



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

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Adopt a resolution electing to opt out of listing supporters and opponents for local measures (including county, city, schools, and special districts) on the county ballot for future elections in accordance with AB 1416.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt a resolution electing to opt out of listing supporters and opponents for local measures (including county, city, schools, and special districts) on the county ballot for future elections in accordance with AB 1416.

SUMMARY/DISCUSSION:

Assembly Bill (AB) 1416 was passed by the California State Legislature in 2022 with an effective date of January 1, 2023. AB 1416 adds a requirement for statewide ballot measures to include a list of both supporters and opponents on the ballot. The list is limited to 125-characters and provides restrictions on how supporters and opponents may be identified. AB 1416 permits counties to opt out of listing supporters and opponents for all local measures. Further, the Bill prohibits the inclusion of supporters and opponents on any local ballot measure in the entire county if a single local measure is shared with a county that has opted out of the listing. To date, the majority of California counties, including all neighboring counties have opted out of listing supporters and opponents on local ballot measures.

Supporters and opponents of local measures are included on the Monterey County Elections website and in the local voter information guide on the introductory page for each measure and with the corresponding arguments in favor of and against. Information in the local guide is not limited in the same manner as the information that would be provided on the ballot under AB 1416.

The Monterey County Elections Department is responsible for the administration of measures related to the County, schools and special districts. In addition, each city clerk is responsible for the administration of measures in their respective city.

AB 1416 raises significant logistical and legal challenges for both the county elections office and the offices of each city clerk. Although the filing of local measures shared with neighboring counties is anticipated, the existing election timeline does not consider varying deadlines for measure filings and the option for local measures to be pulled after the filing deadline for the County. Given capacity limitations at county and city levels, the increase in operational demands to comply, including time and costs associated with verification, data input, proofreading, and translation while factoring conflicting timeframes and the possibility for

measures shared with other counties to be submitted at the filing deadline or removed after the deadline, the recommendation is to opt out of the listing pursuant to California Election Code section 9170 (d).

Opting out of AB 1416 requirements for local ballot measures aims to mitigate the identified financial and operational challenges while upholding electoral integrity and efficiency.

OTHER AGENCY INVOLVEMENT:

All jurisdictions that consolidate their elections with the County will be impacted as AB 1416 is permissive and not mandated, therefore additional costs will be incurred by each local jurisdiction due to the increased expenses associated with implementing the new ballot label requirements. Further, the offices of each city clerk will be impacted as they are responsible for the administration of municipal ballot measures. County Counsel has reviewed the resolution as to form and approved the recommendations.

FINANCING:

There will be no additional cost to the County General Fund associated with this recommendation. However, if the resolution is not adopted, there is an anticipated increase in administrative costs including translation, labor, legal, printing and mailing costs. Increased costs include expenses associated with printing additional ballot cards to accommodate the lists of supporters and opponents, and costs associated with the complexity of ballot design, verification, and proofing, which will necessitate additional staff time, further escalating the financial burden on the County and, by extension, on its local jurisdictions.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This item is in line with the Board's vision for providing efficient service and cost neutral administration.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Attachments:

Attachment A - Draft Resolution