

AMENDED IN ASSEMBLY APRIL 26, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

No. 732

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**Introduced by Assembly Member Buchanan**  
*(Coauthors: Assembly Members Gordon, Jeffries, and Silva)*

February 17, 2011

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An act to ~~add Section 9088.5 to~~ amend Section 9087 of the Elections Code, and to amend Section 88003 of the Government Code, relating to elections.

### LEGISLATIVE COUNSEL'S DIGEST

AB 732, as amended, Buchanan. Bond measures: ballot pamphlet: Legislative Analyst: *table*.

Existing law regulates the form and content of the ballot pamphlet submitted to voters prior to each statewide election, and requires the Legislative Analyst to ~~include in the ballot pamphlet a specified discussion of state bonded indebtedness~~ prepare for the ballot pamphlet an analysis of each statewide measure, including a fiscal analysis of each measure showing the amount of any increase or decrease in revenue or cost to state or local government. Existing law requires the title and summary of a measure that appears on the ballot to be amended to contain a summary of the Legislative Analyst's estimate of the net state and local government fiscal impact.

~~This bill would add to the ballot pamphlet for each statewide election at which a bond measure is at issue a simple and easy to understand graph, chart, or report card, prepared by the Legislative Analyst, illustrating this information relating to state bonded indebtedness, as specified.~~

*This bill would, for state bond measures that are submitted to the voters for their approval or rejection, require the summary of the Legislative Analyst's estimate of the net state and local government fiscal impact to include an explanatory table of the information in the summary.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 9087 of the Elections Code is amended*  
2     *to read:*

3     9087. (a) The Legislative Analyst shall prepare an impartial  
4     analysis of the measure describing the measure and including a  
5     fiscal analysis of the measure showing the amount of any increase  
6     or decrease in revenue or cost to state or local government. If it is  
7     estimated that a measure would result in increased cost to the state,  
8     an analysis of the measure's estimated impact on the state shall be  
9     provided, including an estimate of the percentage of the General  
10    Fund that would be expended due to the measure, using visual aids  
11    when appropriate. An estimate of increased cost to the state or  
12    local governments shall be set out in boldface print in the ballot  
13    pamphlet.

14    (b) The analysis shall be written in clear and concise terms, so  
15    as to be easily understood by the average voter, and shall avoid  
16    the use of technical terms wherever possible. The analysis may  
17    contain background information, including the effect of the  
18    measure on existing law and the effect of enacted legislation which  
19    will become effective if the measure is adopted, and shall generally  
20    set forth in an impartial manner the information the average voter  
21    needs to adequately understand the measure. To the extent  
22    practicable, the Legislative Analyst shall utilize a uniform method  
23    in each analysis to describe the estimated increase or decrease in  
24    revenue or cost of a measure, so that the average voter may draw  
25    comparisons among the fiscal impacts of measures. The condensed  
26    statement of the fiscal impact summary for the measure prepared  
27    by the Attorney General to appear on the ballot shall contain the  
28    uniform estimate of increase or decrease in revenue or cost of the  
29    measure prepared pursuant to this subdivision.

1 (c) The Legislative Analyst may contract with a professional  
2 writer, educational specialist, or another person for assistance in  
3 writing an analysis that fulfills the requirements of this section,  
4 including the requirement that the analysis be written so that it  
5 will be easily understood by the average voter. The Legislative  
6 Analyst may also request the assistance of a state department,  
7 agency, or official in preparing his or her analysis.

8 (d) Prior to submitting the analysis to the Secretary of State, the  
9 Legislative Analyst shall submit the analysis to a committee of  
10 five persons, appointed by the Legislative Analyst, for the purpose  
11 of reviewing the analysis to confirm its clarity and easy  
12 comprehension to the average voter. The committee shall be drawn  
13 from the public at large, and one member shall be a specialist in  
14 education, one member shall be bilingual, and one member shall  
15 be a professional writer. Members of the committee shall be  
16 reimbursed for reasonable and necessary expenses incurred in  
17 performing their duties. Within five days of the submission of the  
18 analysis to the committee, the committee shall make  
19 recommendations to the Legislative Analyst as it deems appropriate  
20 to guarantee that the analysis can be easily understood by the  
21 average voter. The Legislative Analyst shall consider the  
22 committee's recommendations, and he or she shall incorporate in  
23 the analysis those changes recommended by the committee that  
24 he or she deems to be appropriate. The Legislative Analyst is solely  
25 responsible for determining the content of the analysis required  
26 by this section.

27 (e) (1) The title *and summary* of ~~the~~ any measure that appears  
28 on the ballot shall be amended to contain a summary of the  
29 Legislative Analyst's estimate of the net state and local government  
30 fiscal impact.

31 (2) *For state bond measures that are submitted to the voters for*  
32 *their approval or rejection, the summary of the Legislative*  
33 *Analyst's estimate described in paragraph (1) shall include an*  
34 *explanatory table of the information in the summary.*

35 SEC. 2. Section 88003 of the Government Code is amended to  
36 read:

37 88003. The Legislative Analyst shall prepare an impartial  
38 analysis of the measure describing the measure and including a  
39 fiscal analysis of the measure showing the amount of any increase  
40 or decrease in revenue or cost to state or local government. Any

1 estimate of increased cost to local governments shall be set out in  
2 boldface print in the ballot pamphlet. The analysis shall be written  
3 in clear and concise terms which will easily be understood by the  
4 average voter, and shall avoid the use of technical terms wherever  
5 possible. The analysis may contain background information,  
6 including the effect of the measure on existing law and the effect  
7 of enacted legislation which will become effective if the measure  
8 is adopted, and shall generally set forth in an impartial manner the  
9 information which the average voter needs to understand the  
10 measure adequately. The Legislative Analyst may contract with  
11 professional writers, educational specialists or other persons for  
12 assistance in writing an analysis that fulfills the requirements of  
13 this section, including the requirement that the analysis be written  
14 so that it will be easily understood by the average voter. The  
15 Legislative Analyst may also request the assistance of any state  
16 department, agency, or official in preparing his or her analysis.  
17 Prior to submission of the analysis to the Secretary of State, the  
18 Legislative Analyst shall submit the analysis to a committee of  
19 five persons appointed by the Legislative analyst for the purpose  
20 of reviewing the analysis to confirm its clarity and easy  
21 comprehension to the average voter. The committee shall be drawn  
22 from the public at large, and one member shall be a specialist in  
23 education, one shall be bilingual, and one shall be a professional  
24 writer. Members of the committee shall be reimbursed for  
25 reasonable and necessary expenses incurred in performing their  
26 duties. Within five days of the submission of the analysis to the  
27 committee, the committee shall make such recommendations to  
28 the Legislative Analyst as it deems appropriate to guarantee that  
29 the analysis can be easily understood by the average voter. The  
30 Legislative Analyst shall consider the committee's  
31 recommendations, and he or she shall incorporate in the analysis  
32 those changes recommended by the committee that he or she deems  
33 to be appropriate. The Legislative Analyst is solely responsible  
34 for determining the content of the analysis required by this section.  
35 The title *and summary* of ~~the~~ *any* measure which appears on the  
36 ballot shall be amended to contain a summary of the Legislative  
37 Analyst's estimate of the net state and local government financial  
38 impact. *For state bond measures that are submitted to the voters*  
39 *for their approval or rejection, the summary of the Legislative*  
40 *Analyst's estimate of the net state and local government fiscal*

1 *impact shall include an explanatory table of the information in*  
2 *the summary.*

3 *SEC. 3. The Legislature finds and declares that this act permits*  
4 *or requires the inclusion of additional information on the ballot*  
5 *pamphlet in accordance with Section 88007 of the Government*  
6 *Code.*

7 ~~SECTION 1. Section 9088.5 is added to the Elections Code,~~  
8 ~~to read:~~

9 ~~9088.5. At each statewide election at which a state bond~~  
10 ~~measure will be submitted to the voters for their approval or~~  
11 ~~rejection, the ballot pamphlet for that election shall include a simple~~  
12 ~~and easy to understand graph, chart, or report card, prepared by~~  
13 ~~the Legislative Analyst, illustrating the information included in~~  
14 ~~the discussion prepared pursuant to Section 9088.~~