

General Election

Tuesday, November 5, 2024

Don't Delay, Vote Today!

Early vote-by-mail ballot voting period is from October 7 through November 5, 2024.

Polls are open from 7:00 a.m. to 8:00 p.m. on November 5, 2024, Election Day!



VOTE SAFE CALIFORNIA

Every registered voter in California will receive a vote-by-mail ballot.

Vote-by-mail ballots are mailed on or before October 7.

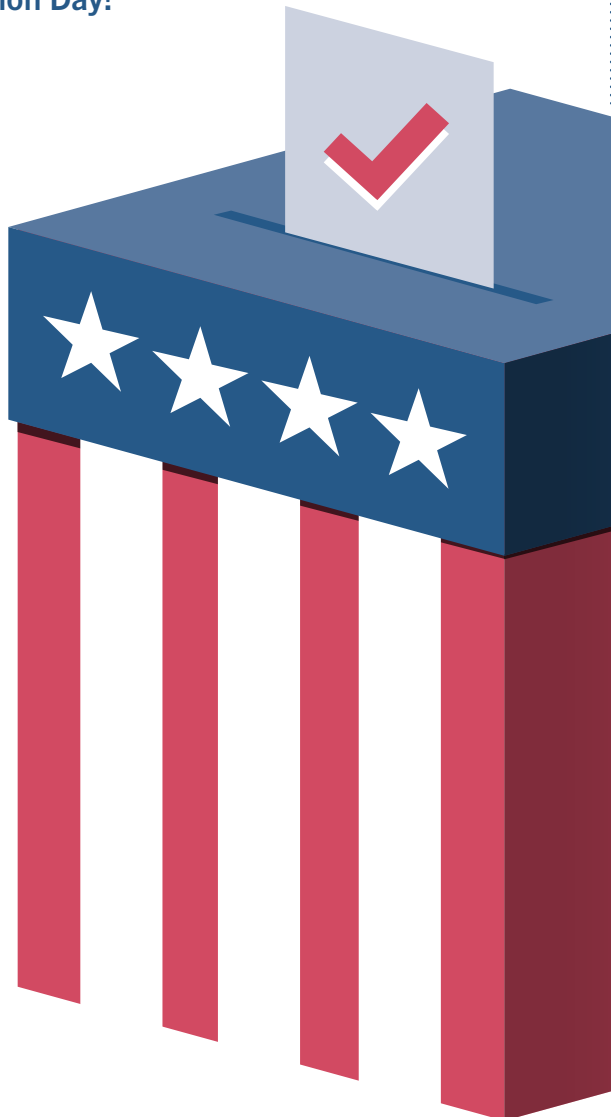
Vote-by-mail ballots can be voted and returned as soon as they are received.

Vote-by-mail drop boxes open October 8.

In-person voting options will be available in all counties.



Mobile-Friendly
SCAN ME



Official Voter Information Guide



Certificate of Correctness




I, Shirley N. Weber, Secretary of State of the State of California, do hereby certify that the information included herein will be submitted to the electors of the State of California at the General Election to be held throughout the State on November 5, 2024, and that this guide has been correctly prepared in accordance with the law. Witness my hand and the Great Seal of the State in Sacramento, California, this 12th day of August, 2024.

A handwritten signature in black ink, appearing to read "Shirley N. Weber".

Shirley N. Weber, Ph.D.
Secretary of State

VOTER BILL OF RIGHTS

YOU HAVE THE FOLLOWING RIGHTS:

- 1** **The right to vote if you are a registered voter.** You are eligible to vote if you are:
 - a U.S. citizen living in California
 - at least 18 years old
 - registered where you currently live
 - not currently serving a state or federal prison term for the conviction of a felony, and
 - not currently found mentally incompetent to vote by a court
- 2** **The right to vote if you are a registered voter even if your name is not on the list.** You will vote using a provisional ballot. Your vote will be counted if elections officials determine that you are eligible to vote.
- 3** **The right to vote if you are still in line when the polls close.**
- 4** **The right to cast a secret ballot** without anyone bothering you or telling you how to vote.
- 5** **The right to get a new ballot if you have made a mistake,** if you have not already cast your ballot. You can:
 - Ask an elections official at a polling place** for a new ballot,
 - Exchange your vote-by-mail ballot** for a new one at an elections office, or at your polling place, or
 - Vote using a provisional ballot.**
- 6** **The right to get help casting your ballot** from anyone you choose, except from your employer or union representative.
- 7** **The right to drop off your completed vote-by-mail ballot at any polling place** in California.
- 8** **The right to get election materials in a language other than English** if enough people in your voting precinct speak that language.
- 9** **The right to ask questions to elections officials about election procedures** and watch the election process. If the person you ask cannot answer your questions, they must send you to the right person for an answer. If you are disruptive, they can stop answering you.
- 10** **The right to report any illegal or fraudulent election activity** to an elections official or the Secretary of State's office.
 -  On the web at www.sos.ca.gov
 -  By phone at **(800) 345-VOTE (8683)**
 -  By email at elections@sos.ca.gov

**IF YOU BELIEVE YOU HAVE BEEN DENIED ANY OF THESE RIGHTS, CALL THE SECRETARY OF STATE'S
CONFIDENTIAL TOLL-FREE VOTER HOTLINE AT (800) 345-VOTE (8683).**

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United States Presidential Candidates

United States presidential candidate statements can be found online at voterguide.sos.ca.gov.



Message from the Secretary of State

Dear California Voter,

Every Election Matters. To ensure our democracy thrives, your participation in every election is vital. As a California voter, you will have the opportunity in the upcoming November 5, 2024, General Election to vote on elected offices at all levels of government, and to directly impact state and local policies by voting on state ballot propositions and local measures.

This Voter Information Guide can help you make decisions about the statewide candidates and issues on the November 5th ballot. The guide includes important information about when and where to cast your ballot, the United States Senate races, state ballot propositions, and your rights as a California voter.

To make it easier for you to participate in the upcoming election, you have more days and more ways to vote! Important dates and election options:

Counties will have mailed each registered voter in California their ballot for the 2024 Election by **October 7, 2024**.

- Registered voters may return their ballot by mail using the postage-paid envelope provided, as long as the ballot is **postmarked on or before Election Day and received by your county elections office no later than 7 days after Election Day**.
- Early voting starts **October 7, 2024**. County elections officials offer early voting at their office and many counties offer early voting at additional locations before Election Day.
- Voting drop-off locations open no later than **October 8, 2024**.
- You can return your ballot or vote at vote centers in Voter's Choice Act counties starting **October 26, 2024**.
- Election Day is **November 5, 2024**, and the last day to vote in the General Election.

Make A Plan To Vote—Determine if you will vote-by-mail, drop off your ballot at a drop-off location, or vote in person at a neighborhood polling place or vote center.

Track Your Ballot—Voters can track a ballot they have mailed or submitted at a drop-off location by signing up at WheresMyBallot.sos.ca.gov to receive text, email, or voice status alerts.

Voting is about having a say in the decisions made about how we live our lives and how our communities operate. Taking the time to learn about the issues and candidates and voting means your voice will be heard and you have a say in the future.

Thank you for keeping our democracy strong!

QUICK REFERENCE GUIDE

PROP
2

AUTHORIZES BONDS FOR PUBLIC SCHOOL AND COMMUNITY COLLEGE FACILITIES. LEGISLATIVE STATUTE.

SUMMARY

Put on the Ballot by the Legislature

Authorizes \$10 billion in general obligation bonds for repair, upgrade, and construction of facilities at K–12 public schools (including charter schools), community colleges, and career technical education programs, including for improvement of health and safety conditions and classroom upgrades.

Requires annual audits. **Fiscal Impact:** Increased state costs of about \$500 million annually for 35 years to repay the bond.

Supporters: California Teachers Association; California School Nurses Organization; Community College League of California **Opponents:** Howard Jarvis Taxpayers Association

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: The state could borrow \$10 billion to build new or renovate existing public school and community college facilities.

NO A NO vote on this measure means: The state could not borrow \$10 billion to build new or renovate existing public school and community college facilities.

ARGUMENTS

PRO Many schools and community colleges are outdated and need basic health and safety repairs and upgrades to prepare students for college and careers and to retain and attract quality teachers. Prop. 2 meets those needs and requires strict taxpayer accountability so funds are spent as promised with local control.

CON Proposition 2 will increase our bond obligations by \$10 billion, which will cost taxpayers an estimated \$18 billion when repaid with interest. A bond works like a government credit card—paying off that credit card requires the government to spend more of your tax dollars! *Vote NO on Prop. 2.*

FOR ADDITIONAL INFORMATION

FOR

Yes on Proposition 2—
Californians for Quality
Schools
info@californiansforqualityschools2024.com
www.californiansforqualityschools2024.com

AGAINST

Assemblyman Bill Essayli
California State Legislature
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0063
(916) 319-2063
Assemblymember.Essayli@assembly.ca.gov
<https://ad63.asmrc.org/>

PROP
3

CONSTITUTIONAL RIGHT TO MARRIAGE.
LEGISLATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY

Put on the Ballot by the Legislature

Amends California Constitution to recognize fundamental right to marry, regardless of sex or race. Removes language in California Constitution stating that marriage is only between a man and a woman. **Fiscal Impact:** No change in revenues or costs for state and local governments. **Supporters:** Sierra Pacific Synod of The Evangelical Lutheran Church in America; Dolores Huerta Foundation; Equality California **Opponents:** Jonathan Keller, California Family Council; Rev. Tanner DiBella

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: Language in the California Constitution would be updated to match who currently can marry. There would be no change in who can marry.

NO A NO vote on this measure means: Language in the California Constitution would not be changed. There would be no change in who can marry.

ARGUMENTS

PRO Proposition 3 protects Californians' freedom to marry, regardless of their race or gender. Proposition 3 removes discriminatory language from the California Constitution stating marriage is only between a man and a woman. Proposition 3 reinforces California's commitment to civil rights and protects personal freedom. *Vote YES!*
YesonProp3CA.com

CON Proposition 3 removes all rules for marriage, opening the door to child marriages, incest, and polygamy. It changes California's constitution even though same-sex marriage is already legal. By making moms and dads optional, it puts children at risk. This careless measure harms families and society. *Vote No on Proposition 3.*

FOR ADDITIONAL INFORMATION

FOR

YES ON PROPOSITION 3,
SPONSORED BY EQUALITY
CALIFORNIA
info@yesonprop3ca.com
YesonProp3CA.com

AGAINST

Jonathan Keller
California Family Council
P.O. Box 7937
Fresno, CA 93747
(866) 866-7993
Proposition3@CaliforniaFamily.org
<https://CaliforniaFamily.org/Proposition3>

QUICK REFERENCE GUIDE

PROP 4 AUTHORIZES BONDS FOR SAFE DRINKING WATER, WILDFIRE PREVENTION, AND PROTECTING COMMUNITIES AND NATURAL LANDS FROM CLIMATE RISKS. LEGISLATIVE STATUTE.

PROP 5 ALLOWS LOCAL BONDS FOR AFFORDABLE HOUSING AND PUBLIC INFRASTRUCTURE WITH 55% VOTER APPROVAL. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY *Put on the Ballot by the Legislature*

Authorizes \$10 billion in general obligation bonds for water, wildfire prevention, and protection of communities and lands. Requires annual audits. **Fiscal Impact:** Increased state costs of about \$400 million annually for 40 years to repay the bond. **Supporters:** Clean Water Action; CALFIRE Firefighters; National Wildlife Federation; The Nature Conservancy **Opponents:** Howard Jarvis Taxpayers Association

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: The state could borrow \$10 billion to fund various activities aimed at conserving natural resources, as well as responding to the causes and effects of climate change.

NO A NO vote on this measure means: The state could not borrow \$10 billion to fund various activities aimed at conserving natural resources, as well as responding to the causes and effects of climate change.

ARGUMENTS

PRO Yes on 4 for safe drinking water, wildfire prevention, clean air, and protection of natural resources. California firefighters, conservation groups, clean water advocates urge YES. Accountable, fiscally responsible, with independent audits, strict transparency. Proactive approach saves money and prevents the worst impacts of devastating wildfires, smoke, droughts, and pollution.

CON Bonds are the most expensive way to fund government spending. *Water and wildfire mitigation are necessities, not luxuries.* They should be *budgeted* for, not *bonded*. Mismanagement led to this crisis. This \$10 billion bond will cost taxpayers almost \$2 to repay for every dollar spent. Vote NO on Prop. 4.

FOR ADDITIONAL INFORMATION

FOR Californians for Safe Drinking Water and Wildfire Prevention, Sponsored by Environmental Organizations
555 Capitol Mall, Suite 400
Sacramento, CA 95814
Info@CAYeson4.com
CaYeson4.com

AGAINST hjta.org/hjta-ballot-measure-recommendations

SUMMARY *Put on the Ballot by the Legislature*

Allows approval of local infrastructure and housing bonds for low- and middle-income Californians with 55% vote. Accountability requirements. **Fiscal Impact:** Increased local borrowing to fund affordable housing, supportive housing, and public infrastructure. The amount would depend on decisions by local governments and voters. Borrowing would be repaid with higher property taxes. **Supporters:** California Professional Firefighters; League of Women Voters of California; Habitat for Humanity California **Opponents:** California Taxpayers Association; California Hispanic Chambers of Commerce; Women Veterans Alliance

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: Certain local bonds and related property taxes could be approved with a 55 percent vote of the local electorate, rather than the current two-thirds approval requirement. These bonds would have to fund affordable housing, supportive housing, or public infrastructure.

NO A NO vote on this measure means: Certain local bonds and related property taxes would continue to need approval by a two-thirds vote of the local electorate.

ARGUMENTS

PRO Prop. 5 shifts local spending priorities away from state government, giving local voters and taxpayers the choice and the tools to address the challenges facing their communities. Whether it's housing affordability, safer streets, more fire stations, or other community-driven projects, Prop. 5 empowers local voters to solve local problems. Vote YES.

CON Prop. 5 changes the constitution to make it easier to increase bond debt, leading to higher property taxes. Prop. 5 shifts the financial burden from the state to local communities, increasing costs for homeowners, renters, and consumers. Politicians wrote loopholes in Prop. 5 so "infrastructure" can mean just about anything.

FOR ADDITIONAL INFORMATION

FOR Yes on Prop. 5
www.YesOnProp5.org

AGAINST Protect Local Taxpayers
info@VoteNoProp5.com
VoteNoProp5.com

QUICK REFERENCE GUIDE

PROP 6 ELIMINATES CONSTITUTIONAL PROVISION ALLOWING INVOLUNTARY SERVITUDE FOR INCARCERATED PERSONS. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

SUMMARY *Put on the Ballot by the Legislature*

Amends the California Constitution to remove current provision that allows jails and prisons to impose involuntary servitude to punish crime (i.e., forcing incarcerated persons to work). **Fiscal Impact:** Potential increase or decrease in state and local costs, depending on how work for people in state prison and county jail changes. Any effect likely would not exceed the tens of millions of dollars annually.

Supporters: Assemblymember Lori Wilson **Opponents:** None submitted

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: Involuntary servitude would not be allowed as punishment for crime. State prisons would not be allowed to discipline people in prison who refuse to work.

NO A NO vote on this measure means: Involuntary servitude would continue to be allowed as punishment for crime.

ARGUMENTS

PRO Proposition 6 ends slavery in California and upholds human rights and dignity for everyone. It replaces carceral involuntary servitude with voluntary work programs, has bipartisan support, and aligns with national efforts to reform the 13th Amendment. It will prioritize rehabilitation, lower recidivism, and improve public safety, resulting in taxpayer savings.

CON No argument against Proposition 6 was submitted.

FOR ADDITIONAL INFORMATION

FOR

Esteban Nunez
Anti-Recidivism Coalition
1320 E. 7th Street, Suite 260
Los Angeles, CA 90021
(323) 830-0177
enunez@antirecidivism.org
antirecidivism.org

AGAINST

PROP 32 RAISES MINIMUM WAGE. INITIATIVE STATUTE.

SUMMARY *Put on the Ballot by Petition Signatures*

Raises minimum wage as follows: For employers with 26 or more employees, to \$17 immediately, \$18 on January 1, 2025. For employers with 25 or fewer employees, to \$17 on January 1, 2025, \$18 on January 1, 2026. **Fiscal Impact:** State and local government costs could increase or decrease by up to hundreds of millions of dollars annually. State and local revenues likely would decrease by no more than a few hundred million dollars annually. **Supporters:** None submitted **Opponents:** California Chamber of Commerce; California Restaurant Association; California Grocers Association

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: The state minimum wage would be \$18 per hour in 2026. After that, it would go up each year based on how fast prices are going up.

NO A NO vote on this measure means: The state minimum wage likely would be about \$17 per hour in 2026. After that, it would go up each year based on how fast prices are going up.

ARGUMENTS

PRO YES on Proposition 32 raises the minimum wage to \$18 so more SERVICE, ESSENTIAL, AND OTHER WORKERS, and SINGLE MOMS can AFFORD the state's COST OF LIVING. CORPORATE PROFIT MARGINS INCREASED 100% since 2000 because CORPORATIONS SPIKED the PRICES OF GOODS. YES on PROP. 32 so workers can afford life's basic needs.

CON Prop. 32 was written by one multimillionaire alone, and he wrote a horribly flawed measure. Prop. 32 increases the cost of living, eliminates jobs, makes our state and local government budget deficits worse, and makes California's complex minimum wage laws even harder for businesses and workers to understand. No on 32!

FOR ADDITIONAL INFORMATION

FOR

livingwageact.com

AGAINST

Californians Against Job Losses and Higher Prices,
No on Prop. 32
info@stopprop32.com
StopProp32.com

QUICK REFERENCE GUIDE

PROP
33

EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE.

SUMMARY

Put on the Ballot by Petition Signatures

Repeals Costa-Hawkins Rental Housing Act of 1995, which currently prohibits local ordinances limiting initial residential rental rates for new tenants or rent increases for existing tenants in certain residential properties. **Fiscal Impact:** Reduction in local property tax revenues of at least tens of millions of dollars annually due to likely expansion of rent control in some communities. **Supporters:** CA Nurses Assoc.; CA Alliance for Retired Americans; Mental Health Advocacy; Coalition for Economic Survival; TenantsTogether **Opponents:** California Council for Affordable Housing; Women Veterans Alliance; California Chamber of Commerce

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: State law *would not* limit the kinds of rent control laws cities and counties could have.

NO A NO vote on this measure means: State law *would continue to* limit the kinds of rent control laws cities and counties could have.

ARGUMENTS

PRO The rent is too damn high. One million people have left California. Rent control in America has worked to keep people in their homes since 1919. California's 17 million renters need relief. Homeowners and taxpayers benefit from stable communities. The California dream is dying. You can help save it.

CON Don't be fooled by the latest corporate landlord anti-housing scheme. California voters have rejected this radical proposal twice before, because it would freeze the construction of new housing and could effectively reverse dozens of new state housing laws. Vote No on 33 to protect new affordable housing and California homeowners.

FOR ADDITIONAL INFORMATION

FOR

Susie Shannon
Renters and Homeowners for
Rent Control Yes on 33,
Sponsored by AIDS
Healthcare Foundation
1250 6th Street, Suite 205
Santa Monica, CA 90401
(310) 576-1233
info@prop33.org
www.yeson33.org

AGAINST

No on Prop. 33, Californians for
Responsible Housing
2350 Kerner Blvd. #250
San Rafael, CA 94901
(916) 292-8100
info@californiansforresponsiblehousing.org
NoOnProp33.com

PROP
34

RESTRICTS SPENDING OF PRESCRIPTION DRUG REVENUES BY CERTAIN HEALTH CARE PROVIDERS. INITIATIVE STATUTE.

SUMMARY

Put on the Ballot by Petition Signatures

Requires certain providers to spend 98% of revenues from federal discount prescription drug program on direct patient care. Authorizes statewide negotiation of Medi-Cal drug prices. **Fiscal Impact:** Increased state costs, likely in the millions of dollars annually, to enforce new rules on certain health care entities. Affected entities would pay fees to cover these costs. **Supporters:** The ALS Association; California Chronic Care Coalition; Latino Heritage Los Angeles **Opponents:** National Org. for Women; Consumer Watchdog; Coalition for Economic Survival; AIDS Healthcare Foundation; Dolores Huerta

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: Certain health care entities would have to follow new rules about how they spend revenue they earn from a federal drug discount program. Breaking these rules would result in penalties (such as not being able to operate as a health care entity), generally for a ten-year period.

NO A NO vote on this measure means: These new rules would not go into effect.

ARGUMENTS

PRO Proposition 34 will protect patients and ensure public healthcare dollars actually go to patients who need it. Prop. 34 will close a loophole that allows corporations to spend this money on things like buying stadium naming rights and multi-million dollar CEO salaries. Protect Patients Now. Vote Yes on Proposition 34.

CON Prop. 34—The Revenge Initiative. California Apartment Association, representing billionaire corporate landlords, doesn't care about patients. Their sole purpose is silencing AIDS Healthcare Foundation, the sponsor of the rent control initiative. 34 weaponizes the ballot, is a threat to democracy, and opens the door to attacks on any non-profit.

FOR ADDITIONAL INFORMATION

FOR

YES on 34, Protect Patients
Now: A Coalition of Women,
Veterans, LGBTQ+ Advocates,
and Patient Groups
2350 Kerner Blvd. #250
San Rafael, CA 94901
(916) 447-7881
info@protectcapatientsnow.com
YesOnProp34.com

AGAINST

Susie Shannon
Stop the Revenge Initiative—
No on 34, sponsored by AIDS
Healthcare Foundation
1250 6th Street, Suite 205
Santa Monica, CA 90405
(310) 576-1233
info@voteno34.org
www.voteno34.org

QUICK REFERENCE GUIDE

PROP
35

PROVIDES PERMANENT FUNDING FOR MEDI-CAL HEALTH CARE SERVICES. INITIATIVE STATUTE.

SUMMARY

Put on the Ballot by Petition Signatures

Makes permanent the existing tax on managed health care insurance plans, which, if approved by the federal government, provides revenues to pay for Medi-Cal health care services. **Fiscal Impact:** Short-term state costs between roughly \$1 billion and \$2 billion annually to increase funding for certain health programs. Total funding increase between roughly \$2 billion to \$5 billion annually. Unknown long-term fiscal effects. **Supporters:** Planned Parenthood Affiliates of CA; American College of Obstetricians & Gynecologists; American Academy of Pediatrics, CA **Opponents:** None submitted

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: An existing state tax on health plans that provides funding for certain health programs would become permanent. New rules would direct how the state must use the revenue.

NO A NO vote on this measure means: An existing state tax on health plans would end in 2027, unless the Legislature continues it. The new rules would not become law.

ARGUMENTS

PRO Yes on 35 addresses our urgent healthcare crisis by securing dedicated funding—*without raising taxes*—to protect access to primary and specialty care, community clinics, hospitals, ERs, family planning, and mental health providers. Prop. 35 prevents the state from redirecting funds for non-healthcare purposes. Supported by Planned Parenthood, pediatricians, California Medical Association.
www.VoteYes35.com

CON No argument against Proposition 35 was submitted.

FOR ADDITIONAL INFORMATION

FOR

Yes on 35—Protect Our Health Care
2350 Kerner Blvd. #250
San Rafael, CA 94901
(916) 238-8310
info@VoteYes35.com
VoteYes35.com

AGAINST

PROP
36

ALLOWS FELONY CHARGES AND INCREASES SENTENCES FOR CERTAIN DRUG AND THEFT CRIMES. INITIATIVE STATUTE.

SUMMARY

Put on the Ballot by Petition Signatures

Allows felony charges for possessing certain drugs and for thefts under \$950, if defendant has two prior drug or theft convictions. **Fiscal Impact:** State criminal justice costs likely ranging from several tens of millions of dollars to the low hundreds of millions of dollars annually. Local criminal justice costs likely in the tens of millions of dollars annually. **Supporters:** Crime Victims United of California; California District Attorneys Association; Family Business Association of California **Opponents:** Diana Becton, District Attorney Contra Costa County; Crime Survivors for Safety and Justice

WHAT YOUR VOTE MEANS

YES A YES vote on this measure means: People convicted of certain drug or theft crimes could receive increased punishment, such as longer prison sentences. In certain cases, people who possess illegal drugs would be required to complete treatment or serve up to three years in prison.

NO A NO vote on this measure means: Punishment for drug and theft crimes would remain the same.

ARGUMENTS

PRO Prop. 36 makes California communities safer by addressing rampant theft and drug trafficking. It toughens penalties for fentanyl and drug traffickers and “smash-and-grabs” while holding repeat offenders accountable. It targets serial thieves and encourages treatment for those addicted to drugs, using a balanced approach to fix loopholes in current laws.

CON Don't be fooled. Proposition 36 will lead to more crime, not less. It reignites the failed war on drugs, makes simple drug possession a felony, and wastes billions on prisons, while slashing crucial funding for victims, crime prevention, treatment, and rehabilitation. This puts prisons first and guts treatment. Vote No.

FOR ADDITIONAL INFORMATION

FOR

Californians for Safer Communities
info@VoteYesProp36.com
VoteYesProp36.com

AGAINST

Info@StopProp36.com
StopProp36.com

Election Day Information

Polling locations are open from 7:00 a.m. to 8:00 p.m. on Tuesday, November 5, 2024. If you are in line before 8:00 p.m., you can still vote.

Find Your Polling Place or a Vote Center

Polling places and vote centers are established by county elections officials. Look for your polling place address or vote center locations in the county Voter Information Guide that you receive in the mail a few weeks before Election Day.

You may also visit the Secretary of State's website at vote.ca.gov or call the toll-free Voter Hotline at (800) 345-VOTE (8683).

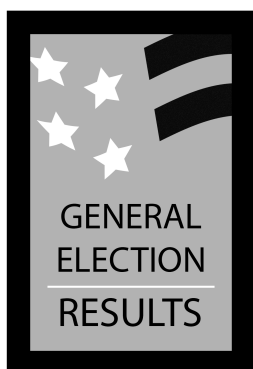
Check Your Voter Status Online



Visit the Secretary of State's My Voter Status page at voterstatus.sos.ca.gov to check your voter status, find your polling place or a vote center, and much more.

To check your voter status, you will need to enter your first name, last name, date of birth, and your California driver's license or California identification card number, or the last four digits of your social security number.

Visit voterstatus.sos.ca.gov for important voter details.



Election results for the November 5, 2024, General Election are available after the polls close at 8:00 p.m. on the California Secretary of State's Election Results website at electionresults.sos.ca.gov.

Results will begin to be posted at 8:00 p.m. and will be updated throughout Election Night. In the days afterwards, the results will be updated at 5:00 p.m. each day throughout the canvass as counties count the remaining ballots.

The official certified results of the election will be posted by December 13, 2024, at sos.ca.gov/elections.

Look for Trusted Sources of Election Information

The Secretary of State is committed to ensuring elections are free, fair, safe, secure, accurate, and accessible. Misinformation, intentional or otherwise, continues to confuse voters and create distrust in the electoral process. California has one of the most extensive voting system testing and certification programs in the nation.

Our best defense against rumors and misinformation is you! False election information is more common than you think. If a claim seems outrageous or designed to upset you, it may not be true.

The best sources for trusted election information are your local and state elections officials. To find out more about election facts or common rumors being spread, visit catrustedinformation.sos.ca.gov.

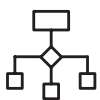
Report misinformation to votesure@sos.ca.gov.

California Election Security Safeguards



Secure Technology

- County voting systems are not connected to the internet
- Strong security techniques are practiced regularly
- Routine threat monitoring and vulnerability scanning in collaboration with our state and federal partners
- Rigorous voting system testing and certification performed by the California Secretary of State
- Only authorized elections staff have access to systems relevant to their role



Secure Processes

- VoteCal is a centralized statewide voter registration database. VoteCal checks against official records and is regularly updated
- Ballots and election technology must adhere to strict chain-of-custody procedures
- Paper ballots for all registered voters are available
- Post-election audits are performed by elections officials
- Signatures are verified on all vote-by-mail ballot envelopes
- Emergency planning for fire, flood, cyber incidents, and more

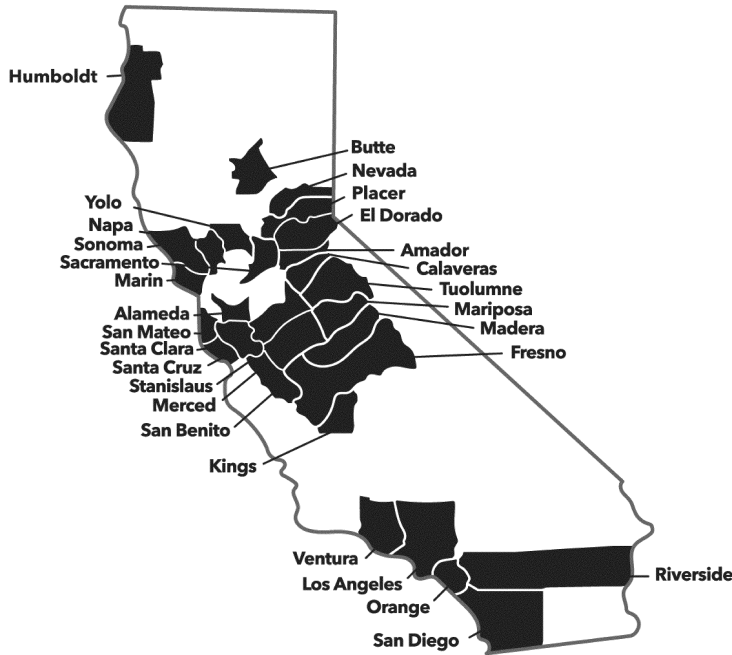


Secure Facilities and People

- Physical access control and security of locations
- Security and accessibility assessments completed for all locations
- Ballot drop boxes are secured and monitored
- Election processes open to observation during specific hours of operation
- Phishing and cybersecurity training provided for all staff

More Days, More Ways to Vote

with the California Voter's Choice Act



Vote in person up to 10 days prior to Election Day

- Alameda
- Amador
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- Orange
- Placer
- Riverside
- Sacramento
- San Benito
- San Diego
- San Mateo
- Santa Clara
- Santa Cruz
- Sonoma
- Stanislaus
- Tuolumne
- Ventura
- Yolo

In California, every active registered voter will automatically receive a ballot in the mail before every election. Check your voter registration status to ensure you receive your ballot.

Vote by mail:

Return your ballot by mail **as soon as you receive it**

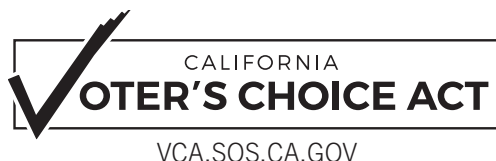
Use a drop box:

Return your ballot to a secure drop off location in any county **up to 28 days before the election**

Vote center:

- Vote in person anywhere in the county **up to 10 days before the election**
- Register to vote and vote same day
- Drop off your ballot

Visit RegisterToVote.ca.gov or call (800) 345-VOTE (8683) to learn more.



Want to skip the line and vote early?
Scan the QR Code to learn more!



Don't Delay, Vote Today!

All California voters will be sent a vote-by-mail ballot with a prepaid postage return envelope for the November 5, 2024, General Election. County elections officials will begin sending vote-by-mail ballots no later than October 7, 2024.

The vote-by-mail ballot voting period begins as soon as ballots are in the mail. Make your voice heard early! Return your vote-by-mail ballot during the voting period of October 7 through the close of polls on November 5.

Voting by Mail is EASY.

Democracy is counting on you! Follow these five easy steps to exercise your right to vote:

- ☒ **Complete it.**
Mark your choices on your vote-by-mail ballot.
- ☒ **Seal it.**
Secure your ballot inside the vote-by-mail ballot return envelope you received from your county elections office.
- ☒ **Sign it.**
Sign the outside of your vote-by-mail ballot return envelope.

Make sure your signature matches the one on your CA driver's license/state ID, or the one you provided when registering to vote. Your county elections office will compare them before they count your ballot.
- ☒ **Return it.**
By drop box—Drop off your completed vote-by-mail ballot at a secure official drop box in your county at any time between October 8 through the close of polls on November 5.

By mail—Make sure your vote-by-mail ballot return envelope is postmarked by November 5. No stamp needed!

In person—Drop your completed vote-by-mail ballot off at a secure drop box, polling place, vote center, or county elections office by 8:00 p.m. on November 5. Voting locations will be available in all counties before Election Day. Voting locations offer voter registration, replacement ballots, accessible voting machines, and language assistance.
- ☒ **Track it.**
Sign up at wheresmyballot.sos.ca.gov to receive updates on the status of your vote-by-mail ballot by text message (SMS), email, or voice call.



All voters can now get critical updates on their ballots through California's official "Where's My Ballot?" tracking tool. **Signing up takes less than three minutes!**

What you'll be able to track:



You can select to receive notifications on the status of your vote-by-mail ballot by text (SMS), email, or voice call, including alerts if there are any issues with your ballot and instructions for how to correct them to make sure your vote is counted.

Don't miss out on the opportunity to track your ballot every step of the way!

You can also copy this URL into your browser: wheresmyballot.sos.ca.gov



PROPOSITION **2** **AUTHORIZES BONDS FOR PUBLIC SCHOOL AND COMMUNITY COLLEGE FACILITIES. LEGISLATIVE STATUTE.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 70 and the Secretary of State's website at voterguide.sos.ca.gov.

- Authorizes \$10 billion in state general obligation bonds for repair, upgrade, and construction of facilities at K–12 public schools (including charter schools) and community colleges.
- Provides funding for new facilities, to improve school health and safety conditions at existing facilities, and for classroom upgrades (e.g., science, engineering, transitional kindergarten, and vocational classrooms).
- Expands eligibility for financial hardship grants for small and disadvantaged school districts.
- Provides higher percentage of state matching funds to schools demonstrating greatest need.
- Requires public hearings and performance audits.
- Appropriates money from General Fund to repay bonds.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increased state costs of about \$500 million annually for 35 years to repay the bond.

State Bond Cost Estimate

Amount borrowed	\$10 billion
Average repayment cost	\$500 million per year over 35 years
Source of repayment	General tax revenue

**FINAL VOTES CAST BY THE LEGISLATURE ON AB 247 (PROPOSITION 2)
(CHAPTER 81, STATUTES OF 2024)**

Senate:	Ayes 34	Noes 3
Assembly:	Ayes 72	Noes 1

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

California Has Many Public Schools and Community Colleges. Currently, there are about 10,000 public schools statewide (including about 1,300 charter schools). These schools serve elementary through high school students. Local school districts govern most of these public schools. California

also has 115 local community colleges that offer associate degrees and other programs for adults. Local community college districts govern these colleges. School and community college districts usually build new facilities when they are growing in enrollment and need additional space. They renovate existing facilities when those facilities are old or unsafe.

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

State and Districts Usually Split Education Facility Costs. For public school districts, the state usually pays 50 percent of the cost of new construction projects and 60 percent of the cost of renovation projects. School districts are expected to pay remaining project costs using local funds. The state also often shares the cost of new construction and renovation projects with community college districts. Though the share of costs varies among projects, the state commonly pays about half of the cost, with community college districts paying the rest using local funds.

State Mainly Uses Bonds to Pay Its Share of Costs. Bonds are a way that the state borrows money and then repays the money plus interest over time. For more information about bonds, see “Overview of State Bond Debt” later in this guide. Over the past 20 years, the bulk of state facility funding for schools and community colleges has come from voter-approved bonds (a total of \$31.8 billion). Recently, the state provided an additional \$4.6 billion in other funding for school and community college facilities. Almost all of this funding has already been awarded for specific projects.

Districts Usually Pay Their Share of Costs Using Local Bonds. School and community college districts tend to pay

their share of project costs using local bonds. Districts must get at least 55 percent of their voters to approve the sale of local bonds. State law limits the total amount of local bonds that school and community college districts may issue. These limits are based on the total assessed property value within the district. School districts that are unable to raise at least \$5 million under these limits may apply for additional state funding. Over the past 20 years, voters approved \$181 billion in local bonds for public school and community college facility projects.

PROPOSAL

New Bond for Public School and Community College Facilities. Proposition 2 allows the state to sell a \$10 billion bond for public school and community college facilities. As Figure 1 shows, the \$8.5 billion for public schools (or 85 percent of the total

Figure 1

Uses of Proposed Bond Funds
(In Billions)

Public School Facilities	\$8.5
Renovation of existing buildings	\$4.0
New construction (including buying land)	3.3
Facilities for career technical education programs	0.6
Charter schools	0.6
Community College Facilities	\$1.5
Total	\$10.0

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

bond amount) is split among four types of facility projects. For new construction and renovation projects, school districts would apply for and be awarded funding mainly on a first-come, first-served basis. The state would award the career technical education and charter school funds through a competitive application process. A small portion of new construction and renovation funds must be set aside for small school districts. Unlike for public schools, the \$1.5 billion for community colleges (or 15 percent of the total bond amount) is not split in a prescribed way among specific types of projects. Community college bond funds may be used for any mix of new buildings, renovations, land purchases, and equipment. Community colleges would prepare a plan listing their statewide project priorities. The Governor and the Legislature would select specific projects to fund. Proposition 2 requires districts to complete certain tasks to help ensure bond funds are spent as intended.

Some Renovation Funding Available for Certain Types of School Projects.

Proposition 2 allows up to \$115 million in renovation funds to be used for reducing lead levels in water at public school sites. Proposition 2 also allows school districts to receive extra renovation funding to build a new classroom or renovate an existing classroom that would be used for transitional kindergarten. (Beginning with the 2025–26 school year, all four-year olds will be eligible for

a year of transitional kindergarten before entering kindergarten.) In certain cases, school districts also could receive extra renovation funding to expand or build a new gymnasium, multipurpose room, library, or school kitchen.

Increases State Share of Costs for Certain School Districts.

For some school districts, Proposition 2 increases the state’s share of new construction project costs from 50 percent to as much as 55 percent. Proposition 2 also increases the state’s share of renovation project costs from 60 percent to as much as 65 percent for these school districts. In general, the state would pay a higher share of project costs for school districts that have lower assessed property values and have a higher share of their students who are low income, English learners, or foster youth.

Allows More School Districts to Apply for Additional State Funding.

Proposition 2 allows school districts that are unable to raise at least \$15 million from local bonds (up from \$5 million) to apply for additional state funding. This amount would increase by inflation in future years.

FISCAL EFFECTS

Increased State Costs of About \$500 Million Each Year for 35 Years to Repay the Bond.

The estimated cost to repay the bond would be **about \$500 million each year (annually) over a 35-year period**. Payments would be made from the state General Fund. (The General Fund is the account the state uses to pay for most public services, including

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

education, health care, and prisons.) This would be less than one-half of 1 percent of the state's total General Fund budget. Since the state has to pay interest on the money it borrows, the total cost of the bond would be about 10 percent more (after adjusting for inflation) than if the state paid up front with money it already has.

Unclear Effect on Local Costs Statewide.

The availability of state bond funds could affect some districts' local costs. For example, some districts could respond by seeking new local bonds to help them meet project matching requirements. These districts would see an increase in their local costs. In contrast, other

districts could respond by borrowing less because the state funds could pay costs districts otherwise would have covered. These districts would see a decrease in their local costs. Overall, the effect on local costs statewide is unclear.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 2 ★

VOTE YES ON PROP. 2 TO HELP MORE CALIFORNIA STUDENTS LEARN IN SAFE, CLEAN, UPGRADED SCHOOLS!

Many public schools and community colleges throughout California are outdated and need repairs and upgrades to meet basic health and safety standards, prepare students for college and 21st Century careers, and retain and attract quality teachers. Prop. 2 will meet those needs and is guided by strict taxpayer accountability protections so funds are spent as promised with local control.

REPAIRING AND UPGRADING CALIFORNIA'S PUBLIC SCHOOLS

Many schools in California are old, deteriorating, unsafe and cannot support the basic needs of our children. Prop. 2 provides funding for urgent repairs to leaky roofs; deteriorating gas, electrical, and sewer lines; plumbing and restrooms; providing clean drinking water; removing hazardous mold, asbestos, and lead paint from our schools; and protecting students from extreme heat.

MAKING SCHOOLS SAFER

Too many of our local schools lack adequate safety and security protections. Prop. 2 will make students safer by funding door locks, emergency communications and security systems, fire alarms, smoke detectors, and more.

PREPARING STUDENTS FOR 21st CENTURY CAREERS

Prop. 2 will upgrade local schools and community colleges including science, engineering, career technical, and vocational education classrooms; labs; and learning technology. It will help more students get job training, technical knowledge, and specialized skills to compete for good-paying jobs in the competitive economy.

INCREASING ACCESS TO AN AFFORDABLE COLLEGE EDUCATION

Prop. 2 will increase access to quality, affordable higher education for all Californians—allowing more students to start their college education, earn college credits, and transfer to a four-year university without crushing debt.

HELPING RETURNING VETERANS

Prop. 2 helps local community colleges upgrade facilities to expand veteran services, job training, and support for the tens of thousands of California's returning veterans who rely on their local community college for job training and to complete their education and enter the civilian workforce.

RESTORING SCHOOLS AFFECTED BY WILDFIRES, EARTHQUAKES, AND OTHER NATURAL DISASTERS

Prop. 2 provides immediate assistance to schools that are damaged or destroyed by wildfires, floods, earthquakes, and other natural disasters so they can quickly get up and running.

PROTECTING LOCAL CONTROL OVER EVERY PROJECT

Prop. 2 protects local control by requiring that its funding only be used for projects approved by local school and community college districts, with local community input. All of the money will be controlled and spent locally, where taxpayers have a voice in deciding how these funds are best used to improve their neighborhood schools, without increasing local property taxes.

FISCALLY RESPONSIBLE WITH TOUGH TAXPAYER ACCOUNTABILITY

Prop. 2 requires public disclosure of every dollar, tough independent financial audits, and strict limits on administrative and bureaucratic costs. These protections ensure that funding is spent directly on schools and used efficiently and as promised.

Our schools are in desperate need of upgrades and repairs to ensure our students are safe and ready to learn. Prop. 2 will help our students succeed.

PLEASE JOIN US IN VOTING YES ON PROP. 2.

David Goldberg, President
California Teachers Association

Sheri Coburn, Executive Director
California School Nurses Organization

Larry Galizio, Chief Executive Officer
Community College League of California

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 2 ★

PROPOSITION 2 WILL INCREASE DEBT AND RESULT IN HIGHER PROPERTY TAXES

California already owes big banks and billionaire investors more than \$78 billion. Prop. 2 adds another \$10 billion—\$18 billion when repaid with interest—for school and community college districts. This is on top of the approximately 40% of the total state budget guaranteed to go to public education from Proposition 98.

Under the funding formula used in Prop. 2, school districts must provide a “local match” of funds to receive money from the bonds. That will lead to districts issuing new local school bonds, which are paid for by adding new charges to property tax bills.

PROP. 2 IGNORES DECLINING ENROLLMENT IN SCHOOLS AND COMMUNITY COLLEGES

It's reckless to borrow billions more to pay for more school buildings when district enrollment is declining. According to

the state Department of Finance, “California experienced the 6th consecutive decrease in total Public K–12 Enrollment in the 2022–23 school year,” and over the next ten years, if current trends hold, a further decline of 661,500 by 2032–33.

Prop. 2 borrows \$1.5 billion for California Community College facilities, but enrollment in the state's community colleges has declined since 2019. The Public Policy Institute of California projects that community college enrollment “will not recover to pre-pandemic levels.”

While the promises made by proponents cannot be guaranteed, Prop. 2 does guarantee higher taxes for overburdened Californians.

VOTE NO ON PROP. 2.

Assemblyman Bill Essayli
Jon Coupal, President
Howard Jarvis Taxpayers Association

★ ARGUMENT AGAINST PROPOSITION 2 ★

NO ON PROPOSITION 2: Tell politicians to prioritize education funding over free healthcare for illegal immigrants in our state budget, rather than further burdening taxpayers to pay off Sacramento's ballooning bond debt.

Proposition 2 is yet another attempt to circumvent California's financial problems by asking taxpayers to approve a \$10 billion bond for education financing that should have been included in this year's \$288 billion budget package.

A budget is a reflection of priorities, and our State Legislature chose to prioritize over \$5 billion for universal illegal immigrant healthcare rather than providing funds to support and repair our school infrastructure. Billions in new bond debt is not the answer.

Prop. 2 Saddles Future Generations with Debt that Our Kids Will Be Paying Off for Decades

The Howard Jarvis Taxpayers Association points out that bonds are borrowed money that must be paid back, plus interest, even if that means cutting vital programs to do it. Governor Newsom recently declared a budget emergency because California spends more than it takes in. Children in school today will be drowning in new debt for decades if Prop. 2 passes.

Politicians want to borrow \$10 billion from Wall Street and make Californians pay it back with interest, forcing taxpayers to pay up to \$10 billion for debt service payments.

California Is Out of Money, Californians Are Over-taxed, Prop. 2 Will Make Things Worse

California, with rampant inflation and the highest gas and graduated income taxes in the nation, already has over \$109 billion of outstanding and unissued bonds alongside almost \$200 billion of unfunded pension liabilities and retiree medical benefits—over a quarter trillion dollars.

Californians will have to shoulder a greater increase in their tax burden paying off our bonds and related

interest payments. Our bond debt alone is already \$2,460 per person.

Sacramento politicians overspend, issue bonds, and punish us with tax hikes on our cars, gasoline, and income. And those tax dollars rarely go where politicians say they will—our roads crumble while billions go to High-Speed Rail.

Prop. 2 Is the Latest in a Long List of Broken Promises

In 2012, California voters approved Proposition 30's "temporary" increases to income and sales taxes. Then, Proposition 55 in 2016 extended many of those "temporary" taxes to 2028. Both times, teachers' unions promised billions in funding for our schools.

Money pits in the vast education bureaucracy will suck up most Prop. 2 funds without one cent going toward direct instruction in school classrooms. Instead, this money will be spent on wasteful construction projects benefiting special interests.

California's schools are consistently ranked near the lowest in the country. Rather than throwing nearly \$20 billion into school construction projects, our state needs a well thought out, long-term solution to achieve a high standard of excellence in reading, writing, and math. Prop. 2 does nothing to improve classroom instruction or help our children succeed.

Voters rejected Proposition 13, a \$15 billion school bond, in 2020 for exactly these reasons.

VOTE NO ON PROP. 2.

Assemblyman Bill Essayli

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 2 ★

Prop. 2 ensures that California students have the opportunity to learn in safe, updated schools while protecting taxpayers.

PROP. 2 IS NOT A TAX INCREASE

Prop. 2 will fund local upgrades and repairs to schools and community colleges without raising state or local taxes, despite what critics say. Some of the voices against Prop. 2 are ignorant about state bond financing and are making untrue claims because they simply want the state to cut funding for public education.

WE CAN'T WAIT ANY LONGER

Too many California students attend schools with leaky roofs, unsafe drinking water, mold, asbestos, lead paint, and lead pipes. There is a massive backlog of local school repairs but no state funding available for them. Prop. 2 provides the funding so our schools get the upgrades they desperately need, ensuring students have safe, healthy schools to support learning.

TOUGH ACCOUNTABILITY AND TAXPAYER PROTECTIONS

Prop. 2 puts local voters in control of how school bond

monies are spent. It requires public disclosure of all state and local spending, annual audits, and tough accounting standards. Additionally, it protects taxpayers from higher local property taxes by providing state matching funds to local communities so they do not need to raise even more money to fund the full cost of school repairs and upgrades. Prop. 2 is a bipartisan measure that will help more students get a quality education, increase access to an affordable college education, and improve job training opportunities for veterans and students.

Vote YES on Prop. 2.

Susan Dixon, State President
California Retired Teachers Association

Diana Limon, Director
International Brotherhood of Electrical Workers Local Union 11

Sheri Coburn, Executive Director
California School Nurses Organization

PROPOSITION **3** **CONSTITUTIONAL RIGHT TO MARRIAGE.**
LEGISLATIVE CONSTITUTIONAL AMENDMENT.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

3

The text of this measure can be found on page 75 and the Secretary of State's website at voterguide.sos.ca.gov.

- Amends California Constitution to recognize fundamental right to marry, regardless of sex or race.
- Removes language in California Constitution stating that marriage is only between a man and a woman.

**SUMMARY OF LEGISLATIVE ANALYST'S
ESTIMATE OF NET STATE AND LOCAL
GOVERNMENT FISCAL IMPACT:**

- No change in revenues or costs for state and local governments.

FINAL VOTES CAST BY THE LEGISLATURE ON ACA 5 (PROPOSITION 3)
(CHAPTER 125, STATUTES OF 2023)

Senate:	Ayes 31	Noes 0
Assembly:	Ayes 67	Noes 0

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

The federal courts have said that same-sex couples can marry, but outdated language in the California Constitution still says that marriage can only be between a man and a woman.

PROPOSAL

Proposition 3 updates the Constitution to match what the federal courts have said about who can marry.

FISCAL EFFECTS

Proposition 3 would not change who is allowed to marry in California. This means there would be no change in revenues or costs to state and local governments.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 3 ★

3

VOTE YES on Proposition 3—*Protect Your Freedom to Marry!*

Proposition 3 protects every Californian's right to marry—regardless of gender or race.

Proposition 3 would update our state constitution to align with existing law that allows marriage for same-sex couples, reflecting current court decisions and our values as Californians.

Proposition 3 is supported by a broad and bipartisan coalition of civic and faith leaders as well as civil rights leaders.

Why we need Proposition 3:

Although marriage equality for same-sex couples has been the law of the land in the United States for years, California's Constitution still says that same-sex couples are not allowed to marry. Recent threats against fundamental rights have made it clear California must be proactive in protecting the freedom to marry regardless of gender or race.

Proposition 3 removes discriminatory language from the California Constitution that states marriage is only between a man and a woman and replaces it with a provision that establishes the right to marry as a fundamental right, enshrining protections for same-sex and interracial couples.

California has always been a leader in protecting civil rights and individual freedom. Proposition 3 continues that legacy.

The proposition respects the freedom of religion in California. It would not change the existing rights of clergy and religious denominations to refuse to perform a marriage.

Supporters of Proposition 3 urge you to vote YES:

"Proposition 3 protects the right of every Californian, regardless of gender or race, to marry the person they love."—Equality California

"As a faith leader, I support Proposition 3 because it protects the right to marry while respecting faith communities' First Amendment rights."—The Rev. Jeff R. Johnson, bishop of the Evangelical Lutheran Church in America's Sierra Pacific Synod

"This ballot measure comes at a pivotal moment when the U.S. Supreme Court has made clear its willingness to revoke hard-won rights, endangering the freedoms of millions of Californians."—American Civil Liberties Union of Northern California

"Although marriage equality for same-sex couples has been the law of the land in the United States for years, California's Constitution still says that same-sex couples are not allowed to marry. Let's fix it by voting YES on Proposition 3. Honoring the fundamental rights of all people and fighting discrimination wherever it exists is a California value. Prop. 3 helps further California's commitment to protecting civil rights for all its residents."—Dolores Huerta, President, Dolores Huerta Foundation

YES on Proposition 3 means FREEDOM and EQUAL RIGHTS for all.

Learn more at: yesonprop3CA.com

Assemblymember Evan Low

Tony Hoang, Executive Director
Equality California

Jodi Hicks, CEO
Planned Parenthood Affiliates of California

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 3 ★

The authors of Proposition 3 claim it's about the "freedom to marry," but that's not true. This extreme amendment goes TOO FAR and puts vulnerable people at risk. It's not just about updating our state laws. This measure takes away essential safeguards that protect marriage and children.

Supporters say we need Prop. 3 due to "discrimination." But same-sex marriage has been legal since 2015, and no one is trying to change that: not the Supreme Court nor anyone else. There is simply NO REASON to pass this dangerous measure.

Proposition 3 removes ALL protections on marriage, including limits on children, close relatives, and three or more people marrying each other. All civilized societies prohibit these things because they HURT PEOPLE. That's why the unclear wording of Prop. 3 will cause huge problems.

Backers claim to care about civil rights and fairness. However, Proposition 3 puts what adults want ahead

of what children need. By saying mothers and fathers aren't necessary, it IGNORES years of studies and basic common sense affirming that kids do best when raised by both parents in a stable home.

California can support equal rights without this risky and unnecessary measure. Proposition 3 THREATENS our shared values of healthy families, healthy children, and a healthy society. It's not about equality; it's about radically changing marriage and family.

Let's protect our kids, families, and communities. Vote NO on Proposition 3!

Learn more at www.Proposition3.net or www.CaliforniaFamily.org.

Jonathan Keller, President
California Family Council

Rev. Tanner DiBella, Founder
The American Council of Evangelicals

★ ARGUMENT AGAINST PROPOSITION 3 ★

Californians should vote NO on Proposition 3, the so-called “Freedom to Marry” initiative. Supporters say it updates our constitution to match current laws, but it actually changes the definition of marriage in DANGEROUS and unexpected ways.

The big problem with Proposition 3 is that it overrides all laws on marriage. A “fundamental right” to marry means it would remove protections against child marriages, incest, and polygamy. Is this what we want for California? The unclear wording of Prop. 3 would lead to SERIOUS PROBLEMS that harm our society.

You may hear we need this measure to protect against possible Supreme Court decisions. But same-sex marriage has been legal across the country since 2015. Proposition 3 is fixing a problem that doesn't exist and is instead causing HARM.

Some supporters say “extremist politicians” could threaten marriage rights. But it is the backers of Proposition 3 who are EXTREME by wanting to remove all marriage guidelines. Sadly, all the talk about “equality” hides the RADICAL changes behind this proposal.

Current laws and court decisions already protect the right to marry, regardless of gender, sexual orientation, race, or ethnicity. These laws also protect children, prevent exploitation, and keep marriage as a union between two consenting adults. But Proposition 3 would REMOVE these defenses.

Instead of protecting civil rights in California, this measure risks the civil rights of children. It even opens the door to polygamy—marriage between more than two people. This would only exploit vulnerable women and children. Is this the kind of “EQUALITY” we want in our state?

By changing the definition of marriage, this measure also suggests that children don't need both a mom and a dad.

This goes against years of research showing that kids do best when raised by their mother and father in a stable, married home.

Children without a mother or father are more likely to have emotional issues, take part in risky behaviors, struggle in school, and face financial problems.

Proposition 3 INCREASES RISKS to kids' emotions, physical health, and education.

California is a leader in diversity and acceptance. But TRUE PROGRESS doesn't mean getting rid of all rules and protections. We should update our laws carefully while keeping necessary safeguards.

Instead of rushing to redefine marriage in ways that EXCLUDE a child's mother or father, we should insist that all adults conform to the needs of children. Proposition 3 FAILS this test badly.

Don't be tricked by talk of “love” and “acceptance.” Proposition 3 is a RECKLESS and unneeded measure that would hurt our state. It removes important protections for marriage while pretending to expand rights.

Californians deserve better than this poorly written and HARMFUL proposition. We can protect marriage and civil rights without allowing child brides, incest, and polygamy. Vote NO on Proposition 3 to keep common-sense marriage rules and protect our children, families, and society.

For more information, visit www.Proposition3.net or www.CaliforniaFamily.org.

Jonathan Keller, President
California Family Council

Tanner DiBella, President
The American Council for Evangelicals

3

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 3 ★

Proposition 3's opponents are wrong. Here are the facts: Proposition 3 PROTECTS the right of Californians to marry, regardless of gender or race.

Proposition 3 DOES NOT change California's laws regarding age requirements for marriage or the number of people in a marriage.

Aaron Tang, a constitutional law expert at the University of California, Davis, notes, “Proposition 3 removes outdated language in the California Constitution prohibiting marriage between same-sex couples.”

For decades, Proposition 3's opponents have sought to deny marriage rights to same-sex couples. They want to keep discriminatory language in the state constitution. That is why they oppose Proposition 3.

FAITH LEADERS & CIVIL RIGHTS GROUPS SUPPORT YES ON 3

The vast majority of Californians believe that every Californian, regardless of gender or race, should have

the right to marry the person they love. That's why Proposition 3 is supported by a broad and bipartisan coalition of faith leaders, civil rights advocates, and family-centered organizations.

California has always been a leader in protecting civil rights and individual freedom. Proposition 3 continues that legacy.

Learn more at yesonprop3CA.com.

VOTE YES ON PROPOSITION 3—PROTECT YOUR FREEDOM TO MARRY

Senator Scott Wiener

Mia Kirby, Senior Regional Organizing Lead
Human Rights Campaign

Maria Roman, Vice President
TransLatin@ Coalition

PROPOSITION
4 **AUTHORIZES BONDS FOR SAFE DRINKING WATER, WILDFIRE PREVENTION, AND PROTECTING COMMUNITIES AND NATURAL LANDS FROM CLIMATE RISKS. LEGISLATIVE STATUTE.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 75 and the Secretary of State’s website at voterguide.sos.ca.gov.

4

- Authorizes \$10 billion in state general obligation bonds for various projects to reduce climate risks and impacts: \$3.8 billion for safe drinking water and water resilience; \$1.95 billion for wildfire prevention and extreme heat mitigation; \$1.9 billion for protection of natural lands, parks, and wildlife; \$1.2 billion for protection of coastal lands, bays, and oceans; \$850 million for clean energy; and \$300 million for agriculture.
- Prioritizes projects benefitting disadvantaged communities.
- Requires annual audits.
- Appropriates money from General Fund to repay bonds.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increased state costs of about \$400 million annually for 40 years to repay the bond.

State Bond Cost Estimate

Amount borrowed	\$10 billion
Average repayment cost	\$400 million per year over 40 years
Source of repayment	General tax revenue

FINAL VOTES CAST BY THE LEGISLATURE ON SB 867 (PROPOSITION 4)
(CHAPTER 83, STATUTES OF 2024)

Senate:	Ayes 33	Noes 6
Assembly:	Ayes 66	Noes 6

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

State Pays for Natural Resources and Climate Activities. The state pays for many activities aimed at conserving natural resources, as well as responding to the causes and effects of climate change (“natural resources and climate activities”). These activities focus on increasing the amount of water available for use, conserving land to benefit fish and wildlife, increasing recreational opportunities at state and local parks, and other purposes. In some cases, state government agencies perform natural resources and climate activities. In other cases, the state provides grants and loans to local governments, not-for-profit organizations, and businesses to support similar activities.

State Pays for Natural Resources and Climate Activities in Various Ways. Sometimes the state pays up front for natural resources and climate

activities with money it already has. In other cases, the state pays for these activities by using bonds. Bonds are a way that the state borrows money and then repays the money plus interest over time. (For more information about bonds, please see “Overview of State Bond Debt” later in this guide.)

Over the past decade, the state has spent an average of about \$13 billion each year (annually) on natural resources and climate activities. About 15 percent of this amount has been from bonds. The state still has a few billion dollars remaining from prior natural resources and climate bonds that have not yet been committed for specific activities.

Local and Federal Governments Also Pay for Similar Activities. In addition to the state funding, other entities also pay for natural resources and climate activities. For example,

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

in some areas, local governments pay for water and energy infrastructure as part of their roles as local utilities. Local governments such as cities and counties also pay for local parks. The federal government also pays for various natural resources and climate activities. For example, the federal government provides money to improve local drinking water systems and to build energy infrastructure.

PROPOSAL

New Bond for Natural Resources and Climate Activities. Proposition 4 allows the state to sell a

\$10 billion bond for natural resources and climate activities. Much of the bond money would be used for loans and grants to local governments, Native American tribes, not-for-profit organizations, and businesses. Some bond money also would be available for state agencies to spend on state-run activities.

Funding Would Pay for a Variety of Activities. As shown in Figure 1, Proposition 4 pays for activities within eight broad categories, each with different goals. Some of the main activities in each category are summarized below:

Figure 1

Key Goals of Proposition 4 Bond Funds

(In Millions)

Category	Key Goals	Amount
Drought, Flood, and Water Supply	Increase the amount and quality of water available for people to use and reduce the risk of flooding.	\$3,800
Forest Health and Wildfire Prevention	Improve the health of forests and protect communities from wildfires.	1,500
Sea-Level Rise and Coastal Areas	Reduce the risks from sea-level rise, restore coastal areas, and protect fish.	1,200
Land Conservation and Habitat Restoration	Protect and restore natural areas.	1,200
Energy Infrastructure	Support the state’s shift to more renewable sources of energy, such as offshore wind.	850
Parks	Expand, renovate, and repair local and state parks.	700
Extreme Heat	Reduce the effects of extreme heat on communities.	450
Farms and Agriculture	Help farms respond to the effects of climate change and become more sustainable.	300
Total		\$10,000

ANALYSIS BY THE LEGISLATIVE ANALYST

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- Drought, Flood, and Water Supply (\$3.8 Billion).** Roughly half of this money would be for activities to increase the amount and quality of water available for people to use (\$1.9 billion). This would include storing water so it can be used during future droughts, as well as cleaning polluted water to make it safe to drink. Money would also be used to help reduce the risk of floods, such as by repairing dams and capturing and reusing stormwater (\$1.1 billion). The rest of the money would be used for various activities, such as restoring rivers and lakes.
 - Forest Health and Wildfire Prevention (\$1.5 Billion).** All of this money would support activities to improve the health of forests and reduce the risk of severe and destructive wildfires. This would include thinning trees in forests that are overgrown and clearing vegetation near where people live. Money would also be used for other activities, such as helping homeowners make their properties more resistant to wildfire damage.
 - Sea-Level Rise and Coastal Areas (\$1.2 Billion).** Most of this money would pay for activities to restore coastal areas and protect them from the effects of rising sea levels (\$890 million). This could include restoring wetlands so they can serve as buffers to rising sea levels. The rest of this money would be used to improve ocean habitats and protect fish and other marine wildlife (\$310 million).
 - Land Conservation and Habitat Restoration (\$1.2 Billion).** This money would be used to protect and restore land for the benefit of fish and wildlife. For example, it could support purchasing land to set aside so that it is not developed.
 - Energy Infrastructure (\$850 Million).** More than half of this money would support the development of wind turbines off the California coast (\$475 million). Most of the remaining money would pay for building infrastructure such as transmission lines to carry electricity long distances (\$325 million). The rest of the money would pay for projects to build large batteries that store electricity for when it is needed (\$50 million).
 - Parks (\$700 Million).** The bulk of this money would support various activities that expand recreational opportunities at parks or reduce the impacts of climate change on parks (\$300 million). These activities could include adding new trails and parking areas. Some of this money would provide grants to local communities to build new parks or renovate existing parks (\$200 million). The rest of this money would be used to repair state parks and provide nature education (\$200 million).
 - Extreme Heat (\$450 Million).** Much of this money would pay for activities focused on protecting communities from extreme heat (\$200 million). These activities could include adding trees and greenspaces. Money would also support places for people to go during heatwaves or disasters (\$100 million). The rest of the money would provide grants for local communities to conduct activities that provide environmental benefits, such as reducing air pollution (\$150 million).
 - Farms and Agriculture (\$300 Million).** Much of this money would be used for activities that encourage farmers to improve soil health, reduce air pollution, and use less water (\$105 million). This money would also support community gardens and farmers' markets, such as by purchasing shade canopies (\$60 million). The rest of this money would support a range of other activities, such as purchasing vans to transport farmworkers and conserving farmland.
- Establishes Other Requirements for the Use of Funds.** Proposition 4 requires the bond money to be used in certain ways. For example, at least 40 percent of bond money must be used for activities that directly benefit communities that

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

have lower incomes or are more vulnerable to the impacts of climate change. Proposition 4 also requires regular public reporting of how the bond money is spent.

FISCAL EFFECTS

Increased State Costs of About \$400 Million Annually for 40 Years to Repay the Bond. The estimated cost to repay the bond would be **about \$400 million annually over a 40-year period.**

Payments would be made from the state General Fund. (The General Fund is the account the state uses to pay for most public services, including education, health care, and prisons.) This would be less than one-half of 1 percent of the state's total General Fund budget. Since the state has to pay interest on the money it borrows, the total cost of the bond would be about 10 percent more (after adjusting for inflation) than if the state paid up front with money it already has.

Likely Reduced Local Costs for Natural Resources and Climate Activities. The availability of state bond funds could have various fiscal effects on local governments. In some cases, the additional state funding could replace local government money that would otherwise be needed to pay for a project. For example, this could include using bond funds to help support an essential water treatment facility the local government otherwise would have needed to fund by itself. In other

cases, however, the availability of state funds could encourage local governments to spend more money to build larger projects than they otherwise would. For example, this could include adding additional amenities to a local park. On net, Proposition 4 likely would result in savings to local governments. The amount of these savings is uncertain but could average tens of millions of dollars annually over the next few decades.

Potential State and Local Savings if Funding Prevents Disasters. To the extent the bond funds result in completing activities that reduce the risk or amount of damage from disasters, it could reduce state and local costs for responding to and recovering from those events. For example, improving a levee could reduce the amount of flooding that occurs. Additionally, thinning trees in a forest could reduce the severity of wildfires. The amount of such potential savings is uncertain.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 4 ★

YES on 4: TO CLEAN AND PROTECT OUR DRINKING WATER, PREVENT WILDFIRES

Prop. 4 makes urgent, commonsense investments to protect our communities, health, economy, and natural resources by:

- Cleaning up and protecting water supplies
- Preventing devastating wildfires
- Protecting forests, beaches, fresh water sources, and wildlife habitat

Voting Yes on 4 is urgently needed. California faces increasing threats from wildfires, water pollution, and extreme heat. Investments *today* can prevent future costs and damage from a changing climate and more frequent natural disasters.

PROVIDING CLEAN, SAFE DRINKING WATER

Prop. 4 will clean up and protect California's drinking water supplies in all regions of California—remove toxic pollutants from our drinking water, addressing infrastructure risks like weakened dams and levees, and increasing supplies.

Today, nearly 1 million Californians lack access to drinking water that meets safety and reliability standards, according to the State Water Board. Yes on 4 helps ensure we all have safe water to drink.

PREVENTING DEVASTATING WILDFIRES AND SMOKE

Recent California wildfires have burned 2 million acres, released toxic smoke into our air, and polluted drinking water supplies. Fire damage and smoke have harmed quality of life and health, including children's lungs, in every corner of California. Prop. 4 invests in projects to prevent wildfires, reduce their intensity when they do occur, and improve disaster response.

"Giving firefighters the tools to prevent wildfires is the best, most cost effective way to prevent the human and financial costs of these disasters. Prop. 4 makes the right investments to save lives and billions in response and recovery costs."—Tim Edwards, President, CALFIRE Firefighters

PROTECTING FORESTS, BEACHES, RIVERS, STREAMS, AND WILDLIFE

Our beaches, forests, and mountains make California special, and we have a responsibility to protect them for our children and future generations. Protecting natural areas and wildlife is more urgent today than ever before, as we lose wildlife habitat, farm and ranchland, and even beaches wash away. Prop. 4 protects these natural areas from wildfire, pollution, and other threats from a changing climate.

PROTECTING PUBLIC HEALTH

By removing pollution from the air and toxins from our water, Prop. 4 protects the health of vulnerable seniors and children.

STRONG FISCAL RESPONSIBILITY, ACCOUNTABILITY & TRANSPARENCY

California is already paying the price for failing to adequately prepare for drought and a changing climate. This measure helps shift from disaster response to *prevention*.

Our state and communities will save billions more by avoiding and reducing damage from wildfires, droughts, and floods.

Prop. 4 contains strict fiscal accountability and transparency:

- Annual independent audits
- Full public disclosure of all future funding

Join California firefighters (CalFire Local 2881), the National Wildlife Federation, the Nature Conservancy, Clean Water Action, and water agencies including San Diego Co Water Authority: YES on 4.

Jennifer Clary, State Director
Clean Water Action

Tim Edwards, President
CALFIRE Firefighters

Beth Pratt, California Regional Executive Director
National Wildlife Federation

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 4 ★

Clean drinking water and preventing destructive wildfires are necessities, not luxuries. These should be addressed within our state budget, not by demanding \$10 billion more from the taxpayers in the form of a bond that will cost nearly double to repay—\$19.3 billion.

The challenges we face with wildfires and water supply are the result of decades of neglect and mismanagement of our resources. Empowering tribal leaders for forest management and investing in water infrastructure could have prevented these crises. These aren't random occurrences, but repercussions of misguided policies.

Despite politicians' frequent promises for accountability, since 2000 California voters have approved over \$30 billion in natural resources bonds—with little to show. After years of refusing to prioritize spending on forest management, we are suffering the aftermath of major wildfires that could have been prevented, or at least minimized. After years of refusing to invest in water storage, we are facing water supply instability.

Instead of burdening taxpayers with a bond that overpromises, we should tackle these issues in the budget. *Real change stems from commitment, not quick fixes.* This isn't just policy, it's our future. Let's choose pragmatism over procrastination.

Sacramento politicians should not demand more money from the taxpayers or pressure voters to pass an unrealistic bond package that lacks any lasting change to state policy. Vote NO on Proposition 4.

Vote NO on deferring our environmental responsibility at double the cost. Let's invest in a greener tomorrow today.

Senate Minority Leader Brian W. Jones

Assemblyman Jim Patterson

Jon Coupal, President
Howard Jarvis Taxpayers Association

★ ARGUMENT AGAINST PROPOSITION 4 ★

TOO MUCH DEBT, TOO LITTLE BENEFIT: THE PROBLEM WITH PROPOSITION 4

Bonds are the most expensive way for the government to pay for things. Proposition 4 would add a whopping *\$10 billion* of debt to the taxpayers—PLUS an estimated *\$9.3 billion* in interest—to pay for climate-related programs. This funding would also cover administrative costs and salaries for grant recipients. But remember, this is borrowed money.

At the start of the year, California already had over *\$78 billion* of bond debt. Proposition 1 in March added another *\$6.38 billion*. Now there's a proposal to add an additional *\$10 billion* for ambiguous climate programs. Guess who's going to foot the bill? That's right—we taxpayers. Our tax dollars will be diverted from essential services to cover interest payments and principal repayment of the bond.

Bonds are borrowed money that must be paid back, PLUS INTEREST, no matter what the state must cut to do it. Governor Newsom already declared a budget emergency because the state spends more than it takes in. How many programs will have to be cut in the future to pay for Proposition 4? According to the nonpartisan Legislative Analyst's Office, we had a *\$62 billion* deficit this year. What will happen when we have both a deficit AND the obligation to repay this enormous bond debt?

Two years ago, California had a nearly *\$100 billion SURPLUS*. If these climate projects had been prioritized then, we could have covered the entire cost of this bond with just 10 percent of that surplus. Now, due to the government's inability to manage its spending, they are asking voters for more of their hard-earned money.

AS A VOTER, YOUR TAX DOLLARS SHOULD FUND YOUR HIGHEST PRIORITIES, NOT PET PROJECTS.

Bonds should be reserved for financing essential projects that will build infrastructure lasting beyond the 30-year payoff period. However, many elements of Proposition 4 fail to meet that standard, resulting in *\$10 billion* of spending just being added to the taxpayers' credit card—with a lack of accountability or measured metrics for success! Proposition 4 is full of money being funneled to unproven technologies that may sound promising on paper but have no concrete evidence of success. By committing funds to speculative projects, Proposition 4 overlooks long-term water storage and critical wildfire fuel management programs in favor of short-term, unproven projects.

IT'S RECKLESS TO USE COSTLY BORROWED MONEY TO PAY FOR UNPROVEN PROGRAMS.

Proposition 4 represents a reckless increase in state debt with questionable benefits. The government should prioritize essential services and ensure that any borrowing is reserved for projects that provide lasting, tangible benefits to the state and its residents. Vital programs should be funded in the budget with the taxes we already pay, not through costly borrowing. What's in the budget that's a higher priority than safe drinking water and wildfire prevention? Politicians should answer that question before racking up another *\$10+ billion* in debt that will have to be paid back, WITH INTEREST.

Senate Minority Leader Brian W. Jones

Assemblyman Jim Patterson

Jon Coupal, President

Howard Jarvis Taxpayers Association

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★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 4 ★

YES on 4: ADDRESSES CALIFORNIA'S HIGHEST PRIORITY DRINKING WATER and FIRE PREVENTION NEEDS

California firefighters, clean water organizations, public health experts, and conservation groups urge YES on 4, to address our state's *most vital needs* for a safe water supply, wildfire prevention, and clean air.

The opposition itself admits, clean water and wildfire prevention are critical priorities.

Prop. 4 makes efficient, sensible investments in proven solutions: upgrading drinking water treatment to remove contaminants, fixing crumbling dams and levees to prevent floods, creating groundwater storage and recycling plants to boost supply and prepare for drought, and investing in effective wildfire prevention and containment strategies.

YES on 4: SMART, URGENT INVESTMENTS WITH STRICT ACCOUNTABILITY REQUIREMENTS, PROTECTS COMMUNITIES AND PREVENTS BILLIONS IN FUTURE COSTS

Yes on 4 is fiscally responsible and fully transparent.

Nearly 1 million Californians lack access to clean drinking water. Yes on 4's investments strengthen safe water

supplies and flood control infrastructure—saving billions in temporary fixes and economic losses.

A UCLA study found 10 years of wildfire smoke have caused 50,000 premature deaths and \$400 billion in economic losses. Wildfire prevention saves six times its cost in reduced damage, while protecting our health.

"California's financial health is vulnerable to natural disasters, neglected infrastructure, and a changing climate. Without raising taxes, Yes on Prop. 4 saves California money while helping state and local governments protect our communities."—Tim Gage, former state Director of Finance. California communities can't wait.

YES on 4: CLEAN DRINKING WATER, WILDFIRE PREVENTION, and OUR HEALTH.

Susana De Anda, Executive Director
Community Water Center

Sarah Gibson, Fire Manager
The Nature Conservancy

Christopher Chavez, Deputy Policy Director
Coalition for Clean Air

ALLOWS LOCAL BONDS FOR AFFORDABLE HOUSING AND PUBLIC INFRASTRUCTURE WITH 55% VOTER APPROVAL. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 94 and the Secretary of State's website at voterguide.sos.ca.gov.

- Allows local bonds for affordable housing for low- and middle-income Californians, or for public infrastructure including roads, water, and fire protection to be approved by 55% of voters, rather than current two-thirds approval requirement.
- Bonds must include specified accountability requirements, including citizens oversight committee and annual independent financial and performance audits.
- Allows local governments to assess property taxes above 1% to repay affordable housing and infrastructure

bonds if approved by 55% of voters instead of current two-thirds approval requirement.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increased local borrowing to fund affordable housing, supportive housing, and public infrastructure. The amount of increased borrowing would depend on decisions by local governments and voters. Borrowed funds would be repaid with higher property taxes.

FINAL VOTES CAST BY THE LEGISLATURE ON ACA 1 (PROPOSITION 5) (CHAPTER 173, STATUTES OF 2023)

Senate:	Ayes 29	Noes 10
Assembly:	Ayes 55	Noes 12

FINAL VOTES CAST BY THE LEGISLATURE ON ACA 10 (PROPOSITION 5) (CHAPTER 134, STATUTES OF 2024)

Senate:	Ayes 31	Noes 8
Assembly:	Ayes 54	Noes 8

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

Housing Is Expensive in California. A typical California home currently costs around twice the national average. Similarly, renters in California typically pay about 50 percent more for housing than renters in other states.

Local Programs Help Pay for Housing. Some programs help low-income Californians afford housing. For example, governments help pay for housing reserved for low-income residents. Other programs provide housing and services to specific groups. Examples of such groups

include people with disabilities or those at risk of chronic homelessness. We refer to affordable and supportive housing programs as "housing assistance."

Local Governments Also Pay for Public Infrastructure. Examples of infrastructure projects paid for by local governments include roads, hospitals, fire stations, libraries, and water treatment facilities.

Local Governments Often Use Bonds to Pay for Housing Assistance Programs and Public

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

Infrastructure. Bonds are a way for local governments to borrow money and then repay it plus interest over time. Similar to the way a family pays off a mortgage on their home, bonds allow governments to spread costs over a few decades.

Certain Bonds Require Two-Thirds Approval of Local Voters. For cities, counties, and special districts, bonds paid for by increased property taxes typically require two-thirds of local voters to approve them. These are called general obligation bonds.

PROPOSAL

Proposition 5 changes the rules in the California Constitution for approving certain local government general obligation bonds. It also requires local governments to monitor the use of revenues in specific ways.

Lowers Voter Approval Requirement for Certain Bonds. Proposition 5 lowers the voting requirement needed to approve local general obligation bonds if they would fund housing assistance or public infrastructure. Specifically, Proposition 5 lowers the voter approval requirement from two-thirds to 55 percent.

Requires Specific Oversight Activities. Proposition 5 requires local governments to take specific steps to monitor the use of bond funds supporting housing assistance and public infrastructure. For example, local governments would need to conduct annual independent financial and performance audits. Citizens' oversight committees also would be appointed to help supervise spending.

FISCAL EFFECTS

Certain Local Bonds More Likely to Pass. A lower voter approval requirement would make it easier to pass local general obligation bonds for housing assistance and public infrastructure. Recent local election results suggest that an additional 20 percent to 50 percent of local bond measures would have passed under Proposition 5's lower voter approval requirement. Those measures would have raised a couple billion dollars over many years. A lower voter approval requirement also could mean local governments propose more measures.

Increased Local Funding for Housing Assistance and Public Infrastructure. An increase in the approval of local bonds could increase funding available for housing assistance and public infrastructure. The amount of this increase is not clear. Based on recent trends, it could be at least a couple billion dollars over many years. The amount of the increase would vary across local governments. If local voters approve more bonds, local governments also would have more borrowing costs. These costs would be paid with higher property taxes. Ultimately, any future bond approval would depend on decisions by local governments and voters.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 5 ★

VOTE YES ON PROP. 5

Prop. 5 gives local voters more control over funding for affordable housing and vital infrastructure projects including roads, bridges, local fire protection and water systems. Without raising taxes, Prop. 5 shifts local public policy decisions and spending priorities away from state government, giving local voters and taxpayers more tools, more power, and greater autonomy to address those issues in their own communities.

PROP. 5: AFFORDABLE HOUSING FOR LOW- AND MIDDLE-INCOME CALIFORNIANS

We have a massive shortage of affordable housing for low- and middle-income Californians. The high cost of housing consumes too much of our paychecks, and many middle-class families are being pushed out of the communities where they work and where their children go to school.

Prop. 5 gives local communities more tools to make housing more affordable, including: • Providing first-time homebuyers' programs; • Building new housing, including affordable for-sale ownership and rental housing, for low- and middle-income Californians, seniors, veterans, and homeless families; and • Renovating and repairing existing affordable housing.

PROP. 5: LOCAL PROJECTS SUPPORTING NEW HOUSING AND SAFE COMMUNITIES

In addition to affordable housing, Prop. 5 makes it easier for local voters who choose to invest in safety repairs and improvements to bridges, roads, public transportation, water systems, and other critical public infrastructure as they see fit. Local voters can also approve bonds for emergency preparedness, including local fire stations and engines, ambulances, and early-warning systems for natural disasters. Prop. 5 trusts local voters to prioritize what's most important in their communities.

PROP. 5: LOCAL CONTROL. INCREASED ACCOUNTABILITY

Prop. 5 does not raise taxes. It simply gives voters more

power to address the unique needs of their communities without relying on the state, which has not met the challenges facing most California families.

But with increased control, comes increased accountability, transparency, and oversight to ensure that these programs truly deliver results. To increase protection of local tax dollars, qualifying bond measures have strict accountability requirements including: • A clear list of the specific types of projects to be funded. • All funding must be spent to benefit the jurisdiction that approves the bonds, ensuring that local taxpayers benefit. • Caps on administrative costs so resources are used for the projects local taxpayers voted for. • Independent performance and financial audits of spending must be posted publicly and reviewed by the State Auditor. • Strict conflict of interest checks for local officials. • Oversight by an independent citizens committee.

For years, local voters have known what challenges their communities face, and how best to address those issues. Voting Yes on Prop. 5 empowers local voters to make decisions about what their communities need, and makes it easier to solve those local problems, with less reliance on state government which has proven to be too slow and unable to address the critical needs of our individual communities.

Prop. 5 trusts local voters to know what's best for their own communities when faced with affordable housing shortages and other infrastructure challenges, and gives them the tools to invest in their own local solutions.

Vote Yes on Prop. 5.

Brian K. Rice, President
California Professional Firefighters

Christopher Carson, President
League of Women Voters of California

Leah Miller, Chairperson
Habitat for Humanity California

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 5 ★

NO ON PROP. 5: MORE GOVERNMENT DEBT AND HIGHER PROPERTY TAXES

Politicians claim they need Prop. 5 to make it easier to pass bonds, but they don't tell you bonds are not free. Bonds are debt. A \$20 billion bond costs \$30 billion to repay—and it's paid off with *higher property taxes*.

NO ON PROP. 5: A TRICK TO USE TAXPAYERS AS A CREDIT CARD

The politicians in Sacramento turned a \$100 billion surplus into a \$73 billion deficit in just two years. Now, they want to use local taxpayers as a credit card to keep spending. They want you to pay for affordable housing and other "infrastructure" projects with higher property taxes.

NO ON PROP. 5: LOOPHOLES THAT GO BEYOND "INFRASTRUCTURE"

Politicians say Prop. 5 will build "infrastructure," but the fine print defines "infrastructure" so broadly that it can include just about anything they want to fund on the backs of local taxpayers.

NO ON PROP. 5: MORE WASTEFUL SPENDING

Politicians say Prop. 5 is needed to build "affordable" housing, but they don't tell you their version of affordable housing costs as much as \$1 million per unit and comes with expensive state mandates.

NO ON PROP. 5: HIGHER TAXES, HIGHER RENTS, HIGHER PRICES

Since 1879, California has required a 2/3 majority approval to approve most bonds. Prop. 5 reduces that threshold—meaning more debt and higher property taxes for homeowners, higher rents for renters, higher costs to farmers, and higher prices for everything we buy and use. Don't trust the politicians. Vote NO on Prop. 5.

Jon Coupal, President
Howard Jarvis Taxpayers Association

Rev. Dwight E. Williams, Chairman
California Senior Alliance

Greg Van Dyke, President
California Consumer Advocates for Affordability and Safety

★ ARGUMENT AGAINST PROPOSITION 5 ★

NO ON PROP. 5: WRITTEN BY POLITICIANS TO INCREASE DEBT AND RAISE TAXES

Prop. 5 changes the constitutional requirements that have existed for 145 years by reducing the voter approval requirements to pass bonds. Prop. 5 makes it easier for cities, counties, and special districts to increase property taxes to pay for our already massive debt levels in California. Increased debt, combined with skyrocketing interest rates, means HIGHER PROPERTY TAXES ultimately paid for by every Californian.

NO ON PROP. 5: EVEN MORE UNSUSTAINABLE DEBT

California already has more debt than any other state, with more than \$500 billion in state and local debt. When this debt is added to the state's total unfunded liabilities, it totals a staggering \$1.6 TRILLION. Prop. 5 puts taxpayers on the hook for even more—saddling future generations with the bill!

NO ON PROP. 5: HIGHER TAXES, HIGHER RENTS, HIGHER PRICES

Bonds are not free money. Like a loan, mortgage, or credit card debt, bonds have to be paid back—with interest. Interest charges turn a \$20 billion bond into a \$30 billion tax after principal and interest—and TAXPAYERS PAY those costs through higher property taxes.

Higher property taxes mean higher house payments for homeowners, higher rents for renters, higher costs to farmers, and higher prices for everything we buy since local businesses will have to pass their higher property taxes on to consumers.

NO ON PROP. 5: SHIFTS STATE BURDEN TO LOCAL TAXPAYERS

The politicians in Sacramento have made a mess with their financial mismanagement and wasteful spending, turning a \$100 billion surplus into a \$73 billion deficit with unsustainable spending. Prop. 5 allows politicians to cover up their mess by shifting the costs for state programs to local

taxpayers. And Prop. 5 was written to define “infrastructure” so broadly that it can include just about anything the politicians and special interests want to fund on the backs of taxpayers.

PROP. 5: BEWARE THE FINE PRINT

The politicians who wrote Prop. 5 even snuck in a provision buried in the fine print that would make it RETROACTIVE—meaning that any bond passed this November would only need a lower vote total to pass. Normally, when voters approve a measure on the ballot, it doesn't go into law until after the election results are certified. By making Prop. 5 retroactive, they hope to saddle taxpayers with billions in new taxes and debt immediately. That means taxpayers could see their property taxes skyrocket right away.

NO ON PROP. 5: IT WILL MAKE EVERYTHING MORE EXPENSIVE

Californians already struggle with the highest cost of living in the nation. We already pay the highest income, sales, and gas taxes in the country, and Prop. 5 will lead to even higher property taxes and higher costs for everyone. Homeowners will be hit with higher taxes, renters with higher rent, and consumers with higher prices on everything from food to gas and utilities to services.

PROP. 5 will make everything more expensive when Californians can least afford it.

NO on PROP. 5.

Robert Gutierrez, President
California Taxpayers Association

Julian Canete, President
California Hispanic Chambers of Commerce

Kendra Moss, Advisory Member
Women Veterans Alliance

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★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 5 ★

YES ON PROP. 5 DOES NOT RAISE TAXES: Prop. 5 simply shifts local public policy decisions and spending priorities away from state government, giving local voters and taxpayers more tools and greater autonomy to address issues in their own communities. Unlike statewide bond measures, Prop. 5 requires that projects funded by local taxpayers must benefit local taxpayers, and gives more power to those communities that choose to use Prop. 5 to solve real problems.

PROP. 5 IS NOT A BOND OR A TAX: Prop. 5 finally gives local communities the choice to address critical infrastructure needs if supported by a super-majority of local voters.

Whether it's making it easier for first-time homebuyers, seniors, veterans, and working families to afford housing, or fixing the local roads and bridges that families depend upon for safe travel to and from work and school, Prop. 5 empowers local voters to solve local problems.

PROP. 5 REQUIRES INCREASED ACCOUNTABILITY: For those communities that choose to utilize Prop. 5, strict

taxpayer protections will be mandatory, including: • A list of projects to be funded. • Caps on administrative costs and strict conflict of interest rules. • Independent audits made public, and a trained local citizens oversight committee.

VOTE YES ON PROP. 5: Voters have always known what challenges their communities face and how best to address important issues including housing affordability, water systems, road repair, fire stations, and other critical infrastructure needs. Prop. 5 will empower local voters with the choice and the tools to solve those challenges.

Daniel Parra, President
League of California Cities

John Valencia, President
Middle Class Taxpayers Association

Michelle Gutierrez Vo, President
California Nurses Association

PROPOSITION
6 **ELIMINATES CONSTITUTIONAL PROVISION ALLOWING
INVOLUNTARY SERVITUDE FOR INCARCERATED PERSONS.
LEGISLATIVE CONSTITUTIONAL AMENDMENT.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 97 and the Secretary of State's website at voterguide.sos.ca.gov.

- Amends the California Constitution to remove the current constitutional provision that allows jails and prisons to impose involuntary servitude to punish crime (*i.e.*, forcing incarcerated persons to work).
- Prohibits the California Department of Corrections and Rehabilitation from punishing incarcerated persons for refusing a work assignment. Allows incarcerated persons to voluntarily accept work assignments in exchange for credit to reduce their sentences.

**SUMMARY OF LEGISLATIVE ANALYST'S
ESTIMATE OF NET STATE AND LOCAL
GOVERNMENT FISCAL IMPACT:**

- Potential increase or decrease in state and local criminal justice costs, depending on how rules around work for people in state prison and county jail change. Any effect likely would not exceed the tens of millions of dollars annually.

**FINAL VOTES CAST BY THE LEGISLATURE ON ACA 8 (PROPOSITION 6)
(CHAPTER 133, STATUTES OF 2024)**

Senate:	Ayes 33	Noes 3
Assembly:	Ayes 68	Noes 0

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

“Involuntary Servitude” Banned Except as a Punishment for Crime. The California Constitution bans involuntary servitude except as a punishment for crime. The Constitution does not define involuntary servitude. However, involuntary servitude commonly refers to forcing people to work against their will.

Some People in State Prison and County Jail Work. People in prison and jail can be required to work or do other

activities such as taking classes. Work includes jobs like cooking, cleaning, or other tasks needed to run prisons and jails. Roughly one-third of people in prison work. Many of these workers are paid less than \$1 per hour. Workers can also earn “time credits” that reduce the amount of time they serve in prison or jail. People who refuse to work or do other activities can face consequences such as losing the ability to make regular phone calls.

PROPOSAL

Bans Involuntary Servitude as a Punishment for Crime. Proposition 6 changes the Constitution to ban involuntary servitude as a punishment for crime. It also bans state prisons from disciplining people who refuse to work. However, Proposition 6 states it does not stop prisons from giving people time credits for working.

FISCAL EFFECTS

Potential Increase or Decrease in State and Local Criminal Justice Costs.

The fiscal effects of Proposition 6 on state and local criminal justice costs are uncertain. This is because it would depend on how Proposition 6 would change rules around work for people in state prison and county jail and how people would respond to those changes. For example, if people in prison and jail no longer face consequences for refusing to work,

prisons and/or jails might have to find other ways to encourage working. If this is done by increasing pay, costs would increase. If this is done by giving more time credits instead, costs would decrease because people would serve less time. **Any potential increase or decrease in state and local criminal justice costs likely would not exceed the tens of millions of dollars each year (annually).** This amount is less than one-half of 1 percent of the state’s total General Fund budget. (The General Fund is the account the state uses to pay for most public services, including education, health care, and prisons.)

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee’s top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 6 ★

Proposition 6: Ending Slavery in California's Carceral System

VOTE YES on PROPOSITION 6. Proposition 6 eliminates all forms of slavery and involuntary servitude within California, ensuring no person is subjected to such conditions regardless of their confinement circumstances.

PROPOSITION 6 RESTORES HUMAN DIGNITY BY ENDING FORCED LABOR, WHICH CONSTITUTES SLAVERY AND VIOLATES HUMAN RIGHTS. Incarcerated people should have dignity and the agency to pursue a rehabilitative path because forced labor serves no rehabilitative purpose. This amendment focuses on the moral imperative of allowing voluntary work assignments, emphasizing the importance of human rights.

PROPOSITION 6 ENHANCES PUBLIC SAFETY BY PRIORITIZING REHABILITATION. Forced labor in prisons is cruel and unfair, often leading to harsh punishments like violence, solitary confinement, and denial of services. These practices undermine rehabilitation and increase the likelihood of reoffending. In contrast, Proposition 6 expands voluntary prison work programs and ensures dignity, choice, and rehabilitation. Incarcerated individuals will voluntarily take part in education, job training, and other programs that help prevent crimes against Californians.

ENDING SLAVERY IS A BIPARTISAN PRIORITY WITH WIDESPREAD SUPPORT. ACA 8, now known as Proposition 6, passed unanimously in the Assembly (68-0) and with overwhelming approval in the Senate (33-3). California is one of 16 states that still allow this practice, highlighting the urgent need for reform.

PROPOSITION 6 SUPPORTS THE NATIONAL MOVEMENT BY CLOSING THE LOOPHOLE IN CALIFORNIA'S VERSION OF THE 13TH AMENDMENT. While it does not change federal law, it upholds justice by preventing forced labor in California. Voluntary work programs reduce recidivism by offering skill development and rehabilitation, aiding formerly incarcerated individuals in reintegrating into society. Productive work, rooted in dignity, allows reintegration by letting formerly incarcerated people use their work experiences as proof of their efforts.

Many states have amended their constitutions to close the loopholes that allow forced labor and involuntary servitude under certain conditions. This includes significant voter support: over 66% in Colorado (2018), over 80% in Utah, and over 68% in Nebraska (2020). In 2022, similar measures saw over 76% approval in Alabama, over 55% in Oregon, over 79% in Tennessee, and over 88% in Vermont. Nevada is also referring this issue to voters for the 2024 election. Additionally, federal legislators are moving this session to close the loophole in the 13th Amendment with Senate Joint Resolution 33, introduced by Senators Jeff Merkley and Cory Booker, and House Joint Resolution 72 by Representative Nikema Williams.

Lori Wilson, Assemblymember
California Legislature

Dolores Huerta, Executive Director
Dolores Huerta Foundation

Stephen Downing, Deputy Chief (Ret.)
Law Enforcement Action Partnership

★ ARGUMENT AGAINST PROPOSITION 6 ★

NO ARGUMENT AGAINST PROPOSITION 6 WAS SUBMITTED.

PROPOSITION **RAISES MINIMUM WAGE.**
32 INITIATIVE STATUTE.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 97 and the Secretary of State's website at voterguide.sos.ca.gov.

- California's minimum wage is currently \$16 per hour. This measure increases that minimum, as follows:
 - Employers with 26 or more employees would pay \$17 hourly for the remainder of 2024 and \$18 hourly beginning on January 1, 2025.
 - Employers with 25 or fewer employees would pay \$17 hourly beginning January 1, 2025, and \$18 hourly beginning January 1, 2026.
- Thereafter, as existing law provides, the minimum wage annually adjusts for inflation.
- In addition to the generally applicable minimum wage described above, current laws establish a higher minimum wage in specified industries. This measure does not amend those laws.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- State and local government costs could increase or decrease. This change likely would not exceed the high hundreds of millions of dollars annually.
- State and local tax revenues likely would decrease. This revenue loss likely would not exceed a few hundred million dollars annually.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

State and Local Laws Set Minimum Wages.

Employers must pay their workers at least the minimum wage. California's minimum wage currently is \$16 per hour. Some local governments have higher minimum wages. Minimum wage laws do not apply to independent contractors and other self-employed people.

Inflation Adjustments Under Current Law. Prices tend to go up over time. These rising prices are called "inflation." The state adjusts its minimum wage every year based on inflation. Each adjustment matches U.S. inflation, except in two cases:

- If inflation is negative, the adjustment is zero.
- If inflation exceeds 3.5 percent, the adjustment is 3.5 percent.

State Sets Higher Minimum Wages for Some Employers. State laws set higher minimum wages for employers in some industries. For example, most fast food restaurants must pay their workers at least \$20 per hour.

PROPOSAL

Higher Minimum Wage in 2025. In 2025, California would have different minimum wages for employers of different sizes. Employers with 26 or more employees would have a minimum wage of \$18 per hour. Employers with 25 or fewer employees would have a minimum wage of \$17 per hour. Without Proposition 32, the minimum wage for all employees would be about \$16.50 per hour. The proposition would not change any local or industry-specific minimum wages.

Minimum Wage \$18 Per Hour in 2026. In 2026, the minimum wage would be \$18 per hour for all employees. Without Proposition 32, it likely would be about \$17 per hour.

Inflation Adjustments Paused Until 2027. The minimum wage would be adjusted for inflation every year starting in 2027. These adjustments would follow the current rules described earlier.

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

FISCAL EFFECTS

Fiscal Effects Depend on Economic Effects.

Proposition 32 could have a wide range of economic effects:

- **Higher Wages.** Workers who would have made less than \$18 per hour would instead make \$18 or more per hour by 2026. Higher minimum wages also tend to push up wages for other workers. This means that many workers making a bit more than \$18 per hour also likely would get a raise.
- **Likely Higher Prices.** Higher wages would increase costs for many businesses. Some businesses likely would charge customers higher prices. The overall price increase from Proposition 32 likely would be smaller than one-half of 1 percent.
- **Likely Lower Profits.** The costs of higher wages likely would reduce some businesses' profits.
- **Effect on Jobs.** The number of jobs in the state could go up or down. This change likely would be smaller than one-quarter of 1 percent.

Government Costs Could Go Up or Down.

Proposition 32 would increase state and local government costs in some ways but would decrease them in other ways:

- **Higher Government Costs to Pay for Workers.** The state and many local governments would have higher costs to pay their employees. They also would have higher costs to pay for work done by workers who are not their employees.
- **Savings From Lower Enrollment in Health and Human Services Programs.** Proposition 32 would change the number of people enrolled in health and human

services programs (such as California's Medicaid program, Medi-Cal) because it would change people's incomes. These enrollment changes likely would reduce state and local government costs.

Combining these two pieces, total state and local government costs could go up or down. This change likely would not exceed the high hundreds of millions of dollars each year (annually). (Total state and local government spending in California exceeds \$500 billion annually.)

The change in costs to the state's General Fund likely would be less than one-half of 1 percent of the state's total General Fund budget. (The General Fund is the account the state uses to pay for most public services, including education, health care, and prisons.)

Lower Revenues. Proposition 32 would affect income tax and sales tax revenues because it would change incomes and prices. Overall, the proposition likely would reduce state and local government revenues. Revenues would be lower mainly due to lower incomes for business owners. The net revenue loss likely would not exceed a few hundred million dollars annually. Last year, total state and local revenue from these taxes was about \$200 billion.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 32 ★

Every Californian who works at least a full-time, 40-hour work week should be able to afford life's basic needs. However, there are about 2 million Californians who are working full time, and more, but earn less than \$18 per hour. Most of these Californians who earn less than \$18 per hour are heads of their households. Most of these Californians who earn less than \$18 per hour have kids. We can all agree that Californians who work hard, working full time or more, should not live in poverty. But that's exactly how millions of Californians are living because their wages are too low to afford how expensive life has become in California.

In addition, when people who work hard are paid wages that aren't enough to cover life's basic needs, a bigger burden is put on taxpayers to make up the difference that some corporations aren't honoring. It is wrong for all the businesses that do right by their workers that some corporations are allowed to pay Californians such low wages that those workers are left needing taxpayer funded aid. Taxpayers should not be subsidizing some corporations that choose to pay extremely low wages and enabling them to keep the rest as excess profit for their owners.

By raising the minimum wage to \$18 per hour, Proposition 32 will bring a much-needed raise to 2 million California workers and create a more prosperous system where big corporations aren't allowed to exploit smaller businesses, our communities, and our hardest working neighbors.

Finally, when more Californians earn a fair wage for their work, our entire economy does better. Working people are better able to afford their rent, provide three meals per day for their kids, and all of that spending boosts the economies of our local communities. That boosted spending creates more jobs in our communities, which makes everyone better off.

It's time that we make California a place that working families can afford. By raising the minimum wage to \$18, Proposition 32 will directly better the lives of 2 million Californians who will get a raise and we will stimulate more spending in our communities that most need that boost. That boost will create more jobs and more prosperity for everyone.

VOTE YES ON PROP. 32!

Joe Sanberg, Anti-Poverty Advocate

32

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 32 ★

VOTE NO on PROPOSITION 32!

Ballot measures shouldn't be toys for multimillionaires.

ONE PERSON ALONE—A MULTIMILLIONAIRE—IS BEHIND PROP. 32.

One person alone wrote Prop. 32, spent millions getting it on the ballot, and wrote the argument for Prop. 32.

SMALL BUSINESS AND WORKING FAMILY ADVOCATES DON'T WANT PROP. 32

Many of California's leading voices for working families and small businesses didn't even want Prop. 32 on the ballot, but this one author had to have it his way.

Even leading advocates for higher minimum wages urged him to pull Prop. 32 from the ballot. He refused.

One person shouldn't try to dictate labor policy for 39 million Californians, with the only qualification that he's rich. No wonder Prop. 32 is so flawed.

Prop. 32 forces small businesses to **INCREASE PRICES**, adding to inflation and raising the cost of living in California even more. That hurts working families!

Prop. 32 raises costs for state and local governments by **BILLIONS**, meaning they'll cut vital services and raise taxes.

Prop. 32 **COSTS JOBS**, with the greatest impact on teens and people of color who are trying to get a career started with entry level jobs. That's why leaders across California who previously supported minimum wage increases have changed course and asked for them to be slowed down.

And Prop. 32 worsens California's increasingly complex patchwork of minimum wage laws, confusing both workers and small business owners.

Prop. 32 seems to be an ego project, not a real solution for working Californians.

Get the facts at StopProp32.com.

VOTE NO ON PROPOSITION 32!

Jot Condie, President
California Restaurant Association

Jennifer Barrera, President
California Chamber of Commerce

Ron Fong, President
California Grocers Association

★ ARGUMENT AGAINST PROPOSITION 32 ★

VOTE NO on PROPOSITION 32.

PROPOSITION 32 INCREASES YOUR PERSONAL COSTS; MAKES CALIFORNIA'S HUGE BUDGET DEFICIT WORSE; PUNISHES SMALL BUSINESSES; COSTS JOBS; AND HURTS THE VERY WORKERS IT'S SUPPOSED TO HELP. PROPOSITION 32 MAKES OUR BUDGET DEFICIT WORSE BY BILLIONS EACH YEAR AND JEOPARDIZES FUNDING FOR PUBLIC SAFETY AND EDUCATION

California just experienced a \$50 billion budget deficit. Many cities and counties face huge deficits as well. The independent fiscal analysis of Prop. 32 in this same ballot pamphlet says a minimum wage increase will likely cost state and local governments billions of dollars EACH YEAR.

That means two things. You paying higher taxes to make up the difference and cuts to important programs like K-12 education, public safety, healthcare, and getting homeless people off the streets.

PROPOSITION 32 INCREASES PRICES FOR CALIFORNIANS WHEN WE CAN LEAST AFFORD IT

The cost of living in California is too high. Prices are up more than 20% in the last three years for food, gas, utilities, healthcare, and clothing. Proposition 32 makes it even worse as it will increase costs on family-owned businesses who can least afford it and force small employers to increase prices for consumers to absorb the higher minimum wage. Looking at the new California fast-food minimum wage law, fast-food prices in California have gone up 7% in six months, the fastest in the nation. Some well-known "value meals" now cost over 40% more in California than the rest of the country.

Prop. 32 brings these record-setting price increases to small restaurants, grocery stores, convenience stores,

small retail shops, farmers, and more, so we're going to see the same sticker shock everywhere.

PROPOSITION 32 WILL HURT SMALL, FAMILY-OWNED BUSINESSES

Proposition 32 imposes the same high minimum wage on small businesses as it does for large corporations. Small businesses are more vulnerable to the impact of this higher cost and could force these family-owned businesses in our neighborhoods and communities to shut down.

PROPOSITION 32 COSTS JOBS

Raising the minimum wage again sounds like something that would help workers struggling to make ends meet. Who doesn't want workers to get paid more? It makes us feel good if we think we're helping our fellow Californians out.

But the reality has now been confirmed, raising the minimum wage, especially when we raise it TOO FAST, costs thousands of jobs, and when a worker loses a job, or the company goes out of business, the wage is ZERO DOLLARS PER HOUR. And this job loss especially impacts our vulnerable populations the most, with young African-American, Latino, and non-college educated workers trying to find their first jobs facing the biggest burdens. Get the facts at StopProp32.com, and vote NO ON PROPOSITION 32!

Jot Condie, President
California Restaurant Association

Jennifer Barrera, President
California Chamber of Commerce

Ron Fong, President
California Grocers Association

32

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 32 ★

YES on PROPOSITION 32 means a RAISE for SERVICE, ESSENTIAL, AND OTHER WORKERS to help them afford life's basic needs.

YES ON PROPOSITION 32 means a RAISE for SINGLE MOMS to help them afford life's basic needs.

YES ON PROPOSITION 32 means CLOSING THE GENDER PAY GAP for over a million working women.

The goods and services you buy have become more expensive because CORPORATIONS ARE MAKING RECORD PROFITS! CORPORATE PROFIT MARGINS HAVE INCREASED 100% since the year 2000. The STOCK MARKET has repeatedly made ALL-TIME HIGHS this year. CORPORATE LOBBYISTS who will MAKE MORE MONEY BY KEEPING WAGES LOW are trying to convince you that raising the minimum wage will increase the cost of living,

but that's false. Record corporate profit margins are what has increased the cost of living. Now, we have to RAISE THE MINIMUM WAGE TO HELP SERVICE WORKERS, ESSENTIAL WORKERS, SINGLE MOMS, and other WORKING CALIFORNIANS to be able to AFFORD LIFE'S BASIC NEEDS.

YES on PROP. 32!

Learn more at: livingwageact.com

Ada F. Briceño, Co-President
UNITE HERE Local 11

Nanette Barragán, Congresswoman
U.S. House of Representatives, California 44th District

Saru Jayaraman, President
One Fair Wage

PROPOSITION
33 EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT
CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 100 and the Secretary of State's website at voterguide.sos.ca.gov.

- Current state law (the Costa-Hawkins Rental Housing Act of 1995) generally prevents cities and counties from limiting the initial rental rate that landlords may charge to new tenants in all types of housing, and from limiting rent increases for existing tenants in (1) residential properties that were first occupied after February 1, 1995; (2) single-family homes; and (3) condominiums.
- This measure would repeal that state law and would prohibit the state from

limiting the ability of cities and counties to maintain, enact, or expand residential rent-control ordinances.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Reduction in local property tax revenues of at least tens of millions of dollars annually due to likely expansion of rent control in some communities.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

Rental Housing Is Expensive in California.

Renters in California typically pay about 50 percent more for housing than renters in other states. In some parts of the state, rent costs are more than double the national average. Rent is high in California because the state does not have enough housing for everyone who wants to live here. People who want to live here must compete with other renters for housing, which increases rents.

Several Cities Have Rent Control Laws.

Some local governments in California have laws that limit how much landlords can increase rents from one year to the next. These laws often are called rent control. About one-quarter of Californians live in communities with local rent control. Examples of places with rent control are the Cities of Los Angeles, San Francisco, and San Jose.

State Law Limits Rent Increases. In addition to local rent control laws, a state law

prevents most landlords from increasing a tenant's rent by more than 5 percent plus inflation (up to a total of 10 percent) in a year. This law lasts until 2030.

State Law Limits Local Rent Control.

Another state law, known as the *Costa-Hawkins Rental Housing Act* (Costa-Hawkins), limits local rent control laws in three main ways. First, rent control cannot apply to any single-family homes. Second, rent control cannot apply to any housing built on or after February 1, 1995. Third, rent control laws generally cannot tell landlords what they can charge a new renter when first moving in. Instead, rent control can only limit how much landlords increase rent for existing renters.

PROPOSAL

Allows Local Governments to Expand Rent Control. Proposition 33 eliminates Costa-Hawkins. Under the proposition, cities and counties can control rents for any housing. They also can limit how much a landlord

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

may increase rents when a new renter moves in. The proposition itself does not make any changes to existing local rent control laws. Generally, cities and counties would have to take separate actions to change their local laws.

Limits State Ability to Regulate Rent

Control. Proposition 33 prevents the state from taking future actions to limit local rent control.

FISCAL EFFECTS

Effects on Renters and Landlords. If Proposition 33 passes, local rent control laws probably would expand in some communities. This could have many effects on renters, landlords, and rental properties. The most likely effects are:

- Some renters who live in properties covered by rent control would spend less on rent. Some renters who live in properties not covered by rent control would spend more on rent.
- Some renters would move less often.
- Fewer homes would be available to rent. One reason for this is that some landlords would sell their properties to new owners who would live there instead of renting it out.
- The value of rental housing would decline because potential landlords would not want to pay as much for these properties.

The size of these effects would depend on how many properties end up being covered

by local rent control and how much rents are limited. These things would be decided by future actions of local governments and voters.

Reduced Local Property Tax Revenues.

A decline in the value of rental properties would reduce the amount of property taxes paid by landlords. This would reduce property tax revenues for cities, counties, special districts, and schools. With time, these property tax reductions likely would be at least tens of millions of dollars each year (annually). This is less than one-half of 1 percent of all property tax revenue. About half of the reduction would be property tax revenues that would have gone to schools. In some years, the state might give more money to schools to cover their losses.

Increased Local Government Costs. If local rent control laws expand, local governments could have increased costs to carry out these laws. These costs could range from a few million dollars to tens of millions of dollars annually. These costs likely would be paid by fees on landlords.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 33 ★

Where will I live?—This is the question that haunts California's 17 million renters. 55% of Californians are rent burdened, paying more than 30% of their income on rent and there is no end in sight. Rent increases are far outstripping pay increases. A starting teacher, cop, or fire fighter is paying half their salary to afford the average apartment in California's cities. Many who live on a fixed income are one rent increase away from homelessness—and seniors represent the fastest growing homeless population. Something has to give. The affordable housing crisis is destroying the California Dream.

California, the Golden State, was once the land of opportunity. However, things have changed dramatically. Nearly one million people have left California in the last five years. If this mass exodus continues, it will have catastrophic consequences for our state. California faces a \$68 billion deficit which will only get worse as young talented people leave and the needy remain.

We love California. It is a land of natural beauty. We are at the cutting edge of technological innovation with vast amounts of wealth. Yet, based on the cost of living, we are the poorest state in America. We have way too many seniors, single parents, low-wage workers, and veterans choosing between paying rent and putting food on the table.

The housing crisis is complex. There isn't one magic bullet to solve it, but the place we have to start is keeping people in their homes. *The only practical way to do it is to allow local government to enact and expand rent control because one size doesn't fit all.* What's practical for Los Angeles doesn't work in Los Gatos.

We need to build more affordable housing and preserve the affordable units we have. But while we are waiting, we need

to protect tenants and keep them housed—when you're in a hole, stop digging.

Rent control is an American tradition since 1919 and works well in many cities. It was largely shut down in 1995 when the landlord lobby convinced Sacramento to drastically curtail it. Ever since, corporate landlords have made sure that the Legislature doesn't modify the law no matter how bad things get.

We understand that mom and pop landlords have invested their life savings into their buildings and can identify with the plight of their tenants. The CA Constitution guarantees them a reasonable rate of return. But it is the billionaire corporate landlords who are calling the shots and causing skyrocketing rents.

Even if you are not a renter, your quality of life and the value of your property are still harmed by the housing crisis.

Proposition 33 will return fairness to the equation. Visit www.yeson33.org

Supporters: California Democratic Party, Veterans' Voices, California Nurses Association, CA Alliance for Retired Americans, Housing Is a Human Right, American Federation of Teachers 1521, 2121, Tenants Together, Consumer Watchdog, Coalition for Economic Survival, Social Security Works, Mental Health Advocacy, Housing NOW, ACCE, UNITE HERE Local 11

Basil Kimbrow, Executive Director
Veterans' Voices

Pauline Brooks, Board President
California Alliance for Retired Americans

William Arroyo, Board President
AIDS Healthcare Foundation / Housing Is a Human Right

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 33 ★

They're at it again. Proponents of Prop. 33 have taken millions of taxpayer dollars—money that is supposed to be used to help low-income HIV and AIDS patients—and spent it on yet another of their anti-housing crusades.

Once again, they are pushing a measure that will hurt small mom and pop landlords.

AHF, which has received billions of taxpayer dollars meant to serve patients, has diverted that money to pay for things that have nothing to do with healthcare—building their own real estate empire, while housing people in slum-like conditions in buildings they refuse to fix, and being fined repeatedly for their misuse of funds.

Just like this measure, AHF is not what it appears to be. But don't take our word for it. Read the stories that show AHF's true colors:

One of the state's largest slumlords <https://www.latimes.com/homeless-housing/story/2023-11-16/aids-healthcare-foundation-low-income-housing-landlords>

Even allowing a blind tenant to fall down an open elevator shaft <https://www.latimes.com/homeless-housing/story/2023-01-20/ahf-madison-hotel-elevator-lawsuit-story>

While they claim to fight for tenants, they are throwing low-income tenants out on the street, while suing dozens of poor people in small-claims court: <https://www.poz.com/article/aids-healthcare-foundation-reportedly-houses-tenants-squalid-conditions>

Meanwhile, they are wasting taxpayer dollars on lawsuits to block new housing <https://www.sfchronicle.com/politics/article/Lawsuit-seeks-to-block-Scott-Wiener-s-rezoning-16480766.php> and spending millions on political campaigns to push its no-growth agenda: <https://www.latimes.com/local/lanow/la-me-ln-aids-foundation-political-spending-20170221-story.html>

The state even terminated its multi-million dollar contracts with AHF, citing "improper negotiation tactics" <https://www.latimes.com/california/story/2022-06-30/california-aids-healthcare-foundation-state-contract>

And audits by LA County found AHF overcharged taxpayers by millions <https://archive.kpcc.org/blogs/politics/2013/07/18/14304/aids-healthcare-foundation-asks-judge-to-delay-la/>

Don't be misled by AHF's latest scheme to fool California voters. Vote No on Prop. 33.

Michael Hedges, President
California Small Business Association

Julian Canete, President
California Hispanic Chambers of Commerce

Rev. Dwight Williams, Chair
California Senior Alliance

★ ARGUMENT AGAINST PROPOSITION 33 ★

PROP. 33 IS A DEEPLY FLAWED SCHEME THAT WILL INCREASE HOUSING COSTS AND BLOCK AFFORDABLE HOUSING

If Prop. 33 seems familiar, it's because nearly 60% of California voters rejected the same flawed scheme in 2018 and 2020. Seniors, veterans, and affordable housing experts all oppose Prop. 33 because it will make the housing crisis dramatically worse. The Housing Action Coalition calls Prop. 33 "deeply flawed and deceptively anti-housing."

Here's why you should vote NO on Prop. 33:

FUNDED BY NOTORIOUS SLUMLORD

Prop. 33 was written and bankrolled by Corporate CEO Michael Weinstein of AHF. The Los Angeles Times describes Weinstein as a "slumlord" with a long record of health and safety violations and unfair evictions. State housing regulators cited his residents living in "squalid conditions, exposed to roach and bedbug infestations."

NOT WHAT IT SEEMS. PROP. 33 IS A TROJAN HORSE THAT OVERTURNS STATE AFFORDABLE HOUSING LAWS

Prop. 33 is misleading. The measure could effectively overturn more than 100 state housing laws, including laws making it easier to build affordable housing, and fair housing and tenant eviction protections. It could also strip the Attorney General's ability to enforce certain current housing laws. It's why one of the state's most notorious corporate "slumlords" is bankrolling Prop. 33.

WORSENS HOUSING CRISIS

Economists and housing experts at Stanford and UC Berkeley say Prop. 33 will make California's housing crisis significantly worse by reducing the construction of new affordable housing. Prop. 33 will make it harder to become a homeowner or find a place to rent, driving up costs for renters and home buyers.

ELIMINATES HOMEOWNER PROTECTIONS

Prop. 33 takes away basic protections for homeowners and allows bureaucrats, politicians, and regulators to tell single-family homeowners how much they can charge to rent out

a single room. Millions of homeowners will be treated just like corporate landlords and subject to regulations and price controls enacted by unelected boards.

WEAKENS RENTER PROTECTIONS

Prop. 33 undermines the strongest statewide rent control law in the nation signed by Governor Newsom and has no protections for renters.

REDUCES HOME VALUES UP TO 25%

Non-partisan researchers at MIT estimate extreme rent control measures like this result in an average reduction in home values up to 25%. Californians can't afford to take another hit with the economic collapse threatening their home values and life savings.

OFFERS NO PROTECTIONS FOR SENIORS, VETERANS, OR THE DISABLED

Prop. 33 has no protections for seniors, veterans, or the disabled. Veterans, seniors, and social justice organizations agree it's the last thing we need right now.

OPPOSED BY A BROAD BIPARTISAN COALITION

Democrats and Republicans agree Prop. 33 will make the housing crisis worse. Opponents include: California Small Business Association • California Senior Alliance • California Conference of Carpenters • California YIMBY • California Chamber of Commerce • Senate President Pro Tem Emeritus Toni Atkins • Democratic Assemblymember Buffy Wicks • Marine Corps Veterans Association

DEMAND REAL HOUSING SOLUTIONS

We should Vote "NO" on Prop. 33 and demand real solutions.

VOTE NO ON PROPOSITION 33. Learn more at NoOnProp33.com

Ken Rosen, Economics Professor Emeritus
UC Berkeley

Jenna Abbott, Executive Director
California Council for Affordable Housing

Kendra Moss, Advisory Member
Women Veterans Alliance

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 33 ★

Who do you believe? The billionaire landlords behind the California Apartment Association which has spent hundreds of millions of dollars opposing renter protections? Or do you believe the AIDS Healthcare Foundation—the largest AIDS organization in the world—Veterans' Voices, the Coalition for Economic Survival, 100 local elected officials, and the cities of San Francisco, Santa Monica, and West Hollywood? The billionaire landlords will fill the airwaves and your mailbox with lies and deceptions paid for by extorting exorbitant rents from people on social security or disability. Our proposition is just 23 words. It allows cities to regulate rents the way they did until 1995 when Sacramento, at the demand of these same billionaires, took that right away—nothing more. Every city will decide for themselves whether or not they need rent control.

Academics and non-profits for hire will say anything the billionaire landlords want them to for a price.

Believe your own eyes. We are facing a \$68 billion deficit made worse by the one million people who have left California. More than half of California's 17 million renters are paying more than 30% of their income on rent.

The billionaire landlords are using fear to get homeowners and renters to vote against your own interests. Homeowners will only benefit from healthy communities. Renters are desperate to remain in their homes.

Rent control is an American tradition since 1919. New York and many other cities with rent control have only seen property values soar.

Vote Yes—the rent is too damn high.

Sandy Reding, President
California Nurses Association

Pauline Brooks, Board President
California Alliance for Retired Americans

Larry Gross, Executive Director
Coalition for Economic Survival

PROPOSITION
34 RESTRICTS SPENDING OF PRESCRIPTION DRUG REVENUES BY
CERTAIN HEALTH CARE PROVIDERS. INITIATIVE STATUTE.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 103 and the Secretary of State's website at voterguide.sos.ca.gov.

- Requires health care providers meeting specified criteria to spend 98% of revenues from federal discount prescription drug program on direct patient care.
- Applies only to health care providers that: (1) spent over \$100,000,000 in any ten-year period on anything other than direct patient care; and (2) operated multifamily housing reported to have at least 500 high-severity health and safety violations.
- Penalizes noncompliance with spending restrictions by revoking health care licenses and tax-exempt status.

- Permanently authorizes state to negotiate Medi-Cal drug prices on statewide basis.

**SUMMARY OF LEGISLATIVE ANALYST'S
ESTIMATE OF NET STATE AND LOCAL
GOVERNMENT FISCAL IMPACT:**

- Increased state costs, likely in the millions of dollars annually, to enforce new rules on certain health care entities. Affected entities would pay fees to cover these costs.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

DRUG COVERAGE IN MEDI-CAL

Medi-Cal Pays for Prescription Drugs for Low-Income People. Medi-Cal is a federal-state program that provides health coverage for low-income people. This coverage includes the cost of prescription drugs.

Medi-Cal Has a New Approach to Pay for Drugs. Before 2019, Medi-Cal paid for the cost of prescription drugs in different ways. In 2019, the state adopted a single approach called "Medi-Cal Rx." Medi-Cal Rx likely saves the state money because Medi-Cal pays for drugs at more discounted prices.

New Approach Is Not in State Law. Medi-Cal Rx is not reflected in state law, but it

is the approach used to pay for drugs in Medi-Cal.

FEDERAL DRUG DISCOUNT PROGRAM

Federal Program Provides Discounts on Drugs to Certain Health Care Providers.

Under a federal program, drug makers provide discounts on their drugs to hospitals, clinics, and other providers. To qualify for these discounts, providers must meet certain rules. Eligible providers are public or private nonprofits that focus on serving low-income people. (These public and private nonprofits generally are exempt from paying taxes on their revenue.)

Providers Tend to Earn Revenue From Federal Discounts. Providers tend to earn net revenue from the federal drug discount program. They do so by charging

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

payors of health care (such as private health plans and government programs) more than the cost to provide the drugs. However, providers generally do not earn net revenue on these drugs in Medi-Cal. This is because state law bans providers from charging Medi-Cal more than the discounted price of the drug.

Providers Decide How to Spend Revenue.

According to the federal government, the intent of the federal drug discount program is to allow eligible providers to increase services and serve more low-income patients. Providers can do so by spending their net revenue on services to patients. Federal and state law, however, does not directly restrict how providers spend their revenue from federal drug discounts.

STATE LICENSING

Health Care Entities Must Be Licensed.

Health care entities must be licensed to provide services in the state. Several departments license health care entities, such as the Department of Managed

Health Care (for most health plans) and the Department of Public Health (for hospitals, clinics, and certain other kinds of facilities).

Licensed Entities Must Follow Certain Rules.

Licensed entities must follow certain rules. For example, they cannot engage in conduct that is unprofessional, dishonest, or harmful to public health or safety. An entity that violates these rules can face penalties, including losing its license (which means the entity can no longer operate as a health care entity).

PROPOSAL

Restricts How Certain Entities Spend Revenue From Federal Discounts.

Proposition 34 creates new rules about how certain health care entities spend revenue from the federal drug discount program. Specifically, the entities would have to spend at least 98 percent of their net revenue earned in California on health care services provided directly to patients (“direct patient care”). As Figure 1 shows,

34

Figure 1

Restrictions Only Apply if Four Conditions Are Met

Proposition 34’s Restrictions Apply to a Health Care Entity if It:

- Participates in the federal drug discount program.
- Has (or has ever had) a license in California to operate as a health plan, pharmacy, or clinic, or has had certain contracts with Medi-Cal or Medicare.
- Has a ten-year period where it spent more than \$100 million on purposes other than direct patient care.
- Owns and operates (or has previously owned and operated) multifamily housing units with at least 500 violations with a severity level of “high.”

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

these rules apply only to entities that meet certain conditions (“affected entities”).

Requires Affected Entities to Report Annually to the State. Proposition 34 requires affected entities to report certain information to the state each year (annually). The affected entities would have to report how much revenue they earned in California and nationwide from the federal drug discount program and how they spent this revenue. The state would use this information to help determine compliance with the new rules. The proposition allows the state to charge fees on affected entities to cover its enforcement costs. Under Proposition 34, affected entities that do not submit timely and accurate information would be engaging in conduct that is unprofessional, dishonest, or harmful to public health or safety.

Establishes Penalties for Violating Rules. As Figure 2 shows, Proposition 34 establishes four penalties for violating the new rules. All four penalties would apply if affected entities spend less than 98 percent of their net federal

discount revenue on direct patient care. The penalties also would apply if the affected entities engage in conduct that is unprofessional, dishonest, or harmful to public health or safety.

Adds Medi-Cal’s Approach to Pay for Drugs to State Law. Proposition 34 adds Medi-Cal Rx to state law. Because Medi-Cal Rx already is in effect, the proposition does not change the current approach Medi-Cal uses to pay for drugs.

FISCAL EFFECTS

Has Limited Statewide Fiscal Effects. Under Proposition 34, likely few entities would meet the conditions described in Figure 1. The exact number of affected entities, however, is not known. Because few entities would be affected, the proposition’s statewide fiscal effect (described below) would be limited.

Increases State Enforcement Costs, Paid by New Fees. Proposition 34 would increase state costs to enforce the new restrictions. These costs likely would be in the millions of dollars annually. The state

34

Figure 2

Proposition 34 Establishes Four Penalties

For Ten Years:

- Entity loses California tax-exempt status.
- Entity loses license.
- Entity cannot receive state and local government contracts or grants.
- Entity’s leaders cannot serve leadership roles in a California health plan, pharmacy, or clinic.

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

would cover this cost by charging fees on affected entities.

Could Have Other Fiscal Effects.

Proposition 34 could have other uncertain fiscal effects, such as:

- ***Savings From Increased Spending on Direct Patient Care.*** Some affected entities could increase spending on direct patient care to comply with Proposition 34. If this increase results in more spending on Medi-Cal patients, there could be savings to the state. This would depend on what health care services are provided.
- ***Costs From Fewer Federal Drug Discounts.*** Affected entities would have to pay fees and report to the state annually. Some entities might change their operations to avoid these requirements. For example, they could stop participating in the federal discount program. To the extent this results in fewer federal discounts to the Medi-Cal program, there would be state costs.

- ***Fiscal Effects From Violating Rules.***

Were an affected entity to violate Proposition 34's restrictions or engage in bad conduct, it would face penalties (such as the loss of its tax-exempt status and its health care licenses for ten years). These penalties could put it out of business. This could affect state tax revenue, state spending on Medi-Cal, or spending on other state and local government programs. The fiscal effect would depend on which affected entities face penalties.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

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★ ARGUMENT IN FAVOR OF PROPOSITION 34 ★

Rising healthcare costs are squeezing millions of Californians. Prop. 34 will give California patients and taxpayers much needed relief, and lowers state drug costs, while saving California taxpayers billions.

CUT PRESCRIPTION DRUG PRICES

Prop. 34 will drastically cut the cost of prescription drugs for Medi-Cal patients by permanently authorizing the State of California to negotiate lower Medi-Cal prescription drug costs.

PROTECT PATIENTS AND TAXPAYERS

Prop. 34 stands to save taxpayers millions of dollars more every year by requiring the greediest healthcare corporations to spend at least 98% of the taxpayer funds they receive through the drug discount program in California on directly treating patients.

STOP HEALTHCARE CORPORATION FINANCIAL ABUSE IN CALIFORNIA

Prop. 34 stops egregious financial abuse of the taxpayer-funded drug discount program in California.

Over 30 years ago, the federal government began offering discounted prescription drugs and other treatments to uninsured and low-income patients. However, healthcare corporations across the country have used a legal loophole to game the system and divert money from the drug discount program to pet projects that have done nothing to benefit patients: wasting money on renting out football stadiums to put on private concerts, giving their executives multimillion dollar salaries, paying for naming rights on sports stadiums, spending millions on lobbying, and dumping millions more into political campaigns.

Worse yet, these same corporations that get billions in taxpayer dollars have spent hundreds of millions of dollars on housing projects that are often run like slums. An LA Times investigation found that residents at several

of these housing projects were forced to live in squalid conditions, exposed to roach and bedbug infestations, putting the health and safety of tenants at risk.

Prop. 34 will prevent this abuse from occurring in California and requires drug discount program dollars generated in California to be used for their intended purpose: helping patients.

HOLD ABUSERS ACCOUNTABLE

Prop. 34 holds violators accountable. Healthcare organizations that break the rules and misuse these taxpayer dollars must either recommit to spending on direct patient care or risk losing their California tax-exempt status and professional licenses.

Prop. 34 is targeted at those bad actors who have continually abused the system to pocket billions of taxpayer dollars for their own use. That's why it is supported by a wide coalition, including organizations that advocate to help patients and leaders in the LGBTQ community. Those supporting Prop. 34 include the California Chronic Care Coalition, the ALS Association, the Defeating Epilepsy Foundation, California Senior Alliance, AiArthritis, Support Fibromyalgia Network, Lupus and Allied Diseases Association, Inc., and the Community Access National Network.

It's time to close the corporate loophole that allows wealthy pharmacy corporations to divert money meant to help patients. Protect Patients Now. Vote Yes on Prop. 34. Learn more at YesOnProp34.com.

Assemblymember Evan Low, Former Chair
Legislative LGBT Caucus

Kelly Goss, Managing Director
The ALS Association

Nilza Serrano, Founder
Latino Heritage Los Angeles

34

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 34 ★

Vote No on 34—The Revenge Initiative. The California Apartment Association, representing the billionaire landlords, is lying through its teeth. Prop. 34 has one and only one purpose: to prevent AIDS Healthcare Foundation (AHF) from supporting rent control.

Do you believe that these billionaire landlords are suddenly so concerned about access to healthcare for poor Californians? And it is a lie that it will lower drug costs since Medi-Cal has already implemented a low-cost drug program.

AHF is the sponsor of Prop. 33—the rent control initiative. Landlords are spending tens of millions to protect their obscene corporate profits while more than 50% of California's 17 million renters are paying more than 30% of their income on rent.

You might notice that they don't even mention AHF by name because they don't want you to know that they want to harm the largest AIDS organization in the world.

They are lying when they call the federal 340B drug discount program government money. 100% of the funds

derived from 340B come from discounts that come right out of the pockets of drug companies. Don't be fooled—big pharma has contributed to many of the supporting organizations for Prop. 34. A strong 340B program is good for California, bad for big pharma.

As they themselves admit, non-profits are permitted by federal law to use these drug company discounts in accordance with their non-profit mission—advocating for rent control, women's reproductive rights, and a healthy environment.

Vote No on The Revenge Initiative.

Jerilyn Stapleton, Board Member
National Organization for Women

Jamie Court, President
Consumer Watchdog

Larry Gross, Executive Director
Coalition for Economic Survival

★ ARGUMENT AGAINST PROPOSITION 34 ★

Proposition 34 is sponsored by the billionaire landlords who control the California Apartment Association (CAA). This initiative is a wolf in sheep's clothing. It has only one purpose: to prevent AIDS Healthcare Foundation (AHF) from promoting rent control. It claims to protect patients, but its real intent is to stop AHF from putting tenant protections on the ballot.

On this same ballot is Proposition 33, the rent control initiative which is simply 23 words:

"The state may not limit the right of any city, county, or city and county to maintain, enact or expand residential rent control." AHF is the principal funder of this rent control initiative. Proposition 33 restores the ability of localities to stabilize rents and give some relief to California's 17 million struggling renters.

CAA and the billionaire supporters who have been gouging renters want to stop rent control at all costs. Can anyone believe that these corporate landlords are suddenly interested in healthcare? And guess who's behind the endless ads you will see for Prop. 34—the big drug companies through their bought and paid for front groups. These two rogue industries are united in wanting to destroy AHF, which is the most powerful voice for lower rents and lower drug prices.

AHF is the largest AIDS organization in the world with 2 million lives in care in 47 countries across the globe. Our mission is: Cutting Edge Medicine and Advocacy Regardless of Ability to Pay.

AHF was born out of outrage that AIDS patients were often dying in the hallways of the county hospital. AIDS patients needed a home to die in. Fortunately, HIV treatment has drastically improved so that today housing is the #1 problem facing our patients.

Proposition 34 is a grave danger to democracy. It seeks to weaponize the initiative process by allowing powerful interests to target a single organization to punish and shut them up. If passed, this proposition would threaten the ability of organizations to advocate for reproductive rights, renter needs, and environmental protections. The Los Angeles Times even described it as a "self-serving" ballot initiative that reached a "new low."

If this becomes the law, where will it stop? For this reason, it is opposed by The National Organization for Women, Consumer Watchdog, The Coalition for Economic Survival, UNITE HERE Local 11, Dolores Huerta, and many others.

We trust that you, the voters, will see through this corporate landlord scam and vote NO on Proposition 34.

Visit www.voteno34.org for more information.

Jerilyn Stapleton, Board Member
National Organization for Women

Larry Gross, Executive Director
Coalition for Economic Survival

Condessa M. Curley, M.D. /MPH, Board Member
AIDS Healthcare Foundation

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★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 34 ★

When we have bad corporate actors that profit off public programs, the services our families rely upon take the hit, including schools, public safety, and emergency responders. The current system is being abused by corporations that are wasting billions of dollars intended for patient care every year and making our communities less safe, endangering the public's health and safety.

Instead of helping patients, those funds are being used to: Finance slums that are unsafe and violate health codes:

<https://www.latimes.com/homeless-housing/story/2023-11-16/aids-healthcare-foundation-low-income-housing-landlords>

Sue low-income tenants and throw them out on the street:

<https://www.poz.com/article/aids-healthcare-foundation-reportedly-houses-tenants-squalid-conditions>

Buy stadium naming rights:

<https://www.nytimes.com/2022/09/24/health/bonsecours-mercy-health-profit-poor-neighborhood.html>

And pay corporate CEOs millions:

<https://lowninstitute.org/projects/2023-shkreli-awards/>
Prop. 34 would stop the worst corporate abuses of the federal low-cost prescription drug program and ensure that money meant for patients is not wasted on corporations' pet projects, political crusades, or misused in ways that risk the public's health and safety. Prop. 34 will ensure corporations that are misusing public funds are held accountable. It's time to stop the rip-off. We must make sure that money meant for patients is spent on taking care of those who need help, not risking public safety. Vote Yes on 34.

Brian K. Rice, President
California Professional Firefighters

Stuart Fong, Chair
San Francisco Hep B Free

Rev. Dwight Williams, Chair
California Senior Alliance

PROPOSITION
35 PROVIDES PERMANENT FUNDING FOR MEDI-CAL
HEALTH CARE SERVICES. INITIATIVE STATUTE.

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 109 and the Secretary of State's website at voterguide.sos.ca.gov.

- Makes permanent the existing tax on managed health care insurance plans (currently set to expire in 2026), which, if approved by the federal government, provides revenues to pay for health care services for low-income families with children, seniors, disabled persons, and other Medi-Cal recipients.
- Requires revenues to be used only for specified Medi-Cal services, including primary and specialty care, emergency care, family planning, mental health, and prescription drugs.
- Prohibits revenues from being used to replace existing Medi-Cal funding.
- Caps administrative expenses and requires independent audits of programs receiving funding.

**SUMMARY OF LEGISLATIVE ANALYST'S
ESTIMATE OF NET STATE AND LOCAL
GOVERNMENT FISCAL IMPACT:**

- In the short term, increased funding for Medi-Cal and other health programs between roughly \$2 billion and \$5 billion annually (including federal funds). Increased state costs between roughly \$1 billion to \$2 billion annually to implement funding increases.
- In the long term, unknown effect on state tax revenue, health program funding, and state costs. Fiscal effects depend on many factors, such as whether the Legislature would continue to approve the tax on health plans in the future if Proposition 35 is not passed by voters.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

State Charges a Specific Tax on Health Plans. Since 2009, California typically has charged a specific tax on certain health plans, such as Kaiser Permanente. This tax is called the Managed Care Organization Provider Tax ("health plan tax"). The tax has worked differently over time. Currently, it charges plans based on the number of people to whom they provide health coverage, including those in Medi-Cal. The tax rate is higher for those in Medi-

Cal compared to other kinds of health coverage. (Medi-Cal is a federal-state program that provides health coverage for low-income people. The federal government and the state share the cost of the program. By charging the health plan tax, the state can receive more federal funding.)

State Uses Tax for Two Purposes.

The amount of revenue raised by the health plan tax has changed over time. Based on recent legislative action, we estimate the tax is expected to result

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

in between \$7 billion to \$8 billion each year (annually) to the state. The state uses this money for two purposes.

- ***Paying for Existing Costs in Medi-Cal.*** Some revenue helps pay for existing costs in the Medi-Cal program. Using the tax revenue in this way allows the state to spend less money from the General Fund on Medi-Cal. (The General Fund is the account the state uses to pay for most public services, including education, health care, and prisons. Medi-Cal is expected to get around \$35 billion from the General Fund this year.) In other words, the health plan tax revenue reduces costs to the state General Fund.
- ***Increasing Funding for Medi-Cal and Other Health Programs.*** Some of the revenue increases funding for Medi-Cal and other health programs. For example, the state is increasing Medi-Cal payments to doctors and other health care providers. This is a new use of health plan tax revenue. Some of these funding increases began in 2024, but most will begin in 2025 and 2026. Once they all begin in 2026, the increases likely would result in around \$4 billion more for Medi-Cal annually. Around half of this amount will come from the health plan tax. (The rest will come from increased federal funding.)

Tax Will End, Unless It Is Approved Again. The Legislature has not permanently approved this tax. Instead, it has approved it for a few years at a time. The federal government also must approve the tax. The tax was most recently approved in 2023. It will expire at the end of 2026, unless the Legislature and federal government approve it again.

PROPOSAL

Makes Existing Health Plan Tax Permanent. Proposition 35 makes the existing health plan tax permanent beginning in 2027. The state would still need federal approval to charge the tax. The tax would continue to be based on the number of people to whom health plans provide health coverage. The proposition allows the state to change the tax, if needed, to get federal approval, within certain limits.

Creates Rules on How State Uses Tax Revenue. In addition to making the health plan tax permanent, Proposition 35 creates rules on how to use the revenue. Generally, these rules require the state to use more of the revenue to increase funding for Medi-Cal and other health programs. The rules are different in the short term (in 2025 and 2026) and the long term (in 2027 and after). Proposition 35 also changes which Medi-Cal services and other health programs get funding increases compared to current law.

Figure 1

Proposition 35 Changes Which Services Get Funding Increases

Funding Increases in the Short Term (in 2025 and 2026)

	Current Law	Proposition 35 ^a
Doctors and other related providers ^b	✓	✓
Specified hospital services		✓
Outpatient facilities		✓
Safety net clinics	✓	✓
Behavioral health facilities		✓
Reproductive health and family planning	✓	✓
Emergency medical transportation	✓	✓
Nonemergency medical transportation	✓	
Private duty nursing	✓	
Certain long-term supports	✓	
Community health workers	✓	c
Continuous Medi-Cal coverage for children up to five-years old	✓	
Medi-Cal workforce programs	✓	✓
Doctor postgraduate training programs		✓

^a More services are eligible for funding increases in the long term (beginning in 2027).

^b Current law and Proposition 35 include some differences over which related providers get funding increases.

^c Eligible for funding increases in the long term (beginning in 2027), depending on how much money is raised by the health plan tax.

Figure 1 shows these changes in the short term.

FISCAL EFFECT

In Short Term, Three Key Fiscal Effects. In the short term (in 2025 and 2026), Proposition 35 would have the following key fiscal effects:

- ***No Change to State Tax Revenue.*** Proposition 35 does not change the existing temporary tax on

health plans, which expires at the end of 2026. For this reason, the proposition would have no effect on state tax revenue over this period of time.

- ***Increased Funding for Health Programs.*** Proposition 35 would increase funding for Medi-Cal and other health programs. This is because the proposition requires the state to use more health plan

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

tax revenue for funding increases. The total increase in funding likely would be between roughly \$2 billion and \$5 billion annually. About half of this amount would come from the tax on health plans. (Because the federal government shares the cost of Medi-Cal with the state, the rest of the funding increase would come from federal funds. Including all fund sources, Medi-Cal is expected to get over \$150 billion this year.)

- **Increased State Costs.** Proposition 35 would increase state costs. This is because it reduces the amount of health plan tax revenue that can be used to help pay for existing costs in Medi-Cal. Instead, the state likely would have to use more money from the General Fund for this purpose. **The annual cost would be between roughly \$1 billion to \$2 billion in 2025 and 2026.** These amounts are between one-half of 1 percent and 1 percent of the state's total General Fund budget.

In Long Term, Unknown Fiscal Effects. In the long term (2027 and after), Proposition 35 makes the temporary tax on health plans permanent and creates new rules about how to spend the money. The fiscal effect of these changes depends on many factors.

For example, the state could approve the tax in the future, as it has done in the past, even if the proposition is not passed by voters. Also, it is uncertain how large of a tax the federal government would approve in the future. Given these uncertain factors, the proposition's long-term effects on tax revenue, health program funding, and state costs are unknown.

Temporarily Increases State Spending Limit. The California Constitution has various rules that impact the state budget. One rule limits how much state tax revenue can be spent on any purpose annually. Voters may increase this limit for up to four years at a time. In line with these rules, Proposition 35 temporarily increases the limit by the size of the health plan tax for four years. After the temporary increase ends, the long-term effect of the proposition on the state's spending limit is uncertain. This is because it is unknown how Proposition 35 would affect state tax revenue in the future.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 35 ★

CALIFORNIA'S HEALTHCARE SYSTEM IS IN CRISIS

Hospitals and health clinics are closing in rural and urban communities across California. Emergency rooms are overcrowded. More than 40 California hospitals have stopped offering labor and delivery services. Patients wait months to see a doctor for important preventative care, and often cannot get an appointment for specialty care when needed. The healthcare crisis is made worse because the state has redirected more than \$30 billion in healthcare funding over the last 15 years to other purposes.

THE CRISIS IS WORST FOR CALIFORNIA'S CHILDREN & MOST VULNERABLE POPULATIONS

More than 15 million Californians rely on Medi-Cal for health insurance coverage, including more than 50% of all children in the state and low-income families, seniors, and persons with disabilities. But lack of adequate and ongoing funding means Medi-Cal patients must wait months to see primary care doctors or cardiologists, cancer doctors, pediatric specialists, or orthopedists.

YES ON PROP. 35 PROVIDES DEDICATED FUNDING TO IMPROVE THE HEALTHCARE SYSTEM FOR ALL OF US—WITHOUT RAISING TAXES

Prop. 35 will address our most urgent healthcare priorities by securing dedicated, ongoing funding—*without raising taxes on individuals*—to protect and expand access to care at primary care and specialty care physicians, community health clinics, hospitals, emergency rooms, family planning and mental health providers. Prop. 35 extends an *existing* levy on health insurance companies that will otherwise expire in 2026. And Prop. 35 prevents the state from redirecting these funds for non-healthcare purposes.

YES ON 35 PROTECTS AND EXPANDS ACCESS TO HEALTHCARE FOR ALL PATIENTS

Prop. 35 dedicates funding for:

- Expanding access to preventative healthcare so patients don't have to rely on crowded ERs or urgent care clinics as their primary source of care
- Reducing wait times in emergency rooms
- Hiring more first responders and paramedics to reduce emergency response times
- Primary care and physicians' offices
- Community health centers
- OBGYNs and specialty care like cancer and cardiology care

- Family planning
- Expanded mental health treatment
- Healthcare workforce training to address the worker shortage
- Services for Medi-Cal patients to expand access to hospitals, physicians, women's health centers, and community clinics.

YES ON 35'S STRONG ACCOUNTABILITY REQUIREMENTS ENSURE MONEY IS SPENT ON PATIENT CARE

Prop. 35 prevents the state from redirecting these funds for non-healthcare purposes and requires that 99% of the revenues must go to patient care. It caps administrative expenses at 1%. Lastly, the measure requires annual independent performance audits to ensure funds are spent effectively and as intended.

PROP. 35 IS SUPPORTED BY FIRST RESPONDERS, HEALTHCARE WORKERS, PHYSICIANS, NURSES, AND A BIPARTISAN COALITION

Prop. 35 is supported by:

- International Association of EMTs and Paramedics
- Planned Parenthood Affiliates of California
- California Medical Association
- American Academy of Pediatrics, California
- American College of Obstetricians and Gynecologists—District IX
- California Chapter, American College of Emergency Physicians
- California Primary Care Association
- La Clínica de la Raza
- Community Clinic Association of Los Angeles County
- California Dental Association
- California Academy of Family Physicians

Yes on 35 will help address our urgent healthcare crisis and protect healthcare for all California patients.

www.VoteYes35.com

Dr. Yasuko Fukuda, Chair

American Academy of Pediatrics, California

Jack Yandell, Emergency Medical Technician (EMT)

International Association of EMTs and Paramedics

Jodi Hicks, CEO

Planned Parenthood Affiliates of California

★ ARGUMENT AGAINST PROPOSITION 35 ★

NO ARGUMENT AGAINST PROPOSITION 35 WAS SUBMITTED.

PROPOSITION
36 **ALLOWS FELONY CHARGES AND INCREASES SENTENCES FOR CERTAIN DRUG AND THEFT CRIMES. INITIATIVE STATUTE.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

The text of this measure can be found on page 126 and the Secretary of State's website at voterguide.sos.ca.gov.

- Allows felony charges for possessing certain drugs and for thefts under \$950—both currently chargeable only as misdemeanors—with two prior drug or two prior theft convictions, as applicable. Defendants who plead guilty to felony drug possession and complete treatment can have charges dismissed.
- Increases sentences for other specified drug and theft crimes.
- Increased prison sentences may reduce savings that currently fund mental health and drug treatment programs, K–12 schools, and crime victims; any remaining savings may be used for new felony treatment program.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increased state criminal justice costs, likely ranging from several tens of millions of dollars to the low hundreds of millions of dollars annually, primarily due to an increase in the prison population.
- Increased local criminal justice costs, likely in the tens of millions of dollars annually, primarily due to county jail, community supervision, and court-mandated mental health and drug treatment workload.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

PUNISHMENT DEPENDS ON SERIOUSNESS OF CRIME AND CRIMINAL HISTORY

Punishment for Felonies. A felony is the most serious type of crime. People can be sentenced to county jail or state prison for felonies, depending on the crime and their criminal history. In some cases, people can be supervised in the community by a county probation officer instead of serving some or all of their sentence in jail or prison. This is called county community supervision. The length of a sentence mostly depends on the crime. For example, murder

can be punished by 15 years or more in prison. In contrast, selling drugs can be punished by up to five years in jail or prison, depending on the drug. Sentences can also be lengthened due to details of the crime. For example, sentences for selling certain drugs (such as fentanyl, heroin, cocaine, or methamphetamine) can be lengthened based on the amount sold.

Punishment for Misdemeanors. A misdemeanor is a less serious crime. Examples include assault and drug possession. People can be sentenced to county jail, county community supervision, and/or a fine for

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

misdemeanors. Sentences can be up to one year in jail.

PROPOSITION 47 REDUCED PUNISHMENTS FOR SOME THEFT AND DRUG CRIMES

In 2014, Proposition 47 changed some theft and drug crimes from felonies to misdemeanors. For example, shoplifting (stealing items worth \$950 or less from a store) and drug possession generally became misdemeanors.

PROPOSAL

Proposition 36 makes several key changes related to punishments for theft and drug crimes. First, it increases punishment for some of these crimes. Second, it creates a new treatment-focused court process for some drug possession crimes. Third, it requires courts to warn people convicted of selling or providing illegal drugs to others that they can be charged with murder if they keep doing so and someone dies.

INCREASES PUNISHMENT FOR SOME THEFT AND DRUG CRIMES

Proposition 36 increases punishment for some theft and drug crimes in three ways:

- ***Turns Some Misdemeanors Into Felonies.*** For example, currently, theft of items worth \$950 or less is generally a misdemeanor. Proposition 36 makes this crime a felony if the person has two or more past convictions for certain theft crimes (such as shoplifting, burglary,

or carjacking). The sentence would be up to three years in county jail or state prison. These changes undo some of the punishment reductions in Proposition 47.

- ***Lengthens Some Felony Sentences.*** For example, Proposition 36 allows felony sentences for theft or damage of property to be lengthened by up to three years if three or more people committed the crime together.
- ***Requires Some Felonies Be Served in Prison.*** For example, as discussed above, sentences for selling certain drugs (such as fentanyl, heroin, cocaine, or methamphetamine) can be lengthened based on the amount sold. Currently, these sentences are served in county jail or state prison depending on the person's criminal history. Proposition 36 generally requires these sentences be served in prison.

CREATES NEW COURT PROCESS FOR SOME DRUG POSSESSION CRIMES

Proposition 36 allows people who possess illegal drugs to be charged with a "treatment-mandated felony," instead of a misdemeanor, in some cases. Specifically, this applies to people who (1) possess certain drugs (such as fentanyl, heroin, cocaine, or methamphetamine) and (2) have two or more past convictions for some drug crimes (such as possessing or selling drugs). These people would generally

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

get treatment, such as mental health or drug treatment. Those who finish treatment would have their charges dismissed. Those who do not finish treatment could serve up to three years in state prison. This change undoes some of the punishment reductions in Proposition 47.

REQUIRES WARNING OF POSSIBLE MURDER CHARGES FOR SELLING OR PROVIDING DRUGS

Proposition 36 requires courts to warn people that they could be charged with murder if they sell or provide illegal drugs that kill someone. This warning would be given to people convicted of selling or providing certain drugs (such as fentanyl, heroin, cocaine, and methamphetamine). This could make it more likely for them to be convicted of murder if they later sell or provide illegal drugs to someone who dies.

FISCAL EFFECTS

Proposition 36 would have various fiscal effects on the state and local governments. The size of these effects would depend on uncertain factors, such as what decisions local prosecutors would make.

Increases State Criminal Justice Costs.

Proposition 36 would increase state criminal justice costs in two main ways.

- ***Increase in State Prison Population.***
It would require some people who now serve their sentences at the county level to serve them in state

prison. Also, it lengthens some prison sentences. In total, the prison population could increase by around a few thousand people. (There are about 90,000 people in prison now.)

- ***Increase in State Court Workload.***

This is because felonies usually take more time to resolve than misdemeanors. Also, treatment-mandated felonies would increase court workload.

In total, Proposition 36 would **increase state criminal justice costs, likely ranging from several tens of millions of dollars to the low hundreds of millions of dollars each year (annually)**. This amount is less than one-half of 1 percent of the state's total General Fund budget. (The General Fund is the account the state uses to pay for most public services, including education, health care, and prisons.)

Increases Local Criminal Justice Costs.

Proposition 36 would increase local criminal justice costs in two main ways.

- ***Net Increase in County Jail and Community Supervision Population.***

In some ways, Proposition 36 would reduce the jail and community supervision population. This is because some people would go to state prison instead of the county level. In other ways, it would increase this population. This is because some people would spend more time in county jail or on

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

community supervision. Overall, Proposition 36 likely would increase the county population. This increase could be around a few thousand people. (There are about 250,000 people at the county level now.)

- ***Increase in Local Court-Related Workload.*** It would also increase workload for local prosecutors and public defenders. This is because felonies usually take more time to resolve than misdemeanors. Also, treatment-mandated felonies would create workload for some county agencies (such as probation or behavioral health departments).

In total, Proposition 36 would **increase local criminal justice costs, likely by tens of millions of dollars annually.**

Reduces Amount State Must Spend on Certain Services. Proposition 47 created a process in which the estimated state savings from its punishment reductions must be spent on mental health and drug treatment, school truancy and dropout prevention, and victim services. These estimated savings totaled

\$95 million last year. By undoing parts of Proposition 47, Proposition 36 reduces the state savings from Proposition 47. This would reduce the amount the state must spend on mental health and drug treatment, school truancy and dropout prevention, and victim services. This reduction likely would be in the low tens of millions of dollars annually.

Other Fiscal Impacts. Proposition 36 could have other fiscal effects on the state and local governments. For example, if the increased punishments or mandated treatment reduce crime, some state and local criminal justice costs could be avoided. However, it is unknown if these or other effects would occur.

Visit sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2024-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit fppc.ca.gov/transparency/top-contributors.html to access the committee's top 10 contributors.

★ ARGUMENT IN FAVOR OF PROPOSITION 36 ★

YES ON PROP. 36: TOUGHER LAWS TO MAKE OUR COMMUNITIES SAFER AND HOLD REPEAT CRIMINALS ACCOUNTABLE

California is suffering from an explosion in crime and the trafficking of deadly hard drugs like fentanyl. Prop. 36 will fix the mess our politicians have ignored for far too long. It is a balanced approach that corrects loopholes in state law that criminals exploit to avoid accountability for fentanyl trafficking and repeat retail theft.

YES ON PROP. 36: TOUGHER LAWS TO STOP “SMASH-AND-GRAB” THEFTS

The explosion in retail theft has caused stores across California to raise prices, lock up items, and close their doors. Prop. 36 increases penalties for smash-and-grab crimes when three or more people act together to commit theft. It also allows prosecutors to file felony charges if a defendant has two or more prior theft convictions.

“California needs Prop. 36’s tougher laws against smash-and-grab thefts so we can keep small businesses open in every community.”—Robert Rivinius, Executive Director, Family Business Association of California

YES ON PROP. 36: TOUGHER PROSECUTION OF SERIAL THIEVES

Under current California law, thieves can get away with the equivalent of a TRAFFIC TICKET if the value of items stolen in one instance is \$950 or less. That means someone can steal an UNLIMITED amount—so long as each individual crime is not over \$950—and likely avoid jail time and even arrest.

“Prop. 36 will allow prosecutors to combine the value of items stolen from multiple thefts and increase accountability for serial thieves.”—Mike Hestrin, Riverside County District Attorney

YES ON PROP. 36: TOUGHER PENALTIES FOR FENTANYL TRAFFICKING

Fentanyl is one of the top killers in California, with more young people dying of drug overdoses than car accidents. Yet fentanyl is treated less seriously than methamphetamine,

heroin, PCP, and cocaine when offenders are armed with a firearm. Prop. 36 will close this loophole while increasing penalties for trafficking large quantities and when a trafficker sells drugs to someone who dies as a result.

“Fentanyl has killed too many people, yet traffickers can avoid the consequences. We need Prop. 36 because no parent should ever have to bury another child killed by fentanyl poisoning.”—Gina McDonald, Co-Founder, Mothers Against Drug Addiction and Deaths

YES ON PROP. 36: HOLD CAREER CRIMINALS ACCOUNTABLE AND ENFORCE DRUG TREATMENT REQUIREMENTS

In California, criminal justice reforms have advanced equity and reduced incarceration rates. But the unintended consequences of these policies include an epidemic of drug use, trafficking, and repeat retail theft because the people committing these crimes don’t face any serious consequences.

“Prop. 36 will make our justice system fair and create effective tools for holding individuals accountable for their crimes and helping those who suffer from addiction to hard drugs get the necessary treatment to begin new lives.”—Rev. Jonathan Moseley, Western Regional Director, National Action Network Los Angeles

VOTE YES ON PROP. 36 FOR SAFER CALIFORNIA COMMUNITIES

Prop. 36 will toughen California’s laws on “smash-and-grab” theft and fentanyl trafficking. That’s why small businesses, law enforcement, social justice, crime victims’, and drug survivors’ advocates, along with 900,000 Californians support Prop. 36.

Read it for yourself at VoteYesProp36.com.

Gregory Totten, Chief Executive Officer
California District Attorneys Association

Harriet Salarno, Founder
Crime Victims United

Michael Hedges, President
California Small Business Association

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 36 ★

36

Retail theft and fentanyl are real problems. Californians deserve real solutions. Prop. 36 is a false promise, not a fix.

Prop. 36 will reignite the failed war on drugs, wasting billions on jails and prisons, and slashing crucial funding for crime prevention, treatment, victims, and rehabilitation. That will mean more crime, not less.

Prop. 36 makes simple drug possession a felony, costing taxpayers billions in incarceration without reducing crime. The nonpartisan Legislative Analyst Office concluded the measure will require the state to spend billions more on prisons over the next several years. That means bigger cuts to schools, healthcare, and other essential services.

The measure is also so poorly drafted that it will simply create confusion in the courts and not lead to higher penalties in many retail theft cases.

In the last two years, state leaders increased funding for retail theft prosecutions and fentanyl trafficking, leading to more convictions. Lawmakers continue to pass strong new

laws targeting retail theft rings, illegal online markets, and fentanyl.

California law already requires felonies for smash-and-grab robberies, drug trafficking, and repeat theft, and these serious crimes can lead to tough penalties. There is no loophole—under current law, fentanyl traffickers and repeat thieves can and do spend years behind bars. Prop. 36 doesn’t fix anything—it’s about funding prisons instead of treatment and prevention. This sends California backward, not forward.

Don’t be fooled by false solutions. Vote No on Prop. 36.

Cristine Soto DeBerry, Executive Director
Prosecutors Alliance Action

Don Frazier, Executive Director
Reentry Providers Association of California

David Guizar, Co-Founder
Crime Survivors for Safety and Justice

★ **ARGUMENT AGAINST PROPOSITION 36** ★

VOTE NO ON PROP. 36! THIS IS A WASTEFUL APPROACH THAT MAKES CALIFORNIA LESS SAFE. PROP. 36 is an extreme measure that will waste \$750 million in taxpayer dollars; cut funding from mental health, drug treatment, and rehabilitation programs; and do nothing to make us safer.

PROPOSITION 36 IS THE WRONG ANSWER. We must have an all-of-the-above approach to stop fentanyl use and improve public safety, but PROP. 36 is the opposite of that. This is a one-size-fits-all prison-first approach. It will lock up people who are not a danger, slash desperately needed money from proven crime prevention and treatment programs, and cost taxpayers hundreds of millions more on prisons.

PROP. 36 IS TOO EXTREME. Prop. 36 is so extreme that stealing a candy bar could lead to felony charges. It is a gross overreach that brings back 1980s “drug war” style tactics that packed our state prisons with people convicted of low-level drug offenses, harming public safety and damaging families and communities.

We must address persistent problems like theft and fentanyl, but we must use solutions that work and are targeted at the actual issue, instead of the scattershot failed solutions of the past. By making simple drug possession a felony, this measure will send thousands into state prison, drive up prison costs, and slash money for local safety programs. That will make crime worse, not better.

PROP. 36 STRIPS MONEY FROM CRIME VICTIMS, REHABILITATION, AND MENTAL HEALTH. Prop. 36 will strip millions away from dedicated funding that is spent on rehabilitation and services for crime victims, and it will expand the state prisons budget instead.

Local public safety programs that are working with law enforcement to prevent crime and stop people from cycling in and out of jails will **LOSE** funding if Prop. 36 passes.

These include effective recidivism reduction programs that get people struggling with mental health and addiction off the streets and into treatment, as well as trauma recovery centers for crime victims and programs providing truancy and dropout prevention for at-risk youth. These programs have a proven track record of stopping crime. We need **MORE** of these programs, working hand-in-hand with law enforcement, not less. This measure only locks more people up in state prison.

PROPOSITION 36 IS BEING PUSHED BY MAGA-REPUBLICANS. Don’t be fooled. Law enforcement leaders, crime victims, and rehabilitation experts oppose Prop. 36 because it slashes money for public safety, victims, and treatment programs that stop repeat offending.

EXPERTS ON CRIME, SPENDING, AND CRIMINAL JUSTICE AGREE: Prop. 36 will **NOT** make our communities safer. Prop. 36 **WILL** waste hundreds of millions of **YOUR** taxpayer dollars on methods that are proven to be inefficient and ineffective.

Voting for Prop. 36 would be a vote to cut money for treatment and victims and waste taxpayer dollars. Voting NO on Prop. 36 maintains serious penalties for drug trafficking and organized crime, and protects dedicated funding for treatment, crime prevention, and rehabilitation that successfully reduce crime and recidivism.

VOTE NO ON PROP. 36

More info: StopProp36.com

Diana Becton, District Attorney
Contra Costa County

William Lansdowne, Police Chief (ret.)
City of San Diego

Jess Nichol, Victim Advocate
Crime Survivors for Safety and Justice

★ **REBUTTAL TO ARGUMENT AGAINST PROPOSITION 36** ★

YES ON PROP. 36: BALANCED, RESPONSIBLE SOLUTIONS TO RISING CRIME

California has a serious crime problem, and the politicians have failed to fix it. Prop. 36 is a tailored reform focused on the root causes of rising crime: • Repeat retail theft • Fentanyl trafficking • Drug addiction without incentives for treatment

PROP. 36: TARGETED RESPONSE TO CALIFORNIA’S CRIME CRISIS

Prop. 36 increases penalties for smash-and-grab theft and serial thieves who victimize businesses repeatedly. No one will go to prison for “stealing a candy bar,” and judges are given discretion to assess the severity of crimes for sentencing. Prop. 36 won’t result in over-incarceration.

PROP. 36: SMART APPROACH TO TREATING DRUG ADDICTION

Prop. 36 does not automatically lock up drug users. Instead, it restores drug courts, providing offenders who’ve been convicted three times with incentives to complete drug treatment.

PROP. 36: SAVINGS FOR CONSUMERS AND TAXPAYERS

California small businesses and stores lost nearly \$9 billion in 2022 from theft. Targeting the small group of criminals who repeatedly steal will result in huge savings for consumers. Treating addiction is a smart way to address illegal drug use and overdoses that cost California \$60 billion annually for opioids alone, according to the CDC.

PROP. 36: TOUGHER PENALTIES AND ACCOUNTABILITY

We shouldn’t let the politicians tell us California’s crime problem doesn’t exist. Prop. 36 is a smart, balanced, and responsible approach of tougher penalties for targeted crimes and real accountability for public safety.

READ WHY PROP. 36 IS SUPPORTED BY DEMOCRATS AND REPUBLICANS, SMALL BUSINESSES, MAYORS, SOCIAL JUSTICE AND VICTIMS’ GROUPS, AND LAW ENFORCEMENT

VoteYesProp36.com

Robert Rivinius, Executive Director
Family Business Association of California

Jay King, President
California Black Chamber of Commerce

Greg Van Dyke, President
California Consumer Advocates for Affordability and Safety

OVERVIEW OF STATE BOND DEBT

PREPARED BY THE LEGISLATIVE ANALYST

This section describes the state's bond debt. It also discusses how the bond measures on the ballot, if approved by voters, would affect state costs to repay bonds.

State Bonds and Their Costs

What Are Bonds? Bonds are a way that governments borrow money. The state government uses bonds primarily to pay for infrastructure projects that have a long useful life, such as bridges, dams, prisons, parks, schools, and office buildings. The state sells bonds to investors to receive up-front funding for these projects and then must repay the investors over a period of time, typically a couple of decades. This is very similar to the way a family pays off a mortgage on their home.

What Are the Costs of Bond Financing?

The state's total cost for a project is more if it pays with bonds than if it pays up front with money it already has. This is because it has to pay interest on the bonds. The amount of additional cost depends on the interest rate and how long it takes to repay the bonds. For example, if the state uses a 30-year bond with a 4 percent interest rate to pay for a project, the total cost is about 15 percent more (after adjusting for inflation) than if the state paid up front with money it already has.

Most Bonds Must Be Approved by Voters. The California Constitution requires that most new bonds be approved by voters. These bonds usually are repaid from the state General Fund. (The General Fund is the account the state uses to pay for most public

services, including education, health care, and prisons.)

Bonds and State Spending

Current Amount of Bond Debt. The state currently is repaying about \$80 billion of bonds. In addition, the voters and the Legislature previously have approved about \$35 billion of bonds that have not yet been sold. Most of these bonds are expected to be sold in the next several years. The state currently is paying about \$6 billion each year from the General Fund to repay bonds. The state will continue to pay a similar amount over the next few years. This is about 3 percent of the state's annual General Fund revenue, which is lower than the historical average of about 4 percent.

This Election's Impact on Debt

Payments. There are two bond measures on this ballot: Proposition 2 and Proposition 4. Proposition 2 would allow the state to borrow \$10 billion to build new facilities and renovate existing facilities at school districts and community colleges. The cost to repay this bond would be about \$500 million each year for 35 years. Proposition 4 would allow the state to borrow \$10 billion to pay for various natural resources and climate activities. The cost to repay this bond would be about \$400 million each year for 40 years. The cost to repay both bonds would total about \$900 million each year, which is about one-half of 1 percent of the state's annual General Fund revenue.

Elections in California

The Top Two Candidates Open Primary Act requires that all candidates for a voter-nominated office be listed on the same ballot. Previously known as partisan offices, voter-nominated offices include state legislative offices, United States congressional offices, and state constitutional offices.

In both the open primary and general elections, you can vote for any candidate regardless of what party preference you indicated on your voter registration form. In the primary election, the two candidates receiving the most votes—regardless of party preference—move on to the general election. If a candidate receives a majority of the vote (at least 50 percent + 1), a general election still must be held.

Write-in candidates for voter-nominated offices may still run in the primary election. However, a write-in candidate may only move on to the general election if the candidate is one of the top two vote-getters in the primary election. Additionally, there is no independent nomination process for a general election.

California's open primary system does not apply to candidates running for United States President, county central committee, or local offices.

California law requires the following information to be printed in this guide.

Party-Nominated/Partisan Offices

Political parties may formally nominate candidates for party-nominated/partisan offices at the primary election. A nominated candidate will represent that party as its official candidate for the specific office at the general election and the ballot will reflect an official designation. The top vote-getter for each party at the primary election moves on to the general election. Parties also elect officers of county central committees at the primary election.

A voter can only vote in the primary election of the political party he or she has disclosed a preference for upon registering to vote. However, a political party may allow a person who has declined to disclose a party preference to vote in that party's primary election.

Voter-Nominated Offices

Political parties are not entitled to formally nominate candidates for voter-nominated offices at the primary election. A candidate nominated for a voter-nominated office at the primary election is the nominee of the people and not the official nominee of any party at the general election. A candidate for nomination to a voter-nominated office shall have his or her qualified party preference, or lack of qualified party preference, stated on the ballot, but the party preference designation is selected solely by the candidate and is shown for the information of the voters only. It does not mean the candidate is nominated or endorsed by the party designated, or that there is an affiliation between the party and candidate, and no candidate nominated by the voters shall be deemed to be the officially nominated candidate of any political party. In the county voter information guide, parties may list the candidates for voter-nominated offices who have received the party's official endorsement.

Any voter may vote for any candidate for a voter-nominated office, if they meet the other qualifications required to vote for that office. The top two vote-getters at the primary election move on to the general election for the voter-nominated office even if both candidates have specified the same party preference designation. No party is entitled to have a candidate with its party preference designation move on to the general election unless the candidate is one of the two highest vote-getters at the primary election.

Nonpartisan Offices

Political parties are not entitled to nominate candidates for nonpartisan offices at the primary election, and a candidate at the primary election is not the official nominee of any party for the specific office at the general election. A candidate for nomination to a nonpartisan office may not designate his or her party preference, or lack of party preference, on the ballot. The top two vote-getters at the primary election move on to the general election for the nonpartisan office.

Information About Candidate Statements

This voter guide includes candidate statements from United States Senate office candidates which begins on page 67 of this guide.

United States Senate

The office of United States Senate will have TWO separate contests on the November 5, 2024, General Election ballot. You may vote on both.

The first contest is the regular election for the full 6-year term of office beginning on January 3, 2025 (full term).

The second contest is a special vacancy election, since the current officeholder is temporarily filling a vacancy, for the remainder of the term ending on January 3, 2025 (partial/unexpired term).

United States Senate candidates can buy space for their candidate statement in this voter guide.

For the final certified list of candidates, which was due after this guide was published, go to vote.ca.gov.

U.S. Senate (Full Term)

Steve Garvey	Republican
Adam B. Schiff	Democratic

U.S. Senate (Partial/Unexpired Term)

Steve Garvey	Republican
Adam B. Schiff	Democratic



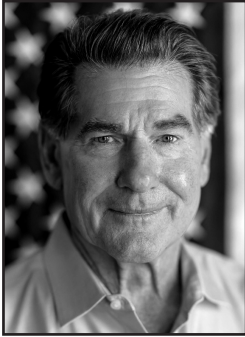
United States President

United States presidential candidate statements can be found online at voterguide.sos.ca.gov.

CANDIDATE STATEMENTS

UNITED STATES SENATE—FULL TERM

- Serves as one of the two Senators who represent California's interests in the United States Congress.
- Proposes and votes on new national laws.
- Votes on confirming federal judges, U.S. Supreme Court Justices, and many high-level presidential appointments to civilian and military positions.
- Will serve the 6-year term of office beginning on January 3, 2025.

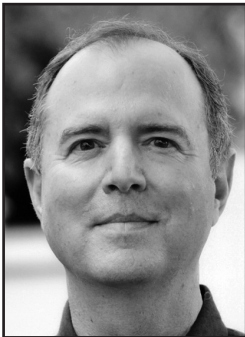


Steve Garvey | REPUBLICAN

From the moment I came to California 50 years ago, it was home. For 20 years, I played for the Los Angeles Dodgers and San Diego Padres. When I took the field, I played for all the fans. Everyone was equal. Politics, race, sexual orientation, gender, and background didn't divide us—they brought us together. California used to be the heartbeat of America, now it's just a murmur. Career politicians put special interests ahead of you and your family's well-being. Instead of housing, we have out-of-control homelessness. Instead of an immigration system that rewards hard work, we have chaos on the Southern Border. Instead of safe neighborhoods, there's violent crime. Instead of affordability, Californians struggle to pay for rent, groceries, and gas. That's not the California we love. You deserve better, your family deserves better. I am getting back in the game to fight for you and our state. I will be your voice in Washington, D.C.,

choosing common sense over tired old politics. We will reduce homelessness by addressing mental health and drug addiction. We will secure the border and work with law enforcement to make our neighborhoods safe and hold criminals responsible. We will lower inflation so every dollar goes towards supporting your family. We will provide our children with the best education. Politicians have failed us. I won't. When Californians join together, anything is possible. I lived my dream, and you deserve to live yours. As your Senator, I will fight for your and California's future.

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Facebook: [Facebook.com/SteveGarvey6](https://www.facebook.com/SteveGarvey6) | X: [X.com/SteveGarvey6](https://www.x.com/SteveGarvey6) | Instagram: [Instagram.com/SteveGarvey6](https://www.instagram.com/SteveGarvey6)



Adam B. Schiff | DEMOCRATIC

Adam Schiff has always taken on the toughest fights to get things done. He's running for the U.S. Senate to deliver results for Californians: making housing more affordable, lowering costs, fighting climate change, protecting abortion access, and building an economy that works for everyone. From the courtroom to Congress, Adam took on the biggest bullies—drug companies, polluters, and drug cartels—and won. He's passed dozens of laws to lower prescription drug costs, expand public transit, create jobs, get people off the street, bring up-to-date textbooks to our schools, build the earthquake early warning system, and establish California's Patients Bill of Rights. And when our democracy was under assault by a dangerous president, Adam investigated, impeached and held him accountable for inciting an insurrection. Adam will work with Democrats, Republicans, and Independents to make it affordable to raise a family in

California again. His Affordability Agenda calls for universal health care and childcare, and increased investments in Social Security. He'll take on big developers and foreign investors driving up housing costs, and large corporations that are gouging consumers while raking in billions. Adam grew up in the Bay Area, working summers in his dad's lumber yard and as a seasonal firefighter. After law school, he settled in Southern California, and met the love of his life, Eve—yes, they are Adam and Eve! They have been married for 29 years and have two wonderful kids. Visit www.AdamSchiff.com to learn more.

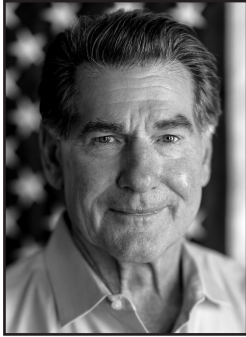
135 E. Olive Ave., Box 750, Burbank, CA 91502 | Tel: (818) 841-2828 | E-mail: contact@adamschiff.com
www.adamschiff.com | Facebook: www.facebook.com/AdamSchiffCA | X: www.twitter.com/adamschiffca
Instagram: www.instagram.com/adamschiffca/ | www.threads.net/@adamschiffca

The views and opinions expressed by the candidates are their own and do not represent the views and opinions of the Secretary of State's office. The order of the statements was determined by randomized drawing. Statements on this page were supplied by the candidates and have not been checked for accuracy by any official agency. Each statement was voluntarily submitted and paid for by the candidate.

CANDIDATE STATEMENTS

UNITED STATES SENATE—PARTIAL/UNEXPIRED TERM

- Serves as one of the two Senators who represent California's interests in the United States Congress.
- Proposes and votes on new national laws.
- Votes on confirming federal judges, U.S. Supreme Court Justices, and many high-level presidential appointments to civilian and military positions.
- Will serve the remainder of the current term ending on January 3, 2025.



Steve Garvey | REPUBLICAN

Over 50 years ago, I came to California for the first time. For the next 20 years, I played for the Los Angeles Dodgers and the San Diego Padres in front of millions of fans watching on TV and cheering in the stands. At that time, California was the heartbeat of America, now it's just a murmur. Years of bad policies have led to the highest cost of living in the country, chaos on the Southern Border, rising violent crime, out-of-control homelessness, and failing schools. Politicians have let all Californians down. When I'm your Senator, we will tackle homelessness by getting serious about mental health, drug addiction treatment, and the cost of housing. We will secure the border, fight crime, enforce our laws, and punish criminals. We will once again have the best schools in the country and provide our children with a first-class education. We will create good jobs, support small businessowners, and bring down the cost of living so every dollar goes

farther for your family. By working together, we will solve our problems with common-sense solutions, and not the same old tired politics. It's time for political courage and we deserve leaders who will represent your interests, not their own. California allowed me to live my dream of playing in the Major Leagues, and you deserve to live yours. I hope to earn your support, so we can work together and restore the quality of life and opportunities we all deserve.

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Adam B. Schiff | DEMOCRATIC

Adam Schiff has always taken on the toughest fights to get things done. He's running for the U.S. Senate to deliver results for Californians: making housing more affordable, lowering costs, fighting climate change, protecting abortion access, and building an economy that works for everyone. From the courtroom to Congress, Adam took on the biggest bullies—drug companies, polluters, and drug cartels—and won. He's passed dozens of laws to lower prescription drug costs, expand public transit, create jobs, get people off the street, bring up-to-date textbooks to our schools, build the earthquake early warning system, and establish California's Patients Bill of Rights. And when our democracy was under assault by a dangerous president, Adam investigated, impeached and held him accountable for inciting an insurrection. Adam will work with Democrats, Republicans, and Independents to make it affordable to raise a family in

California again. His Affordability Agenda calls for universal health care and childcare, and increased investments in Social Security. He'll take on big developers and foreign investors driving up housing costs, and large corporations that are gouging consumers while raking in billions. Adam grew up in the Bay Area, working summers in his dad's lumber yard and as a seasonal firefighter. After law school, he settled in Southern California, and met the love of his life, Eve—yes, they are Adam and Eve! They have been married for 29 years and have two wonderful kids. Visit www.AdamSchiff.com to learn more.

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Top Contributors to State Candidates and Ballot Measures

When a committee (a person or group of people who receive or spend money for the purpose of influencing voters to support or oppose candidates or ballot measures) raises at least \$1 million, it must report its top 10 contributors to the California Fair Political Practices Commission (FPPC). The committee must update the list when there is any change.

These lists are available on the FPPC website at:
fppc.ca.gov/transparency/top-contributors.html

To research campaign contributions for candidates or ballot measures, visit the Secretary of State's website at powersearch.sos.ca.gov.



Visit the Secretary of State's Website to:

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- Find your polling place or a vote center on Election Day
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- Get vote-by-mail ballot information
sos.ca.gov/elections/voter-registration/vote-mail
- Read helpful information for first-time voters
sos.ca.gov/elections/voting-resources/voting-california
- Watch live election results after polls close on Election Day
electionresults.sos.ca.gov

PROPOSITION 2

This law proposed by Assembly Bill 247 of the 2023–2024 Regular Session (Chapter 81, Statutes of 2024) is submitted to the people in accordance with the provisions of Article XVI of the California Constitution.

This proposed law adds sections to the Education Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SEC. 28. Part 72 (commencing with Section 101400) is added to Division 14 of Title 3 of the Education Code, to read:

PART 72. THE KINDERGARTEN THROUGH GRADE 12 SCHOOLS AND LOCAL COMMUNITY COLLEGE PUBLIC EDUCATION FACILITIES MODERNIZATION, REPAIR, AND SAFETY BOND ACT OF 2024

CHAPTER 1. GENERAL PROVISIONS

101400. *This part shall be known, and may be cited, as the Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024.*

101401. *The Legislature finds and declares all of the following:*

(a) *A University of California, Berkeley report estimates that 85 percent of the classrooms in California are more than 25 years old, 30 percent of the classrooms are between 50 to 70 years old, and about 10 percent of the classrooms are 70 years old or older.*

(b) *Research on school building conditions and student outcomes finds a consistent relationship between poor facilities and poor performance by students. School facilities that are clean, in good repair, and designed to support high academic standards are more likely to support higher student achievement, regardless of student socioeconomic status. Students who receive instruction in buildings with good environmental conditions can earn test scores that are 5 to 17 percent higher than scores for students in substandard buildings.*

(c) *About one-third of new jobs in California will require some training beyond high school but less than a four-year degree. Career technical education, also known as vocational training, connects students to these career opportunities by providing industry-based skills.*

(d) *The School Facility Program is almost out of funding. School districts across California have submitted a total of \$3,300,000,000 in new construction and modernization projects and they are waiting to be funded.*

(e) *There are over 1,000 charter schools in California, and those charter schools are primarily located in urban areas. Charter schools often face significant financial challenges in securing adequate facilities. Therefore, supporting charter school facilities is essential to ensuring that all students have access to high-quality learning environments. By investing in the construction*

and rehabilitation of charter school buildings, we can help ensure these schools can provide safe, modern, and conducive learning environments. This support is important for fostering educational innovation and providing equitable educational opportunities for all students.

(f) *Small and disadvantaged school districts often face significant challenges in maintaining and upgrading their facilities. These districts serve some of the most vulnerable student populations and frequently lack the resources to address critical infrastructure needs.*

(g) *The California Community Colleges is the largest postsecondary educational system in the United States, historically serving approximately 2,100,000 students annually. The California Community Colleges have billions of dollars in need for construction of new facilities for enrollment growth and for modernization of existing facilities.*

101402. (a) *The incorporation of, or reference to, any provision of state statutory law in this part includes all acts amendatory thereof and supplementary thereto.*

(b) *For purposes of this part, “State General Obligation Bond Law” means the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as it may be amended from time to time.*

101403. *Bonds in the total amount of ten billion dollars (\$10,000,000,000), not including the amount of any refunding bonds issued in accordance with Sections 101430 and 101451, may be issued and sold for the purposes set forth in Sections 101420 and 101442. The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of the principal of, and interest on, the bonds as the principal and interest become due and payable.*

CHAPTER 2. KINDERGARTEN THROUGH GRADE 12

Article 1. Kindergarten Through Grade 12 School Facilities Program Provisions

101410. *The proceeds of bonds issued and sold pursuant to this chapter, not including the proceeds of any refunding bonds issued in accordance with Section 101430, shall be deposited in the 2024 State School Facilities Fund established in the State Treasury under Section 17070.42, and shall be allocated by the State Allocation Board pursuant to this chapter.*

101411. *All moneys deposited in the 2024 State School Facilities Fund for the purposes of this chapter shall be available to provide aid to school districts, county superintendents of schools, and county boards of education of the state in accordance with the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1), to provide funds to repay any money advanced or loaned to the 2024 State School Facilities Fund under any act of the Legislature, together with interest provided for in that act, and to reimburse*

the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code.

101412. (a) The proceeds from the sale of bonds issued and sold for the purposes of this chapter shall be allocated in accordance with the following schedule:

(1) (A) The amount of three billion three hundred million dollars (\$3,300,000,000) for new construction of school facilities of applicant school districts pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1. Of the amount allocated under this paragraph, up to 10 percent shall be available to small school districts pursuant to Article 11.5 (commencing with Section 17078.35) of Chapter 12.5 of Part 10 of Division 1 of Title 1.

(B) Of the amount allocated under this paragraph, up to the amount necessary to fund the applications on the Applications Received Beyond Bond Authority List shall be available to support applications for the new construction of school facilities submitted pursuant to the Leroy F. Greene School Facilities Act of 1998 on or before October 31, 2024.

(2) (A) The amount of four billion dollars (\$4,000,000,000) for the modernization of school facilities pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1. Of the amount allocated under this paragraph, up to 10 percent shall be available to small school districts pursuant to Article 11.5 (commencing with Section 17078.35) of Chapter 12.5 of Part 10 of Division 1 of Title 1.

(B) Of the amount allocated under this paragraph, up to the amount necessary to fund the applications on the Applications Received Beyond Bond Authority List shall be available to support applications for the modernization of school facilities submitted pursuant to the Leroy F. Greene School Facilities Act of 1998 on or before October 31, 2024.

(C) Of the amount allocated under this paragraph, up to one hundred fifteen million dollars (\$115,000,000) shall be available to address the remediation of lead in water pursuant to Article 10.7 (commencing with Section 17077.60) of Chapter 12.5 of Part 10 of Division 1 of Title 1.

(3) The amount of six hundred million dollars (\$600,000,000) for providing school facilities to charter schools pursuant to Article 12 (commencing with Section 17078.52) of Chapter 12.5 of Part 10 of Division 1 of Title 1.

(4) The amount of six hundred million dollars (\$600,000,000) for facilities for career technical education programs pursuant to Article 13 (commencing with Section 17078.70) of Chapter 12.5 of Part 10 of Division 1 of Title 1.

(b) School districts may use funds allocated pursuant to paragraph (2) of subdivision (a) only for one or more of the following purposes in accordance with Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1:

(1) The purchase and installation of air-conditioning equipment and insulation materials, and related costs.

(2) Construction projects or the purchase of furniture or equipment designed to increase school security or playground safety.

(3) The identification, assessment, or abatement in school facilities of hazardous asbestos.

(4) Project funding for high-priority roof replacement projects.

(5) Any other modernization of facilities pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1.

(c) Funds allocated pursuant to paragraph (1) of subdivision (a) may also be used to provide new construction grants for eligible applicant county boards of education under Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 for funding classrooms for severely handicapped pupils, or for funding classrooms for county community school pupils.

(d) Of the amounts allocated under paragraphs (1) and (2) of subdivision (a), the State Allocation Board may provide a grant of five million dollars (\$5,000,000) to the State Department of Education pursuant to Section 17078.46.

Article 2. Kindergarten Through Grade 12 School Facilities Fiscal Provisions

101420. (a) Of the total amount of bonds authorized to be issued and sold pursuant to Chapter 1 (commencing with Section 101400), bonds in the amount of eight billion five hundred million dollars (\$8,500,000,000), not including the amount of any refunding bonds issued in accordance with Section 101430, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code.

(b) Pursuant to this section, the Treasurer shall sell the bonds authorized by the State School Building Finance Committee established pursuant to Section 15909 at any times necessary to service expenditures required by the apportionments.

101421. The State School Building Finance Committee, established by Section 15909 and composed of the Governor, the Controller, the Treasurer, the Director of Finance, and the Superintendent, or their designated representatives, all of whom shall serve thereon without compensation, and a majority of whom shall constitute a quorum, is continued in existence to act as the committee, as defined in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), for purposes of this chapter. The Treasurer shall serve as chairperson of the committee. Two Members of the Senate appointed by the Senate Committee on Rules, and two Members of the Assembly appointed by the

Speaker of the Assembly, shall meet with and provide advice to the committee to the extent that the advisory participation is not incompatible with their respective positions as Members of the Legislature. For purposes of this chapter, the Members of the Legislature shall constitute an interim investigating committee on the subject of this chapter and, as that committee, shall have the powers granted to, and duties imposed upon, those committees by the Joint Rules of the Senate and the Assembly. The Director of Finance shall provide assistance to the committee as it may require. The Attorney General is the legal adviser of the committee.

101422. (a) The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code). The provisions of that law, including all acts amendatory thereof and supplementary thereto, apply to those authorized bonds and this chapter, and are hereby incorporated into this chapter as though set forth in full within this chapter, except that subdivisions (a) and (b) of Section 16727 of the Government Code shall not apply to the bonds authorized by this chapter.

(b) For purposes of the State General Obligation Bond Law, the State Allocation Board is designated the "board" for purposes of administering the 2024 State School Facilities Fund.

101423. (a) Upon request of the State Allocation Board, the State School Building Finance Committee shall determine by resolution whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to fund the related apportionments and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to fund those apportionments progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

(b) A request of the State Allocation Board pursuant to subdivision (a) shall be supported by a statement of the apportionments made and to be made for the purposes described in Section 101412.

101424. There shall be collected each year, in the same manner and at the same time as other state revenue is collected and in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

101425. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that equals the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this

chapter, as the principal and interest become due and payable.

(b) The sum necessary to carry out Section 101428, appropriated without regard to fiscal years.

101426. The State Allocation Board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account or any other approved form of interim financing, in accordance with Section 16312 of the Government Code, for the purpose of carrying out this chapter. The amount of the request shall not exceed the amount of the unsold bonds that the State School Building Finance Committee, by resolution, has authorized to be sold for the purpose of carrying out this chapter excluding any refunding bonds authorized pursuant to Section 101430, less any amount loaned and not yet repaid pursuant to this section and withdrawn from the General Fund pursuant to Section 101428 and not yet returned. The State Allocation Board shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the 2024 State School Facilities Fund to be allocated by the State Allocation Board in accordance with this chapter.

101427. Notwithstanding any other provision of this chapter, or of the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the investment of bond proceeds and for the investment earnings on those proceeds. The Treasurer may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds required or desirable under federal law to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

101428. For purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount not to exceed the amount of the unsold bonds, excluding any refunding bonds authorized pursuant to Section 101430, less any amount loaned and not yet repaid pursuant to Section 101426 and withdrawn from the General Fund pursuant to this section and not yet returned, that have been authorized by the State School Building Finance Committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the 2024 State School Facilities Fund and allocated by the State Allocation Board in accordance with this chapter. Any money made available under this section shall be returned to the General Fund, plus an amount equal to the interest that the money would have earned in the Pooled Money Investment Account, from proceeds received from the sale of bonds for purposes of carrying out this chapter.

101429. All moneys deposited in the 2024 State School Facilities Fund that are derived from premium and accrued interest on bonds sold pursuant to this chapter shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except those amounts derived from premium may be reserved and used to pay the cost of the bond issuance before any transfer to the General Fund.

101430. The bonds issued and sold pursuant to this chapter may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the voters of the state for the issuance of the bonds described in this chapter includes the approval of the issuance of any bonds issued to refund any bonds originally issued under this chapter or any previously issued refunding bonds. Any bond refunded with the proceeds of refunding bonds as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

101431. The proceeds from the sale of bonds authorized by this chapter are not “proceeds of taxes” as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

CHAPTER 3. CALIFORNIA COMMUNITY COLLEGE FACILITIES

Article 1. General Provisions

101440. (a) The 2024 California Community College Capital Outlay Bond Fund is hereby established in the State Treasury for deposit of funds from the proceeds of bonds, not including the proceeds of any refunding bonds issued in accordance with Section 101451, issued and sold for the purposes of this chapter.

(b) The Higher Education Facilities Finance Committee established pursuant to Section 67353 is hereby continued in existence to act as the committee, as defined in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), for purposes of this chapter and to provide funds to aid the California Community Colleges.

Article 2. California Community College Program Provisions

101441. (a) From the proceeds of bonds issued and sold pursuant to Article 3 (commencing with Section 101442), the sum of one billion five hundred million dollars (\$1,500,000,000) shall be deposited in the 2024 California Community College Capital Outlay Bond Fund for purposes of this chapter. When appropriated, these funds shall be available for expenditure for purposes of this chapter.

(b) The purposes of this chapter include assisting in meeting the capital outlay financing needs of the California Community Colleges.

(c) Proceeds from the sale of bonds issued and sold for purposes of this chapter may be used to fund construction on existing campuses, including the construction of buildings and the acquisition of related fixtures; construction of intersegmental facilities; the renovation and reconstruction of facilities; site acquisition; the equipping of new, renovated, or reconstructed facilities, which equipment shall have an average useful life of 10 years; and to provide funds for the payment of preconstruction costs, including, but not limited to, preliminary plans and working drawings for facilities of the California Community Colleges.

(d) For purposes of this section, “intersegmental” means may be used by more than one segment of public higher education.

Article 3. California Community College Fiscal Provisions

101442. (a) Of the total amount of bonds authorized to be issued and sold pursuant to Chapter 1 (commencing with Section 101400), bonds in the total amount of one billion five hundred million dollars (\$1,500,000,000), not including the amount of any refunding bonds issued in accordance with Section 101451, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code.

(b) Pursuant to this section, the Treasurer shall sell the bonds authorized by the Higher Education Facilities Finance Committee established pursuant to Section 67353 at any different times necessary to service expenditures required by the apportionments.

101443. (a) The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code). The provisions of that law, including all acts amendatory thereof and supplementary thereto, apply to those authorized bonds and this chapter, and are hereby incorporated into this chapter as though set forth in full within this chapter, except that subdivisions (a) and (b) of Section 16727 of the Government Code shall not apply to the bonds authorized by this chapter.

(b) For purposes of the State General Obligation Bond Law, each state agency administering an appropriation of the 2024 Community College Capital Outlay Bond Fund is designated as the “board” for projects funded pursuant to this chapter.

(c) The proceeds of the bonds issued and sold pursuant to this chapter shall be available for the purpose of funding aid to the California Community Colleges for construction on existing or new campuses, and their respective off-campus centers and joint use and intersegmental facilities, as set forth in this chapter.

101444. The Higher Education Facilities Finance Committee established pursuant to Section 67353 shall authorize the issuance of bonds under this chapter only

to the extent necessary to fund the related apportionments for the purposes described in this chapter that are expressly authorized by the Legislature in the annual Budget Act. Pursuant to that legislative direction, the committee shall determine by resolution whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter in order to carry out the purposes described in this chapter and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

101445. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

101446. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that equals the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum necessary to carry out Section 101449, appropriated without regard to fiscal years.

101447. The board, as defined in subdivision (b) of Section 101443, may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account or any other approved form of interim financing, in accordance with Section 16312 of the Government Code, for the purpose of carrying out this chapter. The amount of the request shall not exceed the amount of the unsold bonds that the Higher Education Facilities Finance Committee, by resolution, has authorized to be sold for the purpose of carrying out this chapter excluding any refunding bonds authorized pursuant to Section 101451, less any amount loaned and not yet repaid pursuant to this section and withdrawn from the General Fund pursuant to Section 101249 and not yet returned. The board, as defined in subdivision (b) of Section 101443, shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the 2024 California Community College Capital Outlay Bond Fund to be allocated by the board in accordance with this chapter.

101448. Notwithstanding any other provision of this chapter, or of the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is

otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the investment of bond proceeds and for the investment earnings on those proceeds. The Treasurer may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds required or desirable under federal law to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

101449. (a) For purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount not to exceed the amount of the unsold bonds, excluding any refunding bonds authorized pursuant to Section 101451, less any amount loaned and not yet repaid pursuant to Section 101447 and withdrawn from the General Fund pursuant to this section and not yet returned, that have been authorized by the Higher Education Facilities Finance Committee to be sold for the purpose of carrying out this chapter. Any amounts withdrawn shall be deposited in the 2024 California Community College Capital Outlay Bond Fund consistent with this chapter. Any money made available under this section shall be returned to the General Fund, plus an amount equal to the interest that the money would have earned in the Pooled Money Investment Account, from proceeds received from the sale of bonds for purposes of carrying out this chapter.

(b) Any request forwarded to the Legislature and the Department of Finance for funds from this bond issue for expenditure for the purposes described in this chapter by the California Community Colleges shall be accompanied by a five-year capital outlay plan that reflects the needs and priorities of the community college system and is prioritized on a statewide basis. Requests shall include a schedule that prioritizes the seismic retrofitting needed to significantly reduce, in the judgment of the particular college, seismic hazards in buildings identified as high priority by the college.

101450. All moneys deposited in the 2024 California Community College Capital Outlay Bond Fund that are derived from premium and accrued interest on bonds sold pursuant to this chapter shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except those amounts derived from premium may be reserved and used to pay the cost of the bond issuance before any transfer to the General Fund.

101451. The bonds issued and sold pursuant to this chapter may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the voters of the state for the issuance of the bonds described in this chapter includes the approval of the issuance of any bonds issued to refund any bonds originally issued under this chapter or any previously issued refunding bonds. Any bond refunded with the proceeds of refunding bonds as authorized by

this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

101452. The proceeds from the sale of bonds authorized by this chapter are not “proceeds of taxes” as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

CHAPTER 4. TRANSPARENCY AND ACCOUNTABILITY PROVISIONS

101460. (a) (1) The governing board of a school district, the governing board of a community college district, a county superintendent of schools, or the governing body of a charter school shall ensure that an independent performance audit of any project funded in whole or in part from the proceeds of bonds authorized by this part is conducted to ensure that the use of the applicable funds has been reviewed for expenditure consistent with the requirements of all applicable laws.

(2) A performance audit conducted for any project funded in whole or in part from the proceeds of bonds authorized by this part and required by any other law, including, but not limited to, an audit conducted pursuant to Section 41024, shall be deemed to satisfy the requirement of paragraph (1).

(3) The result of any audit required by this subdivision shall be posted on the internet website of the applicable school district, community college district, county office of education, or charter school.

(b) (1) (A) Before approving a project or projects seeking funds from this part, the governing board of a school district, a county board of education, or the governing body of a charter school shall hold at least one public hearing to solicit input from members of the public regarding the project or projects being proposed for submission.

(B) Before approving a request for the consideration of a project or projects by the Legislature that would be funded by the proceeds of bonds authorized by this part, the governing board of a community college district shall hold at least one public hearing to solicit input from members of the public regarding the project or projects being requested for consideration.

(2) The public hearing required pursuant to paragraph (1) may occur at the same public hearing in which the applicable governing board or body approves the project or projects seeking funds from this part. The public hearing may be conducted as part of a regularly scheduled and publicly noticed hearing of the applicable governing board or body.

(3) (A) A school district, county office of education, charter school, or community college district shall post information regarding a project or projects seeking, or requesting, funds from this part that have been approved by the applicable governing board or body on its public internet website.

(B) The project information reflected on the internet website pursuant to subparagraph (A) shall include, but

not be limited to, the location of the project or projects, estimated project costs, and the estimated timeline for the completion of the project or projects.

(4) (A) A school district, county office of education, charter school, or community college district shall retain all financial accounts, documents, and records necessary for the audit required pursuant to subdivision (a).

(B) For purposes of this paragraph, a school district, county office of education, charter school, or community college district may maintain records electronically in compliance with any applicable state and federal laws.

PROPOSITION 3

This amendment proposed by Assembly Constitutional Amendment 5 of the 2023–2024 Regular Session (Resolution Chapter 125, Statutes of 2023) expressly amends the California Constitution by repealing and adding a section thereof; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT TO ARTICLE I

First—That Section 7.5 of Article I thereof is repealed.

~~SEC. 7.5. Only marriage between a man and a woman is valid or recognized in California.~~

Second—That Section 7.5 is added to Article I thereof, to read:

SEC. 7.5. (a) The right to marry is a fundamental right.

(b) This section is in furtherance of both of the following:

(1) The inalienable rights to enjoy life and liberty and to pursue and obtain safety, happiness, and privacy guaranteed by Section 1.

(2) The rights to due process and equal protection guaranteed by Section 7.

PROPOSITION 4

This law proposed by Senate Bill 867 of the 2023–2024 Regular Session (Chapter 83, Statutes of 2024) is submitted to the people in accordance with the provisions of Article XVI of the California Constitution.

This proposed law adds sections to the Public Resources Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. The people of California find and declare all of the following:

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(a) Every human being has the right to safe, clean, affordable drinking water. California was the first state in the nation to legally declare this right.

(b) More than 60 percent of California's rivers and streams fail to meet federal clean water standards, and more than 1,000,000 Californians still lack easy access to safe, affordable, and clean drinking water. California must make needed investments to keep toxic pollution out of our water and ensure every person in the state has clean water to drink.

(c) In recent years, California has experienced the deadliest and most destructive wildfires on record. Fifteen of the 20 most destructive wildfires in state history have occurred in the last decade alone, including the deadliest, the 2018 Camp Fire. These wildfires have claimed more than 100 lives, tens of thousands of homes and structures lost, and more than 2,000,000 acres burned.

(d) California's changing climate creates increased risk of catastrophic wildfires, drought, severe heat events, and sea level rise, as well as impacts to agriculture, water supply and water quality, and the health of the forests, watershed, and wildlife.

(e) These risks and impacts vary by region and can overwhelm the resources of local governments that must cope with severe climate change-related events.

(f) Reducing vulnerability to fire, flood, drought, and other climate change-related events requires a statewide investment to increase climate resilience of communities and natural systems.

(g) Planning, investment, and action to address current and future climate change impacts must be guided by the best available science, including local and traditional knowledge.

(h) Governor Gavin Newsom has issued several reports and executive orders that have created a roadmap to climate resiliency in California that will help guide and direct investments.

(i) California's Water Supply Strategy Adapting to a Hotter, Drier Future outlines actions needed in order to recycle and reuse at least 800,000 acre-feet of water per year by 2030, make available up to 500,000 acre-feet of water through more efficient water use and conservation, and make new water available for use by capturing stormwater and desalinating brackish water in groundwater basins.

(j) The Water Resilience Portfolio serves as a blueprint for equipping California to cope with more extreme droughts and floods and rising temperatures, while addressing longstanding challenges that include declining fish populations, over-reliance on groundwater and lack of safe drinking water in many communities.

(k) California's Wildfire and Forest Resilience Action Plan outlines a strategy to increase the pace and scale of forest health projects, strengthen protection of communities, and manage forests, to achieve the

state's economic and environmental goals and drive innovation and measure progress.

(l) The Extreme Heat Action Plan outlines a strategy to protect communities from rising temperatures in order to accelerate readiness and protection of communities most impacted by extreme heat, including through cooling schools and homes, supporting community resilience centers, and expanding nature-based solutions.

(m) California's strategy for achieving the first-in-the-nation 30x30 conservation goal is described in the Pathways to 30x30: Accelerating Conservation of California's Nature report, which outlines a vision to conserve an additional 6,000,000 acres of lands and 500,000 acres of coastal waters needed to reach 30-percent conservation goals by 2030.

(n) Executive Order No. N-82-20 outlines a strategy to expand nature-based solutions across California. The executive order calls for restoring nature and landscape health to deliver on our climate change goals and other critical priorities, including improving public health and safety, securing our food and water supplies, and achieving greater equity across California.

(o) California Salmon Strategy for a Hotter, Drier Future outlines a path to a healthier, thriving salmon population in California, actions state agencies are already taking to stabilize and recover salmon populations, and additional or intensified actions needed in coming years.

(p) Governor Gavin Newsom signed Senate Bill 1 of the 2021–22 Regular Session (Chapter 236 of the Statutes of 2021) that directed the California Coastal Commission to take sea level rise into account in its planning, policies, and activities, and established a cross-government group tasked with educating the public and advising local, regional, and state government on feasible sea level rise mitigation efforts.

(q) California's Natural and Working Lands Climate Smart Strategy showcases that sustainable agricultural practices have important implications for equity and public health, and can promote economic resilience, buffer communities from extreme heat, improve air and water quality, and provide local food sources. These outcomes benefit all Californians, and are particularly important for rural, vulnerable communities.

(r) The 2022 Scoping Plan for Achieving Carbon Neutrality focuses on the importance of investing in strategies for reducing California's dependency on petroleum, including transitioning to clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.

(s) Without intervention, the cost of climate change to California is estimated to reach \$113,000,000,000 annually by 2050, according to the Natural Resources Agency's California's Fourth Climate Change Assessment.

(t) The Federal Emergency Management Agency estimates that every dollar spent on resiliency saves \$6

in disaster relief. A \$10,000,000,000 investment could help avoid \$60,000,000,000 in disaster relief.

(u) Providing a source of funding for comprehensive investment in climate resilience in all regions of the state is cost effective and in the public interest. These investments will result in public benefits that will address the most critical statewide needs and priorities for public funding.

(v) The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 provides a comprehensive and fiscally responsible approach for addressing the varied challenges facing California's current and future climate impacts.

(w) Investing in water infrastructure will provide jobs, improve resiliency, and reduce local government spending.

(x) Continued investments in California's parks, trails, natural and working lands, and greening urban areas will help mitigate the impacts of climate change, making cities more livable, and will protect California's natural resources for future generations.

(y) The expenditure of funds from the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 will help communities avoid and recover from the impacts of wildfire, flood, drought, or other climate-related events, and help restore and protect natural systems from the impacts of wildfire, flooding, drought, or other climate-related events.

SEC. 2. Division 50 (commencing with Section 90000) is added to the Public Resources Code, to read:

DIVISION 50. SAFE DRINKING WATER, WILDFIRE PREVENTION, DROUGHT PREPAREDNESS, AND CLEAN AIR BOND ACT OF 2024

CHAPTER 1. GENERAL PROVISIONS

90000. *This division shall be known, and may be cited, as the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.*

90050. (a) *In expending funds pursuant to this division, an administering state agency shall give priority to projects that leverage private, federal, and local funding or produce the greatest public benefit.*

(b) *To the extent practicable, a project funded pursuant to this division shall include signage informing the public that the project received funding from the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.*

(c) *Projects funded pursuant to this division shall, where appropriate, include the planning, monitoring, and reporting necessary to ensure successful implementation of this division's objectives.*

90100. *For purposes of this division, the following definitions apply:*

(a) *"Committee" means the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Finance Committee created pursuant to Section 95002.*

(b) *"Community" has the same meaning as set forth in paragraph (1) of subdivision (a) of Section 65302.10 of the Government Code.*

(c) *"Critical community infrastructure" means infrastructure that is necessary to providing vital community and individual functions, including, but not limited to, drinking and wastewater infrastructure, emergency shelters, communication and warning systems, evacuation routes, emergency power and public medical facilities, schools, town halls, hospitals, health clinics, community centers, community nonprofit facilities providing essential services, libraries, homeless shelters, senior and youth centers, childcare facilities, food banks, grocery stores, and parks and recreation sites.*

(d) *"Disadvantaged community" means a community with a median household income of less than 80 percent of the area average or less than 80 percent of statewide median household income.*

(e) *"Economically distressed areas" has the same meaning as set forth in Section 79702 of the Water Code.*

(f) *"Natural infrastructure" has the same meaning as set forth in paragraph (3) of subdivision (c) of Section 71154.*

(g) *"Nonprofit organization" means a nonprofit corporation qualified to do business in California and qualified under Section 501(c)(3) of the Internal Revenue Code.*

(h) *"Protection" includes those actions necessary to prevent harm or damage to persons, property, or natural, cultural, and historic resources, actions to improve access to public open-space areas, or actions to allow the continued use and enjoyment of property or natural, cultural, and historic resources. Protection includes site monitoring, acquisition, development, restoration, preservation, and interpretation.*

(i) (1) *"Restoration" includes the improvement of physical structures or facilities and, in the case of natural systems and landscape features, includes, but is not limited to, any of the following:*

(A) *The control of erosion.*

(B) *Stormwater capture, treatment, reuse, and storage, or to otherwise reduce stormwater pollution.*

(C) *The control and elimination of invasive species and harmful algal blooms.*

(D) *The planting of native species.*

(E) *The removal of waste and debris.*

(F) *Prescribed burning and other fuel hazard reduction measures.*

(G) *Fencing out threats to existing or restored natural resources.*

(H) *Improving instream, riparian, floodplain, or wetland habitat conditions.*

(I) Other plant and wildlife habitat improvement to increase the natural system value of the property or coastal or ocean resources.

(J) Activities described in subdivision (b) of Section 79737 of the Water Code.

(2) “Restoration” also includes activities, including the planning, permitting, monitoring, and reporting that are necessary to ensure successful implementation of the restoration objectives.

(j) “Severely disadvantaged community” means a community with a median household income of less than 60 percent of the area average or less than 60 percent of statewide median household income.

(k) “Socially disadvantaged farmer or rancher” has the same meaning set forth in Section 512 of the Food and Agricultural Code. This provision shall apply to the extent allowable by law.

(l) “State General Obligation Bond Law” means the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as it may be amended from time to time.

(m) “Structure hardening” includes the installation, replacement, or retrofitting of building materials, systems, or assemblies used in the exterior design and construction of existing nonconforming structures with features that are in compliance with Chapter 7A (commencing with Section 701A.1) of Part 2 of Title 24 of the California Code of Regulations, or any appropriate successor regulatory code, with the primary purpose of reducing risk to structures from wildfire or conforming to the low-cost retrofit list, and updates to that list, developed pursuant to paragraph (1) of subdivision (c) of Section 51189 of the Government Code.

(n) “Tribe” means a federally recognized Native American tribe or a nonfederally recognized Native American tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission.

(o) “Vulnerable population” means a subgroup of population within a region or community that faces a disproportionately heightened risk or increased sensitivity to impacts of climate change and that lacks adequate resources to cope with, adapt to, or recover from such impacts.

(p) “Water board” means the State Water Resources Control Board.

90105. Funds provided by this division shall not be expended to fulfill any environmental mitigation requirements or compliance obligations imposed by law.

90107. Funds provided by this division shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of isolated Delta conveyance facilities. Those costs shall be the responsibility of the water agencies that benefit from the design, construction, operation, mitigation, or maintenance of those facilities.

90110. An eligible applicant under this division is a public agency, local agency, nonprofit organization, special district, joint powers authority, tribe, public utility, local publicly owned utility, or mutual water company.

90115. The Legislature may enact legislation necessary to implement programs funded by this division.

90120. It is the intent of the Legislature that bond moneys shall not be used for shareholder incentives or profits for shareholders of private corporations.

90130. For grants awarded for projects under this division, the administering agency may provide advanced payments in the amount of 25 percent of the grant award to the recipient, including state-related entities, to initiate the project in a timely manner. The administering agency shall adopt additional requirements for the recipient of the grant regarding the use of the advanced payments to ensure that the moneys are used properly.

90133. For grants awarded for projects under this division, the administering agency may, when awarding a grant, reimburse the grantee’s indirect costs. When reimbursing a grantee for indirect costs, the administering agency shall apply one of the following rates as requested by the grantee:

(a) The grantee’s negotiated indirect cost rate pursuant to its negotiated indirect cost rate agreement.

(b) The de minimis indirect cost rate specified in Part 200 of Title 2 of the Code of Federal Regulations.

(c) A rate negotiated by the grantee with another state agency within the last five years.

(d) A rate proposed by the grantee in the grantee’s program application with the administering state agency if the grantee does not have an existing state rate.

90135. (a) The Secretary of the Natural Resources Agency shall publish a list of all program and project expenditures pursuant to this division not less than annually, in written form, and shall post an electronic form of the list on the agency’s internet website in a downloadable spreadsheet format. The spreadsheet shall include all of the following information:

(1) Information about the location and footprint of each funded project.

(2) The project’s objectives.

(3) The status of the project.

(4) Anticipated outcomes.

(5) The public benefits to be derived from the project, including whether the project has meaningful and direct benefits to vulnerable populations, disadvantaged communities, or severely disadvantaged communities.

(6) The total cost of the project, if known.

(7) The amount of bond funding provided.

(8) Any matching moneys provided for the project by the grant recipient or other partners.

(9) *The applicable chapter of this division pursuant to which the recipient received moneys.*

(b) *The Department of Finance shall provide for an independent audit of expenditures pursuant to this division. If an audit, required by law, of any entity that receives funding authorized by this division is conducted pursuant to state law and reveals any impropriety, the California State Auditor or the Controller may conduct or arrange for a full audit of any or all of the activities funded pursuant to this division. Any audit of a federal Department of Energy or National Aeronautics and Space Administration research and development center pursuant to this section shall be conducted in accordance with the Federal Laboratory Contracting Act (Chapter 7 (commencing with Section 12500) of Part 2 of Division 2 of the Public Contract Code).*

(c) *A state agency issuing any grant with funding authorized by this division shall require adequate reporting of the expenditures of the funding from the grant.*

(d) *The costs associated with the publications, audits, statewide bond tracking, cash management, and related oversight activities provided for in this section shall be funded from the proceeds of bonds authorized by this division. These costs shall be shared proportionally by each program funded by this division. Actual costs incurred to administer nongrant programs authorized by this division shall be paid from the proceeds of bonds authorized by this division.*

90140. *At least 40 percent of the total funds available pursuant to this division shall be allocated for projects that provide meaningful and direct benefits to vulnerable populations or disadvantaged communities. At least 10 percent of the total funds available pursuant to this division shall be allocated for projects that provide meaningful and direct benefits to severely disadvantaged communities.*

90150. *To the extent feasible, a project whose application includes the use of services of the California Conservation Corps or certified community conservation corps, as defined in Section 14507.5, shall be given preference for receipt of a grant under this division.*

90500. (a) *The proceeds of bonds issued and sold pursuant to this division, exclusive of refunding bonds issued and sold pursuant to Section 95012, shall be deposited in the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Fund, which is hereby created in the State Treasury. Moneys in the fund shall be available, upon appropriation by the Legislature, for purposes of this division.*

(b) *Proceeds of bonds issued and sold pursuant to this division shall be allocated according to the following schedule:*

(1) *Three billion eight hundred million dollars (\$3,800,000,000) for safe drinking water, drought, flood, and water resilience programs, in accordance with Chapter 2 (commencing with Section 91000).*

(2) *One billion five hundred million dollars (\$1,500,000,000) for wildfire and forest resilience programs, in accordance with Chapter 3 (commencing with Section 91500).*

(3) *One billion two hundred million dollars (\$1,200,000,000) for coastal resilience programs, in accordance with Chapter 4 (commencing with Section 92000).*

(4) *Four hundred fifty million dollars (\$450,000,000) for extreme heat mitigation programs, in accordance with Chapter 5 (commencing with Section 92500).*

(5) *One billion two hundred million dollars (\$1,200,000,000) for biodiversity protection and nature-based climate solution programs, in accordance with Chapter 6 (commencing with Section 93000).*

(6) *Three hundred million dollars (\$300,000,000) for climate-smart, sustainable, and resilient farms, ranches, and working lands programs, in accordance with Chapter 7 (commencing with Section 93500).*

(7) *Seven hundred million dollars (\$700,000,000) for park creation and outdoor access programs, in accordance with Chapter 8 (commencing with Section 94000).*

(8) *Eight hundred fifty million dollars (\$850,000,000) for clean air programs, in accordance with Chapter 9 (commencing with Section 94500).*

90600. (a) *An amount that equals not more than the lesser of 7 percent of the funds or twenty million dollars (\$20,000,000) allocated for a grant program pursuant to this division may be used to pay the administrative costs of that program.*

(b) (1) *Up to 10 percent of the funds available pursuant to each chapter of this division may be allocated for technical assistance to disadvantaged communities, severely disadvantaged communities, or vulnerable populations. The agency administering the moneys shall operate a multidisciplinary technical assistance program for disadvantaged communities, severely disadvantaged communities, or vulnerable populations.*

(2) *Funds used for providing technical assistance to disadvantaged communities, severely disadvantaged communities, or vulnerable populations may exceed 10 percent of the funds allocated under each chapter of this division if the state agency administering the moneys determines that there is a need for the additional funding.*

90610. *To the extent practicable, a project that receives moneys pursuant to this division may provide workforce education and training, contractor, and job opportunities for vulnerable populations.*

90620. *Funds allocated pursuant to this division may be used by the Natural Resources Agency and its departments, boards, and conservancies to collaboratively fund projects at a landscape or multijurisdictional scale to provide multiple benefits.*

CHAPTER 2. SAFE DRINKING WATER, DROUGHT,
FLOOD, AND WATER RESILIENCE

91000. The sum of three billion eight hundred million dollars (\$3,800,000,000) shall be available, upon appropriation by the Legislature, for safe drinking water, drought, flood, and water resilience programs.

91010. Of the funds made available by Section 91000, one billion eight hundred eighty-five million dollars (\$1,885,000,000) shall be available, upon appropriation by the Legislature, to protect and increase California water supply and water quality.

91011. (a) Of the funds made available by Section 91010, six hundred ten million dollars (\$610,000,000) shall be available, upon appropriation by the Legislature, to the water board for grants or loans that improve water quality or help provide clean, safe, and reliable drinking water. Eligible projects include, but are not limited to, any of the following:

(1) Projects that help to provide clean, safe, and reliable drinking water.

(2) Projects that increase water quality monitoring and remediation of perfluoroalkyl and polyfluoroalkyl substances.

(3) Innovative projects to increase the affordability of safe drinking water.

(4) Projects that implement countywide drought and water shortage contingency plans adopted pursuant to Chapter 10 (commencing with Section 10609.40) of Part 2.55 of Division 6 of the Water Code.

(5) Projects that prevent, reduce, or treat the contamination of groundwater that serves as a major source of drinking water for a community.

(6) Projects to consolidate water or wastewater systems or to extend wastewater service to residences currently served by inadequate onsite sewer treatment systems.

(7) Grants for projects and technical and financial assistance to address hexavalent chromium in drinking water.

(8) (A) Tribal water infrastructure projects that provide safe, clean, and reliable drinking water to tribal communities.

(B) Not less than twenty-five million dollars (\$25,000,000) shall be allocated to projects described in subparagraph (A).

(b) If there is a responsible party identified to have contributed to contamination of a drinking water well, or system, the water system or public agency responsible for the infrastructure may apply for competitive state grant program funding for a drinking water infrastructure project to address water quality issues. The grant applicant may apply for funding in the amount above and beyond what the responsible party is required to contribute to the infrastructure project.

(c) Reasonable geographic allocation to eligible projects throughout the state shall be considered,

including both northern and southern California and inland and coastal regions.

(d) At least 40 percent of the allocation made pursuant to this section shall benefit disadvantaged communities, severely disadvantaged communities, or vulnerable populations.

(e) For severely disadvantaged communities with populations of no more than 500 persons that serve no more than 100 service connections, there shall be no maximum amount per service connection for eligible projects.

91012. (a) Of the funds made available by Section 91010, three hundred eighty-six million two hundred fifty thousand dollars (\$386,250,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects related to groundwater storage, groundwater banking, groundwater recharge, or instream flow projects that support the conjunctive use of groundwater and surface water supplies. Of the funds made available pursuant to this subdivision, a minimum of twenty-five million dollars (\$25,000,000) shall be for projects that provide direct benefits to tribal communities.

(b) Of the funds made available by subdivision (a), one hundred ninety-three million one hundred twenty-five thousand dollars (\$193,125,000) shall be available for projects that increase groundwater storage, improve the management and operation of groundwater storage, or are for groundwater banking, and support implementation of the Sustainable Groundwater Management Act (Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code).

(c) (1) Of the funds made available by subdivision (a), one hundred ninety-three million one hundred twenty-five thousand dollars (\$193,125,000) shall be available for projects that support conjunctive use and groundwater recharge. The projects shall provide the following benefits:

(A) Provide improved regional watershed management.

(B) Address current and projected drought conditions and demonstrate adaptation to climate change for a region.

(C) Provide ecosystem benefits to fish and wildlife and improve stream flow for anadromous fish.

(2) Reasonable geographic allocation to eligible projects throughout the state shall be considered, including both northern and southern California and inland and coastal regions.

91013. Of the funds made available by Section 91010, two hundred million dollars (\$200,000,000) shall be available, upon appropriation by the Legislature, to the Department of Conservation's Multibenefit Land Repurposing Program for groundwater sustainability projects that reduce groundwater use, repurpose irrigated agricultural land, provide wildlife habitat, improve drought resilience or floodwater management, or support implementation of the Sustainable Groundwater Management Act (Part

2.74 (commencing with Section 10720) of Division 6 of the Water Code).

91014. (a) Of the funds made available by Section 91010, three hundred eighty-six million two hundred fifty thousand dollars (\$386,250,000) shall be available, upon appropriation by the Legislature, to the water board for grants and projects related to water reuse and recycling, including, but not limited to, the following:

(1) Treatment, storage, conveyance, and distribution facilities for potable and nonpotable recycling projects.

(2) Dedicated distribution infrastructure to serve residential, commercial, agricultural, and industrial end user retrofit projects to allow use of recycled water.

(3) Multiple-benefit recycled water projects that improve water quality.

(b) At least a 50-percent local cost share shall be required for projects funded pursuant to this section. That cost share may be suspended or reduced for disadvantaged communities or severely disadvantaged communities, or prorated for disadvantaged communities or severely disadvantaged communities within a larger service area project. A loan, grant, or other funding received, regardless of funding source, shall qualify as local cost share.

(c) The water board shall adopt modified grant funding requirements for large-scale water recycling or reuse projects, including all of the following requirements:

(1) Ancillary facilities that are part of large-scale water recycling or reuse projects shall be eligible for funding. Ancillary facilities include, but are not limited to, pipelines, extraction wells, injection wells, recharge basins, and nitrogen removal treatment systems, pertinent structures, and connection assemblies.

(2) This section does not preclude the water board from awarding funding to a large-scale water recycling or reuse project for multiple project phases or components, or more than once during the project development period. The water board shall not require user agreements or contracts for water delivery, nor shall full completion of the project be required before the submission of a subsequent grant application, as a condition for award of grant funding.

(3) At least 10 percent of the grant funding shall be awarded for the purpose of planning and design.

(4) Reasonable geographic allocation to eligible projects throughout the state, including both northern and southern California and coastal and inland regions.

91015. Of the funds made available by Section 91010, seventy-five million dollars (\$75,000,000) shall be available, upon appropriation by the Legislature, to the California Water Commission for projects under the Water Storage Investment Program. Priority for these funds and any funds returned to the commission shall be to support timely completion of existing approved projects by providing supplemental grants to reflect the increase in costs due to inflation since the original grant applications and any increase in public benefits.

91016. Of the funds made available by Section 91010, sixty-two million five hundred thousand dollars (\$62,500,000) shall be available, upon appropriation by the Legislature, for capital investments in brackish desalination, contaminant and salt removal, and salinity management projects to improve California water and drought resilience. Priority shall be given to projects that use new incremental eligible renewable energy resources during operation and reduce greenhouse gas emissions associated with their construction and operation.

91017. Of the funds made available by Section 91010, fifteen million dollars (\$15,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources and the water board to improve water data management and to implement Section 144 of the Water Code to reactivate existing stream gages and deploy new gages.

91018. Of the funds made available by Section 91010, seventy-five million dollars (\$75,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and the Department of Water Resources for competitive grants for regional conveyance projects or repairs to existing conveyances. Priority shall be given to projects that provide one or more of the following benefits:

(a) Improvements in regional or interregional water supply or water supply reliability.

(b) Increased groundwater recharge or mitigation of conditions of groundwater overdraft, salinity intrusion, water quality degradation, or subsidence.

(c) Adaptation to the impacts of hydrologic changes.

(d) Improvements in water security from drought, natural disasters, or other events that could interrupt water supplies.

(e) Providing safe drinking water for disadvantaged communities and economically distressed areas.

91019. Of the funds made available by Section 91010, seventy-five million dollars (\$75,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects that increase water conservation in agricultural and urban areas.

91020. Of the funds made available by Section 91000, one billion one hundred forty million dollars (\$1,140,000,000) shall be available, upon appropriation by the Legislature, to reduce flood risk and improve stormwater management.

91021. Of the funds made available by Section 91020, five hundred fifty million dollars (\$550,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies for flood management projects. Priority shall be given to projects designed and implemented to achieve both flood safety and ecosystem functions, while providing additional benefits. At least 40 percent of the allocation made pursuant to this section shall benefit disadvantaged

communities, severely disadvantaged communities, or vulnerable populations. Funding shall be allocated as follows:

(a) One hundred fifty million dollars (\$150,000,000) shall be available for projects in the Sacramento-San Joaquin Delta to improve existing levees to increase flood protection and improve climate resiliency. For purposes of this subdivision, "Sacramento-San Joaquin Delta" has the same meaning as described in Section 12220 of the Water Code.

(b) One hundred fifty million dollars (\$150,000,000) shall be available for projects that implement the Flood Control Subventions Program.

(c) Two hundred fifty million dollars (\$250,000,000) shall be available for projects related to the systemwide evaluation, repair, rehabilitation, reconstruction, expansion, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control.

91022. Of the funds made available by Section 91020, four hundred eighty million dollars (\$480,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for the Dam Safety and Climate Resilience Local Assistance Program for competitive grants for projects that enhance dam safety and reservoir operations and protect public benefits pursuant to Section 6700 of the Water Code.

91023. Of the funds made available by Section 91020, one hundred ten million dollars (\$110,000,000) shall be available, upon appropriation by the Legislature, to the water board for grants for multiple-benefit urban stormwater management projects. Projects funded pursuant to this section shall address flooding in urbanized areas and provide multiple benefits, with preference given to natural infrastructure projects. Eligible stormwater projects shall include, but are not limited to, stormwater capture and reuse, planning and implementation of low-impact development, restoration of urban streams and watersheds, debris flow mitigation, and increasing permeable surfaces to help reduce flooding.

91030. Of the funds made available by Section 91000, six hundred five million dollars (\$605,000,000) shall be available, upon appropriation by the Legislature, to protect and restore rivers, lakes, and streams, and to improve watershed resilience, including the resilience of fish and wildlife within the watershed.

91031. Of the funds made available by Section 91030, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects related to integrated regional water management to improve climate resilience on a watershed basis. The department shall update and revise the guidelines for the integrated regional water management program to address impacts associated with climate risk.

91032. Of the funds made available by Section 91030, three hundred thirty-five million dollars

(\$335,000,000) shall be available, upon appropriation by the Legislature, for projects that protect and restore rivers, wetlands, streams, lakes, and watersheds, and improve the resilience of fish and wildlife. Projects shall improve climate resilience, water supplies, or water quality. To the extent feasible, preference shall be given to natural infrastructure projects. At least 40 percent of the allocation made pursuant to this section shall benefit disadvantaged communities, severely disadvantaged communities, or vulnerable populations. The funds made available pursuant to this section shall be allocated as follows:

(a) Forty million dollars (\$40,000,000) shall be available pursuant to Division 22.8 (commencing with Section 32600) for projects that improve the climate resiliency or the protection of the Los Angeles River Watershed or are consistent with the Lower Los Angeles River Revitalization Plan.

(b) Forty million dollars (\$40,000,000) shall be available pursuant to Division 23 (commencing with Section 33000) for projects that improve the climate resiliency or the protection of the Los Angeles River Watershed and are a part of the revitalization plan developed by the Upper Los Angeles River and Tributaries Working Group pursuant to Section 33220 or the Los Angeles River Master Plan.

(c) Fifty million dollars (\$50,000,000) shall be available to the Riverine Stewardship Program established pursuant to Section 7049 of the Water Code for projects that improve climate resiliency.

(d) Twenty-five million dollars (\$25,000,000) shall be available to the State Coastal Conservancy for the Santa Ana River Conservancy Program.

(e) Twenty-five million dollars (\$25,000,000) shall be available for multiple-benefit urban stream and river projects under the Urban Streams Restoration Program established pursuant to Section 7048 of the Water Code that protect and restore riparian habitats, improve climate resilience, enhance natural drainages, protect and restore watersheds, and provide public access.

(f) Twenty-five million dollars (\$25,000,000) shall be available to the Natural Resources Agency for projects that improve conditions on wildlife refuges and wetland habitat areas. Projects may include the acquisition and delivery of water from willing sellers and water conveyance rights to achieve compliance with subsection (d) of Section 3406 of the federal Central Valley Project Improvement Act (Title 34 of Public Law 102-575) and the acquisition of water and conveyance rights for the Lower Klamath National Wildlife Refuge.

(g) Ten million dollars (\$10,000,000) shall be available to the Wildlife Conservation Board for the Lower American River Conservancy Program.

(h) Twenty-five million dollars (\$25,000,000) shall be available to the State Coastal Conservancy to protect and restore watersheds through the Coyote Valley Conservation Program in the County of Santa Clara.

(i) Twenty-five million dollars (\$25,000,000) shall be available to the State Coastal Conservancy to protect

and restore watersheds through the West Coyote Hills Program.

(j) (1) Fifty million dollars (\$50,000,000) shall be available to the water board for loans or grants for projects that will address water quality problems arising in the California-Mexico cross-border rivers and coastal waters. Funds may be made available under this subdivision for water quality projects in the Tijuana River Valley Watershed, as described in the Tijuana River Plan created pursuant to Section 71107, and for projects consistent with the New River Water Quality, Public Health, and River Parkway Development Program, as described in Section 71103.6.

(2) Grants or loans awarded under this subdivision for projects located outside of California shall have a documented water quality benefit to California and its residents.

(3) Funding may be awarded to bilateral financial institutions as a state match pursuant to this subdivision only after federally committed funds have been secured and are available for expenditure on a one-to-one basis.

(k) Twenty million dollars (\$20,000,000) shall be available to improve the climate resiliency of, or for the protection of, the Clear Lake Watershed.

91033. (a) Of the funds made available by Section 91030, one hundred seventy million dollars (\$170,000,000) shall be available, upon appropriation by the Legislature, to implement the Salton Sea Management Program 10-year Plan, and any subsequent revisions to that plan, or any subsequent plans, to provide air quality, public health, and habitat benefits.

(b) Of the funds made available by subdivision (a), ten million dollars (\$10,000,000) shall be available for either of the following:

(1) The creation of a Salton Sea Conservancy.

(2) The Salton Sea Authority.

91040. (a) Of the funds made available by Section 91000, one hundred fifty million dollars (\$150,000,000) shall be available, upon appropriation by the Legislature, to the Wildlife Conservation Board for projects pursuant to the guidelines of the Stream Flow Enhancement Program, including the acquisition of water or water rights, acquisition of land that includes water rights or contractual rights to water, and short- or long-term water transfers and leases.

(b) Of the funds made available by subdivision (a), fifty million dollars (\$50,000,000) shall be available to the Wildlife Conservation Board for the Habitat Enhancement and Restoration Program for fishery enhancement projects and programs that support reintroducing salmon into cold water habitat in the Sacramento and San Joaquin Rivers watersheds.

91045. Of the funds made available by Section 91000, twenty million dollars (\$20,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency for grants to nature and

climate education and research facilities, nonprofit organizations and public institutions, natural history museums, California zoos and aquariums accredited by the Association of Zoos and Aquariums, and geologic heritage sites that serve diverse populations. Grants may be used for buildings, equipment, structures, and exhibit galleries that present collections to promote climate, biodiversity, and cultural literacy. Projects may support species recovery and biodiversity protection in order to advance the state's 30x30 conservation goal.

91050. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Water Resilience Portfolio, California's Water Supply Strategy, the Central Valley Flood Protection Plan, and the Sustainable Groundwater Management Act (Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code), if applicable.

CHAPTER 3. WILDFIRE AND FOREST RESILIENCE

91500. The sum of one billion five hundred million dollars (\$1,500,000,000) shall be available, upon appropriation by the Legislature, for wildfire prevention, including reducing community wildfire risk and restoring the health and resilience of forests and landscapes.

91510. (a) Of the funds made available by Section 91500, one hundred thirty-five million dollars (\$135,000,000) shall be available, upon appropriation by the Legislature, to the Office of Emergency Services for a wildfire mitigation grant program. The Office of Emergency Services shall coordinate with the Department of Forestry and Fire Protection in administering these moneys. The grant program shall assist local and state agencies to leverage additional funds, including matching grants from federal agencies. Funds may be used to provide loans, rebates, direct assistance, and matching funds for projects that prevent wildfires, increase resilience, maintain existing wildfire risk reduction projects, reduce the risk of wildfires to communities, or increase home or community hardening. Projects shall benefit disadvantaged communities, severely disadvantaged communities, or vulnerable populations. Eligible projects include, but are not limited to, any of the following:

(1) Grants to local agencies, state agencies, joint powers authorities, nonprofit organizations, resource conservation districts, and tribes for projects that reduce wildfire risks to people and property consistent with an approved community wildfire protection plan.

(2) Grants to local agencies, state agencies, joint powers authorities, tribes, resource conservation districts, fire safe councils, and nonprofit organizations for structure hardening of critical community infrastructure, wildfire smoke mitigation, evacuation centers, including community clean air centers, structure hardening projects that reduce the risk of wildfire for entire neighborhoods and communities, water delivery system improvements for fire suppression purposes for communities in very high or high fire hazard areas, wildfire buffers, and incentives

to remove structures that significantly increase hazard risk.

(3) Grants, in coordination with the Public Utilities Commission, to local agencies, state agencies, special districts, joint powers authorities, tribes, and nonprofit organizations for zero-emission backup power, energy storage, and microgrids for critical community infrastructure in order to provide continuity of electrical service, reduced wildfire ignitions, and to safeguard communities from disruption due to deenergization events, wildfire, or air pollution caused by wildfire, extreme heat, or other disaster.

(4) Grants under the Home Hardening Program to retrofit, harden, or create defensible space for homes at high risk of wildfire in order to protect California communities.

(b) The Office of Emergency Services and the Department of Forestry and Fire Protection shall prioritize wildfire mitigation grant funding applications from local agencies based on the Fire Risk Reduction Community list, pursuant to Section 4290.1.

(c) The Office of Emergency Services and the Department of Forestry and Fire Protection shall provide technical assistance to disadvantaged communities, severely disadvantaged communities, or vulnerable populations, including those with access and functional needs, socially disadvantaged farmers or ranchers, and economically distressed areas to ensure the grant program reduces the vulnerability of those most in need.

91520. Of the funds made available by Section 91500, one billion two hundred five million dollars (\$1,205,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and to its departments, boards, and conservancies for projects and grants to improve local fire prevention capacity, improve forest health and resilience, and reduce the risk of wildfire spreading into populated areas from wildlands. Where appropriate, projects may include activities on lands owned by the United States. The funding made available by this section shall be allocated as follows:

(a) One hundred eighty-five million dollars (\$185,000,000) shall be available to the Department of Conservation's Regional Forest and Fire Capacity Program to increase regional capacity to prioritize, develop, and implement projects that improve forest health and fire resilience, implement community fire preparedness demonstration projects, facilitate greenhouse gas emissions reductions, and increase carbon sequestration in forests and other landscapes across regions and throughout the state. The funding shall be allocated based, to the extent feasible, on the Wildfire and Forest Resilience Action Plan.

(b) One hundred seventy million dollars (\$170,000,000) shall be available to implement regional projects, including, but not limited to, landscape-scale projects developed by forest collaboratives as defined in Section 4810, projects

developed by regional entities as defined in Section 4208, and projects that implement strategies developed by state conservancies through block grants and direct appropriations by the Legislature.

(c) One hundred seventy-five million dollars (\$175,000,000) shall be available to the Department of Forestry and Fire Protection's Forest Health Program for long-term forest health projects, including improved forest management, prescribed fire, prescribed grazing, cultural fire, forest watershed restoration, reforestation, upper watershed, riparian, and mountain meadow restoration, and activities that promote long-term carbon storage and sequestration. Funds may be used for tribal wildfire resilience grants.

(d) One hundred eighty-five million dollars (\$185,000,000) shall be available to the Department of Forestry and Fire Protection for local fire prevention grants consistent with Article 2.5 (commencing with Section 4124) of Chapter 1 of Part 2 of Division 4 and for grants to conduct workforce development for fire prevention and wildfire resiliency work. Workforce development grants may include, but are not limited to, the construction of designated housing for wildfire prevention workers.

(e) Twenty-five million dollars (\$25,000,000) shall be available to the Department of Forestry and Fire Protection for the creation or expansion of a fire training center.

(f) Two hundred million dollars (\$200,000,000) shall be available to the Natural Resources Agency and the Department of Parks and Recreation for forest health and watershed improvement projects in forests and other habitats, including, but not limited to, redwoods, conifers, oak woodlands, mountain meadows, chaparral, and coastal forests. Projects shall involve the restoration of natural ecosystem functions in very high, high, and moderate fire hazard areas and may include prescribed fire, cultural fire, environmentally sensitive vegetation management, land protection, science-based fuel reduction, watershed protection, carbon sequestration, protection of older fire-resistant trees, or improved forest health.

(g) Fifty million dollars (\$50,000,000) shall be available for grants to conduct fuel reduction, structure hardening, create defensible space, reforestation, or targeted acquisitions to improve forest health and fire resilience.

(h) Thirty-three million five hundred thousand dollars (\$33,500,000) shall be available to the Sierra Nevada Conservancy for watershed improvement, forest health, biomass utilization, chaparral and forest restoration, and workforce development that addresses needs related to this subdivision and is designed to create career pathways for individuals from disadvantaged communities, severely disadvantaged communities, or vulnerable populations.

(i) Twenty-five million five hundred thousand dollars (\$25,500,000) shall be available to the California Tahoe Conservancy for watershed improvement, forest health,

biomass utilization, chaparral and forest restoration, and workforce development that addresses needs related to this subdivision and is designed to create career pathways for individuals from disadvantaged communities, severely disadvantaged communities, or vulnerable populations.

(j) Thirty-three million five hundred thousand dollars (\$33,500,000) shall be available to the Santa Monica Mountains Conservancy for watershed improvement, wildfire resilience, chaparral and forest restoration, and workforce development that addresses needs related to this subdivision and is designed to create career pathways for individuals from disadvantaged communities, severely disadvantaged communities, or vulnerable populations.

(k) Thirty-three million five hundred thousand dollars (\$33,500,000) shall be available to the State Coastal Conservancy for watershed improvement, wildfire resilience, chaparral and forest restoration, and workforce development that addresses needs related to this subdivision and is designed to create career pathways for individuals from disadvantaged communities, severely disadvantaged communities, or vulnerable populations.

(l) Thirty-three million five hundred thousand dollars (\$33,500,000) shall be available to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for watershed improvement, wildfire resilience, chaparral and forest restoration, and workforce development that addresses needs related to this subdivision and is designed to create career pathways for individuals from disadvantaged communities, severely disadvantaged communities, or vulnerable populations.

(m) Twenty-five million five hundred thousand dollars (\$25,500,000) shall be available to the San Diego Rivers Conservancy for watershed improvement, wildfire resilience, chaparral and forest restoration, and workforce development that addresses needs related to this subdivision and is designed to create career pathways for individuals from disadvantaged communities, severely disadvantaged communities, or vulnerable populations.

(n) Fifteen million dollars (\$15,000,000) shall be available to the Wildfire Conservancy to improve firefighter health and safety, advance fire attack effectiveness, and promote community resilience and awareness.

(o) Fifteen million dollars (\$15,000,000) shall be available to the California Fire Foundation to support vegetation mitigation and fuels reduction projects, public education and outreach, personal protective equipment, specialized firefighting equipment, and firefighter health and safety.

91530. Of the funds made available by Section 91500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Conservation or State Energy Resources Conservation and Development Commission for

projects in California that provide long-term capital infrastructure to use forest and other vegetative waste removed for wildfire mitigation for noncombustible uses that maximize reductions in greenhouse gas emissions, provide local air quality benefits, and increase local community resilience against climate change impacts.

91535. Of the funds made available by Section 91500, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, to the Department of Forestry and Fire Protection for technologies that improve detection and assessment of new fire ignitions.

91540. (a) Of the funds made available by Section 91500, thirty-five million dollars (\$35,000,000) shall be available, upon appropriation by the Legislature, for uses to reduce wildfire risk related to electricity transmission.

(b) The proportion of any asset funded pursuant to this section shall be funded without return on equity for the lifetime of the proportion of that asset that would have otherwise been borne by ratepayers.

(c) The proportion of any projects funded pursuant to this section shall be excluded from the ratebase, and no costs may be collected from ratepayers.

91545. (a) Of the funds made available by Section 91500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the California Conservation Corps or certified community conservation corps, as defined in Section 14507.5, and nonprofit workforce organizations for demonstrated jobs projects, including either of the following:

(1) Projects to mitigate unemployment and assist the state with the implementation of critical natural resources, transportation, energy, and housing infrastructure to promote climate resilience.

(2) Projects to prepare for, prevent, respond to, and rehabilitate following natural disasters, declared emergencies, or climate-related impacts to communities.

(b) At least 60 percent of the amount available pursuant to subdivision (a) shall be available to certified community conservation corps, as defined in Section 14507.5.

(c) Eligible workforce organizations include nonprofits, local agencies, and joint powers authorities that have programs that provide park and conservation employment training.

(d) The California Conservation Corps may expend the funds made available as grants to certified community conservation corps for purposes specified in this section.

91550. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the California Wildfire and Forest Resilience Action Plan, and by the Natural Resources Agency and the Department of Forestry and Fire Protection, if applicable.

CHAPTER 4. COASTAL RESILIENCE

92000. The sum of one billion two hundred million dollars (\$1,200,000,000) shall be available, upon appropriation by the Legislature, to increase coastal and ocean resiliency and to protect coastal lands, waters, communities, natural resources, and urban waterfronts from sea level rise and other climate impacts. Eligible projects include, but are not limited to, projects to restore coastal wetlands and projects to address sea level rise.

92010. (a) Of the funds made available by Section 92000, four hundred fifteen million dollars (\$415,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the State Coastal Conservancy for coastal resilience projects and programs, including, but not limited to, grants and expenditures to protect, restore, and increase the resilience of beaches, bays, coastal dunes, wetlands, coastal forests, watersheds, trails, and public access facilities. The funds made available pursuant to this section may be allocated to any of the following:

(1) Grants through the Climate Ready Program pursuant to Section 31113.

(2) Projects to protect coastal lands and restore habitats, including subtidal habitats, wetlands, riparian areas, redwood forests, grasslands, oak woodlands, and other important wildlife habitats, including projects to protect and restore healthy sea otter populations.

(3) Natural infrastructure projects that use existing natural areas to minimize coastal flooding, erosion, and runoff.

(4) Projects to restore coastal land for public uses on surplus land for formerly fossil-fueled powerplants.

(5) Projects for purposes of the San Francisco Bay Area Conservancy Program established pursuant to Chapter 4.5 (commencing with Section 31160) of Division 21.

(6) Lower cost coastal accommodation grants consistent with the Lower Cost Coastal Accommodations Program established pursuant to Section 31412.

(7) Projects that are consistent with the San Francisco Bay Restoration Authority Act (Title 7.25 (commencing with Section 66700) of the Government Code).

(b) Of the funds made available pursuant to subdivision (a), not less than eighty-five million dollars (\$85,000,000) shall be available, upon appropriation by the Legislature, for projects that are consistent with the San Francisco Bay Restoration Authority Act (Title 7.25 (commencing with Section 66700) of the Government Code) or the San Francisco Bay Area Conservancy Program established pursuant to Chapter 4.5 (commencing with Section 31160) of Division 21, including, but not limited to, projects that address sea level rise, flood management, and wetland restoration.

92015. Of the funds made available by Section 92000, three hundred fifty million dollars (\$350,000,000) shall be available, upon appropriation by the Legislature, to the State Coastal Conservancy for

the purpose of coastal and combined flood management projects and activities for developed shoreline areas, including areas with critical community infrastructure, including, but not limited to, transportation and port infrastructure at risk of current flooding and flooding due to sea level rise. Funds shall be allocated to multiple-benefit projects that improve public safety, including shoreline resilience projects designed to address flooding, sea level rise, and shoreline stability that include engineering with nature or nature-based features. These funds shall be available to local agencies as matching funds for federally funded coastal flood risk management and flood risk management projects.

92020. Of the funds made available by Section 92000, one hundred thirty-five million dollars (\$135,000,000) shall be available, upon appropriation by the Legislature, for deposit into the California Ocean Protection Trust Fund for grants to increase resilience from the impacts of climate change. Preference shall be given to projects that conserve, protect, and restore marine wildlife and healthy ocean and coastal ecosystems, including, but not limited to, estuarine habitat, kelp forests, eelgrass meadows, and native oyster beds, or that maintain the state's system of marine protected areas, and support sustainable fisheries. Funding may be used to purchase and install ocean current mapping infrastructure and new maritime research infrastructure to reduce emissions. The funds made available pursuant to this section may be used to establish a program with acre-based targets to advance habitat recovery projects that will contribute to protecting and restoring kelp forests, eelgrass meadows, and native oyster beds.

92030. Of the funds made available by Section 92000, seventy-five million dollars (\$75,000,000) shall be available, upon appropriation by the Legislature, to implement the California Sea Level Rise Mitigation and Adaptation Act of 2021 (Division 20.6.5 (commencing with Section 30970)).

92040. Of the funds made available by Section 92000, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Parks and Recreation to implement the Sea Level Rise Adaptation Strategy to address the impacts of sea level rise in coastal state parks, support continued access and recreational opportunities, and protect coastal natural and cultural resources.

92050. Of the funds made available by Section 92000, seventy-five million dollars (\$75,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and the Department of Fish and Wildlife for all of the following:

(a) To protect and restore island ecosystems by mitigating the threat of island invasive species and advancing biosecurity initiatives.

(b) To advance climate-ready fisheries management by expanding opportunities for experimentation and adaptive cooperative management, modernizing electronic fisheries data management systems, and

increasing the use of electronic technologies to facilitate more nimble decisionmaking and timely management responses under changing ocean conditions.

(c) To support the restoration and management of kelp ecosystems.

92060. Of the funds made available by Section 92000, seventy-five million dollars (\$75,000,000) shall be allocated, upon appropriation by the Legislature, to the State Coastal Conservancy for grants or expenditures to remove outdated or obsolete dams and for related water infrastructure. Projects may also increase climate resilience, enhance sediment supply, improve wildlife and fish passage, and modernize related water infrastructure, including related planning, monitoring, permitting, habitat restoration, and recreational improvements.

92070. Of the funds made available by Section 92000, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, to the Department of Fish and Wildlife for hatchery upgrades and expansions and for new conservation hatcheries that increase fish production and include the latest technologies to support species conservation and reintroduction efforts necessary to support genetically diverse populations of Central Valley Chinook Salmon.

92080. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the California Coastal Commission, the Department of Parks and Recreation, the Ocean Protection Council, the State Lands Commission, the San Francisco Bay Conservation and Development Commission, and the State Coastal Conservancy, if applicable.

CHAPTER 5. EXTREME HEAT MITIGATION

92500. The sum of four hundred fifty million dollars (\$450,000,000) shall be available, upon appropriation by the Legislature, to respond to severe weather and increasing temperatures, and address extreme heat and extreme heat events in communities. Priority shall be given to projects that provide meaningful direct benefits to disadvantaged communities, severely disadvantaged communities, and vulnerable populations.

92510. Of the funds made available by Section 92500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Office of Planning and Research's Extreme Heat and Community Resilience Program to fund projects that reduce the impact of extreme heat, reduce the urban heat island effect, and build community resilience in order to strengthen communities that are vulnerable to the extreme heat impacts of climate change.

92520. Of the funds made available by Section 92500, one hundred fifty million dollars (\$150,000,000) shall be available, upon appropriation by the Legislature, to the Strategic Growth Council's Transformative Climate Communities Program established pursuant to Section 75240 for projects that provide local economic, environmental, and health

benefits, and improve the resilience of priority populations, as defined by the Transformative Climate Communities Program guidelines.

92530. Of the funds made available by Section 92500, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency for competitive grants for urban greening. These funds shall support projects that mitigate the urban heat island effect, rising temperatures, and extreme heat impacts. Eligible projects may include, but are not limited to, the creation and expansion of green streets and alleyways, and investments that support an expanded urban greening program that supports the creation of green recreational parks and green schoolyards in park-poor communities.

92540. Of the funds made available by Section 92500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Forestry and Fire Protection to protect or augment California's urban forests pursuant to Section 4799.12. Projects shall contribute to mitigating the urban heat island effect and extreme heat impacts.

92550. (a) Of the funds made available by Section 92500, sixty million dollars (\$60,000,000) shall be available, upon appropriation by the Legislature, to the Office of Emergency Services and the Strategic Growth Council for competitive grants for the creation of strategically located community resilience centers across diverse regions of the state at eligible community facilities. These grants shall be awarded to eligible community facilities that model integrated delivery of emergency response services during disruptions, including zero-emission backup power, drinking water, clean air, cooling, food storage, shelter, telecommunications and broadband services, economic assistance, accommodation of pets, and other health protection measures and emergency resources during a disaster, state of emergency, local emergency, or deenergization event. Grants shall be prioritized to proposed centers that demonstrate involvement of community-based organizations and community residents within governance and decisionmaking processes.

(b) The Office of Emergency Services and the Strategic Growth Council shall coordinate with the Department of Food and Agriculture to ensure there is no duplication with funding awarded under Section 92560.

(c) For purposes of this section, the following definitions apply:

(1) "Deenergization event" means a preventative measure to deenergize all, or a portion, of an electric generation, distribution, or transmission system when the electricity provider reasonably believes there is an imminent and significant risk that strong winds, or other extreme and potentially dangerous weather events, increase the probability of a wildfire.

(2) "Eligible community facilities" include, but are not limited to, senior and youth centers, park and recreation

sites, libraries, health clinics, hospitals, schools, town halls, food banks, homeless shelters, childcare facilities, community centers, community nonprofit facilities providing essential services, places of worship, mobile sites, and fairgrounds.

92560. Of the funds made available by Section 92500, forty million dollars (\$40,000,000) shall be available, upon appropriation by the Legislature, to the Department of Food and Agriculture for grants to fairgrounds operated by the network of California fairs for modifications or upgrades that do one or both of the following activities:

(a) Enhance the ability of those facilities to serve as multirole community, staging, and evacuation centers to provide community resilience benefits during a disaster, state of emergency, local emergency, or deenergization event.

(b) Deploy communications and broadband infrastructure at those facilities to improve their capability to serve as multirole community, staging, and evacuation centers and enhance local telecommunications service.

92570. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Protecting Californians From Extreme Heat: A State Action Plan to Build Community Resilience, and the Office of Planning and Research's Extreme Heat and Community Resilience Program, if applicable.

CHAPTER 6. PROTECT BIODIVERSITY AND ACCELERATING NATURE-BASED CLIMATE SOLUTIONS

93000. The sum of one billion two hundred million dollars (\$1,200,000,000) shall be available, upon appropriation by the Legislature, for the protection of California's biodiversity and to protect nature and restore landscape health to achieve California's climate change goals.

93010. (a) Of the funds made available by Section 93000, eight hundred seventy million dollars (\$870,000,000) shall be available, upon appropriation by the Legislature, to the Wildlife Conservation Board for grant programs to protect and enhance fish and wildlife resources and habitat and achieve the state's biodiversity, public access, and conservation goals. Eligible programs include, but are not limited to, any of the following:

- (1) Land acquisition.
- (2) Habitat enhancement and restoration.
- (3) Rangeland, grazing land, and grassland protection.
- (4) Inland wetland conservation.
- (5) Ecosystem restoration on agricultural lands.
- (6) Climate adaptation and resiliency.
- (7) Monarch butterfly and pollinator rescue.
- (8) Desert conservation.
- (9) Oak woodland conservation.

(10) Purposes of reimbursing the General Fund, pursuant to the Natural Heritage Preservation Tax Credit Act of 2000 (Division 28 (commencing with Section 37000)).

(b) Funding made available pursuant to subdivision (a) shall not be used to reduce or offset environmental mitigation or compliance obligations otherwise required, but may be used as part of a funding partnership to enhance, expand, or augment conservation efforts required by mitigation. Nothing in this subdivision authorizes the expenditure of bond funds for voluntary agreements as described in Section 80114.

93020. (a) Of the funds made available by Section 93000, three hundred twenty million dollars (\$320,000,000) shall be available, upon appropriation by the Legislature, to reduce the risks of climate change impacts upon communities, fish and wildlife, and natural resources, and increase public access, and shall be allocated in accordance with the following schedule:

- (1) Baldwin Hills Conservancy, forty-eight million dollars (\$48,000,000).
- (2) California Tahoe Conservancy, twenty-nine million dollars (\$29,000,000).
- (3) Coachella Valley Mountains Conservancy, eleven million dollars (\$11,000,000).
- (4) Sacramento-San Joaquin Delta Conservancy, twenty-nine million dollars (\$29,000,000).
- (5) San Diego River Conservancy, forty-eight million dollars (\$48,000,000).
- (6) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, forty-eight million dollars (\$48,000,000).
- (7) San Joaquin River Conservancy, eleven million dollars (\$11,000,000).
- (8) Santa Monica Mountains Conservancy, forty-eight million dollars (\$48,000,000).
- (9) Sierra Nevada Conservancy, forty-eight million dollars (\$48,000,000).

(b) Up to 5 percent of the funds made available pursuant to this section may be allocated for community access projects that benefit disadvantaged communities, severely disadvantaged communities, and vulnerable populations and that include, but are not limited to, the following:

- (1) Transportation.
- (2) Physical activity programming.
- (3) Resource interpretation.
- (4) Multilingual translation.
- (5) Natural science.
- (6) Workforce development and career pathways.
- (7) Education.
- (8) Communication related to water, parks, climate, coastal protection, and other outdoor pursuits.

93030. Of the funds made available by Section 93010, one hundred eighty million dollars (\$180,000,000) shall be available, upon appropriation by the Legislature, to the Wildlife Conservation Board for projects to improve habitat connectivity and establish wildlife crossings and corridors, including eighty million dollars (\$80,000,000) to establish the San Andreas Corridor Program for the protection and restoration of wildlife corridors along the inner Coast Ranges and the San Andreas Fault.

93040. Of the funds made available by Section 93000, ten million dollars (\$10,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency for the Tribal Nature-Based Solutions Program.

93050. Of the funds made available by Section 93010, twenty two million dollars (\$22,000,000) shall be available, upon appropriation of the Legislature, to the Wildlife Conservation Board for projects for climate change adaptation improvements to protect, conserve, and restore the health and resilience of the southern Ballona Creek Watershed.

93060. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Wildlife Conservation Board, the Pathways to 30x30 strategy, the Natural and Working Lands Climate Smart Strategy, California's 2022 Scoping Plan for Achieving Carbon Neutrality, and the California Climate Adaptation Strategy, if applicable.

CHAPTER 7. CLIMATE SMART, SUSTAINABLE, AND RESILIENT FARMS, RANCHES, AND WORKING LANDS

93500. The sum of three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, for improving climate resilience and sustainability of agricultural lands.

93510. Of the funds made available by Section 93500, one hundred five million dollars (\$105,000,000) shall be available, upon appropriation by the Legislature, to the Department of Food and Agriculture's Office of Environmental Farming and Innovation for improvements in climate resilience of agricultural lands and ecosystem health and allocated to eligible projects as follows:

(a) Sixty-five million dollars (\$65,000,000) shall be available for grants to promote practices on farms and ranches that improve soil health, or accelerate atmospheric carbon removal or soil carbon sequestration.

(b) Forty million dollars (\$40,000,000) shall be available for the State Water Efficiency and Enhancement Program to promote onfarm water use efficiency with a focus on multiple-benefit projects that improve resilience to climate change and save water on California agricultural operations.

(c) Funds allocated pursuant to this section shall be allocated to projects that provide meaningful and direct benefits to socially disadvantaged farmers and ranchers.

93520. Of the funds made available by Section 93500, twenty million dollars (\$20,000,000) shall, upon appropriation by the Legislature, be deposited in the Invasive Species Account established pursuant to Section 7706 of the Food and Agricultural Code for purposes of funding invasive species projects and activities recommended by the Invasive Species Council of California. Preference shall be given to projects that restore and protect biodiversity and ecosystem health. Consideration shall be given to geographic equity.

93530. Of the funds made available by Section 93500, fifteen million dollars (\$15,000,000) shall be available, upon appropriation by the Legislature, to the Department of Conservation for projects for the protection, restoration, conservation, and enhancement of farmland and rangeland, including, but not limited to, the acquisition of fee title or easements, that improve climate resilience, open-space soil health, atmospheric carbon removal, soil carbon sequestration, erosion control, watershed health, water quality, or water retention. Projects shall provide multiple benefits. In awarding funds for farmland and rangeland projects pursuant to this section, the Department of Conservation shall give preference to projects for small- and medium-sized farms.

93540. Of the funds made available by Section 93500, ninety million dollars (\$90,000,000) shall be available, upon appropriation by the Legislature, to the Department of Food and Agriculture for grants that benefit small- and medium-sized farms, socially disadvantaged farmers, beginning farmers or ranchers, and veteran farmers or ranchers, and increase the sustainability of agricultural infrastructure and facilities that support food systems, and increase market access. Funding made available pursuant to this section shall be allocated as follows:

(a) Twenty million dollars (\$20,000,000) shall be available for infrastructure related to certified mobile farmers' markets, including, but not limited to, a mobile farmers' market vehicle, refrigeration, and other equipment to comply with relevant sections of the Health and Safety Code and related regulations.

(b) Twenty million dollars (\$20,000,000) shall be available to develop year-round infrastructure for certified farmers' markets, as defined in Section 47004 of the Food and Agricultural Code, fishermen's markets, as defined in Section 113780 of the Health and Safety Code, or tribe-operated or native-serving farmers' markets, including, but not limited to, all of the following:

(1) All-weather infrastructure such as canopies and shade structures, tables and seating, market stalls, restrooms and hand wash stations, tent weights and tie-downs, produce washing stations, barricades and bollards for traffic management and pedestrian safety, bicycle parking racks, and other equipment.

(2) Facilities for food preparation, cooking demonstrations, and other nutrition education.

(3) *Wireless electronic benefits transfer point-of-sale terminals for market managers and producers to process CalFresh transactions.*

(4) *Wireless electronic benefits transfer point-of-sale terminals for producers to accept the electronic cash value benefit through the program designed to implement the federal WIC Farmers' Market Nutrition Act of 1992 (Public Law 102-314) pursuant to Section 123279 of the Health and Safety Code, or equivalent tribal programs.*

(5) *Other equipment to support the seniors farmers' market nutrition program, as described in Section 3007 of Title 7 of the United States Code, or equivalent tribal programs.*

(c) *Twenty million dollars (\$20,000,000) shall be available for urban agriculture projects that create or expand city or suburban community farms or gardens, including community food producers, as defined in Section 113752 of the Health and Safety Code, through in-ground small plot cultivation, raised beds, mushroom growing, rooftop farms, and cultivation of vacant lots and in parks.*

(d) *Fifteen million dollars (\$15,000,000) shall be available for grants for regional farm equipment sharing. Preference shall be given to projects and programs that benefit small- and medium-sized farms and socially disadvantaged farmers and ranchers.*

(e) *Fifteen million dollars (\$15,000,000) shall be available to advance tribes' food sovereignty to grow, produce, procure, and distribute foods that reflect Native American culture and traditions and support the development of tribal producers and vendors, including, but not limited to, the following projects:*

(1) *Irrigation and water infrastructure.*

(2) *Utility and power infrastructure.*

(3) *Food processing infrastructure.*

93550. (a) *Of the funds made available by Section 93500, thirty million dollars (\$30,000,000) shall be available, upon appropriation by the Legislature, to the Department of Conservation, in consultation with the California Agricultural Land Equity Task Force at the Strategic Growth Council, to improve land access and tenure for socially disadvantaged farmers or ranchers, tribal producers, and beginning farmers and ranchers.*

(b) *The Department of Conservation may make low-interest loans to qualified entities, which shall include land trusts, nonprofit organizations, public agencies, farmer cooperatives, tribal governments, or tribal entities, for the purpose of acquiring agricultural lands to transfer or provide long-term leases to socially disadvantaged farmers or ranchers and beginning farmers and ranchers.*

(c) *Any agricultural land acquired pursuant to this section shall be required to have an agricultural land conservation easement before being leased or transferred, and the department may require additional appropriate resale restrictions, such as affordability provisions, preemptive purchase right, or shared*

appreciation consistent with the purposes of this subdivision.

(d) *The Department of Conservation shall ensure that the proceeds of future resales of land continue to be used for purposes of this chapter.*

93560. *Of the funds made available by Section 93500, fifteen million dollars (\$15,000,000) shall be available, upon appropriation by the Legislature, to the California Vanpool Authority for grants for the deployment of vanpool vehicles, clean technologies, and related facilities, including, but not limited to, charging and alternative fuel infrastructure, for use by low-income agricultural workers.*

93570. *Of the funds made available by Section 93500, fifteen million dollars (\$15,000,000) shall be available, upon appropriation by the Legislature, to the State Department of Education, in consultation with the Department of Food and Agriculture, for purposes of providing grants to public postsecondary educational institutions that are designated as Agricultural Experiment Stations or Agricultural Research Institutes, to develop research farms to improve climate resiliency. Funding provided pursuant to this section shall not exceed one million dollars (\$1,000,000) per institution and shall be constructed and maintained with environmentally sustainable infrastructure practices.*

93580. *Of the funds made available by Section 93500, ten million dollars (\$10,000,000) shall be available, upon appropriation by the Legislature, as part of the Farmworker Housing Component of the Low-Income Weatherization Program through the Department of Community Services and Development, to low-income farmworker households for no-cost energy efficiency upgrades designed to reduce greenhouse gas emissions by saving energy. These energy efficiency upgrades shall include, but are not limited to, insulation, central heating and cooling system upgrades, lighting upgrades, and window replacement.*

93590. *For purposes of this chapter, the following definitions apply:*

(a) *"Beginning farmer or rancher" means a farmer or rancher who has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or sharecropper for more than five crop years, as determined by the United States Secretary of Agriculture and as defined in Section 1502 of Title 7 of the United States Code.*

(b) *"Veteran farmer or rancher" means a farmer or rancher who is all of the following:*

(1) *Has served in the United States Armed Forces, as defined in Section 101 of Title 38 of the United States Code.*

(2) *Meets either of the following:*

(A) *Has not operated a farm or ranch.*

(B) *Has operated a farm or ranch for not more than five years.*

(3) *Is a veteran, as defined in Section 101 of Title 38 of the United States Code, who first obtained status as a veteran during the most recent five-year period.*

(4) *Is a beginning veteran farmer or rancher, as that term is used in Section 1502 of Title 7 of the United States Code.*

93600. *Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Department of Food and Agriculture and the Natural and Working Lands Climate Smart Strategy, if applicable.*

CHAPTER 8. PARK CREATION AND OUTDOOR ACCESS

94000. *The sum of seven hundred million dollars (\$700,000,000) shall be available, upon appropriation by the Legislature, for the creation and protection of parks, outdoor access, and educational institutions and facilities.*

94010. (a) *Of the funds made available by Section 94000, two hundred million dollars (\$200,000,000) shall be available, upon appropriation by the Legislature, to the Department of Parks and Recreation for the creation, expansion, and renovation of safe neighborhood parks in park-poor neighborhoods in accordance with the Statewide Park Development and Community Revitalization Act of 2008's competitive grant program described in Chapter 3.3 (commencing with Section 5640) of Division 5.*

(b) *When administering grants pursuant to subdivision (a), priority shall be given to projects that provide multiple benefits, including, but not limited to, mitigating impacts of extreme heat, sea level rise, or flooding, enhancing stormwater capture, improving air quality, supporting local biodiversity, and other environmental benefits.*

(c) *Of the amount available pursuant to subdivision (a), not less than 10 percent shall be available for the rehabilitation, repurposing, or substantial improvement of existing park infrastructure that will lead to increased use and enhanced user experiences or increase access, including, but not limited to, for individuals with disabilities, as defined by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.).*

94020. *Of the funds made available by Section 94000, two hundred million dollars (\$200,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies for the reduction of climate impacts on disadvantaged communities and vulnerable populations and the creation, protection, and expansion of outdoor recreation opportunities. Eligible projects include, but are not limited to, any of the following:*

(a) *Improvements to city parks, county parks, regional parks, and open-space lands to preserve infrastructure, including natural infrastructure, to promote resilience and adaptation or the promotion and enhancement of natural resources and water conservation and efficiencies on local and regional public park lands and open-space lands.*

(b) *Funding for park-poor communities experiencing a significant loss of parks or open and recreation space resulting from climate-related infrastructure projects.*

(c) *Multiple-benefit projects that reduce risks of exposure to toxic or hazardous materials that may increase as a result of wildfires, flooding, sea level rise, or reduced water flows to polluted bodies of water.*

(d) *Improved public access, including for individuals with disabilities, as defined by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and outdoor recreation at state parks, city parks, county parks, regional parks, and open-space preserves.*

(e) *Protection, restoration, and enhancement of the natural resource values of the state park system and projects to expand public access for disadvantaged communities, including, but not limited to, the expansion of lower cost coastal accommodation project development.*

(f) *Coastal public access infrastructure for disadvantaged communities, including, but not limited to, trails, parking areas, restrooms, bicycle lanes, and transportation improvements, including projects consistent with a public access program pursuant to Section 30610.81.*

(g) *Projects for the creation and improvement of local parks to correct historic underinvestment in communities identified by the department as park deficient for active recreational infrastructure, including aquatic centers, to encourage youth health, fitness, and recreational pursuits.*

94030. *Of the funds made available by Section 94000, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies for the protection, restoration, and enhancement of the natural resource values of the state park system and for projects to expand recreational opportunities and public access to state and public park nonmotorized trails. Projects may include enhancing and expanding existing trails and creating new trails.*

94040. *Of the funds made available by Section 94000, one hundred seventy-five million dollars (\$175,000,000) shall be available, upon appropriation by the Legislature, to the Department of Parks and Recreation to implement projects to address the department's backlog of deferred maintenance.*

94050. *Of the funds made available by Section 94000, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency for grants to nature and climate education and research facilities, nonprofit organizations and public institutions, natural history museums, California zoos and aquariums accredited by the Association of Zoos and Aquariums, and geologic heritage sites that serve diverse populations. Grants may be used for buildings, equipment, structures, and exhibit galleries that present collections to promote*

climate, biodiversity, and cultural literacy. Projects may support species recovery and biodiversity protection in order to advance the state's 30x30 conservation goal.

94060. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Natural Resources Agency, the Outdoors for All strategy, and the Pathways to 30x30 strategy, if applicable.

CHAPTER 9. CLEAN AIR

94500. The sum of eight hundred fifty million dollars (\$850,000,000) shall be available, upon appropriation by the Legislature, for clean energy projects.

94510. (a) The proportion of any asset funded pursuant to this section or Section 94520 or 94530 shall be funded without return on equity for the lifetime of the proportion of that asset that would have otherwise been borne by ratepayers.

(b) The proportion of any projects funded pursuant to this section or Section 94520 or 94530 shall be excluded from the ratebase, and no costs may be collected from ratepayers.

(c) It is the intent of the Legislature that bond moneys shall not be used for shareholder incentives or profits for shareholders of private corporations.

94520. (a) Of the funds made available by Section 94500, three hundred twenty-five million dollars (\$325,000,000) shall be available, upon appropriation by the Legislature, to the California Infrastructure and Economic Development Bank, the State Energy Resources Conservation and Development Commission, or any other entity chosen by the Legislature, upon appropriation by the Legislature, for the public financing of clean energy transmission projects that are necessary to meet the state's clean energy goals to reduce or offset ratepayer costs associated with the public benefits of transmission projects.

(b) Preference may be given to projects under this section that provide multiple benefits, including, but not limited to, reducing the risk of wildfire, reducing reliance on fossil fuel plants in disadvantaged communities, and reducing rate pressure, including reconductoring and other grid-enhancing technologies.

94530. Of the funds made available by Section 94500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the State Energy Resources Conservation and Development Commission for grants or loans to support the Long-Duration Energy Storage Program. Eligible uses may also include zero-emissions distributed energy backup assets, virtual power plants, and demand side grid support.

94540. (a) Of the funds made available by Section 94500, four hundred seventy-five million dollars (\$475,000,000) shall be available, upon appropriation by the Legislature, to the State Energy Resources Conservation and Development Commission to support any of the following activities related to the development of offshore wind generation:

(1) Construction of publicly owned port facilities for manufacturing, assembly, staging, and integration of entitlements and components for offshore wind generation.

(2) Expansion and improvement of public port infrastructure to accommodate vessels involved in the installation, maintenance, and operation of offshore wind generation.

(3) Upgrades to port facilities.

(b) The State Energy Resources Conservation and Development Commission may expend moneys made available pursuant to subdivision (a) consistent with the strategic plan developed pursuant to Section 25991.

(c) The State Energy Resources Conservation and Development Commission shall prioritize projects that can show matching funds or that are located at staging and integration ports that have released a notice of preparation pursuant to the California Environmental Quality Act process on or before February 29, 2024.

CHAPTER 10. FISCAL PROVISIONS

95000. (a) Bonds in the total amount of ten billion dollars (\$10,000,000,000), not including the amount of any refunding bonds issued in accordance with Section 95012, may be issued and sold for carrying out the purposes expressed in this division and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall cause the issuance and sell the bonds authorized by the committee pursuant to subdivision (a) in the amount determined by the committee to be necessary or desirable pursuant to Section 95003. The bonds shall be issued and sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

95001. The bonds authorized by this division shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law, and all of the provisions of that law, except subdivisions (a) and (b) of Section 16727 of the Government Code, apply to the bonds and to this division and are hereby incorporated in this division as though set forth in full in this division.

95002. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this division, the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Finance Committee is hereby created. For purposes of this division, the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Finance

Committee is the “committee,” as that term is used in the State General Obligation Bond Law.

(b) The committee consists of the Director of Finance, the Treasurer, the Controller, the Secretary of the Natural Resources Agency, and the Secretary for Environmental Protection. Notwithstanding any other law, any member may designate a representative to act as that member in that member’s place for all purposes, as though the member were personally present.

(c) The Treasurer shall serve as the chairperson of the committee.

(d) A majority of the committee may act for the committee.

95003. The committee shall by resolution determine whether or not it is necessary or desirable to issue and sell bonds authorized by this division in order to carry out the actions specified in this division and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

95004. For purposes of the State General Obligation Bond Law, “board,” as defined in Section 16722 of the Government Code, means the Secretary of the Natural Resources Agency.

95005. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds becoming due in that year. It is the duty of all officers charged by law with any duty regarding the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

95006. Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund in the State Treasury, for the purposes of this division, and without regard to fiscal years, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this division, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out Section 95009.

95007. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account or any other form of interim financing in accordance with Section 16312 of the Government Code, for the purpose of carrying out this division. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this division, excluding any refunding bonds authorized pursuant to Section 95012, less any amount loaned and not yet repaid pursuant to this

section and any amount withdrawn from the General Fund pursuant to Section 95009 and not yet returned to the General Fund. The board shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this division.

95008. Notwithstanding any other provision of this division, or of the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

95009. For purposes of carrying out this division, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this division, excluding refunding bonds authorized pursuant to Section 95012, less any amount loaned pursuant to Section 95007 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this division. Any moneys made available under this section shall be returned to the General Fund, with interest at the rate earned by the moneys in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this division.

95010. All moneys deposited in the fund that are derived from premiums and accrued interest on bonds sold pursuant to this division shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except that amounts derived from premiums may be reserved and used to pay costs of bond issuance before any transfer to the General Fund.

95011. Pursuant to the State General Obligation Bond Law, the cost of bond issuance shall be paid or reimbursed out of the bond proceeds, including premiums, if any. To the extent the cost of bond issuance is not paid from premiums received from the sale of bonds, these costs shall be allocated proportionally to each program funded through this division by the applicable bond sale.

95012. The bonds issued and sold pursuant to this division may be refunded in accordance with Article 6

(commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the voters of the state for the issuance of the bonds under this division shall include approval of the issuance, sale, or exchange of any bonds issued to refund any bonds originally issued under this division or any previously issued refunding bonds. Any bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

95013. Notwithstanding Section 16727 of the Government Code, funds provided pursuant to this division may be used for grants and loans to nonprofit organizations to repay financing described in Section 22064 of the Financial Code related to projects that are consistent with the purpose of the respective provisions of this division.

95014. The proceeds from the sale of bonds authorized by this division are not “proceeds of taxes” as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

95015. Bonds issued under this division may, whenever practical, be aligned with generally recognized principles and best practices guidelines for financing climate mitigation, adaptation, or resilience projects.

PROPOSITION 5

This amendment proposed by Assembly Constitutional Amendment 1 of the 2023–2024 Regular Session (Resolution Chapter 173, Statutes of 2023) and Assembly Constitutional Amendment 10 of the 2023–2024 Regular Session (Resolution Chapter 134, Statutes of 2024) expressly amends the California Constitution by amending sections thereof; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENTS TO ARTICLES XIII A and XVI

First—That Section 1 of Article XIII A thereof is amended to read:

SECTION 1. (a) The maximum amount of any ad valorem tax on real property shall not exceed ~~One 1 percent (1%)~~ of the full cash value of ~~such that~~ property. The ~~one 1 percent (1%)~~ tax ~~to~~ shall be collected by the counties and apportioned according to law to the districts within the counties.

(b) The limitation provided for in subdivision (a) shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on any of the following:

(1) Indebtedness approved by the voters ~~prior to~~ before July 1, 1978.

(2) Bonded indebtedness ~~for to fund~~ the acquisition or improvement of real property approved on or after July 1, 1978, by two-thirds of the votes cast by the voters voting on the proposition.

(3) Bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55 percent of the voters of the district or county, as appropriate, voting on the proposition on or after ~~the effective date of the measure adding this paragraph~~. November 8, 2000. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(A) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in ~~Article XIII A, Section 1(b)(3), this paragraph~~ and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

(B) A list of the specific school facilities projects to be funded and certification that the school district board, community college board, or county office of education has evaluated safety, class size reduction, and information technology needs in developing that list.

(C) A requirement that the school district board, community college board, or county office of education conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed.

(D) A requirement that the school district board, community college board, or county office of education conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects.

(4) (A) *Bonded indebtedness incurred by a city, county, city and county, or special district for the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for public infrastructure or affordable housing, approved by 55 percent of the voters of the city, county, city and county, or special district, as appropriate, voting on the proposition submitted at the same election as the measure adding this paragraph or at a later election held after the effective date of the measure adding this paragraph. This paragraph shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:*

(i) *A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this*

paragraph, and not for any other purpose, including city, county, city and county, or special district employee salaries and other operating expenses. The administrative cost of the city, county, city and county, or special district executing the projects and programs of the proposition shall not exceed 5 percent of the proceeds from the sale of the bonds.

(ii) A requirement that the proceeds from the sale of the bonds only be spent on projects and programs that serve the jurisdiction of the city, county, city and county, or special district.

(iii) The specific local program or ordinance through which projects will be funded and a certification that the city, county, city and county, or special district has evaluated alternative funding sources.

(iv) A requirement that the city, county, city and county, or special district conduct an annual, independent performance audit to ensure that the funds have been expended pursuant to the local program or ordinance specified in clause (iii).

(v) A requirement that the city, county, city and county, or special district conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the public infrastructure or affordable housing projects, as applicable.

(vi) A requirement that the city, county, city and county, or special district post the audits required by clauses (iv) and (v) in a manner that is easily accessible to the public.

(vii) A requirement that the audits required by clauses (iv) and (v) will be submitted to the California State Auditor for review.

(viii) (I) A requirement that the city, county, city and county, or special district appoint a citizens' oversight committee to ensure that bond proceeds are expended only for the purposes described in the measure approved by the voters.

(II) Members appointed to an oversight committee established pursuant to subclause (I) shall receive educational training about bonds and fiscal oversight.

(ix) A requirement that an entity owned or controlled by a local official that votes on whether to put a proposition on the ballot pursuant to this paragraph will be prohibited from bidding on any work funded by the proposition.

(B) Notwithstanding any other law, if the voters of the city, county, city and county, or special district have previously approved a proposition pursuant to this paragraph, the city, county, city and county, or special district shall not place a proposition on the ballot pursuant to this paragraph until all funds from the previous proposition are committed to programs and projects listed in the proposition's specific local program or ordinance described in clause (iii) of subparagraph (A).

(C) (i) The Legislature may, by two-thirds vote, enact laws establishing accountability measures in addition to

those listed in subparagraph (A), provided such laws are consistent with the purposes and intent of this paragraph.

(ii) The Legislature may, by two-thirds vote, enact laws imposing additional conditions or restrictions on the acquisition or lease of real property for the purposes described in this paragraph. Any repeal of conditions or restrictions on the acquisition or lease of real property for the purposes described in this paragraph shall require a two-thirds vote.

(D) The Legislature may, by majority vote, enact laws for the downpayment assistance programs established pursuant to this paragraph, provided that those laws further the purposes of this paragraph.

(E) For purposes of this paragraph:

(i) (I) "Affordable housing" shall include housing developments, or portions of housing developments, that are affordable to individuals, families, seniors, people with disabilities, veterans, or first-time homebuyers, who are lower income households or middle-income households earning up to 150 percent of countywide median income, as those terms are defined in state law. Affordable housing shall include capitalized operating reserves, as the term is defined in state law.

(II) "Affordable housing" shall also include any of the following:

(ia) Downpayment assistance programs.

(ib) First-time homebuyer programs.

(ic) Permanent supportive housing, including, but not limited to, housing for persons at risk of chronic homelessness, including, but not limited to, persons with mental illness.

(id) Associated facilities, if used to serve residents of affordable housing.

(ii) "At risk of chronic homelessness" includes, but is not limited to, persons who are at high risk of long-term or intermittent homelessness, including persons with mental illness exiting institutionalized settings, including, but not limited to, jail and mental health facilities, who were homeless prior to admission, transition age youth experiencing homelessness or with significant barriers to housing stability, and others, as defined in program guidelines.

(iii) "Permanent supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

(iv) "Public infrastructure" shall include any of the following:

(I) Facilities or infrastructure for the delivery of public services, including education, police, fire protection, parks, recreation, open space, emergency medical, public health, libraries, flood protection, streets or

highways, public transit, railroad, airports, and seaports.

(II) *Utility, common carrier or other similar projects, including energy-related, communication-related, water-related, and wastewater-related facilities or infrastructure.*

(III) *Projects identified by the State or local government for recovery from natural disasters.*

(IV) *Equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police, or sheriff personnel.*

(V) *Projects that provide protection of property from sea level rise.*

(VI) *Projects that provide public broadband internet access service expansion in underserved areas.*

(VII) *Private uses incidental to, or necessary for, the public infrastructure.*

(VIII) *Grants to homeowners for the purposes of structure hardening of homes and structures, as defined in state law.*

(v) *“Special district” has the same meaning as provided in subdivision (c) of Section 1 of Article XIII C and specifically includes a transit district, a regional transportation commission, and an association of governments, except that “special district” does not include a school district, redevelopment agency, or successor agency to a dissolved redevelopment agency.*

(F) *This paragraph shall apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for those purposes described in this paragraph that is submitted at the same election as the measure adding this paragraph or at a later election held after the effective date of the measure adding this paragraph.*

(c) (1) Notwithstanding any other provisions of law or of this Constitution, a school districts, district, community college districts, and district, or county offices office of education may levy a 55-percent 55-percent vote ad valorem tax pursuant to paragraph (3) of subdivision (b).

(2) Notwithstanding any other provisions of law or this Constitution, a city, county, city and county, or special district may levy a 55-percent vote ad valorem tax pursuant to paragraph (4) of subdivision (b).

Second—That Section 18 of Article XVI thereof is amended to read:

SEC. 18. (a) ~~No~~ A county, city, town, township, board of education, or school district, shall not incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such that year, without the assent of two-thirds of the voters of the public entity voting at an election to be held for that purpose, except that with respect to any such public entity which that is authorized to incur indebtedness for public school

purposes, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the purpose of repairing, ~~reconstructing~~ *reconstructing*, or replacing public school buildings determined, in the manner prescribed by law, to be structurally unsafe for school use, shall be adopted upon the approval of a majority of the voters of the public entity voting on the proposition at such the election; nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and to provide for a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed forty 40 years from the time of contracting the indebtedness. A special district, other than a board of education or school district, shall not incur any indebtedness or liability exceeding any applicable statutory limit, as prescribed by the statutes governing the special district as they currently read or may thereafter be amended by the Legislature.

(b) (1) ~~Notwithstanding subdivision (a), on or after the effective date of the measure adding this subdivision, in the case of any school district, community college district, or county office of education, any proposition for the incurrence of indebtedness in the form of general obligation bonds for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, purposes described in paragraph (3) or (4) of subdivision (b) of Section 1 of Article XIII A shall be adopted upon the approval of 55 percent of the voters of the district or county, school district, community college district, county office of education, city, county, city and county, or other special district, as appropriate, voting on the proposition at an election. This subdivision shall apply only to a proposition for the incurrence of indebtedness in the form of general obligation bonds for the purposes specified in this subdivision only if the proposition meets all of the accountability requirements of paragraph (3) or (4) of subdivision (b) (b), as appropriate, of Section 1 of Article XIII A.~~

(2) *The amendments made to this subdivision by the measure adding this paragraph shall apply to any proposition for the incurrence of indebtedness in the form of general obligation bonds pursuant to this subdivision for the purposes described in paragraph (4) of subdivision (b) of Section 1 of Article XIII A that is submitted at the same election as the measure adding this paragraph or at a later election held after the effective date of the measure adding this paragraph.*

(c) When two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when if two-thirds or a majority or 55 percent of the voters, as the case may be, voting on any one of those propositions, vote in favor thereof, the proposition shall be deemed adopted.

Third—In the event that this measure and another measure or measures relating to state or local requirements for the imposition, adoption, creation, or establishment of taxes, charges, and other revenue measures shall appear on the same statewide election ballot, the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void.

PROPOSITION 6

This amendment proposed by Assembly Constitutional Amendment 8 of the 2023–2024 Regular Session (Resolution Chapter 133, Statutes of 2024) expressly amends the California Constitution by amending a section thereof; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT TO ARTICLE I

That Section 6 of Article I thereof is amended to read:

SEC. 6. (a) ~~Slavery is prohibited. Involuntary servitude is prohibited except to punish crime: and involuntary servitude are prohibited.~~

(b) *The Department of Corrections and Rehabilitation shall not discipline any incarcerated person for refusing a work assignment.*

(c) *Nothing in this section shall prohibit the Department of Corrections and Rehabilitation from awarding credits to an incarcerated person who voluntarily accepts a work assignment.*

(d) *Amendments made to this section by the measure adding this subdivision shall become operative on January 1, 2025.*

PROPOSITION 32

This initiative measure is submitted to the people in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends a section of the Labor Code; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

THE LIVING WAGE ACT OF 2022

SECTION 1. Name.

This act shall be known as the Living Wage Act of 2022.

SEC. 2. Findings and Purpose.

The people of California find and declare that:

(a) The purpose of the Living Wage Act of 2022 (“the act”) is to ensure that workers receive wages that will financially support them and their families.

(b) To achieve this purpose, the Living Wage Act of 2022 will increase the California minimum wage to \$18 per hour by 2025 and in each year thereafter the minimum wage will be adjusted to keep pace with the cost of living in California.

(c) For more than 12 years, the federal minimum wage has been stuck at \$7.25. If it had increased at the rate of productivity growth since 1960, it would be \$24 right now.

(d) Many working Californians, including essential workers, parents and seniors, have full-time jobs yet struggle to make ends meet. The minimum wage has not kept pace with the cost of living and is worth less today than it was 50 years ago.

(e) California currently has the eighth highest income inequality among all 50 U.S. states and Washington, D.C., which is forcing many working households into poverty.

(f) The most recent available data, which does not include the effects of COVID-19, shows that more than 6.3 million Californians lack enough resources to meet their basic needs. More than a third of Californians are living in or near poverty. The large majority of California’s low-wage workers are adults, not teens. The average age for low-wage workers is 36, compared to 40 for all workers. Forty-six percent of low-wage workers have children, and 40 percent are married. Californians cannot support a family on the current minimum wage of \$15 per hour, or \$31,200 per year, for people working full time.

(g) Despite being employed full time, Californians who are paid the current minimum wage often must rely on the state’s social safety net to meet their basic needs. Californians’ wages are not keeping up with inflation or our state’s rising cost of living. Research finds that a single parent living in California with two children would need to make \$50 per hour to get by, but our state’s minimum wage is only \$15 per hour.

(h) The purchasing power of the minimum wage will continue to erode if it is not adjusted yearly to reflect increases in the cost of living.

(i) Raising the minimum wage will increase the earnings of many Medi-Cal recipients, making them eligible for federal subsidies on California’s health benefit exchange, saving the state millions of dollars a year in Medi-Cal costs.

(j) Californians working in a wide variety of jobs and industries are paid the minimum wage, and it is the goal of this act to protect all such workers, regardless of whether they are employed by single, multiple, or joint employers.

(k) Income inequality, a growing population of working poor, and wage stagnation in California create strong justification for boosting income support for working households struggling to meet basic needs.

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SEC. 3. Section 1182.12 of the Labor Code is amended to read:

1182.12. Minimum wage

(a) Notwithstanding any other provision of this part, on and after July 1, 2014, the minimum wage for all industries shall be not less than nine dollars (\$9) per hour, and on and after January 1, 2016, the minimum wage for all industries shall be not less than ten dollars (\$10) per hour.

(b) Notwithstanding subdivision (a), the minimum wage for all industries shall not be less than the amounts set forth in this subdivision, except when the scheduled increases in paragraphs (1) and (2) are temporarily suspended under subdivision (d).

(1) For any employer who employs 26 or more employees, the minimum wage shall be as follows:

(A) From January 1, 2017, to December 31, 2017, inclusive,—ten dollars and fifty cents (\$10.50) per hour.

(B) From January 1, 2018, to December 31, 2018, inclusive,—eleven dollars (\$11) per hour.

(C) From January 1, 2019, to December 31, 2019, inclusive,—twelve dollars (\$12) per hour.

(D) From January 1, 2020, to December 31, 2020, inclusive,—thirteen dollars (\$13) per hour.

(E) From January 1, 2021, to December 31, 2021, inclusive,—fourteen dollars (\$14) per hour.

(F) From January 1, 2022, and ~~until adjusted by subdivision (c) to December 31, 2022, inclusive,~~ fifteen dollars (\$15) per hour.

(G) From January 1, 2023, to December 31, 2023, inclusive,—sixteen dollars (\$16) per hour.

(H) From January 1, 2024, to December 31, 2024, inclusive,—seventeen dollars (\$17) per hour.

(I) From January 1, 2025, and until adjusted by subdivision (c)—eighteen dollars (\$18) per hour.

(2) For any employer who employs 25 or fewer employees, the minimum wage shall be as follows:

(A) From January 1, 2018, to December 31, 2018, inclusive,—ten dollars and fifty cents (\$10.50) per hour.

(B) From January 1, 2019, to December 31, 2019, inclusive,—eleven dollars (\$11) per hour.

(C) From January 1, 2020, to December 31, 2020, inclusive,—twelve dollars (\$12) per hour.

(D) From January 1, 2021, to December 31, 2021, inclusive,—thirteen dollars (\$13) per hour.

(E) From January 1, 2022, to December 31, 2022, inclusive,—fourteen dollars (\$14) per hour.

(F) From January 1, 2023, and ~~until adjusted by subdivision (c) to December 31, 2023, inclusive,~~ fifteen dollars (\$15) per hour.

(G) From January 1, 2024, to December 31, 2024, inclusive,—sixteen dollars (\$16) per hour.

(H) From January 1, 2025, to December 31, 2025, inclusive,—seventeen dollars (\$17) per hour.

(I) From January 1, 2026, and until adjusted by subdivision (c)—eighteen dollars (\$18) per hour.

(3) For purposes of this subdivision, “employer” means any person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of any person. For purposes of this subdivision, “employer” includes the state, political subdivisions of the state, and municipalities.

(4) Employees who are treated as employed by a single qualified taxpayer under subdivision (h) of Section 23626 of the Revenue and Taxation Code, as it read on the effective date of this section, shall be considered employees of that taxpayer for purposes of this subdivision.

(c) (1) Following the implementation of the minimum wage increase specified in subparagraph (F) (I) of paragraph (2) of subdivision (b), on or before August 1 of that year, and on or before each August 1 thereafter, the Director of Finance shall calculate an adjusted minimum wage. The calculation shall increase the minimum wage by the lesser of 3.5 percent and the rate of change in the averages of the most recent July 1 to June 30, inclusive, period over the preceding July 1 to June 30, inclusive, period for the United States Bureau of Labor Statistics nonseasonally adjusted United States Consumer Price Index for Urban Wage Earners and Clerical Workers (U.S. CPI-W). The result shall be rounded to the nearest ten cents (\$0.10). Each adjusted minimum wage increase calculated under this subdivision shall take effect on the following January 1.

(2) If the rate of change in the averages of the most recent July 1 to June 30, inclusive, period over the preceding July 1 to June 30, inclusive, period for the United States Bureau of Labor Statistics nonseasonally adjusted U.S. CPI-W is negative, there shall be no increase or decrease in the minimum wage pursuant to this subdivision on the following January 1.

(3) (A) Notwithstanding the implementation timing described in paragraph (1) of this subdivision, if the rate of change in the averages of the most recent July 1 to June 30, inclusive, period over the preceding July 1 to June 30, inclusive, period for the United States Bureau of Labor Statistics nonseasonally adjusted U.S. CPI-W exceeds 7 percent in the first year that the minimum wage specified in subparagraph (F) (I) of paragraph (1) of subdivision (b) is implemented, the indexing provisions described in paragraph (1) of this subdivision shall be implemented immediately, such that the indexing will be effective on the following January 1.

(B) If the rate of change in the averages of the most recent July 1 to June 30, inclusive, period over the preceding July 1 to June 30, inclusive, period for the United States Bureau of Labor Statistics nonseasonally adjusted U.S. CPI-W exceeds 7 percent in the first year that the minimum wage specified in subparagraph (F)

(I) of paragraph (1) of subdivision (b) is implemented, notwithstanding any other law, for employers with 25 or fewer employees the minimum wage shall be set equal to the minimum wage for employers with 26 or more employees, effective on the following January 1, and the minimum wage increase specified in subparagraph (F) (I) of paragraph (2) of subdivision (b) shall be considered to have been implemented for purposes of this subdivision.

(d) (1) On or before July 28, 2017, and on or before every July 28 thereafter until the minimum wage is ~~fifteen dollars (\$15)~~ *eighteen dollars (\$18)* per hour pursuant to paragraph (1) of subdivision (b), to ensure that economic conditions can support a minimum wage increase, the Director of Finance shall annually make a determination and certify to the Governor and the Legislature whether each of the following conditions is met:

(A) Total nonfarm employment for California, seasonally adjusted, decreased over the three-month period from April to June, inclusive, prior to the July 28 determination. This calculation shall compare seasonally adjusted total nonfarm employment in June to seasonally adjusted total nonfarm employment in March, as reported by the Employment Development Department.

(B) Total nonfarm employment for California, seasonally adjusted, decreased over the six-month period from January to June, inclusive, prior to the July 28 determination. This calculation shall compare seasonally adjusted total nonfarm employment in June to seasonally adjusted total nonfarm employment in December, as reported by the Employment Development Department.

(C) Retail sales and use tax cash receipts from a 3.9375-percent tax rate for the July 1 to June 30, inclusive, period ending one month prior to the July 28 determination is less than retail sales and use tax cash receipts from a 3.9375-percent tax rate for the July 1 to June 30, inclusive, period ending 13 months prior to the July 28 determination. The calculation for the condition specified in this subparagraph shall be made as follows:

(i) The State Board of Equalization shall publish by the 10th of each month on its Internet Web site the total retail sales (sales before adjustments) for the prior month derived from their daily retail sales and use tax reports.

(ii) The State Board of Equalization shall publish by the 10th of each month on its Internet Web site the monthly factor required to convert the prior month's retail sales and use tax total from all tax rates to a retail sales and use tax total from a 3.9375-percent tax rate.

(iii) The Department of Finance shall multiply the monthly total from clause (i) by the monthly factor from clause (ii) for each month.

(iv) The Department of Finance shall sum the monthly totals calculated in clause (iii) to calculate the

12-month July 1 to June 30, inclusive, totals needed for the comparison in this subparagraph.

(2) (A) On or before July 28, 2017, and on or before every July 28 thereafter until the minimum wage is ~~fifteen dollars (\$15)~~ *eighteen dollars (\$18)* per hour pursuant to paragraph (1) of subdivision (b), to ensure that the state General Fund fiscal condition can support the next scheduled minimum wage increase, the Director of Finance shall annually make a determination and certify to the Governor and the Legislature whether the state General Fund would be in a deficit in the current fiscal year, or in either of the following two fiscal years.

(B) For purposes of this subdivision, deficit is defined as a negative balance in the Special Fund for Economic Uncertainties, as provided for in Section 16418 of the Government Code, that exceeds, in absolute value, 1 percent of total state General Fund revenue and transfers, based on the most recent Department of Finance estimates required by Section 12.5 of Article IV of the California Constitution. For purposes of this subdivision, the estimates shall include the assumption that only the minimum wage increases scheduled for the following calendar year pursuant to subdivision (b) will be implemented.

(3) (A) (i) If, for any year, the condition in either subparagraph (A) or (B) of paragraph (1) is met, and if the condition in subparagraph (C) of paragraph (1) is met, the Governor may, on or before August 1 of that year, notify the Legislature of an initial determination to temporarily suspend the minimum wage increases scheduled pursuant to subdivision (b) for the following year.

(ii) If the Director of Finance certifies under paragraph (2) that the state General Fund would be in a deficit in the current fiscal year, or in either of the following two fiscal years, the Governor may, on or before August 1 of that fiscal year, notify the Legislature of an initial determination to temporarily suspend the minimum wage increases scheduled pursuant to subdivision (b) for the following year.

(B) If the Governor provides notice to the Legislature pursuant to subparagraph (A), the Governor shall, on September 1 of any such year, make a final determination whether to temporarily suspend the minimum wage increases scheduled pursuant to subdivision (b) for the following year. The determination to temporarily suspend the minimum wage increases scheduled pursuant to subdivision (b) for the following year shall be made by proclamation.

(C) The Governor may temporarily suspend scheduled minimum wage increases pursuant to clause (ii) of subparagraph (A) no more than two times.

(D) If the Governor makes a final determination to temporarily suspend the scheduled minimum wage increases pursuant to subdivision (b) for the following year, all dates specified in subdivision (b) that are subsequent to the September 1 final determination date shall be postponed by an additional year.

SEC. 4. Amendment.

Pursuant to subdivision (c) of Section 10 of Article II of the California Constitution, this act may be amended by a subsequent measure submitted to a vote of the people at a statewide election. This act may also be amended by a 2/3 vote of each house of the Legislature. However, this act may be amended to adopt an increase to the state minimum wage at rates that are higher than those specified herein on its effective date by a majority vote of each house of the Legislature.

SEC. 5. Severability.

It is the intent of the people that the provisions of this act are severable and that if any provision of this act, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect any other provision or application of this act that can be given effect without the invalid provision or application.

PROPOSITION 33

This initiative measure is submitted to the people in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure repeals and adds sections to the Civil Code; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

Justice for Renters Act

SECTION 1. This act shall be known, and may be cited, as the “Justice for Renters Act.”

SEC. 2. Section 1954.40 is added to the Civil Code, to read:

1954.40. The state may not limit the right of any city, county, or city and county to maintain, enact, or expand residential rent control.

SEC. 3. Section 1954.50 of the Civil Code is repealed.

~~1954.50. This chapter shall be known and may be cited as the Costa-Hawkins Rental Housing Act.~~

SEC. 4. Section 1954.51 of the Civil Code is repealed.

~~1954.51. As used in this chapter, the following terms have the following meanings:~~

~~(a) “Comparable units” means rental units that have approximately the same living space, have the same number of bedrooms, are located in the same or similar neighborhoods, and feature the same, similar, or equal amenities and housing services.~~

~~(b) “Owner” includes any person, acting as principal or through an agent, having the right to offer residential real property for rent, and includes a predecessor in interest to the owner, except that this term does not include the owner or operator of a mobilehome park, or the owner of a mobilehome or his or her agent.~~

~~(c) “Prevailing market rent” means the rental rate that would be authorized pursuant to 42 U.S.C.A. 1437 (f), as calculated by the United States Department of Housing and Urban Development pursuant to Part 888 of Title 24 of the Code of Federal Regulations.~~

~~(d) “Public entity” has the same meaning as set forth in Section 811.2 of the Government Code.~~

~~(e) “Residential real property” includes any dwelling or unit that is intended for human habitation.~~

~~(f) “Tenancy” includes the lawful occupation of property and includes a lease or sublease.~~

SEC. 5. Section 1954.52 of the Civil Code is repealed.

~~1954.52. (a) Notwithstanding any other provision of law, an owner of residential real property may establish the initial and all subsequent rental rates for a dwelling or a unit about which any of the following is true:~~

~~(1) It has a certificate of occupancy issued after February 1, 1995.~~

~~(2) It has already been exempt from the residential rent control ordinance of a public entity on or before February 1, 1995, pursuant to a local exemption for newly constructed units.~~

~~(3) (A) It is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision, as specified in subdivision (b), (d), or (f) of Section 11004.5 of the Business and Professions Code.~~

~~(B) This paragraph does not apply to either of the following:~~

~~(i) A dwelling or unit where the preceding tenancy has been terminated by the owner by notice pursuant to Section 1946.1 or has been terminated upon a change in the terms of the tenancy noticed pursuant to Section 827.~~

~~(ii) A condominium dwelling or unit that has not been sold separately by the subdivider to a bona fide purchaser for value. The initial rent amount of the unit for purposes of this chapter shall be the lawful rent in effect on May 7, 2001, unless the rent amount is governed by a different provision of this chapter. However, if a condominium dwelling or unit meets the criteria of paragraph (1) or (2) of subdivision (a), or if all the dwellings or units except one have been sold separately by the subdivider to bona fide purchasers for value, and the subdivider has occupied that remaining unsold condominium dwelling or unit as his or her principal residence for at least one year after the subdivision occurred, then subparagraph (A) of paragraph (3) shall apply to that unsold condominium dwelling or unit.~~

~~(C) Where a dwelling or unit in which the initial or subsequent rental rates are controlled by an ordinance or charter provision in effect on January 1, 1995, the following shall apply:~~

~~(i) An owner of real property as described in this paragraph may establish the initial and all subsequent rental rates for all existing and new tenancies in effect on or after January 1, 1999, if the tenancy in effect on~~

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or after January 1, 1999, was created between January 1, 1996, and December 31, 1998.

(ii) Commencing on January 1, 1999, an owner of real property as described in this paragraph may establish the initial and all subsequent rental rates for all new tenancies if the previous tenancy was in effect on December 31, 1995.

(iii) The initial rental rate for a dwelling or unit as described in this paragraph in which the initial rental rate is controlled by an ordinance or charter provision in effect on January 1, 1995, may not, until January 1, 1999, exceed the amount calculated pursuant to subdivision (c) of Section 1954.53. An owner of residential real property as described in this paragraph may, until January 1, 1999, establish the initial rental rate for a dwelling or unit only where the tenant has voluntarily vacated, abandoned, or been evicted pursuant to paragraph (2) of Section 1161 of the Code of Civil Procedure.

(b) Subdivision (a) does not apply where the owner has otherwise agreed by contract with a public entity in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.

(c) Nothing in this section shall be construed to affect the authority of a public entity that may otherwise exist to regulate or monitor the basis for eviction.

(d) This section does not apply to any dwelling or unit that contains serious health, safety, fire, or building code violations, excluding those caused by disasters for which a citation has been issued by the appropriate governmental agency and which has remained unabated for six months or longer preceding the vacancy.

SEC. 6. Section 1954.53 of the Civil Code is repealed.

1954.53.—(a) Notwithstanding any other provision of law, an owner of residential real property may establish the initial rental rate for a dwelling or unit, except where any of the following applies:

(1) The previous tenancy has been terminated by the owner by notice pursuant to Section 1946.1 or has been terminated upon a change in the terms of the tenancy noticed pursuant to Section 827, except a change permitted by law in the amount of rent or fees. For the purpose of this paragraph, the owner's termination or nonrenewal of a contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant, shall be construed as a change in the terms of the tenancy pursuant to Section 827.

(A) In a jurisdiction that controls by ordinance or charter provision the rental rate for a dwelling or unit, an owner who terminates or fails to renew a contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant may not set an initial rent for three years following the date of the termination or nonrenewal of the contract or agreement. For any new tenancy established during the

three-year period, the rental rate for a new tenancy established in that vacated dwelling or unit shall be at the same rate as the rent under the terminated or nonrenewed contract or recorded agreement with a governmental agency that provided for a rent limitation to a qualified tenant, plus any increases authorized after the termination or cancellation of the contract or recorded agreement.

(B) Subparagraph (A) does not apply to any new tenancy of 12 months or more duration established after January 1, 2000, pursuant to the owner's contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant, unless the prior vacancy in that dwelling or unit was pursuant to a nonrenewed or canceled contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant as set forth in that subparagraph.

(2) The owner has otherwise agreed by contract with a public entity in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.

(3) The initial rental rate for a dwelling or unit whose initial rental rate is controlled by an ordinance or charter provision in effect on January 1, 1995, may not until January 1, 1999, exceed the amount calculated pursuant to subdivision (c).

(4) (A) Notwithstanding any other law, for a dwelling or unit subject to an ordinance or charter provision that controls the rental rate of the dwelling or unit, the jurisdiction that adopted the ordinance or charter provision may require the owner of the residential real property to permit a tenant who is not subject to eviction for nonpayment and who has a permanent physical disability as defined in subdivision (m) of Section 12926 of the Government Code and that is related to mobility to move to an available comparable or smaller unit located on an accessible floor of the property. An owner that is subject to a requirement established pursuant to this paragraph that is required to grant a tenant's request for a reasonable accommodation relating to the tenant's physical disability, after complying with any requirement to engage in an interactive process with the tenant, including Sections 12177 to 12180, inclusive, of Title 2 of the California Code of Regulations, shall allow the tenant to retain their lease at the same rental rate and terms of the existing lease if all of the following apply:

(i) The move is determined to be necessary to accommodate the tenant's physical disability related to mobility.

(ii) There is no operational elevator that serves the floor of the tenant's current dwelling or unit.

(iii) The new dwelling or unit is in the same building or on the same parcel with at least four other units and shares the same owner.

(iv) The new dwelling or unit does not require renovation to comply with applicable requirements of the Health and Safety Code.

(v) The applicable rent control board or authority determines that the owner will continue to receive a fair rate of return or offers an administrative procedure ensuring a fair rate of return for the new unit.

(vi) The tenant, who is not subject to eviction for nonpayment and who has a permanent physical disability as defined in subdivision (m) of Section 12926 of the Government Code and that is related to mobility, provides the owner a written request to move into an available comparable or smaller unit located on an accessible floor of the property prior to that unit becoming available.

(B) Any security deposit paid by the tenant in connection with their rental of the dwelling or unit being vacated shall be handled in accordance with Section 1950.5 upon the tenant's move pursuant to this paragraph.

(C) This paragraph shall not apply unless all of the tenants on the lease agree to move to the available comparable or smaller unit located on an accessible floor of the property pursuant to the request of the tenant with the physical disability.

(D) For purposes of this paragraph, "comparable or smaller unit" means a dwelling or unit that has the same or less than the number of bedrooms and bathrooms, square footage, and parking spaces as the unit being vacated.

(E) This paragraph shall not apply if the owner, or their spouse, domestic partner, children, grandchildren, parents, or grandparents, intend to occupy the available comparable or smaller unit located on an accessible floor of the property.

(F) The requirements of this paragraph shall be in addition to those of any other fair housing law, including, but not limited to, the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), the Unruh Civil Rights Act (Section 51), the federal Fair Housing Act (42 U.S.C. Sec. 3601 et seq.), and any implementing regulations thereunder.

(G) This paragraph shall not be construed to prevent owners of residential real property from granting reasonable accommodations to change housing units and retain the existing lease at the same rental rate and terms in order to accommodate any disability, as defined in subdivision (m) of Section 12926 of the Government Code.

(b) Subdivision (a) applies to, and includes, renewal of the initial hiring by the same tenant, lessee, authorized subtenant, or authorized sublessee for the entire period of their occupancy at the rental rate established for the initial hiring.

(c) The rental rate of a dwelling or unit whose initial rental rate is controlled by ordinance or charter provision in effect on January 1, 1995, shall, until

January 1, 1999, be established in accordance with this subdivision. Where the previous tenant has voluntarily vacated, abandoned, or been evicted pursuant to paragraph (2) of Section 1161 of the Code of Civil Procedure, an owner of residential real property may, no more than twice, establish the initial rental rate for a dwelling or unit in an amount that is no greater than 15 percent more than the rental rate in effect for the immediately preceding tenancy or in an amount that is 70 percent of the prevailing market rent for comparable units, whichever amount is greater.

The initial rental rate established pursuant to this subdivision may not substitute for or replace increases in rental rates otherwise authorized pursuant to law.

(d) (1) Nothing in this section or any other provision of law shall be construed to preclude express establishment in a lease or rental agreement of the rental rates to be applicable in the event the rental unit subject thereto is sublet. Nothing in this section shall be construed to impair the obligations of contracts entered into prior to January 1, 1996.

(2) If the original occupant or occupants who took possession of the dwelling or unit pursuant to the rental agreement with the owner no longer permanently reside there, an owner may increase the rent by any amount allowed by this section to a lawful sublessee or assignee who did not reside at the dwelling or unit prior to January 1, 1996.

(3) This subdivision does not apply to partial changes in occupancy of a dwelling or unit where one or more of the occupants of the premises, pursuant to the agreement with the owner provided for above, remains an occupant in lawful possession of the dwelling or unit, or where a lawful sublessee or assignee who resided at the dwelling or unit prior to January 1, 1996, remains in possession of the dwelling or unit. Nothing contained in this section shall be construed to enlarge or diminish an owner's right to withhold consent to a sublease or assignment.

(4) Acceptance of rent by the owner does not operate as a waiver or otherwise prevent enforcement of a covenant prohibiting sublease or assignment or as a waiver of an owner's rights to establish the initial rental rate, unless the owner has received written notice from the tenant that is party to the agreement and thereafter accepted rent.

(e) Nothing in this section shall be construed to affect any authority of a public entity that may otherwise exist to regulate or monitor the grounds for eviction.

(f) This section does not apply to any dwelling or unit if all the following conditions are met:

(1) The dwelling or unit has been cited in an inspection report by the appropriate governmental agency as containing serious health, safety, fire, or building code violations, as defined by Section 17920.3 of the Health and Safety Code, excluding any violation caused by a disaster.

(2) The citation was issued at least 60 days prior to the date of the vacancy.

~~(3) The cited violation had not been abated when the prior tenant vacated and had remained unabated for 60 days or for a longer period of time. However, the 60-day time period may be extended by the appropriate governmental agency that issued the citation.~~

SEC. 7. If any provision of this act or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

PROPOSITION 34

This initiative measure is submitted to the people in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure adds sections to the Welfare and Institutions Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. Article 3.3 (commencing with Section 14124.39) is added to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, to read:

Article 3.3. Protect Patients Now Act of 2024

14124.39. Title

This article shall be known and may be cited as the Protect Patients Now Act of 2024.

14124.40. Findings and Declarations

(a) In 1992, the federal government established a program giving safety net health care providers access to discounted prescription drugs. The intent of the law was for safety net health care providers to use the discounted drugs to treat patients who are “medically uninsured, on marginal incomes and have no other sources to turn to for preventive and primary care services” and to “reach[] more eligible patients and provide[] more comprehensive services” to “low-income and most vulnerable patients.” (H.R. Rep. No. 102-384 (Part 2), at 12 (1992)(Conf. Rep.).) The program was not intended to be used by safety net health care providers to accumulate massive fortunes running into the hundreds of millions of dollars or more.

(b) Unfortunately, some safety net health care providers have manipulated the program to receive enormous markups on the discounted prescription drugs they receive and then stick taxpayers with the added cost. Instead of using this massive windfall to help patients, the worst offenders have used their fortunes to purchase luxury coastal condominiums, wasted hundreds of millions of dollars on failed political campaigns, put elected politicians on their payrolls, and acquired low-income multifamily housing complexes that are operated as slums. Abusing net revenues generated through the discount prescription drug program in this manner does not result in better health

care for low-income patients. Instead, it cheats low-income patients out of the care they deserve and scams taxpayers who end up footing the bill.

(c) Governor Newsom has already ended this type of prescription drug scamming in the Medi-Cal program through Executive Order N-01-19, which requires the Department of Health Care Services to transition Medi-Cal pharmacy services away from arrangements that are susceptible to price scams. Known as the Medi-Cal Rx program, it achieves cost savings for prescription drug purchases made by the state, standardizes the pharmacy benefit statewide for all Medi-Cal patients, increases overall access, and eliminates the ability of prescription drug price manipulators to game the system through Medi-Cal. However, other vulnerabilities in taxpayer-funded drug programs that price manipulators still exploit have not yet been addressed.

(d) California needs to make the cost-savings achieved through the Medi-Cal Rx program permanent. Furthermore, additional reforms are necessary to protect taxpayer dollars and help the neediest patients by ensuring that prescription drug price manipulators are required to end other scams in order to continue operating in our state.

14124.41. Statement of Intent

In enacting this article, the purpose and intent of the people of the State of California is to do all of the following:

(a) To permanently authorize the Medi-Cal Rx program so that its expanded patient access and cost-savings can be continued in perpetuity.

(b) To protect patients and taxpayers by putting an end to other prescription drug pricing scams that are still being perpetrated in our state through the discount prescription drug program.

(c) To impose strict accountability on prescription drug price manipulators by requiring them to spend at least 98 percent of their net revenues generated in this state through the discount prescription drug program on direct patient care.

(d) To ensure that health care providers that have a track record of scamming the discount prescription drug program refocus on providing direct patient care or lose their state-provided privileges and benefits, including suspension and revocation of licenses, loss of state and local grant funding, and elimination of California tax-exempt status.

14124.42. Permanent Authorization for the Medi-Cal Rx Program

The State Department of Health Care Services is authorized to provide and administer Medi-Cal pharmacy services under a single statewide fee-for-service delivery system.

14124.43. Limitation on Pharmacy Sales Agreements Involving Prescription Drug Price Manipulators

(a) On and after January 1, 2025, a prescription drug price manipulator shall not enter into, or participate in, a pharmacy sales agreement that applies to, operates

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in, or intends or proposes to operate in or apply to, this state unless the prescription drug price manipulator is in compliance with Section 14124.44.

(b) Any pharmacy sales agreement that involves a prescription drug price manipulator not in compliance with Section 14124.44 is, as of January 1, 2025, contrary to public policy and is void and unenforceable to the extent that the pharmacy sales agreement applies to, operates in, or intends or proposes to operate in or apply to, this state.

14124.44. Patient Protection Requirements Imposed on Prescription Drug Price Manipulators

Notwithstanding any other provision of law, on and after January 1, 2025, a prescription drug price manipulator shall only be eligible for tax-exempt status in this state or to be licensed to operate as a pharmacy, a health care service plan, or a clinic in this state if it complies with all of the following requirements:

(a) In the prior calendar year, the prescription drug price manipulator spent at least 98 percent of the net revenues it generated in California from participation in the discount prescription drug program on direct patient care.

(b) In the prior calendar year, the prescription drug price manipulator was not engaged in any unprofessional conduct, dishonest dealing, or conduct inimical to the public health, welfare, or safety of the people of the State of California.

14124.45. Oversight of Prescription Drug Price Manipulators

(a) (1) In order to determine compliance with Section 14124.44, on and after January 1, 2025:

(A) A prescription drug price manipulator that holds tax-exempt status in this state shall annually submit to the Attorney General a detailed accounting for the prior calendar year of both its California statewide and nationwide gross and net revenues generated from participation in the discount prescription drug program as well as how those net revenues were spent.

(B) A prescription drug price manipulator that holds a pharmacy license in this state shall annually submit to the California State Board of Pharmacy a detailed accounting for the prior calendar year of both its California statewide and nationwide gross and net revenues generated from participation in the discount prescription drug program as well as how those net revenues were spent.

(C) A prescription drug price manipulator that holds a health care service plan license in this state shall annually submit to the Department of Managed Health Care a detailed accounting for the prior calendar year of both its California statewide and nationwide gross and net revenues generated from participation in the discount prescription drug program as well as how those net revenues were spent.

(D) A prescription drug price manipulator that holds a clinic license in this state shall annually submit to the State Department of Public Health a detailed

accounting for the prior calendar year of both its California statewide and nationwide gross and net revenues generated from participation in the discount prescription drug program as well as how those net revenues were spent.

(2) The people of California hereby find and declare that, similar to the need for out-of-state information under Chapter 17 (commencing with Section 25101) of Part 11 of Division 2 of the Revenue and Taxation Code, it is necessary for prescription drug price manipulators to provide information on both California statewide and nationwide gross and net revenues in order to ensure proper allocation of in-state and out-of-state revenues.

(b) In addition to any other authority granted by this article, the Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, or the State Department of Public Health may do either of the following:

(1) Standardize the necessary contents of the detailed accounting required to be submitted pursuant to this section.

(2) Request from a prescription drug price manipulator any other information deemed necessary or convenient to determine compliance with the requirements set forth in Section 14124.44.

(c) All information submitted pursuant to this section shall be submitted under penalty of perjury.

(d) (1) All financial information submitted to the Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, or the State Department of Public Health pertaining to either of the following shall be treated as confidential and sensitive business information exempt from public disclosure:

(A) Specific prices or amounts paid by, or charged to, a prescription drug price manipulator for specific prescription drugs acquired by the prescription drug price manipulator through the discount prescription drug program.

(B) Specific prices or amounts charged by, or paid to, a prescription drug price manipulator for specific prescription drugs it obtained through the discount prescription drug program.

(2) (A) Total aggregated gross and net revenues generated by a prescription drug price manipulator through the discount prescription drug program are not covered by this subdivision so long as the figures do not reveal the specific information described in subparagraph (A) or (B) of paragraph (1).

(B) After removing or anonymizing the specific information described in subparagraphs (A) and (B) of paragraph (1), the Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, and the State Department of Public Health shall make total aggregated statewide and nationwide gross and net revenues figures publicly available upon request.

(e) (1) *The Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, and the State Department of Public Health shall cooperatively establish the deadline each year for a prescription drug price manipulator to submit the information required by this section.*

(2) *For calendar year 2025, the deadline shall not be later than December 31, 2025.*

(3) *A prescription drug price manipulator that fails to submit required information by the deadline established pursuant to this subdivision shall be deemed to be out of compliance with the requirements of Section 14124.44 for the applicable calendar year, according to the procedures set forth in subdivision (b) of Section 14124.46.*

(f) *The Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, and the State Department of Public Health may each impose a fee on a prescription drug price manipulator for the costs associated with concluding whether the prescription drug price manipulator was in compliance with the requirements of Section 14124.44 during the prior calendar year. The charges shall not exceed the reasonable regulatory costs to the respective agency incident to performing the investigations, inspections, and audits required by this article, including any administrative enforcement and adjudication thereof.*

(g) (1) *Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, and the State Department of Public Health may implement this article by means of bulletins, notices, or other similar instructions, without taking further regulatory action.*

(2) *Actions taken pursuant to an interagency agreement entered into pursuant to subdivision (c) of Section 14124.46 shall be covered by paragraph (1).*

14124.46. Conclusions Regarding Compliance

(a) (1) *Within 60 calendar days of the deadline established pursuant to subdivision (e) of Section 14124.45, the Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, and the State Department of Public Health shall each separately issue an independent written conclusion regarding whether or not the prescription drug price manipulator is in compliance with the requirements of Section 14124.44. Failure to reach a conclusion within 60 calendar days shall not excuse noncompliance with Section 14124.44.*

(2) *The Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, or the State Department of Public Health shall only be required to issue an independent written conclusion pursuant to this subdivision if the prescription drug price manipulator was required to submit information to the relevant official, board, or department pursuant to subdivision (a) of Section 14124.45.*

(b) (1) *If, within the 60-calendar day period set forth in paragraph (1) of subdivision (a), the information submitted by a prescription drug price manipulator is found to be incomplete or insufficient by the Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, or the State Department of Public Health for issuance of a written conclusion required by this section, then the relevant official, board, or department shall issue to the prescription drug price manipulator a written notice to correct. The notice to correct shall contain a description of the additional information required.*

(2) *The prescription drug price manipulator shall have 10-calendar days from the date of the notice to correct to provide complete or sufficient information. If the prescription drug price manipulator fails to remedy the incompleteness or insufficiency within 10-calendar days, then the prescription drug price manipulator shall be deemed to be out of compliance with the requirements of Section 14124.44 for the applicable calendar year and the relevant official, board, or department shall issue a written conclusion to that effect immediately upon the expiration of the 10-calendar-day period.*

(c) *The Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, or the State Department of Public Health may, either collectively or separately, enter into an interagency agreement with the California State Auditor's Office for assistance in reaching a conclusion about a prescription drug price manipulator's compliance with the requirements of Section 14124.44. Costs incurred pursuant to an interagency agreement under this subdivision may be recovered pursuant to subdivision (f) of Section 14124.45.*

(d) (1) *If the Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, or the State Department of Public Health concludes a prescription drug price manipulator is not in compliance with the requirements of Section 14124.44, then a written notice of noncompliance shall be provided to the prescription drug price manipulator notifying it of that conclusion. The written notice of noncompliance shall provide instructions on requesting a hearing pursuant to subdivision (e).*

(2) *If a hearing is not requested pursuant to subdivision (e), then a conclusion issued pursuant to this section shall become a final determination.*

(e) (1) (A) *A prescription drug price manipulator may request a hearing in response to a written notice of noncompliance issued pursuant to paragraph (1) of subdivision (d).*

(B) *The request shall be submitted in writing and must be made within 30-calendar days of the date of the written notice of noncompliance.*

(2) (A) *Except as otherwise provided in this article, hearings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.*

(B) The Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, and the State Department of Public Health may consolidate hearings on written notices of noncompliance pertaining to the same prescription drug price manipulator for the same calendar year and may mutually appoint a single hearing officer therefor. The hearing may be conducted by a hearing officer appointed by an official, board, or department that issued a written notice of noncompliance.

(C) The prescription drug price manipulator may be represented by counsel at any of the stages of the proceedings.

(3) (A) If judicial review is not sought pursuant to subdivision (f), then the decision of the hearing officer shall become a final determination.

(B) If the hearing officer's decision is that the prescription drug price manipulator is not in compliance with the requirements of Section 14124.44, then any exemption from California state taxation and any licenses described in subdivision (a) of Section 14124.45 held by the prescription drug price manipulator shall be immediately suspended. If judicial review is thereafter sought pursuant to subdivision (f), the state tax exemption and licenses shall remain suspended pending judicial review pursuant to subdivision (f).

(f) (1) Any party aggrieved by the decision of the hearing officer may seek review pursuant to Section 1094.5 of the Code of Civil Procedure within 30-calendar days of issuance of the hearing officer's decision.

(2) If review is sought pursuant to Section 1094.5 of the Code of Civil Procedure, the final determination shall be based upon the outcome of that review.

14124.47. Final Determinations

Notwithstanding any other provision of law, if a prescription drug price manipulator is finally determined pursuant to the procedures set forth in this article to have violated the requirements of Section 14124.44, then all of the following shall apply:

(a) Any and all California pharmacy licenses, health care service plan licenses, or clinic licenses held by the prescription drug price manipulator shall be permanently revoked.

(b) The prescription drug price manipulator shall be prohibited from applying for, or obtaining or possessing, a California pharmacy license, health care service plan license, or clinic license for a period of 10 years.

(c) Any person serving as an owner, chief executive officer, chief financial officer, chief administrative officer, chief operating officer, president, or any other similar position exercising significant influence or control over the prescription drug price manipulator at the time the violation of Section 14124.44 occurred shall be prohibited from serving as an owner, officer, director, or employee of a California licensed pharmacy,

health care service plan, or clinic for a period of 10 years.

(d) The prescription drug price manipulator shall lose, and no longer be eligible for, tax-exempt status in the State of California, including under Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code, and shall instead be subject to the Revenue and Taxation Code and other state laws as a taxable organization. The prescription drug price manipulator shall be prohibited from reapplying for, or again being granted, tax-exempt status in this state for a period of 10 years.

(e) The prescription drug price manipulator shall be ineligible to receive any new or renewed state or local grants or contracts for a period of 10 years.

14124.48. Definitions

For purposes of this article, as used in both the singular and plural form, the following definitions shall apply:

(a) "Clinic" means an entity operating as one or more of the clinics described in Section 1204 of the Health and Safety Code.

(b) "Direct patient care" means the provision of medical services, dental services, pharmaceutical services, or behavioral health services directly administered to individual patients being treated for, or suspected of having, medical or behavioral health conditions. Direct patient care includes preventive care that is directly administered to patients. Further, in order to qualify as "direct patient care," the services must be health care services that are regularly provided by other health care providers in the community or nonprofit community-based organizations that are also receiving reimbursements or payments from the Medi-Cal, Medicaid, or Medicare programs.

(c) "Discount prescription drug program" means the program established by Section 602 of the Veterans Health Care Act of 1992, P.L. 102-585 Sec. 602, the Public Health Service Act (Sec. 340B; 42 U.S.C. Sec. 256b) that is administered by the Office of Pharmacy Affairs in the Health Resources and Services Administration within the United States Department of Health and Human Services.

(d) "Enforcement agency" means any department of a state, county, or city agency within California that has the authority to inspect a multifamily dwelling and enforce health, safety, or building codes including, but not limited to, a building department or building division, a housing department, a housing and community investment department, a fire department or fire district, and a health department.

(e) "Entity" means a natural person, corporation, or other legal or corporate organization of any kind, whether nonprofit or for profit, and includes any parent, subsidiary, or affiliate of the entity.

(f) "Health care service plan" means an entity operating as a health care service plan under the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2

(commencing with Section 1340) of Division 2 of the Health and Safety Code).

(g) “Medi-Cal Rx Program” means the program initially established pursuant to paragraph (1) of Executive Order N-01-19 and permanently authorized by Section 14124.42.

(h) “Multifamily dwelling” means any structure located in this state designed or used for human habitation or occupancy that has been divided into two or more independent living quarters.

(i) “Owner-operator of highly dangerous properties” means an entity, including any parent, subsidiary, or affiliate of that entity, that, either currently or previously, owns, operates, or is the responsible party for one or more multifamily dwellings that meet or met the following conditions during the time of the entity’s ownership, operation, or responsibility:

(1) One or more of the multifamily dwellings was inspected on one or more occasions by an enforcement agency or officer thereof.

(2) The enforcement agencies or officers issued one or more notices or inspection reports identifying violations affecting the health and safety of occupants of the multifamily dwellings.

(3) Cumulatively across all of the multifamily dwellings, the notices or inspection reports described in paragraph (2) identified a combined total of at least 500 violations that were categorized in violation severity level “high.”

(j) “Pharmacy” means an entity operating pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code.

(k) (1) “Pharmacy sales agreement” means any agreement involving a pharmacy and another entity that purchases, authorizes, or obtains prescription drugs through the discount prescription drug program where both of the following conditions exist:

(A) The pharmacy dispenses drugs negotiated by the other entity through or pursuant to the discount prescription drug program.

(B) The price charged by the pharmacy for the drugs described in subparagraph (A), excluding dispensing fees, exceeds the purchase price negotiated or paid by the other entity pursuant to or through the discount prescription drug program.

(2) A pharmacy sales agreement can exist between unrelated entities, or between related entities that are parents, subsidiaries, or affiliates of one another or otherwise under common ownership or control.

(l) “Prescription drug price manipulator” means an entity, including any parent, subsidiary, or affiliate of that entity, that individually or collectively with one or more of its parents, subsidiaries, or affiliates meets all of the following requirements:

(1) The entity purchases, negotiates, authorizes, or obtains prescription drugs through the discount prescription drug program.

(2) During any 10-calendar-year period of its existence, the entity spent more than one hundred million dollars (\$100,000,000) on purposes that do not qualify as direct patient care.

(3) The entity currently is, or has previously been, an owner-operator of highly dangerous properties.

(4) The entity meets at least one of the following conditions:

(A) The entity currently has, or previously had, one or more licenses to operate as a health care service plan.

(B) The entity currently contracts, or has previously contracted, with the State Department of Health Care Services as a primary care case management organization pursuant to Article 2.9 (commencing with Section 14088) of Chapter 7 of Part 3 of Division 9.

(C) The entity currently contracts, or has previously contracted, with the federal Centers for Medicare and Medicaid Services to provide services in the Medicare Program as a Medicare special needs plan.

(D) The entity currently has, or previously had, one or more licenses to operate as a pharmacy.

(E) The entity currently has, or previously had, one or more licenses to operate as a clinic.

14124.49. Unprofessional Conduct, Dishonest Dealing, and Conduct Inimical to Public Health, Welfare, or Safety

(a) In addition to any other conduct, standard, or requirement described in Article 7 (commencing with Section 1386) of Chapter 2.2 of Division 2 of the Health and Safety Code or any other statute or regulation, it shall constitute dishonest dealing for a health care service plan that qualifies as a prescription drug price manipulator to fail to submit timely, accurate information required or requested pursuant to Section 14124.45.

(b) In addition to any other conduct, standard, or requirement described in Article 19 (commencing with Section 4300) of Chapter 9 of Division 2 of the Business and Professions Code, Section 1762 of Title 16 of the California Code of Regulations, or any other statute or regulation, it shall constitute unprofessional conduct for a pharmacy that qualifies as a prescription drug price manipulator to fail to submit timely, accurate information required or requested pursuant to Section 14124.45.

(c) In addition to any other conduct, standard, or requirement described in Article 5 (commencing with Section 1240) of Chapter 1 of Division 2 of the Health and Safety Code or any other statute or regulation, it shall constitute conduct inimical to the public health, welfare, or safety of the people of the State of California for a clinic that qualifies as a prescription drug price manipulator to fail to submit timely, accurate information required or requested pursuant to Section 14124.45.

14124.50. State and Local Grants and Contracts Eligibility

(a) (1) *The people of California hereby find and declare that their state and local tax dollars should not be awarded to prescription drug price manipulators that violate the discount prescription drug program's intent to treat patients who are medically uninsured, on marginal incomes and have no other sources to turn to for preventive and primary care services and to reach more eligible patients and provide more comprehensive services to low-income and most vulnerable patients.*

(2) *The people of California further find and declare that protecting their state and local tax dollars in this manner is a matter of statewide concern.*

(b) *Therefore, in addition to the requirements of subdivision (e) of Section 14124.47, a prescription drug price manipulator shall only be eligible to receive any new or renewed state or local grants or contracts if, in the prior calendar year, the prescription drug price manipulator spent at least 98 percent of the net revenues it generated nationwide from participation in the discount prescription drug program on direct patient care.*

14124.51. Public Input

The Attorney General, the California State Board of Pharmacy, the Department of Managed Health Care, and the State Department of Public Health shall invite, and provide a process for submission of, public comments and information relating to entities that qualify as a prescription drug price manipulator or an owner-operator of highly dangerous properties. Information that can be submitted pursuant to this section includes, but is not limited to, records of expenditures and written notices or inspection reports identifying violations affecting the health and safety of occupants at multifamily dwellings.

14124.52. Effective Date and Severability

(a) *This article shall take effect on the next January 1 following its adoption by the voters.*

(b) *The provisions of this article are severable. If any portion, section, subdivision, paragraph, subparagraph, clause, subclause, sentence, phrase, word, or application of this article is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this article. The people of the State of California hereby declare that they would have adopted this article and each and every portion, section, subdivision, paragraph, subparagraph, clause, subclause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any part of this article or application thereof would be subsequently declared invalid.*

(c) *To the extent a court of competent jurisdiction determines it is legally impossible to comply with any date or deadline set forth in this article during the first calendar year after this article takes effect, the people of the State of California hereby declare their intent for this article to be implemented and applied at the earliest possible date consistent with state and federal law.*

SEC. 2. Conflicting Measures.

(a) In the event that this initiative measure and another initiative measure or measures dealing with pharmacy sales agreements or prescription drug price manipulators, as defined in this initiative, shall appear on the same statewide election ballot, the other initiative measure or measures shall be deemed to be in conflict with this measure. In the event that this initiative measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other initiative measure or measures shall be null and void.

(b) Notwithstanding subdivision (a), the people hereby find and declare that this initiative measure does not conflict with the Protect Access to Health Care Act of 2024 (23-0024) or any other initiative measure that provides additional or extended funding for the Medi-Cal program.

SEC. 3. Liberal Construction.

This act shall be liberally construed to give effect to its intent and purposes, as expressed in Sections 14124.40 and 14124.41.

SEC. 4. Legal Defense.

The purpose of this section is to ensure that the people's precious right of initiative cannot be improperly annulled by state politicians who refuse to defend the will of the voters. Therefore, if this act is approved by the voters of the State of California and thereafter subjected to a legal challenge that attempts to limit the scope or application of this act in any way, or alleges this act violates any state or federal law in whole or in part, and both the Governor and the Attorney General refuse to defend this act to the fullest extent possible on behalf of the State of California, then the following actions shall be taken:

(a) Notwithstanding anything to the contrary contained in Chapter 6 (commencing with Section 12500) of Part 2 of Division 3 of Title 2 of the Government Code or any other law, the Attorney General shall appoint independent counsel to faithfully and vigorously defend this act to the fullest extent possible on behalf of the State of California.

(b) Before appointing or thereafter substituting independent counsel, the Attorney General shall exercise due diligence in determining the qualifications of independent counsel and shall obtain written affirmation from independent counsel that independent counsel will faithfully and vigorously defend this act to the fullest extent possible. The written affirmation shall be made publicly available upon request.

(c) In order to support the defense of this act in instances where the Governor and the Attorney General fail to do so despite the will of the voters, a continuous appropriation is hereby made from the General Fund to the Controller, without regard to fiscal years, in an amount necessary to cover the costs of retaining independent counsel to faithfully and vigorously defend this act on behalf of the State of California to the fullest extent possible.

PROPOSITION 35

This initiative measure is submitted to the people in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure adds sections to the Welfare and Institutions Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

SECTION 1. Chapter 7.5 (commencing with Section 14199.100) is added to Part 3 of Division 9 of the Welfare and Institutions Code, to read:

*CHAPTER 7.5. PROTECT ACCESS TO
HEALTH CARE ACT OF 2024*

*Article 1. Title, Findings and Declarations,
Statement of Purpose*

14199.100. Title

This chapter shall be known and may be cited as the Protect Access to Health Care Act of 2024.

14199.101. Findings and Declarations

The people of the State of California find and declare all of the following:

(a) In 2019, Governor Newsom and the Legislature embarked on a series of investments and initiatives to improve the health care delivery system in California. These actions included extending health care coverage to all low-income Californians, starting California's own generic drug production to deliver low-cost insulin to patients, providing much-needed mental health services to all California schoolchildren, and initiating a multiyear commitment to the improvement of the Medi-Cal program.

(b) While these past several years have seen significant investment and initial outcomes appear to be successful, these investments are at risk in future years and need to be protected.

(c) About 2 out of every 5 Californians, between 12 million and 15 million people, rely on the Medi-Cal program for health care coverage. This includes approximately four million children and two million seniors and people with disabilities.

(d) However, just being enrolled in the Medi-Cal program does not guarantee access to quality health care. Most Medi-Cal reimbursement rates have not been adjusted in more than a decade, and some providers have not seen a payment increase in over 25 years. As a result, doctors and other health care providers struggle to take on new Medi-Cal patients. Relatedly, Medi-Cal patients, and in some areas entire communities, face a loss of access to critical and emergency care as essential hospital services such as labor and delivery are at risk of being reduced or eliminated.

(e) The problem is exacerbated by a shortage of health care professionals in our state. The current strains on

our health care system have left many health care workers physically and mentally exhausted, and thousands have left the profession altogether. This has left our health care system overstretched and made it even harder for the most vulnerable Californians to get access to care, including access to family planning services and other reproductive health care.

(f) Medi-Cal patients may wait weeks or months to see doctors who are specialists. The situation is more challenging in rural areas of the state that have fewer primary care providers per person, which results in delays or inability to access basic health care services.

(g) Obtaining adequate mental health services can take even longer. California suffers not only from a shortage of mental health care professionals, but also from a shortage of psychiatric beds and treatment for patients with serious mental health conditions. When patients with serious mental health needs cannot obtain adequate care, they frequently wait days in the emergency room or may ultimately be left untreated and become homeless.

(h) All Californians continue to struggle with high prescription drug prices. When Californians cannot access the medications they need, our entire health care system suffers.

(i) The lack of health care access and affordable prescription drugs for patients poses a health care risk for all Californians. When Medi-Cal patients are unable to refill a prescription or find a doctor, mental health facility, or other health care provider to treat them, they often end up in emergency rooms. This puts additional, and avoidable, strains on our state's emergency rooms. When Medi-Cal patients are forced to rely on emergency rooms as their primary source of health care, the additional strain makes it harder for all patients to obtain life-saving care.

(j) Medi-Cal patients need the same access to health care and prescription medications as patients with private or employer-based health insurance. This is best and most directly accomplished by increasing reimbursement rates for doctors, hospitals, and other health care providers that treat Medi-Cal patients to at least cover the costs of providing care and by bringing down the cost of prescription drugs.

(k) California is one of several states that levy taxes on managed care plans to obtain extra federal dollars to help pay for health care access. This chapter addresses many of the current flaws in Medi-Cal funding. First, it ensures the existing tax is continued permanently so that California obtains its fair share of federal health care funding. Second, it guarantees that all of the revenue from the continued tax will be spent on investments to improve access to critical health care services and makes it impossible to divert these dollars to unrelated uses.

(l) In addition, this chapter helps make essential medications affordable and accessible to more patients by increasing funding for the state to produce and distribute generic prescription drugs. By expanding

California's capacity to produce its own generic prescription drugs, this chapter will inject competition into the prescription drug market and help address critical drug shortages. This will reduce prescription drug prices for all Californians.

(m) By ensuring permanent funding for increased Medi-Cal provider payments, generic prescription drug programs, and increasing our health care workforce, bed capacity, and treatment options, and protecting these dollars from unauthorized uses, this chapter will improve our overall health care system by providing all patients with greater access to quality health care and affordable drugs.

14199.102. Statement of Purpose

In enacting this chapter, the purpose and intent of the people of the State of California is to do all of the following:

(a) Increase access to quality health care by establishing a permanent, dedicated funding stream to be used for increasing reimbursement rates and other supports to health care providers that treat Medi-Cal patients and investments in building an adequate health care workforce, bed capacity, and treatment options.

(b) Increase access to affordable prescription drugs by establishing a permanent, dedicated funding stream to be used to produce and distribute generic prescription drugs through the California Affordable Drug Manufacturing Act of 2020.

(c) Prevent the revenue stream permanently continued by this chapter from ever being used to fund unauthorized or unrelated programs or from being used to supplant or replace existing sources of moneys that currently fund health care access and affordable prescription drug programs in this state.

(d) Continue a dedicated funding stream that is fully permitted by federal law, while also ensuring that taxpayers and employers do not bear the financial burden for the implementation of this chapter.

Article 2. Protect Access to Health Care Fund

14199.103. Creation of the Protect Access to Health Care Fund

(a) (1) The Protect Access to Health Care Fund (fund) is hereby established in the State Treasury.

(2) Notwithstanding any other law:

(A) The fund is a special fund, permanently separate and apart from the General Fund or any other state fund or account.

(B) Notwithstanding Section 16305.7 of the Government Code, any interest or dividends earned on moneys in the fund shall be retained in the fund and used solely as set forth in this chapter.

(b) The Health Care Oversight & Accountability Subfund is hereby established in the fund.

(c) The Improving Access to Health Care Subfund is hereby established in the fund.

(d) Notwithstanding any other law:

(1) (A) Effective January 1, 2027, any remaining moneys in the Managed Care Enrollment Fund created pursuant to Section 14199.82 that are not necessary to fund liabilities or encumbrances to support the subcomponents of the Medi-Cal program set forth in subdivision (d) of Section 14199.82 for expenditures associated with the 2023, 2024, 2025, and 2026 payments shall be transferred to the Medi-Cal Access and Support Account.

(B) Effective on the date on which all remaining encumbered moneys in the Managed Care Enrollment Fund have been exhausted, the Managed Care Enrollment Fund is hereby abolished, and Section 14199.82 shall become inoperative, and is hereby repealed one year after becoming inoperative.

(2) (A) Effective January 1, 2027, any remaining moneys in the Medi-Cal Provider Payment Reserve Fund created pursuant to Section 14105.200 that are not necessary to fund liabilities or encumbrances for the purposes set forth in Section 14105.200 for expenditures associated with the 2023, 2024, 2025, and 2026 calendar years shall be transferred to the Medi-Cal Access and Support Account.

(B) Effective on the date on which all remaining encumbered moneys in the Medi-Cal Provider Payment Reserve Fund have been exhausted, the Medi-Cal Provider Payment Reserve Fund is hereby abolished, and Section 14105.200 shall become inoperative, and is hereby repealed one year after becoming inoperative.

14199.104. Fund Oversight and Accountability

(a) The people of the State of California hereby declare their unqualified intent for the moneys deposited into the fund to be used to support the purposes set forth in this chapter without delay or interruption. The purpose of this section is to provide oversight and accountability mechanisms to guarantee that the people's intent is carried out.

(b) (1) Every four years, the Controller shall conduct an independent financial audit of the programs receiving moneys from the fund. The Controller shall report the findings to the Governor and both houses of the Legislature, and shall make the findings available to the public on its internet website.

(2) The Controller's audit shall also assess the department's annual compliance with Section 14199.107.

(c) (1) The Controller shall be separately reimbursed from moneys in the Health Care Oversight & Accountability Subfund for actual costs incurred in conducting the financial audit required by subdivision (b) of this section and the reviews required by subdivision (b) of Section 14199.107 in an amount not to exceed seven hundred fifty thousand dollars (\$750,000) per audit and review.

(2) The seven hundred fifty thousand dollars (\$750,000) per audit and review maximum limit shall be adjusted decennially to reflect any increase in

inflation as measured by the Consumer Price Index for All Urban Consumers (CPI-U). The Treasurer's office shall calculate and publish the adjustments required by this paragraph.

14199.105. Treatment of Moneys Deposited in and Expended from the Fund

Notwithstanding any other law:

(a) The fund, and every subfund, account, and subaccount within the fund, is hereby declared to be a trust fund, trust subfund, trust account, or trust subaccount.

(b) Except as provided in Sections 16310 and 16381 of the Government Code as those sections read on January 1, 2023, moneys in the fund shall not be borrowed, loaned, or otherwise transferred to the General Fund or any other state or local fund or account. Moneys deposited into the fund, and any subfund, account, or subaccount within the fund, including any interest or dividends earned thereon, shall only be used for the specific purposes set forth in this chapter. Action shall not be taken that permanently or temporarily changes the status of the fund or any subfund, account, or subaccount within the fund as a trust fund, trust subfund, trust account, or trust subaccount, or borrows, diverts, or appropriates the moneys in the fund in a manner inconsistent with this chapter.

(c) (1) The taxes imposed by Article 7.1 (commencing with Section 14199.80) of Chapter 7 during calendar years 2025 and 2026, and Article 6 (commencing with Section 14199.123) and the moneys derived therefrom, including interest and penalties but less payment of refunds, are required to be deposited into the fund as set forth in Article 3 (commencing with Section 14199.108). The fund is a special fund and trust fund permanently and irrevocably separate and apart from the General Fund. Notwithstanding Section 13340 of the Government Code, moneys in the fund are continuously appropriated to the department without regard to fiscal year for the purposes set forth in this chapter.

(2) (A) Therefore, the taxes and the moneys resulting therefrom described in paragraph (1) shall not be considered to be part of the General Fund, as that term is used in Chapter 1 (commencing with Section 16300) of Part 2 of Division 4 of Title 2 of the Government Code, shall not be considered General Fund revenues for purposes of Section 8 of Article XVI of the California Constitution and its implementing statutes, and shall not be considered "General Fund revenues," "state revenues," "moneys," or "General Fund proceeds of taxes" for purposes of subdivisions (a) and (b) of Section 8 of Article XVI of the California Constitution and its implementing statutes.

(B) This paragraph does not change the character of the taxes and the moneys resulting therefrom described in paragraph (1) as "state revenues" or "state tax revenues" for purposes of Title XIX and Title XXI of the Federal Social Security Act.

14199.106. Administration

(a) (1) The department shall be annually reimbursed from moneys in the Health Care Oversight & Accountability Subfund for actual and necessary costs incurred in administering this chapter in an amount not to exceed 0.0005 percent of the moneys annually deposited into the fund or four million dollars (\$4,000,000), whichever is greater. Any interagency agreements entered into by the department for administration of this chapter shall be covered by the amount provided in this subdivision.

(2) The limit in paragraph (1) shall be adjusted decennially to reflect any increase in inflation as measured by the Consumer Price Index for All Urban Consumers (CPI-U). The Treasurer's office shall calculate and publish the adjustments required by this paragraph.

(b) (1) (A) On and after January 1, 2027, the department has a nondiscretionary ministerial duty to use all of the moneys in the fund, and each subfund, account, and subaccount within the fund, to accomplish the purposes of this chapter on an annual basis. Therefore, on and after January 1, 2027, the department shall make every reasonable effort to exhaust or otherwise encumber all of the moneys in the fund by the end of each calendar year or fiscal year.

(B) The department may choose to comply with this requirement on a calendar year or fiscal year basis and may account for such expenditures on an accrual or cash basis. The department shall publish its choices under this subparagraph on its internet website.

(C) For purposes of this paragraph, unexhausted moneys in the fund that are allocated for expenditures associated with payments to Medi-Cal providers pursuant to a federally approved methodology, or a methodology for which federal approval is pending, shall be considered otherwise encumbered at the end of each applicable calendar year or fiscal year.

(2) In any challenge alleging that the department is violating this nondiscretionary ministerial duty, the court shall apply its independent judgment and deference shall not be accorded to the department.

(c) (1) If, in any challenge brought to remedy a violation of this chapter, a restraining order or preliminary injunction is issued, the plaintiffs or petitioners shall not be required to post a bond obligating the plaintiffs or petitioners to indemnify the government defendants or the State of California for any damage the restraining order or preliminary injunction may cause.

(2) (A) If any challenge to invalidate an action that violates this chapter is successful by way of a final judgment issued by a court of competent jurisdiction, then an amount of moneys necessary to restore the fund, subfund, account, or subaccount from which the moneys were unlawfully taken or diverted to its financial status had the unlawful action not been taken shall be transferred from the General Fund to the fund, subfund, account, or subaccount, as applicable, upon appropriation by the Legislature. Interest calculated at

the Pooled Money Investment Fund rate from the date or dates the moneys were unlawfully taken or diverted shall accrue to the amounts required to be transferred pursuant to this paragraph. Within 30 calendar days of the appropriation made by the Legislature, the Controller shall make the transfer required by this paragraph and issue a notice to the parties, the department, and the committee that the transfer has been completed.

(B) If the Legislature fails to appropriate sufficient moneys to satisfy a final judgment described in subparagraph (A) within 365 days of the issuance of that judgment, the court shall direct the Controller to use moneys in the Medi-Cal Access and Support Account to restore the moneys that were unlawfully taken or diverted, including interest.

14199.107. Nonsupplantation

(a) (1) Except as otherwise specified in Article 4 (commencing with Section 14199.109), moneys in the fund shall not be used to replace or supplant state revenue sources already in existence before the effective date of this chapter. Moneys in the fund shall only be used to expand the health care benefits, health care services, health care workforce, and payment rates above and beyond those already in effect or in existence as of January 1, 2024.

(2) In order to ensure compliance with paragraph (1) and achieve the purposes of this chapter, and except as otherwise specified in Article 4 (commencing with Section 14199.109), moneys in the fund shall be used only to increase and enhance, and not replace or supplant, each and every preexisting state revenue source for the services and programs that receive additional financial support pursuant to Article 3 (commencing with Section 14199.108) and Article 4 (commencing with Section 14199.109) of this chapter.

(3) Except as otherwise specified in Article 4 (commencing with Section 14199.109), moneys in the fund shall not be used to supplant any preexisting state revenue source used to provide Medi-Cal services, benefits, or coverage, moneys used for the California Affordable Drug Manufacturing Act of 2020, or the health care workforce provisions set forth in this chapter.

(b) (1) The department shall annually issue a public written report providing a detailed explanation of whether or not, and how, compliance with subdivision (a) is being achieved. The report shall be posted on the department's internet website.

(2) As part of its audit responsibilities under Section 14199.104, the Controller shall independently review the reports prepared by the department pursuant to paragraph (1) and publicly issue a separate written opinion regarding whether or not compliance with subdivision (a) is being achieved. Costs incurred by the Controller attributable to this requirement shall be reimbursable pursuant to subdivision (c) of Section 14199.104.

(c) In any challenge alleging that the moneys in the fund, and the subfunds, accounts, and subaccounts established within the fund, are being used to supplant preexisting state revenues already used for the purposes described in this chapter, the court shall apply its independent judgment and deference shall not be accorded to the department.

(d) For purposes of this section, Sections 14199.84 and 14199.123 shall be deemed to be the same state revenue source.

(e) Additional express references in this chapter to prohibitions on supplanting funding does not imply greater nonsupplantation protection for the accounts containing those references, or lesser nonsupplantation protection for accounts lacking those references.

Article 3. Deposit and Allocation of Moneys in the Fund

14199.108. Deposit and Allocation of Moneys

Notwithstanding any other law:

(a) (1) On and after January 1, 2025, all moneys annually derived from the tax imposed pursuant to Article 7.1 (commencing with Section 14199.80) of Chapter 7 shall be deposited into the fund.

(2) On and after January 1, 2027, all moneys annually derived from the tax imposed by Article 6 (commencing with Section 14199.123) shall be deposited into the fund.

(b) (1) Sufficient moneys shall be annually transferred by the Controller from the fund to the Health Care Oversight & Accountability Subfund to cover all of the following:

(A) For the 2025 and 2026 calendar years only, the amount of moneys necessary to cover the appropriations made pursuant to Section 14199.108.3.

(B) Commencing with the 2025 calendar year and each calendar year thereafter, the nonfederal share of increased capitation payments to Medi-Cal managed care plans to account for their projected tax obligation pursuant to Section 14199.84 or Article 6 (commencing with Section 14199.123), for the subject calendar year or years, as applicable.

(C) Reimbursement of the Controller for its responsibilities under this chapter.

(D) Payment of the department's administrative costs.

(E) Repayment of any refunds, as applicable.

(F) Costs incurred pursuant to Section 14199.133.

(2) Notwithstanding Section 13340 of the Government Code, all moneys within the Health Care Oversight & Accountability Subfund are hereby continuously appropriated, without regard to fiscal years, to the department to be used as set forth in this subdivision.

(3) Any unencumbered moneys remaining in the Health Care Oversight & Accountability Subfund at the end of a calendar year shall be transferred to the Improving Access to Health Care Subfund.

(c) For each applicable calendar year, after the transfers required by subdivision (b) to the Health Care Oversight & Accountability Subfund, all remaining moneys in the fund shall be transferred to the Improving Access to Health Care Subfund.

(d) In each calendar year, the first four billion three hundred million dollars (\$4,300,000,000) transferred to the Improving Access to Health Care Subfund shall be deposited by the Controller in the following amounts in the following accounts that are hereby created within the Improving Access to Health Care Subfund:

- (1) Twenty-two percent in the Primary Care Account.
- (2) Twenty-two percent in the Specialty Care Account.
- (3) Two and one-half of 1 percent in the Emergency Department Physicians Account.
- (4) Five and three-quarters of 1 percent in the Outpatient and Clinic Access Account.
- (5) Five and one-half of 1 percent in the Family Planning Account.
- (6) One and one-quarter of 1 percent in the Reproductive Health Account.
- (7) Three percent in the Emergency Medical Transportation Account.
- (8) Eight and three-quarters of 1 percent in the Emergency Department and Hospital Services Account.
- (9) Three and one-half of 1 percent in the Designated Public Hospital Account, subject to subdivision (g).
- (10) Four and one-half of 1 percent in the Improving Mental Health Account, subject to subdivision (g).
- (11) Six and one-quarter of 1 percent in the Health Care Workers Account.
- (12) Three and one-half of 1 percent in the Clinic Quality Account.
- (13) Three and one-half of 1 percent in the Improved Dental Services Account.
- (14) Eight percent to the Medi-Cal Access and Support Account.

(e) Commencing January 1, 2027, and notwithstanding Section 13340 of the Government Code, all moneys within the accounts described in subdivision (d), and any subaccounts therein, are hereby continuously appropriated, without regard to fiscal years, to the department to be used as set forth in Article 4 (commencing with Section 14199.109).

(f) (1) On and after January 1, 2030, the maximum allowable balance of unencumbered moneys in any of the accounts described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) shall be 200 percent of the average annual amount deposited therein during the immediately preceding two calendar years. This shall be known as the "maximum allowable balance."

(2) As long as an account described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) is at or above its maximum allowable

balance, moneys otherwise required to be deposited into that account shall instead be deposited on a pro rata basis into the other accounts described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) that are not at or above their maximum allowable balance.

(3) This subdivision does not apply if an account reaches its maximum allowable balance as a result of the department violating its nondiscretionary ministerial duty set forth in subdivision (b) of Section 14199.106.

(4) This subdivision does not apply if all of the accounts described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) are all simultaneously at or above their maximum allowable balance.

(g) (1) Notwithstanding the percentage allocation described in paragraph (9) of subdivision (d), the maximum dollar amount deposited into the Designated Public Hospital Account shall not exceed one hundred fifty million dollars (\$150,000,000) per calendar year. Once the amount deposited in any calendar year into the Designated Public Hospital Account reaches one hundred fifty million dollars (\$150,000,000), any excess moneys allocated pursuant to paragraph (9) of subdivision (d) shall instead be deposited into the Emergency Department and Hospital Services Account.

(2) Notwithstanding the percentage allocation described in paragraph (10) of subdivision (d), the maximum dollar amount deposited into the Improving Mental Health Account shall not exceed two hundred million dollars (\$200,000,000) per calendar year. Once the amount deposited in any calendar year into the Improving Mental Health Account reaches two hundred million dollars (\$200,000,000), any excess moneys allocated pursuant to paragraph (10) of subdivision (d) shall instead be deposited into the Emergency Department and Hospital Services Account.

(h) After four billion three hundred million dollars (\$4,300,000,000) is first deposited pursuant to subdivision (d), in each calendar year the next four hundred million dollars (\$400,000,000) transferred to the Improving Access to Health Care Subfund shall be deposited into the Medi-Cal Access and Support Account.

(i) (1) After four billion three hundred million dollars (\$4,300,000,000) is first deposited pursuant to subdivision (d) and the next four hundred million dollars (\$400,000,000) is deposited pursuant to subdivision (h), in each calendar year the next two hundred twenty-six million dollars (\$226,000,000) transferred to the Improving Access to Health Care Subfund shall be deposited as follows:

(A) Thirty-two million dollars (\$32,000,000) into the Community Health Workers Account.

(B) Sixty-four million dollars (\$64,000,000) into the Health Care Workforce Loan Repayment Account.

(C) One hundred twenty million dollars (\$120,000,000) into the Medi-Cal Workforce Subaccount.

(D) Ten million dollars (\$10,000,000) into the Affordable Prescription Drugs Account.

(2) Commencing January 1, 2027, and notwithstanding Section 13340 of the Government Code, all moneys within the accounts described in paragraph (1), and any subaccounts therein, are hereby continuously appropriated, without regard to fiscal years, to the department to be used as set forth in Article 4 (commencing with Section 14199.109).

(j) After the deposits required by subdivisions (d), (h), and (i) are completed, all remaining moneys transferred to the Improving Access to Health Care Subfund in a calendar year shall be deposited and used as follows:

(A) Twenty-five percent to the accounts described in paragraphs (1) to (13), inclusive, of subdivision (d) on a pro rata basis according to and consistent with the relative distribution among those paragraphs.

(B) Seventy-five percent to the Medi-Cal Access and Support Account.

14199.108.3. Expenditures During Calendar Years 2025 and 2026

(a) During each of calendar year 2025 and calendar year 2026 only, and notwithstanding Section 13340 of the Government Code, moneys are hereby continuously appropriated without regard to fiscal years from the Health Care Oversight & Accountability Subfund to the department in the following amounts for the following purposes:

(1) Two billion dollars (\$2,000,000,000) to cover a portion of the nonfederal share of Medi-Cal managed care rates for health care services furnished to children, adults, seniors, and persons with disabilities, and persons dually eligible for the Medi-Cal and Medicare programs.

(2) Six hundred ninety-one million dollars (\$691,000,000) for primary care, including obstetrics and nonspecialty mental health services.

(3) Five hundred seventy-five million dollars (\$575,000,000) for specialty care.

(4) Two hundred forty-five million dollars (\$245,000,000) for community and outpatient procedures.

(5) Ninety million dollars (\$90,000,000) for abortion and family planning services.

(6) Fifty million dollars (\$50,000,000) for services and supports for primary care.

(7) Three hundred fifty-five million dollars (\$355,000,000) for emergency room facilities and physicians.

(8) One hundred fifty million dollars (\$150,000,000) for designated public hospitals.

(9) Fifty million dollars (\$50,000,000) for ground emergency medical transportation.

(10) Three hundred million dollars (\$300,000,000) for behavioral health facility throughputs.

(11) Seventy-five million dollars (\$75,000,000) for graduate medical education.

(12) Seventy-five million dollars (\$75,000,000) for Medi-Cal workforce.

(b) The allocation of moneys appropriated pursuant to subdivision (a) shall be subject to the stakeholder input requirements of Section 14199.121.

(c) This section shall become inoperative on January 1, 2027, and is hereby repealed on January 1, 2028.

14199.108.5. Treatment of Increased or Supplemental Payments

Increased or supplemental payments made pursuant to Sections 14199.108.3, 14199.109, 14199.110, 14199.110.5, 14199.112, 14199.113, 14199.114, 14199.115, 14199.116, 14199.117, 14199.119, 14199.120.5, and 14199.120.6 shall:

(a) Be in addition to existing reimbursement rates and any other payments made by a Medi-Cal managed care plan or the department and shall not supplant amounts that would otherwise be payable by a Medi-Cal managed care plan or the department to a recipient of moneys provided by Article 4 (commencing with Section 14199.109).

(b) Be considered separate and apart from any other reimbursement, and shall not be considered during, or factored into, any annual reconciliation.

Article 4. Protecting Access to Health Care

14199.109. Primary Care Account

(a) Moneys in the Primary Care Account shall be used for the purpose of providing Medi-Cal patients with increased access to quality primary care services as set forth in this section.

(b) (1) The department shall, subject to the stakeholder input requirements of Section 14199.121, increase reimbursement rates for primary care services above those in effect on January 1, 2024, and shall ensure that Medi-Cal managed care plans provide those increases in a manner consistent with the intent and purposes of this chapter.

(2) In addition to paragraph (1), in implementing this section, the department may, subject to federal approval and after obtaining stakeholder input pursuant to Section 14199.121, utilize different payment mechanisms, including quality incentive payments or value-based payment models, to recruit, retain, and improve primary care provider participation in Medi-Cal and improve quality.

14199.110. Specialty Care Account

(a) Moneys in the Specialty Care Account shall be used for the purpose of increasing Medi-Cal patient access to specialty care services as set forth in this section.

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, establish and implement one or more payment methodologies that meet federal requirements and that require each Medi-Cal managed care plan or its subcontracted entities to expand beneficiary access to Medi-Cal

covered specialty care services. The payment methodology or methodologies developed by the department shall address the following objectives:

- (1) Increase the number of Medi-Cal managed care plan-contracting specialists.
- (2) Retain existing Medi-Cal managed care plan-contracting specialists within the plan's network of contracting providers.
- (3) Increase the number of Medi-Cal patients an existing Medi-Cal managed care plan-contracting specialist serves.
- (4) Provide expanded specialist appointment availability for Medi-Cal patients.
- (5) Support specialists in coordinating and overseeing the care of patients as part of a multidisciplinary care team.

(c) A Medi-Cal managed care plan or a subcontracted entity shall provide payments to specialists consistent with the payment methodologies developed by the department pursuant to this section.

14199.110.5. Emergency Department Physicians Account

(a) Moneys in the Emergency Department Physicians Account shall be used for the purpose of increasing reimbursements for emergency department physicians treating Medi-Cal patients as set forth in this section.

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, establish and implement one or more payment methodologies to increase reimbursements for emergency department physicians treating Medi-Cal patients. The payment methodology or methodologies shall be consistent with the purposes of this chapter, shall be designed to improve access and support for emergency department services, and shall not be conditioned on a physician's contracted network provider status.

14199.111. Community Health Workers Account

(a) The Community Health Workers Account is hereby created within the Improving Access to Health Care Subfund. Moneys in the Community Health Workers Account shall be used for the purpose of increasing access to community health workers in Medi-Cal programs as set forth in this section.

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, establish a grant program to expand the number of locations and populations served by community health workers providing services on behalf of community-based organizations, community providers, and clinics.

(c) (1) On and after January 1, 2030, the maximum allowable balance of unencumbered moneys in this account shall be sixty-four million dollars (\$64,000,000). As long as this account is at or above sixty-four million dollars (\$64,000,000), moneys otherwise required to be deposited into this account shall instead be deposited on a pro rata basis into the accounts described in paragraphs (1) to (8), inclusive,

and (11) to (13), inclusive, of subdivision (d) that are not at or above their maximum allowable balance.

(2) This subdivision does not apply if this account is at or above sixty-four million dollars (\$64,000,000) as a result of the department violating its nondiscretionary ministerial duty set forth in subdivision (b) of Section 14199.106, or if the accounts described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) are all simultaneously at or above their maximum allowable balance.

14199.112. Outpatient and Clinic Access Account

(a) Moneys in the Outpatient and Clinic Access Account shall be used for the purpose of increasing net reimbursements for outpatient facilities, including ambulatory surgical centers and clinics, that provide eligible outpatient services and procedures to Medi-Cal patients.

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, develop, seek federal approval for, and implement one or more payment methodologies that provide increased net reimbursement for eligible outpatient facilities, regardless of licensure type, in a manner consistent with the purposes of this chapter.

(c) Moneys in the Outpatient and Clinic Access Account shall be used only to increase net reimbursement levels for those eligible outpatient services and procedures above existing net reimbursement levels in effect for the eligible outpatient services and procedures as of January 1, 2024.

14199.113. Family Planning Account

(a) Moneys in the Family Planning Account shall be used for the purpose of expanding the scope and availability of family planning services as set forth in this section.

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, use the moneys in the account for all of the following purposes:

(1) Expanding the scope of benefits offered pursuant to the State-Only Family Planning Program and the Family PACT program.

(2) Increasing reimbursement rates for:

(A) Family planning services and family planning-related services in the Medi-Cal program.

(B) Comprehensive clinical family planning services in the Family PACT program.

(C) Family planning services in the State-Only Family Planning Program.

(3) Authorizing the department, subject to the stakeholder input requirements of Section 14199.121, to fund practice transformation activities and to establish alternative payment methodologies, including, but not limited to, bundled payments, directed payments to both network and nonnetwork providers, capitated payments, and value-based payments for family planning, family planning-related services, and sexual and reproductive health services.

(4) *Providing grant funding to qualified family planning providers to offset the costs of providing uncompensated outpatient services and supports.*

14199.114. Reproductive Health Account

(a) *Moneys in the Reproductive Health Account shall be used as set forth in this section.*

(b) *The department shall, subject to the stakeholder input requirements of Section 14199.121, use the moneys in the Reproductive Health Account for the purpose of protecting, preserving, and expanding access to abortion and abortion-related services, including to increase payment rates for abortion and abortion-related services.*

14199.115. Emergency Medical Transportation Account

(a) *Moneys in the Emergency Medical Transportation Account shall be used for the purpose of increased payments to private ground emergency medical transport providers and emergency air ambulance transport providers as set forth in this section.*

(b) *Eighty percent of the moneys in the account shall be deposited into the Ground Emergency Medical Transportation Subaccount, which is hereby created in the Emergency Medical Transportation Account. Moneys in this subaccount shall be used for the purpose of increased payments to private ground emergency medical transport providers as follows:*

(1) *The department shall, subject to the stakeholder input requirements of Section 14199.121, establish and implement increased net reimbursement to private ground emergency medical transport providers for ground emergency medical transports above the rates in effect as of January 1, 2024. To the extent permitted by federal law, the department shall increase net reimbursement based on the regional cost of living where the transport was rendered.*

(2) *The increased Medi-Cal payments described in paragraph (1) shall be applicable to fee-for-service rates to private ground emergency medical transport providers and payments from Medi-Cal managed care plans to private ground emergency medical transport providers. The department shall structure the increased Medi-Cal managed care payments pursuant to this subdivision so that private ground emergency medical transport providers that receive payments for ground emergency medical transports rendered to managed care patients pursuant to Section 14129.3 or any successor statute are eligible to receive payments for ground emergency medical transports rendered to Medi-Cal managed care patients pursuant to this section.*

(3) *Moneys in the Ground Emergency Medical Transportation Subaccount shall be used only to increase net reimbursement levels for private ground emergency medical transport providers above existing net reimbursement levels in effect for private ground emergency medical transport providers as of January 1, 2024. The director may modify or make adjustments to any methodology, fee amount, or other provision*

specified in Article 3.91 (commencing with Section 14129) of Chapter 7, as authorized by subdivision (b) of Section 14129.6, only to the extent necessary to meet the requirements of federal law or regulations or to obtain federal approval pursuant to Section 14129.6 after the implementation of this subdivision.

(c) *Twenty percent of the moneys in the account shall be deposited into the Air Ambulance Emergency Medical Transportation Subaccount, which is hereby created in the Emergency Medical Transportation Account. Moneys in this subaccount shall be used for the purpose of increased Medi-Cal payments for emergency air ambulance transport providers as follows:*

(1) *The department shall, subject to the stakeholder input requirements of Section 14199.121, establish and implement increased Medi-Cal payments for air emergency ambulance transport providers above the rates in effect as of January 1, 2024.*

(2) *The increased rates described in paragraph (1) shall be applicable to Medi-Cal fee-for-service payment rates to emergency air ambulance transport providers and payments from Medi-Cal managed care plans to emergency air ambulance transport providers.*

(3) *Payments made pursuant to this subdivision shall be in addition to any other Medi-Cal payments to emergency air ambulance transport providers and shall not supplant amounts that would otherwise be payable under Medi-Cal to an emergency air ambulance transport provider.*

14199.116. Emergency Department and Hospital Services Account

(a) *Moneys in the Emergency Department and Hospital Services Account shall be used for the purpose of protecting access to, and improving the quality of, hospital care, including access to inpatient acute care and emergency departments, for Medi-Cal patients, as set forth in this section.*

(b) *The department shall, subject to the stakeholder input requirements of Section 14199.121, develop, seek federal approval for, and implement one or more payment methodologies that provide increased net reimbursement to public and private hospitals for eligible hospital services. The department may adjust payments with moneys in the account.*

(c) *Moneys in the Emergency Department and Hospital Services Account shall be used only to increase net reimbursement levels for those eligible hospital services above existing net reimbursement levels in effect for the eligible hospital services as of January 1, 2024.*

14199.117. Designated Public Hospital Account

(a) *Moneys in the Designated Public Hospital Account shall be used for the purpose of sustaining and promoting access to hospital and nonhospital care at designated public hospital systems.*

(b) *The department shall, subject to the stakeholder input requirements of Section 14199.121, use the moneys in the account to provide increased net*

reimbursement or new payments for designated public hospitals and health systems, including, but not limited to, quality incentive payments under existing or successor payment mechanisms or payments in support of services provided by designated hospital systems or that enhance their capabilities, or to provide financial support for the nonfederal share of the Medi-Cal payments to the designated public hospital systems. The department may apply the moneys in the Designated Public Hospital Account for these purposes.

(c) Moneys in the Designated Public Hospital Account shall be used only to increase net reimbursement levels for designated public hospital systems for the eligible services above existing net reimbursement levels for the eligible services in effect as of January 1, 2024.

14199.118. Affordable Prescription Drugs Account

(a) The Affordable Prescription Drugs Account is hereby created within the Improving Access to Health Care Subfund. Moneys in the Affordable Prescription Drugs Account shall be used as set forth in this section.

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, use the moneys in the Affordable Prescription Drugs Account for the purpose of providing increased funding for the California Affordable Drug Manufacturing Act of 2020 to increase competition, lower prices, and address shortages in the market for generic prescription drugs, to reduce the cost of prescription drugs for public and private purchasers, taxpayers, and consumers, and to increase patient access to affordable drugs.

(c) (1) On and after January 1, 2030, the maximum allowable balance of unencumbered moneys in this account shall be twenty million dollars (\$20,000,000). As long as this account is at or above twenty million dollars (\$20,000,000), moneys otherwise required to be deposited in this account shall instead be deposited on a pro rata basis into the accounts described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) that are not at or above their maximum allowable balance.

(2) This subdivision does not apply if this account is at or above twenty million dollars (\$20,000,000) as a result of the department violating its nondiscretionary ministerial duty set forth in subdivision (b) of Section 14199.106, or if the accounts described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) are all simultaneously at or above their maximum allowable balance.

14199.119. Improving Mental Health Account

(a) (1) Moneys in the Improving Mental Health Account shall be used for the purpose of expanding access to mental health programs and services as set forth in this section.

(2) Moneys in the account shall be used to provide additional funding for inpatient psychiatric services pursuant to subdivision (b).

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, use the

moneys in the account for the purpose of increasing the supply of mental health inpatient psychiatric beds by providing a supplemental payment for psychiatric inpatient days in licensed acute care hospitals and acute psychiatric hospitals. These payments shall:

(1) Increase the net reimbursement levels paid to these hospitals with respect to those services above the existing net reimbursement levels in effect for those services as of January 1, 2024.

(2) Not affect or supplant any other payments to these hospitals.

(3) Be made to these hospitals irrespective of contracting status with a county mental health plan or with a Medi-Cal managed care plan or other managed care entity that is financially responsible for psychiatric inpatient hospital services under contract with the department, as applicable.

14199.120. Health Care Workers Account

(a) The department shall, subject to the stakeholder input requirements of Section 14199.121, use the moneys in the Health Care Workers Account for the purpose of attracting, retaining, and expanding the pool of health care workers available to treat Medi-Cal patients as set forth in this section.

(b) Seventy-five percent of the moneys in the account shall be deposited in the Graduate Medical Education Subaccount, which is hereby created in the Health Care Workers Account. Moneys in this subaccount shall be transferred to the University of California for the administration and expenditure to other qualified entities to expand graduate medical education in order to achieve the goal of increasing the number of physician and surgeon residency slots and expanding the number of locations offering physician and surgeon residency programs, as compared to the number of residency slots and program locations in place on December 31, 2023. For the purposes of this section, all allopathic and osteopathic residency programs accredited by federally recognized accrediting organizations and located in California shall be eligible to apply to receive funding to support resident education in California. No later than January 1, 2027, the department may seek federal approval for the programs created or expanded pursuant to this subdivision. However, the graduate medical education programs are not contingent upon federal approval and federal financial participation.

(c) Twenty-five percent of the moneys in the account shall be deposited in the Medi-Cal Workforce Subaccount, which is hereby created in the Health Care Workers Account. The department may enter into an interagency agreement with another state government agency or entity to administer and implement a grant program funded by the Medi-Cal Workforce Subaccount as set forth in this subdivision.

(1) (A) No sooner than January 1, 2027, the department or its designated state government agency or entity shall issue grants pursuant to this subdivision with available moneys in the Medi-Cal Workforce

Subaccount to strengthen and support the development and retention of the Medi-Cal workforce through bona fide labor-management cooperation committees.

(B) Criteria shall be established, pursuant to the stakeholder input requirements of Section 14199.121, for grants to bona fide labor-management cooperation committees to support the development of high-quality workforce development programs.

(2) The criteria for grant awards may include, but is not limited to, the following:

(A) Implementing workforce training programs to promote patient safety, improve quality outcomes, and advance employee career opportunities.

(B) Developing and supporting health care workforce apprenticeship and preapprenticeship programs.

(C) Recruiting and retaining workforce.

(D) Funding for training organizations such as Taft-Hartley training funds, to support the development of the workforce.

(E) Additional investments in workforce capacity.

(3) In issuing grants pursuant to this subdivision, the department or its designated state government agency or entity may give preference to a bona fide labor-management cooperation committee that is organized on a multiemployer basis and involves multiple labor organizations.

14199.120.5. Clinic Quality Account

(a) Moneys in the Clinic Quality Account shall be used for the purpose of providing monetary incentives for clinics that demonstrate improved quality and increased access to care for Medi-Cal patients as set forth in this section.

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, develop and seek federal approval for a directed payment program, alternative payment methodology, or other enhanced payment methodology for clinics that meet one or more of the following objectives:

(1) Increasing appointment availability or access to health care services, including specialty services.

(2) Meeting improved quality measures.

(3) Improving data quality and reporting.

(4) Enhancing care coordination.

(c) Any funding methodology developed pursuant to this section shall be for enhanced payments to participating clinics on or after January 1, 2025, and moneys provided pursuant to this section shall not be used to supplant, in whole or in part, funding for any prior payment methodologies developed and submitted to the federal Centers for Medicare and Medicaid Services before December 31, 2024.

14199.120.6. Improved Dental Services Account

(a) Moneys in the Improved Dental Services Account shall be used for the purpose of providing enhanced

access to Medi-Cal patients for specialty and restorative dental care as set forth in this section.

(b) The department shall, subject to the stakeholder input requirements of Section 14199.121, develop and seek federal approval for a payment methodology, rate augmentation, directed payment or other financial incentives to general dentists and dental specialists such as oral and maxillofacial surgeons, endodontists, periodontists, orthodontists, prosthodontists, and pediatric dentists.

(c) The department may also use moneys in this account, subject to the stakeholder input requirements of Section 14199.121, for the purpose of supporting practice transformation activities in dental provider offices that treat Medi-Cal patients. Practice transformation activities include, but are not limited to, value-based payments, use or enhanced use of electronic medical records, care coordination with primary and specialty care providers, and training and retention of dental staff and clinicians.

14199.120.7. Health Care Workforce Loan Repayment Account

(a) The Health Care Workforce Loan Repayment Account is hereby created within the Improving Access to Health Care Subfund. Moneys in the Health Care Workforce Loan Repayment Account shall be used as set forth in this section.

(b) Fifty percent of the moneys in the account shall be deposited in the Advanced Practice Clinicians and Allied Health Care Loan Repayment Subaccount, which is hereby created in the Health Care Workforce Loan Repayment Account. Moneys in this subaccount shall be used for the purpose of establishing an educational loan repayment program for advanced practice clinicians and allied health care professionals. The department shall, subject to the stakeholder input requirements of Section 14199.121, determine the eligibility and qualifications for loan repayment.

(c) Fifty percent of the moneys in the account shall be deposited into the CalHealthCares Subaccount, which is hereby created in the Health Care Workforce Loan Repayment Account. Moneys in this subaccount shall be used for the purpose of providing increased funding for educational loan repayment for physicians and dentists through the CalHealthCares Program.

(d) (1) On and after January 1, 2030, the maximum allowable balance of unencumbered moneys in this account shall be one hundred twenty-eight million dollars (\$128,000,000). As long as this account is at or above one hundred twenty-eight million dollars (\$128,000,000), moneys otherwise required to be deposited in this account shall instead be deposited on a pro rata basis into the accounts described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) which are not at or above their maximum allowable balance.

(2) This subdivision does not apply if this account is at or above one hundred twenty-eight million dollars (\$128,000,000) as a result of the department

violating its nondiscretionary ministerial duty set forth in subdivision (b) of Section 14199.106, or if the accounts described in paragraphs (1) to (8), inclusive, and (11) to (13), inclusive, of subdivision (d) are all simultaneously at or above their maximum allowable balance.

14199.120.9. Medi-Cal Access and Support Account

(a) Moneys in the Medi-Cal Access and Support Account shall be used as set forth in this section.

(b) Moneys in this account shall be used by the department to provide overall support to the Medi-Cal program and maintain access to necessary health care services.

(c) Section 14199.107 does not apply to moneys in this account.

Article 5. Input, Approvals, and Adjustments

14199.121. Stakeholder Input

(a) (1) The department, or any other state government agency or entity that implements any part of this chapter, shall consult with, and obtain written input from, the stakeholder advisory committee regarding the development and implementation of the components of this chapter.

(2) Examples of matters for which the department shall consult with, and obtain written input from, the committee shall include, but are not limited to, the following:

(A) A proposal for, or the development of, a payment rate, supplemental payment, directed payment, or other payment methodology or methodologies.

(B) The establishment of the criteria or eligibility for increased payments or grants.

(C) The issuance of provider bulletins, all-plan letters, or other similar instructions or departmental guidance.

(b) Before proposing a new payment methodology or a change to an existing payment methodology pursuant to this chapter, the department shall consult with, and obtain written input from, the stakeholder advisory committee.

(c) An express reference elsewhere in this chapter to obtaining stakeholder committee input does not imply that stakeholder committee input is not required for other parts of this chapter where an express reference does not exist.

14199.122. Implementation; Federal Financial Participation; Modifications and Adjustments Necessary for Federal Approval

(a) The department shall seek any federal approvals that are necessary to implement this chapter.

(b) The department shall, wherever possible and to the extent feasible, seek to obtain the maximum amount of federal financial participation in implementing this chapter.

(c) (1) The department may modify or make adjustments to the payment provisions set forth in

Article 4 (commencing with Section 14199.109) to the extent necessary to accomplish any of the following:

(A) Meet the requirements of federal statutes or regulations.

(B) Obtain or maintain federal approval.

(C) Ensure federal financial participation is available or is not otherwise jeopardized.

(2) Any payment provision modification or adjustment described in paragraph (1) shall be subject to all of the following conditions:

(A) The modification or adjustment does not otherwise conflict with the purposes of this chapter.

(B) The modification or adjustment is consistent with the purpose of increasing payments and access to services pursuant to this chapter.

(C) The department shall comply with the stakeholder input requirements of Section 14199.121.

(d) (1) Payments made pursuant to Article 4 (commencing with Section 14199.109) shall be effective for dates of service on and after January 1, 2027. To the extent consistent with the purposes of this chapter, and unless otherwise specified in Article 4 (commencing with Section 14199.109), the department may, subject to the stakeholder input requirements of Section 14199.121, extend one or more payment methodologies used for the targeted payment increases for the 2026 calendar year pursuant to Section 14105.202 for purposes of implementing the increased payments pursuant to Article 4 (commencing with Section 14199.109) in the 2027 calendar year and subsequent calendar years as applicable.

(2) Unless otherwise specified in Article 4 (commencing with Section 14199.109), payments made pursuant to Article 4 (commencing with Section 14199.109) may be implemented using one or more of the following:

(A) Medi-Cal provider rate increases, including increases in rates paid in the Medi-Cal fee-for-service delivery system, or establishing or raising the level of minimum fee schedules in Medi-Cal managed care, or both.

(B) New or expanded supplemental payments for Medi-Cal providers.

(C) New or expanded directed payments for Medi-Cal providers.

(D) Other forms of increased reimbursement for Medi-Cal providers, consistent with the provisions and intent of this chapter.

(e) The department may require Medi-Cal managed care plans and providers of the applicable services to submit information the department deems necessary to implement and monitor compliance with this chapter, at the times and in the form and manner specified by the department.

(f) (1) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code but subject to the stakeholder input

requirements of Section 14199.121, the department may implement this chapter by means of provider bulletins, all-plan letters, or other similar instructions, without taking further regulatory action. The department shall provide notification to the Department of Finance, the Joint Legislative Budget Committee, and to the Legislature's relevant fiscal and policy committees at least five working days before taking action.

(2) If the department enters into an interagency agreement with another state government agency or entity to administer and implement a portion of this chapter, that other agency or department shall be covered by paragraph (1).

(g) For purposes of implementing this chapter, the department or its designated state government agency or entity may enter into exclusive or nonexclusive contracts, or amend existing contracts, on a bid or negotiated basis. Contracts entered into or amended pursuant to this section shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, the State Contracting Manual, and shall be exempt from the review or approval of any division of the Department of General Services.

Article 6. Continuation of Managed Care Organization Provider Tax

14199.123. Continued Imposition of Tax

(a) It is the intent of the people of the State of California to permanently continue in existence a managed care organization provider tax upon the expiration of the tax imposed by Section 14199.84.

(b) Therefore, upon the expiration of the tax imposed pursuant to Article 7.1 (commencing with Section 14199.80) of Chapter 7, a managed care organization provider tax shall hereby continue to be imposed on and after January 1, 2027, as provided in this article.

(c) The department shall implement and administer the tax as set forth in this article.

(d) To the extent permitted by federal law, the models and methodologies developed for Chapter 13 of the Statutes of 2023 shall be substantially utilized by the department in implementing the tax imposed by this article.

14199.124. Implementation of Tax

(a) In implementing the tax imposed by subdivision (b) of Section 14199.123, the department shall adhere to all of the following:

(1) The tax shall not exceed the limits set forth in Section 14199.126.

(2) The models and methodologies utilized by the department shall be substantially similar to those relied upon for imposition of the tax set forth in Article 7.1 (commencing with Section 14199.80) of Chapter 7.

(3) The tax shall comply with federal Medicaid requirements applicable to permissible health care-

related taxes, including, but not limited to, Section 433.68 of Title 42 of the Code of Federal Regulations.

(4) Consistent with the limits set forth in Section 14199.126, the department shall attempt to maximize the amount of federal matching funds.

(b) (1) Except as provided in paragraph (2), if the requirements set forth in Section 433.68 of Title 42 of the Code of Federal Regulations, or any other provision of federal law with which the tax imposed by this article must comply, are replaced by amended or successor requirements, the department shall ensure the tax imposed pursuant to this article complies with those amended or successor requirements.

(2) Notwithstanding paragraph (1), the limits set forth in Section 14199.126 shall not be exceeded.

(c) (1) Commencing on the effective date of this chapter, the department shall be required to seek federal renewal and reauthorization as necessary to continue the imposition of the tax imposed by this article.

(2) The department shall request approval from the federal Centers for Medicare and Medicaid Services as is necessary to implement this article. The department shall not impose or collect the tax imposed pursuant to this article until the department receives approval from the federal Centers for Medicare and Medicaid Services that the tax is a permissible health care-related tax in accordance with Section 433.68 of Title 42 of the Code of Federal Regulations and is eligible for federal financial participation.

(d) (1) Consistent with the limits set forth in Section 14199.126, the department may, upon consultation with affected taxpayers, modify or make minor adjustments to any methodology, tax amount, taxing tier, or other provision specified in this article to the extent it is reasonably necessary to meet the requirements of federal statute or regulations, to obtain or maintain federal approval, or to ensure federal financial participation is available or is not otherwise jeopardized.

(2) When making, or considering making, any adjustment described in paragraph (1), the department shall share with affected taxpayers and the stakeholder advisory committee relevant information, proposals, drafts, and any information affecting tax liability at least 90 calendar days in advance of seeking federal approval for the adjustment. The department shall provide notice of any final adjustment in tax liability to affected taxpayers at least 45 calendar days before the adjustment takes effect.

(e) In implementing this article, the department may establish a specific calendar year as the base year and use the base data source to determine for each health plan each of the enrollment totals described in paragraphs (1) to (6), inclusive, of subdivision (a) of Section 14199.83, as that section read in Chapter 13 of the Statutes of 2023.

14199.125. Tax Computation and Collection

(a) Before each applicable calendar year or years, the department shall compute the annual tax liability for each taxpayer subject to the tax imposed by Section 14199.123.

(b) For each tax period, the department shall establish all of the following:

(1) The Medi-Cal taxing tiers based on countable Medi-Cal enrollees in a health plan.

(2) The Medi-Cal per enrollee tax amount for each Medi-Cal taxing tier.

(3) Subject to the limits in Section 14199.126, the other taxing tiers based on countable other enrollees in a health plan.

(4) Subject to the limits in Section 14199.126, the other per enrollee tax amount for each other taxing tier.

(c) The procedures for collection and payment of the tax, providing notices, interest charges not to exceed 10 percent per annum for late payments, penalties, refunds, and tax liability after a transfer of health plan responsibility shall be established by the department consistent with the applicable provisions of Article 7.1 (commencing with Section 14199.80) of Chapter 7 unless otherwise specified in this chapter.

(d) (1) The director may correct any identified material or significant error in the data, including, but not limited to, the overall cumulative enrollment, Medicare cumulative enrollment, Medi-Cal cumulative enrollment, plan-to-plan cumulative enrollment, cumulative enrollment through the Federal Employees Health Benefits Act of 1959 (Public Law 86-382), and other cumulative enrollment. The director's determination as to whether to exercise discretion under this subdivision and any determination made by the director under this subdivision shall not be subject to judicial review, except that a health plan may bring a writ of mandate under Section 1085 of the Code of Civil Procedure to rectify an abuse of discretion by the department in correcting that health plan's data when that correction results in a greater tax amount for that health plan.

(2) The authority granted to the director by this subdivision does not permit the limits set forth in Section 14199.126 to be exceeded.

14199.126. Limits on Tax Amounts

(a) Notwithstanding any other provision of this chapter or any other law, and except as provided in subdivisions (b) and (c), the tax imposed by this article shall comply with both of the following:

(1) The other per enrollee tax amount for any other taxing tier shall not exceed two dollars and fifty cents (\$2.50) per month.

(2) The total aggregate tax amount imposed on, or through, all other taxing tiers shall not exceed thirty-six million dollars (\$36,000,000) in a single calendar year.

(b) The dollar amounts set forth in paragraph (1) and paragraph (2) of subdivision (a) may be increased by the department quinquennially to reflect any increase in

inflation as measured by the Consumer Price Index for All Urban Consumers (CPI-U) beginning on January 1, 2030. At the request of the department, the Controller's office shall calculate and publish the adjustments permitted by this subdivision.

(c) When seeking federal renewal and reauthorization for calendar years commencing on or after January 1, 2027, the department may exceed either of the following by not more than 10 percent if doing so is necessary to comply with federal statute or regulations, ensure federal financial participation, or otherwise obtain federal approval:

(1) The limits set forth in subdivision (a), as modified pursuant to subdivision (b).

(2) The limits set forth in subdivision (a), as modified pursuant to subdivision (b), and including the amount of any prior adjustments made pursuant to this subdivision.

(d) Except as provided by subdivisions (b) and (c), all other changes to the limits set forth in subdivision (a) shall only be made pursuant to Section 14199.134.

14199.127. Operation

(a) This article shall be inoperative during any portion of a calendar year for which the department does not obtain the necessary federal approvals for the tax imposed pursuant to Section 14199.123.

(b) This article shall cease to be operative for any affected tax period or periods upon a final determination of a court of competent jurisdiction, the United States Department of Health and Human Services, or the federal Centers for Medicare and Medicaid Services that the tax imposed pursuant to this article cannot be implemented for the affected tax period or periods.

(c) Upon a failure to obtain federal approval as described in subdivision (a), or a final determination as described in subdivision (b), the director shall implement a plan for conducting all appropriate wind-down and closeout activities, including issuance of any refunds, in consultation with the Department of Finance and the stakeholder advisory committee.

(d) This chapter does not change, alter, or abrogate the department's legal and fiscal responsibility under state and federal law to monitor provider participation and beneficiary access to entitled services under California's Medicaid State Plan or federally approved waivers. The department continues to have full legal and fiscal responsibility to adjust rates, payment methodologies, and authorization processes for programs, providers, or benefits within this chapter, as well as those not specifically mentioned herein.

Article 7. Definitions

14199.128. Definitions

For purposes of this chapter, as used in both the singular and plural form, the following definitions shall apply:

(a) “Abortion” has the same meaning as set forth in subdivision (a) of Section 123464 of the Health and Safety Code.

(b) “Acute psychiatric hospital” has the same meaning as set forth in subdivision (b) of Section 1250 of the Health and Safety Code.

(c) “Advanced practice clinicians and allied health care professionals” shall be defined by the department, subject to the stakeholder input requirements of Section 14199.121, to include appropriate health profession careers.

(d) “Article 7.1” means Article 7.1 (commencing with Section 14199.80) of Chapter 7, as added by Chapter 13 of the Statutes of 2023.

(e) “Base data source” means the most recent available quarterly financial statement filings or annual enrollment data submitted by health plans to the Department of Managed Health Care for that updated base year, retrieved by the department, and supplemented by, as necessary, Medi-Cal enrollment data for the updated base year as maintained by the department, and as modified by the department to account for known or anticipated contracting changes that will affect Medi-Cal enrollment.

(f) “Base year” means a 12-month period running from January 1 through December 31 of a calendar year selected by the department. The department may elect to update the base year to the extent it deems necessary to meet the requirements of federal statute or regulations, to obtain or maintain federal approval, or to ensure federal financial participation is available or is not otherwise jeopardized.

(g) “Bona fide labor-management cooperation committee” or “bona fide LMCC” means a joint labor-management committee that is established pursuant to the federal Labor Management Cooperation Act of 1978 (29 U.S.C. Sec. 175a) and meets the following criteria:

(1) The bona fide LMCC is not involved in the governance of a health care entity but exists to promote worker training, workforce expansion, and support for workers during training.

(2) The bona fide LMCC has the following composition:

(A) Fifty percent of the committee consists of representatives of organized labor unions that represent health workers in the state.

(B) Fifty percent of the committee consists of representatives of health care employers that primarily serve Medi-Cal patients located in the state.

(h) “CalHealthCares Program” means the Medi-Cal Physicians and Dentists Loan Repayment Program Act established pursuant to Section 14114.

(i) “California Affordable Drug Manufacturing Act of 2020” means the program established pursuant to Chapter 10 (commencing with Section 127690) of Part 2 of Division 107 of the Health and Safety Code.

(j) “Clinic” means any of the following:

(1) Federally qualified health centers (FQHC), including FQHC look-alike clinics designated by the federal Health Resources and Services Administration as meeting FQHC program requirements as set forth in Sections 1395x(aa)(4)(B) and 1396d(1)(2)(B) of Title 42 of the United States Code.

(2) Rural health clinics (RHC) meeting the definition set forth in Section 1396d(l)(1) of Title 42 of the United States Code.

(3) Clinics licensed pursuant to subdivision (a) of Section 1204 of the Health and Safety Code.

(4) Tribal clinics exempt from licensure pursuant to subdivision (c) of Section 1206 of the Health and Safety Code.

(5) Intermittent clinics exempt from licensure pursuant to subdivision (h) of Section 1206 of the Health and Safety Code.

(6) Clinics exempt from licensure pursuant to subdivision (b) of Section 1206 of the Health and Safety Code. If clinics exempt from licensure pursuant to subdivision (b) of Section 1206 of the Health and Safety Code choose to participate in a directed payment program described in Section 14199.120.5, the directed payment program will use the “classes of provider” functionality at a minimum to create a tier for those clinics and allow for payments to those clinics to be based on an amount allocated to their class’s pool.

(7) Indian health clinics that provide services in California pursuant to the Indian Health Program, as set forth in Chapter 4 (commencing with Section 124575) of Part 4 of Division 106 of the Health and Safety Code.

(k) “Committee” or “stakeholder advisory committee” means the Protect Access to Health Care Act Stakeholder Advisory Committee established pursuant to Section 14199.129.

(l) “Community-based organization” means a nonprofit organization of demonstrated effectiveness that is representative of a community or significant segments of a community and promotes access to, or provides physical or mental health or related services to, individuals in the community.

(m) “Community health worker” shall have the same meaning as defined in subdivision (b) of Section 18998.

(n) “Community provider” means a holder of a certificate described in Section 2050 of the Business and Professions Code who serves Medi-Cal patients.

(o) “Comprehensive clinical family planning services” means the services set forth in subdivision (aa) of Section 14132.

(p) “Countable enrollee” means an individual enrolled in a health plan during a month of the base year according to the base data source. “Countable enrollee” does not include an individual enrolled in a Medicare plan, a plan-to-plan enrollee, or an individual enrolled in a health plan pursuant to the Federal Employees Health Benefits Act of 1959 (Public Law 86-382) to the extent the imposition of the tax under Article 6 (commencing with Section 14199.123) of this

chapter or Article 7.1 (commencing with Section 14199.80) of Chapter 7 is preempted pursuant to Section 8909(f) of Title 5 of the United States Code.

(q) “County mental health plan” means an entity or local agency that contracts with the department to provide covered specialty mental health services pursuant to Section 14184.400 and Chapter 8.9 (commencing with Section 14700).

(r) “Department” means the State Department of Health Care Services.

(s) “Designated public hospital system” means a designated public hospital as defined in paragraph (1) of subdivision (f) of Section 14184.10 and its affiliated governmental providers and contracted governmental and nongovernmental entities that constitute a hospital and health care system. A single designated public hospital system may include multiple designated public hospitals under common government ownership.

(t) (1) “Directed payment” means a payment arrangement whereby the department directs certain expenditures made by a Medi-Cal managed care plan that is approved by the federal Centers for Medicare and Medicaid Services as described in Section 438(c) of Title 42 of the Code of Federal Regulations, established pursuant to Section 438(c) of Title 42 of the Code of Federal Regulations, or otherwise required by the Medi-Cal managed care plan contract, and documented in a rate certification approved by the federal Centers for Medicare and Medicaid Services as applicable.

(2) References in this subdivision to Section 438(c) of Title 42 of the Code of Federal Regulations shall include any subsequent amendments thereto.

(u) “Director” means the director of the State Department of Health Care Services.

(v) “Emergency air ambulance transport” means emergency medical transportation by air, as described in paragraph (1) of subdivision (c) of Section 51323 of Title 22 of the California Code of Regulations, by air ambulance, as defined in Section 100280 of Title 22 of the California Code of Regulations.

(w) “Family PACT” means the Family Planning, Access, Care, and Treatment Program established pursuant to subdivision (aa) of Section 14132.

(x) “Family planning services and family planning-related services in the Medi-Cal program” means the services covered by the Medi-Cal program pursuant to subdivision (n) of Section 14132.

(y) “Family planning services in the State-Only Family Planning Program” means the services covered by that program pursuant to Division 24 (commencing with Section 24000).

(z) “Fund” means the Protect Access to Health Care Fund established in the State Treasury pursuant to Section 14199.103.

(aa) “General acute care hospital” has the same meaning as in subdivision (a) of Section 1250 of the Health and Safety Code.

(ab) “Ground emergency medical transports” means emergency medical transports, as defined in Section 14129, that originate from a 911 call center or equivalent public safety answering point.

(ac) “Health care service plan” or “health plan” means a health care service plan, other than a plan that provides only specialized or discount services, that is licensed by the Department of Managed Health Care under the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) or a Medi-Cal managed care plan contracted with the department to provide full-scope Medi-Cal services.

(ad) “Medi-Cal patient” means a Medi-Cal beneficiary as defined in Section 14252.

(ae) “Medi-Cal enrollee” means an individual enrolled in a health plan, as defined in subdivision (ac), who is a Medi-Cal patient for whom the department directly pays the health plan a capitated payment.

(af) “Medi-Cal managed care plan” means any individual, organization, or entity that enters into a comprehensive risk contract with the department to provide covered full-scope health care services to enrolled Medi-Cal patients pursuant to this chapter or Chapter 8 (commencing with Section 14200).

(ag) “Medi-Cal per enrollee tax amount” means the amount of tax assessed per countable Medi-Cal enrollee within a Medi-Cal taxing tier.

(ah) “Medi-Cal taxing tier” means a range of cumulative enrollment of countable Medi-Cal enrollees for the base year.

(ai) “Net reimbursement” or “net reimbursement levels” means the total payments to Medi-Cal providers for the applicable services and procedures received as of January 1, 2024, less any amounts financed by Medi-Cal providers as the nonfederal share of those payments via provider taxes or fees, certified public expenditures, or intergovernmental transfers.

(aj) “Network provider” has the same meaning as set forth in Section 438.2 of Title 42 of the Code of Federal Regulations.

(ak) “Other enrollee” means an individual enrolled in a health plan who is not a Medi-Cal enrollee.

(al) “Other per enrollee tax amount” means the amount of tax assessed per countable other enrollee within an other taxing tier.

(am) “Other taxing tier” means a range of cumulative enrollment of countable other enrollees for the base year.

(an) “Plan-to-plan enrollee” means an individual who receives their health care services through a health plan pursuant to a subcontract from another health plan.

(ao) “Primary care” has the same meaning as in Section 51170.5 of Title 22 of the California Code of Regulations.

(ap) “Private ground emergency medical transport provider” means a provider of ground emergency

medical transports that does not meet the definition of paragraph (1) of subdivision (a) of Section 14105.945.

(aq) “Qualified family planning provider” means a Medi-Cal provider that meets all of the following conditions:

(1) Is a community clinic licensed pursuant to subdivision (a) of Section 1204 of the Health and Safety Code.

(2) Is enrolled in the Family PACT program, as described in subdivision (aa) of Section 14132.

(3) Provides both abortion and contraception services.

(ar) “Specialist” means a physician or surgeon or other licensee pursuant to the Medical Practice Act (Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code) or the Osteopathic Act (Chapter 8 (commencing with Section 3600) of Division 2 of the Business and Professions Code) who delivers to Medi-Cal patients health care services, treatment, or procedures at least some of which do not qualify as primary care.

(as) “Specialty care” means health care services provided by a specialist.

(at) “State-Only Family Planning Program” means the program established pursuant to Division 24 (commencing with Section 24000).

(au) “Tax period” means a period of not more than 12 months for which the tax imposed pursuant to Article 6 (commencing with Section 14199.123) is assessed.

Article 8. Stakeholder Advisory Committee

14199.129. Stakeholder Advisory Committee Established

(a) The Protect Access to Health Care Act Stakeholder Advisory Committee is hereby established within the department.

(b) An individual holding federal, state, tribal, or local elected or appointed office or an officer or official of a political party is not eligible for appointment to the committee.

(c) Six members of the committee constitute a quorum for purposes of voting and conducting business of the committee.

(d) The committee shall elect a chairperson from among its membership. The chairperson shall serve in that capacity for two years and is eligible for reelection. The chairperson shall preside at all meetings and shall have all the powers and privileges of other committee members.

(e) The committee shall meet not less than biennially, and may hold additional regular and special meetings at the call of the committee or the chairperson.

(f) At least two employees of the department shall be assigned full-time to staffing and supporting the committee.

14199.130. Committee Membership

(a) The committee shall be composed of 10 members as follows:

(1) One member that represents both primary and specialty physicians on a statewide basis.

(2) One member that represents both public and private hospitals, regardless of licensure type, on a statewide basis.

(3) One member that represents a private emergency ambulance provider that performs 500,000 or more emergency medical ground transports per calendar year in this state.

(4) One member that represents family planning and reproductive health providers on a statewide basis.

(5) One member that represents commercial, nongovernmental Medi-Cal managed care plans on a statewide basis.

(6) One member that represents clinics on a statewide basis.

(7) One member that represents public, nonprofit Medi-Cal managed care plans on a statewide basis.

(8) One member that represents dentists on a statewide basis.

(9) One member that represents organized labor groups on a statewide basis.

(10) One member that represents a private emergency air ambulance transport provider that bills for more than 2,000 emergency ambulance transports per year in this state.

(b) Committee members shall be appointed as follows:

(1) The Governor shall appoint the members described in paragraphs (1) to (6), inclusive, of subdivision (a).

(2) The Speaker of the Assembly shall appoint the members described in paragraphs (7) and (8) of subdivision (a).

(3) The Senate President Pro Tempore shall appoint the members described in paragraphs (9) and (10) of subdivision (a).

(c) An entity or organization shall not have more than one employee, officer, or director from that entity or organization appointed to the committee at any given time.

(d) Each member of the committee shall either be a citizen and resident of the United States or satisfy the requirements of subdivision (b) of Section 1020 of the Government Code.

14199.131. Committee Member Terms

(a) Each appointing authority described in subdivision (b) of Section 14199.130 shall make their initial appointments not later than 30 calendar days after the effective date of this chapter.

(b) The term of initial appointees to the committee shall begin on the 45th calendar day after the effective date of this chapter. The terms of initial appointees to the committee shall be as follows:

(1) The Governor's initial appointees described in paragraphs (1) to (4), inclusive, of subdivision (a) of Section 14199.130 shall serve for a term of four years.

(2) The Governor's initial appointees described in paragraphs (5) and (6) of subdivision (a) of Section 14199.130 shall serve for a term of three years.

(3) The Assembly Speaker's initial appointee described in paragraph (7) of subdivision (a) of Section 14199.130 shall serve for a term of three years.

(4) The Assembly Speaker's initial appointee described in paragraph (8) of subdivision (a) of Section 14199.130 shall serve for a term of two years.

(5) The Senate President Pro Tempore's initial appointees shall serve for a term of two years.

(c) After the initial terms, the term of each appointed or reappointed committee member shall be four years. Each member of the committee shall serve until a successor is appointed.

(d) A member of the committee shall not be removed by the appointing authority except for malfeasance in office or neglect of duty. A member shall not be removed unless the reasons for removal are presented in writing to the member.

(e) (1) A member of the committee appointed to represent a specific category described in paragraphs (1) to (10), inclusive, of subdivision (a) of Section 14199.130 shall notify in writing their appointing authority if they no longer represent that specific category or are otherwise unable to continue serving as a member of the committee. The notice required by this paragraph shall be provided within 15 calendar days of the changed circumstance.

(2) Upon receipt of the written notice by the appointing authority, the member's position on the committee shall be deemed vacant. Within 30 calendar days of receipt of the written notice, the appointing authority shall appoint a successor to serve the remainder of the former member's term. Upon expiration of the unexpired term, the successor may be appointed to a full term.

14199.132. Powers and Duties of the Committee

(a) (1) The committee is advisory only and does not possess decisionmaking authority. The committee is established for the sole purpose of researching and analyzing approaches and best practices for the development and implementation of the components of this chapter, including by preparing reports or recommendations and providing advice thereon for submission to the department. The department has sole and final decisionmaking authority under this chapter.

(2) The committee shall advise and make written recommendations to the department with respect to implementing this chapter and achieving the objectives set forth in Sections 14199.101 and 14199.102.

(b) The committee is authorized, but not limited, to do any of the following:

(1) Undertake investigations or studies.

(2) Issue written reports.

(3) Post any report or recommendation on the department's internet website under the committee's own link on the internet website.

(c) Any member of the committee may request, and the Controller and department shall provide, any written accounting or record of deposits into, transfers between, or expenditures out of, any fund, subfund, account, or subaccount established or created by this chapter.

(d) The committee may establish subcommittees consisting of one or more of its members, and may delegate to a subcommittee any right or responsibility bestowed upon the committee, including the right or responsibility of providing advice and written input to the department on a given subject.

14199.133. Compensation

Members of the committee shall serve without compensation, but shall receive reimbursement for necessary expenses, subject to approval by the department.

Article 9. Amendments, Construction, Standing

14199.134. Amendment of Chapter

(a) The Legislature may amend this chapter by a statute passed in each house of the Legislature by rollcall vote entered into the journal, three-fourths of the membership concurring, provided that the statute is consistent with, and furthers the purpose of, this chapter.

(b) A bill seeking to amend this chapter after the effective date of this chapter shall not be passed or ultimately become a statute unless the bill has been printed and distributed to members, and published on the Internet, in its final form, for at least 10 business days before its passage in either house of the Legislature.

14199.135. Construction of Chapter

(a) Severability. The provisions of this chapter are severable. If any portion, section, subdivision, paragraph, subparagraph, clause, subclause, sentence, phrase, word, or application of this chapter is for any reason held to be invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this chapter. The people of the State of California hereby declare that they would have adopted this chapter and each and every portion, section, subdivision, paragraph, subparagraph, clause, subclause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any part of this chapter or application thereof would be subsequently declared invalid.

(b) Liberal Construction. This chapter is an exercise of the initiative power of the people of the State of California pursuant to Article II and Article IV of the Constitution, and shall be liberally construed to effectuate the purposes set forth in this chapter.

(c) *Statutory References.* Unless otherwise stated, all references contained in this chapter to statutes codified outside of this chapter refer to those statutes as they existed on July 1, 2023.

(d) *Effective Date.* This chapter shall take effect on the next January 1 following its approval by the voters of California.

14199.136. Standing to Defend Chapter

Notwithstanding any other law, if the State of California or any of its officers or officials fail to defend the constitutionality of this chapter, following its approval by the voters, any other state or local government agency of this state shall have the authority to intervene on behalf of the State of California or the department in a court action challenging the constitutionality of this chapter for the purpose of defending its constitutionality, whether that action is in state or federal trial court, on appeal, or on discretionary review by the Supreme Court of California or the Supreme Court of the United States. The reasonable fees and costs of defending the action by the other state or local government agency shall be a charge on funds appropriated to the Department of Justice, which shall be satisfied promptly.

SEC. 2. Appropriations Limit.

(a) Commencing with the 2025–26 fiscal year, pursuant to Section 4 of Article XIII B of the California Constitution, the electors of the State of California hereby adopt an increase in the appropriations limit for the State of California equal to the amount of the revenues generated by the taxes contained in Article 6 (commencing with Section 14199.123) of this act and Article 7.1 (commencing with Section 14199.80) of Chapter 7 of Part 3 of the Welfare and Institutions Code.

(b) The duration of the increase in the State of California's appropriations limit adopted pursuant to this section shall be for the maximum amount of time permitted under Section 4 of Article XIII B of the California Constitution.

SEC. 3. Conflicting Initiative Measures.

The people of the State of California hereby find and declare:

(a) If this initiative measure and another initiative measure or measures that raises or extends a managed care organization provider tax to fund Medi-Cal services, benefits, and coverage appear on the same statewide election ballot, the other initiative measure or measures shall be deemed to be in conflict with this measure. If this initiative measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other initiative measure or measures shall be void.

(b) This act continues an existing tax on managed care organization providers, a type of health care service plan, that is used for the purpose of increasing reimbursement rates or payments under the Medi-Cal

program. Initiative No. 21-0042 Amendment #1 exempts from the definition of "tax" a levy, charge, or exaction collected from local units of government, health care providers, or health care service plans that is primarily used by the State of California for the purposes of increasing reimbursement rates or payments under the Medi-Cal program. Therefore, no conflict exists between this act and Initiative No. 21-0042 Amendment #1.

(c) This act does not alter, apply to, or address the matters contained in Initiative No. 23-0021 Amendment #1. Therefore, no conflict exists between this act and Initiative No. 23-0021 Amendment #1.

PROPOSITION 36

This initiative measure is submitted to the people in accordance with the provisions of Section 8 of Article II of the California Constitution.

This initiative measure amends and adds sections to the Health and Safety Code and the Penal Code, and adds a section to the Government Code; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED LAW

THE HOMELESSNESS, DRUG ADDICTION, AND THEFT REDUCTION ACT

SECTION 1. Title.

This act shall be known as The Homelessness, Drug Addiction, and Theft Reduction Act.

SEC. 2. Purposes and Intent.

This measure will reform laws that have dramatically increased homelessness, drug addiction, and theft throughout California.

This measure will:

(a) Provide drug and mental health treatment for people who are addicted to hard drugs, including fentanyl, cocaine, heroin, and methamphetamine.

(b) Add fentanyl to existing laws that prohibit the possession of hard drugs while armed with a loaded firearm.

(c) Add fentanyl to existing laws that prohibit the trafficking of large quantities of hard drugs.

(d) Permit judges to use their discretion to sentence drug dealers to state prison instead of county jail when they are convicted of trafficking hard drugs in large quantities or are armed with a firearm while engaging in drug trafficking.

(e) Warn convicted hard drug dealers and manufacturers that they can be charged with murder if they continue to traffic in hard drugs and someone dies as a result.

(f) Reinstate penalties for hard drug dealers whose trafficking kills or seriously injures a drug user.

(g) Increase penalties for people who repeatedly engage in theft.

(h) Add new laws to address the increasing problem of “smash and grab” thefts that result in significant losses and damage, or that are committed by multiple thieves working together.

SEC. 3. Findings and Declarations.

The people of the State of California find and declare as follows:

(a) Reducing Homelessness Through Drug and Mental Health Treatment

(1) California has reached a tipping point in its homelessness, drug, mental health, and theft crises. Our state has the highest rate of homelessness per capita of any state in the country. And drug overdoses now kill two to three times the number of people in California as car accidents.

(2) Since the passage of Proposition 47 in 2014, homelessness in California has increased by 51 percent, while during the same time period in the rest of the country, it has declined by 11 percent. Proposition 47 reduced the legal consequences of both possession of hard drugs (fentanyl, cocaine, heroin, methamphetamine, and phencyclidine), and theft. The result has been massive increases in drug addiction, mental illness, and property crimes, including retail theft, committed by addicts to support their addiction. At the same time, California has seen a dramatic decrease in mental health and drug treatment for homeless people due to reduced incentives to participate in treatment. Our homelessness problem is directly connected to these unintended consequences of Proposition 47, which the voters now desire to correct.

(3) Progressive states, including New Jersey, Maryland, Illinois, and Michigan, have significantly stronger hard drug laws than California, and their homeless rate is 4 to 5 times lower than California’s.

(4) This proposal takes a modest step in the direction of these states by enacting a new class of crime called a “treatment-mandated felony.” Under this new “treatment-mandated felony,” prosecutors would have the discretion to charge a felony for hard drug possession after two previous drug convictions. If charged with this “treatment-mandated felony” for a third or subsequent drug offense, the offender would be given the option of participating in drug and mental health treatment. If the offender successfully completes drug and mental health treatment, the charge would be fully expunged, and the offender would receive no jail time. If the offender refuses drug and mental health treatment, they would serve jail time for hard drug possession. For a second conviction of the treatment-mandated felony (the fourth total conviction for hard drug possession), a judge would have the option of imposing time in jail or state prison. Along with hard drug and mental health treatment,

offenders charged with a treatment-mandated felony would be offered shelter, job training, and other services designed to break the cycle of addiction and homelessness.

(b) Cracking Down on Hard Drug Dealers

(1) Fentanyl is the most dangerous drug that our nation has ever seen. Because it is largely produced synthetically, fentanyl is typically cheaper than other hard drugs. As a result, drug dealers now regularly include fentanyl in other drugs, including diet, anxiety, and sleeping pills, cocaine, and heroin. Further, fentanyl is up to 50 times stronger than heroin. Therefore, a very tiny amount of fentanyl can prove deadly. One kilogram (2.2 pounds) of fentanyl provides enough of the drug to manufacture four to ten million doses, or enough to kill 500,000 people. Finally, because such a small amount of fentanyl is necessary to create addiction, it is easier to smuggle across the border in smaller, yet much more deadly quantities.

(2) This act would authorize greater consequences for hard drug dealers whose trafficking kills or seriously injures a person who uses those drugs, and it would provide a mechanism to warn convicted hard drug dealers and manufacturers that they can be charged with murder if they continue to traffic in hard drugs and someone dies as a result.

(3) This act would add nonprescription fentanyl to an existing list of hard drugs, including heroin, cocaine, and methamphetamine, for which it is illegal to possess the drug while armed with a loaded firearm.

(4) This act would also add nonprescription fentanyl to an existing list of hard drugs, including heroin, cocaine, and methamphetamine, that authorizes greater consequences for drug dealers who sell large quantities of hard drugs.

(5) This act also permits judges to sentence drug dealers who traffic in large quantities of hard drugs or who are armed with a firearm while trafficking in hard drugs to state prison instead of local county jails. Only our state prisons are equipped to manage security for hardened drug dealers and to provide them the rehabilitation services they need to safely reenter society.

(c) Accountability for Repeat Theft and Smash and Grab Thefts

(1) Prior to Proposition 47, individuals who repeatedly engaged in theft could be charged with a felony. Prop. 47 eliminated this repeat offender felony and instead provided that any theft up to \$950 in value is now a misdemeanor—regardless of how many times the offender has committed theft. In practice, this means that an offender who repeatedly steals up to \$950 in value faces virtually no legal consequences.

(2) The result has been an explosion in retail and cargo theft causing stores throughout California to close to protect employees and customers from criminal activity that disrupts the efficient delivery of products directly to consumers and creates billions of dollars in economic losses to our local communities and state.

This rapid increase in retail and cargo theft has also contributed to rising inflation, as businesses have been forced to raise prices to account for their economic losses. This retail and cargo theft explosion has collided with the fentanyl epidemic, as hard drug users have engaged in brazen theft to support their drug habits, knowing that there will be no consequences for either their theft or their hard drug use.

(3) Under this act, an offender with two prior convictions for theft can be charged with a felony, regardless of the value of the stolen property. Diversion programs will continue to exist, meaning that judges will retain discretion not to incarcerate an offender even for more than two theft convictions. But prosecutors will have the ability to bring felony charges against hardened, repeat offenders who continue to engage in theft. Judges will have the discretion to sentence a repeat offender to jail in appropriate cases, or to state prison if an offender is convicted four or more times of theft.

(4) This act also authorizes judges to exercise their discretion to impose an enhanced penalty when an offender steals, damages, or destroys property by acting together with two or more offenders or by causing losses of \$50,000 or more. By permitting discretion in these scenarios, judges will be able to fashion sentences that are appropriate for the crime committed, including so-called “smash and grabs” committed by mobs or large groups of people working together.

(5) The value of property stolen in multiple thefts will be permitted to be added together so that in appropriate cases an offender may be charged with felony theft instead of petty theft. This provision addresses the problem of offenders who commit a series of thefts in which the property stolen during each theft has a value under the \$950 felony theft threshold, in order to insulate themselves from felony charges.

(6) Along with the hard drug provisions in this act, these theft law changes will stop the vicious cycle of hard drug users stealing to support their habits without legal consequences for their actions.

SEC. 4. Section 11369 is added to the Health and Safety Code, to read:

11369. (a) This section shall be known, and may be cited, as Alexandra’s Law.

(b) The court shall advise a person who is convicted of, or who pleads guilty or no contest to, a violation of Section 11351, 11351.5, 11352, 11378, 11378.5, 11379, 11379.5, or 11379.6 involving a hard drug, of the following:

“You are hereby advised that it is extremely dangerous and deadly to human life to illicitly manufacture, distribute, sell, furnish, administer, or give away any drugs in any form, including real or counterfeit drugs or pills. You can kill someone by engaging in this conduct. All drugs and counterfeit pills are dangerous to human life. These substances alone, or mixed, kill human beings in very small doses. If you illicitly manufacture,

distribute, sell, furnish, administer, or give away any real or counterfeit drugs or pills, and that conduct results in the death of a human being, you could be charged with homicide, up to and including the crime of murder, within the meaning of Section 187 of the Penal Code.”

(c) The advisory statement shall be provided to the defendant in writing, either on a plea form, if used, as an addendum to a plea form, or at sentencing, and the fact that the advisory was given shall be specified on the record and recorded in the abstract of the conviction.

(d) (1) Except as provided in paragraph (2), as used in this section, “hard drug” means a substance listed in Section 11054 or 11055, including a substance containing fentanyl, heroin, cocaine, cocaine base, methamphetamine, or phencyclidine, and the analogs of any of these substances as defined in Sections 11400 and 11401.

(2) As used in this section, “hard drug” does not include cannabis, cannabis products, peyote, lysergic acid diethylamide (LSD), other psychedelic drugs, including mescaline and psilocybin (mushrooms), any other substance listed in subdivisions (d) and (e) of Section 11054, or, with the exception of methamphetamine, any other substance listed in subdivision (d) of Section 11055.

SEC. 5. Section 11370.1 of the Health and Safety Code is amended to read:

11370.1. (a) Notwithstanding Section 11350 or 11377 or any other provision of law, every person who unlawfully possesses any amount of a substance containing cocaine base, a substance containing cocaine, a substance containing heroin, a substance containing methamphetamine, a substance containing fentanyl, a crystalline substance containing phencyclidine, a liquid substance containing phencyclidine, plant material containing phencyclidine, or a hand-rolled cigarette treated with phencyclidine while armed with a loaded, operable firearm is guilty of a felony punishable by imprisonment in the state prison for two, three, or four years.

(b) Subdivision (a) does not apply to any person lawfully possessing fentanyl, including with a valid prescription.

(c) As used in this subdivision (a), “armed with” means having available for immediate offensive or defensive use.

(b) (d) Any person who is convicted under this section shall be ineligible for diversion or deferred entry of judgment under Chapter 2.5 (commencing with Section 1000) of Title 6 of Part 2 of the Penal Code.

SEC. 6. Section 11370.4 of the Health and Safety Code is amended to read:

11370.4. (a) (1) A person convicted of a violation of, or of a conspiracy to violate, Section 11351, 11351.5, or 11352 with respect to a substance containing heroin, ~~fentanyl~~, cocaine base as specified in paragraph (1) of subdivision (f) of Section 11054, or cocaine as

specified in paragraph (6) of subdivision (b) of Section 11055, ~~when the person knew of the substance's nature or character as a controlled substance~~, shall receive an additional *state prison* term as follows:

(A) If the substance exceeds one kilogram by weight, the person shall receive an additional term of three years.

(B) If the substance exceeds four kilograms by weight, the person shall receive an additional term of five years.

(C) If the substance exceeds 10 kilograms by weight, the person shall receive an additional term of 10 years.

(D) If the substance exceeds 20 kilograms by weight, the person shall receive an additional term of 15 years.

(E) If the substance exceeds 40 kilograms by weight, the person shall receive an additional term of 20 years.

(F) If the substance exceeds 80 kilograms by weight, the person shall receive an additional term of 25 years.

(2) The conspiracy enhancements provided for in this subdivision shall not be imposed unless the trier of fact finds that the defendant conspirator was substantially involved in the planning, direction, execution, or financing of the underlying offense.

(b) (1) A person convicted of a violation of, or of conspiracy to violate, Section 11378, 11378.5, 11379, or 11379.5 with respect to a substance containing methamphetamine, amphetamine, phencyclidine (PCP) and its analogs shall receive an additional *state prison* term as follows:

(A) If the substance exceeds one kilogram by weight, or 30 liters by liquid volume, the person shall receive an additional term of three years.

(B) If the substance exceeds four kilograms by weight, or 100 liters by liquid volume, the person shall receive an additional term of five years.

(C) If the substance exceeds 10 kilograms by weight, or 200 liters by liquid volume, the person shall receive an additional term of 10 years.

(D) If the substance exceeds 20 kilograms by weight, or 400 liters by liquid volume, the person shall receive an additional term of 15 years.

(2) In computing the quantities involved in this subdivision, plant or vegetable material seized shall not be included.

(3) The conspiracy enhancements provided for in this subdivision shall not be imposed unless the trier of fact finds that the defendant conspirator was substantially involved in the planning, direction, execution, or financing of the underlying offense.

(c) (1) A person convicted of a violation of, or of a conspiracy to violate, Section 11351 or 11352 with respect to a substance containing fentanyl shall receive an additional *state prison* term as follows:

(A) If the substance exceeds 28.35 grams (one ounce) by weight, the person shall receive an additional term of three years.

(B) If the substance exceeds 100 grams by weight, the person shall receive an additional term of five years.

(C) If the substance exceeds 500 grams by weight, the person shall receive an additional term of seven years.

(D) If the substance exceeds one kilogram by weight, the person shall receive an additional term of 10 years.

(E) If the substance exceeds four kilograms by weight, the person shall receive an additional term of 13 years.

(F) If the substance exceeds 10 kilograms by weight, the person shall receive an additional term of 16 years.

(G) If the substance exceeds 20 kilograms by weight, the person shall receive an additional term of 19 years.

(H) If the substance exceeds 40 kilograms by weight, the person shall receive an additional term of 22 years.

(I) If the substance exceeds 80 kilograms by weight, the person shall receive an additional term of 25 years.

(2) The conspiracy enhancements provided for in this subdivision shall not be imposed unless the trier of fact finds that the defendant conspirator was substantially involved in the planning, direction, execution, or financing of the underlying offense.

~~(e)~~ (d) The additional terms provided in this section shall not be imposed unless the allegation that the weight of the substance containing heroin, fentanyl, cocaine base as specified in paragraph (1) of subdivision (f) of Section 11054, cocaine as specified in paragraph (6) of subdivision (b) of Section 11055, methamphetamine, amphetamine, or phencyclidine (PCP) and its analogs exceeds the amounts provided in this section is charged in the accusatory pleading and admitted or found to be true by the trier of fact.

(e) *Notwithstanding paragraph (9) of subdivision (h) of Section 1170 of the Penal Code, a defendant convicted of an underlying violation specified in this section who admits an enhancement pursuant to this section or for whom an enhancement pursuant to this section is found true, is punishable by imprisonment in the state prison and not pursuant to subdivision (h) of Section 1170 of the Penal Code.*

~~(f)~~ (f) The additional terms provided in this section shall be in addition to any other punishment provided by law.

~~(e)~~ (g) Notwithstanding any other law, the court may strike the additional punishment for the enhancements provided in this section if the court determines that there are circumstances in mitigation of the additional punishment and states on the record its reasons for striking the additional punishment.

SEC. 7. Article 8 (commencing with Section 11395) is added to Chapter 6 of Division 10 of the Health and Safety Code, to read:

Article 8. Treatment-Mandated Felony

11395. (a) This article shall be known and cited as the Treatment-Mandated Felony Act.

(b) (1) Notwithstanding any other law, and except as provided in subdivision (d), a person described in

subdivision (c) who possesses a hard drug, unless upon the written prescription of a physician, dentist, podiatrist, or veterinarian licensed to practice in this state, shall be punished by imprisonment in a county jail for not more than one year or pursuant to subdivision (h) of Section 1170 of the Penal Code. A second or subsequent conviction of this section, is punishable by imprisonment in the county jail not exceeding one year or by imprisonment in the state prison.

(2) A person shall not be sentenced to jail or prison pursuant to this section unless a court determines that the person is not eligible or suitable for treatment or that any other circumstance described in paragraph (4) of subdivision (d) applies to that person.

(c) Subdivision (b) applies to a person who has two or more prior convictions for a felony or misdemeanor violation of Section 11350, 11351, 11351.5, 11352, 11353, 11353.5, 11353.7, 11370.1, 11377, 11378, 11378.5, 11379, 11379.5, 11379.6, 11380, or 11395, including a conviction that occurred before the effective date of this section. Prior convictions shall be alleged in the accusatory pleading, and either admitted by the defendant in open court or found to be true by the trier of fact.

(d) (1) (A) In lieu of a jail or prison sentence, or a grant of probation with jail as a condition of probation, a defendant charged with a violation of this section may elect treatment by pleading guilty or no contest to a violation of this section and admitting the alleged prior convictions, waiving time for sentencing and the pronouncement of judgment, and agreeing to participate in, and complete, a detailed treatment program developed by a drug addiction expert and approved by the court. A defendant's plea of guilty or no contest shall not constitute a conviction for any purpose unless judgment is entered pursuant to paragraph (4) for a violation of this section.

(B) Upon or subsequent to arraignment for a violation of this section, and at the request or with the consent of the defendant or their attorney, the court shall order a drug addiction expert to conduct a substance abuse and mental health evaluation of the defendant. The expert shall submit a report of the evaluation to the court and parties. The evaluation may be based on an interview of the defendant or other individuals with relevant knowledge and review of records the expert deems appropriate, including medical records, criminal history, prior treatment history, and records pertaining to the current offense. If the defendant participates in the interview, neither the defendant's interview nor evidence derived from the interview may be used against the defendant at any subsequent trial for the instant offense except for the purposes of impeachment should the defendant testify inconsistently. The evaluation shall detail the defendant's drug abuse or mental health issues, if any, so the court and parties may better determine appropriate handling of the defendant's case.

(C) Concurrent with the order for a substance abuse and mental health evaluation of the defendant, and with

the defendant's consent, the court shall also order that a case worker or other qualified individual determine whether the defendant is eligible to receive Medi-Cal, Medicare, or any other relevant benefits for any programs or evaluations under this section. If the defendant did not previously consent to an eligibility determination at arraignment, the court shall order the eligibility determination upon and as a condition of the defendant's agreement to participate in and complete a treatment program as described in this subdivision.

(2) A treatment program may include, but is not limited to, drug treatment, mental health treatment, job training, and any other conditions related to treatment or a successful outcome for the defendant that the court finds appropriate. The court must hold regular hearings to review the progress of the defendant. The court shall make referrals to programs that provide services at no cost to the participant and have been deemed by the court, the drug addiction expert, and the parties to be credible and effective. A defendant may also choose to pay for a program that is approved by the court.

(3) Upon the defendant's successful completion of the treatment program as specified in paragraph (2), the positive recommendation of the treatment program, and the motion of the defendant, prosecuting attorney, the court, or the probation department, the court shall dismiss this charge against the defendant and the provisions of Section 1000.4 of the Penal Code, as it read on the effective date of this section, shall apply, including the provision that the arrest upon which the defendant was deferred shall be deemed to have never occurred. A dismissal based on the successful completion of treatment shall not count as a conviction for any purpose, including for determining punishment pursuant to subdivision (b).

(4) If at any time it appears that the defendant is performing unsatisfactorily in the program, is not benefiting from treatment, is not amenable to treatment, has refused treatment, or has been convicted of a crime that was committed since starting treatment, the prosecuting attorney, the court on its own, or the probation department may make a motion for entry of judgment and sentencing. After notice to the defendant, the court shall hold a hearing to determine whether judgment should be entered and the defendant sentenced. Judgment shall be imposed and the defendant sentenced if the court finds true one or more of the foregoing circumstances. However, except when the defendant has been found to have been convicted of a crime that was committed since starting treatment, the court may rerefer the defendant to treatment if the court finds that it is in the interest of justice to do so, that the defendant is currently amenable to treatment, and if the defendant agrees to participate in, and complete, a treatment program as described in this section.

(5) For time spent in residential treatment, a defendant may earn only actual credits pursuant to Section 2900.5 of the Penal Code and shall not earn conduct credits pursuant to Section 4019 of the Penal Code or any

other provision. Time spent in any other type of program or counseling is not eligible for any credits.

(e) (1) Except as provided in paragraph (2), as used in this section, “hard drug” means a substance listed in Section 11054 or 11055, including a substance containing fentanyl, heroin, cocaine, cocaine base, methamphetamine, or phencyclidine, and the analogs of any of these substances as defined in Sections 11400 and 11401.

(2) As used in this section, “hard drug” does not include cannabis, cannabis products, peyote, lysergic acid diethylamide (LSD), other psychedelic drugs, including mescaline and psilocybin (mushrooms), any other substance listed in subdivisions (d) and (e) of Section 11054, or, with the exception of methamphetamine, any other substance listed in subdivision (d) of Section 11055.

(f) Upon an arrest for a violation of this section, the court shall require judicial review prior to release to make an individualized determination of risk to public safety and likelihood to return to court.

(g) This section shall not be construed to preclude prosecution or punishment pursuant to any other law.

SEC. 8. Section 490.3 is added to the Penal Code, to read:

490.3. Notwithstanding any other law, in any case involving one or more acts of theft or shoplifting, including, but not limited to, violations of Sections 459.5, 484, 488, and 490.2, the value of property or merchandise stolen may be aggregated into a single count or charge, with the sum of the value of all property or merchandise being the values considered in determining the degree of theft.

SEC. 9. Section 666.1 is added to the Penal Code, to read:

666.1. (a) (1) Notwithstanding any other law, a person who has two or more prior convictions for any of the offenses listed in paragraph (2), and who is convicted of petty theft or shoplifting, is punishable by imprisonment in the county jail not exceeding one year or pursuant to subdivision (h) of Section 1170. A second or subsequent conviction of this section is punishable by imprisonment in the county jail not exceeding one year or by imprisonment in the state prison.

(2) This section applies to the following offenses, including a conviction that occurred before the effective date of this section:

(A) Petty theft, as described in Section 488 or 490.2.

(B) Grand theft, as described in Sections 487, 487h, and in Chapter 5 (commencing with Section 484) of Title 13 of Part 1.

(C) Theft from an elder or dependent adult, as described in Section 368.

(D) The theft or unauthorized use of a vehicle, as described in Section 10851 of the Vehicle Code.

(E) Burglary, as described in Section 459.

(F) Carjacking, as described in Section 215.

(G) Robbery, as described in Section 211.

(H) Receiving stolen property, as described in Section 496.

(I) Shoplifting, as described in Section 459.5.

(J) Identity theft and mail theft, as described in Section 530.5.

(b) A person subject to charging under this section or actually charged with this section may be referred by a prosecuting attorney’s office or by a county probation department to a theft diversion or deferred entry of judgment program pursuant to Section 1001.81. If appropriate, a person admitted to such a program may also be referred to a substance abuse treatment program.

(c) Upon an arrest for a violation of this section, the court shall require judicial review prior to release to make an individualized determination of risk to public safety and likelihood to return to court.

(d) This section shall not be construed to preclude prosecution or punishment pursuant to any other law.

SEC. 10. Section 12022 of the Penal Code is amended to read:

12022. (a) (1) Except as provided in subdivisions (c) and (d), a person who is armed with a firearm in the commission of a felony or attempted felony shall be punished by an additional and consecutive term of imprisonment pursuant to subdivision (h) of Section 1170 for one year, unless the arming is an element of that offense. This additional term shall apply to a person who is a principal in the commission of a felony or attempted felony if one or more of the principals is armed with a firearm, whether or not the person is personally armed with a firearm.

(2) Except as provided in subdivision (c), and notwithstanding subdivision (d), if the firearm is an assault weapon, as defined in Section 30510 or 30515, or a machinegun, as defined in Section 16880, or a .50 BMG rifle, as defined in Section 30530, the additional and consecutive term described in this subdivision shall be three years imprisonment pursuant to subdivision (h) of Section 1170 whether or not the arming is an element of the offense of which the person was convicted. The additional term provided in this paragraph shall apply to any person who is a principal in the commission of a felony or attempted felony if one or more of the principals is armed with an assault weapon, machinegun, or a .50 BMG rifle, whether or not the person is personally armed with an assault weapon, machinegun, or a .50 BMG rifle.

(b) (1) A person who personally uses a deadly or dangerous weapon in the commission of a felony or attempted felony shall be punished by an additional and consecutive term of imprisonment in the state prison for one year, unless use of a deadly or dangerous weapon is an element of that offense.

(2) If the person described in paragraph (1) has been convicted of carjacking or attempted carjacking, the

additional term shall be in the state prison for one, two, or three years.

(3) When a person is found to have personally used a deadly or dangerous weapon in the commission of a felony or attempted felony as provided in this subdivision and the weapon is owned by that person, the court shall order that the weapon be deemed a nuisance and disposed of in the manner provided in Sections 18000 and 18005.

(c) (1) Notwithstanding the enhancement set forth in subdivision (a), a person who is personally armed with a firearm in the commission of a violation or attempted violation of Section 11351, 11351.5, 11352, 11366.5, 11366.6, 11378, 11378.5, 11379, 11379.5, or 11379.6 of the Health and Safety Code shall be punished by an additional and consecutive term of imprisonment ~~in the state prison pursuant to subdivision (h) of Section 1170~~ for three, four, or five years.

(2) Notwithstanding paragraph (9) of subdivision (h) of Section 1170 of the Penal Code, a defendant convicted of an underlying violation specified in this subdivision who admits an enhancement pursuant to this subdivision or for whom an enhancement pursuant to this subdivision is found true, is punishable by imprisonment in the state prison and not pursuant to subdivision (h) of Section 1170 of the Penal Code.

(d) Notwithstanding the enhancement set forth in subdivision (a), a person who is not personally armed with a firearm who, knowing that another principal is personally armed with a firearm, is a principal in the commission of an offense or attempted offense specified in subdivision (c), shall be punished by an additional and consecutive term of imprisonment pursuant to subdivision (h) of Section 1170 for one, two, or three years.

(e) For purposes of imposing an enhancement under Section 1170.1, the enhancements under this section shall count as a single enhancement.

(f) Notwithstanding any other provision of law, the court may strike the additional punishment for the enhancements provided in subdivision (c) or (d) in an unusual case where the interests of justice would best be served, if the court specifies on the record and enters into the minutes the circumstances indicating that the interests of justice would best be served by that disposition.

SEC. 11. Section 12022.6 is added to the Penal Code, to read:

12022.6. (a) When any person takes, damages, or destroys any property in the commission or attempted commission of a felony, or commits a felony violation of Section 496, the court shall impose a term in addition and consecutive to the punishment prescribed for the felony or attempted felony of which the defendant has been convicted, as follows:

(1) If the loss or property value exceeds fifty thousand dollars (\$50,000), the court shall impose an additional term of one year.

(2) If the loss or property value exceeds two hundred thousand dollars (\$200,000), the court shall impose an additional term of two years.

(3) If the loss or property value exceeds one million dollars (\$1,000,000), the court shall impose an additional term of three years.

(4) If the loss or property value exceeds three million dollars (\$3,000,000), the court shall impose an additional term of four years.

(5) For every additional loss or property value of three million dollars (\$3,000,000), the court shall impose a term of one year in addition to the term specified in paragraph (4).

(b) In any accusatory pleading involving multiple charges of taking, damage, or destruction, or multiple violations of Section 496, the additional terms provided in this section may be imposed if the aggregate losses to the victims or aggregate property values from all felonies exceed the amounts specified in this section and arise from a common scheme or plan. All pleadings under this section shall remain subject to the rules of joinder and severance stated in Section 954.

(c) The additional terms provided in this section shall not be imposed unless the facts relating to the amounts provided in this section are charged in the accusatory pleading and admitted by the defendant or found to be true by the trier of fact.

(d) Notwithstanding any other law, the court may impose an enhancement pursuant to this section and another section on a single count, including an enhancement pursuant to Section 12022.65.

SEC. 12. Section 12022.65 is added to the Penal Code, to read:

12022.65. (a) Any person who acts in concert with two or more persons to take, attempt to take, damage, or destroy any property, in the commission or attempted commission of a felony shall be punished by an additional and consecutive term of imprisonment of one, two, or three years.

(b) The additional term provided in this section shall not be imposed unless the existence of the facts required in subdivision (a) are charged in the accusatory pleading and admitted by the defendant or found to be true by the trier of fact.

(c) Notwithstanding any other law, the court may impose an enhancement pursuant to this section and another section on a single count, including an enhancement pursuant to Section 12022.6.

SEC. 13. Section 12022.7 of the Penal Code is amended to read:

12022.7. (a) Any person who personally inflicts great bodily injury on any person other than an accomplice in the commission of a felony or attempted felony shall be punished by an additional and consecutive term of imprisonment in the state prison for three years.

(b) Any person who personally inflicts great bodily injury on any person other than an accomplice in the

commission of a felony or attempted felony which causes the victim to become comatose due to brain injury or to suffer paralysis of a permanent nature shall be punished by an additional and consecutive term of imprisonment in the state prison for five years. As used in this subdivision, “paralysis” means a major or complete loss of motor function resulting from injury to the nervous system or to a muscular mechanism.

(c) Any person who personally inflicts great bodily injury on a person who is 70 years of age or older, other than an accomplice, in the commission of a felony or attempted felony shall be punished by an additional and consecutive term of imprisonment in the state prison for five years.

(d) Any person who personally inflicts great bodily injury on a child under the age of five years in the commission of a felony or attempted felony shall be punished by an additional and consecutive term of imprisonment in the state prison for four, five, or six years.

(e) Any person who personally inflicts great bodily injury under circumstances involving domestic violence in the commission of a felony or attempted felony shall be punished by an additional and consecutive term of imprisonment in the state prison for three, four, or five years. As used in this subdivision, “domestic violence” has the meaning provided in subdivision (b) of Section 13700.

(f) (1) As used in this section, “great bodily injury” means a significant or substantial physical injury.

(2) As used in this section, a person who sells, furnishes, administers, or gives away a controlled substance is deemed to have personally inflicted great bodily injury when the person to whom the substance was sold, furnished, administered, or given suffers a significant or substantial physical injury from using the substance.

(g) This section shall not apply to murder or manslaughter or a violation of Section 451 or 452. Subdivisions (a), (b), (c), and (d) shall not apply if infliction of great bodily injury is an element of the offense.

(h) The court shall impose the additional terms of imprisonment under either subdivision (a), (b), (c), or (d), but may not impose more than one of those terms for the same offense.

SEC. 14. Chapter 36 (commencing with Section 7599.200) is added to Division 7 of Title 1 of the Government Code, to read:

*CHAPTER 36. FUNDING FOR THE HOMELESSNESS,
DRUG ADDICTION, AND THEFT REDUCTION ACT*

7599.200. (a) This chapter shall be known as the *Funding for the Homelessness, Drug Addiction, and Theft Reduction Act*.

(b) From moneys disbursed to the Board of State and Community Corrections pursuant to paragraph (3) of subdivision (a) of Section 7599.2 and Section 6046.2 of the Penal Code, the Board of State and Community

Corrections may allocate appropriate funds to counties and local governments for programs specified in Section 11395 of the Health and Safety Code. This provision shall not preclude funding for this act from any other source, including, but not limited to, the Local Revenue Fund 2011 established under Section 30025 and other funds designated for substance abuse and mental health treatment.

(c) A defendant charged with a treatment-mandated felony is eligible for any appropriate Medi-Cal or Medicare programs or services, including, but not limited to, those described in clauses (iii) to (v), inclusive, of subparagraph (B) of paragraph (16) of subdivision (f) of Section 30025, for the defendant's programs specified in Section 11395 of the Health and Safety Code. A county or local government may contract directly with the State Department of Health Care Services or any other applicable state agency to provide for the provision or administration of any applicable Medi-Cal or Medicare treatment programs.

SEC. 15. Amendments.

(a) Except as provided in subdivision (b), this act shall not be amended by the Legislature except by a statute that furthers the purposes, intent, findings, and declarations of the act and is passed in each house by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, or by a statute that becomes effective only when approved by the voters.

(b) The Legislature may, by majority vote, amend Section 11369 of the Health and Safety Code only to expand the list of drugs that qualify as a “hard drug” and to expand the list of convictions to which it applies, and may, by majority vote, amend Section 11395 of the Health and Safety Code only to expand the list of drugs that qualify as a “hard drug” and to expand the list of applicable prior convictions, and may, by majority vote, amend Section 666.1 of the Penal Code only to expand the list of applicable prior convictions.

SEC. 16. Severability.

If any provision of this act, or any part of any provision, or the application of any provision or part to any person or circumstance is for any reason held to be invalid or unconstitutional, the remaining provisions and applications of provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this act are severable.

SEC. 17. Conflicting Initiatives.

(a) This act creates a new drug treatment statute and changes the penalties for career and serial thieves. In the event that this act and another initiative measure or measures relating to the same subject appear on the same statewide ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event this measure receives a greater number of affirmative votes than a measure deemed to be in conflict with it, the provisions of this measure shall prevail in their entirety, and the

provisions of the other measure or measures shall be null and void.

(b) If this measure is approved by the voters but superseded by law by any other conflicting measure approved by the voters at the same election, and the

conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force and effect.



The California Motor Voter program is making registering to vote at the California Department of Motor Vehicles (DMV) more convenient and secure. All eligible individuals completing driver's license, ID card, or change of address transactions online, by mail, or in person at the DMV will be automatically registered to vote unless they choose to "opt out" of automatic voter registration.

The California Motor Voter program applies to Californians who are 18 years or older and meet all the following criteria:

- A United States citizen.
- A resident of California.
- Not currently serving a state or federal prison term for the conviction of a felony.
- Not currently found mentally incompetent to vote by a court.

Voter pre-registration is available for those 16 and 17 years of age. Their voter registration will become active automatically when they turn 18.

For more information, visit motorvoter.sos.ca.gov.

To register to vote online, visit registertovote.ca.gov.

Voter Registration Privacy Information

Safe at Home Confidential Voter Registration Program: Certain voters facing life-threatening situations (i.e., victims and survivors of domestic violence, stalking, sexual assault, human trafficking, elder/dependent adult abuse) may qualify for confidential voter status if they are active members of the Safe at Home program. For more information, contact the Secretary of State's Safe at Home program toll-free at (877) 322-5227 or visit sos.ca.gov/registries/safe-home/.

Voter Information Privacy: Information on your voter registration affidavit will be used by elections officials to send you official information on the voting process, such as the location of your polling place, and the measures and candidates that will appear on the ballot. Commercial use of voter registration information is prohibited by law and is a misdemeanor. Voter information may be provided to a candidate for office, a ballot measure committee, or other person for election, scholarly, journalistic, political, or governmental purposes, as determined by the Secretary of State. Driver's license and social security numbers, or your signature as shown on your voter registration card, cannot be released for these purposes. If you have any questions about the use of voter information or wish to report suspected misuse of such information, please call the Secretary of State's toll-free Voter Hotline at (800) 345-VOTE (8683).

WARNING: ELECTIONEERING PROHIBITED!

Violations subject to fine and/or imprisonment.

WHERE:

- Within the immediate vicinity of a person in line to cast their ballot or within 100 feet of the entrance of a polling place, curbside voting, or drop box, the following activities are prohibited.



WHAT ACTIVITIES ARE PROHIBITED:

- **DO NOT** ask a person to vote for or against any candidate or ballot measure.
- **DO NOT** display a candidate's name, image, or logo.
- **DO NOT** block access to or loiter near any ballot drop boxes.
- **DO NOT** provide any material or audible information for or against any candidate or ballot measure near any polling place, vote center, or ballot drop box.
- **DO NOT** circulate any petitions, including for initiatives, referenda, recalls, or candidate nominations.
- **DO NOT** distribute, display, or wear any clothing (hats, shirts, signs, buttons, stickers) that include a candidate's name, image, logo, and/or support or oppose any candidate or ballot measure.
- **DO NOT** display information or speak to a voter about the voter's eligibility to vote.

The electioneering prohibitions summarized above are set forth in Article 7 of Chapter 4 of Division 18 of the California Elections Code.

WARNING: CORRUPTING THE VOTING PROCESS IS PROHIBITED!

Violations subject to fine and/or imprisonment.

WHAT ACTIVITIES ARE PROHIBITED:

- **DO NOT** commit or attempt to commit election fraud.
- **DO NOT** provide any sort of compensation or bribery to, in any fashion or by any means induce or attempt to induce, a person to vote or refrain from voting.
- **DO NOT** illegally vote.
- **DO NOT** attempt to vote or aid another to vote when not entitled to vote.
- **DO NOT** engage in electioneering; photograph or record a voter entering or exiting a polling place; or obstruct ingress, egress, or parking.
- **DO NOT** challenge a person's right to vote or prevent voters from voting; delay the process of voting; or fraudulently advise any person that he or she is not eligible to vote or is not registered to vote.
- **DO NOT** attempt to ascertain how a voter voted their ballot.
- **DO NOT** possess or arrange for someone to possess a firearm in the immediate vicinity of a polling place, with some exceptions.
- **DO NOT** appear or arrange for someone to appear in the uniform of a peace officer, guard, or security personnel in the immediate vicinity of a polling place, with some exceptions.
- **DO NOT** tamper or interfere with any component of a voting system.
- **DO NOT** forge, counterfeit, or tamper with the returns of an election.
- **DO NOT** alter the returns of an election.
- **DO NOT** tamper with, destroy, or alter any polling list, official ballot, or ballot container.
- **DO NOT** display any unofficial ballot collection container that may deceive a voter into believing it is an official collection box.
- **DO NOT** tamper or interfere with copy of the results of votes cast.
- **DO NOT** coerce or deceive a person who cannot read or an elder into voting for or against a candidate or measure contrary to their intent.
- **DO NOT** act as an election officer when you are not one.

EMPLOYERS cannot require or ask their employee to bring their vote-by-mail ballot to work or ask their employee to vote their ballot at work. At the time of payment of salary or wages, employers cannot enclose materials that attempt to influence the political opinions or actions of their employee.

PRECINCT BOARD MEMBERS cannot attempt to determine how a voter voted their ballot or, if that information is discovered, disclose how a voter voted their ballot.

The prohibitions on activity related to corruption of the voting process summarized above are set forth in Chapter 6 of Division 18 of the California Elections Code.

Tips for California's Military and Overseas Voters

Taking part in elections is more convenient than ever for Californians serving in the military or living outside the United States. It begins when you register to vote as a military or overseas voter and receive election materials by mail, fax, or email. Be prepared!

- **Start early.** California's county elections officials begin sending ballots to military and overseas voters 60 days before Election Day. Fill out a voter registration application early at registertovote.ca.gov to ensure that you receive your voting materials in time and can return your voted ballot by Election Day.
- **Know your options.** When registering to vote as a military or overseas voter, you can choose to have your ballot mailed, faxed, or emailed to you. Additionally, you may visit your county elections official's website for information about how to download your ballot and election materials. You may return your voted ballot to your county elections official by mail or, in certain circumstances, by fax. If you meet the requirements to return your ballot by fax, you must also fax the Oath of Voter form (available from your county elections official) waiving your right to a confidential ballot.
- **Stay in touch.** Once you register as a military or overseas voter, you will continue to receive a ballot and election materials from your county elections official before each statewide election. However, you will need to update your registration to vote if you change your address, your name, or your political party preference. Visit sos.ca.gov/elections/voter-registration/military-overseas-voters/ for more election resources designed especially for you.

Dates to remember:

October 21, 2024: Last day for military and overseas voters to register to vote for the General Election.

October 22–November 5, 2024: Same Day Registration is available. You may “conditionally” register to vote a provisional ballot during this time. Contact your county elections official for more information.

November 5, 2024: Election Day. Mailed ballots must be postmarked on or before Election Day and received by your county elections office no later than November 12, 2024. Faxed ballots must be delivered to your county elections office by close of polls, no later than 8:00 p.m. Pacific Standard Time on Election Day.

For more information, contact:

California Secretary of State



(800) 345-VOTE (8683)



sos.ca.gov/elections/voter-registration/military-overseas-voters/

Federal Voting Assistance Program



(800) 438-VOTE (8683)



www.fvap.gov

Assistance for Voters with Disabilities

California is committed to ensuring every voter is able to cast their ballot privately and independently.

For more detailed information about what assistance your county offers to voters with disabilities, please check out your county voter information guide or contact your county elections official. County contact information is available at sos.ca.gov/elections/voting-resources/county-elections-offices.

Voting at a Polling Place or Vote Center

If you need help marking your ballot, you may choose up to two people to help you. This person cannot be:

- Your employer or anyone who works for your employer
- Your labor union leader or anyone who works for your labor union

Curbside voting allows you to park as close as possible to the voting area. Elections officials will bring you a roster to sign, a ballot, and any other voting materials you may need, whether you are actually at a curb or in a car.

All polling places and vote centers are required to be accessible to voters with disabilities and will have accessible voting machines.

Voting at Home

Remote accessible vote-by-mail (RAVBM) systems provide an accessible option for voters with disabilities to receive their ballot at home and mark it independently and privately before sending it back to their elections official. Contact your county elections official for more information.

Audio and Large Print Voter Information Guides

This guide is also available in audio and large print versions in English, Chinese, Hindi, Japanese, Khmer, Korean, Spanish, Tagalog, Thai, and Vietnamese at no cost.

To order:



Visit vote.ca.gov



Call the Secretary of State's toll-free voter hotline at (800) 345-VOTE (8683)



Download an audio MP3 version at voterguide.sos.ca.gov/en/audio

Voting Rights Restored for Persons with a Prior Felony Conviction

You can register and vote if you are:

- A U.S. citizen and a resident of California
- 18 years old or older on Election Day
- Not currently found mentally incompetent to vote by a court
- Not currently serving a state or federal prison term for the conviction of a felony

If you meet these requirements, you can vote even if you:

- Have a misdemeanor conviction (a misdemeanor will never prevent you from voting)
- Are on parole supervision or probation
- Are on post-release community supervision (PRCS)

For more information, please visit votingrightsrestored.sos.ca.gov.

Register or re-register to vote today!

If you were registered to vote and convicted of a felony, your previous registration may have been canceled.

Register or re-register to vote today online at registertovote.ca.gov. You can also request a paper voter registration card by calling the Secretary of State's Voter Hotline at (800) 345-VOTE (8683).

Democracy Needs You! Serve as a Poll Worker

Help your community members exercise their right to vote by signing up to be a poll worker. As a poll worker, you can make sure voters can easily and safely cast their vote. Gain hands-on experience and take part in the single most important right in our democracy—Voting! Complete your form today at pollworker.sos.ca.gov.

For more information about being a poll worker, contact your county elections office or call the California Secretary of State at (800) 345-VOTE (8683), or visit vote.ca.gov.

Provisional Voting

Name not on the voter list at the polling center or the vote center?

You still have the right to vote with a provisional ballot.

What is a provisional ballot?

A provisional ballot is a regular ballot placed in a special envelope prior to being put in the ballot box. Provisional ballots are ballots cast by voters who believe they are registered to vote even though their names are not on the official voter registration list at the polling place or vote center.

A voter may need to cast a provisional ballot if they want to vote in person at a polling place or vote center but did not receive their vote-by-mail ballot or if they do not have their vote-by-mail ballot with them to surrender prior to voting in person.

Will my provisional ballot be counted?

Yes, your provisional ballot will be counted after elections officials have confirmed that you are registered to vote in that county, and you did not already vote in that election.

A provisional ballot may be used at any polling place or vote center in the county in which you are registered to vote. Only the election contests you are eligible to vote for will be counted.

How can you check the status of your provisional ballot?

Anyone who casts a provisional ballot has the right to find out from their county elections official if the ballot was counted and, if not, the reason why it was not counted.



You can check the status of your provisional ballot at voterstatus.sos.ca.gov.

County Elections Offices

Alameda County

(800) 834-6454

www.acvote.org

Alpine County

(530) 694-2281

www.alpinecountyca.gov/

Amador County

(209) 223-6465

www.amadorgov.org/government/elections

Butte County

(530) 552-3400 or (800) 894-7761

(Within Butte County)

www.buttevotes.net

Calaveras County

(209) 754-6376 or (833) 536-8683

elections.calaverasgov.us/

Colusa County

(530) 458-0500 or (877) 458-0501

www.countyofcolusa.org/elections

Contra Costa County

(925) 335-7800

www.contracostavote.gov/elections/

Del Norte County

(707) 464-7216

www.co.del-norte.ca.us/departments/Elections

El Dorado County

(530) 621-7480

www.edcgov.us/Government/Elections

Fresno County

(559) 600-8683

www.fresnovote.com

Glenn County

(530) 934-6414

www.countyofglenn.net/dept/elections

Humboldt County

(707) 445-7481

www.humboldt.gov.org/Elections

Imperial County

(442) 265-1060

www.elections.imperialcounty.org

Inyo County

(760) 878-0224

elections.inyocounty.us/

Kern County

(661) 868-3590 or (800) 452-8683

www.kernvote.com

Kings County

(559) 852-4401 or

(800) 289-9981 ext. 4401

www.votekingscounty.com

Lake County

(707) 263-2372 or (888) 235-6730

www.lakecountyca.gov/818/

Registrar-of-Voters

Lassen County

(530) 251-8217

www.lassencounty.org/dept/county-clerk-recorder/elections

Los Angeles County

(800) 815-2666

www.lavote.gov

Madera County

(559) 675-7720 or (800) 435-0509

www.votemadera.com

Marin County

(415) 473-6456

www.marinvotes.org

Mariposa County

(209) 966-2007

www.mariposacounty.org/87/Elections

Mendocino County

(707) 234-6819

www.mendocinocounty.org/government/assessor-county-clerk-recorder-elections

Merced County

(209) 385-7541 or (800) 561-0619

www.mercedelections.org

Modoc County

(530) 233-6200

www.co.modoc.ca.us/departments/elections/

Mono County

(760) 932-5537 or (760) 932-5530

monocounty.ca.gov/elections

Monterey County

(831) 796-1499 or (866) 887-9274

www.montereycountyelections.us/

Napa County

(707) 253-4321

www.countyofnapa.org/396/elections

Nevada County

(530) 265-1298 or (888) 395-1298

www.nevadacountyca.gov/1847/Elections-Voting

Orange County

(714) 567-7600 or

(888)-OCVOTES (628-6837)

www.ocvote.gov

Placer County

(530) 886-5650 or (800) 824-8683

www.placercountyelections.gov

Plumas County

(530) 283-6256 or (844) 676-VOTE

www.plumascounty.us/142/Elections-Division-Home

Riverside County

(951) 486-7200

www.voteinfo.net

Sacramento County

(916) 875-6451 or (800) 762-8019

www.elections.saccounty.gov

San Benito County

(831) 636-4016

www.sanbenitocounty-ca-cre.gov/

San Bernardino County

(909) 387-8300

www.sbcountyelections.com

San Diego County

(858) 565-5800 or (800) 696-0136

www.sdvote.com/

San Francisco County

(415) 554-4375

www.sfelections.gov

San Joaquin County

(209) 468-2890 or (209) 468-8683

www.sjgov.org

San Luis Obispo County

(800) 834-4636

www.slovote.com

San Mateo County

(650) 312-5222

www.smcacre.org

Santa Barbara County

(805) 568-2200 or (800) 722-8683

www.sbcvvote.com

Santa Clara County

(408) 299-8683 or (866) 430-8683

www.sccvvote.org

Santa Cruz County

(831) 454-2060 or (866) 282-5900

votescount.santacruzcountyca.gov

Shasta County

(530) 225-5730

www.elections.shastacounty.gov

Sierra County

(530) 289-3295

www.sierracounty.ca.gov/214/Elections

Siskiyou County

(530) 842-8084

www.co.siskiyou.ca.us/elections

Solano County

(707) 784-6675 or (888) 933-8683

www.solanocounty.com/elections

Sonoma County

(707) 565-6800 or (800) 750-8683

vote.sonoma-county.org

Stanislaus County

(209) 525-5200 or (833) 772-2260

www.stanvote.com

Sutter County

(530) 822-7122

www.suttercounty.org/elections

Tehama County

(530) 527-8190

www.tehama.gov/government/departments/elections/

Trinity County

(530) 623-1220

www.trinitycounty.org/Elections

Tulare County

(559) 839-2100

tularecoelections.org/elections/

Tuolumne County

(209) 533-5570

www.co.tuolumne.ca.us/elections

Ventura County

(805) 654-2664

www.venturavote.org

Yolo County

(530) 666-8133

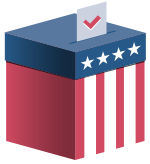
www.yoloelections.org

Yuba County

(530) 749-7855

www.yubaelections.org

DATES TO REMEMBER!



Don't Delay, Vote Today!

Early vote-by-mail ballot voting period is from **October 7 through November 5, 2024.**

Polls are open from 7:00 a.m. to 8:00 p.m. on **November 5, 2024, Election Day!**

OCTOBER

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

October 7

County elections officials will begin mailing vote-by-mail ballots on or before this date.

October 7–November 5

Voting period to return vote-by-mail ballot.

October 8

Vote-by-mail secure drop boxes open.

October 21

Last day to register to vote. Same day voter registration is available at your county elections office or voting location after the voter registration deadline, up to and including Election Day.

October 26

First day vote centers open in Voter's Choice Act counties for early in-person voting.

NOVEMBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Tuesday, November 5, 2024

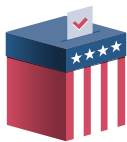
Last day to vote in-person or return a vote-by-mail ballot by 8:00 p.m.

Polls are open from 7:00 a.m. to 8:00 p.m.

Vote-by-mail ballots must be postmarked no later than November 5.

California Secretary of State
Elections Division
1500 11th Street
Sacramento, CA 95814

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U.S. POSTAGE
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CALIFORNIA
SECRETARY
OF STATE



NOVEMBER 5, 2024

GENERAL ELECTION

DATES TO REMEMBER

October 7

County elections officials will begin mailing vote-by-mail ballots on or before this date.

October 7–November 5

Voting period to return vote-by-mail ballot.

October 8

Vote-by-mail secure drop boxes open.

October 21

Last day to register to vote. Same day voter registration is available at your county elections office or voting location after the voter registration deadline, up to and including Election Day.

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Tuesday, November 5, 2024

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For additional copies of the Voter Information Guide in any of the following languages, please call:

English: (800) 345-VOTE (8683)

Español/Spanish: (800) 232-VOTA (8682)

中文/Chinese: (800) 339-2857

हिन्दी/Hindi: (888) 345-2692

日本語/Japanese: (800) 339-2865

ខ្មែរ/Khmer: (888) 345-4917

한국어/Korean: (866) 575-1558

Tagalog: (800) 339-2957

ภาษาไทย/Thai: (855) 345-3933

Việt ngữ/Vietnamese: (800) 339-8163

TTY/TDD: 711

Mobile-Friendly
SCAN
ME



Are you registered to vote? Check here: voterstatus.sos.ca.gov



In an effort to reduce election costs, the State Legislature has authorized the State and counties to mail only one guide to each voting household. You may request additional copies by contacting your county elections official or by calling (800) 345-VOTE (8683).

