



950 Maidu Avenue, Suite 210
Nevada City, CA 95959

NEVADA COUNTY BOARD OF SUPERVISORS Board Agenda Memo

MEETING DATE: May 23, 2023
TO: Board of Supervisors
FROM: Nevada County Clerk-Recorder/Registrar of Voters
SUBJECT: Resolution Authorizing the Elections Office To Opt Out of Printing the List of Proponents and Opponents of Local Measures

RECOMMENDATION: Adopt the resolution

FUNDING: No change to the General Fund if adopted. Likely increase to the General Fund if not adopted. Provision is discretionary.

BACKGROUND:

Assembly Bill 1416, which amended Elections Code section 9170 and became effective January 1, 2023, requires elections officials to list the supporters and opponents of statewide ballot measures on the ballot, limited to a maximum of 125 characters. The bill gives counties the option of printing the lists of supporters and opponents for local ballot measures. The lists of supporters and opponents may include associations, nonprofit organizations, businesses, and individuals taken from the signers or the text of the argument in favor or against the measure printed in the voter information guide.

Elections Code section 9170(d) provides that counties may opt out of printing proponents and opponents of local measures. The subsection states: "At least 30 days before the deadline for submitting arguments for or against county measures, a county board of supervisors may elect not to list supporters and opponents for county, city, district and school measures on the county ballot and future county ballots."

Opting out of these print provisions does not deprive Nevada County voters of the information that they need when making decisions on local ballot measures, as the same information may be printed in the county voter information guide.

However, requiring the Elections Office to print the proponents and opponents of local measures will result in cost increases for ballot production and printing and will increase the possibility for electioneering and promotion of candidates who may already be on the ballot in addition to being signers of the measure. Furthermore, the requirement could put the Elections Office in the position of accepting or denying abbreviations of supporters/opponents that may not be clear due to the maximum character limit, which could result in legal challenges to perceived unfair determinations. Legal challenges to ballot printing result in delays to ballot delivery, as well as increased mailing and printing costs.



**Clerk Recorder
Registrar of Voters**

NATALIE ADONA
Clerk-Recorder/Registrar of Voters

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The resolution would allow the Elections Office to opt out of printing the lists of proponents and opponents of local measures in all future county ballots in accordance with section 9170.

Item Initiated by: Natalie Adona

Approved by: Natalie Adona

Submittal Date: May 15, 2023
Revision Date: