

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

AUTHORIZES ELECTRONIC SIGNATURE GATHERING FOR INITIATIVE, REFERENDUM, AND RECALL PETITIONS. INITIATIVE STATUTE. Requires Secretary of State to develop a system that allows voters to view state and local initiative, referendum, and recall petitions on Secretary of State's website and to sign them electronically directly on the website, or to download, print, and sign the printed petitions. Requires Secretary of State or local elections official to verify these signatures. Requires Secretary of State to invite arguments for and against petitions, and to post submitted arguments on website. Requires Secretary of State's website to include ongoing tally of each measure's signatures received electronically or on downloaded petitions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: One-time state and local government costs in the millions of dollars or more to develop an online system for electronic petition signature gathering. Potential net costs or savings due to changed state and local government processes for verifying petition signatures. (19-0009.)

To the Honorable Secretary of State of California:

We, the undersigned, registered, qualified voters of California, residents of the County (or City and County) referenced on the signature page of this petition, hereby propose amendments to the California Elections Code, relating to Initiative Referendum and Recall reform, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or as otherwise provided by law.

The proposed statutory amendments read as follows:

SECTION 1. Section 107 is added to the Elections Code, to read:

107. (a) No later than 180 days after this section takes effect, the Secretary of State shall develop a system that allows a voter to view initiative, referendum, and recall petitions on the Secretary of State's Internet Web site and do either of the following:

(1) Provide necessary identifying information and electronically sign the petition directly on the Secretary of State's Internet Web site.

(2) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide necessary identifying information.

(b) The system developed pursuant to subdivision (a) shall enable the Secretary of State to verify the authenticity of an electronic signature.

SEC. 2. Section 9023 is added to the Elections Code, to read:

9023. (a) An initiative or referendum petition that is cleared for circulation may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the Secretary of State that he or she elects to have a petition circulated pursuant to Section 107, the Secretary of State shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 9020 and electronically sign the petition directly on the Secretary of State's Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 9020.

(c) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B) of paragraph (1).

(d) Invite the submission of arguments for and against the measure, and post any submitted arguments on his or her Internet Web site.

(2) A document provided to a person pursuant to subparagraph (B) of paragraph (1) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an initiative or referendum petition. The signature and information obtained pursuant this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a "signature" as defined in Section 354.5 of the Elections Code.

SEC. 3. Section 9036 is added to the Elections Code, to read:

9036. (a) Upon the close of the circulation period for a petition circulated pursuant to Section 9023, the Secretary of State shall verify the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

(1) Electronically signed the petition.

(2) Signed a copy of the petition in portable document format (PDF).

(b) (1) If the total number of valid signatures is less than 100 percent of the number of qualified voters required to find the petition sufficient, the Secretary of State shall so notify the proponents, and he or she shall take no further action with regard to the petition.

(2) If the total number of valid signatures is 100 percent or more of the number of qualified voters needed to declare the petition sufficient, the Secretary of State shall certify pursuant to Section 9033 that the measure is qualified for the ballot.

SEC. 4. Section 9107.5 is added to the Elections Code, to read:

9107.5. (a) An initiative or referendum petition that is cleared for circulation may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the county elections official that he or she elects to have a petition circulated pursuant to Section 107, the county elections official shall notify the Secretary of State, who shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 9020 and electronically sign the petition directly on the Secretary of State's Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 9020.

(c) Provide on his or her Internet Web site an ongoing tally of the total

number of signatures received pursuant to the methods described in subparagraph (B).

(d) Invite the submission of arguments for and against the measure, and post any submitted arguments on his or her Internet Web site.

(2) A document provided to a person pursuant to subparagraph (B) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an initiative or referendum petition. The signature and information obtained pursuant this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a "signature" as defined in Section 354.5 of the Elections Code.

SEC. 5. Section 9118.5 is added to the Elections Code, to read:

9118.5. (a) Upon the close of the circulation period for a petition circulated pursuant to Section 9107.5, the county elections official shall do both of the following:

(1) Request the electronic signature data and documents received in portable document format (PDF) from the Secretary of State.

(2) Examine the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

(A) Electronically signed the petition.

(B) Signed a copy of the petition in portable document format (PDF).

(b) (1) If the county elections official finds the petition to be insufficient, the county elections official shall take no further action on the petition.

(2) If the county elections official finds the petition to be sufficient, the county elections official shall certify the results of the examination to the board of supervisors at the next regular meeting of the board.

SEC. 6. Section 9206.5 is added to the Elections Code, to read: 2

9206.5. (a) An initiative or referendum petition that is cleared for circulation may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the elections official that he or she elects to have a petition circulated pursuant to Section 107, the elections official shall notify the Secretary of State, who shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 9020 and electronically sign the petition directly on his or her Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 9020.

(c) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B) of paragraph (1).

(d) Invite the submission of arguments for and against the measure, and post any submitted arguments on his or her Internet Web site.

(2) A document provided to a person pursuant to subparagraph (B) of paragraph (1) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an initiative or referendum petition. The signature and information obtained pursuant this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a "signature" as defined in Section 354.5 of the Elections Code.

SEC. 7. Section 9215.5 is added to the Elections Code, to read:

9215.5. Upon the close of the circulation period for a petition circulated pursuant to Section 9206.5, the elections official shall examine the petition in the same manner as county petitions are examined in accordance with Section 9118.5, except that for the purposes of this section, references to the board of supervisors shall be treated as references to the legislative body of the city.

SEC. 8. Section 9304.7 is added to the Elections Code, to read:

9304.7. (a) An initiative or referendum petition that is cleared for circulation may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the district elections official that he or she elects to have a petition circulated pursuant to Section 107, the district elections official shall notify the Secretary of State, who shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 9020 and electronically

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sign the petition directly on his or her Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 9020.

(C) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B) of paragraph (1).

(D) Invite the submission of arguments for and against the measure, and post any submitted arguments on his or her Internet Web site.

(2) A document provided to a person pursuant to subparagraph (B) of paragraph (1) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign an initiative or referendum petition. The signature and information obtained pursuant this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a “signature” as defined in Section 354.5 of the Elections Code.

SEC. 9. Section 9311.5 is added to the Elections Code, to read:

9311.5. (a) Upon the close of the circulation period for a petition

circulated pursuant to Section 9304.7, the district elections official shall do both of the following:

(1) Request the electronic signature data and documents received in portable document format (PDF) from the Secretary of State.

(2) Examine the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

(A) Electronically signed the petition.

(B) Signed a copy of the petition in portable document format (PDF).

(b) (1) If the district elections official finds the petition to be insufficient, the district elections official shall take no further action on the petition

(2) If the district elections official finds the petition to be sufficient, the district elections official shall certify the results of the examination to the governing board of the district at the next regular meeting of the board.

SEC. 10. Section 11024 of the Elections Code is amended to read:

11024. (a) The statement and answer are intended solely for the

information of the voters. ~~No insufficiency.~~

(b) ~~The Secretary of State shall post the statement and answer on his or her Internet Web site.~~

(c) ~~Insufficiency in the form or substance thereof of the statement or answer shall not affect the validity of the election proceedings.~~

SEC. 11. Section 11042.5 is added to the Elections Code, to read:

11042.5. (a) A recall petition that satisfies the requirements of Section 11042 may be circulated pursuant to the system established under Section 107.

(b) (1) If a proponent informs the Secretary of State that he or she elects to circulate a petition pursuant to Section 107, the Secretary of State shall do all of the following:

(A) Post the text of the petition on his or her Internet Web site.

(B) Enable a voter to do either of the following:

(i) Provide the information required by Section 11043 and electronically sign the petition directly on the Secretary of State’s Internet Web site.

(ii) Download, print, and sign a document in portable document format (PDF) that contains a copy of the petition and space for the signer to provide the information required by Section 11043.

(C) Provide on his or her Internet Web site an ongoing tally of the total number of signatures received pursuant to the methods described in subparagraph (B) of paragraph (1).

(2) A document provided pursuant to subparagraph (B) of paragraph (1) shall include instructions for returning it to the Secretary of State.

(3) Notwithstanding Section 16.5 of the Government Code, an electronic signature submitted pursuant to this section may be used to sign a recall petition. The signature and information obtained pursuant to either this subdivision shall be deemed to be personally affixed to the petition, and the signature shall be treated as a “signature” as defined in Section 354.5 of the Elections Code.

SEC. 12. Section 11108.5 is added to the Elections Code, to read:

11108.5. Immediately after the deadline for submission of all signatures for a recall petition circulated pursuant to Section 11042.5, the Secretary of State shall verify the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

(1) Electronically signed the petition.

(2) Signed a copy of the petition in portable document format (PDF).

SEC. 13. Section 11228 is added to the Elections Code, to read:

11228. Immediately after the deadline for submission of all signatures for a recall petition circulated pursuant to Section 11042.5, the elections official shall do both of the following:

(1) Request the electronic signature data and documents received in portable document format (PDF) from the Secretary of State.

(2) Examine the signatures and determine the total number of valid signatures submitted by voters who did either of the following:

(A) Electronically signed the petition.

(B) Signed a copy of the petition in portable document format (PDF).

(b) (1) If the elections official finds the petition to be insufficient, the elections official shall take no further action on the petition.

(2) If the elections official finds the petition to be sufficient, the elections official shall submit his or her certificate as to the sufficiency of the petition to the governing body at its next regular meeting.

NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID PETITION GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THE PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT.

	<p>The signer of this petition must be registered to vote in _____ County. <small>(Circulator please write the California County voter is legally registered to vote in here.)</small></p>	<p>This column for official use only</p>
REGISTERED VOTERS ONLY	<p>1. Residence Print Your Name: _____ Address ONLY: _____ <small>(full name as registered to vote—include middle initial) (physical address only—No P.O. Boxes—No abbreviations)</small></p> <p>Sign As Registered To Vote: _____ City: _____ Zip _____ <small>(using blue/black ballpoint ink pen--sign as legally registered to vote) (print full city name —No abbreviations—must be CA voter)</small></p>	DO NOT WRITE

DECLARATION OF CIRCULATOR (To be completed after the above signature has been obtained and before turning in.)

I, _____, am 18 years of age or older. (Special Note: All sections must be filled out in circulator’s OWN hand. Additionally, voters can sign their own petition as the circulator, but both sections MUST be filled out.)
(print full legal name—include middle initial)

My residence address is _____
(physical address only—street number, name, city, state, zip) (No P.O. Boxes—No Abbreviations)

I circulated this section of the petition and witnessed the appended signature being written. The signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. The signature on this document was obtained on the date of _____ / _____ / _____
(month / day / year)

I certify under penalty of perjury under the laws of the State of California that the forgoing is true and correct.

Executed on _____ / _____, _____, at _____ County, California. Signature of Circulator _____
(month / day) (year) (place of signing is county standing in) (use same voter’s name-only if signing your own petition) (sign full legal name-include middle initial)

Each CA voter can sign “Only One” petition legally and signature gatherers can witness as many “One Time” voter signatures as they can get!
 For more Information on this Statewide Initiative Proposal please go to: www.cirrra.com
 Please Return ALL Petitions To: CIRRRA Initiative, P.O. Box 959, Pollock Pines, CA 95726