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Legislature of the State of California v. Weber

Supreme Court of California - June 20, 2024 - P.3d - 2024 WL 3059632

State Legislature, Governor, and former Senate President Pro Tempore filed an original proceeding to petition for a writ of mandate or prohibition to bar the Secretary of State from placing an initiative measure on the general election ballot.

The Supreme Court held that:

- Preelection review was appropriate for ballot initiative;
- Ballot initiative which sought to require voter approval of tax increases by state or local governmental entities would substantially transform the process for enacting new statewide tax legislation;
- Ballot initiative which sought to require that every nontax government fee or charge be subject to referendum would effect a significant change in how the state government raised revenue;
- Ballot initiative which sought to reassign local fee-setting from administrative to legislative processes and subject such fees to referendum would substantially alter the processes by which local governments raised revenue; and
- Ballot initiative exceeded the scope of the power to amend the California Constitution via citizen initiative.