SENATE THIRD READING
SB 1369 (Reyes)
As Amended July 02, 2026
Majority vote

SUMMARY

Requires a paid signature gatherer to orally disclose to each person, before providing the petition for the person's signature, that they are being paid to circulate the petition. Reduces the time to collect signatures on a recall petition against a superior court judge from 160 days to 120 days in electoral jurisdictions with 50,000 registered voters or more.

Major Provisions

1) Requires a signature gatherer who is being paid to gather signatures on a state or local initiative, referendum, or recall petition to verbally disclose to each person, before providing the petition for the person's signature, that they are being paid to circulate the petition. Requires the paid signature gatherer to make this disclosure regardless of whether the person asks if the signature gatherer is being paid.

2) Specifies that the circulation period for a petition for the recall of a superior court judge is 120 days in electoral jurisdictions with 50,000 registered voters or more, instead of 160 days.

COMMENTS

Section 13, Article II of the California Constitution defines a recall as "the power of the electors to remove an elective officer," and Section 19 of Article II requires the Legislature to provide for the recall of local officers, with the exception of counties and cities whose charters provide for recall. For most local jurisdictions, the relevant recall procedures are set out in state statute. For a recall against a superior court judge, the California Constitution requires the number of valid signatures to be equal in number to at least 20% of the last vote for the office.

The timeframe for collecting petition signatures for the recall of a local officer varies from 40 to 160 days depending on the number of registered voters in the electoral jurisdiction. Generally, proponents seeking to recall an official from an electoral jurisdiction with fewer registered voters must collect signatures equal to a higher percentage of registered voters and have less time to do so. For example, in an electoral jurisdiction with fewer than 1,000 registered voters, proponents have 40 days to collect signatures equal to 30% of registered voters, whereas, in an electoral jurisdiction with more than 100,000 registered voters, proponents have 160 days to collect signatures equal to 10% of registered voters.

This bill shortens the circulation period from 160 days to 120 days in 38 of California's 58 counties.

Recalls for superior court judges are rare. There have been two successful superior court judge recalls in state history. In 1932, three Los Angeles County Superior Court Judges were successfully recalled, and in 2018 voters recalled Santa Clara Superior Court Judge Aaron Persky.

Petition circulators, also known as signature gatherers, are individuals who collect signatures to qualify a measure for the ballot. States frequently have additional requirements or restrictions for paid circulators, such as registering with the government or disclosing their paid status to those signing the petition. Paid signature gatherers may also be required to identify themselves to voters as being paid. In California, existing law requires a disclaimer on the petition that a signature gatherer may be paid and that an individual has the right to ask.

This bill additionally requires a paid signature gatherer to verbally disclose to each person, before providing the petition for the person's signature, that they are being paid to circulate the petition.

According to the Author
"Judges serve a unique role in our democracy. Unlike other elected officials, they are prohibited from campaigning or publicly defending their rulings. That ethical constraint protects impartiality, but it also makes judges uniquely vulnerable to politically motivated recall efforts…

"At the same time, gaps in our current recall process can leave voters without the information they need to make informed decisions. Individuals gathering signatures are not required to disclose that they are being paid, and recall petitions may lack sufficient accountability regarding the stated reasons for the recall. Recent recall campaigns targeting multiple sitting judges and the rise in threats and harassment surrounding judicial decisions highlight the need for reasonable safeguards. SB 1369 preserves the constitutional right of recall while strengthening transparency and accountability."

Arguments in Support
In support of a prior version of this bill, the California Judges Association, writes: "SB 1369 includes several common-sense reforms that promote transparency and integrity in the recall process. Requiring paid signature gatherers to disclose that they are being compensated ensures that voters understand when a petition is being circulated by individuals who may not personally support the recall effort but are paid to solicit signatures. This simple disclosure allows voters to make a more informed decision about whether to sign a petition. "Secondly, SB 1369 shortens the time period for collecting signatures for the recall of a superior court judge. By requiring recall proponents to demonstrate meaningful public support within a shorter time frame, SB 1369 helps ensure that recall efforts are based on genuine and immediate community concern rather than prolonged campaigns that can be fueled by well-funded or politically motivated interests. At the same time, the bill preserves the public's ability to pursue recall when warranted while helping protect the independence and impartiality of the judiciary."

Arguments in Opposition
In a joint letter, the California Chamber of Commerce, Family Business Association of California, and the Greater High Desert Chamber of Commerce oppose this bill because the "oral disclosure requirement is unnecessary, duplicative, and fraught with practical and constitutional concerns." Specifically, they write: "This Requirement is Duplicative of Existing Safeguards: Petition forms themselves contain disclosures regarding the nature of the measure, and circulators are subject to sworn declarations, statutory requirements, and penalties for fraud or misrepresentation. "The Oral Disclosure is Inefficient and Operationally Burdensome: Requiring an oral disclosure before every single interaction imposes a substantial logistical burden on petition circulators. Petition gathering is inherently fast-paced and dependent on brief, momentary interactions (often occurring in crowded public spaces where circulators have only seconds to engage a passerby). Mandating a verbal script before each engagement slows the process, reduces efficiency, and increases costs.

″Enforcement and Practical Challenges: Unlike written disclosures, which can be objectively verified, oral statements are inherently ephemeral and difficult to document. ″Chilling Effect on Political Participation and First Amendment Concerns: SB 1369′s oral disclosure requirement also raises potential constitutional concerns. Petition circulation is core political speech protected under the First Amendment. Compelling individuals to deliver a government-prescribed message as a precondition to engaging in political advocacy is a form of compelled speech that courts have repeatedly scrutinized.″

FISCAL COMMENTS

None. This bill is keyed non-fiscal by the Legislative Counsel.

VOTES

SENATE FLOOR: 30-9-1
YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Ochoa Bogh, Seyarto, Strickland, Valladares
ABS, ABST OR NV: Niello

ASM ELECTIONS: 6-2-0
YES: Pellerin, Bennett, Berman, Elhawary, Solache, Stefani
NO: Johnson, Ellis

UPDATED

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CONSULTANT: Nichole Becker / ELECTIONS / (916) 319-2094 FN: 0003288