

January 6, 2014

Hon. Kamala D. Harris  
Attorney General  
1300 I Street, 17<sup>th</sup> Floor  
Sacramento, California 95814

Attention: Ms. Ashley Johansson  
Initiative Coordinator

Dear Attorney General Harris:

Pursuant to Elections Code Section 9005, we have reviewed the proposed statutory initiative related to presidential electors (A.G. File No. 13-0049).

### **Major Provisions**

Under the Electoral College system to select the U.S. President and Vice President, each state is assigned a certain number of electors based generally on its population. California currently has 55 electors.

**Current Law.** Under existing law, each political party selects its slate of presidential electors in accordance with procedures that differ by party. The electors of the political party that receives the highest number of votes statewide are certified as the state's presidential electors. This means that the political party of the presidential and vice presidential candidates that receive the largest share of the popular vote selects all 55 of the state's electors.

**Proposed Law.** Under the measure, each political party generally would continue establishing the procedures used to select its presidential and vice presidential electors. The initiative would change the process by which California's electors are certified in presidential elections. Specifically, the number of electors from one party certified as the state's presidential and vice presidential electors would be roughly proportional to the popular vote statewide in the presidential election. For example, if 40 percent of California voters cast their vote for one presidential candidate, that candidate's party would select 22 of the state's electors for president and vice president.

**Fiscal Effect**

This measure would have the following fiscal effect:

- No direct fiscal effect on state or local governments.

Sincerely,

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Mac Taylor  
Legislative Analyst

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Michael Cohen  
Director of Finance