
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1853 (Pellerin) - Voter information guide: candidate statements

Version: July 2, 2026

Urgency: Yes

Hearing Date: August 3, 2026

Policy Vote: E. & C.A. 3 - 1, JUD. 11 - 0

Mandate: Yes

Consultant: Robert Ingenito

Bill Summary: AB 1853 would (1) establish uniform content rules for what may be included in a candidate statement in a statewide or local voter information guide (VIG), and (2) establish how a noncompliant statement may be kept out of a VIG.

Fiscal Impact:

- This bill would not result in a fiscal impact to the Secretary of State (SOS).
- By imposing specified duties on local elections officials, this bill creates a state-mandated local program. To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs. The magnitude is unknown, but could exceed \$50,000 per year (General Fund).
- This bill could result in potentially significant cost pressures to the courts; the magnitude is unknown (Trial Court Trust Fund (TCTF)). The specific number of new actions that could be filed under the bill also is unknown; however, it generally costs about \$10,500 per day to operate a courtroom. Courts are not funded on the basis of workload, and increased pressure on TCTF may create a need for increased funding for courts from the General Fund. The enacted 2026-27 budget includes \$70 million in ongoing support from the General Fund to continue to backfill TCTF for revenue declines.

Background: Current law requires SOS and local elections officials to prepare VIGs for each election that include specified election information, ballot measures and contests, and candidate statements where authorized. While candidate statements for local offices are subject to detailed statutory content restrictions and may be rejected administratively if they do not comply with those requirements, candidate statements for statewide, federal, and legislative offices are subject to few statutory limitations. As a result, elections officials generally lack explicit authority to reject noncompliant statewide candidate statements absent court intervention.

This issue was highlighted during the June 2, 2026, statewide primary election, when a gubernatorial candidate used the official candidate statement to publish inflammatory and antisemitic content, including references to conspiracy websites. According to reports, SOS concluded that existing law did not provide clear authority to reject the statement prior to publication.

Proposed Law: This bill, among other things, would do the following:

- Limit a candidate statement to a recitation of the candidate's own education, professional experience, public service, community involvement, and qualifications.
- Prohibit a candidate statement from including, (1) a link or other reference to external content, (2) content that is vulgar or profane, or that threatens or incites violence, (3) false statements or misleading claims, or (4) any other content that is unrelated to the candidate's qualifications.
- Require SOS and county elections officials to omit from the VIG any portion of a candidate statement that does not comply with the bill, except false statements and misleading claims, and it would require them to print the remainder of the statement if it can stand independently and does not mislead voters.
- Make a fee paid by a candidate for the printing or inclusion of a candidate statement nonrefundable if any part of the statement is printed in the VIG, but the fee would be refunded if the statement is omitted.
- Allow any registered voter to seek a writ of mandate or an injunction requiring any or all of the material in a candidate statement in the state or a county voter information guide to be amended or deleted, as specified. This bill would require that, as in current law, the writ of mandate or an injunction only be issued upon clear and convincing proof that the material in question is false, misleading, or inconsistent with the requirements of the bill, and that issuance of the writ or injunction will not substantially interfere with the printing or distribution of official election materials as provided by law. This bill would additionally allow a county elections official to bring such an action for a writ or injunction challenging a candidate statement in the county voter information guide over which they have jurisdiction.

Related Legislation: SB 409 (Newman, 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. The bill was held under submission on the Suspense File of the Assembly Appropriations Committee.

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