



OFFICE OF THE
CITY CLERK

SPECIALIZED SERVICES

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 301
915 I STREET
SACRAMENTO, CA
95814-2671

916-449-8200

October 3, 1988

Law and Legislative Committee
Sacramento, California

Honorable Members In Session:

SUBJECT: INITIATIVE FILING FEE

SUMMARY

Due to a recent revision in the California Elections Code, local jurisdictions are required to establish a fee not to exceed \$200 for the filing of Notice of Intent to circulate an initiative. This fee would be refundable if the initiative qualifies to be placed on the ballot as a measure within one year after the notice of intent is filed.

The new Elections Code Section 4002(b) reads as follows:

"Any person filing a notice of intent with the clerk shall pay a fee to be established by the legislative body not to exceed two hundred dollars (\$200) to be refunded to the filer if, within one year of the date of filing the notice of intent, the clerk certifies the sufficiency of the petition."

BACKGROUND

In 1986, the Office of the City Clerk received Notice of Intent for three proposed initiatives. The three proposed initiatives were: Land Use in North Natomas, repealing of the Gay Rights Ordinance and repealing of the Sanctuary Resolution. The proposed Land Use in North Natomas initiative and the proposed repealing of the Gay Rights Ordinance failed to be placed on the ballot because of insufficient signatures. Signatures were not submitted for the repeal of the Sanctuary Resolution.

After Notice of Intent was filed with the Office of the City Clerk, staff time was spent to prepare election calendars and related documents. Additional staff time was spent after the signature verification to prepare separate staff reports regarding the petitions.

FINANCIAL DATA

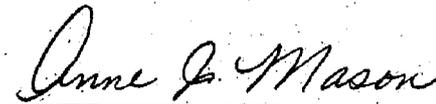
The total cost charged for verification of signatures obtained for the proposed Land Use in North Natomas and repealing of the Gay Rights initiatives was \$4,077.02. This does not include City staff time spent preparing election calendars and related documents, or time spent on the proposed repealing of the Sanctuary Resolution since signatures were not submitted.

If approved, the \$200 filing fee would recover a portion of the cost involved in the processing of initiatives that do not qualify as ballot measures. Also, the fee would help prevent the filing of frivolous initiative petitions.

RECOMMENDATION

It is recommended the Law and Legislative Committee approve the attached resolution amending the Fee and Charge Report to establish a \$200 filing fee for initiatives to be forwarded to Council for its approval.

Respectfully Submitted,



Anne J. Mason
Acting City Clerk

October 20, 1988
All Districts

RESOLUTION No.

Adopted by The Sacramento City Council on date of

RESOLUTION AMENDING FEES AND CHARGES FOR
THE OFFICE OF THE CITY CLERK
BY ESTABLISHING A FILING FEE FOR INITIATIVES

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. The Office of the City Clerk fees are hereby amended to reflect a two hundred dollar (\$200) fee for the filing of a notice of intent for a proposed initiative.
2. That the City of Sacramento Fee and Charge Report (page 10a) is hereby amended to reflect a two hundred dollar (\$200) fee for the filing of a notice of intent for a proposed initiative.
3. If within one year of the date of filing the notice of intent, the clerk certifies the sufficiency of the petition, the entire amount of the fee is to be refunded to the filer, in accordance with the California Elections Code.
4. That the City of Sacramento Fee and Charge Report (page 10a) is hereby amended to reflect a full refund in the amount of two hundred dollars (\$200) if within one year of the date of filing the notice of intent, the clerk certifies the sufficiency of the petition.

MAYOR

ATTEST:

CITY CLERK