

California General Election Ballot Measures

BROWNSTEIN CLIENT ALERT, NOV. 6, 2024

PROPOSITION 2 (School Facilities/Education Bond) - AB 247 (CH. 81, 2024) MURATSUCHI.
EDUCATION FINANCE: SCHOOL FACILITIES: K-12 SCHOOLS AND LOCAL COMMUNITY COLLEGE PUBLIC
EDUCATION FACILITIES MODERNIZATION, REPAIR AND SAFETY BOND ACT

SUMMARY: The California Legislature announced deals on this \$10 billion school facilities construction bond and a \$10 billion climate resiliency bond three days before the summer recess to comply with the requirement that bill be in print for 72 hours prior to being voted on.

If approved by voters, Prop 2 authorizes \$10 billion in new bonds - \$4 billion for the modernization of school facilities, \$3 billion for new construction of school facilities, \$1.5 billion for community college facilities, \$600 million for providing school facilities to charter schools, \$600 million for facilities for career technical education programs.

RESULTS: YES 56.8%/NO 43.2% PASS

PROPOSITION 3 - ACA 5 (RESOLUTION CHAPTER 125, STATUTES OF 2023) LOW. MARRIAGE EQUALITY.

SUMMARY: Removes language passed by 2008's Proposition 8 prohibiting same sex marriage from California's constitution.

RESULTS: YES 61.30%/NO 39.0% PASS

PROPOSITION 4 (Climate Bond) - SB 867 (CHAPTER 83, STATUTES OF 2024) ALLEN. SAFE DRINKING WATER, WILDFIRE PREVENTION, DROUGHT PREPAREDNESS, AND CLEAN AIR BOND ACT OF 2024.

SUMMARY: If approved by voters, this measure would authorize \$10 billion in new bonds - \$3.8 billion for safe drinking water, drought, flood and water resilience programs, \$1.5 billion for wildfire and forest resilience programs, \$1.2 billion for coastal resilience programs, \$1.2 billion for biodiversity protection, \$850M for clean air programs, \$700M for park creation and outdoor access programs, \$450M for extreme heat mitigation programs, \$300M for climate-smart, sustainable, and resilient farms, ranches, and working lands.

RESULTS: YES 59.7%/NO 42.1% PASS

PROPOSITION 5 - ACA 1 (RES. CH. 173, 2023); ACA 10 (RES. CH. 134, 2024) AGUIAR-CURRY. LOCAL GOVERNMENT FINANCING: AFFORDABLE HOUSING AND PUBLIC INFRASTRUCTURE: VOTER APPROVAL.

SUMMARY: Lowers the voter threshold from a two-thirds supermajority to 55% to approve local general obligation bonds and special taxes for affordable housing and public infrastructure projects. Additional changes were made in the final days before the legislative deadline to remove special taxes as well as do the following:

- Removes the ability for local agencies to pass special taxes for public infrastructure and affordable housing with a 55% vote of the public;
- Allows the Legislature to enact laws imposing additional conditions or restrictions on the acquisition of lease of real property with a two-thirds vote;
- Provides any repeal of conditions or restrictions on the acquisition or lease of real property requires a two-thirds vote;
- Expands the definition of affordable housing to also include first-time homebuyer programs and associated facilities used to serve residents of affordable housing
- Changes the definition of public infrastructure to mean:
 - Facilities or infrastructure for the delivery of public services, including education, police, fire protection, parks, recreation, open space, emergency medical, public health, libraries, flood protection, streets or highways, public transit, railroad, airports, and seaports;
 - Utility, common carrier or other similar projects, including energy-related, communication-related, water-related, and wastewater-related facilities or infrastructure;
 - Projects identified by the State or local government for recovery from natural disasters;
 - Equipment related to fire suppression, emergency response equipment, or interoperable communications equipment for direct and exclusive use by fire, emergency response, police, or sheriff personnel;
 - Projects that provide protection of property from sea level rise;
 - Projects that provide public broadband internet access service expansion in underserved areas;
 - Private uses incidental to, or necessary for, the public infrastructure; and
 - Grants to homeowners for the purposes of structure hardening of homes and structures, as defined in state law.

RESULTS: YES 44.2%/NO 54.8% FAIL

PROPOSITION 6 - ACA 8 (RESOLUTION CHAPTER 133, STATUTES OF 2024) WILSON. SLAVERY.

SUMMARY: The California Constitution prohibits slavery and involuntary servitude, except as punishment to a crime. This measure would prohibit slavery in any form, and would prohibit the

Department of Corrections and Rehabilitation from disciplining any incarcerated person for refusing a work assignment.

RESULTS: YES 45.1%/NO 54.9% FAIL

PROPOSITION 32 - RAISES MINIMUM WAGE. INITIATIVE STATUTE.

SUMMARY: Entrepreneur and anti-poverty advocate Joe Sanberg funded the qualification drive for the Living Wage Act in 2022, intending it for the November 2022 ballot. However, proponents were slow turning in their signatures and missed the 2022 deadline, and so the Act will now appear on the November 2024 ballot.

This measure would raise the state minimum wage from the current \$15 an hour to \$18 an hour over several years. In 2016, Gov. Brown signed legislation to increase the minimum wage to \$15 by 2023, with future minimum wage increases based on changes in the Consumer Price Index (CPI). The Living Wage Act would increase the minimum wage to \$18, but it would increase it at different speeds depending on the number of workers an employer has. The minimum wage would reach \$18 an hour for all employees on January 1, 2026, and would increase thereafter based on the CPI.

RESULTS: YES 48.0%/NO 52.0% FAIL

PROPOSITION 33 - EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE.

SUMMARY: The Costa-Hawkins Rental Housing Act of 1995 prevents local government from limiting the initial rate that landlords may charge new tenants and also prevents local governments from limiting rent increases on existing tenants. This initiative repeals the Costa-Hawkins Act and would prohibit the state from limiting the right of local governments from enacting rent control ordinances.

NOTES: AIDS Healthcare Foundation has spent over \$7 million to qualify their rent control measure, the third attempt in recent years after previous efforts were rejected by voters by close to 20% in contests that saw the combined spending from both sides exceeding \$100 million each time.

RESULTS: YES 38.4%/NO 61.6% FAIL

PROPOSITION 34 - RESTRICTS SPENDING BY HEALTH CARE PROVIDERS MEETING SPECIFIED CRITERIA. INITIATIVE STATUTE.

SUMMARY: This would permanently allow California's Medicaid program to pay pharmacies directly for prescription drugs. California started doing this in 2019 after Gov. Newsom signed an executive order allowing the payments. This measure would make it a law. The measure also would require some

health care providers to spend almost all of the money they get from a federal prescription drug program directly on patient care instead of other things.

NOTE: This initiative is targeted at the proponents of Prop. 33, the Aids Healthcare Foundation (AHF). After AHF's 2024 rent control initiative (Prop 33) qualified, the CA Apartment Assn spent \$14 million to qualify an initiative requiring health care providers meeting certain conditions to spend 98% of their revenues on direct patient care. The specified conditions apply to a single organization—AHF, and this measure would bring an end to use of AHF funds to bankroll future initiative campaigns.

RESULTS: YES 51.5%/NO 48.4% PASS

PROPOSITION 35 - PROVIDES PERMANENT FUNDING FOR MEDI-CAL HEALTH CARE SERVICES. INITIATIVE STATUTE.

SUMMARY: The Coalition to Protect Access to Care, a coalition led by the CA Medical Association and other stakeholders in the healthcare industry, secured a \$36 billion tax deal in 2023 to shore up Medi-Cal's finances and qualified this initiative to permanently cement the deal and prevent future administrations from spending the revenue on other priorities. Proponents spent \$7 million qualifying the initiative, which has been endorsed by both parties and currently has no organized opposition.

RESULTS: YES 66.8%/NO 33.2% PASS

PROPOSITION 36 - ALLOWS FELONY CHARGES AND INCREASES SENTENCES FOR CERTAIN DRUG AND THEFT CRIMES. INITIATIVE STATUTE.

SUMMARY: If approved by voters, this measure would increase penalties for some drug and theft crimes, by rolling back Proposition 47 changes approved by voters a decade ago.

RESULTS: YES 70.4%/NO 29.6% PASS

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