The California Student Mock Election is jointly sponsored by the California Secretary of State and the California Superintendent of Public Instruction.
YOU HAVE THE FOLLOWING RIGHTS:

1 The right to vote if you are a registered voter. You are eligible to vote if you are:
   • a U.S. citizen living in California
   • at least 18 years old
   • registered where you currently live
   • not currently serving a state or federal prison term for the conviction of a felony, and
   • not currently found mentally incompetent to vote by a court.

2 The right to vote if you are a registered voter even if your name is not on the list. You will vote using a provisional ballot. Your vote will be counted if election officials determine that you are eligible to vote.

3 The right to vote if you are still in line when the polls close.

4 The right to cast a secret ballot without anyone bothering you or telling you how to vote.

5 The right to get a new ballot if you have made a mistake, if you have not already cast your ballot. You can:
   - Ask an elections official at a polling place for a new ballot,
   - Exchange your vote-by-mail ballot for a new one at an elections office, or at your polling place, or
   - Vote using a provisional ballot.

6 The right to get help casting your ballot from anyone you choose, except from your employer or union representative.

7 The right to drop off your completed vote-by-mail ballot at any polling place in California.

8 The right to get election materials in a language other than English if enough people in your voting precinct speak that language.

9 The right to ask questions to elections officials about election procedures and watch the election process. If the person you ask cannot answer your questions, they must send you to the right person for an answer. If you are disruptive, they can stop answering you.

10 The right to report any illegal or fraudulent election activity to an elections official or the Secretary of State’s office.
   - On the web at www.sos.ca.gov
   - By phone at (800) 345-VOTE (8683)
   - By email at elections@sos.ca.gov

IF YOU BELIEVE YOU HAVE BEEN DENIED ANY OF THESE RIGHTS, CALL THE SECRETARY OF STATE’S CONFIDENTIAL TOLL-FREE VOTER HOTLINE AT (800) 345-VOTE (8683).
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**STUDENT MOCK ELECTION VOTER INFORMATION GUIDE STATEMENT**

★ The contents of this guide were obtained from the November 8, 2022, General Election state
Voter Information Guide. The information included in this guide is nonpartisan. Arguments
printed in this guide are the opinions of the authors and have not been checked for accuracy
by any official agency. The views and opinions expressed by the candidates are their own
and do not necessarily represent the views and opinions of the Secretary of State’s office.

★
Tabulating and Reporting Mock Election Results

October 11 is Student Mock Election Day
Please enter your school’s results once voting is complete and you have tallied your school’s votes.

Enter your results:
https://www.sos.ca.gov/elections/studentmockelection/

View statewide mock election results:
https://www.sos.ca.gov/elections/studentmockelection/mock-election-results/

Although most schools will vote and report their results on October 11, results will be posted on the Student Mock Election website beginning at 5:00 p.m. on October 11, and final results will be announced on October 14.

Pre-register at Sixteen. Vote at Eighteen.

What is Pre-registration?
If you are 16 or 17 years old and meet all other voter eligibility requirements, you can pre-register to vote at registertovote.ca.gov.

Pre-registration is available for eligible 16- and 17-year-olds at registertovote.ca.gov or via the paper voter registration form. California youth who re-register to vote will have their registration become active once they turn 18 years old. Visit registertovote.ca.gov for a complete list of the registration requirements.

Pre-register in 2 easy steps:

1. Visit RegisterToVote.ca.gov.
2. Click the “Pre-register to Vote” button.

You are automatically registered on your 18th birthday.

What if I would like to make changes to information such as my address or political party preference before I turn 18?
Update your information by re-registering (or pre-registering) to vote online at registertovote.ca.gov. Voter registration applications are also available at your local county elections office, local Department of Motor Vehicles field office, and other public locations.

Voter Registration
To register or update your existing voter registration, visit the Secretary of State’s website at: RegisterToVote.ca.gov
**QUICK REFERENCE GUIDE**

**PROP 1**
**CONSTITUTIONAL RIGHT TO REPRODUCTIVE FREEDOM. LEGISLATIVE CONSTITUTIONAL AMENDMENT.**

**SUMMARY**
Put on the Ballot by the Legislature

Amends California Constitution to expressly include an individual’s fundamental right to reproductive freedom, which includes the fundamental right to choose to have an abortion and the fundamental right to choose or refuse contraceptives. This amendment does not narrow or limit the existing rights to privacy and equal protection under the California Constitution. **Fiscal Impact:** No direct fiscal effect because reproductive rights already are protected by state law.

**WHAT YOUR VOTE MEANS**

**YES** A YES vote on this measure means: The California Constitution would be changed to expressly include existing rights to reproductive freedom—such as the right to choose whether or not to have an abortion and use contraceptives.

**NO** A NO vote on this measure means: The California Constitution would not be changed to expressly include existing rights to reproductive freedom. These rights, however, would continue to exist under other state law.

**ARGUMENTS**

**PRO** Yes on 1 places the fundamental right to abortion and the fundamental right to contraceptives in the Constitution. Yes on 1 protects individual choices on reproductive care and the right to choose to have an abortion, keeping medical decisions where they belong—between a patient and their provider. YESon1CA.com

**CON** Proposition 1 is an extreme law that allows late-term abortions at taxpayer expense up to the moment of birth—even if the baby is healthy and the mother’s health is not threatened. Current California law already guarantees a woman’s right to choose, making this extreme and costly proposal unnecessary.

**FOR ADDITIONAL INFORMATION**

**FOR** Yes on Prop. 1, Protect Abortion Rights
(916) 238-8392
info@YESon1CA.com
YESon1CA.com

**AGAINST** K. Reid
California Together, No on Proposition 1
P.O. Box 13813
Sacramento, CA 95853
(916) 484-4008
info@NoProposition1.com
www.NoProposition1.com

**PROP 26**
**ALLS IN-PERSON ROULETTE, DICE GAMES, SPORTS WAGERING ON TRIBAL LANDS. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.**

**SUMMARY**
Put on the Ballot by Petition Signatures

Also allows: sports wagering at certain horseracing tracks; private lawsuits to enforce certain gambling laws. Directs revenues to General Fund, problem-gambling programs, enforcement. **Fiscal Impact:** Increased state revenues, possibly reaching tens of millions of dollars annually. Some of these revenues would support increased state regulatory and enforcement costs that could reach the low tens of millions of dollars annually.

**WHAT YOUR VOTE MEANS**

**YES** A YES vote on this measure means: Sports wagering would continue to be illegal in California. Tribal casinos would continue to be unable to offer roulette and games played with dice. No changes would be made to the way state gambling laws are enforced.

**NO** A NO vote on this measure means: Sports betting would continue to be legal at certain horseracing tracks; tribal casinos would be required to support state sports betting regulatory costs at casinos. People and entities would have a new way to seek enforcement of certain state gambling laws.

**ARGUMENTS**

**PRO** YES on 26 authorizes sports wagering in-person at tribal casinos. Limits sports wagering to adults only. Prop. 26 supports Indian self-reliance by providing revenue for tribal education, healthcare and other vital services. Prop. 26 promotes safe, responsible gaming and helps stop and prevent illegal gambling. Stand with Tribes: YES on 26.

**CON** Prop. 26 is a massive expansion of gambling that will lead to more underage gambling and addiction. Prop. 26 is sponsored by five wealthy gaming tribes who want to expand their monopoly on gambling to include sports betting. At the same time, Prop. 26 will devastate other communities of color. No on Prop. 26.

**FOR ADDITIONAL INFORMATION**

**FOR** Coalition for Safe, Responsible Gaming
1017 L Street #408
Sacramento, CA 95814-3805
(888) 256-8602
info@YESon26.com
YESon26.com

**AGAINST** No on 26—Taxpayers Against Special Interest Monopolies
(916) 237-7398
info@VoteNoOnProp26.org
## Quick Reference Guide

### Prop 27
**Summary**: Allows Indian tribes and affiliated businesses to operate online/mobile sports wagering outside tribal lands. Directs revenues to regulatory costs, homelessness programs, nonparticipating tribes. **Fiscal Impact**: Increased state revenues, possibly in the hundreds of millions of dollars but not likely to exceed $500 million annually. Some revenues would support state regulatory costs, possibly reaching the mid-tens of millions of dollars annually.

### Prop 28
**Summary**: Provides additional funding from state General Fund for arts and music education in all K–12 public schools (including charter schools). **Fiscal Impact**: Increased state costs of about $1 billion annually, beginning next year, for arts education in public schools.

### What Your Vote Means

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>A YES vote on this measure means: Licensed tribes or gambling companies could offer online sports betting over the Internet and mobile devices to people 21 years of age and older on non-tribal lands in California. Those offering online sports betting would be required to pay the state a share of sports bets made. A new state unit would be created to regulate online sports betting. New ways to reduce illegal online sports betting would be available.</td>
<td>A NO vote on this measure means: Sports betting would continue to be illegal in California. No changes would be made to the way state gambling laws are enforced.</td>
</tr>
</tbody>
</table>

### Arguments

**PRO**
- Proposition 27 is supported by California Tribes and mental health experts. For the first time, Prop. 27 PERMANENTLY funds housing, mental health and addiction treatment by regulating and taxing online sports betting. Prop. 27 contains strict rules protecting minors, regular audits, and oversight by the Attorney General.

**CON**
- Prop. 27 is a deceptive scheme funded by out-of-state gambling corporations to legalize a massive expansion of online and mobile sports gambling. Prop. 27 is NOT a “solution” to homelessness. 90% of profits would go to out-of-state corporations. Prop. 27 is opposed by 50+ California Tribes. Vote NO on 27.

### For Additional Information

**FOR**
- https://yestoprop27.com
- NO on Prop. 27
  - 1017 L Street #408
  - Sacramento, CA 95814-3805
  - (888) 256-8602
  - info@NoProp27.com
  - NoProp27.com;
  - FinePrint27.com

**AGAINST**
- Yes on 28—Californians for Arts and Music in Schools
  - info@voteyeson28.org
  - voteyeson28.org
### Quick Reference Guide

#### Prop 29
**Requires on-site licensed medical professional at kidney dialysis clinics and establishes other state requirements. Initiative Statute.**

**Summary**  | Put on the Ballot by Petition Signatures
---|---
Requires physician, nurse practitioner, or physician assistant on site during treatment. Requires clinics to: disclose physicians’ ownership interests; report infection data. **Fiscal Impact:** Increased state and local government costs likely in the tens of millions of dollars annually.

**What Your Vote Means**

- **YES** A YES vote on this measure means: Chronic dialysis clinics would be required to have a physician, nurse practitioner, or physician assistant on-site during all patient treatment hours.

- **NO** A NO vote on this measure means: Chronic dialysis clinics would not be required to have a physician, nurse practitioner, or physician assistant on-site during all patient treatment hours.

**Arguments**

- **PRO** Dialysis patients deserve protection under the law. Prop. 29 will help ensure they receive safe treatment in dialysis clinics under the care of a doctor or another highly trained clinician in case of emergencies, without risk of infection, and without discrimination.

- **CON** Join dialysis patients, American Nurses Association/California, California Medical Association and patient advocates: NO on 29—another dangerous dialysis proposition! Prop. 29 would shut down dialysis clinics and threaten the lives of 80,000 California patients who need dialysis to survive. California voters have overwhelmingly rejected similar dialysis propositions twice. Stop yet another dangerous dialysis proposition. NoProp29.com

**For Additional Information**

**FOR** Suzanne Jimenez  
**AGAINST** No on 29—Yet Another Dangerous Dialysis Proposition  
Contact: info@YesOn29.org  
http://www.YesOn29.org

#### Prop 30
**Provides funding for programs to reduce air pollution and prevent wildfires by increasing tax on personal income over $2 million. Initiative Statute.**

**Summary**  | Put on the Ballot by Petition Signatures
---|---
Allocates tax revenues to zero-emission vehicle purchase incentives, vehicle charging stations, and wildfire prevention. **Fiscal Impact:** Increased state tax revenue ranging from $3.5 billion to $5 billion annually, with the new funding used to support zero-emission vehicle programs and wildfire response and prevention activities.

**What Your Vote Means**

- **YES** A YES vote on this measure means: Taxpayers would pay an additional tax of 1.75 percent on personal income above $2 million annually. The revenue collected from this additional tax would support zero-emission vehicle programs and wildfire response and prevention activities.

- **NO** A NO vote on this measure means: No change would be made to taxes on personal income above $2 million annually.

**Arguments**

- **PRO** Wildfires are devastating California. Prop. 30 taxes only the wealthiest Californians—annual income over $2 million—to fund wildfire prevention and clean air programs. Funds forest management, more firefighters and equipment. Helps consumers afford zero-emission vehicles; creates statewide charging network. STRICT ACCOUNTABILITY—audits, penalties. State firefighters, environmental groups, energy experts support.

- **CON** Prop. 30 raises taxes by up to $90 billion for as long as 20 years, increasing costs for every Californian. Prop. 30 will severely strain our struggling electricity grid already at risk of rolling blackouts. Join taxpayers, teachers, and small businesses to reject this unnecessary tax increase. No on Prop. 30!

**For Additional Information**

**FOR** Clean Air California  
**AGAINST** No on 30  
Contact: info@yeson30.org  
(916) 209-0323

Quick Reference Guide | 7
PRO 31  REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS.

SUMMARY  Put on the Ballot by Petition Signatures

A “Yes” vote approves, and a “No” vote rejects, a 2020 law prohibiting retail sale of certain flavored tobacco products. **Fiscal Impact:** Decreased state tobacco tax revenues ranging from tens of millions of dollars annually to around $100 million annually.

WHAT YOUR VOTE MEANS

**YES**  A YES vote on this measure means: In-person stores and vending machines could not sell most flavored tobacco products and tobacco product flavor enhancers.

**NO**  A NO vote on this measure means: In-person stores and vending machines could continue to sell flavored tobacco products and tobacco product flavor enhancers, as allowed under other federal, state, and local rules.

ARGUMENTS

**PRO**  Yes on 31 protects kids by ending the sale of candy-flavored tobacco, including e-cigarettes and minty-menthol cigarettes. 80% of kids who’ve used tobacco started with a flavored tobacco product. A YES on 31 vote will save lives and save taxpayers money by preventing tobacco related healthcare expenses.

**CON**  Prop. 31 is adult prohibition. It is ALREADY illegal to sell any tobacco products—including vapes—to anyone under 21. Prop. 31 costs taxpayers $1 billion over four years, while criminal gangs benefit by controlling increased smuggling and underground markets, leading to more neighborhood crime. Prohibition never works. Vote No on Prop. 31.

FOR ADDITIONAL INFORMATION

**FOR**  Yes on Proposition 31, Committee to Protect California Kids
555 Capitol Mall, Suite
400 Sacramento, CA
95814
Info@YesonProp31.com
VoteYeson31.com

**AGAINST**  VoteNoOnProp31.com
Who can pre-register to vote?
You can pre-register to vote in California if you are 16 or 17 years old and meet the following requirements:

- A United States citizen and a resident of California,
- Not currently serving a state or federal prison term for the conviction of a felony, and
- Not currently found mentally incompetent to vote by a court.

How do I pre-register? Can I do it online?
To pre-register to vote, you must complete a voter registration application online or on paper.

When you pre-register online, the system will search the Department of Motor Vehicles (DMV) database for your California driver license or identification card number, date of birth, and last four digits of your social security number. If your information is found and you authorize elections officials' use of your DMV signature, an electronic image of your DMV signature will be added to your voter pre-registration application after you click "submit" at the end of the online application. If there is no signature on file with DMV, all of your information will be transmitted to your county elections office; you will just need to click "print," sign the paper application, and mail it. You will be sent confirmation when your voter pre-registration application is approved or when more information is needed to confirm your eligibility.

You can also pick up a paper application at your county elections office, any DMV office, and many post offices, public libraries, and government offices. High schools are also provided with applications that are available to students. To request a paper application, call your county elections office or the Secretary of State’s voter hotline at (800) 345-VOTE.

Can I pre-register to vote when I apply for a California driver license or identification card at DMV? Yes. Voter pre-registration is available to all eligible 16- and 17-year-old Californians when applying for a driver license or identification card or changing their address with DMV. If you indicate that you are eligible to pre-register to vote during your DMV transaction and you do not opt out of voter registration, your voter information is transmitted securely and electronically to the California Secretary of State. Once your eligibility is determined and you turn 18 years old, you will automatically be registered to vote.

Do I need a California driver license or identification card to apply online?
All Californians who are eligible to pre-register to vote may fill out a voter registration application through the Secretary of State’s website. If you do not have a California driver license or identification card number, but you enter your other information, the website will create a pre-filled voter registration application for you to print, sign, and mail. All of your information will be sent directly to your county elections office so that when your signed application arrives in the mail, the county elections staff will simply add your signature to your voter pre-registration record.

Are pre-registration voter registration applications available in languages other than English?
The California Secretary of State’s online application is available in English, Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese.

What happens after I pre-register to vote?
After you pre-register to vote, you will receive a postcard notifying you that your application was received and processed.

What should I do if I have moved? Am I required to re-register?
Your voter pre-registration record should always reflect your current residence. If you move, you should update your pre-registration and note your change of address on the registration form. However, if you have only moved from your home temporarily, you can continue to use your permanent residence where you were pre-registered to vote.

What happens when I turn 18?
When you turn 18 years old, the county elections office will mail a postcard to you stating that your voter registration is now active. At the time of the next election, your county elections official will automatically mail your election-related materials to your registered address. If your confirmation postcard is returned undeliverable, possibly because you have moved, the county elections office may inactivate your record until a new Voter Registration Application is submitted.

If I have problems pre-registering to vote or have additional questions, who should I contact?
Call the Secretary of State’s toll-free voter hotline at (800) 345-VOTE (8683) or contact your county elections office, which is where your voter registration record is maintained.
PROPOSITION 1
CONSTITUTIONAL RIGHT TO REPRODUCTIVE FREEDOM. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

OFFICIAL TITLE AND SUMMARY

The text of this measure can be found on the Secretary of State’s website at voterguide.sos.ca.gov.

- Existing California laws provide that every individual has a fundamental right to privacy in their personal reproductive decisions, which includes the fundamental right to choose to have an abortion and the fundamental right to choose or refuse contraceptives.
- This measure would amend the California Constitution to expressly include these fundamental rights and prohibit the State from denying or interfering with an individual’s reproductive freedom in their most intimate decisions.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- No direct fiscal effect because reproductive rights already are protected by state law.

FINAL VOTES CAST BY THE LEGISLATURE ON SCA 10 (PROPOSITION 1)
(CHAPTER 97, STATUTES OF 2022)

Senate: Ayes 29 Noes 8
Assembly: Ayes 58 Noes 17

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

FEDERAL LAW

Due to Recent Court Case, Right to Abortion No Longer Protected by U.S. Constitution. In the past, the U.S. Supreme Court found that the U.S. Constitution generally protected the right to abortion. As a result, states had limited ability to place restrictions on abortions. However, in June 2022, the U.S. Supreme Court decided that the U.S. Constitution does not protect the right to abortion. As such, states now have more flexibility to decide whether to allow, limit, or ban abortions.

Federal Law Protects Rights to Contraceptives. The U.S. Supreme Court has found that the U.S. Constitution protects the right to buy and use contraceptives (such as condoms, birth control pills, and other birth control products). In addition, federal law requires most health insurance plans to pay for contraceptives.

STATE LAW

State Law Provides Right to Reproductive Privacy. The California Constitution guarantees everyone the right to privacy but does not define what this right includes. However, the California Supreme Court has found that this right to privacy includes the
right to make reproductive choices, such as whether or not to have an abortion or use contraceptives. In addition, state law was later passed to expressly protect these rights.

**State Law Places Some Restrictions on Abortions.** Because of the way California courts have interpreted the right to privacy, the state can only restrict abortions when needed to meet certain state interests such as public health and safety. For example, California law requires abortion providers to be licensed. In addition, abortions can only be performed on a viable fetus if the pregnancy puts the health or life of the person who is pregnant at risk. Under state law, a fetus is considered viable if the fetus likely would be able to survive outside the uterus.

**STATE HELPS PAY FOR HEALTH CARE FOR MANY CALIFORNIANS**

**California Provides Health Care to Many Low-Income Californians.** The federal-state Medicaid program, known as Medi-Cal in California, provides health coverage to eligible low-income California residents. Health care services covered by Medi-Cal include abortions and contraceptives. The state and federal government share the cost of most Medi-Cal services including contraceptives. However, the state pays the full cost of abortions provided through Medi-Cal.

**Many Californians Purchase Health Insurance Through Covered California.** About 2 million Californians buy health insurance plans through the state’s health insurance market, Covered California. Health care services covered by these plans include abortions and contraceptives. For most people enrolled in Covered California, the state and federal government help pay for at least some of the cost of buying these plans. However, the state alone pays for the cost of the plans to cover abortions for these people.

**PROPOSAL**

Proposition 1 changes the California Constitution to say that the state cannot deny or interfere with a person’s reproductive freedom and that people have the fundamental right to choose:

- Whether or not to have an abortion.
- Whether or not to use contraceptives.

**FISCAL EFFECTS**

**No Direct Fiscal Effect.** Proposition 1 would change the California Constitution to expressly include existing rights to reproductive freedom. Because these rights already exist in California, the proposition would have no direct fiscal effect. However, whether a court might interpret the proposition to expand reproductive rights beyond existing law is unclear. If a court finds that the proposition expands these rights, there could be fiscal effects to the state.

Visit [https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals](https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals) for a list of committees primarily formed to support or oppose this measure.

Visit [https://www.fppc.ca.gov/transparency/top-contributors.html](https://www.fppc.ca.gov/transparency/top-contributors.html) to access the committee’s top 10 contributors.
VOTE YES ON PROP. 1.

It’s simple: Proposition 1 will enshrine the fundamental right to an abortion and a fundamental right to contraceptives in the California State Constitution. For nearly 50 years, Americans have relied on the legal principle set by Roe v. Wade that allowed individuals to make their own reproductive health decisions privately. Access to abortion is no longer federally protected and is under attack across the country.

YES ON PROP. 1 PROTECTS THE RIGHT TO REPRODUCTIVE FREEDOM.

Prop. 1 amends the California State Constitution to explicitly prohibit interference with individual choices on reproductive health. It ensures a fundamental right to choose to have an abortion and protects access to contraceptives. These rights are consistent with existing state constitutional rights to privacy and equal protection under the law.

YES ON PROP. 1 WILL ENSURE THE CHOICE TO SEEK COMPREHENSIVE REPRODUCTIVE HEALTH CARE, INCLUDING ABORTION, WILL ALWAYS BE PROTECTED IN CALIFORNIA.

Millions in other states have already lost their right to an abortion. In those states, patients could be sent to prison for seeking abortions even in the case of miscarriages. And most will be prevented from having abortions even in cases of rape or incest. Their health care providers could also be held criminally liable.

DOCTORS, NURSES AND HEALTH PROVIDERS ALL AGREE.

Yes on Prop. 1 is necessary to keep reproductive medical decisions where they belong—with individuals and their health care providers, based on scientific facts, not political agendas.

Prop. 1 will also protect how a person decides to use contraceptives and establishes guardrails that allow a person to make the choice themselves on how to use or to refuse contraceptives, based on their individual needs. WE CANNOT—AND MUST NOT—GO BACKWARDS.

Before 1973, women needing essential reproductive health care were often forced to travel long distances or made to seek illegal care, even in the most extreme cases.

Children growing up today should not have fewer rights than their grandparents. But unless we pass Prop. 1, our rights in California could be at risk.

Access to affordable, comprehensive reproductive health care, including abortion, allows people to plan their lives and achieve their dreams. Yes on Prop. 1 protects access to the care that will give individuals and families the freedom to make those choices.

The California Medical Association, Planned Parenthood Affiliates of California, and the League of Women Voters of California support Prop. 1 because no matter who or what political party controls the government, a person’s right to an abortion or contraceptives should be protected in California.

We must lead the way to ensure that those who need access to care can get it in California.

Learn more at YESon1CA.com.

VOTE YES ON PROP. 1.

Shannon Udovic-Constant, M.D., Board Chair
California Medical Association

Jodi Hicks, President
Planned Parenthood Affiliates of California

Carol Moon Goldberg, President
League of Women Voters of California

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 1 ★

Proposition 1 is NOT needed to protect abortion rights. But it WILL cost California taxpayers millions.

“California law already allows access to abortion and contraception,” says constitutional attorney Heather Hacker. “But unlike state law, which limits late-term abortions unless medically necessary, Proposition 1 has no limit on late-term abortions.”

Like other constitutional amendments, Proposition 1 will face numerous lawsuits and court challenges, leaving its fate subject to judicial interpretation.

Do we really want judges deciding this issue?

Equally untrue are claims that Proposition 1 limits late-term abortions. It does not.

Read Proposition 1 for yourself. It contains NO language limiting late-term abortions, nor does it prevent tax money from being used to fund abortions.

The Legislature has already INCREASED abortion funding by $200 million this year. But advocates of Proposition 1 say that may not be enough. With Proposition 1, the number of abortion seekers from other states will soar, at the expense of California taxpayers.

This is blatantly unfair.

According to The San Jose Mercury News, clinics in San Diego, Riverside and Imperial counties have already seen a 1,246% increase in women seeking abortions—just from Arizona.

Proposition 1 is a multi-million-dollar waste of tax money that is not needed to protect women’s reproductive freedom. It allows late-term abortions without limitation, and will ignite a protracted legal battle that could take years and cost millions.

To protect taxpayers and existing abortion rights, and to preserve reasonable limits on late-term abortions, vote “NO” on Proposition 1.

Allison Martinez, Executive Director
California Alliance of Pregnancy Care

Brad Dacus, President
Pacific Justice Institute

Dr. Vansen Wong, Gynecologist
ARGUMENT AGAINST PROPOSITION 1

Those of us signing this argument have differing views on many issues, including abortion. But we all agree Proposition 1 is an extreme, expensive, and pointless waste of tax money that will allow unrestricted late-term abortions costing taxpayers millions. This is not the answer.

Proposition 1 was put on the ballot for one reason—to score political points, not to make serious policy. Women already have the right to choose under current California law. The recent U.S. Supreme Court ruling did not and will not change this. Proposition 1 is NOT needed to protect women’s health or their reproductive rights.

Abortion is already legal in California with reasonable limits on late-term abortions, which are allowed if medically necessary to protect the life or health of the mother. Proposition 1 will destroy this important balance and bake the most extreme abortion law possible into our state constitution.

Proposition 1 will allow late-term abortions at taxpayer expense WITHOUT limitation for any reason at any time up to the moment of birth—even when the mother’s life is not in danger, even when the healthy baby could survive outside the womb.

Instead of preserving our state’s compassionate and carefully balanced limits on late-term abortions, Proposition 1 will push California far outside the mainstream. Today, most states and 47 European countries limit late-term abortions, including California. A recent Harris Poll found that 90% of Americans support limits on late-term abortions. Likewise, recent polling shows that most California voters support limitations on late-term abortions, as well.

By allowing abortion without limit, Proposition 1 will turn California into a “sanctuary state” for thousands, possibly millions, of abortion seekers from other states, at a staggering cost to taxpayers.

The pro-abortion Guttmacher Institute estimates that California could see a nearly 3,000% increase in the number of people from other states seeking abortions here, with many coming for more expensive late-term abortions. According to the report, California’s annual out-of-state patient load could climb from 46,000 people a year to 1.4 million.

Without limits on late-term abortions, Proposition 1 will push these numbers even higher, draining millions of tax dollars at a time when taxpayers are struggling with inflation and sky-high gas prices.

The Legislature has already committed over $200 million this year to expand abortion and reproductive services, including tens of millions to pay the expenses for abortion seekers from other states. With a 3,000% increase in the number of people from other states wanting abortions, millions of dollars more will be required to meet soaring demand.

Proposition 1 is an extreme and costly proposal that does nothing to advance women’s health or their right to choose. It punishes taxpayers and eliminates all limits on late-term abortions in defiance of what most voters want.

Proposition 1 is a cynical political stunt that was put on the ballot to score political points, not make sensible policy. As usual, taxpayers will pay the price.

We urge a “NO” vote on Proposition 1. It deserves defeat.

Dr. Anne Marie Adams, Gynecologist
Tak Allen, President
International Faith Based Coalition
Assemblymember Jim Patterson

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 1

Proposition 1 ensures that reproductive health care—including the right to an abortion—is protected in the State Constitution. This amendment explicitly defines in the State Constitution that people have the freedom to access abortions and contraceptives. This would prevent those rights from being taken from Californians just as it was recently stripped by the conservative U.S. Supreme Court.

Don’t be misled by opponents. We can’t go back.

Prop. 1 does not change how or when a person can access an abortion in California.

Existing California law provides that women have the right to choose to have an abortion prior to viability, or to protect the woman’s life or health. Proposition 1 will not change that.

Don’t fall for scare tactics from opponents.

Prop. 1 simply amends the State Constitution to prohibit interference with individual choices on reproductive health care and the fundamental right to choose to have an abortion.

Decisions about abortion and contraception are deeply personal. They are best made with a health care provider who can provide expert guidance and are bound by professional and ethical standards. Prop. 1 protects that right.

Don’t let California go backwards. While the U.S. Supreme Court has turned its back on science, safety and equality with a reversal of Roe v. Wade, Prop. 1 ensures that the choice to seek comprehensive reproductive health care will always be protected in California.

Reproductive medical decisions should be made with health care providers, based on scientific facts, free of politics.

YESon1CA.com
Vote YES on Prop. 1.

Sandy Reding, R.N., President
California Nurses Association
Kelly McCue, M.D., District IX Chair
American College of Obstetricians and Gynecologists
Cary Franklin, J.D., Faculty Director
UCLA Center on Reproductive Health, Law and Policy
PROPOSITION

ALLOWS IN-PERSON ROULETTE, DICE GAMES, SPORTS WAGERING ON TRIBAL LANDS. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

OFFICIAL TITLE AND SUMMARY

The text of this measure can be found on the Secretary of State’s website at voterguide.sos.ca.gov.

• Allows federally recognized Indian tribes to operate roulette, dice games, and sports wagering on-site on tribal lands, if authorized by gaming compacts approved by the State.

• Allows sports wagering at certain licensed horseracing tracks in four counties for persons 21 years and older, and imposes 10% tax on sports-wagering profits at these tracks; directs revenues to state General Fund (70%), problem-gambling programs (15%), and enforcement (15%).

• Prohibits marketing of sports wagering to persons under 21.

• Allows private lawsuits to enforce certain gambling laws.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

• Increased state revenues, possibly reaching the tens of millions of dollars annually, from racetrack and tribal casino sports betting payments and gambling penalties. Some of these revenues would be a shift from existing state revenues.

• Increased state costs to regulate in-person sports betting, possibly reaching the low tens of millions of dollars annually. Some or all of these costs would be offset by the increase in state revenues.

• Increased state costs to enforce gambling laws, not likely to exceed the low millions of dollars annually. Some of these costs could be offset by the increase in state revenues.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

Gambling in California. The California Constitution and state law limit gambling in California. For example, state law bans sports betting, roulette, and games with dice (such as craps). However, it allows some gambling. This includes:

• State Lottery. About 23,000 stores in all 58 counties sell state lottery games. Lottery sales—after prizes and operation costs—support education. About $1.9 billion in lottery revenue supported education last year.

• Cardrooms. Currently, 84 cardrooms in 32 counties can offer certain card games (such as poker). Cardrooms pay state and local fees and taxes. For example, cardrooms pay the state around $24 million each year (annually) generally for regulatory costs. Cardrooms also pay around $100 million each year to the cities they are located in.

• Horse Racing Betting. Four privately operated racetracks as well as 29 fairs, publicly operated racetracks, and other facilities in 17 counties offer betting on horse racing. The horse racing industry pays state and local fees and taxes. Last year, the industry paid the state around $18 million in fees primarily for state regulatory costs.

• Tribal Casinos. Tribes operate 66 casinos in 28 counties under specific agreements between certain tribes and the state (discussed below). These casinos offer slot machines, lottery games, and card games on tribal lands. Last year, tribes paid around $65 million to support state regulation and gambling addiction programs. Tribes also pay tens of millions of dollars to local governments each year. Additionally, tribes operating larger casinos pay nearly $150 million each year to tribes that either do not operate casinos or have less than 350 slot machines.
Proposition 26 allows in-person sports betting at racetracks and tribal casinos. It requires that racetracks and casinos that offer sports betting make certain payments to the state—such as to support state regulatory costs. The proposition also allows additional gambling—such as roulette—at tribal casinos. Finally, it adds a new way to enforce certain state gambling laws.

Allows In-Person Sports Betting at Racetracks and Tribal Casinos. Proposition 26 changes the California Constitution and state law to allow the state’s privately operated racetracks and tribal casinos to offer sports betting. However, the proposition bans bets on certain sports—such as high school games and games in which California college teams participate. Figure 1 shows the locations that could choose to offer sports betting.

- **Requirements on Racetracks.** The proposition allows the state’s four privately operated racetracks to offer sports betting to people 21 years of age and older. All bets must be made in person at the track. The proposition also requires the racetracks pay the state 10 percent of sports bets made each day—after subtracting any prize payments. These payments would go into a new California Sports Wagering Fund (CSWF).

- **Requirements on Tribal Casinos.** The proposition includes specific requirements for tribal casinos that choose to offer sports betting. For example, sports betting can be offered on tribal lands only after a tribe changes its compact with the state to allow it. Each tribe’s compact would lay out the requirements it must follow. For example, the compact could specify the minimum age to place a bet, required payments to the state and local governments, and whether tribal payments would go into the new CSWF. If payments do not go into the new CSWF, the proposition requires tribes at least pay the state for the cost of regulating sports betting at tribal casinos.

**ANALYSIS BY THE LEGISLATIVE ANALYST**

**Tribal-State Compacts.** Native American tribes have certain rights under federal law to govern themselves, such as certain rights to offer gambling. This means that the state generally cannot regulate tribal gambling except as allowed by (1) federal law and (2) federally approved agreements between a tribe and state (known as tribal-state compacts). When a tribe wants to offer gambling on its lands, federal law requires that the state negotiate a compact with the tribe. If the tribe and the state cannot agree, the federal government may issue a compact instead. In California, compacts allow tribal casinos to offer slot machines and other games on tribal lands. These compacts lay out how gambling will be regulated. They also require certain payments, such as to the state and local governments. California currently has compacts with 79 tribes. Tribes can ask for these compacts to be changed, such as when new types of gambling become legal in the state.

**Enforcement of State and Local Gambling Laws.** California’s state and local gambling laws are enforced in various ways. For example, regulatory agencies can take back licenses, issue fines, or seek penalties through civil lawsuits filed in state trial courts. The California Department of Justice (DOJ), county district attorneys, and city attorneys can file criminal cases in state trial courts against those breaking certain gambling laws.

**Annual Required Education Spending.** The California Constitution requires the state to spend a minimum amount on K–12 schools and community colleges each year. This minimum amount grows over time based on growth in state tax revenues, the economy, and student attendance. The state’s current budget includes $110 billion to meet this requirement. The state General Fund currently provides more than $80 billion towards this amount. (The General Fund is the state’s main operating account, which pays for education, prisons, health care, and other public services.) Local property taxes also are used to meet this minimum amount.
Proposition 26 allows in-person roulette, dice games, and sports wagering on tribal lands. Initiative constitutional amendment and statute.

**ANALYSIS BY THE LEGISLATIVE ANALYST**

Figure 1

**Locations of Racetracks and Tribal Casinos Able to Offer Sports Betting**

Proposition 26 changes the California Constitution to allow roulette and games played with dice at tribal casinos. Before offering these games, tribal compacts with the state would need to be changed to allow them to do so.

**Allows Additional Gambling at Tribal Casinos.**

Proposition 26 requires CSWF revenues be considered state tax revenues to calculate the minimum amount of spending on K–12 schools and community colleges each year. This means CSWF monies would first be used to help meet this required spending level on education. The proposition requires that monies next be used to support state regulatory costs. Remaining monies would be used in three ways: (1) 15 percent for gambling addiction and mental health programs and grants, (2) 15 percent for sports betting and gambling enforcement costs, and (3) 70 percent to the state General Fund.

**Requires Specific Use of CSWF Revenues.**

Penalties collected would go into the CSWF for the purposes laid out above.

**FISCAL EFFECTS**

Proposition 26 would impact both state and local government revenues and costs. The actual size of these effects, however, is uncertain and would depend on how the proposition is interpreted and implemented. For example, it is unclear if tribal-state compacts changed to allow for sports betting would require additional payments to...
local governments. The fiscal effects would also depend on the number of people who choose to make sports bets and how often the new civil enforcement method is used.

**Increased State Revenues.** Proposition 26 would increase state revenues from racetrack and tribal sports betting payments as well as civil penalties. The size of this increase is uncertain, but could reach tens of millions of dollars annually. Some of this revenue would be new. For example, the state currently does not receive any share of illegal sports bets. This means the state would receive new revenue when people make sports bets legally rather than illegally. However, some of this revenue would not be new. For example, the state currently receives revenue when people spend money on certain things, such as lottery games or shopping. This means the state might not receive new revenue when people spend less on those things so they could make sports bets.

Some of the increased revenue would go into the CSWF. This would result in a higher minimum amount of spending on K–12 schools and community colleges than would otherwise be required. About 40 percent of CSWF money would likely be used to meet this higher minimum spending amount. The remaining 60 percent would be used for sports betting and gambling-related costs as well as other state spending priorities.

**Effects on Local Government Revenues.** Proposition 26 could impact local government revenues. For example, cardrooms may earn less revenue if they are negatively impacted by the new civil enforcement method. This could reduce the taxes and fees they pay to the cities where they are located. The effects on most local governments would likely not be large. However, there could be larger effects on a few local governments that receive a large share of their revenue from cardrooms. For example, one city estimates cardroom payments are about 70 percent of its General Fund revenues. At the same time, tribal-state compacts changed to allow for sports betting could require additional tribal payments to local governments.

**Increased State Regulatory Costs.** Proposition 26 would create more work for state agencies (such as DOJ) to regulate sports betting. The amount of work would depend mostly on how sports betting is regulated, such as what types of bets are not allowed. Total costs for this additional work could reach the low tens of millions of dollars annually. Some or all of these costs would be offset by CSWF revenues and tribal payments to the state that do not go into the CSWF.

**Increased State Enforcement Costs.** The new civil enforcement method would create more work for DOJ and the state courts. DOJ would need to review and respond to claims that gambling laws are being broken. State courts would also need to process any civil lawsuits filed. Total state enforcement costs would depend largely on how often the new civil enforcement method is used. However, these increased costs would not likely exceed the low millions of dollars annually. This amount is less than one-half of 1 percent of the state’s total General Fund budget. Some of these costs could be offset by CSWF revenues.

**Other Fiscal Effects.** Proposition 26 could result in other fiscal effects on the state and local governments. For example, state and local revenue could increase from people coming from out of state to place sports bets and spending more than they otherwise would. Additionally, state and local governments could have increased costs. For example, more people visiting racetracks or casinos could increase state and local law enforcement costs. The net effect of the above effects on the state and local governments is unknown.

Visit [https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals](https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals) for a list of committees primarily formed to support or oppose this measure.

Visit [https://www.fppc.ca.gov/transparency/top-contributors.html](https://www.fppc.ca.gov/transparency/top-contributors.html) to access the committee’s top 10 contributors.
CALIFORNIA INDIAN TRIBES, CIVIL RIGHTS, BUSINESS, PUBLIC SAFETY LEADERS URGE: YES ON PROP. 26

For over two decades, California voters have stood with Indian tribes, granting them the right to operate highly regulated gaming on tribal lands. Indian gaming has helped lift tribes out of poverty—creating jobs and providing revenues for critical tribal services including education, healthcare, housing, public safety, cultural preservation and more.

Prop. 26 will continue this legacy by authorizing in-person sports wagering at highly regulated Indian casinos for adults 21 and over and allowing Indian casinos to offer additional games like roulette and dice.

PROP. 26 PROMOTES INDIAN SELF-RELIANCE

A broad coalition of California Indian tribes supports Prop. 26 because it will promote self-reliance for all tribes, including smaller and non-gaming tribes. Prop. 26 will increase funds for revenue sharing agreements that provide tens of millions every year to California’s smaller, poorer Indian tribes.

“I’ve seen first-hand the transformative impacts Indian gaming revenue sharing has had on our people, helping our small tribe pay for schools, health clinics and fire services. Prop. 26 will continue to lift tribes like ours out of poverty and allow us to become more self-reliant.”—Thomas Tortez, Tribal Chairman, Torres Martinez Desert Cahuilla Indians

PROP. 26 IS THE MOST RESPONSIBLE APPROACH TO AUTHORIZING SPORTS WAGERING

Prop. 26 will legalize sports wagering in a controlled manner at highly regulated tribal casinos and licensed horse racing facilities. Requiring sports wagering in-person provides the strongest age verification safeguards to prevent underage gambling and protections against problem gambling. On the other hand, Prop. 27 would legalize online and mobile sports betting in California, turning virtually every cellphone, tablet and laptop into a gambling device—increasing the risk of underage and problem gambling. We respectfully ask you to VOTE YES on Prop. 26 and NO on Prop. 27.

PROP. 26: BENEFITS ALL OF CALIFORNIA

California’s tribal casinos annually generate $26.9 billion for the state economy, support over 150,000 jobs, $12.4 billion in wages and contribute nearly $1.7 billion in revenues to state and local governments. Prop. 26 will create more jobs and economic opportunity for Indian tribes and all Californians.

PROP. 26 SUPPORTS PUBLIC SCHOOLS AND STATE PRIORITIES

According to the nonpartisan Legislative Analyst, Prop. 26 will generate tens of millions of dollars annually for vital services such as public schools, homelessness and mental health programs, wildfire prevention, senior services and other state priorities.

PROP. 26 CONTAINS PROVISIONS TO ENFORCE CALIFORNIA'S GAMBLING LAWS AND PREVENT CRIMINAL ACTIVITY

California law prohibits house banked card games like those found in Nevada casinos. Despite this, some cardroom casinos and their financial bankers have been running these prohibited card games—operating illegal gambling and blatantly violating state law. Illegal gambling leads to money laundering, fraud and criminal activity. Prop. 26 will strengthen enforcement of California’s gambling laws to crack down on illegal gambling and prevent this criminal activity.

YES ON 26: SUPPORTED BY INDIAN TRIBES, CIVIL RIGHTS LEADERS, BUSINESS AND PUBLIC SAFETY ADVOCATES

• American Indian Chamber of Commerce • NAACP California
• California District Attorneys Association • Yolo County Fire Chiefs Association • San Diego Police Officers Association
• La Raza Roundtable of California • California Nations Indian Gaming Association • Gold Coast Veterans Foundation • Baptist Ministers Conference of LA and Southern California

www.YesProp26.com

Beth Glasco, Tribal Vice-Chairwoman
Barona Band of Mission Indians

Tracy Stannahof, President
American Indian Chamber of Commerce

Greg Sarris, Tribal Chairman
Federated Indians of Graton Rancheria

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 26 ★

PROP. 26: LEGALIZES SPORTS BETTING

Prop. 26 is a massive expansion of gambling in California sponsored by five wealthy tribal casinos whose goal is to expand their monopoly over all gambling and legalize sports betting on college and professional games.

Prop. 26 will lead to more underage gambling and addiction.

PROP. 26: EXPANDS UNREGULATED GAMBLING

The sponsors of Prop. 26 claim it will lead to better regulation of gambling, but they are not subject to most state laws in the first place.

Some of these same gaming tribes even refuse to abide by California laws, including:

• Our environmental quality laws • Our anti-discrimination and sexual harassment laws • Our minimum wage laws

Some prohibit their employees from joining a union and some even allow eighteen-year-olds to gamble!

PROP. 26: DESTROYS COMPETITION

The sponsors of Prop. 26 made big profits staying open during COVID while their card club competition had to close. Now they want to put licensed and regulated card clubs out of business by giving private trial lawyers the enforcement powers held by the Attorney General to bury card clubs with frivolous lawsuits.

PROP. 26 HURTS OTHER COMMUNITIES OF COLOR

If Prop. 26’s sponsors are able to put their card club competition out of business, the state will lose 32,000 jobs and $500 million in annual local revenue that funds police, fire, health care and afterschool programs—disproportionately in communities of color. Even worse, California’s communities will lose $1.6 billion in wages.

PROP. 26 IS SO BAD MOST CALIFORNIA INDIAN TRIBES DON'T EVEN SUPPORT IT.

Learn more at VoteNoOnProp26.org.

Floyd Meshad, President
National Veterans Foundation

George Mozingo, President
California Senior Advocates League

Shavon Moore-Cage, Member
American Federation of State, County, and Municipal Employees Local 36 Management Chapter
ARGUMENT AGAINST PROPOSITION 26

PROP. 26 IS A MASSIVE EXPANSION OF GAMBLING IN CALIFORNIA that will legalize betting on professional, college and amateur sports. Five wealthy tribal casinos are sponsoring Prop. 26 to expand their monopoly over gambling in California—so they can make billions more in profits and continue to pay virtually NOTHING in state taxes.

PROP. 26: MORE UNDERAGE GAMBLING AND ADDICTION

Despite state laws that make it illegal for anyone under 21 to gamble, one of the sponsors of Prop. 26 regularly allows 18-year-olds to gamble, and NOTHING in their measure stops underage gamblers from betting on college and professional sports in a tribal casino.

PROP. 26: LEAVES WORKERS UNPROTECTED

Prop. 26's sponsors have refused to allow their workers to join unions or engage in collective bargaining and claimed they are not required to pay the state's minimum wage—even encouraging employees to go on Medi-Cal rather than pay for their health insurance.

Even worse, they have a history of refusing to follow California's anti-discrimination and sexual harassment laws. One tribal casino behind Prop. 26 promised it would waive sovereign immunity for sexual harassment lawsuits in exchange for adding more slot machines. But when one of its employees sued for sexual assault in federal court, the casino claimed immunity and asked a judge to toss the sexual harassment claims.

"Prop. 26 leaves workers unprotected from California’s worker safety, wage-and-hour, harassment, and anti-discrimination laws and regulations. Please join us in voting NO on Prop. 26."—Shavon Moore-Cage, Member, American Federation of State, County and Municipal Employees Local 36 Management Chapter

PROP. 26: PUTS CARD CLUBS OUT OF BUSINESS AND HURTS COMMUNITIES OF COLOR

Prop. 26 is sponsored by five wealthy southern California tribal casinos that made big profits staying open during Covid while the state forced their card club competition to close. Now those same casinos want to expand their monopoly and put card clubs completely out of business by changing the State Constitution to give private trial lawyers the enforcement powers of the Attorney General to bury card clubs with frivolous lawsuits.

If the sponsors of Prop. 26 are allowed to put card clubs out of business, some of the state’s hardest hit communities of color will lose $500 million in local tax revenue that pays for essential services like police, fire, health care and after-school services. Those communities will lose 32,000 jobs, $1.6 billion in wages and $5.6 billion in economic output.

“We support the rights of Native Americans to be self-sufficient, but we oppose Prop. 26 because it will devastate other communities of color in California.”—Julian Canete, President and CEO, California Hispanic Chambers of Commerce

PROP. 26: EXPANDS GAMBLING AT HORSE RACETRACKS

Prop. 26 is cleverly designed to save the horse racing industry by expanding sports betting to horse racetracks around California—giving them millions in new revenue just to save a dying industry that drugs, abuses and kills horses year after year. Please join us and VOTE NO on Prop. 26.

Madeline Bernstein, President
Society for the Prevention of Cruelty to Animals Los Angeles (spcaLA)

Jay King, President
California Black Chamber of Commerce

Floyd Meshad, President
National Veterans Foundation

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 26

PROP. 26 AUTHORIZES IN-PERSON SPORTS WAGERING ON TRIBAL LANDS

For over two decades, California voters have entrusted California’s Native American tribes to operate safe, highly regulated gaming on their own tribal lands. Prop. 26 allows Indian tribes to offer in-person sports wagering, roulette and dice games at tribal casinos. Section 3 of Prop. 26 specifically expresses its intent to limit sports wagering to “those 21 or older to safeguard against underage gambling.”

“California’s Indian Casinos are strongly regulated and have operated safe, responsible gaming for over two decades.”—Richard Schuetz, Former Commissioner, California Gambling Control Commission

PROP. 26 PROMOTES INDIAN SELF-RELIANCE

Prop. 26 will generate additional funding to support education, housing, healthcare and other services in tribal communities. Prop. 26 will also provide tens of millions annually in revenue sharing for smaller, non-gaming tribes.

CARDROOM CASINO OPERATORS ARE RUNNING A DECEPTIVE CAMPAIGN AGAINST INDIAN TRIBES AND PROP. 26

Cardroom casino operators and their gambling bankers funding attacks on Prop. 26 have been fined millions for violating anti-money laundering laws, misleading regulators, and illegal gambling. But there is very little state oversight of cardroom casinos. These bad actors are running a deceptive campaign against Prop. 26 to avoid accountability.

PROP. 26 HELPS STOP AND PREVENT ILLEGAL GAMBLING

Illegal gambling is often associated with drug trafficking, money-laundering, loan sharking, and violent crime. Prop. 26 establishes a streamlined process with the Department of Justice to help stop and prevent illegal gambling. Prop. 26 will NOT shut down a single legitimate business.

SUPPORT INDIAN SELF-RELIANCE AND SAFE, RESPONSIBLE GAMING: YES ON 26.

YESon26.com

Maxine Littlejohn, Tribal Councilmember
Santa Ynez Band of Chumash Indians

Anthony Roberts, Tribal Chairman
Yocha Dehe Wintun Nation

Olin Jones, Former Director
Office of Native American Affairs at California Department of Justice
PROPOSITION
27
ALLOWS ONLINE AND MOBILE SPORTS WAGERING OUTSIDE TRIBAL LANDS.
INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

The text of this measure can be found on the Secretary of State’s website at voterguide.sos.ca.gov.

• Legalizes online and mobile sports wagering for persons 21 years and older.
• Such wagering may be offered only by federally recognized Indian tribes and eligible businesses that contract with them.
• Individuals placing bets must be in California and not located on tribal lands.
• Requires licensing fees and imposes 10% tax on sports-wagering revenues.
• Directs tax and licensing revenues first to regulatory costs, then remainder to homelessness programs (85%) and nonparticipating tribes (15%).
• Specifies licensing, regulatory, consumer-protection, and betting-integrity standards for sports wagering.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:
• Increased state revenues, possibly in the hundreds of millions of dollars but likely not more than $500 million annually, from sports betting payments and penalties. Some of these revenues would be a shift from existing state revenues.
• Increased state costs to regulate online sports betting, possibly reaching the mid-tens of millions of dollars annually. Some or all of these costs would be offset by the increased revenues.

BACKGROUND
Sports Betting. State law currently bans sports betting in California. However, state law allows some gambling, such as tribal gambling, the state lottery, cardrooms, and horse racing betting.

Tribal Gambling. Native American tribes have certain rights under federal law to govern themselves, such as certain rights to offer gambling. This means that the state generally cannot regulate tribal gambling except as allowed by (1) federal law and (2) federally approved agreements between a tribe and state (known as tribal-state compacts). When a tribe wants to offer gambling on its lands, federal law requires that the state negotiate a compact with the tribe. If the tribe and the state cannot agree, the federal government may issue a compact instead. In California, compacts allow tribal casinos to offer slot machines and other games on tribal lands. These compacts lay out how gambling will be regulated. They also require certain payments, such as to the state and local governments. Tribes can ask for these compacts to be changed, such as when new types of gambling become legal in the state.

California currently has compacts with 79 tribes. Tribes currently operate 66 casinos in 28 counties. Last year, tribes paid around $65 million to support state regulatory and gambling addiction program costs. Tribes also pay tens of millions of dollars to local governments each year (annually). Additionally, tribes operating larger casinos pay nearly $150 million each
year to tribes that either do not operate
casinos or have less than 350 slot machines.

**State Homeless Housing, Assistance, and
Prevention Program (HHAPP).** HHAPP
provides funding to local entities (such as
cities) and tribes to help them achieve their
goals related to addressing homelessness.
Currently, 80 percent of HHAPP funds go to
local entities generally based on their share
of the state’s homeless population, 2 percent
to tribes, and 18 percent to the state to
provide bonuses to local entities and tribes
who meet their goals. The program received
$1 billion in state funds this year.

**PROPOSAL**

Proposition 27 allows tribes or gambling
companies to offer online sports betting. It
requires tribes and gambling companies that
offer online sports betting to make certain
payments to the state for specific purposes—
such as to support state regulatory costs and
to address homelessness. The proposition
also creates a new online sports betting
regulatory unit. Finally, it provides new ways
to reduce illegal online sports betting.

**Allows Tribes or Gambling Companies to Offer
Online Sports Betting.** Proposition 27 changes
the California Constitution and state law to
allow online sports betting over the Internet
and mobile devices. People 21 years of
age and older in California, who are not on
tribal lands, would be able to place bets no
later than September 2023. The proposition
allows bets on athletic events (such as
football games) and some non-athletic
events (such as awards shows and video
game competitions). However, it bans bets
on certain other events such as high school
games and elections.

The proposition allows the following groups
to apply for a five-year license to offer online
sports betting:

- **Tribes With Tribal-State Compacts.** Licensed tribes, or their contractors,
could offer sports betting under the
tribe’s name. The proposition requires
tribes to give up some of their rights
under federal law to get a license. For
example, tribes must agree to a certain
amount of state regulation.

- **Certain Gambling Companies.** Licensed
gambling companies could offer sports
betting under their own name or brand.
These companies must partner with a
tribe with a tribal-state compact. The
proposition limits licenses to larger
companies, such as those that have
online sports betting licenses in at least
ten U.S. states or territories.

**Requires Payments to State.** Proposition 27
requires various sports betting payments to
the state. For example, tribes and gambling
companies with sports betting licenses must
pay 10 percent of sports bets made each
month to the state, after subtracting various
expenses. These expenses include: (1) any
bets made with credits from promotional
offers, (2) prize payments, and (3) federal
gambling taxes. Losses, which result when
expenses are more than bets, may be used
to offset these payments. A portion of these
monthly payments must be made in advance
when the sports betting license is approved
or renewed. This reduces the actual monthly
amount owed. Specifically, a tribe must pay
$10 million when its five-year license is
approved. It must also pay $1 million each
time its license is renewed. A gambling
company must pay $100 million when its
five-year license is approved. It must also
pay $10 million each time its license is
renewed.

**Creates New Fund.** The above payments to
the state would go into a new California
Online Sports Betting Trust Fund (COSBTF). Proposition 27 requires COSBTF revenues first be used for state regulatory costs. The rest would be used for two major purposes:

- 85 percent to address homelessness and for gambling addiction programs. The money to address homelessness would be provided to local entities generally in the same way as HHAPP funding.
- 15 percent for tribes that are not involved in online sports betting. Tribes could use these funds for tribal government, health, economic development, or other purposes.

**Exempts Revenues From State Spending Limit and Minimum Education Spending Levels.** The California Constitution includes various rules that impact the state budget. These rules include a state spending limit and require a minimum amount of spending on K–12 schools and community colleges each year. Proposition 27 changes the California Constitution to exempt sports betting revenues from these rules.

**Creates New State Online Sports Betting Regulatory Unit.** Proposition 27 creates a new unit within the California Department of Justice to regulate online sports betting. This unit would set the requirements to get a license. It would also decide what types of events and bets are allowed. Additionally, this unit would investigate illegal activities (such as the “fixing” of events). However, the proposition puts limits on the unit. For example, the unit could not limit the amount of promotional credits offered to bettors. The proposition also creates a 17-member group to provide advice and recommendations to the unit, including written feedback on any potential regulations.

**Provides New Ways to Reduce Illegal Online Sports Betting.** Proposition 27 creates new ways to reduce illegal online sports betting. When people place online sports bets with any unlicensed entity, the proposition requires those people pay the state a penalty. This penalty equals 15 percent of the amount that they bet. The proposition also allows for a $1,000 penalty for each day this money is not paid. These payments would go into the COSBTF. Additionally, the state’s new regulatory unit could take certain enforcement actions. These actions can include requiring unlicensed entities provide the names of people placing bets with them and blocking online access to these entities.

**FISCAL EFFECTS**

Proposition 27 would impact both state and local government revenues and costs. The actual size of these effects, however, is uncertain and would depend on how the proposition is interpreted and implemented. For example, this proposition expands legal gambling. In response, it is unclear whether tribes will ask for changes to their tribal-state compacts (such as to reduce the amount paid to local governments) to reflect potential impacts on tribal casinos. The fiscal effects would also depend on how many licensed entities offer sports betting and the amount of expenses they subtract from the monthly amount owed to the state. Finally, the fiscal effects would depend on the number of people who choose to make sports bets.

**Increased State Revenues.** Proposition 27 would increase state revenues from sports betting payments and penalties. The size of this increase is uncertain. The increase could be in the hundreds of millions of dollars annually, but likely would not be
more than $500 million annually. Some of this revenue would be new. For example, the state currently does not receive any share of illegal sports bets made online. This means the state would receive new revenue when people make sports bets legally rather than illegally. However, some of this revenue would not be new. For example, the state currently receives revenue when people spend money on certain things, such as lottery games or shopping. This means the state might not receive new revenue when people spend less on those things so they could make sports bets.

State revenues from sports betting payments and penalties would go into the COSBTF. The monies would first be used for state regulatory costs. The rest would support (1) homelessness programs, (2) gambling addiction programs, and (3) tribal economic development and other purposes.

**Increased State Regulatory Costs.** Proposition 27 would create work for the state to regulate online sports betting. The amount of work would depend mostly on how sports betting is regulated. Key examples of this include: the number of sports betting licenses approved, the type and number of betting options and events offered, and how much state enforcement is done. Total costs for this work could reach the mid-tens of millions of dollars annually. Some or all of these costs would be offset by COSBTF revenues.

**Other Fiscal Effects.** Proposition 27 could result in other fiscal effects on the state and local governments. For example, state and local revenue could increase from people coming from out of state to place sports bets and spending more than they otherwise would. However, some or all of this increased local revenue could be offset. For example, tribes might ask for their tribal-state compacts to require less payment to local governments to reflect potential impacts sports betting has on their casinos. Additionally, state and local governments could have increased costs. For example, online sports betting could make it more difficult for people with gambling addictions to avoid placing bets. This could increase the number of people who might need government assistance. The net effect of the above effects on the state and local governments is unknown.

Visit https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit https://www.fppc.ca.gov/transparency/top-contributors.html to access the committee’s top 10 contributors.
ARGUMENT IN FAVOR OF PROPOSITION 27

Vote YES on Proposition 27
Permanent Solutions for Homelessness, Mental Health, Addiction & Tribal Funding
Non-profit leaders, mayors, and California Tribes support Proposition 27 because it will provide hundreds of millions of dollars in permanent solutions to homelessness, mental health, and addiction in California. All funding will be subject to strict audits and oversight to ensure it is spent effectively. Proposition 27 will also benefit every California Tribe—especially rural and economically disadvantaged Tribes who don’t own big casinos. By taxing and regulating safe and responsible online sports betting for adults 21 and over, California can help solve homelessness and provide thousands of Californians mental health care and addiction treatment.

Proposition 27 provides the most solutions for California:
• Prop. 27 protects minors and strictly prevents those under 21 from betting.
• Prop. 27 requires mandatory audits to ensure homelessness and mental health funding is spent effectively.
• Prop. 27 is the only sports betting measure that will fund permanent homelessness and mental health solutions.
• Prop. 27 is the only measure that guarantees funding for disadvantaged Tribes.

Proposition 27 will fund hundreds of millions of dollars each year in shelter, housing, addiction treatment and mental health support for Californians who need it most.

Ricardo Flores, non-profit leader and housing advocate, on why his organization supports Prop. 27:
“California’s homelessness crisis is a statewide emergency. Our state has never fully invested in permanent solutions to end homelessness. Prop. 27 allows organizations like mine to have an ongoing revenue source to fund desperately needed services: shelter, housing, and support. All with strict audits to ensure every dime is spent effectively. No other sports betting proposition will generate significant revenue for homelessness and mental health services.”

Tamara Kohler, CEO of San Diego’s Regional Task Force on Homelessness, on Prop. 27:
“One in six Californians experiences mental illness. It’s a crisis affecting nearly every family. Prop. 27 will help generate hundreds of millions of dollars every year to fund mental health treatment, and solutions to homelessness and addiction. By passing Prop. 27, we can give more people the care they need and the hope they deserve.”

Chairman Jose “Moke” Simon of Middletown Rancheria of Pomo Indians of California, on Prop. 27:
“My tribe has had so much taken away from us—our land, our ceremonies, our culture—and our sovereignty is constantly under attack. Unlike Tribes with large casinos, my Tribe struggles to provide basic needs for our people. Prop. 27 is the only proposition that helps disadvantaged Tribes like mine, and Prop. 27 is the only one that ensures every California Tribe benefits.

“Don’t believe the false attacks on Prop. 27. By taxing and regulating online sports betting for adults over 21, we can finally address homelessness in California while protecting tribal sovereignty.”

Vote YES on Prop. 27—tax and regulate safe and responsible online sports betting, support California Tribes and finally do something to solve homelessness, mental health, and addiction in California.

YESProp27.com
Tamara Kohler, CEO
San Diego Regional Task Force on Homelessness
Jose “Moke” Simon, Chairman
Middletown Rancheria of Pomo Indians of California
Ricardo Flores, Executive Director
Local Initiatives Support Corporation (LISC) San Diego

REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 27

PROPOSITION 27 WAS WRITTEN AND PAID FOR BY OUT-OF-STATE ONLINE GAMBLING CORPORATIONS
Prop. 27 is a deceptive scheme promoted by out-of-state corporations to legalize a massive expansion of online and mobile sports gambling in California. These corporations have contributed more than $100,000,000 to sell Prop. 27. They aren’t spending that money to help California. They are doing it to enrich themselves.

CALIFORNIA INDIAN TRIBES OVERWHELMINGLY OPPOSE PROP. 27
More than 50 California Tribes strongly oppose Prop. 27. It is a direct attack on tribal gaming and Indian self-reliance that would jeopardize funding tribal governments use for education, healthcare, fire protection and other vital services.

PROP. 27 IS NOT A “SOLUTION” TO HOMELESSNESS
Decades ago, gaming companies passed the California Lottery with misleading promises of massive new revenues for schools. Now, out-of-state gambling corporations are using similar bait-and-switch tactics to promote Prop. 27.

Prop. 27 includes hidden loopholes that would give massive profits to its corporate sponsors, while leaving only a few pennies per dollar for California. Under Prop. 27, 90% of the profits will go to out-of-state corporations and little if anything would go to public schools.

PROP. 27 PROMOTERS HAVE A HISTORY OF BROKEN PROMISES AND BAD ACTS
The corporate sponsors funding Prop. 27 have been fined millions of dollars for allowing underage gambling and marketing to children. In other states that have passed laws like Prop. 27, the big-money promises have failed to materialize. We can’t trust the false promises of these out-of-state corporations.

REJECT THE OUT-OF-STATE CORPORATIONS’ DECEPTIVE CAMPAIGN. VOTE NO ON 27.

James Siva, Chairman
California Nations Indian Gaming Association
Robert McElroy, Executive Director
Alpha Project for the Homeless
Claudia Brundin, Tribal Chairwoman
Blue Lake Rancheria of California
ARGUMENT AGAINST PROPOSITION 27

JOIN CALIFORNIA INDIAN TRIBES, PARENTS, TEACHERS, HOMELESS ADVOCATES, PUBLIC SAFETY LEADERS: VOTE NO ON 27—THE CORPORATE ONLINE GAMBLING PROPOSITION

Prop. 27 is a deceptive scheme written and promoted by out-of-state corporations to legalize online and mobile sports gambling in California. It won’t solve homelessness, but it will turn virtually every cellphone, tablet and laptop into a gambling device.

PropONENTS ARE DECEPTIVELY MARKETING PROPP. 27 AS A “SOLUTION” TO HOMELESSNESS. BUT JUST LIKE WHEN WE WERE TOLD THE STATE LOTTERY WOULD BE A SOLUTION FOR PUBLIC EDUCATION, WE CAN’T BELIEVE THESE FALSE PROMISES. HERE’S WHY OUR BROAD COALITION URGES NO ON PROP. 27.

UNDER PROP. 27, OUT-OF-STATE CORPORATIONS WIN—BUT CALIFORNIANS LOSE

The out-of-state online gambling corporations wrote Prop. 27 to benefit themselves. Prop. 27 would give these corporations near total control over online sports wagering. Ninety percent (90%) of the profits would end up in the pockets of out-of-state corporations without creating real jobs or investments in our state. Not a single dime would fund state priorities like public schools, firefighting or even problem gambling prevention programs.

PROP. 27 IS NOT A “SOLUTION” TO HOMELESSNESS

California has spent over $30 Billion to address homelessness in the last 5 years, but things have only gotten worse. A recent report by the independent State Auditor said California’s spending on homelessness is “disjointed” and “has not fulfilled its most critical responsibilities.” Rather than legalize this massive expansion of online gambling, we should more effectively manage the billions the state is already spending as well as any new funding needed in the future.

PROP. 27 IS FULL OF LOOPOLES THAT SHORTCHANGE CALIFORNIA

Prop. 27 caps revenues going to homelessness programs at just pennies on the dollar of what the online gambling corporations will make. Buried in Prop. 27 is a “promotional bets” loophole. States that allow this same loophole have seen revenues fall far below what was promised. The big gaming corporations also say they will pay a licensing fee. In reality, the corporations can reduce their tax one dollar for every dollar they pay in licensing fees. More money for them; less money for the homeless.

PROP. 27 EXPOSES KIDS TO ONLINE AND PROBLEM GAMBLING.

Prop. 27 would legalize the largest expansion of gambling in California history—but it has NO IN-PERSON AGE VERIFICATION REQUIREMENT to prevent minors from gambling. Studies show that online and mobile gambling are especially attractive to youth and those prone to compulsive gambling.

CALIFORNIA INDIAN TRIBES STRONGLY OPPOSE PROP. 27

“Prop. 27 is a direct attack on tribal gaming rights and self-reliance. In fact, it even prohibits online sports wagering on tribal lands. Prop. 27 jeopardizes vital funding tribes use to provide housing, healthcare, firefighting services, education and other services for our communities.”—Lynn Valbuena, Chairperson, Tribal Alliance of Sovereign Indian Nations

PLEASE JOIN INDIAN TRIBES, PARENTS, TEACHERS, PUBLIC SAFETY, SOCIAL JUSTICE AND HOMELESSNESS ADVOCATES:

NO ON 27!

• Tribal Alliance of Sovereign Indian Nations • More than 50 California Indian tribes • NAACP California • California League of United Latin American Citizens • California District Attorneys Association • CalAsian Chamber of Commerce • Goodwill Southern California • Veterans of Foreign Wars Department of CA

NO ON PROP. 27

Lynn Valbuena, Chairperson
Tribal Alliance of Sovereign Indian Nations

Sara Dutschke Setshwaelo, Chairperson
Ione Band of Miwok Indians

Steven Pinckney, Business Administrator
Salvation Army of San Bernardino

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 27

Vote YES for PERMANENT SOLUTIONS for Homelessness, Mental Health, and Addiction. Opponents of Prop. 27 are wrong. Here are the facts:

STATE WATCHDOG: ONLY PROP. 27 PROVIDES PERMANENT SOLUTIONS FOR HOMELESSNESS

For the first time in state history, local communities will receive yearly funding to create permanent solutions for homelessness. The state’s independent budget watchdog found only Prop. 27 will generate hundreds of millions of dollars each year to address homelessness, mental health, and addiction. Prop. 27’s funding must be spent on creating housing and providing services like mental health and addiction treatment.

PROP. 27 CONTAINS STRICT REQUIREMENTS TO PROTECT MINORS

Prop. 27 is the only proposition requiring background checks and state of the art technology to protect minors and ensure they can’t place bets. 23 states have safely legalized online sports betting, proving you can do so responsibly while generating significant state funding.

PROP. 27 IS THE ONLY INITIATIVE THAT HELPS DISADVANTAGED TRIBES

Tribes support Prop. 27 because every Tribe will benefit. Prop. 27 is the only proposition that dedicates funding to economically disadvantaged Tribes—more than doubling the amount of funding these smaller Tribes receive each year.

PROP. 27 REQUIRES YEARLY AUDITS & STRICT SAFETY OVERSIGHT

Proposition 27 requires yearly audits and strict oversight to ensure funding is spent effectively. Under Prop. 27, the Attorney General will tightly regulate sports betting to ensure safe and responsible gaming.

Join California Tribes, leaders in homelessness and mental health care, social workers, faith leaders, and civil rights groups—VOTE YES on Prop. 27.

YesToProp27.com

Gloria Baxter, Mental health non-profit leader
Philip Gomez, Chairman
Big Valley Band of Pomo Indians of the Big Valley Rancheria, California
Leo Sisco, Chairman
Santa Rosa Rancheria Tachi Yokut Tribe
PROPOSITION 28 PROVIDES ADDITIONAL FUNDING FOR ARTS AND MUSIC EDUCATION IN PUBLIC SCHOOLS. INITIATIVE STATUTE.

OFFICIAL TITLE AND SUMMARY

The text of this measure can be found on the Secretary of State’s website at voterguide.sos.ca.gov.

• Provides additional funding for arts and music education in all K–12 public schools (including charter schools) by annually allocating from state General Fund an amount equal to 1% of required state and local funding for public schools.

• Allocates greater proportion of the additional funds to schools serving more economically disadvantaged students.

• Schools with 500 or more students must spend at least 80% of the funding to employ teachers and remainder on training, supplies, and education partnerships.

• Requires audits and limits administrative costs to 1% of the funding.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

• Increased state costs of about $1 billion annually, beginning next year, for arts education in public schools.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

State's Public School System. California’s public schools currently have about 6 million students from kindergarten through grade 12. Roughly 60 percent of public school students are from low-income families. These are students eligible to receive free or reduced-price school meals under a federal nutrition program. The state also provides public preschool to some three- and four-year olds from low-income families. However, the amount of state funding is currently not enough to serve all eligible children. Public schools are operated primarily by school districts and charter schools, under the control of local governing boards.

Annual Required Education Spending. The California Constitution requires the state to set aside a minimum amount of state General Fund and local property tax revenue each year (annually) for public schools and community colleges. (The General Fund is the state’s main operating account, which pays for education, prisons, health care, and other public services.) In most years, the state must provide about 40 percent of General Fund revenue to meet this requirement. The state’s current budget includes $110 billion to meet this requirement. Of this amount, $95.5 billion is specifically for public schools. Most school funding is distributed to schools through a per-student formula. The formula also gives schools more funding based on the share of their students who are low income, English learners, or in foster care. With a two-thirds vote of each house of the Legislature, the state could provide less funding for schools and community colleges than required for that year.

Arts Education in Elementary and Middle Schools. State law requires schools to provide instruction in visual and performing arts (including music) to all students in grades 1 through 6. State law also requires schools to offer such courses in grades 7 and 8 as electives. The specific courses and amount of instruction are determined by each local governing board. Schools may also offer arts education through before/after school and summer programs. The state funds two after school programs currently totaling almost $5 billion each year. These programs require an academic component (such as tutoring) and an enrichment component (such as arts programs or physical fitness).

Arts Education in High Schools. Students must complete specific courses before they can graduate from high school. The state requires students to complete certain core academic subjects, such as English, history/social science, mathematics, and science. The state also requires students complete one year of either (1) visual or performing arts, (2) a foreign language, or (3) career technical education (CTE). Local governing boards can add other requirements for high school graduation. A 2017 survey found that about half of the state’s school districts set their minimum graduation requirements to match the course requirements for admission to the state’s public universities. Under these requirements, students must take one year of visual and performing arts, which cannot be fulfilled with foreign language or CTE coursework. In the most recent school year for which data are available, high schools in California offered about 150,000 arts education courses. High schools may also provide after school arts programs.
PROPOSAL

Provides Additional Funding for Arts Education in Public Schools. Beginning next year, Proposition 28 requires the state to provide additional funding to increase arts instruction and/or arts programs in public schools. The amount required each year would equal 1 percent of the constitutionally required state and local funding that public schools received the year before. This funding would be considered a payment above the constitutionally required amount of funding for public schools and community colleges. The proposition allows the Legislature to reduce funding provided by this proposition for arts education in a year when the Legislature provides less than the constitutional spending requirement. In this case, the reduction in funding for arts education could not be more than the percentage reduction in total funding to public schools and community colleges.

Distributes Funding Based on a Formula. Proposition 28 distributes the additional funding to public schools based on enrollment in preschool and K–12. Of the total amount, 70 percent would go to schools based on their share of statewide enrollment. The remaining 30 percent would go to schools based on their share of low-income students enrolled statewide. Local governing boards may use up to 1 percent of this new funding for administrative expenses. The remainder of the funding must be distributed to all school sites based on their student enrollment.

Requires Funding Be Used Primarily to Hire New Arts Staff. Proposition 28 requires funding be used for arts education programs and requires schools to certify that these funds were spent in addition to existing funding for arts education programs. This may include a variety of subjects, including dance, media arts, music, theater, and various types of visual arts (including photography, craft arts, computer coding, and graphic design). The proposition also requires at least 80 percent of the additional funding be used to hire staff. (School districts and charter schools with fewer than 500 students would not have to meet this requirement.) The remaining funding could be used for training, supplies and materials, and for arts educational partnership programs. The California Department of Education (CDE) may approve requests from schools to spend less on staff. Schools will have three years to spend the funds they receive each year. CDE would reallocate any unspent funds to all schools in the following year.

Allows School Principals to Determine How Funds Are Spent. Proposition 28 requires the principal of a school site (or the program director of a preschool) to develop a plan for spending the funding they receive. The principal or program director would determine how to expand a site’s arts instruction and/or programs.

Requires Annual Data Reporting. Proposition 28 requires local governing boards to certify each year that the funding their schools received was spent on arts education. Additionally, local governing boards must post on their website a report on how funds were spent. The report must include the type of arts education programs funded, the number of staff employed, the number of students served, and the number of school sites providing arts education with the funding received. This report must also be submitted to CDE and made public on the department’s website.

FISCAL EFFECTS

Beginning next year, Proposition 28 would increase state costs by about $1 billion annually. This amount is less than one-half of 1 percent of the state’s total General Fund budget. The additional funding would be considered a payment above the constitutionally required amount of funding for public schools and community colleges.

Visit https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals for a list of committees primarily formed to support or oppose this measure.

Visit https://www.fppc.ca.gov/transparency/top-contributors.html to access the committee’s top 10 contributors.
YES ON 28: ENSURE ACCESS TO ARTS AND MUSIC EDUCATION IN PUBLIC SCHOOLS WITHOUT RAISING TAXES

Arts and music education plays a critical role in helping children learn, develop and achieve in school and later in life. With arts and music education, students:

• Do better in math, reading, and other subjects.
• Learn to think creatively and critically.
• Have better attendance, self-confidence and mental health.

But in California’s public schools, arts and music programs have often been the first to get cut. So that now, barely 1 in 5 public schools has a full-time arts or music teacher, which means millions of students don’t have an opportunity to participate.

This deprives California students of a well-rounded science, technology, engineering, arts and math (STEAM) curriculum—and means it’s harder to prepare them for well-paying jobs in California’s economy.

Our kids deserve better.

ADDITIONAL FUNDING FOR ARTS AND MUSIC EDUCATION WITHOUT RAISING TAXES

Prop. 28, the Arts and Music in Public Schools measure, dedicates nearly $1 billion a year in additional funding for arts and music education in Pre-K–12 public schools—without raising taxes. Under Prop. 28:

• Every public school in every school district will receive increased funding for arts and music education—so every student benefits.
• Schools serving children in low-income communities are allocated additional needed funding.
• Funding must be spent on arts and music education—on teachers, supplies, arts partnerships, training and materials.

The measure includes funding for traditional arts and music classes like theater, dance, band, painting and drawing, and for contemporary arts like graphic design, computer graphics, and film and video.

Prop. 28 protects existing education funding—and does not raise taxes.

STRONG ACCOUNTABILITY AND TRANSPARENCY PROVISIONS

Prop. 28 contains important safeguards to ensure the funds are spent as intended:

• Prohibits the Legislature or school districts from using the funds for other purposes.
• Requires annual audits of the funding.
• Requires schools to publish annual reports on how they spend funds, including the specific programs and how students benefited.

ARTS AND MUSIC EDUCATION IMPROVES MENTAL HEALTH AND SOCIAL DEVELOPMENT

Research has shown that arts and music education benefit children’s mental health and social development. Ensuring all children have access to arts and music education is especially important emerging from the pandemic, which isolated many children without access to social interaction.

HELPS PREPARE STUDENTS FOR GOOD JOBS IN CALIFORNIA’S ECONOMY

California’s creative economy employs nearly 3 million people in movies, music, art, animation, TV, theater and more. Ensuring access to arts and music education provides children with critical skills they need to succeed and provides our economy with the well-trained workforce California needs to remain a world leader.

“By investing in arts and music education for our children, we can create the well-rounded, diverse workforce of tomorrow.”—Tracy Hernandez, CEO of LA County Business Federation

A BRIGHTER FUTURE FOR OUR CHILDREN

Please join teachers, parents, education and child development experts, mental health professionals, entrepreneurs and community leaders across the state and Vote Yes on 28.

VoteYesOnProp28.org

Austin Beutner, Chairman
Californians for Arts and Music in Public Schools

E. Toby Boyd, President
California Teachers Association

Carol Green, President
California State PTA
NO ARGUMENT AGAINST PROPOSITION 28 WAS SUBMITTED.
PROPOSITION 29
REQUIRES ON-SITE LICENSED MEDICAL PROFESSIONAL AT KIDNEY DIALYSIS CLINICS AND ESTABLISHES OTHER STATE REQUIREMENTS. INITIATIVE STATUTE.

OFFICIAL TITLE AND SUMMARY

The text of this measure can be found on the Secretary of State's website at voterguide.sos.ca.gov.

• Requires physician, nurse practitioner, or physician assistant, with six months’ relevant experience, on site during treatment at outpatient kidney dialysis clinics; authorizes exemption for staffing shortage if qualified medical professional is available through telehealth.
• Requires clinics to disclose to patients all physicians with clinic ownership interests of five percent or more.
• Requires clinics to report dialysis-related infection data to state.
• Requires clinics from closing or substantially reducing services without state approval.
• Prohibits clinics from refusing to treat patients based on source of payment.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:
• Increased state and local government costs likely in the tens of millions of dollars annually.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

DIALYSIS TREATMENT

Kidney Failure. Healthy kidneys remove waste and extra fluid from a person’s blood. Kidney disease happens when a person’s kidneys do not work properly. Over time, a person may develop kidney failure. This means the kidneys no longer work well enough for the person to live without a kidney transplant or ongoing treatment called dialysis.

Dialysis Mimics What a Normal Kidney Does. Dialysis copies what healthy kidneys do. Most people on dialysis undergo hemodialysis. This form of dialysis removes blood from the body, filters it through a machine to remove waste and extra fluid, then returns it to the body. A single treatment lasts about four hours and happens about three times per week.

Most Dialysis Patients Receive Treatment in Clinics. Most people with kidney failure receive dialysis at chronic dialysis clinics (clinics), although some may receive dialysis at hospitals or in their own homes. About 650 licensed clinics in California provide dialysis to roughly 80,000 patients each month. Given how often patients need dialysis and how long treatments last, clinics often offer treatments six days per week and often are open outside of typical business operating hours.

Patient’s Own Physician Oversees Treatment. When a patient has kidney failure, the patient’s physician develops a plan of care, which could include a referral for dialysis. The physician designs the dialysis treatment plan, including specific aspects such as frequency, duration, and associated medicines. Clinics carry out the treatment. The physician continues to oversee the patient’s care. Under federal rules, the physician must visit the patient during dialysis treatment at the clinic at least once per month.

Various Entities Own and Operate Dialysis Clinics. Two private for-profit companies—DaVita, Inc. and Fresenius Medical Care—own or operate nearly 75 percent of licensed clinics in California. A variety of nonprofit organizations and for-profit companies own or operate the other clinics. Most of these other owners and operators have multiple clinics in California, while a small number own or operate a single clinic. In recent years, the majority of clinics’ revenues exceed costs, while a smaller share of clinics operate at a loss. Some owners and operators with multiple clinics can use their higher-earning clinics to help support their clinics that operate at a loss.
However, an owner or operator may be less likely to keep an individual clinic open over the longer term if that clinic is likely to keep operating at a loss.

**PAYING FOR DIALYSIS**

*Few Main Sources Pay for Dialysis.* We estimate that clinics have total revenues of around $3.5 billion each year (annually) from their operations in California. These revenues consist of payments for dialysis from a few main sources, or payers:

- **Medicare.** This federally funded program provides health coverage to most people ages 65 and older and certain younger people who have disabilities. Federal law generally makes people with kidney failure eligible for Medicare coverage regardless of age or disability status. Medicare pays for dialysis treatment for the majority of people on dialysis in California.

- **Medi-Cal.** The federal-state Medicaid program, known as Medi-Cal in California, provides health coverage to eligible low-income California residents. The state and federal governments share the costs of Medi-Cal. Some people qualify for both Medicare and Medi-Cal. For these people, Medicare covers most of the payment for dialysis as the main payer and Medi-Cal covers the rest. For people enrolled only in Medi-Cal, the Medi-Cal program alone pays for dialysis.

- **Group and Individual Health Insurance.** Many people in the state have group health insurance coverage through an employer or another organization (such as a union). Other people purchase health insurance individually. When an insured person develops kidney failure, that person can usually transition to Medicare coverage. Federal law requires a group insurer to be the main payer for dialysis treatment for the first 30 months of treatment.

The California state government, the state’s two public university systems, and many local governments in California provide group health insurance coverage for their current workers, eligible retired workers, and their families. **Group and Individual Health Insurers Typically Pay Higher Rates for Dialysis Than Government Programs.** The rates that Medicare and Medi-Cal pay for a dialysis treatment are fairly close to the average cost for clinics to provide a dialysis treatment. Government regulations largely decide what these rates are. In contrast, group and individual health insurers negotiate with clinic owners and operators to set rates. On average, group and individual health insurers pay multiple times what government programs pay for a dialysis treatment.

**HOW CHRONIC DIALYSIS CLINICS ARE REGULATED**

*California Department of Public Health (CDPH) Licenses and Certifies Dialysis Clinics.* CDPH licenses clinics to operate in California. CDPH also certifies clinics on behalf of the federal government. Certification allows clinics to receive payment from Medicare and Medi-Cal. Currently, California relies primarily on federal regulations as the basis for its licensing program.

*Federal Regulations Require a Medical Director at Each Dialysis Clinic.* Federal regulations require each clinic to have a medical director who is a board-certified physician. The medical director is responsible for quality assurance, staff education and training, and development and implementation of clinic policies and procedures. Federal regulations do not require medical directors to spend a set amount of time at the clinic. Federal guidelines, however, consider the position to reflect about one-quarter of a full-time position.

*Dialysis Clinics Must Report Infection-Related Information to a National Network.* To receive payments from Medicare, clinics must report specific dialysis-related infection information to the National Healthcare Safety Network at the federal Centers for Disease Control and Prevention. For example, clinics must report when a patient develops a bloodstream infection and the suspected cause of the infection.
ANALYSIS BY THE LEGISLATIVE ANALYST

PROPOSAL

Proposition 29 includes several requirements affecting clinics, as discussed below. It gives duties to CDPH to implement and administer the proposition, including adopt regulations within one year after the law takes effect.

Requires Each Dialysis Clinic to Have a Physician, Nurse Practitioner, or Physician Assistant On-Site During All Treatment Hours. Proposition 29 requires each clinic to have, at its expense, at least one physician, nurse practitioner, or physician assistant on-site during all the hours patients receive treatments at that clinic. This individual must have at least six months of experience providing care to kidney patients and is responsible for patient safety and the provision and quality of medical care. A clinic may ask CDPH to grant an exception from this requirement if there are not enough physicians, nurse practitioners, or physician assistants in the clinic's area. If CDPH approves the exception, the clinic can meet the requirement through telehealth. The exception lasts for one year.

Requires Dialysis Clinics to Report Infection-Related Information to CDPH. Proposition 29 requires clinics to report dialysis-related infection information to CDPH every three months. CDPH must specify which information clinics should report, and how and when to report the information. CDPH must post each clinic’s infection information on the CDPH website, including the name of the clinic’s owner or operator.

Requires Dialysis Clinics to Say Who Its Owners Are. Proposition 29 requires a clinic to give patients a list of all physicians who own at least 5 percent of the clinic. The clinic must give a patient this list when the patient is starting treatment, each year after that, or any time a patient (or potential patient) asks for it. The proposition also requires clinics to report to CDPH every three months persons who own at least 5 percent of the clinic. Both CDPH and clinics (or their owners or operators) must post this information on their websites.

Charges Penalties if Dialysis Clinics Do Not Report Required Information. If a clinic or its owner or operator does not report required information or reports inaccurate information, CDPH may issue a penalty of up to $100,000 against the clinic. The clinic may request a hearing if it disagrees with the penalty. Any penalties collected would be used by CDPH to implement and enforce laws concerning clinics.

Requires Dialysis Clinics to Notify and Obtain Consent From CDPH Before Closing or Substantially Reducing Services. If a clinic plans to close or substantially reduce its services, Proposition 29 requires the clinic or its owner or operator to notify CDPH in writing and obtain CDPH's written consent. The proposition allows CDPH to determine whether or not to consent. It allows CDPH to base its decision on such information as the clinic’s financial resources and the clinic’s plan for making sure patients have uninterrupted dialysis care. A clinic may dispute CDPH’s decision by requesting a hearing.

Prohibits Dialysis Clinics From Refusing Care to a Patient Based on Who Is Paying for the Patient’s Treatment. Under Proposition 29, clinics are required to offer the same quality of care to all patients. Clinics cannot refuse to offer or provide care to patients based on who pays for patients’ treatments. The payer could be the patient, a private entity, the patient’s health insurer, Medi-Cal, or Medicare.

FISCAL EFFECTS

INCREASED COSTS FOR DIALYSIS CLINICS AFFECT STATE AND LOCAL COSTS

Proposition 29 Increases Costs for Dialysis Clinics. Overall, the proposition would increase costs for clinics. In particular, the proposition’s requirement that each clinic have a physician, nurse practitioner, or physician assistant on-site during all treatment hours would increase each clinic’s costs by several hundred thousand dollars annually on average. Other requirements of the proposition would not significantly increase clinic costs.
Clinics Could Respond to Higher Costs in Different Ways. The cost to have a physician, nurse practitioner, or physician assistant on-site would affect individual clinics differently depending on their finances. For example, the additional cost could cause some clinics to operate at a loss, or at a greater loss than previously. As noted earlier, an owner or operator might be able to support these clinics with its higher-earning clinics. However, the owner or operator might not be willing or able to do this over the longer term. Owners and operators might respond to Proposition 29 in one or more of the following ways:

- **Negotiate Increased Rates With Payers.** Owners and operators might try to negotiate higher rates from payers to cover some of the costs. Specifically, owners and operators may be able to negotiate higher rates with private commercial insurance companies and, to a lesser extent, with Medi-Cal managed care plans.

- **Continue Current Operations, but With Lower Profits.** For some owners and operators, the higher costs would reduce their profits, but they still could operate at current levels without closing clinics.

- **Close Some Clinics.** Given the higher costs a clinic would face, some owners and operators may decide to seek consent from CDPH to close some of their clinics that are operating at a loss.

Proposition 29 Could Increase Health Care Costs for State and Local Governments. Under the proposition, state Medi-Cal costs, and state and local employee and retiree health insurance costs, could increase due to:

- Owners and operators negotiating higher payment rates.
- Some patients requiring treatment in costlier settings like hospitals if some clinics closed in response to the proposition.

Overall, we assume that clinic owners and operators generally would: (1) be able to negotiate with some payers to receive higher payment rates to cover some of the new costs imposed by the proposition, particularly if many clinics were to close otherwise; (2) continue to operate some clinics with reduced income; and (3) close some clinics, with the consent of CDPH. This scenario would lead to increased costs for state and local governments likely in the tens of millions of dollars annually. (State and local governments currently spend more than $65 billion on Medi-Cal and employee and retiree health coverage.) This amount is less than one-half of 1 percent of the state’s total General Fund spending. (The General Fund is the state’s main operating account, which pays for education, prisons, health care, and other public services.)

In the less likely event that a relatively large number of clinics would close due to this proposition, having obtained consent from CDPH, state and local governments could have additional costs in the short run. These additional costs are highly uncertain.

INCREASED ADMINISTRATIVE COSTS FOR CDPH COVERED BY DIALYSIS CLINIC FEES

Proposition 29 imposes new regulatory responsibilities on CDPH. The annual cost of these new responsibilities likely would not exceed the low millions of dollars annually. The proposition requires CDPH to adjust the annual licensing fee paid by clinics to cover these costs.

Visit [https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals](https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals) for a list of committees primarily formed to support or oppose this measure.

Visit [https://www.fppc.ca.gov/transparency/top-contributors.html](https://www.fppc.ca.gov/transparency/top-contributors.html) to access the committee’s top 10 contributors.
Life-Saving Changes for Dialysis Patients

Three times every week, 80,000 Californians with End Stage Renal Disease go to one of more than 600 commercial dialysis centers in the state where they spend several hours connected to a machine that removes their blood, cleans it, and returns it to their bodies. Dialysis literally is what keeps them alive, and they must continue the treatment for the rest of their lives or until they receive a kidney transplant. Because the lives of these fellow Californians are so dependent on dialysis done both safely and effectively, we must give our absolute support to the Protect the Lives of Dialysis Patients Act on the Nov. 8 ballot. This initiative makes common-sense improvements to dialysis treatment to protect some of the most medically vulnerable Californians. The initiative does five major things:

First, it requires a physician, nurse practitioner, or physician assistant to be in the clinic whenever patients are being treated, which is not currently required. Dialysis is a dangerous procedure, and if something goes wrong, a doctor or highly trained clinician should be nearby.

Second, as dialysis patients are prone to infections that can lead to more serious illnesses or even death, it requires clinics to report data on infections to the state so problems can be identified and solved to better protect patients.

Third, as life-saving health care facilities, it requires dialysis corporations to get approval from the state before closing clinics or reducing services. This will protect access to dialysis treatment, particularly for patients in rural communities.

Fourth, it prohibits clinics from discriminating against patients because of their type of insurance and protects patients in every clinic. Whether in a wealthy neighborhood or a poor, rural, Black or Brown community, all clinics will be required to have a doctor or other highly trained clinician on-site and to report their infection rates, and all dialysis corporations will be prohibited from discriminating against patients based on insurance type.

Fifth, it increases transparency and helps patients make informed decisions for their care by requiring clinics and dialysis corporations to disclose information on ownership. As joint ventures between dialysis clinics and doctors become more common, improved transparency is needed to allow stakeholders and policy makers to study the effects of physician ownership.

Don’t fall for big dialysis corporations’ claims that this initiative will create huge new costs, harm patients, or create a shortage of doctors—those fake arguments are just designed as scare tactics in their dishonest public relations campaign. The fact is these corporations can easily make these changes and still profit hundreds of millions of dollars a year without disrupting our healthcare system.

Proposition 29 will make the changes we need to truly protect dialysis patients. We urge you to vote YES!

Emanuel Gonzalez, Dialysis Patient Care Technician
Reverend Kisheen W. Tulloss, President
The Baptist Ministers Conference of Los Angeles
Cecilia Gomez-Gonzalez, Dialysis Patient Advocate
DIALYSIS PATIENTS STRONGLY OPPOSE PROP. 29 BECAUSE IT PUTS OUR LIVES AT RISK

“This is the third time a special interest has placed a proposition on the ballot putting my life and the lives of 80,000 other dialysis patients at risk. Twice, voters have overwhelmingly rejected these dangerous propositions. Please, reject Prop. 29 to stop yet another dangerous dialysis proposition.”—Angel De Los Santos, dialysis patient, Los Angeles

“I’ve been on dialysis for two years. Dialysis is literally my life support. I am so angry that one special interest is pushing a third proposition that puts my life at risk. Please, protect patients like me . . . again. Vote NO on 29.”—Rachel Sprinkle-Strong, dialysis patient, Sacramento

PROP. 29 WOULD FORCE COMMUNITY DIALYSIS CLINICS TO CUT SERVICES OR SHUT DOWN—RISKING PATIENTS’ LIVES

Dialysis patients, nurses and doctors strongly oppose Prop. 29. More than 80,000 Californians with failed kidneys need dialysis treatments three days a week to stay alive. Missing even a single dialysis treatment increases patients’ risk of death by 30%.

Proposition 29 would force dialysis clinics to have new administrators on-site at all times—even though they would not provide direct patient care. This unnecessary requirement would cost hundreds of millions every year, forcing dialysis clinics throughout the state to cut back services or shut down, making it harder for patients to access their treatments—putting their lives at risk.

DIALYSIS CLINICS ARE STRICTLY REGULATED AND PROVIDE HIGH QUALITY CARE

California’s dialysis clinics are regulated by federal and state agencies and have high ratings for quality care and patient satisfaction. Each dialysis patient in California is under the care of their own kidney specialist and dialysis treatments are administered by specially trained nurses and licensed technicians. It makes no sense to also require a physician administrator on-site full-time who will not be involved in providing care.

PROP. 29 WOULD WORSEN OUR HEALTH CARE WORKER SHORTAGE AND LEAD TO MORE EMERGENCY ROOM OVERCROWDING

“Proposition 29 would take thousands of doctors, physician assistants and nurse practitioners away from hospitals and clinics—where they’re needed—and place them into administrative jobs at dialysis clinics where they aren’t.”—Marketa Houskova, Doctor of Nursing Practice, RN, Executive Director of American Nurses Association California.

“Prop. 29 would make our growing physician shortage even worse by taking doctors away from hospitals and clinics where they are needed, increasing wait times and reducing capacity to deal with other medical emergencies.”—Robert E. Wailes, M.D., President, California Medical Association

ANOTHER SPECIAL INTEREST ABUSE

This is the third time this special interest has placed similar dialysis measures on the ballot. Twice, California voters have overwhelmingly rejected these measures. Special interests need to respect the will of the voters and stop threatening dialysis patients’ lives.

JOIN DIALYSIS PATIENTS, FAMILIES, NURSES AND DOCTORS: NO ON 29

Prop. 29 opposed by: • Tens of thousands of dialysis patients and families • American Nurses Association California • American Academy of Nephrology Physician Assistants • Dialysis Patient Citizens, representing thousands of patients • California Medical Association, representing 40,000 California physicians • Emergency room doctors

www.N0Prop29.com

Anthony Hicks, Kidney Dialysis Patient
Angelic Nicole Gant, Kidney Dialysis Patient
Gregory Ridgeway, Kidney Dialysis Patient

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 29

BIG DIALYSIS CORPORATIONS WANT TO PROTECT THEIR PROFITS, NOT PATIENTS

In 2020, the California dialysis industry spent over $100 million to defeat an initiative to improve conditions for patients in dialysis clinics. Why did they spend so much? To protect their massive $561 million in profits in California in 2020.

To patients, dialysis is lifesaving. But to industry executives, it’s a huge money-maker, so they’re at it again, stoking fear by threatening to close clinics if Prop. 29 passes and they’re held accountable to higher standards. Once again they are using gravely ill dialysis patients to shield their perks and million-dollar salaries.

They claim, falsely, that the initiative will hurt patients. They claim dialysis doctors and nurses are against it, but those are doctors and nurses on their payroll.

They say dialysis clinics are already highly regulated, but they face far fewer inspections than other health facilities, and even so, deficiencies are often uncovered.

Prop. 29 makes commonsense improvements to protect patients’ lives, like having a doctor or nurse practitioner required on-site to deal with emergencies, requiring the centers to report infection data, ending discrimination against some patients based on the type of insurance they have, and requiring the state to approve any clinic closures so patients aren’t left without treatment.

Once and for all, Californians can protect fragile dialysis patients by voting Yes on Prop. 29.

Shama Aslam, Former Dialysis Patient
Richard Elliott, Dialysis Patient
Ruben Tadeo, Dialysis Patient
PROPOSITION 30 PROVIDES FUNDING FOR PROGRAMS TO REDUCE AIR POLLUTION AND PREVENT WILDFIRES BY INCREASING TAX ON PERSONAL INCOME OVER $2 MILLION. INITIATIVE STATUTE.

OFFICIAL TITLE AND SUMMARY

The text of this measure can be found on the Secretary of State’s website at voterguide.sos.ca.gov.

- Increases tax on personal income over $2 million by 1.75% for individuals and married couples and allocates new tax revenues as follows: (1) 45% for rebates and other incentives for zero-emission vehicle purchases and 35% for charging stations for zero-emission vehicles, with at least half of this funding directed to low-income households and communities; and (2) 20% for wildfire prevention and suppression programs, with priority given to hiring and training firefighters.
- Requires audits of programs and expenditures.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increased state tax revenue ranging from $3.5 billion to $5 billion annually, with the new funding used to support zero-emission vehicle programs (80 percent) and wildfire response and prevention activities (20 percent).

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

California Personal Income Taxes. The state collects a tax on personal income earned within the state. Last year, the personal income tax raised over $130 billion in revenue. Most of the revenue helps pay for education, prisons, health care, and other public services.

Zero-Emission Vehicle Programs. The state has goals to limit greenhouse gas emissions that contribute to climate change, such as carbon dioxide from burning fossil fuels. To help meet these goals, the state has programs that promote zero-emission vehicles (ZEVs)—or vehicles that do not release pollution from the tailpipe. Examples of ZEVs include electric cars and hydrogen fuel cell cars. The state requires ride-sharing companies (such as Uber and Lyft) to use an increasing number of ZEVs for their services. The state also gives some funding to help households, businesses, and governmental agencies buy new ZEVs and install fueling infrastructure, such as charging stations for electric cars.

Wildfire Response and Prevention Programs. The state has the main responsibility for wildfire response activities—commonly known as firefighting—on about one-third of California’s land area. (The federal government and local agencies have the main responsibility for wildfire response everywhere else in California.) Wildfire response activities help limit the spread of large wildfires and stop them from damaging communities and harming residents. The state also runs wildfire prevention programs to reduce the chances that wildfires will start and to limit the damage they cause when they do occur. Some examples of wildfire prevention activities include removing trees from overgrown forests and clearing dead plants that are likely to catch on fire in areas near buildings.
PROPOSAL

CREASES A NEW TAX ON HIGH-INCOME TAXPAYERS

Beginning January 2023, Proposition 30 requires taxpayers with incomes above $2 million each year (annually) to pay an additional tax of 1.75 percent on the share of their income above $2 million. This additional tax would end by January 2043. The tax could end several years earlier if California is able to drop its statewide greenhouse gas emissions below certain levels before then.

USES REVENUE TO EXPAND ZEV PROGRAMS AND WILDFIRE ACTIVITIES

Proposition 30 requires that the revenue from the new tax go to increasing funding for ZEV programs and wildfire activities, as shown in Figure 1. The money would go to several state agencies to manage the programs and activities.

ZEV Programs (80 Percent). About 80 percent of the total revenue is for two ZEV program categories:

- **Payments to Help Buy New Vehicles.** Most of this money must be used to help households, businesses, and governments pay for part of the cost of new passenger ZEVs (such as cars, vans, and pick-up trucks). The rest of the money would be available for other programs. These include payments to businesses and governments to help buy large ZEVs (such as trucks and buses) and programs that encourage less driving and improve local air quality.

- **Charging Stations.** This money would be used to install and operate ZEV charging and fueling stations at places such as apartment buildings, single-family homes, and public locations.

For each category above, at least half of the money must be spent on projects that benefit people who live in or near heavily polluted and/or low-income communities. The rest of the money could be spent on projects anywhere in the state.

Wildfire Response and Prevention Activities (20 Percent). About 20 percent of total revenue must be spent on wildfire response and prevention activities. In general, the state would have to prioritize spending to hire, train, and retain state firefighters.
rest of the money could be used for other wildfire response and prevention activities.

**FISCAL EFFECTS**

*Increased State Tax Revenues From New Tax for ZEV Programs and Wildfire Activities.* The new tax on high-income taxpayers typically would raise $3.5 billion to $5 billion annually, growing over time. This range reflects the changes in the incomes of high-income taxpayers. Their incomes often change greatly due to changes in the economy and stock market. Based on the spending requirements in Proposition 30, this funding would support:

- **ZEV Programs.** The proposition would increase state funding for ZEVs by $2.8 billion to $4 billion annually. The state typically spends hundreds of millions of dollars annually on ZEV programs and also recently committed to spending about $10 billion over a five-year period on these programs.

- **Wildfire Response and Prevention Activities.** The proposition would increase state funding for wildfire response and prevention activities by $700 million to $1 billion annually. The state typically spends about $2 billion to $4 billion annually on wildfire activities, mostly on firefighting.

*Potential State and Local Effects From Increased ZEV Spending.* The additional funding for ZEV programs under Proposition 30 could impact the number of ZEVs, as well as gasoline- or diesel-powered vehicles, being driven in California. However, the actual effect the proposition would have is uncertain for a variety of reasons. Most notably, while this analysis was being written, the state was considering requiring that car companies sell an increasing share of ZEVs in future years until 2035 when they would only be able to sell ZEVs. (The state was scheduled to decide on this requirement by August 2022.) This requirement is sometimes called a “ZEV mandate.” The proposition’s potential transportation-related fiscal effects on state and local governments depend on whether or not the ZEV mandate is approved.

- **If the state approves the ZEV mandate,** then the additional funding from the proposition to help buy new ZEVs would not have much effect on the total number of ZEVs driven in California. This is because the ZEV mandate would already require a significant increase in the number of ZEV sales, even without the additional spending. Instead, the proposition’s main effect would be to shift who pays for the ZEVs. That is, more costs would be covered by revenue from the new tax on high-income taxpayers instead of by vehicle sellers and/or buyers. This would not have much effect on state and local finances.

- **If the state does not approve the ZEV mandate,** then the funding from the proposition to help buy new ZEVs would increase the number of ZEVs— and decrease the number of gasoline- or diesel-powered vehicles—driven in California. As a result, the amount of gasoline being used would be less. Over the long term, this change could have several different fiscal effects on state and local governments, including lower gasoline tax revenues that are used for transportation projects,
higher revenues from electricity taxes, and other effects related to less air pollution. The net fiscal effect of these changes are uncertain, but likely minor compared to the hundreds of billions of dollars state and local governments spend annually on all activities.

Potential Decreased State and Local Costs for Wildfire Response and Recovery. Proposition 30 could somewhat decrease state and local government costs related to firefighting, clean-up, and recovery if the additional funding for wildfire activities ends up reducing the severity of future wildfires. However, any cost reductions would depend on (1) which specific wildfire activities end up being funded, (2) how effectively these activities reduce wildfire severity, and (3) the severity of wildfires that would have otherwise taken place in any specific year. All of these factors are uncertain, which makes the size of the potential fiscal effects on state and local governments unclear.

Decreased State Revenue for Other Activities. Some taxpayers probably would take steps to reduce the amount of income taxes they owe. This would reduce existing state revenues used to pay for activities not funded by Proposition 30. The degree to which this would happen and how much revenue the state might lose as a result is unknown.

**Potential Reductions to Other State Programs to Comply With State Spending Limit.** With some exceptions, such as responding to emergencies and building infrastructure, the California Constitution limits how much the state can spend. In recent years, state spending has reached this limit. Some of the spending required by Proposition 30—likely an amount ranging from about $1.5 billion to $3 billion annually—would count toward this limit. As a result, when state spending is at the limit, the proposition would require the state to reduce an equal amount of spending from other programs to “make room” for the new required spending on ZEV programs and wildfire activities.

Visit [https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals](https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution-totals) for a list of committees primarily formed to support or oppose this measure.

Visit [https://www.fppc.ca.gov/transparency/top-contributors.html](https://www.fppc.ca.gov/transparency/top-contributors.html) to access the committee’s top 10 contributors.
CALIFORNIANS DESERVE CLEAN AIR TO BREATHE
Climate change is fueling extreme heat, prolonged drought and catastrophic wildfires that are taking lives, destroying homes and costing California’s economy tens of billions of dollars. Fire season is now year-round. The air quality in California is the worst in the country (2022 American Lung Association report). The toxic, polluted air exposes us—especially children and seniors—to increased health risks like asthma, heart attacks, lung cancer and strokes.

Existing programs are not enough to address this growing threat to California’s economy, environment and public health. We must act urgently to reduce the top two sources of air pollution and greenhouse gases in California: wildfires and vehicles.

PROP. 30 WILL REDUCE CATASTROPHIC WILDFIRES AND AIR POLLUTION FROM VEHICLES
Prop. 30 provides funding to improve California air quality by:
• Preventing and fighting wildfires. • Providing consumers rebates to help them afford clean, zero-emission electric vehicles. • Creating a statewide network of affordable, convenient charging stations for electric vehicles.

The measure is funded by a 1.75% tax increase on the roughly 35,000 Californians who make more than $2 million annually. PERSONAL INCOME BELOW $2 MILLION IS NOT TAXED. Only the wealthiest 0.2% will be impacted. Small business revenue is NOT taxed.

PREVENTING WILDFIRES AND PROTECTING HOMES
Prop. 30 funds critically needed programs to prevent catastrophic wildfires and protect homes, including:
• Managing forests to reduce dry vegetation that fuels extreme wildfires. • Improving protective space around homes and businesses to reduce the risk wildfires spread through communities. • Hiring and training state firefighters and increasing firefighting equipment to stop wildfires before they grow out of control.

Our firefighters put their lives on the line to protect us—they deserve more help as they face increasingly dangerous fires.

PROP. 30: STRICT ACCOUNTABILITY
• Caps administrative expenses. • Requires independent audits by the State Auditor and State Controller to ensure funds get spent as intended. • Prohibits the Legislature from appropriating funds for other purposes. • Provides criminal and financial penalties for misuse of funds.

MAKING ELECTRIC VEHICLES A MORE AFFORDABLE CHOICE
Gas is too expensive. Consumers want options, but many can’t afford an electric vehicle. Prop. 30 provides DIRECT REBATES AND FINANCIAL ASSISTANCE TO CONSUMERS to make sure low- and middle-income families who want an electric vehicle can afford one. School buses, farm equipment and big rig trucks are also eligible to help reduce diesel pollution.

EXPANDING CHARGING INFRASTRUCTURE STATEWIDE
Prop. 30 develops the network of affordable charging stations throughout the state that we need—creating thousands of good-paying green jobs. Homes, apartments, businesses and local governments are eligible to ensure charging a car is more convenient than buying gas: available at home and in commercial and public spaces. The measure will upgrade the electric grid to ensure reliability as we transition to more electric vehicles.

OUR KIDS DESERVE A FUTURE WITH CLEAN AIR
With Prop. 30, we can reduce extreme wildfires and restore clean air to California. Please join state firefighters, nurses, doctors, scientists, environmental groups and businesses across California in support.

WWW.YESON30.ORG
Tim Edwards, President
CalFire State Firefighters
David Tom Cooke, M.D., FACS
American Lung Association
Sherry Jackman, Vice Chair
Coalition for Clean Air

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 30 ★

CALIFORNIANS DESERVE CLEAN AIR. That’s why California is spending more than $50 billion for a multi-year climate investment, including $10 billion to accelerate the transition for zero emission vehicles (ZEVs). California is working to protect our neighborhoods, farms, and communities from the impact of climate change, fight pollution and suppress wildfires.

CALIFORNIANS FACE HISTORIC INFLATION RATES. We don’t need to face billions in higher taxes. Proposition 30’s narrow focus puts a special interest lock box on these new income taxes—normally the largest source of funding for California’s K–12 schools and community colleges, making them unavailable in the future. This tax provides no funding for healthcare, public safety, agriculture, or services for the elderly and homeless; and does little to help state and local governments save for the future.

LOW INCOME CALIFORNIANS ARE NOT GUARANTEED ZEVs WILL BE AFFORDABLE. While many Californians are struggling to pay rent and put food on the table, Prop. 30 does not guarantee low income families will be able to buy ZEVs. Most ZEVs are purchased by wealthy and upper middle-class Californians. Prop. 30 doesn’t resolve this deep inequity.

THE CALIFORNIA AIR RESOURCES BOARD RULED RIDESHARE COMPANIES, INCLUDING LYFT, MUST GO 90% ZERO EMISSION BY 2030. Rather than pay its fair share, LYFT lobbied the state to pay for ZEV infrastructure and corporate subsidies.

Now, LYFT has spent more than $15 million to fund Proposition 30. Why? So that taxpayers will pick up the tab for billions of dollars in ZEV upgrades LYFT needs.

VOTE NO.
E. Toby Boyd, President
California Teachers Association
Jack O’Connell, State Superintendent of Public Instruction, Ret.
Ethan Elkind, Climate Program Director, UC Berkeley School of Law Center for Law, Energy, and the Environment

PROP. 30 WILL INCREASE TAXES FOR UP TO 20 YEARS BY AT LEAST $30 BILLION AND AS MUCH AS $90 BILLION, DRIVING UP COSTS FOR EVERY CALIFORNIAN. California families are feeling the pinch from high inflation, and rising gas, food and housing prices. The last thing we need now are higher taxes, especially if the recession predicted by many economists hits families and threatens their livelihoods.

Prop. 30 is currently pouring billions of dollars into electric vehicle programs. More new tax revenue is unnecessary. The State budget surplus grew to $97.5 billion this year. The state has already developed a spending plan to ensure the rapid adoption of zero emission vehicles without raising taxes and without threatening the stability of the electricity grid, and has already budgeted $10 billion to achieve these goals. If more funding is needed, the state’s budget surplus can be tapped—instead of raising more new taxes.

PROPOSITION 30: SUPPORTED BY STATE FIREFIGHTERS, OPPOSED BY BILLIONAIRES. The billionaires and CEOs behind the opposition will say anything to avoid higher taxes—even for wildfires and clean air. The billionaires and CEOs behind the opposition will say anything to avoid higher taxes—even for wildfires and clean air.

JOIN TAXPAYERS, TEACHERS AND SMALL BUSINESSES TO REJECT THIS UNNECESSARY TAX INCREASE THAT COULD PUT OUR ELECTRICITY GRID AT RISK!

Jon Coupal, President
Howard Jarvis Taxpayers Association
Betty Jo Toccoli, President
California Small Business Association
Joe Coto, President
United Latinos Action

ARGUMENT AGAINST PROPOSITION 30 ★ ★ ★

PROPOSITION 30 PROVIDES FUNDING FOR PROGRAMS TO REDUCE AIR POLLUTION AND PREVENT WILDFIRES BY INCREASING TAX ON PERSONAL INCOME OVER $2 MILLION. INITIATIVE STATUTE.

PROPOSITION 30 WILL SEVERELY STRAIN A STRUGGLING ELECTRICITY GRID ALREADY AT RISK OF ROLLING BLACKOUTS. Prop. 30 would add up to three million new zero-emission vehicles in California over the next ten years, which means the state would need to increase the capacity of the current electricity grid to handle this massive increase. This expense is NOT included in Prop. 30 and could be paid for by regular utility ratepayers (who already pay some of the highest rates in the nation). Utility costs could skyrocket, and ratepayers could pay much higher electricity bills each month.

California’s power grid is already stressed to the brink each summer—just two years ago many Californians suffered rolling blackouts. Our electricity grid is already at the limit in the summer months, and Prop. 30 will increase demand so the risk of rolling blackouts will become even worse.

California’s power grid is already stressed to the brink each summer—just two years ago many Californians suffered rolling blackouts. Our electricity grid is already at the limit in the summer months, and Prop. 30 will increase demand so the risk of rolling blackouts will become even worse.

Argumens printed on this page are the opinions of the authors and have not been checked for accuracy by any official agency.
A “Yes” vote approves (and allows to take effect) a law enacted by the State Legislature in 2020 that:

• Prohibits the retail sale of certain flavored tobacco products (including, but not limited to, cigarettes, e-cigarettes, chewing tobacco, and snuff) and tobacco flavor enhancers.

• Excludes from prohibition certain premium handmade cigars, loose leaf tobacco (not intended for making cigarettes), and shisha tobacco products (if sold by a hookah tobacco retailer meeting specified conditions).

A “No” vote rejects the law and prevents it from taking effect.

SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

• Decreased state tobacco tax revenues ranging from tens of millions of dollars annually to around $100 million annually.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

TOBACCO PRODUCTS

People use different types of tobacco products, including:

• Cigarettes. Smoking cigarettes is a common way to use tobacco. Aside from the naturally occurring tobacco flavor, cigarettes may be menthol flavored.

• Electronic Nicotine Delivery Systems (ENDS). These battery-operated devices (such as e-cigarettes, e-cigars, vapes, vape pens, cartridges, tanks, and mods) turn special liquid, which contains nicotine, into an aerosol. The user inhales the aerosol. The liquids might contain nontobacco flavors, such as fruit or mint flavors. Users also can add flavors separately.

• Other Tobacco Products. Other tobacco products can be used by smoking, inhaling, chewing, or other ways. These products include cigars, chewing tobacco, loose leaf tobacco, shisha tobacco (typically used in hookahs, a type of waterpipe), smokeless tobacco, heated tobacco, and nicotine pouches. Similar to ENDS, these products might have nontobacco flavors.

TOBACCO USE IN CALIFORNIA

According to survey data, around 10 percent of adults and youth in California use tobacco products. Surveys suggest that adults are much more likely than youth to smoke cigarettes regularly, while youth are more likely than adults to use ENDS products regularly. Among cigarette smokers, surveys suggest
that about 20 percent of adults and about 50 percent of youth use menthol cigarettes. Surveys suggest that most ENDS users (both adults and youth) use flavored products.

**REGULATION OF TOBACCO**

Tobacco use and secondhand smoke increase the risk of many health problems, such as cancer, heart disease, stroke, respiratory diseases, and complications during pregnancy. The federal, state, and local governments have implemented various laws and regulations aimed at protecting the public from the harmful health effects of tobacco.

**Federal Government Regulates Tobacco Products.** Federal law approved in 2009 gives the federal Food and Drug Administration (FDA) authority to regulate the manufacture, marketing, sale, and distribution of tobacco products. Federal law also requires the FDA to review and authorize new tobacco products, such as ENDS, before they can be sold legally. Federal regulations specifically affecting flavored tobacco products include:


- **FDA Recently Proposed Rules Banning Menthol From Cigarettes.** In April 2022, the FDA proposed (1) banning menthol-flavored cigarettes and (2) banning all nontobacco flavored cigars. The FDA now is deciding whether to finalize these bans.

- **FDA Continues to Review Applications to Sell New Tobacco Products Legally.** As of June 2022, the FDA had authorized 42 new tobacco products—23 ENDS products (tobacco flavored or unflavored) and 19 other tobacco products (menthol, mint, or wintergreen flavored or unflavored). It has denied more than 1 million nontobacco-flavored ENDS products.

- **FDA Has Taken Some Steps to Limit Access to ENDS Products.** In 2020, the FDA began stepping up enforcement against certain unauthorized ENDS products, including ENDS products targeted toward youth.

**State and Local Governments Can Have Additional Rules for Tobacco.** While they cannot change product standards, state and local governments can have additional, stricter rules for tobacco. For example, California raised the minimum age for buying tobacco from 18 to 21 in 2016, a few years before the federal government did so nationwide in 2019.

**Many Local Governments Have Banned Certain Sales of Flavored Tobacco Products.** Around one-third of Californians live in areas with rules banning certain sales of flavored tobacco products. Most of these local policies include a ban on the sale of menthol cigarettes.

**STATE TOBACCO TAX REVENUES**

**State Tobacco Tax Revenues Fund a Variety of Programs.** California charges tobacco taxes on cigarettes, ENDS, and other tobacco products. Last year, the state’s tobacco taxes raised about $2 billion.
PROPOSITION 31 REFERENDUM ON 2020 LAW THAT WOULD PROHIBIT THE RETAIL SALE OF CERTAIN FLAVORED TOBACCO PRODUCTS.

ANALYSIS BY THE LEGISLATIVE ANALYST

Figure 1 Program Areas Funded by State Tobacco Tax Revenues

<table>
<thead>
<tr>
<th>Program Area</th>
<th>Share of Revenue Last Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health care</td>
<td>56%</td>
</tr>
<tr>
<td>Early childhood programs</td>
<td>21</td>
</tr>
<tr>
<td>Tobacco control</td>
<td>12</td>
</tr>
<tr>
<td>Medical research</td>
<td>4</td>
</tr>
<tr>
<td>Other</td>
<td>7</td>
</tr>
</tbody>
</table>

Previous ballot propositions approved by the voters direct most of these revenues to specific programs. Figure 1 lists the main program areas funded by these revenues.

As shown in the figure, most state tobacco tax revenue goes to health care programs. For example, tobacco taxes are one of many funding sources for the Medi-Cal program. (The federal-state Medicaid program, known as Medi-Cal in California, provides health coverage to eligible low-income California residents.) Tobacco taxes also fund tobacco control efforts, such as preventing tobacco sales to youth.

RECENT EFFORT TO BAN FLAVORED TOBACCO

In 2020, the Legislature passed and the Governor signed a law—Senate Bill (SB) 793—to ban in-person stores and vending machines from selling most flavored tobacco products and tobacco product flavor enhancers. This law did not go into effect because a referendum on the law qualified for this ballot. When a referendum on a new state law qualifies for the ballot, the law is on hold until voters decide whether to put it into effect.

PROPOSAL

Proposition 31 is a referendum on SB 793 of 2020.

WHAT A “YES” AND “NO” VOTE MEAN

A “yes” vote on this referendum means that SB 793 goes into effect. A “no” vote means that SB 793 does not go into effect. SB 793 is described in more detail below.

MAIN PROVISIONS OF PROPOSITION 31 (SB 793)

*Bans Most Sales of Flavored Tobacco Products and Tobacco Product Flavor Enhancers.* Proposition 31 (SB 793) prohibits in-person stores and vending machines from selling most flavored tobacco products or tobacco product flavor enhancers. The proposition does not ban shisha (hookah) tobacco sold and used at the store, certain cigars, or loose-leaf tobacco.

*Defines Flavored Tobacco Products.* Proposition 31 defines flavored tobacco products as those that have a flavor, apart from the regular tobacco flavor. For example, the flavor could include fruit, mint, menthol, honey, chocolate, or vanilla. The proposition defines a tobacco product flavor enhancer as a product that creates a flavor when added to a tobacco product.

*Charges a $250 Penalty for Each Violation.* Proposition 31 charges a $250 penalty against stores and vending machine owners for each violation of the requirements described previously.
FISCAL EFFECTS

Lower Tobacco Tax Revenues. Proposition 31 likely would reduce state tobacco tax revenues by an amount ranging from tens of millions of dollars to around $100 million annually. (Last year, state tobacco tax revenue was about $2 billion.) This revenue loss would reduce funding for the types of programs listed in Figure 1, such as health care.

The size of this revenue loss depends largely on how consumers respond to the proposition. Some responses—such as consumers switching from flavored to unflavored products—could have very little effect on tobacco tax revenues. Some other responses—such as consumers stopping tobacco use entirely—would reduce tobacco tax revenues. If this second type of response is very common, then the revenue loss could be around $100 million annually. If it is less common, then the revenue loss could be in the low tens of millions of dollars annually. How consumers would respond to the proposition is uncertain, leading to a range of likely revenue losses. (As noted previously, the FDA has proposed banning menthol cigarettes and flavored cigars. If the FDA finalizes its ban, then the revenue loss due to the proposition would be smaller.)

Uncertain Changes in State and Local Government Health Care Costs. State and local governments pay for health care for their employees and for qualifying low-income people. Proposition 31 likely would reduce tobacco use, leading to better health. In the short term, better health likely would reduce some health care costs for state and local governments. The amount of savings is uncertain. Over time, better health could lengthen some people’s lives, which could increase health care costs. Given that the proposition could result in both health care savings and increased health care costs for state and local governments over time, the resulting long-term net change in state and local government health care costs is uncertain.

Visit https://www.sos.ca.gov/campaign-lobbying/cal-access-resources/measure-contributions/2022-ballot-measure-contribution totals for a list of committees primarily formed to support or oppose this measure.

Visit https://www.fppc.ca.gov/transparency/top-contributors.html to access the committee’s top 10 contributors.
YES ON 31. The American Cancer Society Cancer Action Network, American Lung Association in California and the American Heart Association support Yes on 31 because it will save lives.

Yes on 31 protects kids by ending the sale of candy-flavored tobacco products, including e-cigarettes and minty-menthol cigarettes. Big Tobacco uses candy-flavored products to target kids—including cotton candy, chocolate, strawberry, and minty-menthol—and lure them into a lifelong addiction to nicotine.

In fact, 4 out of 5 kids who have used tobacco started with a flavored product.

Get the facts at VoteYesOn31.com

YES ON 31 PROTECTS KIDS FROM GETTING HOOKED ON HIGHLY ADDICTIVE NICOTINE

Tobacco companies use candy flavors to hide strong hits of nicotine, a highly addictive drug that is especially dangerous for kids, harming brain development and impacting their attention, mood, and impulse control.

With a Yes on 31 vote, we can stop Big Tobacco from using flavors to get kids hooked on nicotine and profiting from addiction, disease, and death.

• In California, almost all high school e-cigarette users prefer flavored products.

• Today—over 2 million middle and high school students nationwide use e-cigarettes.

The American Lung Association in California says, “Using candy flavors to trick kids into trying nicotine is the cornerstone of Big Tobacco’s deadly business model. Yes on 31 will save lives—protecting kids from ever getting hooked on tobacco in the first place.”

YES ON 31 SAVES LIVES AND TAXPAYER MONEY

Tobacco is the #1 preventable cause of death in California, where tobacco-related diseases kill 40,000 people each year. Smoking kills more people than alcohol, AIDS, car accidents, illegal drugs, murders, and suicides combined. Of all the kids who become new smokers each year, almost a third will ultimately die from it.

Every time Big Tobacco adds another generation of kids, they put taxpayers, whether they smoke or not, on the hook for billions of dollars in tobacco-related healthcare costs.

YES ON 31 PREVENTS BIG TOBACCO FROM CAUSING MORE HARM TO BLACK COMMUNITIES

Big Tobacco preys on Black neighborhoods, spending billions to lobby, advertise and market minty-menthol cigarettes—the original candy-flavored cigarette. In the 1950s, fewer than 10% of Black Americans who smoked used minty-menthols. Today, 85% do.

The NAACP says, “Tobacco companies use minty-menthol to mask the harsh taste of tobacco, which makes smoking easier to start and harder to quit. After targeting African Americans for decades, Big Tobacco is turning an enormous profit—while rates of tobacco-related heart disease, stroke and cancer skyrocket. Yes on 31 will take Big Tobacco’s candy-flavored tools of addiction out of our communities, saving lives and improving public health.”

PROTECT KIDS. VOTE YES ON 31

Yes on 31 will protect kids from ever trying tobacco and help users quit—saving hundreds of millions of taxpayer dollars annually, and saving countless lives. If we can save even a few lives by ending the sale of candy-flavored tobacco, it will be worth it.

Karmi Ferguson, Executive Director  
American Academy of Pediatrics, California

Kathy Rogers, Executive Vice President  
American Heart Association

Jose Ramos, National Board Member  
American Cancer Society Cancer Action Network

PROP. 31 IS PROHIBITION and PROHIBITION NEVER WORKS

We can all agree kids should not use tobacco. That’s why it’s already illegal in California to sell tobacco—including vapes—to anyone younger than 21 years old.

Prop. 31 is adult prohibition, and prohibition has never worked—it didn’t work with alcohol or marijuana, and it won’t work now.

PROP. 31 WILL MAKE THINGS WORSE

The proponents claim Prop. 31 will reduce youth tobacco use, but experience shows it could backfire. When San Francisco passed a similar flavor ban after promising big reductions in youth tobacco use, a Yale University study found there was a significant INCREASE in cigarette smoking among high school students.

PROP. 31 WILL LEAD TO MORE CRIME

Research shows nearly half the cigarettes smoked in California are from illegal sources. Prop. 31 will increase illegal smuggling and counterfeit markets and force even more tobacco sales into underground markets controlled by organized criminal gangs. Prop. 31 will drive up crime—especially in minority communities where menthol is preferred.

PROP. 31 WILL REDUCE TAX REVENUE AND CUT ESSENTIAL SERVICES

Prop. 31 will reduce state tax revenue by $1 billion over the next four years—cutting funds for healthcare, education, seniors, and law enforcement.

PUBLIC EDUCATION IS BETTER THAN PROP. 31

Current laws and public education campaigns are working. Youth vaping is down 59% in the last three years, and youth smoking is at an all-time low of just 1.9%, according to the Centers for Disease Control & Prevention and the FDA.

Prohibition has never worked. Let’s not make the same mistake again.

NO ON PROP. 31

Yasha Nikitin, California Police Officer

Clint Olivier, Chief Executive Officer  
Central Valley Business Federation

Pat Fong Kushida, President  
CalAsian Chamber of Commerce
The politicians who wrote Proposition 31 say it will reduce underage tobacco use—but it’s already illegal to sell any tobacco product to anyone under the age of 21 in California, with big penalties for breaking the law.

PROP. 31 IS ADULT PROHIBITION

Prop. 31 enacts a sweeping new ban on menthol cigarettes, flavored smokeless tobacco, and other flavored non-tobacco nicotine products for adults over the age of 21. Prohibition has never worked—it didn’t work with alcohol or marijuana, and it won’t work now.

And Prop. 31’s prohibition will impact minority neighborhoods more than any other, criminalizing the sale of menthol cigarettes which are primarily the choice of adult tobacco consumers in these communities.

PROP. 31 WILL INCREASE CRIME

Almost half of all cigarettes in California are sold in the underground market, smuggled in from other states or countries like China and Mexico. Prop. 31 will drive even more sales underground from licensed neighborhood retailers to gangs and organized crime. What’s worse, Proposition 31 does not add a single penny to law enforcement to fight the violent crime that will follow.

“Proposition 31 is practically unenforceable. It will put criminals in charge and convert a highly regulated tobacco market into an unregulated criminal market, creating unnecessary and potentially dangerous police interactions.”—Edgar Hampton, Retired California Police Officer

PROP. 31 WILL COST TAXPAYERS

A legislative analysis found that Prop. 31 will lead to “significant revenue losses” that will exceed $1 billion in the next four years. That means less money for healthcare, education, programs for seniors and law enforcement.

PROP. 31 BANS FDA AUTHORIZED REDUCED HARM PRODUCTS AND COULD INCREASE CIGARETTE USE AMONG YOUNG PEOPLE

The Food and Drug Administration (FDA) now has regulatory authority over tobacco and vapor products and already has banned many flavored tobacco products, but Prop. 31 goes too far—banning the sale of flavored reduced-risk, smoke-free products authorized by the FDA “appropriate for the protection of public health” for adults 21 and over.

When adult consumers are denied access to potentially less harmful products authorized by the FDA, they continue with traditional cigarettes that produce second-hand smoke. San Francisco’s flavor ban is a perfect example of the impact on youth as well: a Yale University study found there was a significant increase in cigarette smoking among high school students—the exact opposite result the politicians promised.

PUBLIC EDUCATION IS BETTER THAN PROP. 31

California led the nation in raising the age to purchase tobacco to 21, has among the toughest anti-tobacco laws in the country, and spends over $140 million a year to help people quit tobacco and stop kids from starting.

The results are clear: Youth vaping is down 59% in the last three years, and youth smoking is at an all-time low of just 1.9% according to the Centers for Disease Control and Prevention and the Food and Drug Administration.

California should not abandon what is clearly working and replace it with a failed policy of the past—prohibition—that will increase crime, cost taxpayers, and backfire on the communities we are trying to protect.

Please join us and vote NO on Prop. 31.

Michael Genest, Former Director
California Department of Finance

Julian Canete, President
California Hispanic Chambers of Commerce

Tom Hudson, President
California Taxpayer Protection Committee

VOTE YES ON 31: PROTECT KIDS FROM BIG TOBACCO.

Every word you just read from the “no” campaign was paid for and written by Big Tobacco. Don’t fall for Big Tobacco’s lies.

Tobacco companies used candy flavors to trick millions of kids into trying addictive nicotine, creating the youth e-cigarette epidemic. Now, Big Tobacco wants to trick California voters into voting no.

Yes on 31 is an effective policy that is proven to reduce use by kids by taking candy-flavored tobacco off store shelves.

Big Tobacco doesn’t care about your “freedoms.” Big Tobacco only cares about getting the next generation hooked on nicotine. Using candy flavors to lure kids into becoming lifelong customers is how tobacco companies make big profits while causing addiction, disease, and death.

That’s why the American Lung Association, American Heart Association, the American Cancer Society Cancer Action Network, teachers, school nurses, and pediatricians are asking you to vote Yes on 31. Big Tobacco is spending millions to fool you into voting no.

YES on 31 protects minority communities from Big Tobacco’s predatory marketing. Big Tobacco preys on Black neighborhoods, spending billions to lobby, advertise and market minty-menthol cigarettes—the original candy flavor—to Black youth. In the 1950’s, fewer than 10% of Black Americans who smoked used menthols. Today, that number has skyrocketed to 85%.

Don’t believe Big Tobacco’s lies. Get the facts at VoteYesOn31.com

VOTE YES ON 31.

Rick L. Callender, President
California Hawaii State Conference NAACP

Robert E. Wailes, M.D., President
California Medical Association

Sheri Coburn, Executive Director
California School Nurses Organization
CANDIDATE STATEMENTS
UNITED STATES SENATE—FULL TERM

• Serves as one of the two Senators who represent California’s interests in the United States Congress.
• Proposes and votes on new national laws.
• Votes on confirming federal judges, U.S. Supreme Court Justices, and many high-level presidential appointments to civilian and military positions.
• Will serve the 6-year term of office beginning on January 3, 2023.

Mark P. Meuser | REPUBLICAN
In politics, talk is cheap, but actions speak louder than words. As an attorney, I have been on the front lines fighting to maintain our constitutional rights. When the Governor shut down places of worship, I fought for our First Amendment religious rights. When he shut down schools, I fought for our children’s educations. When the President tried to force businesses to vaccinate employees, I fought for our medical freedom. As your Senator, I will take my fight for your constitutional rights from the courthouse to the Capitol. Unelected bureaucrats in Washington, D.C. should not have more say over your life than you do. I will fight to give you more local control over your child’s education. Crime is on the rise and people are not safe in our cities. When politicians refuse to enforce laws, it emboldens criminals. I will fight to ensure that our streets are safe. We need to balance our budget and end runaway inflation. We must stop politicians from telling us who is essential and who is not. I will fight for your right to make a living. Those who enabled the Covid-19 pandemic and resulting crippling lockdowns must be held accountable. My only special interest group is you. I will always fight to protect our children, our neighborhoods, and our way of life.

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www.markmeuser.com | Facebook: https://www.facebook.com/markpmeuser | Twitter: https://twitter.com/MarkMeuser

Alex Padilla | DEMOCRATIC
As California and our country faced unprecedented challenges—from our COVID-19 recovery to a worsening climate crisis and escalating attacks on our democracy—I arrived at the U.S. Senate ready to take action. I’ve worked hard to deliver bold climate action from day one. I was proud to help restore California’s climate leadership by reinstating our tough clean air standards, which had been canceled by Trump. I’ve secured critical infrastructure funding for clean air and clean drinking water. As rising temperatures threaten millions of Californians—I secured billions more to help us prepare for extreme weather events through investments that will prevent black-outs, fight wildfires, and strengthen our electric grid. With escalating attacks on our democracy, I’ve fought tirelessly to protect our voting rights, leading the national fight for federal voting rights reform and demanding accountability from those who seek to undermine our democracy.

777 S. Figueroa Street, Suite 4050, Los Angeles, CA 90017 | E-mail: info@alex-padilla.com | alex-padilla.com
Facebook: https://www.facebook.com/alexpadilla4ca | Twitter: @AlexPadilla4CA | Instagram: @alexpadilla4ca

The order of the statements was determined by randomized drawing. Statements on this page were supplied by the candidates and have not been checked for accuracy by any official agency. The views and opinions expressed by the candidates are their own and do not necessarily represent the views and opinions of the Secretary of State’s office. Each statement was voluntarily submitted and paid for by the candidate. Candidates who did not submit statements could otherwise be qualified to appear on the ballot.
GOVERNOR

- As the state’s chief executive officer, oversees most state departments and agencies, and appoints judges.
- Proposes new laws, approves or vetoes legislation, and submits the annual state budget to the Legislature.
- Mobilizes and directs state resources during emergencies.

Gavin Newsom  |  DEMOCRATIC

No candidate statement. *

Brian Dahle  |  REPUBLICAN

Are you better off now than you were four years ago? Can you afford four more years of the highest energy rates and highest gas prices in the nation? The high cost of gas and food hurts us all. California doesn’t need to be in a constant state of crisis. Failed political leadership is destroying California and hurting California families. It’s time for change. That’s why I support suspending the state’s 54 cents per gallon gas tax which would save the average family over $1500 a year. The state has spent billions on the homeless, but the homelessness crisis is worse than ever. We need to focus our resources on getting people off the streets and the help they need. Making California neighborhoods safer is critical. That’s why I will reverse failed policies that released thousands of violent repeat offenders from prison and fix broken laws that let criminals steal without being held accountable. California is heading in the wrong direction. The next generation is counting on us to turn it around. I’m a business owner, State Senator, and farmer who will work with Democrats, Independents, and Republicans to build a better tomorrow. There is hope for California, let’s bring back the California dream. Can I count on your vote? www.briandahle.com

* California law includes voluntary spending limits for candidates running for statewide office who choose to keep their campaign expenses under specified dollar amounts. Candidates who did not accept the voluntary campaign spending limits are not eligible to buy space for a candidate statement.
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• Earn $65–$180 for your day of service while you learn about elections
• Contribute to your community

YOU HAVE TO
• Be a United States Citizen or legal permanent resident
• Be at least 16 years old on Election Day
• Attend a public or private high school
• Have at least a 2.5 grade point average
• Get permission from your parents and school

For more information, contact your county elections office at the number below or go to https://www.sos.ca.gov/elections/voting-resources/county-elections-offices

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Amador .................. (209) 223-6465
Butte .................. (530) 552-3400
Calaveras .................. (209) 754-6376
Colusa .................. (530) 458-0500
Contra Costa .................. (925) 335-7800
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El Dorado .................. (530) 621-7480
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Don’t Delay, Vote Today!
Early vote-by-mail ballot voting period is from October 11 through November 8, 2022.
Polls are open from 7:00 a.m. to 8:00 p.m. on November 8, 2022, Election Day!

DATES TO REMEMBER!
for the November 8, 2022, General Election

October 10
County elections officials will begin mailing vote-by-mail ballots on or before this date.

October 11
Vote-by-mail secure drop boxes open.

October 11–November 8
Voting period to return vote-by-mail ballot.

October 24
Last day to register to vote. Same Day voter registration is available at your county elections office or voting location after the voter registration deadline, up to and including Election Day.

October 29
First day early voting vote centers open in Voter’s Choice Act counties.

Tuesday, November 8, 2022
Last day to vote in-person or return a vote-by-mail ballot by 8:00 p.m. Polls are open from 7:00 a.m. to 8:00 p.m. Vote-by-mail ballots must be postmarked no later than November 8.
ALL CALIFORNIA VOTERS WILL RECEIVE A VOTE-BY-MAIL BALLOT FOR THE NOVEMBER 3, 2020, ELECTION. LEARN MORE INSIDE.

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