
**SENATE COMMITTEE ON
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**
Senator Scott Wiener, Chair
2025 - 2026 Regular

Bill No: AB 1853 **Hearing Date:** 6/16/26
Author: Pellerin
Version: 6/8/26
Urgency: Yes **Fiscal:** Yes
Consultant: Carrie Cornwell

Subject: Voter information guide: candidate statements

DIGEST

This bill limits what a candidate can include in their statement in the voter information guide (VIG).

ANALYSIS

Existing law:

- 1) Requires the Secretary of State (SOS) to mail a state VIG to all households in which voters are registered prior to each statewide election, except as specified. The guide must contain information including, among other items, candidate statements.
- 2) Allows any candidate for statewide elective office, the State Senate, or the State Assembly, who accepts voluntary campaign expenditure limits, to purchase space to place a candidate statement in the VIG that does not exceed 250 words. The statement may not refer to an opponent of the candidate. Statewide candidates' statements are published in the state VIG and those of legislative candidates in the relevant county VIGs.
- 3) Requires the SOS, at least 20 days prior to submitting the state VIG to the printer, to make the state VIG available for public examination. Any person eligible to vote may seek a writ of mandate or an injunction requiring any or all of the material in the candidate statement to be amended or deleted. The writ or injunction must issue upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of state law and that issuance of the writ or injunction will not substantially interfere with the printing and distributing of official election materials.
- 4) Requires a county elections official to mail a county VIG to each voter in the jurisdiction prior to each election, except as specified. The county VIG must contain, among other things, candidate statements.
- 5) Allows candidates for local nonpartisan elective offices to submit a candidate's statement to appear in the county VIG guide provided. The statement:

- a) May include the candidate's name, age, and occupation, along with a brief description of 200 words (or up to 400 words if the local agency raises the cap) of their education and qualifications;
 - b) May not include the party affiliation of the candidate, or membership or activity in any partisan political organizations; and
 - c) May not in any way refer to other candidates for that office or any other candidate's qualifications, character, or activities. A county elections official may refuse to print a candidate statement that refers to another candidate.
- 6) Requires that each candidate statement be available for public review for 10 days during which time any voter in the jurisdiction where the election will be held may seek a writ of mandate or an injunction requiring any or all of the material in the candidate statement to be amended or deleted. The writ or injunction shall issue upon clear and convincing proof that the material in question is false, misleading or inconsistent with 5) above and that issuance of the writ or injunction will not substantially interfere with the printing and distributing official election materials.

This bill:

- 1) States the intent of the Legislature to establish clear, enforceable standards to ensure that the candidate statements in a VIG remain factual, relevant, and appropriate for an official state publication, while respecting the constitutional right to free speech.
- 2) Specifies that a candidate statement of qualifications included in either the state VIG or a county VIG must be limited to a recitation of the candidate's own:
 - a) Education;
 - b) Professional experience;
 - c) Public service;
 - d) Community Involvement; and
 - e) Qualifications for the office sought.
- 3) Prohibits a candidate statement from including:
 - a) References to other candidates;
 - b) Attacks, accusations, or characterizations of other individuals or groups;
 - c) Any reference, such as a link to an internet website, directing voters to external content;
 - d) Content that is obscene or profane or that incites hatred, violence, or discrimination;
 - e) Demonstrably false statements or materially misleading claims; and
 - f) Content unrelated to the candidate's qualifications for office.
- 4) Deems a candidate's statement final upon the deadline to file as a candidate for the office sought and prohibits a candidate from modifying a candidate statement after the filing deadline.

- 5) Directs the SOS and county election officials, after the filing deadline, to omit from the VIG any portion of a candidate statement that does not comply with the standards in 2) and 3) of this bill. The remainder of the candidate statement shall be included if it can stand alone and does not mislead voters. If that is not possible, the entire candidate statement may be omitted from the VIG.
- 6) Makes any fee paid by a candidate for the printing or inclusion of the candidate's statement in a VIG nonrefundable, even when all or a portion of the statement is omitted and deems payment of the fee as acknowledgement and acceptance of the requirements of this bill.
- 7) States that while reasonable efforts must be made to notify a candidate of the omission of content, the notice shall not delay the printing or distribution of the VIG and under no circumstances shall a candidate be entitled to a refund, credit, or reimbursement that arises from the enforcement of the requirements of this bill.
- 8) Permits the SOS to adopt regulations to implement its provisions.
- 9) Allows the SOS or a county elections official to refuse to print any candidate statement that does not comply with the provisions of this bill.
- 10) Allows any registered voter to seek judicial relief to enforce the bill's provisions. The bill directs a court to give priority to actions brought to enforce the bill's provisions due to the time-sensitive nature of the preparation and distribution of the VIG.
- 11) Includes an urgency clause so that its requirements are in place for the November 3, 2026, statewide general election.

BACKGROUND

Voter Information Guides. Proposition 9, which appeared on the June 1974 ballot, created the California Political Reform Act (PRA) and established California's campaign finance and disclosure laws for state and local campaigns, candidates, officeholders, and ballot measures. Proposition 9 created the Fair Political Practices Commission (FPPC) to implement, administer, and enforce the PRA.

Proposition 9 included provisions similar to existing law at that time requiring the preparation of a state ballot pamphlet, now called the state VIG. It also included a public examination process for the state ballot pamphlet similar to the one in existing law today.

State law provides for election officials to prepare VIGs and to distribute them prior to an election to each household with registered voters. VIGs are mailed, unless a voter opts to receive it electronically. For statewide elections, the SOS prepares and distributes the state VIG. County election officials prepare and distribute each county's VIG, which are tailored to each voter based on the contests that will appear on the voter's ballot.

COMMENTS

- 1) Author's Statement. This bill comes in response to a candidate statement that appeared in the June 2026 Official State Voter Information Guide that contained no information about the candidate's education and qualifications; instead, it used the voter guide as a platform to share hateful and antisemitic rhetoric and links to external inappropriate content. This bill strengthens standards that appear in official state and county voter guides by establishing clear, enforceable standards requiring that candidate statements remain factual, relevant, and appropriate for an official state publication while respecting constitutional free speech protections.
- 2) History of One Candidate's VIG Submissions. The candidate the author references in comment 1) has had candidate statements in half a dozen California state VIGs dating back to the 2010 statewide primary election. None of which have provided information about this candidate's qualifications, have often provided links to websites, and certainly violate the provisions of this bill in terms of discriminatory, hateful, and misleading content. The past two times he has appeared in the VIG, 2024 and 2026, the SOS has included a disclaimer that the views expressed are his and not those of the SOS.

All VIGs containing his statements have been subject to the 20-day public examination period during which any person eligible to vote may ask a court to amend or delete a candidate statement upon clear and convincing proof that the statement is false, misleading, or inconsistent with the requirements of state law. The SOS reports that during the 20-day public examination period this year no challenge to his statement occurred.

Other candidates' statements in the state VIGs over the years have violated the requirements of this bill in many ways. These include comments extraneous to the person's qualifications, links to websites, and profanity.

- 3) An Opportunity to Correct. This bill deems a candidate's statement final upon the deadline to file as a candidate and prohibits a candidate from modifying a candidate statement after the filing deadline. It directs the SOS and county election officials, after that date, to omit from the VIG any portion of a candidate statement that does not comply with the bill's standards. While the bill states reasonable efforts must be made to notify a candidate of the omission of all or a portion of their statement from the VIG, the bill does not contemplate a system whereby a candidate could correct the portion of their statement an elections official deems contrary to the requirements this bill. The author may wish to consider amending the bill to provide a process for a candidate to cure problems with their submitted statement in time to be included in the VIG.
- 4) Arguments in Support. A large coalition of Jewish organizations write in support of the bill because it ensures that hate speech, antisemitism, and targeted attacks against any community have no place in California's official VIGs. They specifically note that, in this time when hate targeting vulnerable communities is surging, that content distributed under the authority of the State of California to 23 million households should not spread hateful ideas or amplify their reach in ways that have real consequences for real communities. These organizations support this bill

because “the official publications California sends into millions of homes [should] inform voters and strengthen democracy rather than undermine it.”

- 5) Oppose Unless Amended. The Peace and Freedom Party, which opposes this bill unless it is amended, submitted a letter stating the bill appears to ban two types of content many candidates include in their statements that are clearly not profane, hateful, untrue or misleading. One is all links to websites; the other is candidates’ positions on political issues of the day and plans for what they would do if elected.

The Peace and Freedom Party notes specifically that candidates who are running on a slate or with party support should be allowed to include links to those slate or party websites. Further, the party notes most candidate statements include some of the candidates’ positions on political issues and how the candidate proposes to address those if elected. While this content is arguably related to the candidates’ qualifications, it is not clearly so and may be excluded as “unrelated” if election officials are narrowing what is allowed in statements. The party states, “The language should be clarified to clearly allow such positions and plans, so long as they don’t violate other restrictions, in candidate statements.”

- 6) Refer to Committee on Rules. Amendments to this bill made on June 8, 2026, deleted the contents of the original bill and replaced it with the current language being heard today. Should the bill pass today, it will be referred to the Committee on Rules for a probable re-referral to the Committee on Judiciary, which would examine the constitutional issues the bill raises.

RELATED/PRIOR LEGISLATION

SB 409 (Newman) of 2023 would have created an SOS county pilot program that would allow a candidate to include in the VIG a QR code link to a video statement. This bill also would have required, subject to the Americans with Disabilities Act, a candidate who is submitting a statement for a VIG to physically write the statement without reference to any outside materials at specified locations. This bill died on the Assembly Committee on Appropriations’ suspense file.

POSITIONS

Sponsor: Author

Support: 30 Years After
 Adat Shalom – West Los Angeles
 ADL
 Agudath Israel of California
 AJC - Los Angeles
 AJC - San Diego
 AJC Northern California
 Bay Area Jewish Coalition Education and Advocacy
 Beverly Hills Synagogue
 Board of Rabbis of Southern California
 California Jewish Democrats
 California Religious Action Center of Reform Judaism

Contra Costa Jewish Democrats
Democrats for Israel – Los Angeles
JCC-Federation of San Luis Obispo
JCRC Bay Area
JCRC Santa Barbara County
JCRC, Jewish Long Beach
Jewish California (formerly JPAC)
Jewish Center for Justice
Jewish Community Action Network
Jewish Community Relations Council of Sacramento
Jewish Family and Children’s Center of San Francisco, the Peninsula,
Marina and Sonoma Counties
Jewish Family Service LA
Jewish Family Services of Silicon Valley
Jewish Federation Bay Area
Jewish Federation of Greater Santa Barbara
Jewish Federation of Orange County
Jewish Federation of Palm Springs & the Desert
Jewish Federation of San Diego
Jewish Federation of the Greater San Gabriel and Pomona Valleys
Jewish Federation of the Sacramento Region
Jewish Federation of Ventura County
Jewish Free Loan Association
Jewish Partisan Educational Foundation
Jewish Silicon Valley
Jewish War Veterans of the USA, Department of California
JFCS East Bay
JFCS Long Beach and Orange County
Mosaic Law Congregation
Northern California Council of Jewish Democratic Clubs
Northern California Jewish Labor Committee
Oakland Jewish Alliance
Simon Wiesenthal Center, INC.
StandWithUs
Tam Union Together
Valley Beth Shalom
Young Israel of Century City

Oppose: Peace and Freedom Party of California

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