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## **SB 148: Changes to the Initiative and Referendum Process**

**Summary:** Senate Bill 148 requires chief petitioners to perform their own criminal background checks on paid signature gatherers. SB 148 also makes other clarifying changes to the initiative and referendum process.

**Background:** With the elimination of two investigators, the Elections Division no longer has the resources to perform criminal background checks on paid signature gatherers within the 5 day window required by the Initiative and Referendum Modernization Acts of 2007 and 2009. These criminal background checks ensure no paid signature gatherer has been convicted of forgery, fraud, and identity theft within the last 5 years and helps bring integrity back into the initiative process. Chief petitioners will often submit hundreds of background checks while they interview circulators; however, many of these circulators are ultimately never hired. These costs to cover criminal background checks vary widely depending on the number of initiative petitions being circulated and are unpredictable for budgeting purposes.

SB 148 will also make a number of other technical changes, such as, extending whistleblower protections to paid signature gatherers who are afraid to provide information about fraud and abuse to the Secretary of State's office for fear of losing their jobs, allowing an agents of chief petitioners to turn petitions in to the Elections Division, and resolving minor discrepancies between laws governing statewide and local ballot measures.

### **What the concept does:**

- Requires chief petitioners to perform background checks on their circulators to a standard set by the Secretary of State's office before they register petition circulator
- Creates whistleblower protections for paid signature gatherers, so they can report fraud and abuse without fear of losing their jobs
- Allows district attorney or city attorney to correct clerical errors in ballot title for county or city measure
- Clarifies only statewide initiative and referendum campaigns are required to create an account of employment rolls, payroll records, and employment and training manuals with the Elections Division

**Fiscal Impact:** Saves the state the cost of performing background checks.

### **For more information:**

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