

June 26, 2007

Hon. Edmund G. Brown Jr.
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Toni Melton
Initiative Secretary

Dear Attorney General Brown:

Pursuant to Elections Code Section 9005, we have reviewed the proposed statutory initiative related to elections (A.G. File No. 07-0019).

Major Provisions

Nonpartisan Candidates. Under existing law, a candidate who has declared a nonpartisan candidacy for state or federal office must meet certain criteria in order to be certified as a candidate for that office. To appear on the ballot, the candidate must submit a required number of signatures of registered voters from anywhere in the state. Depending on the number of signatures submitted, the candidate may be required to pay a filing fee.

This initiative eliminates filing fees for nonpartisan candidates and alters the statutes governing eligible signatures of registered voters for a candidate's nomination. The new signature eligibility requirements include that the candidate secure the signature of registered voters in every county in the state (for statewide offices) or in every zip code within every county (for other offices), in accordance with certain criteria outlined in the initiative.

Runoff Elections. Currently for elections in the state, the candidate that receives the plurality of the votes is certified as the winner. The initiative instead requires that a candidate receive at least 50 percent of the votes to be certified as the winner. For general election races involving a nonpartisan candidate in which no candidate receives at least 50 percent, the measure requires a special runoff election between the two candidates that received the largest number of votes. The measure does not specify the procedures for races that do not involve a nonpartisan candidate and when no candidate receives at least 50 percent.

Fiscal Effect

This measure would change the administrative requirements for the Secretary of State and county election clerks regarding signature counts and related duties for non-partisan candidates. Any adjustment in costs and revenues from these changes would likely not be significant.

The measure could result in potentially significant increases in state and county expenses due to runoff elections. The total amount of such costs would depend on the outcomes of individual election votes and interpretation of the measure. These costs could total in the tens of millions of dollars for every four-year election cycle.

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

- Potential increase of state and county election expenses in the tens of millions of dollars for every four-year election cycle.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

Michael C. Genest
Director of Finance