
**SENATE COMMITTEE ON
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**
Senator Steven Glazer, Chair
2023 - 2024 Regular

Bill No:	SB 632	Hearing Date:	4/18/23
Author:	Caballero		
Version:	3/21/23		
Urgency:	No	Fiscal:	Yes
Consultant:	Karen French		

Subject: Candidate statements

DIGEST

This bill permits a candidate running for elective office in a multicounty district to submit their candidate statement to the Secretary of State (SOS) for review and approval. If approved by the SOS, each county official is required to accept the approved statement and is prohibited from requiring any modification to the approved language. The candidate is required to use the same statement in each county.

ANALYSIS

Existing Law:

- 1) Authorizes a candidate for State Senate, State Assembly, or statewide elective office who accepts the voluntary expenditure limits, or the United States House of Representatives to purchase the space to place a statement in the voter information portion of the county voter information guide, as specified.
- 2) Requires a candidate running for elective office in a multicounty district who desires to have a candidate statement printed in a county voter information guide to submit the statement in a manner that complies with both state and local requirements for the county publishing the voter information guide.
- 3) Requires an elections official to accept the electronic transmission of a form used by a candidate to submit a candidate statement if the elections official posts the form on the elections official's internet website.
- 4) Provides if the candidate is running in a multicounty district, the elections official of each county accept the form from the candidate's county of residence, however, the candidate shall provide a hard copy of the candidate statement form and payment of the requisite fee to each county. The elections official shall not require the candidate form if it is submitted in accordance with the times and procedures set forth in the code for the preparation of the voter information portion of the county voter information guide.
- 5) The elections official shall not require the candidate to submit any additional forms as a means of correcting internet website posting errors made by the elections official. Permits an elections official to require a candidate to provide additional

information that the official needs to comply with state law and county voter information guide requirements.

This bill:

- 1) Allows a candidate running for elective office in a multicounty district to submit their candidate statement to the SOS for review and approval based on the statement's conformance with state law, as specified.
- 2) If the candidate receives approval from the SOS for their candidate statement and submits the statement to the county elections official in the manner specified, the county elections official would be required to accept the statement and would be prohibited from requiring any modification to the approved language.
- 3) Requires a candidate running for elective office in a multicounty district who chooses to use a statement approved by the SOS in one county to use the same statement in any other county where the candidate submits a candidate statement.
- 4) Makes related conforming changes.
- 5) Makes these provisions operative on July 1, 2025.

BACKGROUND

Current Process. Candidates who run for an elected office in a multicounty district must file a candidate statement in each county within the district. For example, California Senate District 1 is made up of 11 counties. Other multicounty offices include special districts, congressional races, and state representatives. Each county election office has the authority to request changes to a statement before the candidate statement is approved for inclusion in the voter information guide.

COMMENTS

- 1) According to the author: California is a geographically large and populous state, which plays a significant role in how the district boundaries for public offices are shaped. As a result, many elected offices from Assembly and Senate Districts, Special Districts, to Appellate Judicial Districts and the Board of Equalization cover large geographic areas, often encompassing multiple counties. Running for an elected office is often a daunting task, especially in districts with multiple county election offices that may have separate rules, guidelines, and procedures for filing the appropriate candidate papers such as nomination forms or other filing documents. Current law allows each county election office to determine whether or not a candidate statement meets their guidelines, and provides them the ability to reject a statement unless changed. While this is an important part of the process, it creates a major hurdle for campaigns that are navigating several county elections offices.

SB 632 will provide relief to not only candidates, but county election officials by creating a new streamlined candidate statement approval tool in partnership with the

Secretary of State. SB 632 is a simple tool that will help allow candidates and elections staff spend more time on what matters – a successful elections cycle.”

- 2) Potential Concerns. The SOS has not indicated whether the office can perform the functions required by this bill to approve candidate statements which are then required to be accepted by county elections officials for multicounty elective offices.

RELATED/PRIOR LEGISLATION

SB 248 (Newman) of 2023 requires, on or after April 1, 2024, a candidate for elective office to include with a statement of intention to be a candidate for a specific office, a form disclosing the candidate’s prior education and work history, and history of military service, if any. Requires the SOS to create a form for this purpose, and post on its website a copy of completed forms submitted by candidates. SB 248 is set for hearing by this committee on April 18, 2023.

SB 409 (Newman) of 2023 creates a SOS/four county pilot program that would allow a candidate to include in the voter information guide a QR code link to a video statement. The bill also requires, subject to the Americans with Disabilities Act, a candidate who is submitting a statement for a voter information guide to physically write the statement without reference to any outside materials at specified locations, and requires a statement verifying the accuracy of information under penalty of perjury. SB 409 is set for hearing by this committee on April 18, 2023.

AB 894 (Frazier) of 2017 would have increased the maximum fine for knowingly making a false statement of a material fact in a candidate's statement from \$1,000 to \$5,000. AB 894 was vetoed by Governor Brown. In the Governor’s veto message, Governor Brown stated the following, “I am not convinced this is a widespread problem in California elections or that this bill would be much of a deterrent. The conventional response to resume puffing is exposure by the press or political attack by the opposition.”

AB 2010 (Ridley-Thomas), Chapter 128, Statutes of 2016, permitted local agencies to allow candidates for local, nonpartisan elective office to submit candidate statements that are electronically distributed, but are not included in the voter's pamphlets that accompany the sample ballots.

POSITIONS

Sponsor: Author

Support: None received

Oppose: None received

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