

Date of Hearing: April 30, 2025

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
AB 1188 (Ortega) – As Amended March 24, 2025

AS PROPOSED TO BE AMENDED

SUBJECT: Elections: statewide initiative and referendum petitions: disclosures.

SUMMARY: Requires ballots to contain detailed information about the top contributors to campaign committees formed to support and oppose statewide initiatives and referenda. Requires signers of statewide initiative and referendum petitions to initial and date the petition to indicate that they have reviewed a disclosure of the top funders to the committee circulating the petition. Specifically, **this bill**:

- 1) Requires the Secretary of State (SOS), in the case of a statewide initiative or referendum measure that is appearing on the ballot, to identify the three contributors with the largest amounts of cumulative contributions to all campaign committees formed in support of the measure and that paid for the circulation of the measure, and the three contributors with the largest amounts of cumulative contributions to all campaign committees formed to oppose the measure, as specified.
- 2) Requires, in the case of a statewide initiative or referendum measure that is appearing on the ballot, that the following be printed on the ballot following the condensed ballot title and summary and the list of supporters and opponents of the measure:
 - a) The underlined text “Top Funders in Support:” followed by the names of the three largest contributors to the committees in support of the measure and that paid for the circulation of the measure, as determined by the SOS.
 - b) The underlined text “Top Funders in Opposition:” followed by the names of the three largest contributors to the committees in opposition to the measure, as determined by the SOS.
 - c) The text “Latest Official Top Funders:” followed by either a QR code that links to the page on the website of the SOS that lists “Official Top Funders” statements for statewide ballot measures or the web address for that website.
- 3) Requires each campaign contributor listed on the ballot pursuant to this bill to be disclosed on a separate horizontal line separate from any other text, in descending order, beginning with the contributor who made the largest cumulative contributions.
- 4) Provides that the ballot text required by 2) does not count toward the 75-word limit for the condensed title and summary of the ballot measure.
- 5) Requires statewide initiative and referendum petitions to contain the following notice on the petition, as specified, in boldface type before the portion of the petition for voters’ signatures:

NOTICE TO THE PUBLIC:

SIGN ONLY IF YOU REVIEWED THE OFFICIAL TOP FUNDERS BOX ON THIS PAGE.

- 6) Requires statewide initiative and referendum petitions to be designed such that each petition signer must date the petition and initial that they have reviewed the “official top funders” disclosure.
- 7) Provides that this bill applies only to a statewide initiative or referendum that receives an official title and summary from the Attorney General on or after the effective date of this bill.
- 8) Contains a severability clause.

EXISTING LAW:

- 1) Allows electors to propose statutes and amendments to the Constitution and to adopt or reject them through the initiative process. (California Constitution Article II, §8) Allows electors to approve or reject statutes or parts of statutes, except as specified, through the referendum process. (California Constitution Article II, §9)
- 2) Requires that ballot measures submitted to the voters shall be abbreviated on the ballot in a ballot label. Requires, in the case of a statewide initiative measure or a measure proposed by the Legislature, that the ballot label shall include a condensed ballot title and summary of no more than 75 words. Requires, in the case of a statewide referendum measure, that the ballot label shall include the ballot title in the form of a question, as specified, containing no more than 75 words. Requires the ballot label for statewide ballot measures to be followed by a listing of supporters and opponents of the ballot measure, as specified. Provides that the list of supporters and list of opponents shall not exceed 125 characters in length each. (Elections Code §§9051, 13247)
- 3) Requires a state or local initiative, referendum, or recall petition to contain the following notices on the petition, as specified, before the portion of the petition for voters’ signatures and following the text “NOTICE TO THE PUBLIC:” printed in boldface type:
 - a) If the petition contains a disclosure statement that details the top funders to the committee that is paying for the circulation of the petition, the text “SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR YOU SAW AN ‘OFFICIAL TOP FUNDERS’ SHEET FOR THIS MONTH,” printed in boldface type.
 - b) The text “THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK,” printed in non-boldface type.
 - c) In the case of state initiative petition, the text “THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THIS

PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT,” printed in non-boldface type. (Elections Code §101)

- 4) Requires, when a campaign committee pays for the circulation of a state or local initiative, referendum, or recall petition, as specified, that an “Official Top Funders” disclosure be made on the petition itself, or on a separate sheet that is presented to prospective petition signers. Requires the disclosure to identify the committee’s name, any qualifying top contributors, the month and year during which the Official Top Funders disclosure is valid, and an address to a webpage that includes the most recent Official Top Funders disclosure, as specified. Requires the disclosure to include the three highest contributors whose cumulative contributions are \$50,000 or more, as specified. (Elections Code §107)
- 5) Requires a committee primarily formed to support or oppose a state ballot measure or state candidate that raises \$1 million or more for an election to maintain an accurate list of the committee’s top 10 contributors, as specified. Requires the committee to provide a current list of its top 10 contributors to the Fair Political Practices Commission (FPPC), and requires the FPPC to post that list on its website. Requires the committee to provide an updated list of its top contributors to the FPPC whenever specified changes to the list occur. (Government Code §84223)

FISCAL EFFECT: Unknown. State-mandated local program; contains reimbursement direction.

COMMENTS:

- 1) **Author’s Amendments:** After the committee’s deadline for pre-committee author’s amendments, the author proposed amendments to this bill that would delete the bill’s requirements that the ballot include a listing of the names of committees formed to support and oppose statewide initiative and referendum measures and the top contributors to those committees, and instead to require that the ballot include a listing of the top three contributors to committees supporting and opposing each statewide initiative and referendum measure, as determined by the SOS. This bill is being heard in committee today “as proposed to be amended” with those proposed author’s amendments. This analysis reflects those proposed author’s amendments, and a mock-up of these proposed amendments is included at the end of this committee analysis.
- 2) **Purpose of the Bill:** According to the author:

AB 1188 increases transparency in our ballot initiative process. While it was originally designed to empower citizens against powerful interests, the initiative and referendum process is vulnerable to manipulation by well-funded corporations and individuals who spend hundreds of millions to sway voter decisions and obscure the true substance of the questions on the ballot. AB 1188 seeks to increase transparency by requiring that the three top funders in support and opposition of an initiative are printed on the ballot, so voters can make informed choices on ballot initiative question.

- 3) **Campaign Contributors on the Ballot and Suggested Amendments:** For the first time, this bill requires the identities of certain campaign contributors to be listed on the ballot. Specifically, the ballot would include a listing of the three largest contributors to campaign committees that support (including any committees that paid for the circulation of the petition) and three largest contributors to campaign committees that oppose each statewide initiative or referendum measure following the ballot label for that measure.

Existing law requires a ballot to comply with a variety of laws that dictate its form and content. For example, existing law requires a ballot to contain the title of each office, the names of all qualified candidates, as specified, ballot designations, as specified, titles and summaries of measures submitted to voters, and instructions to voters, among other things. Moreover, existing law requires a ballot to be printed in a certain form. Once all of these requirements are met, there is limited space left on the ballot to accommodate further requirements. Consequently, it is common practice to include other important election information in the state or local voter information guides.

It is unclear whether including information on the ballot about campaign contributors to committees that are supporting and opposing state ballot measures will provide the voters with accurate, meaningful, and balanced information. For statewide elections, county elections officials generally begin printing ballots shortly after the SOS certifies the list of qualified candidates for office who will appear on the ballot, a step that is required to occur no later than the 68th day before the election. Counties then begin sending ballots to overseas and military voters as soon as 60 days before the election. As a result, any listing of campaign contributors that is printed on the ballot will reflect only those contributions that are made more than two months before the election. Any change in the top contributors during the last two months before the election—when the bulk of campaign communications are likely to occur—would not be reflected in the information that is printed on the ballot. As a result, the information printed on the ballot may give voters a misleading impression about the top funders for and against a measure.

Additionally, it is likely that most of the campaign spending that will have occurred by the deadline for including information on the ballot is spending in connection with gathering signatures to qualify the measure for the ballot. In other words, the proponents of a state initiative or referendum likely will have made significant campaign expenditures more than two months before the referendum appears on the ballot, but it is considerably less likely that opponents of the measure will have made significant expenditures at that point. Is providing voters with information about the major campaign contributors on one side of a state initiative referendum, but not about contributors on the other side of the same measure, equitable, or likely to lead to a more informed electorate?

To the extent that the author and committee believe that information about campaign contributors to committees supporting and opposing statewide initiative and referendum measures *should* be printed on the ballot, this bill should be amended to require that the ballot contain an indication of the date on which the SOS made the determination of the top contributors in support and opposition. Such an amendment would help ensure that voters are not misled into believing that the information that they see on the ballot is up-to-date, but instead represents information that was current at the time that ballots were being laid out

and finalized for printing.

Furthermore, state law generally provides that information that will appear on the ballot must be made available for public examination for a period of time. The public examination period gives the public an opportunity to review election materials before they are finalized and to challenge the contents of those materials in court. To ensure that there is adequate public review of the top contributors and an appropriate opportunity for the public to challenge the SOS's determinations of the top contributors, committee staff recommends that this bill be amended to require the names of the top contributors identified by the SOS to be subject to public examination at the same time and subject to the same procedures as public examination of the ballot labels of state ballot measures.

- 4) **Ballot Length:** The listing of campaign contributors on the ballot, as required by this bill, is likely to significantly increase the length of the ballot in statewide general elections, when statewide initiative and referendum measures generally appear on the ballot. That's especially true in light of recent policy changes that already have significantly increased the amount of space that must be devoted to each statewide measure on the ballot.

Specifically, AB 1416 (Santiago), Chapter 751, Statutes of 2022, requires the ballot label for a statewide ballot measure to include the names of specified supporters and opponents of the measure (local ballot measures may or may not have supporters and opponents listed on the ballot, depending on decisions made by local jurisdictions). The November 2024 statewide general election featured 10 statewide ballot measures, and was the first statewide election where AB 1416 had a significant impact on the length of ballots. Based on a review of a selection of counties' ballots for the November 2024 statewide general election, it appears that AB 1416 increased the amount of space taken up on the ballot for each statewide ballot measure by 30-45% in most cases.

Unlike AB 1416, this bill applies only to statewide initiative and referendum measures, and does not apply to measures placed on the ballot by the Legislature. That being the case, this bill would not increase the amount of space taken up by *every* statewide ballot measure, but it would affect a large number of measures on general election ballots. The last five statewide general elections have included an average of more than eight statewide initiative or referendum measures, with a low of five measures in 2024, and a high of 16 in 2016.

A sample mock-up of how the text of a ballot measure might appear if this bill's requirements were in effect is included below. This mock-up, which was provided by the California Association of Clerks and Election Officials in response to a request from committee staff, shows that this bill could increase the amount of space taken up on the ballot by each statewide initiative and referendum measure by 50%. If this bill becomes law, when combined with the added length from the addition of supporters and opponents as required by AB 1416, a state initiative or referendum measure appearing on a future ballot could take up more than double the amount of space on the ballot that the same measure would have taken in 2022.

Proposition 33 (2024) ballot listing pursuant to existing law

Proposition 33	
EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE. Repeals Costa-Hawkins Rental Housing Act of 1995, which currently prohibits local ordinances limiting initial residential rental rates for new tenants or rent increases for existing tenants in certain residential properties. Fiscal Impact: Reduction in local property tax revenues of at least tens of millions of dollars annually due to likely expansion of rent control in some communities. Supporters: CA Nurses Assoc.; CA Alliance for Retired Americans; Mental Health Advocacy; Coalition for Economic Survival; TenantsTogether	
Opponents: California Council for Affordable Housing; Women Veterans Alliance; California Chamber of Commerce	
☐	Yes
☐	No

Proposition 33 (2024) ballot listing under this bill, as proposed to be amended pursuant to author's amendments outlined above

Proposition 33	
EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE. Repeals Costa-Hawkins Rental Housing Act of 1995, which currently prohibits local ordinances limiting initial residential rental rates for new tenants or rent increases for existing tenants in certain residential properties. Fiscal Impact: Reduction in local property tax revenues of at least tens of millions of dollars annually due to likely expansion of rent control in some communities. Supporters: CA Nurses Assoc.; CA Alliance for Retired Americans; Mental Health Advocacy; Coalition for Economic Survival; TenantsTogether	
Opponents: California Council for Affordable Housing; Women Veterans Alliance; California Chamber of Commerce	
<u>Top Funders in Support:</u> AIDS Healthcare Foundation Unite Here, Local 11	
<u>Top Funders in Opposition:</u> California Apartment Association Issues Committee California Association of Realtors Issues Mobilization PAC National Association of Realtors Latest Official Top Funders: https://www.sos.ca.gov/elections/ballot-measures/initiative-and-referendum-status/official-top-funders	
☐	Yes
☐	No

Moreover many county elections officials are required to print ballots in multiple languages under state and federal law. In order to accomplish this, some counties print multilingual

ballots. For instance, Sacramento County produces a combined English and Spanish language ballot. The translation of the information required by this bill would further add to the length of ballots at statewide general elections.

- 5) **Top Funders Disclosure and Proposed Amendments:** SB 47 (Allen), Chapter 563, Statutes of 2019, requires that individuals who are asked to sign state or local initiative, referendum, or recall petitions be provided with information about the committee that is paying for the petition to be circulated, if any, and the top campaign contributors to that committee, as specified. Those disclosures, which must comply with various formatting and legibility requirements, are referred to as an “Official Top Funders” disclosure. SB 47 permits the Official Top Funders disclosure to appear on the petition itself, or on a separate sheet that is required to be shown to individuals who are asked to sign the petition.

This bill would require state initiative or referendum petitions to contain an additional notice to the public about the Official Top Funders disclosure, and would require a signer of a state initiative or referendum petition to provide the date that the petition was signed and to initial the petition to confirm that the signer reviewed the Official Top Funders disclosure. These requirements appear to be designed to increase the likelihood that potential signers of state initiative and referendum petitions are aware of the top funders of the petition drive before signing. These provisions of the bill, however, are ambiguous as to their intent and effect.

For example, this bill would require state initiative and referendum petitions to include text stating “SIGN ONLY IF YOU REVIEWED THE OFFICIAL TOP FUNDERS BOX ON THIS PAGE.” However, the Official Top Funders disclosure may be made on a sheet that is separate from the petition itself, and this bill does not change that policy. Accordingly, the Official Top Funders disclosure may not appear on the same page as the notice that this bill would require. To avoid requiring the inclusion of an inaccurate notice on certain petitions, committee staff recommends that this bill be amended so that the notice required by this bill does not reference an Official Top Funders Box appearing *on the same page* as the notice.

Additionally, this bill requires that statewide initiative and referendum petitions be designed so that each signer can affix the date that the person signed the petition, and can initial the petition to confirm that the signer reviewed the Official Top Funders disclosure included with the petition. The purpose served by having the voter date the petition is unclear. Furthermore, it is unclear whether elections officials would be required to verify this information when validating signatures on the petition. If elections officials *are* required to verify this information, that could significantly increase the workload for elections officials, resulting in a corresponding increase in costs associated with signature verification on petitions. To address these issues, committee staff recommends that this bill be amended to delete these requirements, and instead to require that petitions be designed so that each petition signer is asked to check a box to indicate that the signer reviewed the Official Top Funders disclosure. Such an amendment should increase the likelihood of voters reviewing the Official Top Funders disclosure while minimizing any corresponding burden on elections officials who are responsible for verifying signatures.

- 6) **Technical Issues and Proposed Amendments:** This bill requires the ballot to include, following the listing of top funders in support of and in opposition to a statewide initiative or

referendum measure, the text “Latest Official Top Funders:” followed either by a QR code that directs the voter to the page on the SOS’s website that lists “Official Top Funders” statements for statewide ballot measures, or the web address for that page. That webpage, however, is not a comprehensive listing of committees that support and oppose the ballot measures. Instead, the information found on that page is limited to the committees that funded the petition drive to qualify the measure for the ballot. That webpage will not contain any information about the contributors to committees that are opposing each measure.

To provide more comprehensive and balanced information about the financial supporters and opponents of ballot measures, committee staff recommends that this bill be amended to instead require a link to an existing webpage that contains information about the top 10 contributors to each committee primarily formed to support or oppose a state ballot measure or state candidate that raises \$1 million or more for an election, as required by Section 84223 of the Government Code. That webpage currently appears on the FPPC’s website, but will move to the SOS’s website once the state’s existing campaign disclosure database is replaced by a new disclosure system. That new disclosure system tentatively is expected to be deployed in late 2026.

Furthermore, the inclusion of QR codes on the ballot for every statewide initiative and referendum measure could create problems for elections officials when designing ballots, and could interfere with the tabulation of ballots by voting systems. Accordingly, committee staff recommends that this bill be amended to delete the option of including a QR code that links to a webpage with additional information about campaign contributors, and instead to require that the ballot contain the web address that directs voters to the relevant information.

- 7) **Arguments in Support:** A coalition of labor organizations including the sponsor of this bill, the California Federation of Labor Unions, writes in support:

Well-funded ideological interests can...put their proposals on the ballot if they do not agree with the actions of the democratically elected Legislature and Governor. Instead of representative democracy for the entire state, billionaires can fund campaigns to move their narrow, often self-serving, agendas in ways the public does not see or understand. The result is a two-tier system of democracy that reflects a broader political shift. Billionaires and corporations are using their limitless funding, influence, and media presence to write their own laws on the ballot.

AB 1188 brings more transparency on the main funders of ballot measures to voters where it matters most—on the ballot label. This bill will require that the Top Official Funders are listed on the ballot label along with the supporters and opponents, modeled on what is already required on initiative petitions. AB 1188 brings more transparency on what interests are really behind initiatives in the place where all voters can see it.

- 8) **Arguments in Opposition:** In opposition to this bill, the California Association of Clerks and Election Officials writes:

AB 1188 would add complexity to the petition examination process and unfunded state mandated costs to the county elections officials examining the petitions and issuing and processing ballots...

There is not a simple, quick method for comparing voter initials as voter registration records do not include samples of voters' signed initials. County elections officials will have to review voters' full signatures to determine if the signatures contain clear examples of the voters' initials. This would add time and cost to the process of examining state petitions and could cause valid voter signatures to be rejected if the initials do not compare...

As the officials charged with conducting fair and transparent elections in California, we share the Legislature's desire to ensure voters are informed about measures and referenda when voting. However, we must also be mindful of the potential voter confusion and real cost implications that would occur if too much information is added to ballots...

Finally, adding too much information to a single ballot question on the ballot can confuse some voters. In its research, the Center for Civic Design has found that when voters can't understand long ballot questions, they are more likely to skip them and miss a chance to cast their vote. Voters are also less likely to vote on the rest of the ballot after a long and confusingly worded question.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Federation of Labor Unions, AFL-CIO (Sponsor)
AFSCME California
California Nurses Association
California Professionals Firefighters
California School Employees Association
California State Legislative Board of the Smart - Transportation Division
CFT- A Union of Educators & Classified Professionals, AFT, AFL-CIO
Election Integrity Project California

Opposition

California Association of Clerks & Election Officials
Howard Jarvis Taxpayers Association

Analysis Prepared by: Ethan Jones / ELECTIONS / (916) 319-2094

ATTACHMENT: Amendments Mock-up for AB 1188 (Ortega)

Mock-up based on Version Number 98 - Amended Assembly 3/24/25

(Proposed author's amendments are in **bold**. Proposed committee amendments are in **bold and highlighted**. These amendments are subject to minor revisions that are consistent with the committee's actions during drafting by the Office of Legislative Counsel)

SECTION 1. Section 101 of the Elections Code is amended to read:

101. (a) Notwithstanding any other law, a state or local initiative, referendum, or recall petition required to be signed by voters shall contain in 11-point type, before that portion of the petition for voters' signatures, printed names, and residence addresses, the following language, in order:

(1) "NOTICE TO THE PUBLIC:". This text shall be in a boldface type.

(2) If the petition includes the disclosure statement described by subdivision (b) of Section 107, the text "SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR YOU SAW AN "OFFICIAL TOP FUNDERS" SHEET FOR THIS MONTH." This text shall be in a boldface type.

(3) "THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK." This text shall be in a non-boldface type.

(b) A state initiative petition shall contain, in the same location and type size described in subdivision (a), the following language in a non-boldface type: "THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THIS PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT."

(c) Notwithstanding any other law, a state initiative or referendum petition shall contain, immediately following the language described in paragraph (2) of subdivision (a), the following language, in order:

(1) "NOTICE TO THE PUBLIC:". This text shall be in a boldface type.

(2) Next shall appear, on a separate horizontal line, the text "SIGN ONLY IF YOU REVIEWED THE OFFICIAL TOP FUNDERS ~~BOX ON THIS PAGE.~~" **DISCLOSURE FOR THIS PETITION.**" This text shall be in a boldface type.

SEC. 2. Section 9020 of the Elections Code is amended to read:

9020. (a) (1) The petition sections shall be designed so that each signer shall personally affix all of the following:

(A) The signer's signature.

(B) The signer's printed name.

(C) The signer's residence address, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained. An incomplete or inaccurate apartment or unit number in the signer's residence address shall not invalidate their signature pursuant to Section 105.

(D) The name of the signer's incorporated city or unincorporated community.

(E) If the petition does not include the disclosure statement described by subdivision (b) of Section 107, the following text on a separate horizontal line below the signer's printed name and above the signer's signature: "DO NOT SIGN UNLESS you have seen Official Top Funders sheet and its month is still valid." The text "DO NOT SIGN UNLESS" shall be in all capitals and in boldface. The other text shall be capitalized as shown and shall not be in boldface.

(2) For a statewide initiative or statewide referendum measure, in addition to the requirements of paragraph (1), the petition sections shall be designed so that ~~each signer shall personally affix both of the following:~~

~~(A) The date the petition is signed.~~

~~(B) The signer's initials immediately preceding the following statement: "BY INITIALING HERE, before the space for each signer's printed name, there is a box preceding the following statement: "BY CHECKING THIS BOX, I confirm that I have reviewed the Official Top Funders included disclosure associated with this petition."~~

(b) Only a person who is a qualified registered voter at the time of signing the petition is entitled to sign it.

(c) The number of signatures attached to each section shall be at the pleasure of the person soliciting the signatures.

SEC. 3. Section 9051 of the Elections Code is amended to read:

9051. (a) (1) The ballot title and summary may differ from the legislative, circulating, or other title and summary of the measure and shall not exceed 100 words, not including the fiscal impact statement.

(2) The ballot title and summary shall include a summary of the Legislative Analyst's estimate of the net state and local government fiscal impact prepared pursuant to Section 9087 of this code and Section 88003 of the Government Code.

(b) (1) The condensed ballot title and summary for a statewide initiative measure, or measure proposed by the Legislature, shall not contain more than 75 words and shall be a condensed version of the ballot title and summary including the financial impact summary prepared pursuant to Section 9087 of this code and Section 88003 of the Government Code.

(2) The condensed title and summary for a statewide referendum measure shall not contain more than 75 words, including the ballot title that shall be in the form of a question as specified in Section 303.1.

(c) (1) The ballot label for a statewide initiative measure, or measure proposed by the Legislature, shall include the condensed ballot title and summary described in paragraph (1) of subdivision (b), followed by the following:

(A) After the text “Supporters:”, a listing of nonprofit organizations, businesses, or individuals taken from the signers or the text of the argument in favor of the ballot measure printed in the state voter information guide. The list of supporters shall not exceed 125 characters in length. Each supporter shall be separated by a semicolon. A nonprofit organization, business, or individual shall not be listed unless they support the ballot measure.

(B) After the text “Opponents:”, a listing of nonprofit organizations, businesses, or individuals taken from the signers or the text of the argument against the ballot measure printed in the state voter information guide. The list of opponents shall not exceed 125 characters in length. Each opponent shall be separated by a semicolon. A nonprofit organization, business, or individual shall not be listed unless they oppose the ballot measure.

(C) A supporter or opponent shall not be listed pursuant to subparagraph (A) or (B) unless it is one of the following:

(i) A nonprofit organization that was not originally created as a committee described in Section 82013 of the Government Code, that has been in existence for at least four years, and that, during the four-year period prior to the time that the organization is listed pursuant to subparagraph (A) or (B), either has received contributions from more than 500 donors or has had at least one full-time employee.

(ii) A business that has been in existence for at least four years and that has had at least one full-time employee during the four-year period prior to the time that the organization is listed pursuant to subparagraph (A) or (B).

(iii) A current or former elected official, who may be listed with the official’s title (e.g., “State Senator Mary Smith,” “Assembly Member Carlos Garcia,” or “former Eureka City Council Member Amy Lee”). These titles may be shortened (e.g. “Senator” or “Sen.” for “State Senator” or “Asm.” for “Assembly Member”).

(iv) An individual who is not a current or former elected official may be listed only with the individual’s first and last name and an honorific (e.g., “Dr.,” “M.D.,” “Ph.D.,” or “Esquire”), with no other title or designation, unless it is a title representing a nonprofit organization or business that meets the requirements of clause (i) or (ii) and that is eligible to be listed under subparagraph (A) if the individual supports the ballot measure or under subparagraph (B) if the individual opposes the ballot measure.

(D) Spaces, commas, semicolons, and any other characters count towards the 125-character limit in subparagraphs (A) and (B).

(E) A supporter or opponent shall not be listed pursuant to subparagraph (A) or (B) if the supporter or opponent is a political party or is representing a political party.

(F) The name of a nonprofit organization or business included in the list of supporters and opponents as required by this subdivision may be shortened by the proponents or opponents who submit it using acronyms, abbreviations, or by leaving out words in the entity's name, as long as doing so would not confuse voters with another well-known organization or business that did not take the same position on the ballot measure (e.g., "Hot Air Balloon Flyers of Montana Education Fund" may be shortened to "Hot Air Balloons Montana").

(G) Supporters and opponents listed on the ballot label pursuant to subparagraph (A) or (B) shall be added as text after the condensed ballot title and summary and shall be separated by semicolons. Supporters and opponents need not be displayed on separate horizontal lines on the ballot. If no list of supporters is provided by the proponents or there are none that meet the requirements of this section, then "Supporters:" shall be followed by "None submitted." If no list of opponents is provided by the opponents or there are none that meet the requirements of this section, then "Opponents:" shall be followed by "None submitted."

(H) If the ballot emphasizes the text "Supporters:" or "Opponents:" by use of boldface font, underlining, or any other method that differentiates that text from the list of supporters or opponents that follow, the text "Supporters:" or "Opponents:" may be displayed with only the initial letter capitalized. If that text is not emphasized, then each letter of that text shall be capitalized.

(I) If including the list of Supporters and Opponents in the ballot labels as required by this section would necessitate the printing of an extra ballot card compared to the ballot labels not including them, the type size of the part of all of the ballot labels starting with "Supporters:" may be reduced by the minimal amount needed to stop them from necessitating an extra ballot card, as long as the type size is no smaller than 8-point and as long as the type size is reduced by the same amount for all ballot measures.

(2) (A) The proponents of a statewide initiative measure or measure proposed by the Legislature, or, commencing January 1, 2025, the supporters of the statute subject to a statewide referendum, shall provide the list of supporters described in subparagraph (A) of paragraph (1) to the Secretary of State when submitting the arguments supporting the ballot measure.

(i) For every supporter listed that is a nonprofit organization, a business, or an individual whose title includes a nonprofit organization or business, the supporters shall include a signed statement by a representative of the nonprofit organization or business, under penalty of perjury, that includes its name and business address and that attests (I) that the nonprofit organization or business supports the measure, (II) that the nonprofit organization or business has been in existence for at least four years, (III) that the nonprofit organization or business has had at least one full-time employee for the last four years, or, if it is a nonprofit organization, that it has had at least 500 donors in the last four years, and (IV) that it was not originally created as a committee described in Section 82013 of the Government Code.

(ii) For every supporter listed that is an individual, the proponents shall include a signed statement by the individual that includes the individual's name and address and attests that the individual supports the measure.

(B) The opponents of a statewide initiative measure or measure proposed by the Legislature, or, commencing January 1, 2025, the opponents of the statute subject to a statewide referendum, shall provide the list of opponents described in subparagraph (B) of paragraph (1) to the Secretary of State when submitting the arguments opposing the ballot measure.

(i) For every opponent listed that is a nonprofit organization, a business, or an individual whose title includes a nonprofit organization or business, the opponents shall include a signed statement by a representative of the nonprofit organization or business, under penalty of perjury, that includes its name and business address and that attests (I) that the nonprofit organization or business opposes the measure, (II) that the nonprofit organization or business has been in existence for at least four years, (III) that the nonprofit organization or business has had at least one full-time employee for the last four years, or, if it is a nonprofit organization, that it has had at least 500 donors in the last four years, and (IV) that it was not originally created as a committee described in Section 82013 of the Government Code.

(ii) For every opponent listed that is an individual, the opponents shall include a signed statement by the individual that includes the individual's name and address and attests that the individual opposes the measure.

(C) In order to enable the Secretary of State to determine whether the nonprofit organizations and businesses listed in the supporters or opponents have been in existence for at least four years, the proponents and opponents shall submit with the list of supporters and opponents described in subparagraphs (A) and (B) a certified copy of the articles of incorporation, articles of organization, or similar document for each nonprofit organization or business on the list that verifies that the nonprofit organization or business has been in existence for at least four years.

(D) The Secretary of State shall confirm that a submission listing supporters or opponents includes the documentation required by subparagraphs (A) through (C) and otherwise meets the requirements of this section. The Secretary of State shall ask the proponents or opponents to resubmit a list if the requirements are not met. The Secretary of State may establish deadlines by when proponents or opponents must resubmit a list and any other documents required by the Secretary of State to meet the deadline in subdivision (b) of Section 9050.

(d) (1) Commencing January 1, 2025, the ballot label for a statewide referendum measure shall include the condensed title and summary described in paragraph (2) of subdivision (b), followed by a listing of the names of supporters and opponents in the ballot arguments printed in the state voter information guide as described in subdivision (c).

(2) For purposes of subparagraph (A) of paragraph (1) of subdivision (c), "Supporters" shall be listed on the ballot label as "Supporters of the law" for statewide referendum measures.

(3) For purposes of subparagraph (B) of paragraph (1) of subdivision (c), "Opponents" shall be listed on the ballot label as "Opponents of the law" for statewide referendum measures.

(e) (1) (A) The Secretary of State shall identify the three contributors with the largest amounts of cumulative contributions to all committees formed pursuant to Section 82013 of the Government Code that formed to advocate in support of a statewide initiative or

statewide referendum measure and that paid for the circulation of the statewide initiative or statewide referendum measure.

(B) The Secretary of State shall identify the three contributors with the largest amounts of cumulative contributions to all committees formed pursuant to Section 82013 of the Government Code that formed in opposition to a statewide initiative or statewide referendum measure.

~~(e)~~ (2) For a statewide initiative or statewide referendum measure, all of the following shall be printed immediately following the text described in subdivision (c):

(A) The underlined text “Top Funders in Support as of [insert date on which Secretary of State made determination of top funders]:” followed by the names of the three contributors identified in subparagraph (A) of paragraph (1).

(B) The underlined text “Top Funders in Opposition as of [insert date on which Secretary of State made determination of top funders]:” followed by the names of the three contributors identified in subparagraph (B) of paragraph (1).

~~(A) The names of any committees formed pursuant to Section 82013 of the Government Code that paid for the circulation of the statewide initiative or statewide referendum measure. The name of the committee shall be printed as it appears on the most recent statement of organization filed pursuant to Section 84101 of the Government Code.~~

~~(B) The names of any committees formed pursuant to Section 82013 of the Government Code that formed to advocate in support of or in opposition to the statewide initiative or statewide referendum measure. The name of the committee shall be printed as it appears on the most recent statement of organization filed pursuant to Section 84101 of the Government Code.~~

~~(C) If the committees have any top contributors as defined in subdivision (c) of Section 84501 of the Government Code, the name of the committee shall be followed by a blank horizontal line and then the underlined text “Committee major funding in support from:” or “Committee major funding in opposition from:”~~

~~(D) The top contributors as defined in subdivision (c) of Section 84501 of the Government Code, if any, shall each be disclosed in boldface type on a separate horizontal line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions, as defined in subdivision (b) of Section 84501 of the Government Code, on the first line.~~

~~(E)~~ (C) The text “Latest Official Top Funders:” followed by either (i) a QR code with the internet web page on the Secretary of State’s internet website that lists the “Official Top Funders” statements that are reported pursuant to subdivision (f) of Section 107, or (ii) the web address for the internet website described in subdivision (c) of Section 107. Section 84223 of the Government Code.

(3) The contributors printed pursuant to subparagraphs (A) and (B) of paragraph (2) shall be disclosed on a separate horizontal line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions.

~~(2)~~ (4) The text required to be printed pursuant to this subdivision does not count toward the 75-word limit for the condensed title and summary.

(5) The Secretary of State shall make a copy of the top contributors identified pursuant to paragraph (1) available for public examination prior to the printing of that information on any ballot, in the same manner and at the same time as the public examination period for the condensed title and summary pursuant to Section 13282. A voter may seek a writ of mandate requiring the identified contributors, or a portion thereof, to be amended or deleted. The provisions set forth in Section 9092 concerning the issuance of the writ and the nature of the proceedings shall be applicable to this section.

(f) In providing the ballot title and summary, the Attorney General shall give a true and impartial statement of the purpose of the measure in such language that the ballot title and summary shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure.

(g) The Attorney General shall invite and consider public comment in preparing each ballot title and summary.

SEC. 4. This act applies only to a proposed statewide initiative or statewide referendum measure for which the official summary date, as that term is defined in Section 336 of the Elections Code, occurs on or after the effective date of this act.

SEC. 5. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 6. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.