



What “They” Did to You Last Year

Calling all California voters: the rules have changed again!

In 2021 and 2022, there was an uptick in self-governance efforts across the nation. As parents became more aware of what was in the school curriculum, many became uncomfortable, even alarmed with what their children were being taught and exposed to.

In many cities across the nation, citizens began to feel their safety and welfare were put in jeopardy by the legal system as convicted and violent criminals were released far short of the full term of their sentences, and newly arrested individuals were being released with no bail and often with charges dropped.

In many places, there was an awakening to the fact that in a Republic, the citizens’ rights include not only electing their officials, but **recalling those officials** when they violate their responsibilities and their oaths of office.

In many states, including California, school board officials and District Attorneys found themselves subjects of recall efforts. There were even enough Californians unhappy with their governor that they were able to collect enough signatures for a statewide gubernatorial recall election.

The California Legislature was not slow to react.

They apparently did not like that the people asserted their right to recall officials. So....

In 2022 they launched a direct attack on the recall process by passing the following laws.

The following laws went into effect on January 1, 2023:

1. **AB 2582**

Here is what the law says:

AB 2582 requires that a recall election for a **local officer** include **only** whether the officer should be recalled and removed from office or not.

The vacancy created as a result of a successful recall will be **unfilled** until filled “according to law”, **not elected at the same time as the recall election.**

Petitions for recall of school board members must include an estimate of the cost of conducting a special election.

Here is how the law HURTS California citizens:

This law **discourages self-governance** at the level closest to the people by making the recalling a local officer a two-step process.

If a recall is successful, **this law leaves the people without representation** for a lengthy period of time by separating the recall election from the election to fill the position.

This also makes **local recalls twice as expensive** for the taxpayers by requiring double the number of elections.

2. AB 2584

Here is what the law says:

AB 2584 **increases the number of required signatures** on a recall petition, assigned based on the office in question. It also establishes those numbers.

This law makes the written justification for proposed recall, and the opposition response in the notice for recall subject to civil or criminal action or penalty in the case of any false, slanderous or libelous material.

Here is how the law HURTS California citizens:

By increasing the number of signatures to qualify a recall, this law **increases the difficulty of the people to self-govern**, and could discourage people from future recall efforts.

The law opens the door to violation of the First Amendment because it does not define **who gets to judge** what is false, slanderous or libelous. Whoever does that “judging” would be free to prosecute people for statements they don’t like, regardless of what is actually true.

3. SB 1061

Here is what the law says:

Regarding any election to fill a school district or community college district vacancy, SB 1061 repeats the requirement of AB 2582 that the petition (request) for an election to fill a vacancy include a cost estimate on a **per-pupil** basis.

The law also changes the required timing for said elections.

Here is how the law HURTS California citizens:

After a successful recall or the creation of any vacancy through resignation or inability to serve, there must then be a petition filed to request a special election to fill the vacancy.

This law is designed to further discourage people from requesting the election, hoping people will prefer to be unrepresented than to authorize the cost of a special election.

This law is designed to further discourage initial recall efforts as well.

The change of timing acts as another subtle attempt to **get citizens to back down** from challenging the competence and/or performance of their officials.

And the Legislature is not done!

On the 2023 list of proposed legislation is a **continuance of the attack** on recalls.

Senate Constitutional Amendment (SCA) 1 proposes that IF a gubernatorial recall is successful, the recall ballot will include only a YES or NO, and NOT a concurrent election for a replacement governor.

Instead, SCA 1 proposes that the Lt. Governor automatically assume the position for the remainder of the term, unless the governor is recalled within the first year of the term so that the election can take place at the same time as the regularly scheduled “midterm” election.

Laws such as these are the reason EIPCa needs YOU to participate in the efforts of our Legislative Oversight Team.

We MUST at least attempt to STOP further bad laws before they are passed.

**Carefully read EIPCa’s Legislative Alerts when you receive them
and prepare to take the actions we suggest.**

Please Stay Tuned and Ready to Roll.

https://www.eip-ca.com/articles/what_did_they_do_4102023.pdf

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