

PROPOSITION **LEGISLATURE. LEGISLATION AND PROCEEDINGS.**
54 **INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

- Prohibits Legislature from passing any bill unless it has been in print and published on the Internet for at least 72 hours before the vote, except in cases of public emergency.
- Requires the Legislature to make audiovisual recordings of all its proceedings, except closed session proceedings, and post them on the Internet.
- Authorizes any person to record legislative proceedings by audio or video means, except closed session proceedings.
- Allows recordings of legislative proceedings to be used for any legitimate purpose, without payment of any fee to the State.

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

- One-time costs of \$1 million to \$2 million and ongoing costs of about \$1 million annually to record legislative meetings and make videos of those meetings available on the Internet.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

State Legislature Makes Laws. The California Legislature has two houses: the Senate and the Assembly. Legislative rules guide the process by which bills become laws. In this process, legislators discuss bills in committee hearings and other settings. They often change bills based on these discussions. Typically, legislators take several days to consider these changes before they vote on whether to pass the bill. Sometimes, however, legislators take less time to consider these changes.

Legislature's Public Meetings. The State Constitution requires meetings of the Legislature and its committees to be open to the public, with some exceptions (such as meetings to discuss security at the State Capitol). Live videos of most, but not all, of these meetings are available on the Internet. The Legislature

keeps an archive of many of these videos for several years. The Legislature does not charge fees for the use of these videos. The Legislature spends around \$1 million each year on recording, posting, and storing these videos. Under current state statute, recordings of Assembly meetings cannot be used for political or commercial purposes.

Legislature's Budget. The Constitution limits how much the Legislature can spend on its own operations. This limit increases with growth in California's population and economy. This year, the Legislature's budget is about \$300 million—less than 1 percent of total spending from the General Fund (the state's main operating account).

PROPOSAL

Proposition 54 amends the Constitution to change the rules and duties of the

Figure 1

Key Changes That Would Happen if Proposition 54 Passes

- A bill (including changes to that bill) would have to be available on the Internet for at least 72 hours before the Legislature could pass it.^a
- The Legislature would have to ensure that all of its public meetings were recorded, with videos posted on the Internet within 24 hours.
 - These videos would have to be downloadable for at least 20 years.

^a This rule has exceptions for emergencies, including natural disasters.

Legislature. Figure 1 summarizes the proposition’s key changes. The Legislature’s costs to comply with these requirements would be counted within the Legislature’s annual spending limit.

Changes How State Legislature Makes Laws. If Proposition 54 passes, a bill (including changes to that bill) would have to be made available to legislators and posted on the Internet for at least 72 hours before the Legislature could pass it. In an emergency, like a natural disaster, the Legislature could pass bills faster. This could only happen, however, if the Governor declares a state of emergency and two-thirds of the house considering the bill votes to pass the bill faster.

Changes Rules of Legislature’s Public Meetings. If Proposition 54 passes, videos of all of the Legislature’s public meetings would have to be (1) recorded, (2) posted on the Internet within 24 hours following the end of the meeting, and (3) downloadable from the Internet for at least 20 years. (These requirements would take effect beginning January 1, 2018.) In addition, members

of the public would be allowed to record and broadcast any part of a public legislative meeting. Proposition 54 also changes state statute so that anyone could use videos of legislative meetings for any legitimate purpose and without paying a fee to the state.

FISCAL EFFECTS

The fiscal impact of Proposition 54 would depend on how the Legislature decides to meet these new requirements. The main costs of the proposition relate to the recording of videos of legislative meetings and storage of those videos on the Internet. The state would likely face: (1) **one-time costs of \$1 million to \$2 million** to buy cameras and other equipment and (2) **annual costs of about \$1 million** for more staff and online storage for the videos. These costs would be less than 1 percent of the Legislature’s budget for its own operations.

Visit <http://www.sos.ca.gov/measure-contributions> for a list of committees primarily formed to support or oppose this measure. Visit <http://www.fppc.ca.gov/transparency/top-contributors/nov-16-gen-v2.html> to access the committee’s top 10 contributors.