

ACA 13 Majority Vote Protection Act Clears First Hurdle

CSDA News, 08/25/23

Assembly Constitutional Amendment 13 (Ward) passed the Assembly Elections Committee August 23 on a 5-2 vote. The CSDA-supported measure would require initiatives seeking to raise voter thresholds to meet the same threshold they seek to impose on others.

ACA 13 will protect local control in communities throughout California by preserving the majority vote and preventing a smaller percentage of statewide voters from overruling the actions of local voters concerning their water, parks, health, public safety, and other essential services and infrastructure needs.

Because ACA 13 protects the democratic process in local communities, CSDA is supporting the measure and encouraging its members to submit letters of support. CSDA members may use a sample letter of support to better facilitate this process. Dozens of CSDA members have already responded to this call to action.

Under ACA 13, if a future initiative constitutional amendment includes provisions that impose a supermajority vote threshold and fails to gain the corresponding supermajority of voters in support of the underlying amendment, the initiative constitutional amendment would not be considered approved, thereby failing in its entirety.

If passed into law by voters in March 2024, ACA 13 would apply to Initiative #21-0042A1 (aka #1935) recently made eligible for the November 2024 Statewide Ballot through petition sponsored by the California Business Roundtable (CBRT). Formally entitled "LIMITS ABILITY OF VOTERS AND STATE AND LOCAL GOVERNMENTS TO RAISE REVENUES FOR GOVERNMENT SERVICES," CBRT has dubbed the initiative the "Taxpayer Protection and Government Accountability Act."

Last week, CalMatters published an in-depth article uncovering the single-largest donor behind the California Business Roundtable (CBRT) initiative (#21-0042A1).

CSDA CEO Neil McCormick was quoted throughout the article, stating, "It is painful to imagine why an out-of-state company with a mission to make a difference by caring for people in need would contribute millions of dollars-worth of its profits toward an initiative that will undermine publicly-provided emergency services to our communities."

Ballot Initiative 21-0042A1 would result in the loss of billions of dollars annually in critical state and local funding, restricting the ability of local agencies and the State of California to fund services and infrastructure by:

- Adopting new and stricter rules for raising taxes, fees, assessments, and property-related fees.

- Amending the State Constitution, including portions of Propositions 13, 218, and 26 among other provisions, to the advantage of the initiative's proponents and plaintiffs, creating new grounds to challenge these funding sources and disrupting fiscal certainty.
- Restricting the ability of local governments to issue fines and penalties to corporations and property owners that violate local environmental, water quality, public health, public safety, fair housing, nuisance and other laws and ordinances.

The CBRT-sponsored initiative includes provisions that would retroactively void all state and local taxes, fees, assessments, and other charges adopted after January 1, 2022 if they did not align with the provisions of this initiative. Some may argue the initiative could even affect indexed fees that adjust over time for inflation or other factors. Effectively, it would allow voters throughout California to invalidate the prior actions of local voters, undermining local control and voter-approved decisions about investments needed in their communities.

To take effect, ACA 13 must be approved by two-thirds of lawmakers in each house of the Legislature and then by a majority of statewide voters in March 2024.

For additional information or questions about ACA 13, reach out to CSDA Legislative Representative Marcus Detwiler.

For more information on Initiative 21-0042A1, including a sample oppose resolution visit csda.net/VoterLimitations

2023 Advocacy Success: Bill Preventing Employer Communications Shelved for the Year

CSDA News, 08/25/23

Senate Bill 399 (Wahab), which could have interrupted the proper functioning of special districts and other local governments, has been made a “two-year bill” and will not be taken up again by the State Legislature before 2024.

CSDA is the co-leader of the local government coalition opposed to the bill. CSDA’s most recent coalition letter can be viewed [here](#).

SB 399 would prohibit an employer from taking adverse action against an employee who declines to attend an employer-sponsored meeting or affirmatively declines to participate in, receive, or listen to any communications with the employer, the purpose of which is to communicate the employer’s opinion about political matters or religious matters. The bill defines political matters as matters relating to elections for political office, political parties, legislation, regulation, and the decision to join or support any political party or political or labor organization.

CSDA opposed the bill because local government employees are already protected from anti-union activities, and local government employers engage in many other routine activities which could be political matters as defined in the bill. If enacted, SB 399 could lead to litigation and disputes, and interfere with government operations.

CSDA worked with its coalition partners to oppose the bill while offering potential amendments to mitigate the bill’s most significant impacts on local governments in connection with legislation and regulations. CSDA will remain engaged with the author and coalition on future efforts to advance this bill or similar legislation.

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