

October 14, 2015

Hon. Kamala D. Harris
Attorney General
1300 I Street, 17th 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 constitutional initiative (A.G. File No. 15-0053) related to nonpartisan elections for congressional and state elective offices.

Background

Political Party Preference on the Ballot. Depending on the elective office in question, the State Constitution specifies whether or not the ballot indicates a candidate's political party preference (or lack of political party preference).

- Partisan elections are used to formally nominate who will represent a political party in the general election for President and Vice President of the United States and to elect certain party officials. In the general election, the ballot indicates which political party nominated each presidential candidate.
- Candidates for nomination or election to congressional and state elective offices (with the exception of the Superintendent of Public Instruction) may have their political party preference indicated on the ballot. The party preference designation is selected solely by the candidate and does not constitute or imply an endorsement of the candidate by the party.
- Nonpartisan elections are used for various judicial, school, county, and city offices as well as the Superintendent of Public Instruction. A candidate for nomination or election to a nonpartisan office generally may not indicate his or her party preference on the ballot.

Proposal

The measure would change the Constitution so that candidates for congressional and state elective offices may not have their political party preference indicated on the ballot. (The measure does not affect partisan or nonpartisan elections discussed above.)

Fiscal Effect

The measure would have no direct fiscal effect on state and local governments. By altering what information is disclosed on the ballot for congressional and state elective offices, this measure could change which individuals are elected to these offices. This could result in different decisions being made—for example, on legislation and the state budget—than otherwise would be the case. These decisions could have an effect on state and local spending and revenues. Any such indirect effects, however, are unknown and impossible to estimate.

Summary of Fiscal Effects

This measure would result in the following major fiscal effects for state and local governments.

- No direct fiscal effect on state or local governments.

Sincerely,

Mac Taylor
Legislative Analyst

Michael Cohen
Director of Finance