EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-76-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS in response to the COVID-19 pandemic, California (through action taken in partnership among the Legislature, the Secretary of State, and the Governor's Office) has enacted legislation establishing special procedures for the November 2020 election, and has otherwise taken action to ensure that the November 2020 election can be held in a manner that is accessible, secure, and safe; and

WHEREAS elections officials throughout California are now working to implement those procedures and otherwise prepare for the November 2020 election, even as the ongoing COVID-19 pandemic continues to impact county elections officials' operations; and

WHEREAS as a result of disruption caused by the COVID-19 pandemic, certain statewide initiatives that had previously sought to qualify for the November 2020 ballot are now seeking to qualify for the November 2022 ballot, and proponents of these initiatives must submit signatures to county elections officials before court-ordered deadlines in September and October 2020, respectively; and

WHEREAS proponents of one of these initiatives have begun to submit signatures to county elections officials, triggering deadlines set forth in state law for elections officials to count and verify these signatures; and

WHEREAS strict adherence to these deadlines would impair elections officials' ability to prepare for the November 2020 election amid the COVID-19 pandemic, particularly given the ongoing impacts of the COVID-19 pandemic on county elections' officials own operations; and

WHEREAS on August 18, 2020, I proclaimed a State of Emergency to exist in California as a result of fires burning statewide, and these ongoing fires are causing further disruption to certain counties' efforts to count and verify signatures submitted in connection with these ballot initiatives; and

WHEREAS extending the deadlines to count and verify signatures submitted in connection with these ballot initiatives (as set forth in this Order) would not in any way impair these initiatives' ability to qualify for the November 2022 ballot, or with any other aspect of the November 2022 election; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations as specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic and the fires burning statewide.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections

8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) Notwithstanding Elections Code section 9030(b) or any other provision of law, the deadline for county elections officials to determine the total number of signatures affixed to a statewide initiative petition filed between August 1, 2020 and December 31, 2020, and to transmit this information to the Secretary of State, is extended to and including January 15, 2021. The deadline for the Secretary of State to transmit certain related notifications to county elections officials and initiative proponents, as set forth in Elections Code section 9030(b) and (c), is extended to and including January 22, 2021.

2) Notwithstanding Elections Code section 9030(d) and (e), or any other provision of law, the deadline for county elections officials to determine the number of qualified voters who have signed a statewide initiative petition filed between August 1, 2020 and December 31, 2020, and to transmit certain related certifications to the Secretary of State, is extended to and including March 9, 2021.

3) This Order is not intended, and should not to be construed, to in any way limit the authority of the Superior Court for Sacramento County (or any other court of competent jurisdiction) to order appropriate relief in, or otherwise exercise jurisdiction over, Case No. 34-2020-80003413 or Case No. 34-2020-80003404, or any other case concerning the qualification of statewide initiatives for the November 2022 ballot.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of August 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State