Lockyer
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Tricia Knight
Initiative Coordinator

Dear Attorney General Lockyer:

Pursuant to Elections Code Section 9005, we have reviewed the proposed constitutional initiative measure entitled the “California Recall Reform Initiative” (File No. SA2003RF0045).

Measure’s Provisions

Under the State Constitution, citizens have the ability to recall an elected state official by following specified procedures. A recall election is initiated by submitting petitions to the Secretary of State containing the required number of registered voter signatures—at least 12 percent of the individuals voting in the last election for statewide offices and 20 percent for judges and members of the Legislature and Board of Equalization. A recall special election is held between 60 and 80 days after the signatures are certified. In order to consolidate the recall election with another scheduled election, the recall election may be held up to 180 days after signature certification.

The measure increases the signature requirements for a recall election to 25 percent of the individuals voting in the last election for all state-elected officials.

Fiscal Effect

Recall elections for state-elected officials have been rare events. In the past 50 years, for instance, only four such elections have taken place. By increasing the number of signatures required to initiate an election, this measure would result in even fewer recall elections in the future. As a result, the measure would reduce state and local government costs to conduct recall elections. These savings would depend on the number and timing of “foregone” recalls. In those cases where they would have been consolidated with scheduled elections, the savings would be minor. In those cases where a special election would have been held, however, the savings would be

significant. For instance, the state recall election in 2003 cost the state and local governments more than \$50 million. For nonstatewide recall elections, savings would vary based on the jurisdiction holding the election but be a fraction of the statewide cost.

Summary. This measure would have the following major fiscal effect:

- Future savings for state and local governments from reduced recall special elections. These instances of savings would likely be rare, but could total more than \$50 million for each statewide election, with much less savings for nonstatewide elections.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

Steve Peace
Director of Finance