



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 6/6/2023

To: Sonoma County Board of Supervisors

Department or Agency Name(s): County Clerk-Recorder-Assessor

Staff Name and Phone Number: Deva Marie Proto, (707) 565-1877

Vote Requirement: Majority

Supervisorial District(s): All

Title:

Resolution Electing to Not List Supporters and Opponents of Local Measures on County Ballots (Assembly Bill 1416)

Recommended Action:

Adopt a resolution electing to not list supporters and opponents of local measures on county ballots for all future elections.

Executive Summary:

California Elections Code § 9170(d) allows a county board of supervisors to elect not to list supporters and opponents of county, city, school district, and special district measures on the county ballot in all future elections. The Registrar of Voters (ROV) recommends the Board of Supervisors exercise this option to maintain lower election costs for both the County and other local jurisdictions, as well as to avoid unnecessarily complicating and politicizing the ballot.

Discussion:

Assembly Bill (AB) 1416 was passed by the State Legislature in 2022 with an effective date of January 1, 2023. AB 1416 requires that supporters and opponents of statewide measures be listed on the ballot. As no funding is provided, this bill creates an unfunded mandate for counties, which already absorb most of the costs for state and federal elections.

AB 1416 also gives counties the option of printing lists of supporters and opponents of local measures on the ballot. Local measures not only include county measures, but municipal, school district, and special district measures. Lists of supporters and opponents are limited to 125 characters each and can include associations, nonprofit organizations, businesses, and individuals taken from the signers or the text of the supporting/opposing argument printed in the county voter information guide. Including these lists would increase the amount of space taken up by each measure by approximately 40%.

The ROV recommends electing not to include lists of supporters and opponents of local measures because doing so would result in cost increases. As ballot size increases, more ballot cards are required, which increases the weight of ballot packets and the mailing costs for all jurisdictions. Costs would also increase for jurisdictions based on the increased staff time needed for ballot layout, translations, proofing, and printing.

Another potential downside of printing the lists is that it would require voters to sort through more material,

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affecting the readability and usability of the ballot. Voters can already access information about the supporters and opponents of local measures in the county voter information guide, which is automatically mailed to voters as well as published online.

Finally, printing the lists is likely to further politicize the ballot, by increasing the possibility of electioneering and promotion of candidates who may be on the ballot and are also signers of a measure. The requirement would also put the ROV in the position of accepting or denying abbreviations of supporters/opponents that may not be clear to voters due to the maximum character limit, which in turn may result in legal challenges to perceived unfair determinations.

While the intention of providing more information to voters is admirable, the more complicated ballots become, the more likely they are to confuse voters and cause frustration. Simply printing the supporters and opponents of a local measure on the ballot does not provide the entire context of what a measure is, nor does it better inform the voter of how they should vote on the measure. Most voters are also already used to reading voter information guides (both state and local) or online materials to learn about candidates and measures.

Election Code section 9170(d) provides a mechanism by which counties can opt out of printing lists of proponents and opponents of local measures on county ballots. The subsection states as follows:

At least 30 days before the deadline for submitting arguments for or against county measures, a county board of supervisors may elect not to list supporters and opponents for county, city, district and school measures on the county ballot and future county ballots.

At this time, a majority of California counties have already opted out of these requirements or have indicated that they will be doing so in the future, including our neighboring counties of Marin, Napa, Lake, and Mendocino. Remaining consistent with our neighboring counties - with which we share certain local district boundaries - would be beneficial for voters because they would receive identical information on their ballots regardless of the county in which they reside.

In conclusion, the ROV recommends the Board of Supervisors elect to opt out of listing proponents and opponents of local measures on all future county ballots per California Elections Code § 9170(d) because including such lists would reduce the cost efficiency of our elections, compromise the simplicity and readability of our ballots, and give further opportunities for measure supporters and opponents to politicize the ballot.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

N/A

FISCAL SUMMARY

Expenditures	FY 22-23 Adopted	FY23-24 Projected	FY 24-25 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

If the resolution is not adopted, there is an anticipated increase in printing and mailing costs to all Sonoma County registered voters due to the increased length and size of ballots resulting from the additional text. This would add additional costs to the County and other local governments with measures on the ballots. Delays in production and increased overtime may be experienced due to the additional time needed for ballot layout, translations, proofing, and printing.

An estimated cost increase for a single county-wide measure (either a state or local measure to all voters) would be approximately \$82,000.

The Registrar of Voters may need to come before the Board in the future to request additional general fund appropriations for listing the proponents and opponents of state measures (and potentially county measures should the Board not approve today's request) on the ballot in future elections.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Resolution

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Related Items “On File” with the Clerk of the Board:

N/A