



AB 809 Transparency Fix

SUMMARY

This bill is a technical cleanup to AB 809 (Obernolte) which was signed by Governor Brown in 2014. AB 809 enhanced transparency by adding new information to the ballot label, the last thing voters see before they vote on a given measure. Specifically, AB 809 included the rate of the tax increase, its duration, and an estimate of the amount of revenue to be raised on the ballot label. However, due to a drafting error, AB 809 was not as comprehensive as it needed to be because it did not apply to initiatives placed on the ballot by local government entities.

ISSUE BACKGROUND

The above problem was exposed last year in lawsuit *City of Carson v. Logan* filed in Los Angeles Superior Court. The city filed a lawsuit against Los Angeles County Registrar of Voters, Dean Logan in an attempt to compel his office to include the AB 809 transparency language in the ballot label for the recent Los Angeles County transportation sales tax. This measure was placed on the November 2016 ballot and was ultimately approved by voters with the required two-thirds vote. The city of Carson joined six other cities in Los Angeles County in filing a lawsuit, essentially saying that the AB 809 transparency requirements should be included in the ballot label for all local tax measures. The lawsuit was denied as the court ruled that the provisions in AB 809 were not subject to initiatives placed on the ballot by local government entities.

SOLUTION

This bill corrects this problem by defining the term local government, and clarifying that the provisions of AB 809 now also apply to tax measures placed on the ballot by municipalities.

AUTHOR'S STATEMENT

"Transparency is a fundamental component of good and honest government. This bill simply ensures that voters receive relevant information regarding all local tax measures that come before them on the ballot."

SUPPORT

Howard Jarvis Taxpayers Association (sponsor)

MORE INFORMATION

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