

California State Senate

CAPITOL OFFICE
STATE CAPITOL, ROOM 305
SACRAMENTO, CA 95814
TEL (916) 651-4016
FAX (916) 651-4916

SENATOR.GROVE@SENATE.CA.GOV

SENATOR
SHANNON GROVE
SENATE REPUBLICAN LEADER
SIXTEENTH SENATE DISTRICT

DISTRICT OFFICES
5701 TRUXTUN AVE., SUITE 150
BAKERSFIELD, CA 93309
TEL (661) 323-0443
FAX (661) 323-0446

7248 JOSHUA LANE
YUCCA VALLEY, CA 92284
TEL (760) 228-3136
FAX (760) 228-2462



September 19, 2019

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

RE: Recommended Veto of SB 696 (Umberg)

Dear Governor Newsom:

I respectfully write to request your veto of SB 696, which prevents a qualified political party from having the words "no party preference," "decline to state," or "independent" in its name (e.g., the American Independent Party), and requires such parties to change their name.

This bill would effectively ban California's third-largest political party from the ballot -- the American Independent Party (AIP) -- which has been recognized and qualified in California since 1968, has more than 518,000 registered voters for what appears to be political reason.

The author claims that this bill is needed because some "independent" voters may have mistakenly registered as AIP, and they will therefore not be able to vote in the California Democratic Party's (CDP) upcoming presidential primary election in March 2020. Banning a political party's chosen name is a drastic remedy for the alleged ignorance of some voters, who can easily re-register themselves if they so wish up to and including on the day of the election. Moreover, the CDP could also amend its bylaws to allow AIP voters to choose a Democratic Party primary ballot in recognition of the alleged "voter confusion" claimed by the author. That would solve the "problem" that this bill purports to address, without trampling upon the Free Speech and associational rights of California's third-largest political party, which has been duly recognized and qualified in this State for more than half a century.

Furthermore, state regulations that impose severe burdens on citizens' rights of free speech and association guaranteed by the First and Fourteenth Amendments to the U.S. Constitution must be narrowly tailored and advance a compelling state interest.

(Timmons v. Twin Cities Area New Party (1997) 520 U.S. 351, 358.) By forcing an established political party to change its name and forfeit its longstanding identity with the voting public, this bill would clearly impose a severe burden on its constitutional rights. Nor does it appear that maximizing participation in another party's presidential primary election is a "compelling State interest" in that would justify such an imposition, especially where, as noted above, voters may re-register up to and including on Election Day, and where the CDP could simply amend its bylaws to allow AIP voters to request its primary ballot.

For these reasons, I respectfully request your veto.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Grove". The signature is written in a cursive style with a large initial "S".

Shannon Grove
Senate Republican Leader