



NON-PROFIT HOUSING ASSOCIATION
OF NORTHERN CALIFORNIA

Voter Transparency & Clarity: SB 268

Senator Scott Wiener (D-11)



Supports fair elections for local community affordable housing, education, and other critical needs, by expanding transparency and voter clarity on local revenue measure impacts.

VOTER TRANSPARENCY & CLARITY

SB 268, which will expand transparency for local tax measures while addressing recently enacted ballot label requirements that have proven to be problematic for bonds and tiered tax rate measures. The existing law is creating significant voter confusion and threatening our ability to meet the educational, housing, health, flood protection, and other needs of California residents

RIGHTING A WRONG

SB 268 will expand transparency for local tax measures while addressing recently enacted ballot label requirements that have proven to be problematic for bonds and tiered tax rate measures.

In recent years, Elections Code Section 13119 has been amended to modify the local ballot label requirements for measures that impose a tax or raise the rate of a tax. While these provisions were enacted with the intention of increasing transparency to voters regarding the costs of proposed ballot measures, they actually have resulted in less transparency because of voter confusion. This is largely owing to newly required text in a place -- on voters' ballot question -- that has limited space. The new requirements take up about one-third to nearly all of the available space on the ballot question that would otherwise be used to describe how bond proceeds will be spent in the community.

The existing law is creating significant voter confusion and threatening our ability to meet the educational, housing, health, flood protection, and other needs of California residents



HOW AB 2065 WORKS

SB 268 Fixes the Problem while Expanding Transparency. SB 268 offers both clarity and transparency in its solutions, recognizing that it is essential that local agencies educate their communities on what projects will be funded and how tax revenues are ultimately spent. SB 268 will:

- ✓ Clarify that financial measures stated in the ballot label or in the voter information guide are *estimates*, and *not* caps above which a local jurisdiction would be subject to legal challenge;
- ✓ Require local measure that imposes or increases tiered tax rates, authorizes the issuance of bonds, or imposes a tax with a rate structure that cannot be accurately described in the ballot label, to include in the ballot label the words “See voter guide for information” and specifically reference public benefits, rates, duration, annual revenue, average tax rate, highest tax rate, and more;
- ✓ Any local tax measure exempted from the requirement to provide the rate, duration, and annual revenue specifically in the ballot label would be required to include key financial measures that include all those in existing law and more in the voter information guide.

WHY AB 2065 IS THE RIGHT SOLUTION

268 delivers on the intended transparency of former amendments by also prioritizing voter clarity about the measures on which they are asked to vote. The bill ensures that voters are receiving full information about the measures they vote on, in the right space to suit the extended communications. Importantly, by reducing voter confusion, this bill will also protect the ability of local agencies and communities to support schools, roads, hospitals, flood protection, fire protection, and other vital public services, while ensuring accurate, clear cost information is provided to voters.

WHAT YOU CAN DO

- **Contact Your Lawmaker.** Visit our Action Center for opportunities to share your support for SB 268 with lawmakers and the bill sponsor: www.nonprofithousing.org/ActionCenter
- Join NPH’s **Legislative Issues Working Group** to discuss affordable housing policy and the Legislature: pedro@nonprofithousing.org
- Endorse our efforts and join our coalition: jr@nonprofithousing.org

SB 268 is an NPH Supported Bill for the 2019 legislative session.
Visit nonprofithousing.org/ActionCenter to view NPH’s full Legislative Agenda.