

## Pols 15B – Pinnell

### Popular Initiatives in CA – The Electoral Process

As part of California's structures for *direct democracy*, the initiative process allows the public to effectively make law by putting initiatives of various sorts on the ballot, to be passed by the public in the next scheduled election. While we will go over this in class, here are some necessary details to have to understand this process:

- 1) **Drafting:** Initiatives must be drafted, just as any bill would be in the Legislature. This could be by members of the public, legal professionals, organizations, etc. The text of the initiative will have to be submitted to the Secretary of State for publication in a way that is accessible to the public before the election, in case any voters wish to review it.
- 2) **Petitioning:** Initiatives must receive a certain number of signatures from registered voters to show sufficient public support before it qualifies as a ballot measure. The number of signatures required to get a measure on the ballot varies by the type of initiative. An *initiative statute* that does not change the CA Constitution requires the equivalent of 5% of the turnout in the last gubernatorial election (so, if 1 million voted, it would be 50,000 signatures). A *constitutional amendment* requires the equivalent of 8% of the turnout in signatures. All petitions for initiatives must be completed within 150 days and then submitted to the Secretary of State. Usually, the number of signatures exceeds the requirement, as each signature has to be checked for representing an eligible voter with a real address; some may not survive verification. *Referenda*, which are specifically designed to overturn or force enactment of laws passed by the Legislature, require 5% of the signatures as initiatives, but these signatures must be gathered 90 days from when the bill is supposed to take effect before the petition is submitted to the Secretary of State.
- 3) **Verification:** The Secretary of State is then in charge of verifying the signatures to show that they represent current registered voters in CA. If the signatures are gathered in the right amount of time, and are verified at least 131 days before the next election, they will qualify for the ballot; otherwise, they will have to wait until the next scheduled election.
- 4) **Election:** Depending on whether the signatures are gathered or verified in time, the initiative may qualify for an upcoming election, or may be part of a queue of measures in wait for the next scheduled general election. As of 2011, special elections are apparently no longer permitted for initiatives or referenda.

For more on this process, you might want to check out the Secretary of State's webpage, which has the particulars of this process, along with initiatives in various stages of this process: <http://www.sos.ca.gov>. Look under "Ballot Measures."