

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 249 (Umberg) – As Amended April 30, 2025

Policy Committee:	Elections	Vote:	5 - 2
	Education		7 - 2

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill requires an election for a county board of education (BOE) be consolidated with the statewide general election.

Specifically, this bill:

- 1) Repeals existing law authorizing a BOE to determine, by resolution, whether to conduct the body's election at a statewide direct primary election, statewide general election, or general municipal election, and instead requires the election be consolidated with the statewide general election.
- 2) Requires the term of office for an incumbent BOE member be extended until the next applicable election and requires the county committee on school district organization to determine the manner in which the BOE must stagger subsequent terms, if necessary.

FISCAL EFFECT:

By changing five county BOE election dates, thus imposing additional duties on county elections officials, such as updating information technology systems and informational materials, and requiring a county committee on school district organization to stagger members' terms, this bill may create a state-mandated local program. If the Commission on State Mandates determines the provisions of this bill create a new program or impose a higher level of service for which the state must reimburse local costs, the local agency could seek reimbursement from the state (General Fund). The cumulative magnitude of potentially reimbursable one-time costs is unknown, but may exceed \$150,000.

COMMENTS:

- 1) **Purpose.** According to the author:

Elections in November have higher turnout and are thus more representative of the desires of more voters. Moving plurality elections to the general election from the primary election will increase the ballots cast for candidates in those races and create a more representative and democratic process. Therefore, SB 249 will require any election for the elected members of a county board of education to be consolidated with the statewide general election.

- 2) **County BOEs.** Existing law authorizes a county BOE to adopt a resolution to change the board's election date to coincide with either the statewide direct primary election, statewide general election, or general municipal election. Most BOEs hold their elections with the statewide general election. According to data compiled by the California Elections Data Archive, county BOE elections appeared on the ballot in 45 counties between 2017 and 2020. While 36 (80%) of those counties held BOE elections at the statewide general election, five (11%) of those counties – Alameda, Orange, Riverside, Sacramento, and San Joaquin – held BOE elections with the statewide primary election. According to the Assembly Elections Committee's analysis of this bill, "committee staff is unaware of any attempt by any of these five county [BOEs] to adopt such a resolution or request to consolidate its election into the statewide general election."

This bill consolidates every BOE election with the statewide general election. As noted in the Assembly Elections Committee's analysis of this bill:

While such a move may help improve participation in elections for county [BOEs], it may also create other challenges. For instance, candidates for county [BOE] would have to compete for attention with candidates for other high profile offices...which could make it harder for those candidates to communicate their message to voters. Additionally, the changes proposed in this bill could affect ballot length and lead to ballot fatigue.

- 3) **Support and Opposition.** This bill is supported by education groups, labor organizations, and voter empowerment groups, with the California State PTA arguing, "Participation would be broader, more inclusive, and less confusing for voters if counties aligned their [BOE] elections to take place during the November statewide general election."

This bill is opposed by two county BOEs, with the Orange County Board of Education (OCBE) arguing, "Historically, OCBE elections have benefited from motivated voters who are engaged in selecting their education leaders. Voter participation has never been identified as an issue in Orange County education elections. SB 249 is a solution in search of a problem."

- 4) **Prior Legislation.** SB 907 (Newman), of the 2023-24 Legislative Session, would have increased the membership size of the OCBE and required OCBE elections be consolidated with the statewide general election. SB 907 was vetoed by Governor Newsom, who stated:

[T]here are local processes for altering the number of members on a county [BOE] and changing when local elections are held. State circumvention of these local procedures, especially with respect to a single county board of education, should be avoided absent extraordinary circumstances.

SB 286 (Min), of the 2021-22 Legislative Session, was similar to SB 907's provision requiring OCBE elections be consolidated with the statewide general election. SB 286 was held on this committee's suspense file.