

# UPCOMING BALLOT MEASURES (As of 01/03/19)

## November 2020 Eligible Statewide Ballot Measures

### 1840. (17-0044, Amdt.#1)

#### **Restricts Parole for Non-Violent Offenders. Authorizes Felony Sentences for Certain Offenses Currently Treated Only as Misdemeanors. Initiative Statute.**

*Summary Date: 01/04/18 | Circulation Deadline: 07/03/18 | Signatures Required: 365,880*

Nina Salarno Besselman c/o Charles H. Bell, Jr. (916) 442-7757 [cbell@bmhlaw.com](mailto:cbell@bmhlaw.com)

Imposes restrictions on parole program for non-violent offenders who have completed the full term for their primary offense. Expands list of offenses that disqualify an inmate from this parole program. Changes standards and requirements governing parole decisions under this program. Authorizes felony charges for specified theft crimes currently chargeable only as misdemeanors, including some theft crimes where the value is between \$250 and \$950. Requires persons convicted of specified misdemeanors to submit to collection of DNA samples for state database.

### 1851. (17-0055, Amdt.#1)

#### **Requires Certain Commercial and Industrial Real Property to be Taxed Based on Fair-Market Value. Dedicates Portion of Any Increased Revenue to Education and Local Services. Initiative Constitutional Amendment.**

*Summary Date: 02/20/18*

*Final Random Sample: [10/15/18 \(PDF\)](#)*

*Signatures Required: 585,407*

Proponents: Anthony Thigpenn, Helen Hutchison, Benjamin McBride

Taxes certain commercial and industrial real property based on fair-market value—rather than, under current law, the purchase price with limited inflation. Exempts agricultural property and certain small businesses. Dedicates portion of any increased revenue to local services and to supplement, not replace, state's minimum-funding guarantee to schools. Provides tax exemption for \$500,000 worth of tangible personal property used for business and all personal property used for certain small businesses.

## Pending Raw Signature Verification

### 1856. (18-0009)

#### **Referendum to Overturn a 2018 Law that Replaced Money Bail System with a System Based on Public Safety Risk.**

*Summary Date: 09/10/18 | Circulation Deadline: 11/26/18 | Signatures Required: 365,880*

Proponents: Thomas W. Hiltachk

If this petition is signed by the required number of registered voters and timely filed, a referendum will be placed on the next statewide ballot requiring a majority of voters to approve a 2018 state law before it can take effect. The 2018 law replaces the money bail system with a system for pretrial release from jail based on a determination of public safety or flight risk, and limits pretrial detention for most misdemeanors. ([18-0009](#))

## Initiatives Pending at the Attorney General’s Office as of January 3, 2019

Attorney General # <hr/> Approximate Due Date to Secretary of State	Subject	Proponent(s)
18-0011 - 01/17/19	<a href="#">“Jury Entitlement in Matters Related to Legal Rights to Children.”</a>	Wylmia Hettinga Manu Martinez

### Circulating Initiatives with 25% of Signatures Reached:

*None at this time*

### Circulating

#### 1854. (18-0003A1)

**Allow New Types of Gambling in California. Initiative Constitutional Amendment.**

*Summary Date: 08/16/18 | Circulation Deadline: 02/13/19 | Signatures Required: 585,407*

Proponents: Russell Lowery (916) 710-2872

Allows federally recognized Native American tribes to operate roulette and craps games on tribal lands, subject to compacts negotiated by the Governor and ratified by the Legislature. Allows licensed gambling establishments, such as card rooms, to conduct on-site sports wagering and to operate Nevada-style card games, and may result in authorization of sports wagering on tribal lands because of federal law. Prohibits Governor from approving gaming on newly acquired off-reservation tribal lands and negotiating gaming compacts with non-federally recognized tribes.

#### 1855. (18-0004A1)

**Establishes Public Health Fund by Enacting Dedicated Statewide Tax on Distribution of Sugar-Sweetened Drinks. Initiative Constitutional Amendment and Statute.**

*Summary Date: 09/06/18 | Circulation Deadline: 03/04/19 | Signatures Required: 585,407*

Proponents: Dustin Corcoran, Carrie Gordon

Creates a fund for public health programs to prevent, treat, and research obesity, diabetes, dental diseases, and other diseases linked to sugar-sweetened beverages, and to increase access to healthy food and drinks. Enacts a dedicated statewide tax on distributors of sugar-sweetened beverages (\$0.02 per fluid ounce). Exempts specified beverages from tax—including milk, juice, infant formula, medical beverages, and low-sugar drinks. Requires audit of fund expenditures. Amends Constitution to allow new local taxes on sugar-sweetened drinks.

## **1856. (18-0009)**

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Proponents: Thomas W. Hiltachk

If this petition is signed by the required number of registered voters and timely filed, a referendum will be placed on the next statewide ballot requiring a majority of voters to approve a 2018 state law before it can take effect. The 2018 law replaces the money bail system with a system for pretrial release from jail based on a determination of public safety or flight risk, and limits pretrial detention for most misdemeanors. ([18-0009](#))

## **1857. (18-0006A1)**

### **Changes Requirements for Certain Property Owners When Transferring Their Property Tax Base to Replacement Property. Initiative Constitutional Amendment and Statute.**

*Summary Date: 10/10/18 | Circulation Deadline: 04/17/19 | Signatures Required: 585,407*

Proponents: Alexander E. Creel

Removes the following requirements for homeowners who are over 55 or severely disabled to transfer property tax base to replacement residence: that replacement property be of equal or lesser value; that replacement property be in an eligible county; and that transfer occur only once. Removes location and replacement-value requirements on transfers of contaminated or disaster-destroyed property. Adjusts replacement property's tax base, based on market value. Limits tax benefit for eligible familial transfers. Expands circumstances triggering corporate property reassessment.

## **1858. (18-0007)**

### **Repeals Law Requiring Certain Law Enforcement to Collect and Report Specified Data on Stops and Searches. Initiative Statute.**

*Summary Date: 10/10/18 | Circulation Deadline: 04/17/19 | Signatures Required: 365,880*

Proponents: Mark Averbeck

Repeals provision in the Racial and Identity Profiling Act of 2015 that requires state and local agencies that employ peace officers to collect specified data on all stops and searches, including the reason for the stop or search, and perceived race, ethnicity, gender, and age of person stopped, and to report such data to the Attorney General annually. Reduces transparency by eliminating mandated data collection about stops and searches used by Attorney General, other law enforcement officials, the public, and researchers to identify and prevent racial and identity profiling.

## **1859. (18-0008)**

### **Eliminates Certain 2011 Criminal Justice Measures. Initiative Statute**

*Summary Date: 10/10/18 | Circulation Deadline: 04/17/19 | Signatures Required: 365,880*

Proponents: Mark Averbeck

Requires that individuals sentenced for certain non-serious, non-violent, and nonsexual felonies after November 3, 2020 serve their time in state prison—rather than in county jail, as 2011 law requires. Requires that individuals released on parole for these low-level felonies after November 3, 2020 be supervised by state parole authorities rather than county probation departments. After November 3, 2020, prohibits courts from suspending the concluding portion of the prison sentence of individuals convicted of these low-level felonies and placing such felons on mandatory supervision by county authorities.

## 1860. (18-0010)

**Removes Responsibility and Funding for State Highway Construction and Maintenance from State. Transfers Such Responsibility and Funding to Individual Local Governments. Ends State High-Speed Rail Project. Constitutional Amendment**

*Summary Date: 11/30/18 | Circulation Deadline: 05/28/19 | Signatures Required: 585,407*

Proponents: Carl deMaio

Shifts responsibility for constructing and maintaining state highways from the state to local governments. Allocates revenues from state motor vehicle fuel taxes to local governments for road construction and repair by private, non-governmental entities. Allocates revenues from state taxes and fees on vehicles to local governments for road construction and repairs, and mass transit. Terminates funding for state's high-speed rail project. Requires State Auditor to audit certain transportation projects and Department of Motor Vehicles.

## Failed to Qualify

### 1831. (17-0034)

**Requires That Proceeds of Bonds or Taxes Approved by the Voters Be Spent on the Specific Projects or Uses Approved by the Voters. Initiative Constitutional Amendment.**

*Summary Date: 12/04/17 | Circulation Deadline: 06/04/18 | Signatures Required: 585,407 **Failed: 08/08/18***

Michael S. Warda c/o Dave Gilliard or Natalie Blanning (916) 626-6804 info@gbacampaigns.com

Prohibits state and local governments and special districts from spending proceeds of bonds or taxes approved by the voters for any purposes other than those provided in the measure authorizing those bonds or taxes.

### 1838. (17-0042, Amdt.#1)

**Establishes New Standards for Confinement of Certain Farm Animals; Bans Sale of Certain Non-Complying Products. Initiative Statute.**

*Summary Date: 12/29/17 | Circulation Deadline: 06/27/18 | Signatures Required: 365,880 **Failed: 08/01/18***

Debra Jane Murdock (916) 441-1064

Establishes new minimum space requirements for confining veal calves, breeding pigs, and egg-laying hens; requires egg-laying hens be raised in cage-free environment after December 31, 2023. Prohibits certain commercial sales of specified meat and egg products from animals confined in non-complying manner. Defines sales violations as unfair competition. Creates good faith defense for sellers relying upon written certification by suppliers that meat or animal products comply with new confinement standards. Requires State of California to issue implementing regulations.

### 1842. (17-0046, Amdt.#1)

**Amends Three Strikes Sentencing Law for Repeat Offenders. Initiative Statute.**

*Summary Date: 01/17/18 | Circulation Deadline: 07/16/18 | Signatures Required: 365,880 **Failed: 08/08/18***

Proponents: Thomas R. Loversky (888) 245-9393

Revises the three strikes law to impose a life sentence with possibility of parole only when the third or subsequent conviction is for a violent felony, unless the new offense is a specified sex- or firearm-related crime, or a prior offense was for rape, child molestation, or murder. Requires resentencing of inmates currently serving life with possible parole if they would have received different sentences under this measure. Applies savings to schools, colleges, prison rehabilitation programs, and youth crime prevention programs.

### 1843. (17-0047, Amdt.#1)

#### **Increases Funding for Hospitals, Clinics, and Primary Care Providers Serving Low-Income Patients by Increasing Tax on Personal Income Over \$1 Million. Initiative Constitutional Amendment.**

*Summary Date: 01/18/18 | Circulation Deadline: 07/17/18 | Signatures Required: 585,407 Failed: 08/08/18*

Proponents: Michael Borges and Benjamin Tracey c/o Catha Worthman and Darin Ranahan (510) 269-7998  
catha@feinbergjackson.com darin@feinbergjackson.com

Increases funding for: (1) eligible hospitals, clinics, and primary healthcare providers that serve low-income patients and medically underserved communities; and (2) educating and training certain healthcare workers. Provides dedicated revenue for this funding and program administration by taxing personal income over \$1 million an additional 1%. Requires annual audit to verify funds are properly spent. Requires Attorney General or district attorneys to investigate misuse of funds.

**CalChamber Position: Oppose**

### 1847. (17-0051, Amdt.#1)

#### **Expands Requirement for Supermajority Approval to Enact New Local Government Revenue Measures. Initiative Constitutional Amendment.**

*Summary Date: 01/26/18 | Circulation Deadline: 07/25/18 | Signatures Required: 585,407 Failed: 08/23/18*

Proponents: Robert Lapsley c/o Kurt Oneto (916) 446-6752

For local governments, requires two-thirds approval of electorate to raise new taxes or governing body to raise new fees. Requires that local laws enacting new taxes specify how revenues can be spent. Heightens legal threshold for local governments to prove that fees passed without two-thirds voter approval are not taxes. Invalidates local taxes imposed in 2018, unless taxes meet criteria adopted by this measure.

### 1848. (17-0052, Amdt.#1)

#### **Regulates Various Substances and Practices Related to Agriculture, Consumer Products, and Health. Initiative Statute.**

*Summary Date: 02/07/18 | Circulation Deadline: 08/06/18 | Signatures Required: 365,880 Failed: 08/29/18*

Proponents: Cheriell Jensen (408) 379-0463 email: cherielj@earthlink.net

Prohibits genetically engineered plants and animals and over 300 listed substances from being used or released into the environment. Creates new state entity to regulate environmental activities, modify projects having pollution and radiation impacts, and test and approve substances before they can be introduced in California. Prohibits treatment of water with fluoride or chlorine. Regulates vaccine ingredients and eliminates vaccination as a prerequisite for attendance at schools and daycare facilities. Provides criminal and civil liability for violations, with no statute of limitations. Fiscal impact: It is the opinion of the Legislative Analyst and Director of Finance that the measure would result in a substantial net change in state and local finances. ([17-0052.](#))

### 1849. (17-0053)

#### **Increases the Number of Candidates in General Elections for State and Congressional Offices. Initiative Constitutional Amendment.**

*Summary Date: 02/14/18 | Circulation Deadline: 08/13/18 | Signatures Required: 585,407 Failed: 08/29/18*

Proponents: Richard Charles Ginnaty (714) 771-1720

Increases the number of candidates that advance from a primary election to a general election, from the top two candidates to the top four candidates, regardless of party affiliation. Applies to congressional, state legislative, and most statewide offices.

### 1850. (17-0054)

#### **Allows for Jury Trials in Child-Custody and Dependent-Child Determinations. Initiative Statute.**

*Summary Date: 02/20/18 | Circulation Deadline: 08/20/18 | Signatures Required: 365,880 Failed: 08/29/18*

Proponents: Stephen Konhoff and 18 others (916) 508-8047

Gives parties in child-custody matters the right to demand that a jury, rather than a judge, determine who receives the physical and legal custody of the child. Prohibits the judge from rejecting a jury's joint-child-custody decision. Provides that findings in dependent-child proceedings, in which a juvenile may be declared a dependent of the court, can be made by a judge or jury.

### **1852. (18-0001)**

**Requires a Vote in 2021 on Whether California Should Become an Independent Country. Initiative Statute.**

*Summary Date: 04/20/18 | Circulation Deadline: 10/17/18 | Signatures Required: 365,880 **Failed: 10/17/18***

Proponents: Marcus Ruiz Evans (415) 595-3394 and Louis J. Marinelli (916) 524-0631

Requires a special election in May 2021 to ask voters whether California should become an independent country, in the form of a republic. If approved by a majority of voters, requires the Legislature to declare California's independence from the United States. Requires California to invite and encourage international election monitors to observe and monitor the measure, including the voting process, collection of ballots, and certification of results.

### **1853. (18-0002)**

**Requires Use of State and Local Law-Enforcement Resources for Federal Immigration Purposes. Restricts Voter Registration Process. Initiative Statute.**

*Summary Date: 06/22/18 | Circulation Deadline: 12/19/18 | Signatures Required: 365,880 **Failed: 01/03/19***

Proponents: Requires Use of State and Local Law-Enforcement Resources for Federal Immigration Purposes. Restricts Voter Registration Process. Initiative Statute.

Requires state and local law enforcement to attempt to verify the immigration status of arrestees suspected of being in United States without documentation and notify federal and state agencies when arrestees appear to be undocumented. Prohibits local governments and law-enforcement agencies from preventing or limiting cooperation with federal immigration authorities. Sets criminal penalties and minimum \$10,000 fines for noncompliance. Prohibits automatic voter registration; requires an affidavit for voter eligibility. Prohibits issuing driver's license or identification card without verifying citizenship or immigration status