

AMENDED IN ASSEMBLY APRIL 16, 2013  
AMENDED IN ASSEMBLY FEBRUARY 14, 2013  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 193**

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**Introduced by Assembly Member Logue**

January 28, 2013

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An act to ~~amend~~ *add* Section ~~9287~~ of 9288 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 193, as amended, Logue. Municipal ballot measures: arguments. Existing law ~~permits a city ballot measure to be placed on the ballot and submitted to the voters of the city by petition or by the legislative body of the city. Existing law specifies procedures applicable to the preparation, submittal, and printing of arguments for and against a city ballot measure that qualifies for a place on the ballot. If more than one argument for or more than one argument against a city measure is submitted, existing law requires the city elections official to select one of the arguments for and one of the arguments against the measure for printing and distribution to the voters. In selecting the arguments, existing law requires the city elections official to give preference and priority, in the order named, to the arguments from specified persons, first of which are the arguments from the legislative body of the city, or a member or members of the legislative body authorized by that body. Existing law requires the city elections official to fix a date 14 days from the calling of the election as a deadline for submission of arguments for and against a city ballot measure.~~

~~This bill would instead require the city elections official, for a measure placed on the ballot by the legislative body, to give preference and priority to the argument of a member or members of the legislative body authorized by that body only if the argument is consistent with the position taken by the legislative body on the measure.~~ *official to extend the deadline for submission of arguments relating to a city ballot measure by one calendar day if an argument in favor of or against a city measure is not submitted by the deadline fixed by the official. In doing so, this bill would require the city elections official to immediately issue a press release requesting that arguments for or against the measure, or both, as applicable, be submitted by the extended deadline.*

*By imposing additional duties on local elections officials, this bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

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

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

- 1     *SECTION 1. Section 9288 is added to the Elections Code, to*
- 2     *read:*
- 3     *9288. (a) Notwithstanding Section 9286, if an argument in*
- 4     *favor of or against a city measure is not submitted for inclusion*
- 5     *with the sample ballot materials by the date fixed by the city*
- 6     *elections official, the city elections official shall do both of the*
- 7     *following:*
- 8         *(1) Extend the deadline to submit arguments for or against the*
- 9         *measure by one calendar day.*
- 10        *(2) Immediately issue a press release that contains all of the*
- 11        *following:*
- 12            *(A) The impartial analysis of the measure prepared by the city*
- 13        *attorney pursuant to Section 9280.*

1 (B) A statement that an argument for or against the measure,  
2 or both, has not be submitted for inclusion with the sample ballot  
3 materials.

4 (C) A request that arguments for or against the measure, or  
5 both, as applicable, be submitted by the extended deadline.

6 (b) If the city elections official extends the deadline pursuant  
7 to subdivision (a), any person or organization otherwise qualified  
8 to submit an argument relating to the city measure may submit an  
9 argument for or against the measure, as applicable, by the extended  
10 deadline. The argument shall be prepared and submitted in  
11 accordance with Sections 9282 and 9283.

12 SEC. 2. If the Commission on State Mandates determines that  
13 this act contains costs mandated by the state, reimbursement to  
14 local agencies and school districts for those costs shall be made  
15 pursuant to Part 7 (commencing with Section 17500) of Division  
16 4 of Title 2 of the Government Code.

17 SECTION 1. ~~Section 9287 of the Elections Code is amended~~  
18 ~~to read:~~

19 ~~9287. (a) If more than one argument for or more than one~~  
20 ~~argument against a city ballot measure is submitted to the city~~  
21 ~~elections official within the time prescribed, he or she shall select~~  
22 ~~one of the arguments in favor and one of the arguments against~~  
23 ~~the measure for printing and distribution to the voters.~~

24 ~~(b) In selecting the argument in favor of or against a measure~~  
25 ~~placed on the ballot by petition, the city elections official shall~~  
26 ~~give preference and priority, in the order named, to the arguments~~  
27 ~~of the following:~~

28 ~~(1) The individual voter, or bona fide association of citizens, or~~  
29 ~~combination of voters and associations, who are the bona fide~~  
30 ~~sponsors or proponents of the measure.~~

31 ~~(2) Bona fide associations of citizens.~~

32 ~~(3) Individual voters who are eligible to vote on the measure.~~

33 ~~(c) In selecting the argument in favor of or against a measure~~  
34 ~~placed on the ballot by the legislative body, the city elections~~  
35 ~~official shall give preference and priority, in the order named, to~~  
36 ~~the arguments of the following:~~

37 ~~(1) The legislative body, or a member or members of the~~  
38 ~~legislative body authorized by that body if the member's argument~~  
39 ~~is consistent with the position taken by that body on the measure.~~

40 ~~(2) Bona fide associations of citizens.~~

- 1 ~~(3) Individual voters who are eligible to vote on the measure.~~

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