

May 21, 2018

18 - 0002 Amdt. # |

Anabel Renteria  
Initiative Coordinator  
Office of the Attorney General  
State of California  
1300 I Street,  
PO Box 994255  
Sacramento, California 94244-2550

RECEIVED

MAY 23 2018

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**RE: Amendments to Proposed Initiative and Request for Preparation of Circulating Title and Summary (Pursuant to Election Code Section 9002)**

Dear Initiative Coordinator:

Pursuant to Article II, Section 10(d) of the California Constitution, and Elections Code Section 9002, we submit the enclosed **amended** statewide ballot measure ("Children, Family, and Community Protection Act") to your office and request that you prepare a circulating title and summary of the amended measure as provided by law. Enclosed are the required statements signed by the proponent pursuant to California Elections Code sections 9001 and 960. A check in the amount of \$2,000 was previously tendered to your office on April 18, 2018. The Proponent's voter registration address was also previously submitted with the original request, dated April 18, 2018.

Amendments in the Initiative language are reflected by strike-outs for any deleted language, and any new or added language is reflected by underscores.

Please direct inquiries from the media and the public to:

Ravi Mehta  
Law offices of Ravi Mehta  
1215 K. Street, 17th Floor, Sacramento, CA 95814  
Rmehta@capitol-advocates.com

I, Donald Rosenberg, declare under penalty of perjury that I am a citizen of the United States, 18 years of age or older, and a resident of Los Angeles County, California.

Thank you for your time and attention to this important matter.

SUBMITTED BY:

  
DONALD ROSENBERG

## AMENDED INITIATIVE LANGUAGE

2018 - California

This initiative measure is submitted to the people in accordance with the provisions of Article II, Section 8 of the Constitution.

This initiative measure adds and deletes sections to various codes; therefore, new provisions proposed to be added are printed in {+ italic type +} to indicate that they are new, and provisions proposed to be deleted are printed in {- italic type -} to indicate that they are being deleted.

### PROPOSED LAW

#### **SECTION 1. Findings and Declaration.**

The People of California find and declare as follows:

That they have suffered and are suffering personal injury and damage caused by the criminal conduct of illegal/undocumented aliens in this state.

That they have suffered and are suffering economic hardship caused by the presence of illegal/undocumented aliens in this state.

That they have suffered and are suffering election fraud by permitting non-citizens to register to vote and permitting them to vote in elections.

That they have a right to the protection of their government from any person or persons entering this country unlawfully.

Therefore, the People of California declare their intention to provide for cooperation between their agencies of state and local government with the federal government, and to establish a system of required notification by and between such agencies to prevent illegal/undocumented aliens in the United States from receiving benefits or public services in the State of California, and to prevent illegal aliens from obtaining drivers licenses, registering to vote, and/or from voting in elections.

#### **SECTION 2. Law Enforcement Cooperation with ICE and other federal agencies.**

{- SEC. 3, Chapter 17.25 (commencing with Section 7284 through 7284.12) is deleted in its entirety from Division 7 of Title 1 of the Government Code. -}

Section 834b is added to the Penal Code, to read:

{+ 834b. (a) Every law enforcement agency in California shall fully cooperate with United States Immigration and Customs Enforcement (ICE) and other federal agencies regarding any person who is arrested if he or she is suspected of being present in the United States in violation of federal immigration laws. +}

{+ (b) With respect to any such person who is arrested, and suspected of being present in the United States in violation of federal immigration laws, every law enforcement agency shall do the following: +}

{+ (1) Attempt to verify the legal status of such person as a citizen of the United States, an alien lawfully admitted as a permanent resident, an alien lawfully admitted for a temporary period of time or as an alien who is present in the United States in violation of immigration laws. The verification process may include, but shall not be limited to, questioning the person regarding his or her date and place of birth, and entry into the United States, and demanding documentation to indicate his or her legal status. However, final determination of the person's status as an illegal alien shall not be made without the use of any available federally authorized database used for verification of an individual's citizenship or immigration status. +}

{+ (2) Notify the Attorney General of California, United States Immigration and Customs Enforcement, and any other public entity, including the Department of Motor Vehicles, Secretary of State and County Registrar of Voters of the illegal alien's current county of residency, of the apparent illegal status and provide any additional information that may be requested by any other public entity. +}

{+ (c) Any legislative, administrative, or other action by a city, county, or other legally authorized local governmental entity with jurisdictional boundaries, or by a law enforcement agency, to prevent or limit the cooperation required by subdivision (a) is expressly prohibited. +}

{+ (d) Any governmental entity, governmental agency, government official or employee, or any individual who fails to abide by the provisions of this section shall be guilty of a crime punishable either as a misdemeanor or felony, and also be subject to a fine of not less than \$10,000 for each offense. +}

### **SECTION 3. Repeal of Government Code Sections 7285.1, 7285.2, 7285.3, and Repeal of Labor Code Sections 90.2 and 1019.2.**

All Americans face serious threats from terrorist organizations, as well as personal injury and damage caused by the criminal conduct of illegal aliens in this state. Interior

enforcement of Immigration laws is necessary to pick up where border security leaves off.

The United States Supreme Court has repeatedly held that state laws and policies are preempted when they conflict with federal law, as well as when they stand as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress. Congress has set priorities through the Immigration and Naturalization Act (INA) to determine who may enter and remain in the United States. Sanctuary laws, ordinances, and policies shield aliens from the administration of federal law, thereby frustrating the execution of immigration law as Congress intended.

Sanctuary and other non-cooperation policies are harmful as they exacerbate national security threats, encourage illegal immigration, waste law enforcement and other taxpayer funded resources, and most importantly, put the public at risk by allowing known criminal aliens to be released back onto the streets. Therefore:

{- Government Code Sections 7285.1, 7285.2, and 7285.3 are repealed in their entirety. -  
}

{- Labor Code Sections 90.2 and 1019.2 are repealed in their entirety. -}

#### **SECTION 4. Exclusion of Illegal Aliens from obtaining or renewing drivers' licenses or California Identification cards.**

In order to carry out the intention of the People of California that only citizens of the United States and aliens lawfully admitted to and lawfully present in the United States may obtain a drivers license, California Identification card, or any other government identification, and in order to carry out the intention of the People of California and to ensure the integrity of elections held herein, that only citizens of the United States may register and vote in elections the provisions of this section are adopted. +}

Vehicle Code Sections are either repealed, amended or added as follows:

{- Vehicle Code Section 12801 (c)(1), (c)(2), and (c)(3), and ~~(c)(4)~~, and any and all references thereto, is repealed in their entirety. -}

Vehicle Code Section 12801(d) shall be amended to read as follows:

{+ (d) The department shall not complete an application for a driver's license unless the applicant is in compliance with the requirements of subdivision (a) or (b). +}

{+ (1) A person shall not be eligible for nor receive or renew a drivers license or California Identification card or any other form of government identification until the legal status of that person has been verified using one of the following: +}

{+ (a) Information obtained through any available and federally authorized database +}

{+ (b) Original or duplicate original birth certificate +}

{+ (c) Valid United States Passport +}

{+ (d) Any other valid document issued by the United States evidencing legal immigration status +}

{- Vehicle Code Section 12801.9, and any and all references thereto, is repealed in their entirety. -}

{- Vehicle Code Section 12801.11, and any and all references thereto, is repealed in their entirety. -}

## **SECTION 5. Prohibition of automatic voter registration and proof of United States citizenship**

Section 2001 is added to the Elections Code, to read:

{+ 2001. (a) In order to carry out the intention of the People of California and to ensure the integrity of elections held herein, that only Citizens of the United States may register to vote, and that only Citizens of the United States vote in elections, the provisions of this section are adopted. +}

{+ (b) No person shall be automatically registered to vote by any government entity, organization, political party, or individual. Registration to vote shall only occur by completing an affidavit, signed by the registrant under penalty of perjury, affirming that he/she is a United States citizen.

{+ (c) At the time of registering to vote, the registrant must select a party affiliation, or register as "Decline to state". +}

{+ (d) Pursuant to federal law, before the registrant is permitted to vote in their first election, he/she must provide proof of United States citizenship to establish eligibility. A copy of such proof must be retained by the elections official for a minimum four years for verification if the authenticity of such proof of Citizenship becomes an issue or is otherwise challenged. Proof of United States citizenship may be established in the following ways: +}

{+ (1) Information obtained through any available and federally authorized database +}

{+ (2) Original or duplicate original birth certificate +}

{+ (3) Valid United States Passport +}

{+ (4) Any other valid document issued by the United States evidencing legal immigration status +}

#### **SECTION 6. Amendment, Federal Preemption, and Severability.**

The statutory provisions contained in this measure may not be amended by the Legislature except to further its purposes by statute passed in each house by roll call vote entered in the journal, two-thirds of the membership concurring, or by a statute that becomes effective only when approved by two-thirds of the voters.

No language or provision contained herein is intended to preempt any federal laws. In the event any portion of this act is deemed to be in direct or implied conflict with federal laws, or in any way has the affect of preempting federal laws, federal law shall supersede any such language or provision and that language or provision shall be severable.

In the event that any portion of this act or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect any other provision or application of the act, which can be given effect without the invalid provision or application, and to that end the provisions of this act are severable.