

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 15, 2009
POSITION: Oppose
SPONSOR: Author

BILL NUMBER: SB 288
AUTHOR: L. Yee

BILL SUMMARY

This bill would require that a phonetic translation or transliteration of a candidate's alphabet-based name be provided whenever a translation of the candidate's name into a character-based language (such as Chinese, Japanese, or Korean) is provided on ballot materials.

FISCAL SUMMARY

The Secretary of State (SOS) notes that it would incur costs of \$561 per language at each election for state candidates only. This estimate is based on 850 candidates (two names per candidate) at 33 cents per word.

The California Constitution requires the state to reimburse local entities for increased costs associated with any new program or higher level of service imposed by the state on local entities if the Commission on State Mandates determines that the new program or higher level of service is reimbursable and a state mandate.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the original version do not alter our position. The amendments include the following:

- Clarifying that a phonetic translation is only required on ballot materials that provide translations of candidate names.
Clarifying this section would only apply to character-based languages, as specified.
Requiring that the appropriate counties establish an appeal process, as provided.
Requiring counties that provide separate ballots with translated candidate names to include both alphabet-based names and translations.
Adding the term "transliteration" following references to phonetic translation.
Replacing the modifier "English" with "alphabet-based" in relation to candidate names.

(Continued)

Analyst/Principal Date Program Budget Manager Date
(0222) R. Baker Todd Jerue

Department Deputy Director Date

Governor's Office: By: Date: Position Approved
Position Disapproved

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

L. Yee

June 15, 2009

SB 288

**COMMENTS**

The Department of Finance opposes this bill based on potential mandated costs associated with increased translation and ballot requirements, as well as establishing an appeal process.

Existing law requires the translation of ballots and ballot materials into languages other than English when specified. Existing law also provides that if a candidate changes his or her name within one year of any election, the new name shall not appear upon the ballot unless the change was made by either marriage or a court decree.

This bill would require, among other things, that phonetic translations or transliterations of the alphabet-based names of candidates be provided, with exceptions as specified, whenever the ballot materials (including sample ballots and ballots) are required to be translated into Chinese, Japanese, or Korean.

While some cities, such as San Francisco, already implemented similar requirements in a local ordinance, this bill would still likely be reimbursable unless a local entity specifically requests the state regulations to be included in the ordinance.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO RV	PROP 98	FC	2008-2009	FC	2009-2010	FC	2010-2011	
0890/Secty State	SO	No	-----	See Fiscal Summary	-----	-----	-----	-----	0001
8885/Comm St Mndt	SO	No	-----	See Fiscal Summary	-----	-----	-----	-----	0001