

REINSTATES RIGHT OF SAME-SEX COUPLES TO MARRY. INITIATIVE CONSTITUTIONAL AMENDMENT.

Repeals the current provision in California’s Constitution that states only marriage between a man and a woman is valid or recognized in California. Provides that the initiative is not intended, and shall not be interpreted, to modify or change the curriculum in any school. Clarifies that the initiative is not intended, and shall not be interpreted, to mandate or require clergy of any church to perform a service or duty inconsistent with his or her faith. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Over the long run, this measure would likely have little fiscal impact on state and local governments. (09-0002.)

Petition Circulators

The proponent(s) of an initiative measure are required to ensure that any person, company, or other organization who solicits signatures to qualify the proposed initiative measure, whether they are paid or volunteer, receives instruction on the requirements and prohibitions imposed by state law with respect to the circulation of petitions and the gathering of signatures. Such instructions must emphasize the prohibition of the use of signatures on an initiative petition for a purpose other than qualification of the proposed measure for the ballot. (Section 9607) The petition may be circulated by a number of individuals carrying separate, identical parts of the petition called sections. Each petition circulator who obtains signatures must complete the attached declaration to the petition. Preprinted dates or generalized dates, other than the particular range of dates during which the petition section was actually circulated, are not allowed (*Assembly v. Deukmejian* (1982) 30 Cal.3d 638, 180 Cal.Rptr. 297). The declaration must be signed under penalty of perjury. It need not be sworn before a notary public or other officer authorized to administer oaths, but must include the circulator's signature, date, and place of signing (Code Civ. Proc. Section 2015.5). Prior to allowing a person to circulate an initiative petition for signatures, the person, company official, or other organizational officer who is in charge of signature gathering shall execute and submit to the proponent(s) a signed statement that reads as follows (Section 9609):

I, _____, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

(Signature of Circulator)

Dated this ____ day of _____, 20____