



NEWS RELEASE

CALIFORNIA SECRETARY OF STATE ALEX PADILLA

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CORRECTION: Proposition Numbers for November Ballot Measures

SACRAMENTO – The Secretary of State’s office has issued a corrected list of proposition numbers for the legislative, initiative, and referendum measures set to appear on the November 8, 2016, General Election ballot.

After further review of the language in SB 254 and legislative intent, the Secretary of State’s office is reinstating the original ballot order and numbering released in our first press release issued on Friday, July 1 at 1:09 pm. SB 254 will be Proposition 59. We apologize for any inconvenience.

Section 5 (b) of SB 254 states: Notwithstanding Section 13115 of the Elections Code, Section 4 of this act and any other measure placed on the ballot by the Legislature for the November 8, 2016, statewide general election after the 131-day deadline set forth in Section 9040 of the Elections Code shall be placed on the ballot, following all other ballot measures, in the order in which they qualified as determined by chapter number.

The corrected and complete list of propositions, along with their Legislative Counsel’s digest or the Attorney General’s official circulating title and summary, are listed below.

Proposition 51

School Bonds. Funding for K-12 School and Community College Facilities. Initiative Statutory Amendment. Authorizes \$9 billion in general obligation bonds: \$3 billion for new construction and \$3 billion for modernization of K-12 public school facilities; \$1 billion for charter schools and vocational education facilities; and \$2 billion for California Community Colleges facilities. Bars amendment to existing authority to levy developer fees to fund school facilities, until new construction bond proceeds are spent or December 31, 2020, whichever is earlier. Bars amendment to existing State Allocation Board process for allocating school construction funding, as to these bonds. Appropriates money from the General Fund to pay off bonds. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **State General Fund costs of \$17.6 billion to pay off principal (\$9 billion) and interest (\$8.6 billion) on bonds over a period of 35 years. Annual payments would average \$500 million. Annual payments would be relatively low in the initial and final few years and somewhat higher in the intervening years.** (15-0005.)

Proposition 52

State Fees on Hospitals. Federal Medi-Cal Matching Funds. Initiative Statutory and Constitutional Amendment. Increases required vote to two-thirds for the Legislature to amend

a certain existing law that imposes fees on hospitals (for purpose of obtaining federal Medi-Cal matching funds) and that directs those fees and federal matching funds to hospital-provided Medi-Cal health care services, to uncompensated care provided by hospitals to uninsured patients, and to children's health coverage. Eliminates law's ending date. Declares that law's fee proceeds shall not be considered revenues for purposes of applying state spending limit or determining required education funding. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **State savings from increased revenues that offset state costs for children's health coverage of around \$500 million beginning in 2016-17 (half-year savings) to over \$1 billion annually by 2019-20, likely growing between 5 percent to 10 percent annually thereafter. Increased revenues to support state and local public hospitals of around \$90 million beginning in 2016-17 (half-year) to \$250 million annually by 2019-20, likely growing between 5 percent to 10 percent annually thereafter.** (13-0022.)

Proposition 53

Revenue Bonds. Statewide Voter Approval. Initiative Constitutional Amendment. Requires statewide voter approval before any revenue bonds can be issued or sold by the state for projects that are financed, owned, operated, or managed by the state or any joint agency created by or including the state, if the bond amount exceeds \$2 billion. Prohibits dividing projects into multiple separate projects to avoid statewide voter approval requirement. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **The fiscal effect on state and local governments is unknown and would vary by project. It would depend on (1) the outcome of projects brought before voters, (2) the extent to which the state relied on alternative approaches to the projects or alternative financing methods for affected projects, and (3) whether those methods have higher or lower costs than revenue bonds.** (15-0003.)

Proposition 54

Legislature. Legislation and Proceedings. Initiative Constitutional Amendment and Statute. Prohibits Legislature from passing any bill unless it has been in print and published on the Internet for at least 72 hours before the vote, except in cases of public emergency. Requires the Legislature to make audiovisual recordings of all its proceedings, except closed session proceedings, and post them on the Internet. Authorizes any person to record legislative proceedings by audio or video means, except closed session proceedings. Allows recordings of legislative proceedings to be used for any legitimate purpose, without payment of any fee to the State. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased costs to state government of potentially \$1 million to \$2 million initially and about \$1 million annually for making additional legislative proceedings available in audiovisual form on the Internet.** (15-0083.)

Proposition 55

Tax Extension to Fund Education and Healthcare. Initiative Constitutional Amendment. Extends by twelve years the temporary personal income tax increases enacted in 2012 on earnings over \$250,000 (for single filers; over \$500,000 for joint filers; over \$340,000 for heads of household). Allocates these tax revenues 89% to K-12 schools and 11% to California Community Colleges. Allocates up to \$2 billion per year in certain years for healthcare programs. Bars use of education revenues for administrative costs, but provides local school governing boards discretion to decide, in open meetings and subject to annual audit, how revenues are to be spent. Summary of estimate by Legislative Analyst and Director of Finance of

fiscal impact on state and local government: **Increased state revenues annually from 2019 through 2030—likely in the \$5 billion to \$11 billion range initially—with amounts varying based on stock market and economic trends. Increased revenues would be allocated under constitutional formulas to schools and community colleges, budget reserves and debt payments, and health programs, with remaining funds available for these or other state purposes.** (15-0115.)

Proposition 56

Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research, and Law Enforcement. Initiative Constitutional Amendment and Statute. Increases cigarette tax by \$2.00 per pack, with equivalent increase on other tobacco products and electronic cigarettes containing nicotine. Allocates revenues primarily to increase funding for existing healthcare programs; also for tobacco use prevention/control programs, tobacco-related disease research and law enforcement, University of California physician training, dental disease prevention programs, and administration. Excludes these revenues from Proposition 98 funding requirements. If tax causes decreased tobacco consumption, transfers tax revenues to offset decreases to existing tobacco-funded programs and sales tax revenues. Requires biennial audit. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Net increase in excise tax revenues in the range of \$1.1 billion to \$1.6 billion annually by 2017-18, with revenues decreasing slightly in subsequent years. The majority of funds would be used for payments to health care providers. The remaining funds would be used for a variety of specified purposes, including tobacco-related prevention and cessation programs, law enforcement programs, medical research on tobacco-related diseases, and early childhood development programs.** (15-0081.)

Proposition 57

Criminal Sentences. Juvenile Criminal Proceedings and Sentencing. Initiative Constitutional Amendment and Statute. Allows parole consideration for persons convicted of nonviolent felonies upon completion of full prison term for primary offense, as defined. Authorizes Department of Corrections and Rehabilitation to award sentence credits for rehabilitation, good behavior, or educational achievements. Requires Department of Corrections and Rehabilitation to adopt regulations to implement new parole and sentence credit provisions and certify they enhance public safety. Provides juvenile court judges shall make determination, upon prosecutor motion, whether juveniles age 14 and older should be prosecuted and sentenced as adults. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Net state savings that could range from the tens of millions of dollars to the low hundreds of millions of dollars annually primarily due to a reduction in the prison population from additional paroles granted and credits earned. Net county costs that could range from the millions to tens of millions of dollars annually, declining to a few million dollars after initial implementation of the measure.** (15-0121.)

Proposition 58

[SB 1174 \(Chapter 753, Statutes of 2014\), Lara. English language education.](#)

SB 1174, Lara. English language education. (1) Existing law, as added by Proposition 227, a measure approved by the voters at the June 2, 1998, statewide primary election, requires, among other things, that all children in California public schools be taught English by being taught in English. Proposition 227 specifies that English learner pupils, as defined, be educated through sheltered English immersion, as defined, during a temporary transition period not normally

intended to exceed one year. Proposition 227 further provides that its requirements relating to sheltered English immersion instruction may be waived with the prior written consent of a pupil's parent or legal guardian, as specified. Proposition 227 also encourages family members and others to provide personal English language tutoring to English learner pupils.

This bill would amend and repeal various provisions of Proposition 227. The bill would, among other things, delete the sheltered English immersion requirement and waiver provisions, and would instead provide that school districts and county offices of education shall, at a minimum, provide English learners with a structured English immersion program, as specified. The bill would authorize parents or legal guardians of pupils enrolled in the school to choose a language acquisition program that best suits their child, as provided.

(2) Existing law requires, on or before July 1, 2014, the governing board of each school district and each county board of education to adopt a local control and accountability plan and requires the governing board of each school district and each county board of education to update its plan on or before July 1 of each year. As part of the process for developing the local control and accountability plan, existing law requires the superintendent of the school district or the county superintendent of schools to both present the plan or annual update to the plan to a parent advisory committee and an English learner parent advisory committee for review and comment, and to respond, in writing, to comments received from the committees. Existing law also requires the superintendent of the school district and the county superintendent of schools to notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the plan.

This bill would, as part of the parent and community engagement process required for the development of a local control and accountability plan, require school districts and county offices of education to solicit input on, and provide to pupils, effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs, as defined.

(3) Proposition 227 also specifies that a pupil's parent or legal guardian has standing to sue for enforcement of its provisions and, if successful, to receive normal and customary attorney's fees and actual damages, but not punitive or consequential damages. Proposition 227 further provides that school board members, other elected officials, and public school teachers or administrators who willfully and repeatedly refuse to implement its provisions may be held personally liable for fees and actual damages by a pupil's parent or legal guardian.

This bill would delete those provisions.

(4) Proposition 227 provides that its provisions may be amended by a statute to further its purpose passed by a $\frac{2}{3}$ vote of each house of the Legislature and signed by the Governor.

This bill would delete the requirement that the amendment further the purpose of Proposition 227, and would revise the vote threshold to a majority vote in each house of the Legislature.

(5) This bill would make these provisions operative on July 1, 2017.

(6) The California Constitution authorizes the Legislature to amend or repeal an initiative statute by another statute that becomes effective when approved by the electors.

This bill would provide that it would become effective only upon approval of the voters, and would require the Secretary of State to submit this measure to the voters for approval at the November 2016 statewide general election.

Proposition 59

[SB 254 \(Chapter 20, Statutes of 2016\), Allen. Campaign finance: voter instruction.](#)

SB 254, Allen. Campaign finance: voter instruction. This bill would call a special election to be consolidated with the November 8, 2016, statewide general election. The bill would require the Secretary of State to submit to the voters at the November 8, 2016, consolidated election a voter instruction asking whether California's elected officials should use all of their constitutional authority, including proposing and ratifying one or more amendments to the United States Constitution, to overturn *Citizens United v. Federal Election Commission* (2010) 558 U.S. 310, and other applicable judicial precedents, as specified. The bill would require the Secretary of State to communicate the results of this election to the Congress of the United States. The bill would require the Secretary of State, if prohibited by court order from submitting the voter instruction to the voters at the November 8, 2016, statewide general election, as specified, to submit the voter instruction to the voters at the next occurring election.

This bill would declare that it is to take effect immediately as an act calling an election.

Proposition 60

Adult Films. Condoms. Health Requirements. Initiative Statute. Requires performers in adult films to use condoms during filming of sexual intercourse. Requires producers of adult films to pay for performer vaccinations, testing, and medical examinations related to sexually transmitted infections. Requires producers to obtain state health license at beginning of filming and to post condom requirement at film sites. Imposes liability on producers for violations, on certain distributors, on performers if they have a financial interest in the violating film, and on talent agents who knowingly refer performers to noncomplying producers. Permits state, performers, or any state resident to enforce violations. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Potentially reduced state and local tax revenue of millions or tens of millions of dollars per year. Likely state costs of a few million dollars annually to administer the law. Possible ongoing net costs or savings for state and local health and human services programs.** (15-0004.)

Proposition 61

State Prescription Drug Purchases. Pricing Standards. Initiative Statute. Prohibits state agencies from paying more for a prescription drug than the lowest price paid for the same drug by the United States Department of Veterans Affairs. Applies to any program where the state is the ultimate payer for a drug, even if the state does not purchase the drug directly. Exempts certain purchases of prescription drugs funded through Medi-Cal. Fiscal impact: **It is the opinion of the Legislative Analyst and Director of Finance that the measure, if adopted, may result in a substantial net change in state or local finances.** (15-0009.)

Proposition 62

Death Penalty. Initiative Statute. Repeals death penalty as maximum punishment for persons found guilty of murder and replaces it with life imprisonment without possibility of parole. Applies retroactively to persons already sentenced to death. States that persons found guilty of murder and sentenced to life without possibility of parole must work while in prison as prescribed by the Department of Corrections and Rehabilitation. Increases to 60% the portion of wages earned by persons sentenced to life without the possibility of parole that may be applied to any victim restitution fines or orders against them. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Net reduction in state and local government costs of potentially around \$150 million annually within a few years due to the elimination of the death penalty.** (15-0066.)

Proposition 63

Firearms. Ammunition Sales. Initiative Statute. Prohibits possession of large-capacity ammunition magazines, and requires their disposal by sale to dealer, destruction, or removal from state. Requires most individuals to pass background check and obtain Department of Justice authorization to purchase ammunition. Requires most ammunition sales be made through licensed ammunition vendors and reported to Department of Justice. Requires lost or stolen firearms and ammunition be reported to law enforcement. Prohibits persons convicted of stealing a firearm from possessing firearms. Establishes new procedures for enforcing laws prohibiting firearm possession by felons and violent criminals. Requires Department of Justice to provide information about prohibited persons to federal National Instant Criminal Background Check System. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased state costs in the tens of millions of dollars annually related to regulating ammunition sales, likely offset by various regulatory fees authorized by the measure. Increase in court and law enforcement costs, not likely to exceed the tens of millions of dollars annually, related to removing firearms from prohibited persons as part of court sentencing proceedings. These costs could be offset to some extent by fees authorized by the measure. Potential increase in state and local correctional costs, not likely to exceed the low millions of dollars annually, related to new and increased penalties.** (15-0098.)

Proposition 64

Marijuana Legalization. Initiative Statute. Legalizes marijuana and hemp under state law. Designates state agencies to license and regulate marijuana industry. Imposes state excise tax on retail sales of marijuana equal to 15% of sales price, and state cultivation taxes on marijuana of \$9.25 per ounce of flowers and \$2.75 per ounce of leaves. Exempts medical marijuana from some taxation. Establishes packaging, labeling, advertising, and marketing standards and restrictions for marijuana products. Allows local regulation and taxation of marijuana. Prohibits marketing and advertising marijuana to minors. Authorizes resentencing and destruction of records for prior marijuana convictions. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Net reduced costs ranging from tens of millions of dollars to potentially exceeding \$100 million annually to state and local governments related to enforcing certain marijuana-related offenses, handling the related criminal cases in the court system, and incarcerating and supervising certain marijuana offenders. Net additional state and local tax revenues potentially ranging from the high hundreds of millions of dollars to over \$1 billion annually related to the production and sale of marijuana. Most of these funds would be required to be spent for specific purposes such as substance use disorder education, prevention, and treatment.** (15-0103.)

Proposition 65

Carry-Out Bags. Charges. Initiative Statute. Redirects money collected by grocery and certain other retail stores through sale of carry-out bags, whenever any state law bans free distribution of a particular kind of carry-out bag and mandates the sale of any other kind of carry-out bag. Requires stores to deposit bag sale proceeds into a special fund administered by the Wildlife Conservation Board to support specified categories of environmental projects. Provides for Board to develop regulations implementing law. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **If voters uphold the state's current carryout bag law, redirected revenues from retailers to the state, potentially in the several tens of millions of dollars annually. Revenues would be used for grants for certain environmental and natural resources purposes. If voters reject the state's current carryout bag law, likely minor fiscal effects.** (15-0074.)

Proposition 66

Death Penalty. Procedures. Initiative Statute. Changes procedures governing state court appeals and petitions challenging death penalty convictions and sentences. Designates superior court for initial petitions and limits successive petitions. Imposes time limits on state court death penalty review. Requires appointed attorneys who take noncapital appeals to accept death penalty appeals. Exempts prison officials from existing regulation process for developing execution methods. Authorizes death row inmate transfers among California state prisons. States death row inmates must work and pay victim restitution. States other voter approved measures related to death penalty are null and void if this measure receives more affirmative votes. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased state costs that could be in the tens of millions of dollars annually for several years related to direct appeals and habeas corpus proceedings, with the fiscal impact on such costs being unknown in the longer run. Potential state correctional savings that could be in the tens of millions of dollars annually.** (15-0096.)

Proposition 67

[Referendum to Overturn Ban on Single-Use Plastic Bags.](#) If signed by the required number of registered voters and timely filed with the Secretary of State, this petition will place on the statewide ballot a challenge to a state law previously approved by the Legislature and the Governor. The challenged law must then be approved by a majority of voters at the next statewide election to go into effect. The law prohibits grocery and certain other retail stores from providing single-use bags but permits sale of recycled paper bags and reusable bags. (14-0011.)

For more information on ballot measures, candidate filing requirements, and election deadlines, please visit: <http://www.sos.ca.gov/elections/upcoming-elections/general-election-november-8-2016>.

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