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# CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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April 24, 2023

The Honorable Senator Anthony Portantino  
Chair, Senate Standing Committee on Appropriations  
State Capitol, Room 412 Sacramento, CA 95814

RE: SB 632 (Caballero) Elections: Candidate Statements – OPPOSE

Dear Senator Portantino:

The California Association of Clerks and Election Officials (CACEO) - Elections Legislative Committee must regrettably oppose Senate Bill 632 (Caballero), a proposal to establish a process for the Secretary of State to approve candidate qualification statements for elective offices for which the jurisdiction of the office overlies multiple counties.

As the officials charged with conducting accessible elections in California, we share the desire of Senator Caballero to provide candidates for multicounty offices a more efficient way to file their candidate qualification statement for publication in each county's voter information guide and website. CACEO's opposition is due to two things: 1) ambiguities contained in SB 632 regarding the administration of the proposed statutory changes; and, 2) elements contained in SB 632 will financially impact counties. Additionally, SB 632 creates a deadline for multidistrict candidates to file their candidate statement with the Secretary of State that is five days before the candidate nomination period officially opens, thus creating a potential confusing for candidates on the timing of things.

SB 632 proposes to add section 13307.9 to the Elections Code, which would permit multidistrict candidates to submit their candidate qualification statement to the Secretary of State for approval by the 118<sup>th</sup> day prior to Election Day. It also requires the candidates to provide an approved statement to the relevant county elections official by the conclusion of the candidate nomination period, which is 88 or 83 days before election day depending on whether an eligible incumbent has filed nomination papers. The proposed section 13311 would require that the candidate statement approved by the Secretary of State to remain confidential until the close of the nomination period.

However, it is unclear whether the Secretary of State or the relevant county elections officials will post the approved candidate statement for the 10-day public review period pursuant to Elections Code section 13313. Additionally, there will be confusion as to which court will have jurisdiction if a voter in the district seeks to challenge the candidate statement by filing a petition for a writ of mandate during that 10-day review period. If the writ petition must be filed in Sacramento County Superior Court, this would add costs for counties to provide information to the Court. As SB 632 does not amend section 13313, it is unclear whether the Secretary of State of the relevant county elections officials would be the respondent to the petition. At a minimum, the relevant counties would need to be a real party in interest if the Secretary of State is deemed the respondent.

CACEO appreciates Senator Caballero's desire to provide an efficient process to multidistrict candidates regarding the filing and approval of their candidate qualification statement. But given the ambiguity regarding the administration of the bill and a potential unfunded State mandate on counties, we respectfully request the committee's "NO" vote on SB 632.

If you or your staff has any questions, please do not hesitate to contact me at [bob.page@ocvote.gov](mailto:bob.page@ocvote.gov) or (714) 567-7620, or my co-chairs James Kus, at [jkus@fresnocountyca.gov](mailto:jkus@fresnocountyca.gov) or (559) 600-1730 or Tricia Webber, at [tricia.webber@santacruzcounty.us](mailto:tricia.webber@santacruzcounty.us) or (831) 454-2409.

Respectfully,

A handwritten signature in blue ink, appearing to read "Bob Page". The signature is fluid and cursive, with the first name "Bob" and the last name "Page" clearly visible.

Bob Page  
Co-Chair, CACEO Elections Legislative Committee  
California Association of Clerks and Election Officials

cc: Senator Caballero (Author)  
Rob Grossglauser, Pinnacle Advocacy LLC  
James Kus and Tricia Webber, Co-Chairs, CACEO Elections Legislative Committee