



January 30, 2018

Hon. Xavier Becerra
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Ashley Johansson
Initiative Coordinator

Dear Attorney General Becerra:

Pursuant to Elections Code Section 9005, we have reviewed the proposed constitutional initiative (A.G. File No. 17-0053) related to California's "top two" primary election system.

Background

Top Two Primary. In June 2010, California voters approved Proposition 14. This measure establishes a top two primary system to elect state officers (such as the Governor and members of the Legislature) and members of the U.S. Congress. Under this system, all candidates for an office are listed on the same primary election ballot given to every voter. The two candidates with the highest number of primary votes—regardless of their party preferences—advance to compete in the general election.

Proposal

"Top Four" Primary. This measure amends the State Constitution to change the top two primary to a top four primary instead. For state officers and Members of the U.S. Congress, the four candidates with the highest number of primary votes—regardless of their party preferences—would advance to compete in the general election.

Fiscal Effect

Increased Elections Costs. This measure would change how state and county elections officials prepare, print, and mail ballot materials. These changes would tend to increase costs by increasing the number of candidates on general election ballots. This would make ballots and other election materials more expensive to produce and distribute. These increased state and local costs could total in the millions of dollars for every two-year election cycle.

Indirect Fiscal Effects Impossible to Estimate. In some cases, this measure would result in different individuals being elected to offices, compared to those who would be elected under current law. Different officeholders would make different decisions about state and local

spending and revenues. These indirect fiscal effects of the measure are unknown and impossible to estimate.

Summary of Fiscal Effect

We estimate that the measure would have the following fiscal effect:

- Increased state and local elections costs potentially totaling in the millions of dollars for every two-year election cycle.

Sincerely,

Mac Taylor
Legislative Analyst

Michael Cohen
Director of Finance