

# LAO

May 14, 2015

Hon. Kamala D. Harris  
Attorney General  
1300 I Street, 17<sup>th</sup> Floor  
Sacramento, California 95814

Attention: Ms. Ashley Johansson  
Initiative Coordinator

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INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Dear Attorney General Harris:

Pursuant to Elections Code Section 9005, we have reviewed a proposed statutory initiative (A.G. File No. 15-0014) related to the ballot initiatives process.

## Proposal

This measure would require that any individual who submits a ballot measure that “suggests the killing of gays and/or lesbians” be required to attend sensitivity training of at least 3 hours per month for 12 consecutive months. The measure also requires that the individual donate \$5,000 to an organization that advocates for gays or lesbians.

## Fiscal Effect

Some of the provisions of the measure would likely be determined by the courts to be in conflict with the U.S. Constitution—for example, in regards to the First Amendment, which prohibits the establishment of state laws abridging political speech. While the fiscal effect of the measure on state and local governments would depend on these implementation issues, as well as the number of initiatives filed that would be subject to this measure, we estimate that the fiscal effect would likely be negligible.

**Fiscal Summary.** This measure would have the following fiscal impact:

- Likely negligible fiscal effect on state and local governments.

Sincerely,

for Antony M. Gailp  
Mac Taylor  
Legislative Analyst

for Kari Krueger  
Michael Cohen  
Director of Finance

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