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No. 2018/068

December 31, 2018

TO COUNTY ASSESSORS:

EFFECTIVE DATE CHANGE FOR BALLOT MEASURES

Prior to June 5, 2018, the California Constitution provided that state initiatives and referenda, as well as legislative ballot measures that change the State Constitution, took effect the date after the election unless the ballot measure set a later effective date. In most cases, it was clear at the end of the election day whether a ballot measure was approved by voters. In some cases, however, the results were not clear, and millions of ballots were not counted until days or weeks later.

On June 5, 2018, the voters of California approved Proposition 71, which changes the effective date of ballot measures from the day after the election to five days after the California Secretary of State certifies the results of the election. Proposition 71 amends section 10 of article II and section 4 of article XVIII of the California Constitution, which now read in pertinent part:

Article II

SECTION 10. (a) An initiative statute or referendum approved by a majority of votes cast thereon takes effect on the fifth day after the Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date. If a referendum petition is filed against a part of a statute, the remainder of the statute shall not be delayed from going into effect.

(b) If provisions of two or more measures approved at the same election conflict, the provisions of the measure receiving the highest number of affirmative votes shall prevail.

Article XVIII

SECTION 4. A proposed amendment or revision shall be submitted to the electors and, if approved by a majority of votes cast thereon, takes effect on the fifth day after the Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date. If provisions of two or more measures approved at the same election conflict, the provisions of the measure receiving the highest number of affirmative votes shall prevail.

Election officials in each county have to count every ballot that is legally cast, including mail ballots postmarked on or before the election day. The current vote counting process lasts for several weeks after the election day. During that period, county officials count up to several million mail ballots and other ballots that are still not counted at the end of the election day. They also recheck precinct vote counts. After receiving results from each county, the California Secretary of State finalizes the election by issuing a certificate and a formal "statement of the vote," which can take up to six weeks after the election day. Once an election is certified, the Secretary of State releases a *Certificate of the Secretary of State* and a *Complete Statement of Vote*. For each election, these documents are posted on the Secretary of State's website under Election Results.

Ballot measures approved by a majority of the voters now take effect five days after the date the California Secretary of State certifies the formal statement of the vote. Thus, the effective date will be five days from the date the Secretary of State signs the *Certificate of the Secretary of State*. For example, the November 6, 2018 ballot was certified on December 14, 2018. The effective date of ballot measures for this election is December 19, 2018.

For result information on a specific statewide election, please see the Secretary of State's website at www.sos.ca.gov/elections/prior-elections/statewide-election-results/.

If you have any questions regarding a property tax ballot measure, please contact our Assessment Services and Training Unit at 1-916-274-3350.

Sincerely,

/s/ David Yeung

David Yeung, Chief
County-Assessed Properties Division
Property Tax Department

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