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16 SUPERIOR COURT OF THE STATE OF CALIFORNIA

17 COUNTY OF SHASTA

18 THE PEOPLE OF THE STATE OF
19 CALIFORNIA, ex rel. ROB BONTA,
20 ATTORNEY GENERAL OF THE STATE OF
21 CALIFORNIA; SHIRLEY N. WEBER, PH.D.,
22 in her official capacity as California Secretary
23 of State,

24 Petitioners,

25 v.

26 COUNTY OF SHASTA; CLINT CURTIS in
27 his official capacity as Shasta County Clerk
28 and Registrar of Voters,

Respondents,

LAURA HOBBS, DEIDRE HOLLIDAY,
KARI CHILSON, JIM BURNETT, AND
RICHARD GALLARDO,

Real Parties in Interest.

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Case No. 26CV-0211092

**MOTION FOR LEAVE TO FILE
AMICUS BRIEF IN SUPPORT OF
PETITIONERS; [PROPOSED] AMICUS
BRIEF OF CIVIL RIGHTS
NONPROFITS**

Hearing Date: August 10, 2026
Hearing Time: 8:30 am
Dept.: 63
Judge: Benjamin L. Hanna

Action Filed: June 30, 2026

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1 **MOTION FOR LEAVE TO FILE AMICUS**
2 **BRIEF IN SUPPORT OF PETITIONERS**

3 The American Civil Liberties Union (“ACLU”) of Northern California, ACLU of Southern
4 California, ACLU of San Diego & Imperial Counties, Asian Americans Advancing Justice
5 Southern California, Asian Law Caucus, Disability Rights California, League of Women Voters of
6 California Education Fund, and League of Women Voters of Redding Area (collectively, “Amici”)¹
7 respectfully request this Court’s permission to file a brief as amici curiae in support of Petitioners.

8 On July 10, 2026, counsel for Amici conferred telephonically with counsel for Petitioners,
9 who consent to this Motion. On July 10, 2026, counsel for Amici conferred telephonically with
10 counsel for the County, who do not oppose this Motion. On July 10, 2026, counsel for Amici
11 conferred telephonically with counsel for Real Parties in Interest, who state that they oppose this
12 Motion but will not file an opposition.

13 Amici include California- and Shasta County-based nonprofits that work to protect the
14 fundamental right to vote for all eligible Californians—including voters from historically
15 marginalized communities residing in Shasta County—and have a distinct community-driven
16 interest in opposing laws like Measure B that impose unlawful and discriminatory barriers to
17 voting. Just last year, many of the undersigned Amici submitted an amicus brief in *People ex rel.*
18 *Bonta v. City of Huntington Beach* (2025) 115 Cal.App.5th 962, wherein the Court of Appeal
19 evaluated a similar voter suppression ordinance and emphasized that “amici curiae for the state
20 provide useful historical context” that “amply demonstrate[s] the weight of the state’s interest in
21 regulating (and, where possible, eliminating) barriers to voting.” (*Id.* at p. 970.) There, Court of
22 Appeal noted that the brief helped confirm that “each additional barrier to voting, even if facially
23 neutral, has the well-documented effect of discouraging certain voters”—particularly “low-income
24 voters, voters of color, voters with disabilities, and seniors.” (*Id.* at p. 971.)

25 The **ACLU of Northern California**, the **ACLU of Southern California**, and the **ACLU**
26 **of San Diego & Imperial Counties** are the California affiliates of the ACLU—a nationwide,

27 ¹ Counsel for Amici authored this Brief in full. No person or entity, including counsel or Amici, made a monetary
28 contribution intended to fund the preparation or submission of the Brief.

1 nonprofit, nonpartisan membership organization with two million members dedicated to the
2 defense and promotion of the guarantees of individual rights and liberties in the state and federal
3 constitutions. All three ACLU affiliates have litigated voting rights and election law cases across
4 California in support of these constitutional principles. (See, e.g., *Issa v. Weber*, No. 25-cv-598
5 (S.D. Cal.); *United States v. Weber*, 816 F.Supp.3d 1168 (C.D. Cal. 2026), *appeal filed* No. 26-
6 1232 (9th Cir.); *Inland Empire United v. Riverside County*, No. CVRI2202423 (Super. Ct.,
7 Riverside County) & No. 5:22-cv-01366 (C.D. Cal); *AAAJ-LA v. Padilla*, No. CPF-18-516155
8 (Super Ct., San Francisco County) & No. A155392 (Cal. Ct. of Appeal, First District); *La Follette*
9 *v. Padilla*, No. CPF-17-515931 (Super Ct., San Francisco County); *Paik v. City of Fullerton*, No.
10 30-2015-00777673 (Super. Ct., Orange County); *Scott v. Bowen*, No. RG14-712570 (Super. Ct.,
11 Alameda County); *People ex rel. Bonta v. City of Huntington Beach* (2025) 115 Cal.App.5th 962.)

12 **Asian Americans Advancing Justice Southern California** (“AJSOCAL”) is the nation’s
13 largest legal and civil rights nonprofit for Asian Americans and Pacific Islanders (“AAPIs”).
14 AJSOCAL advocates for improved accessibility at the ballot box, monitors polling sites for
15 compliance with language assistance laws, and litigates to remove obstacles to voting that prevent
16 historically disenfranchised groups, including AAPIs, from having an equal say in our democracy.
17 (See, e.g., *AAAJ-LA v. Padilla*, No. CPF-18-516155 (Super. Ct., S.F. County) & No. A155392 (Cal.
18 Ct. App.); *Paik v. City of Fullerton*, No. 30-2015-00777673 (Super. Ct., Orange County);
19 *Higginson v. Becerra* (S.D. Cal. 2019) 363 F.Supp.3d 1118; *Pico Neighborhood Assn. v. City of*
20 *Santa Monica* (2023) 15 Cal.5th 292; *People ex rel. Bonta v. City of Huntington Beach* (2025) 115
21 Cal.App.5th 962.)

22 **Asian Law Caucus** (“ALC”) is the nation’s first legal and civil rights organization serving
23 low-income, immigrant, and underserved AAPI communities. ALC brings together legal services,
24 community empowerment, and policy advocacy to fight for immigrant justice, economic security,
25 and a stronger, multiracial democracy. In the voting rights context, ALC advocates to advance
26 voting for AAPI voters and other historically disenfranchised groups and litigates voting rights
27 cases. (See, e.g., *In re Georgia Senate Bill 202* (N.D. Ga.) No. 1:21-mi-55555-JPB; *AAAJ-LA v.*
28

1 *Padilla*, No. CPF-18-516155 (Super Ct., San Francisco Cnty.) & No. A155392 (Cal. Ct. of Appeal,
2 First District); see also *Pico Neighborhood Assn. v. City of Santa Monica*, 534 P.3d 54 (Cal. 2023);
3 *People ex rel. Bonta v. City of Huntington Beach* (2025) 115 Cal.App.5th 962.). Before major
4 elections, ALC conducts Know Your Voting Rights workshops for community partners and their
5 members and creates translated voting related factsheets. ALC also has one of the largest
6 nonpartisan poll observation projects in California to ensure eligible voters are not turned away
7 from the polls. During the November 2024, November 2025, and June 2026 elections, ALC
8 observed polls in Shasta County, with a specific focus on speakers of Mandarin, Cantonese, and
9 Spanish. ALC also co-sponsors election-related bills. (See, e.g., AB 453 (2024); AB 884 (2024).)

10 **Disability Rights California** (“DRC”) is California’s federally mandated protection and
11 advocacy system for people with disabilities, and the largest disability rights advocacy group in the
12 nation. DRC works to ensure that voters with disabilities can vote on equal terms through laws and
13 litigation that remove barriers to voting. (See, e.g., *Senior and Disability Action v. Padilla*, No.
14 CPF-18-516265 (Super. Ct., S.F. County); *People ex rel. Bonta v. City of Huntington Beach* (2025)
15 115 Cal.App.5th 962.) DRC has extensive experience advocating locally for voters with disabilities
16 and ensuring compliance with state voting accessibility requirements. DRC conducts voting rights
17 trainings and poll monitoring in Shasta County and co-sponsors election-related bills.

18 The **League of Women Voters of California Education Fund** is a California affiliate of
19 the League of Women Voters (“LWV”), which was founded in 1920 as an outgrowth of the struggle
20 for voting rights for women. LWV has more than one million members and supporters and is
21 organized in more than 800 communities in all 50 states and the District of Columbia. In California,
22 LWV serves as a large nonpartisan grassroots membership organization across 60 local chapters.
23 The **League of Women Voters of Redding Area** is LWV’s local chapter based in Shasta County.
24 LWV’s mission is to engage all Californians in acting on the issues that matter to them, to build
25 political power and voice in communities historically underrepresented in the halls of government,
26 to enact solutions to some of the biggest challenges facing the state, and to ensure every eligible
27 voter has the opportunity to register, cast their ballot, and have that ballot counted. For more than
28

1 a century, LWV has worked to protect voting rights and promote election systems that are
2 accessible, transparent, secure, and grounded in evidence-based practices. LWV has a strong
3 interest in any litigation addressing changes to election administration that may impact voters'
4 participation in elections and/or public confidence in California's voting systems.

5 Given Amici's longstanding experience with combatting voter suppression laws, uplifting
6 vulnerable communities, and advancing equal voting rights for all, this Brief illuminates (1) the key
7 historical and present-day context undergirding the Legislature's finding that voter ID laws like
8 Measure B burden the fundamental right to vote in vulnerable communities; and (2) the
9 Legislature's unambiguous intent through the Elections Code, including sections 10005 and
10 15270.1, to address matters of statewide concern and preempt laws like Measure B. Amici's Brief,
11 filed before the Court's hearing, would assist the Court in evaluating the Petition on the merits.

12 For the foregoing reasons, amici respectfully request that the Court grant this motion. The
13 proposed Brief is attached.

14 Dated: July 10, 2026

Respectfully submitted.

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1 **[PROPOSED] AMICUS BRIEF**

2 **INTRODUCTION**

3 Article II of the California Constitution guarantees the right to vote for all eligible
4 Californians and expressly empowers the Legislature to “provide for registration and free elections”
5 and to “prohibit improper practices that affect elections.” (Cal. Const., art. II, §§ 2, 2.5, 3, 4.)

6 To effectuate this constitutional mandate, the Legislature crafted numerous Elections Code
7 provisions² to address two interwoven matters of statewide concern: guaranteeing free and secure
8 elections and proscribing improper practices that burden the fundamental right to vote. (*Johnson*
9 *v. Bradley* (1992) 4 Cal.4th 389, 409 (hereafter *Johnson*) [“[I]ntegrity of the electoral process, at
10 both the state and local level, is undoubtedly a statewide concern.”]; *City of Huntington Beach v.*
11 *Becerra* (2020) 44 Cal.App.5th 243, 275 (hereafter *Huntington Beach*) [“Guaranteeing rights and
12 protections afforded by the state Constitution is a matter of statewide concern.”]; *People ex rel.*
13 *Bonta v. City of Huntington Beach* (2025) 115 Cal.App.5th 962, 970 (hereafter *Bonta*) [stressing
14 “the weight of the state’s interest in regulating (and, where possible, eliminating) barriers to
15 voting”].) Relevant here, the Legislature passed section 10005, which “forbids any ‘local
16 government’ from ‘enacting or enforcing any charter provision . . . requiring a person to present
17 identification for the purpose of voting’ ” (*id.* at p. 967, quoting § 10005), and section 15270.1 to
18 bar localities from “conduct[ing] a manual vote count” except in limited conditions (§ 15270.1).

19 In flagrant disregard of the California Constitution and the Elections Code, Shasta County
20 enacted Measure B.³ Specifically, Measure B purports to override statewide election law by: (1)
21 imposing mandatory ID requirements as a precondition to register and vote, (2) mandating an
22 uncertified hand-count of ballots, (3) curtailing vote by mail and early voting for the vast majority
23 of voters, and (4) removing qualified voters from the County’s voter rolls.⁴ There is no question
24 that Measure B conflicts with and upends the Legislature’s carefully-calibrated regime for
25

26 ² All undesignated statutory references are to the Elections Code.

27 ³ (Shasta County, Local Charter Amendment Measure B 36 (2026) <<https://elections.shastacounty.gov/wp-content/uploads/2026/05/UPDATED-MEASURE-B-WITH-TYPED-SIGNATURES.pdf>> [hereinafter Measure B]
28 [as of July 9, 2026].)

⁴ (*Ibid.*)

1 registering voters, confirming their eligibility, protecting their right to vote, maintaining uniform
2 voter rolls, and running elections statewide. The Court of Appeal in *Bonta* held just as much when
3 it invalidated a similar voter ID law known as Measure A adopted by the City of Huntington Beach.
4 There, the Court of Appeal made clear that “electoral integrity at the municipal level is a statewide
5 concern reaching beyond the individual’s constitutional right to vote,” such that all state laws
6 “reasonably related to” addressing that concern preempt conflicting local enactments. (*Bonta*,
7 *supra*, 115 Cal.App.5th at pp. 970–971.)

8 *Bonta* controls here and compels the conclusion that state law preempts Measure B. Even
9 the leading proponents of Measure B, including Real Parties in Interest here, admit that “there are
10 sections [of Measure B] that are illegal.”⁵ Indeed, Measure B came on the heels of the County’s
11 prior failed attempt to prohibit machine counting in favor of the less-accurate hand-counting, which
12 prompted the Legislature to pass section 15270.1 banning hand-counts altogether except in limited
13 circumstances not applicable here.⁶ In the face of unambiguous illegality, it comes as little surprise
14 that the County declined to defend Measure B in court. (Non-opposition (filed July 2, 2026).)

15 As civil rights nonprofits working to safeguard the voting rights of all, including vulnerable
16 communities in Shasta County and across California, Amici submit this Brief to furnish valuable
17 context for the legislative findings that help render Measure B preempted and unconstitutional.
18 **First**, Amici detail the historical and present-day context that prompted the Legislature to find that
19 laws like Measure B “have historically been used to disenfranchise low-income voters, voters of
20 color, voters with disabilities, and senior voters.” (2024 Cal. Legis. Serv. Ch. 990, § 1(a)(4) (SB-
21 1174).) **Second**, Amici reinforce the Legislature’s determination that laws like Measure B
22 “conflict[] with California’s established, well-balanced methods of ensuring election integrity
23 across the state.” (*Id.*, § 1(a)(8).) These two findings confirm that the relevant provisions of the
24

25 ⁵ (Battaglia, *Judge Allows Shasta County Election Reform Measure on Ballot* (Mar. 26, 2026, 18:18 ET) Jefferson Pub.
26 Radio <<https://www.ijpr.org/politics-government/2026-03-26/shasta-county-election-measure-june-ballot-ruling>> [as
of July 9, 2026].)

27 ⁶ (Battaglia, *California Lawmakers Ban Most Hand-Count Elections, Targeting Far-Right Shasta County* (Sep. 8, 2023,
2:41 PM) NPR <[https://www.npr.org/2023/09/08/1198395036/shasta-county-hand-counting-ballots-california-](https://www.npr.org/2023/09/08/1198395036/shasta-county-hand-counting-ballots-california-legislation)
28 <https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB969> [as of July 9, 2026].)

1 Elections Code, including section 10005 and 15270.1, reside squarely in the Legislature’s
2 constitutional prerogative to “prohibit improper practices that affect elections” as a matter of
3 statewide concern and that Measure B is preempted by state law. (Cal. Const., art. II, § 4.)

4 Accordingly, Amici respectfully request that this Court issue a preliminary injunction, grant
5 the Petition, and invalidate Measure B.

6 ARGUMENT

7 I. THE CALIFORNIA CONSTITUTION EMPOWERS THE LEGISLATURE TO 8 PROTECT VOTING RIGHTS AND BAR IMPROPER ELECTION PRACTICES.

9 In California, “[t]he right of suffrage” is “a fundamental right ‘preservative of other basic
10 civil and political rights.’ ” (*Stanton v. Panish* (1980) 28 Cal.3d 107, 115, quoting *Reynolds v. Sims*
11 (1964) 377 U.S. 533, 562; see also *Bd. of Supervisors v. Local Agency Formation Com.* (1992) 3
12 Cal.4th 903, 913 “[T]he right to vote may be the most fundamental of all.”), citing Cal. Const., art.
13 II, § 2.) To vindicate this fundamental right, the California Constitution directs the Legislature to
14 “provide for registration and free elections” and to “prohibit improper practices that affect
15 elections.” (Cal. Const., art. II, §§ 3, 4; see *id.*, §§ 2 & 2.5.)

16 “Guaranteeing rights and protections afforded by the state Constitution is a matter of
17 statewide concern.” (*Huntington Beach, supra*, 44 Cal.App.5th at p. 275; *Johnson, supra*, 4 Cal.4th
18 at p. 409.) And under California Constitution, “every reasonable presumption and interpretation is
19 to be indulged in favor of the right of the people to exercise the elective process.” (*Hedlund v.*
20 *Davis* (1956) 47 Cal.2d 75, 81.) To this end, the California Constitution authorizes the Legislature
21 to provide for free elections, to make legislative findings about “improper practices that affect
22 elections,” and to enact laws that “prohibit” such practices as a matter of statewide concern—as it
23 did here. The Legislature adopted sections 10005, 15270.1, and 19207.5, and other Election Code
24 provisions pursuant to this constitutional directive to “strike a careful balance” between protecting
25 the integrity of California’s elections and vindicating the voting rights of low-income voters, voters
26 of color, voters with disabilities, and elderly voters against improper practices like Measure B.
27 (*Bonta, supra*, 115 Cal.App.5th at p. 970.) As the Court of Appeal held in *Bonta*, “[p]ermitting the

[County] to make its own rules, in violation of the state Elections Code, would upset the state’s delicate balance and could impugn the integrity of the [County’s] elections.” (*Id.* at p. 971.)

A. The Legislature Expressly Recognized Our Nation’s Long History of Improper Voter Suppression Laws.

In construing statutes, this Court’s “fundamental task is to ascertain the Legislature’s intent so as to effectuate the purpose of the statute.” (*Smith v. Super. Ct.* (2006) 39 Cal.4th 77, 83.) For starters, in its factual findings for section 10005, the Legislature stressed its intent to prohibit “[v]oter identification laws [because they] have historically been used to disenfranchise low-income voters, voters of color, voters with disabilities, and senior voters.” (2024 Cal. Legis. Serv. Ch. 990, § 1(a)(4) (SB-1174).) That historical backdrop—which includes California’s firsthand experience with voter suppression—offers crucial context for the Legislature’s present-day understanding that such laws burden marginalized groups and that section 10005 and other Elections Code provisions fall squarely in its authority to ensure election integrity and “prohibit improper practices that affect elections.” (Cal. Const., art. II, § 4.)

Even as the Fourteenth, Fifteenth, and Nineteenth Amendments articulated the promise of citizenship and equal voting rights for women, formerly enslaved persons, and other persons of color, U.S. Const., amends. XIV, XV, XIX, the history of our nation and state reveals more than a century of further disenfranchisement through facially-neutral laws that have suppressed the right to vote in those communities.

In the 1800s, for example, California adopted so-called anti-fraud measures that, in reality, suppressed the right to vote in disfavored communities.⁷ For one, California enacted various voting barriers, including recurrent re-registration obligations, that made it needlessly difficult for “poor, immigrant, and minority vote[r]s” to exercise their fundamental right to vote.⁸ By 1899, California regularly purged its voter rolls and forced voters to re-register to vote every two years—a facially-neutral policy that limited the franchise to those “willing and *able* to travel to the county clerk’s

⁷ (Belinkoff Katz et al., *Reckoning with Our Rights: The Evolution of Voter Access in California, Part I* (Spring/Summer 2024) California Supreme Court Historical Society, p. 7 <<https://www.cschs.org/wp-content/uploads/2024/05/2024-CHSHS-Review-Spring-Voter-Access.pdf>> [as of July 9, 2026].)

⁸ (*Ibid.*)

1 office every two years to sign and swear to facts establishing [their] eligibility.⁹ For another,
2 California imposed literacy tests to prevent “immigrants pouring in from foreign countries” who
3 naturalized from voting on equal terms as U.S.-born citizens.¹⁰ For example, California required
4 voters to prove they could read the Constitution and write their names in English as a prerequisite
5 to registering to vote. (*Castro v. California* (1970) 2 Cal.3d 223, 225 [striking down said law as a
6 violation of the Fourteenth Amendment].)¹¹ And California also implemented a hefty poll tax from
7 1850 to 1914¹² to disenfranchise Black and low-income voters.¹³ These harmful laws during the
8 Jim Crow era, along with many others, contributed to California voter participation plummeting
9 from 80 percent in the 1890s to 49 percent by 1924.¹⁴

10 So, it should come as no surprise that, when Congress enacted the Voting Rights Act of
11 1965 (52 U.S.C. § 10301 et seq.), it expressly banned literacy tests (*id.*, § 10303(e)) and poll taxes
12 (*id.*, § 10306) because it found that such laws have “the purpose or effect of denying persons the
13 right to vote because of race or color” (*id.*, § 10306(a)). Along similar lines, in 1966, the U.S. high
14 court struck down poll taxes as racially discriminatory in violation of the Equal Protection Clause,
15 overriding protestations that such laws were facially neutral notwithstanding their disparate impact.
16 (*Harper v. Va. Bd. of Elections* (1966) 383 U.S. 663, 666.)

17 Today, a modern wave of voter suppression laws has swept the nation.¹⁵ These more recent
18

19 ⁹ (*Id.* at p. 8, italics added.) When enacted in Louisiana, such re-registration requirements led to a 90 percent drop in
20 registration by Black voters. (Brief Amici Curiae of Historians and Other Scholars in Support of Petitioners, p. 9,
Crawford v. Marion County Election Bd. (2008) 553 U.S. 181.)

21 ¹⁰ (*Supra* fn. 7, Belinkoff Katz et al., p. 6.)

22 ¹¹ (See also *Breaking Barriers to the Ballot Box: Expanding Language Access for California Voters* (2023) California
Language Access Group, p. 11 <<https://cdn.craft.cloud/5cd1c590-65ba-4ad2-a52c-b55e67f8f04b/assets/media/Breaking-Barriers-to-the-Ballot-Box-2023-with-Appendix.pdf>> (hereafter *Breaking*
Barriers) [as of July 9, 2026].)

23 ¹² (Cal. Const. of 1879, art. XIII, § 12; see *supra* fn. 7, Belinkoff Katz et al., pp. 5–6.)

24 ¹³ (Ogden, *The Poll Tax in the South* (1959), p. 7 [“[The poll tax] will not do away with the negro as a voter altogether,
25 but it will have the effect of keeping numbers of the most unworthy and trifling of that race from the polls. I do not
26 know of anything better in view of the fifteenth amendment.”].) In early 1900s Texas, for instance, the decline in Black
turnout from 36 percent to 15 percent was attributed to the Terrell Election Law of 1903, which imposed (among other
restrictions) poll taxes much like the ones operative in California at the time. (Kousser, *The Shaping of Southern*
Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910 (1974), p. 208.)

27 ¹⁴ (*Supra* fn. 7, Belinkoff Katz et al., p. 8.)

28 ¹⁵ (Singh & Carter, *States Have Added Nearly 100 Restrictive Laws Since SCOTUS Gutted the Voting Rights Act 10*
Years Ago (June 23, 2023) Brennan Center for Justice <<https://www.brennancenter.org/our-work/analysis-opinion/states-have-added-nearly-100-restrictive-laws-scotus-gutted-voting-rights>> [as of July 9, 2026].)

1 manifestations , like Measure B, have included draconian changes to voter registration,¹⁶ voter roll
2 purges,¹⁷ reduction or elimination of early and/or absentee voting days and mail-in voting,¹⁸
3 limitations on voter assistance and accessibility,¹⁹ and voter ID laws.²⁰ Now, as then, many of these
4 facially-neutral laws were passed ostensibly for election security.²¹ And yet, sponsors of such
5 measures frequently admit that the real intent behind such laws is to suppress voter turnout,
6 especially among communities of color.²² Indeed, several out-of-state courts have already stricken
7 laws that impose additional burdens on the right to vote in whole or in part because they are racially
8 discriminatory or otherwise unlawful.²³

9 Cognizant of our state and nation’s history of voter suppression and of the new wave of
10 voter suppression measures nationwide, the Legislature determined that laws like Measure B “have
11 historically been used to disenfranchise” and threaten a substantial chilling effect on eligible voters
12 from vulnerable communities, including “low-income voters, voters of color, voters with
13 disabilities, and senior voters.” (2024 Cal. Legis. Serv. Ch. 990, § 1(a)(4) (SB-1174).) The
14 Legislature passed section 10005 and other Elections Code provisions to protect California’s
15 elections and prevent disenfranchisement.

16 (Mendelson & Lopez, “*The Restrictions Are Unbelievable*”: *States Target Voter Registration Drives* (May 16, 2024)
Center for Public Integrity <[https://publicintegrity.org/politics/elections/who-counts/the-restrictions-are-unbelievable-](https://publicintegrity.org/politics/elections/who-counts/the-restrictions-are-unbelievable-states-target-voter-registration-drives/)
17 [states-target-voter-registration-drives/](https://publicintegrity.org/politics/elections/who-counts/the-restrictions-are-unbelievable-states-target-voter-registration-drives/)> [as of July 9, 2026].)

18 (Berzon & Corasanti, *Trump’s Allies Ramp Up Campaign Targeting Voter Rolls* (Mar. 6, 2024) New York Times
19 <<https://www.nytimes.com/2024/03/03/us/politics/trump-voter-rolls.html>> [as of July 9, 2026].)

20 (Supra fn. 15, Singh & Carter.)

21 (Verhovek & Singh, *The Right to Voter Assistance Is Under Attack* (Feb. 13, 2024) Brennan Center for Justice
22 <<https://www.brennancenter.org/our-work/analysis-opinion/right-voter-assistance-under-attack>> [as of July 9, 2026].)

23 (Supra fn. 15, Singh & Carter.)

24 (When Politicians Tell the Truth on Voting Restrictions (Aug. 10, 2016) Brennan Center for Justice
25 <<https://www.brennancenter.org/our-work/research-reports/when-politicians-tell-truth-voting-restrictions>> (hereafter
26 *When Politicians Tell the Truth*) [as of July 9, 2026].)

27 (See, e.g., Kam, *Former Florida GOP Leader Say Voter Suppression Was Reason They Pushed New Election Law*
28 (Nov. 27, 2012, 8:19 AM) The Palm Beach Post
<<https://www.palmbeachpost.com/story/news/state/2012/11/25/former-florida-gop-leaders-say/7260589007>> [as of
July 9, 2026]; supra fn. 21, *When Politicians Tell the Truth* [compiling statements].)

29 (See, e.g., *Applewhite v. Commonwealth* (Pa. Commw. Ct. Jan. 17, 2014, No. 330 M.D. 2012), 2014 WL 184988, at
*24 [“Thus, this Court holds that the photo ID provisions in the Voter ID Law violate the fundamental right to vote
and unnecessarily burden the hundreds of thousands of electors who lack compliant photo ID.”]; *Wash. Assn. of*
Churches v. Reed (W.D. Wash. 2006) 492 F.Supp.2d 1264, 1266, 1269–70 [preliminarily enjoining statute requiring
the State to match a voter’s name to government agency records prior to registration].)

1 **B. Laws like Measure B Burden Voting Rights in Marginalized Communities.**

2 Measure B threatens to impose additional and unnecessary hurdles on all the County’s
3 residents and will uniquely burden voting rights among “low-income voters, voters of color, voters
4 with disabilities, and senior voters,” who are eligible to vote—just as the Legislature warned of
5 when it passed section 10005. (2024 Cal. Legis. Serv. Ch. 990, § 1(a)(4) (SB-1174).) Accordingly,
6 Measure B directly impacts Amici’s shared goals of protecting the right to vote for *all* eligible
7 voters in California.

8 Studies have shown that eligible voters from minority communities are five times as likely
9 to arrive to vote without ID as compared to white voters.²⁴ Voters from marginalized groups—i.e.,
10 “low-income voters, voters of color, voters with disabilities, and senior voters”—disproportionately
11 lack IDs or have expired IDs. (2024 Cal. Legis. Serv. Ch. 990, § 1(a)(4) (SB-1174).) Studies reveal
12 significant racial gaps in eligible voters with access to the most common forms of ID. For instance,
13 voters of color are more likely to not have a driver’s license, with 18 percent of Black citizens, 15
14 percent of Hispanic citizens, and 13 percent of AAPI citizens lacking a driver’s license compared
15 to just 5 percent of white citizens.²⁵ In fact, Black and Latino voters are more likely to lack *any*
16 current government-issued photo ID—over 6 percent of these groups lacked photo ID, compared
17 to 2.3 percent of white voting-age citizens.²⁶ This is particularly concerning for Shasta County
18 where the Latino population has grown over the past five years with Latinos comprising nearly 9
19 percent of the eligible voting population.²⁷ Even among those with driver’s licenses, voters of color
20 are also more likely to have IDs that are expired, which increases the likelihood that they will be
21

22 ²⁴ (Henninger et al., *Who Votes Without Identification? Using Individual-Level Administrative Data to Measure the Burden of Strict Voter Identification Laws* (2021), 18 *Journal of Empirical Legal Studies* 256, p. 264.)

23 ²⁵ (Rothschild et al., *Who Lacks ID in America Today? An Exploration of Voter ID Access, Barriers, and Knowledge*
24 (June 2024) Center for Democracy & Civic Engagement, p. 3
<<https://cdce.umd.edu/sites/cdce.umd.edu/files/pubs/Voter%20ID%20survey%20Key%20Results%20June%202024.pdf>> [as of July 9, 2026].)

25 ²⁶ (*Ibid.*)

26 ²⁷ (*QuickFacts Shasta County, California* (July 1, 2025) U.S. Census Bureau
27 <<https://www.census.gov/quickfacts/fact/table/shastacountycalifornia/PST045225>> [as of July 9, 2026] [noting
28 Latinos make up 13.4 percent of the population in 2025]; *Census 2020 California Hard-to-Count Fact Sheet Shasta County*, Shasta County <<http://shastacounty.gov/media/13176>> [as of July 9, 2026] [noting Latinos make up 9.6 percent of the population in 2020]; Redistricting and Voting Rights Data Office, *Citizen Voting Age by Race and Ethnicity 2024* (Jan. 30, 2026) U.S. Census Bureau <<https://www.census.gov/programs-surveys/decennial-census/about/voting-rights/cvap.html>> [as of July 9, 2026].)

1 turned away at the polls pursuant to Measure B.²⁸

2 Unsurprisingly, voter identification laws translate racial disparities in ID access into racial
3 gaps in voter turnout. Voter turnout analyses have established that the gap in voter turnout between
4 more and less racially diverse counties in the same state grew more in states that imposed strict ID
5 restrictions than those without.²⁹ This empirical finding is consistent with survey data revealing
6 that laws mandating proof of ID at the polls negatively impact turnout among voters of color, which
7 helps explain why the harmful effects of these laws are more readily observed in, but not limited
8 to, counties with more diverse populations.³⁰ Laws like Measure B also exacerbate other barriers
9 that communities of color already face in voting. Even as Asian and Latino voters are the fastest
10 growing electorate nationally³¹ and in California,³² Asian and Latino voters consistently have lower
11 registration and voting rates, due in part to language access barriers at the polls.³³ In California, 26
12 percent of Latinos and 31 percent of Asians have limited English proficiency.³⁴ As such, Latino

14 ²⁸ (*Supra* fn. 25, Rothschild et al., pp. 2–3.) Indeed, an older study showed that, even among those who already vote
15 in California elections, voters of color are less likely to have five out of six common types of voter identification
16 (including driver’s licenses, bank statements, passports, utility bills, and property tax statements). (Barreto et al., *Voter*
17 *ID Requirements and the Disenfranchisements of Latino, Black and Asian Voters* (Sep. 1, 2007) Paper presented at the
2007 Annual Meeting of the American Political Science Association, p. 17
<[https://www.brennancenter.org/sites/default/files/legal-work/63836ccea55aa81e4f_hlm6bhkse\(1\).pdf](https://www.brennancenter.org/sites/default/files/legal-work/63836ccea55aa81e4f_hlm6bhkse(1).pdf)> [as of July 9,
2026].)

18 ²⁹ (Kuk et al., *A Disproportionate Burden: Strict Voter Identification Laws and Minority Turnout* (2020) 1 Politics,
Groups & Identities 126, p. 130.)

19 ³⁰ (*Elections: Issues Related to State Voter Identification Laws* 3 (2015) U.S. Gov’t Accountability Off., GAO-14-634,
pp. 48, 52 <<https://www.gao.gov/assets/gao-14-634.pdf>> [as of July 9, 2026] [voter ID requirements reduced turnout
20 for Black voters in Kansas and Tennessee]; Darrah-Okike et al., *The Suppressive Impacts of Voter Identification*
21 *Requirements* (Dec. 2020) 64 Sociological Perspectives 536, p. 550 [finding depressed turnout for all racial groups
with disproportionate effects on Latino citizens]; Hajnal et al., *Voter Identification Laws and the Suppression of*
22 *Minority Votes* (Jan. 2017) 79 Journal of Politics 363, p. 368.)

23 ³¹ (Krogstad et al., *Key Facts About Hispanic Eligible Voters in 2024* (Jan. 10, 2024) Pew Research Center
24 <<https://www.pewresearch.org/short-reads/2024/01/10/key-facts-about-hispanic-eligible-voters-in-2024>> [as of July
9, 2026] [“Latinos have grown at the second-fastest rate of any major racial and ethnic group in the U.S. electorate
since the last presidential election.”]; Budiman et al., *Key Facts About Asian American Eligible Voters in 2024* (Jan.
10, 2024) Pew Research Center <[https://www.pewresearch.org/short-reads/2024/01/10/key-facts-about-asian-](https://www.pewresearch.org/short-reads/2024/01/10/key-facts-about-asian-american-eligible-voters-in-2024)
25 [american-eligible-voters-in-2024](https://www.pewresearch.org/short-reads/2024/01/10/key-facts-about-asian-american-eligible-voters-in-2024)> [as of July 9, 2026] [“Asian Americans have been the fastest-growing group of
eligible voters in the United States over roughly the past two decades and since 2020.”].)

26 ³² (*California’s Fastest-Growing Latino Electorate: An Election 2024 Portrait* (2024) National Association of Latino
Elected and Appointed Officials, p. 8
<https://naleo.org/COMMS/PRA/2024/CA_Latino_Eligible_Electorate_Portrait_-_Final.pdf> [as of July 9, 2026].)

27 ³³ (Wang, *Why There’s a Long-Standing Voter Registration Gap for Latinos and Asian Americans* (Apr. 2, 2024, 5:00
AM ET) NPR <<https://www.npr.org/2024/04/02/1238751749/voter-registration-gap-racial>> [as of July 9, 2026].)

28 ³⁴ (*Supra* fn. 11, *Breaking Barriers*, p. 3; see also Claiming Our Democracy Program, *California’s Voting Age*
Population: English Proficiency & Barriers Faced (Mar. 2014) Greenline Institute, p. 1 <<https://greenlining.org/wp->
- 21 -

1 and Asian citizens are more likely to not register and vote due to “difficulty with English.”³⁵ Voter
2 ID laws compound these issues and contribute to perceived intimidation whenever those voters face
3 demands for ID in a language which they may not speak fluently or otherwise feel comfortable
4 using to advocate for themselves.

5 Voter ID requirements also disenfranchise eligible voters with disabilities. Crucially, 20
6 percent of the County’s residents have a disability.³⁶ Voters with disabilities disproportionately
7 lack ID.³⁷ As with voters of color, voters with disabilities face pre-existing barriers to exercising
8 their rights, and voter ID restrictions pile onto those barriers. Voters with disabilities must already
9 deal with faulty accessibility features on voting machines, poll workers untrained in accessibility,
10 and with print materials that force them to seek help from others, compromising their right to vote
11 privately.³⁸ Vision, dexterity, and cognitive disabilities may also make it difficult to produce a
12 consistent signature that passes the signature comparison process.³⁹ Adding another form of
13 verification is both unnecessary and burdensome. Measure B will make it more difficult for those
14 voters to participate fully in federal, state, county, and local elections.

15 Finally, mandatory ID laws like Measure B also disenfranchise low-income voters, and
16 especially low-income voters of color.⁴⁰ Among U.S. adult citizens with incomes under \$30,000,
17 23 percent do not have a driver’s license.⁴¹ That percentage rises to 39 percent of low-income

18 [content/uploads/2014/03/FACTSHEET_Californias-Voting-Age-Population-English-Proficiency-Barriers-Faced.pdf](#) [as of July 9, 2026].)

19 ³⁵ (*Supra* fn. 11, *Breaking Barriers*, p. 3.)

20 ³⁶ (Langtree, *U.S. Disability Statistics by State, County, City and Age* (Apr. 12, 2026) Disabled World
21 <<https://www.disabled-world.com/disability/statistics/sec.php>> [as of July 9, 2026].) California’s disabled population
is similar at approximately 10 percent. (*Ibid.*)

22 ³⁷ (*Supra* fn. 25, Rothschild et al., p. 3.) Twenty percent of U.S. adult citizens with a disability do not have a driver’s
license compared to six percent of U.S. adult citizens without a disability. (*Ibid.*)

23 ³⁸ (Yu & Kamal, *California Made It Easier to Vote, But Some with Disabilities Still Face Barriers* (June 5, 2024) Cal.
Matters <<https://calmatters.org/politics/2024/06/california-voters-access-visually-impaired/>> [as of July 9, 2026];
24 Buchanan et al., *Promoting Access to Voting: Recommendations for Addressing Barriers to Private and Independent
Voting for People with Disabilities* (Mar. 2022) National Institute of Standards & Technology, pp. 9–15
25 <<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.1273.pdf>> [as of July 9, 2026] (paper withdrawn to
comply with executive order (E.O.) 14248).)

26 ³⁹ (*Supra* fn. 38, Buchanan et al., at 12–14.)

27 ⁴⁰ Low-income voters are more likely to be racial minorities who, as noted, face race-based barriers to voting. (Mitchell
et al., *The Consequences of Political Inequality and Voter Suppression for U.S. Economic Inequality and Growth* (Feb.
2021) Washington Center for Equitable Growth, p. 11 <[https://equitablegrowth.org/wp-
content/uploads/2021/02/010320-voter-suppression-report.pdf](https://equitablegrowth.org/wp-content/uploads/2021/02/010320-voter-suppression-report.pdf)> [as of July 9, 2026].)

28 ⁴¹ (*Supra* fn. 25, Rothschild et al., p. 3.)

1 voters who lack an ID with their current name and address,⁴² as low-income voters tend to have
2 housing instability and move homes more frequently (or have no home at all).⁴³ In addition,
3 acquiring an ID can be cost prohibitive for low-income voters, since the ID process involves various
4 direct and indirect costs that such voters dedicate towards housing and food security.⁴⁴ Under
5 Measure B, low-income voters will be forced to navigate greater time and transportation costs,
6 work disruptions, and unstable childcare both to secure an ID as well as to vote.⁴⁵

7 Measure B also purports to preclude mail-in voting except for “the infirm, military, and US
8 citizens living overseas.” An outright restriction on mail-in voting—and, by extension, on the use
9 of mail ballots returned at a drop box or at a voting location⁴⁶—for the vast majority of eligible
10 voters also threatens to worsen voting disparities and deter a wide swath of eligible voters from
11 casting their ballots. Mail ballots are vital to aiding voters with limited English proficiency.⁴⁷ To
12 reduce barriers to voting and encourage all eligible voters to participate, California law provides
13 for automatic issuance of mail ballots for all active registered voters. (See § 3000.5(a).) The use
14 of mail ballots is overwhelmingly the preferred method of voting by Shasta County voters: about
15 90 percent of those who turned out during the last major election for which there are certified
16 election results cast a mail ballot.⁴⁸ Eliminating the use of mail ballots for most voters, as Measure
17 B purports to do, will discourage countless Shasta County voters—especially those attending
18 college outside of the County, the 24 percent over the age of 65,⁴⁹ the 20 percent with a disability,

19
20 ⁴² (*Ibid.*)

⁴³ (*Supra* fn. 40, Mitchell et al., p. 8.)

21 ⁴⁴ (Sobel, *The High Cost of ‘Free’ Photo Voter Identification Cards* (June 2014) Harvard Law School Institute For
22 Race & Justice, p. 2 <[https://charleshamiltonhouston.org/wp-
content/uploads/2015/01/FullReportVoterIDJune2014.pdf](https://charleshamiltonhouston.org/wp-content/uploads/2015/01/FullReportVoterIDJune2014.pdf)> [as of July 9, 2026] [calculating the cost of acquiring ID
23 as \$75 to \$175 on average once accounting for factors such as acquiring required documentation, travel, and waiting
time].)

24 ⁴⁵ (*Ibid.*; Smith & Pattabhiraman, *How Inequality Keeps People from Voting* (Oct. 29, 2020) U.C. Berkeley Greater
Good Magazine <https://greatergood.berkeley.edu/article/item/how_inequality_keeps_people_from_voting> [as of
25 July 9, 2026].)

⁴⁶ (Elec. Code § 3017 [providing that mail ballots may be returned on or before Election Day by mail, at a voting
location, or at a drop box].)

26 ⁴⁷ (*Forging Ahead* (Aug. 25, 2025) Asian Law Caucus, p. 34 <[https://www.asianlawcaucus.org/news-resources/guides-
reports/forging-ahead-report-2025](https://www.asianlawcaucus.org/news-resources/guides-reports/forging-ahead-report-2025)> [as of July 9, 2026].)

27 ⁴⁸ (November 4, 2025, Statewide Special Election Voter Participation Statistics by County (2025)
<<https://elections.cdn.sos.ca.gov/sov/2025-special/sov/03-voter-participation-stats-by-county.pdf>> [as of July 2026].)

28 ⁴⁹ (*Supra* fn. 27, *QuickFacts Shasta County, California*.)

1 or the one-third of voters who live in rural areas—from exercising their fundamental right to vote.⁵⁰
2 Likewise, eliminating in-person early voting, again contrary to state law (see § 3016.3(b)), would
3 further limit access to the polls, especially for lower-income voters who have restrictive work
4 schedules and for older voters or voters with disabilities who may have limited (or nonexistent)
5 transportation options that make it more difficult to vote in-person.⁵¹

6 Lastly, Measure B’s provision that haphazardly clears the County’s voter roll risks
7 discrimination on protected grounds. The “strategic and overactive purging of voter registrations”
8 has “the same or similar effect as those [discriminatory policies in effect] in the past.”⁵² Indeed,
9 even though “these laws have been enacted with facially-neutral purposes like the prevention of
10 ineligible persons from voting, voter purges have often had the effect of clearing eligible voters
11 from state registration lists and in a manner that tends to discriminate by race and nationality.”⁵³
12 This was consistent with an unconstitutional voter purge in Ohio in 2016, which disproportionately
13 affected low-income voters and voters of color.⁵⁴ And voter purges rarely accomplish their stated
14 goal as there is no evidence in the County or elsewhere of widespread voter fraud.⁵⁵

15 In sum, just as the Legislature found when it adopted section 10005, local laws like Measure
16 B echo a long line of voter suppression laws and needlessly burden the fundamental right to vote
17 among all voters, and especially “low-income voters, voters of color, voters with disabilities, and
18 senior voters.” Allowing Measure B to stand threatens to disrupt fast-approaching deadlines for
19 the 2026 federal, state, and local elections, and impose unnecessary hurdles on the fundamental
20 right to vote, particularly in vulnerable communities.⁵⁶ If this Court does not invalidate Measure

21 ⁵⁰ (González et al., *Shasta County: Collaboration and Community Commitment Provide a Strong Foundation for*
22 *CYBHI Implementation* (2024), p. 4 <<https://cybhi.chhs.ca.gov/wp-content/uploads/2025/05/CYBHI-Eval-Shasta-Cty-CaseStdy.pdf>> [as of July 9, 2026].)

23 ⁵¹ (U.S. Senate Special Comm. On Aging, *Barriers to Voting for Older Americans*, pp. 4–9
24 <<https://www.aging.senate.gov/imo/media/doc/Voting%20Rights%20Report.pdf>> [as of July 9, 2026].)

25 ⁵² (Hardy, *Comment, Voter Suppression Post-Shelby: Impacts and Issues of Voter Purge and Voter ID Laws*, 71 *Mercer*
26 *L. Rev.* 857, 857 (2020).)

27 ⁵³ (*Id.* at 866.)

28 ⁵⁴ (Sullivan & Smith, *Use It or Lose It: Occasional Ohio Voters May Be Shut Out In November* (June 2, 2016) Reuters
29 <<https://www.reuters.com/article/us-usa-votingrights-ohio-insight-idUSKCN0YO19D/>> [as of July 9, 2026].)

30 ⁵⁵ (Gianopoulos, *How Much Is Enough? Voter Registration List Maintenance Under the NVRA*, 68 *Wayne L. Rev.* 265,
31 277 (2022).)

32 ⁵⁶ Even “[e]arly delays in one function can impact all other functions” in these “complex and sequential” elections
33 procedures. (*Vandermost v. Bowen* (2012) 53 Cal.4th 421, 455, quotations and citations omitted.) Here, for example,

1 B, the County is set to impose voter restrictions that will no doubt contribute to suppressed voter
2 turnout from all voters, especially those from marginalized groups.

3 * * *

4 Taken together, the historical and present context of voter suppression laws generally and
5 Measure B specifically reinforce the Legislature’s finding that voter suppression laws can be, and
6 have been, “used to disenfranchise low-income voters, voters of color, voters with disabilities, and
7 senior voters.” (2024 Cal. Legis. Serv. Ch. 990, § 1(a)(4) (SB-1174).) The Legislature has *already*
8 *found* that the voting restrictions established by Measure B threaten the fundamental right to vote
9 of voters from vulnerable communities and constitutes an improper practice contrary to the
10 California Constitution—the exact concern animating section 10005 and other relevant Elections
11 Code provisions.⁵⁷ The Legislature’s factual finding that laws like Measure B contribute to voter
12 suppression and burden the right to vote is entitled to “great weight.” (*Huntington Beach, supra*,
13 44 Cal.App.5th at 272, citing *State Bldg. & Construction Trades Council of Cal. v. City of Vista*
14 (2012) 54 Cal.4th 547, 558 (hereafter *City of Vista*).) The only way for this Court to effectuate the
15 “intent of the lawmakers, with a view to promoting rather than defeating [section 10005]” (*Lee v.*
16 *Hanley* (2015) 61 Cal.4th 1225, 1233), is to hold that Measure B is preempted.

17 **II. MEASURE B FATALLY CONFLICTS WITH THE ELECTIONS CODE.**

18 Not only does Measure B intrude on a policy area that the California Constitution expressly
19 confers on the Legislature, but the Legislature has already exercised its authority through several
20 provisions of the Elections Code to eliminate improper and potentially discriminatory local
21 electoral rules like those introduced by Measure B. (See *Bonta, supra*, 115 Cal.App.5th at p. 971
22

23 _____
24 county election officials must report active voter registrations to the Secretary of State by September 14. (§ 2187,
25 subd. (c)(5).) A delay in reporting due to confusion over Measure B’s restrictions mail-in voting, early voting, the
governing voter rolls, or any other related issues would undoubtedly impact the County’s ability to conduct federal,
state, and local elections in November.

26 ⁵⁷ The historical repression laid out above, in tandem with these legislative findings, demonstrate that Measure B
27 needlessly burdens the right to vote in violation of the California Constitution. (Cal. Const., art. II, § 2, subd. (a).)
28 Suppressive laws, like Measure B, that “significantly impair access to the ballot” (*Rubin v. City of Santa Monica* (9th
Cir. 2002) 308 F.3d 1008, 1015) “must be ‘narrowly drawn to advance a state interest of compelling importance.’”
(*Edelstein v. City and County of San Francisco* (2002) 29 Cal.4th 164, 174 (citation omitted).) But there are no
compelling reasons for Measure B, let alone one that outweighs the constitutional injury suffered by voters.

1 [allowing a locality “to make its own rules, in violation of the state Elections Code, would upset
2 the state’s delicate balance and could impugn the integrity of the [locality’s] elections.”]; 2024 Cal.
3 Legis. Serv. Ch. 990, § 1 (SB-1174) [“The implementation of voter identification laws in municipal
4 elections conflicts with California’s established, well-balanced methods of ensuring election
5 integrity across the state.”].)

6 It is well-settled that local laws like Measure B burden the constitutional right to vote and
7 conflict with state laws on election law matters of statewide concern and must be voided. (*Johnson*,
8 *supra*, 4 Cal.4th at p. 409 [“[T]he integrity of the electoral process, at both the state and local level,
9 is undoubtedly a statewide concern.”]; see also *Huntington Beach*, *supra*, 44 Cal.App.5th at p. 275
10 [“Guaranteeing rights and protections afforded by the state Constitution is a matter of statewide
11 concern.”].) Under bedrock California law, the County’s charter authority “is embraced within
12 (the) limits laid down by the state constitution and state statutes.” (*Younger v. Bd. of Supervisors*
13 (1979) 93 Cal.App.3d 864, 869 (internal quotation marks, ellipsis, and citation omitted).) “If
14 otherwise valid local legislation conflicts with state law, it is preempted by such law and is void.”
15 (*Chevron U.S.A. Inc. v. County of Monterey* (2023) 15 Cal.5th 135, 142 (hereafter *Chevron*),
16 quoting *Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, 897 (hereafter *Sherwin-*
17 *Williams*).) Although charter counties maintain limited authority to govern themselves on “matters
18 concerning the structure and operation of local government” (*Dibb v. County of San Diego* (1994)
19 8 Cal.4th 1200, 1207 (hereafter *Dibb*)), charter counties have substantially less home rule authority
20 than even charter cities. In even the more expansive charter city context, Courts of Appeal have
21 already held that “electoral integrity at the [local] level is a statewide concern reaching beyond the
22 individual’s constitutional right to vote” (*Bonta*, *supra*, 115 Cal.App.5th at p. 970) and protection
23 of the constitutional right to vote and the “[p]urity of all elections is a matter of statewide concern.”
24 (*Jauregui v. City of Palmdale* (2014) 226 Cal.App.4th 781, 801 (hereafter *Jauregui*), quoting
25 *Johnson*, *supra*, 4 Cal.4th at p. 409; *ibid.* [“Based on the analysis in *Johnson* and commonsense,
26 we conclude integrity in [local] elections is a matter of statewide concern.”].)

27 Binding precedent by the Courts of Appeal establishes that protecting the electoral franchise
28

1 for all eligible voters is a matter of statewide concern and that “charter cities may not enforce laws
2 [like Measure B] that are inconsistent with or impede statewide regulation of the integrity of the
3 political or electoral process.” (*Johnson, supra*, 4 Cal.4th at p. 403 fn.14; see also *Jauregui, supra*,
4 226 Cal.App.4th at p. 802 [“Article XI, section 5 does not bar the enforcement of” the California
5 Voting Rights Act by the state in a charter city].) As Petitioners correctly explain in their motion
6 for preliminary injunction, charter counties like Shasta, are similarly prohibited from enforcing
7 laws that are inconsistent with statewide regulation of elections, and this Court should enjoin
8 Measure B as preempted.

9 Even applying the California Supreme Court’s four-part test for determining whether a state
10 law unconstitutionally infringes a charter municipality’s authority (which is diminished as to a
11 charter county as compared to a charter city) confirms that Measure B far exceeds any “home rule
12 authority,” implicates matters of statewide concern, and must be invalidated. (*City of Vista, supra*,
13 54 Cal.4th at p. 556.) That four-part test asks whether: (1) the ordinance regulates solely a
14 “municipal affair”; (2) there is “an actual conflict” between state and local law; (3) the state law
15 “addresses a matter of ‘statewide concern’ ”; and (4) the state “law is ‘reasonably related to . . .
16 resolution’ of that concern [citation] and ‘narrowly tailored’ to avoid unnecessary interference in
17 local governance [citation].” (*Id.*, quoting *Cal. Fed. Savings & Loan Ass’n v. City of Los Angeles*
18 (1991) 54 Cal.3d 1, 16, 17, 24; *San Bernardino County Bd. of Supervisors v. Monell* (2023) 91
19 Cal.App.5th 1248, 1275, fn. 6 [“[C]ase law dealing with charter cities also applies to charter
20 counties.”]). Binding precedent overwhelmingly demonstrates that Measure B is preempted and
21 must be enjoined.

22 **A. Measure B Purports to Regulate All Elections in Shasta County and Thus**
23 **Extends Far Beyond Purely Municipal Affairs.**

24 For starters, Measure B flunks the very first part of the four-part test, as it regulates far more
25 than municipal affairs. “If every city and county were able to opt out of the statutory regime simply
26 by passing a local ordinance, the statewide goal[s] of [election integrity and guaranteeing the
27 fundamental right to vote] would surely be frustrated.” (*Huntington Beach, supra*, 44 Cal.App.5th
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1 at 275, quoting *Fiscal v. City and County of San Francisco* (2008) 158 Cal.App.4th 895, 919,
2 second alteration added.) By its plain text, Measure B has no limiting principles and appears to
3 regulate “[a]ll ballots,” “[a]ll voters,” all ballot “counting,” and all “voter rolls” for all elections
4 administered within Shasta County—including city, county, state, and federal elections. This fact
5 alone takes Measure B well outside the realm of a merely municipal affair. Regardless of a charter
6 county’s ability to regulate limited election-related matters, such as the terms of its elected officials,
7 (*People ex rel. Bonta v. County of Fresno* (Super. Ct. Fresno County, June 2, 2025, No.
8 24CECG03179) [Order Granting Writ Petition at p. 8]), the integrity of ***all elections*** across the
9 state—county elections included—remain matters of statewide concern whenever a locality like
10 the County adopts laws like Measure B that threaten to deprive California voters of their
11 fundamental right to vote. (Cal. Const., art. II, § 4.)

12 Any argument that Measure B regulates ***solely*** County elections, and not federal, state, and
13 other local elections too—contradicts the text and purpose of Measure B. All of those elections,
14 and the rights of voters, are inextricably intertwined. (See *Johnson, supra*, 4 Cal.4th at p. 409.)
15 County elections are generally coextensive with municipal, state, and federal elections, and
16 Measure B inserts an unlawful ban on mail-in voting, a purge of eligible voters, elimination of early
17 voting, and an ID requirement for registered voters at a critical juncture—right before they cast
18 their ballots in all manner of elections. In short, Measure B goes far beyond municipal affairs to
19 regulate state and federal elections in Shasta County. No home rule doctrine applies here—
20 Measure B is preempted by state law.

21 **B. Measure B Directly Conflicts with Several Elections Code Provisions.**

22 Even if Measure B could pass the first step of the four-part test (it cannot), it “presents an
23 actual conflict” with the Elections Code under settled conflict preemption principles, so it is invalid.
24 (*City of Vista, supra*, 54 Cal.4th at p. 556; see *O’Connell v. City of Stockton* (2007) 41 Cal.4th
25 1061, 1067 (hereafter *O’Connell*) [“A conflict exists if the local legislation ‘*duplicates, contradicts,*
26 *or enters an area fully occupied by general law, either expressly or by legislative implication.*’ ”],
27 quoting *Sherwin-Williams, supra*, 4 Cal.4th at p. 897, italics in original.) A “local ordinance
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1 contradicts state law when it is inimical to or cannot be reconciled with state law.” (*O’Connell*,
2 *supra*, 41 Cal.4th at p. 1068.) Conflict preemption is “genuine” where it is “unresolvable short of
3 choosing between one enactment and the other.” (*Chevron, supra*, 15 Cal.5th at p. 145, quoting
4 *Cal. Fed. Savings and Loan, supra*, 54 Cal.3d at p. 17.) Even leading proponents of Measure B,
5 including one Real Party in Interest, have admitted that sections of Measure B are “illegal.”⁵⁸ Here,
6 there are “genuine” and “unresolvable” conflicts between Measure B and several Elections Code
7 provisions.

8 **Presentment of ID to Vote.** Section 10005 prohibits any locality, including Shasta
9 County,⁵⁹ from adopting or enforcing any voter ID requirement like Measure B. Section 10005
10 plainly bars all localities from enforcing voter ID laws “at *any* polling place, vote center, or other
11 location where ballots are cast or submitted.” (§ 10005 [italics added].) The Legislature adopted
12 section 10005 based on its concerns that laws like Measure B would impede the State’s existing
13 framework for regulating elections and needlessly burden the right to vote. (See 2024 Cal. Legis.
14 Serv. Ch. 990, § 1(a)(8) (SB-1174) [“The implementation of voter identification laws in municipal
15 elections conflicts with California’s established, well-balanced methods of ensuring election
16 integrity across the state.”].) These concerns are particularly salient when the history of voter ID
17 laws in Section I *supra*, reveals that the imposition of extra hurdles on exercising the elective
18 franchise, as Measure B seeks to do, falls squarely in the realm of “improper practices” that the
19 California Constitution empowers the Legislature to “prohibit.” (Cal. Const., art. II, § 4.) As the
20 Legislature found when it passed SB 1174 and as the Court of Appeal made clear in *Bonta*, laws
21 like Measure B that force eligible voters to show ID before voting “conflict[] with” and undermine
22 the state’s well-calibrated efforts to ensure election integrity and protect the right to vote for all.
23 (2024 Cal. Legis. Serv. Ch. 990, § 1(a)(8) (SB-1174); see *Bonta, supra*, 115 Cal.App.5th at p. 969.)
24 In other words, Measure B effectuates the *exact opposite* of the Legislature’s intent in passing
25 section 10005, leaving no doubt that Measure B is preempted.

26
27 ⁵⁸ (*Supra* fn 5, Battaglia.)

28 ⁵⁹ (See § 10005 [“For the purpose of this section, ‘local government’ means any charter or general law city, charter or
general law county, or any city or county.”].)

Moreover, like section 10005, other provisions of the Elections Code make clear that the Legislature sees election integrity as “a paramount state concern” that the state bears responsibility for safeguarding.⁶⁰ (*Morehart v. County of Santa Barbara* (1994) 7 Cal.4th 725, 760.) Notably, the mandatory ID requirements in Measure B directly conflict with section 14216(a), which states that a “person desiring to vote shall state or provide his or her name and address and, upon the precinct officers finding the name in the roster, the voter shall then sign his or her name in the space provided.” (§ 14216, subd. (a).) Nothing more is required under state law. In other words, once a voter is duly registered to vote, section 14216(a) bars the County from imposing any additional burden beyond providing the voter’s “name,” “address,” and “signature” to election officials. (See *ibid.*) Yet, Measure B unlawfully demands more. It requires voters to produce “a government-issued photo ID . . . to verify they are on the voter roll on election day.”⁶¹ Simply put, Measure B conflicts with section 14216(a) because it imposes “more restrictive” proof requirements than authorized by the Code. (*O’Connell, supra*, 41 Cal.4th at p. 1075; *Tosi v. County of Fresno* (2008) 161 Cal.App.4th 799, 806 [“Because the ordinances regulate in a more restrictive manner the very conduct regulated in state law, the ordinances impermissibly conflict with state law.”]; *Tri County Apartment Assn. v. City of Mountain View* (1987) 196 Cal.App.3d 1283, 1295.) There is no serious dispute that Measure B’s voter ID requirements stand in direct conflict with sections 10005 and 14216(a).

Uncertified Hand-Count of Ballots. Measure B’s requirement that “[a]ll ballots shall be hand counted at the precincts . . . utilizing the tally book format in Linda Rantz’ Return to Hand Counting manual” flatly violates sections 19207 and 15270.1. Section 19207 requires the use of

⁶⁰ (See § 10005 [authority to enact or enforce voter identification laws exclusively with the state or federal government]; § 2168 [Secretary of State “shall” administer election administration]; § 2157, subd. (a) [voter registration affidavits must conform to Secretary of State regulations]; § 2196, subd. (a)(7) [Secretary of State shall “require” registering voters to provide: “(A) The number from the person’s California driver’s license or state identification card. (B) The person’s date of birth. (C) The last four digits of the person’s social security number. (D) Any other information the Secretary of State deems necessary to establish the identity of the affiant.”]; § 2124 [Secretary of State “shall . . . adopt uniform standards for proof of residency” for voters]; §§ 2111–12 [signing registration affidavit sufficient for proving U.S. citizenship]; § 2300, subd. (a)(2) [preserving voter’s right to cast a provisional ballot if voter cannot be verified by election officials]; § 14314 [Secretary of State shall promulgate regulations for processing provisional ballots]; § 18000 [criminal penalties for Code violations “appl[y] to all elections”]; 2024 Cal. Legis. Serv. Ch. 990, § 1(a)(5) (SB-1174) [“Existing law gives the Secretary of State jurisdiction over voter-eligibility functions.”].)

⁶¹ (*Supra* fn. 3, Measure B.)

1 electronic voting systems that “have been certified or conditionally approved by the Secretary of
2 State or specifically authorized by law.” Measure B’s proposed hand-count system does not meet
3 this requirement. What’s more, the Legislature also recently clarified, in response to the County’s
4 prior attempt to require hand-counting, that “an elections official shall not conduct a manual vote
5 count in an election” except in certain situations involving less than 5,000 registered voters.
6 (§ 15270.1(b).) The Legislature enacted section 15270.1 based on a factual finding that “[m]annual
7 tallies have been shown to be less accurate, slower, and more costly than machine tabulation,”
8 citing multiple studies confirming the inaccuracy of hand-counted ballots.⁶² Measure B thus
9 purports to supersede the statewide statutory framework for tabulating votes using certified election
10 systems—resulting in “less accurate” hand-counts that undermine election integrity and hinder the
11 right to vote across the County.

12 **Prohibition on Use of Mail Ballots.** Measure B also conflicts with state law that empowers
13 all voters the option to use mail ballots. Section 3003 requires that mail ballots must be “available
14 to any registered voter” without exception, (§ 3003), and section 3017 provides that mail ballots
15 may be returned on or before Election Day by mail, at a voting location, or at a drop box. (§ 3017.)
16 California’s Voter Bill of Rights also grants all voters the right to “return a completed vote by mail
17 ballot to any precinct in the county.” (§ 2300(a)(7).) Yet, Measure B prohibits all voters from
18 having access to mail-in ballots except “the infirm, military, and US citizens living overseas.” In
19 other words, Measure B would eviscerate the right to vote by mail for the vast majority of registered
20 voters in direct violation of sections 3003, 3017, and 2300.

21 **Prohibition on Early Voting.** Measure B further conflicts with state law by preventing
22 voters from voting early in-person in accordance with state law. Section 3016.3 requires counties
23 to make available “at least one early voting location on the Saturday before the day of the election.”
24 (§ 3016.3(b).) Despite this clear edict, Measure B permits only “one day” elections, with no
25 opportunity for early voting and “limited absentee ballots.” As discussed *supra*, arbitrarily
26 reducing the days that eligible voters have to vote early uniquely burdens elderly voters, voters with

27 ⁶² (Assem. Com. on Elections, Rep. on Assem. Bill No. 969 (2023-2024 Reg. Sess.), as amended Aug. 17, 2023, p. 4
28 <https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB969#> [as of July 9, 2026].)

1 disabilities, and rural voters. Not only does Measure B flatly conflict with section 3016.3 and is
2 thus preempted, but it would also prevent eligible voters from exercising their right to vote early.

3 **County-Only Voter Rolls.** Measure B directs the County to create a “new voter roll” that
4 is “not connected to the internet,” “the State of California, nor any other third party” in violation of
5 California law. California law provides that the Secretary of State will “establish and maintain a
6 statewide system” to maintain rolls of eligible voters. (§ 2168.) To effectuate this uniform voter
7 roll system statewide, county elections officials must “synchronize voter registration records in the
8 county election management system with the statewide voter registration system” and “use the
9 official statewide voter registration system to determine eligibility to vote.” (Cal. Code Regs, tit.
10 2, § 19060(c).) Measure B supersedes this express statutory requirement, with the inevitable result
11 of the state and County having wildly inconsistent voter rolls. Moreover, because Measure B forces
12 the County to “permanently remov[e]” voters who may otherwise be eligible to vote from the
13 County’s voter rolls, Measure B risks depriving numerous Shasta County voters of their right to
14 vote without notice or process prescribed in state law. (See § 2201 [limiting circumstances where
15 election officials may cancel election registrations].)

16 In sum, the fact that Measure B “is inimical to or cannot be reconciled” with numerous
17 provisions across the Elections Code leaves no doubt that Measure B is conflict preempted.
18 (*O’Connell, supra*, 41 Cal.4th at p. 1068.)

19 **C. Barring Improper Election Practices and Protecting the Right to Vote Are**
20 **Matters of Statewide Concern.**

21 Measure B plainly intrudes on the Legislature’s constitutional directives to ensure free and
22 secure elections and to protect the right to vote for all by eliminating restrictions to that right.

23 This Court should afford “great weight” to the factual findings that prompted the Legislature
24 to enact section 10005 and other relevant provisions of the Elections Code. (2024 Cal. Legis. Serv.
25 Ch. 990, § 1(b) (SB-1174); *Yumori-Kaku v. City of Santa Clara* (2020) 59 Cal.App.5th 385, 430
26 [“great weight” is also given to “legislative declarations of statewide concern” by courts when
27 deciding if “the general law supersedes conflicting charter enactments”], citing *Anderson v. City of*
28

1 *San Jose* (2019) 42 Cal.App.5th 683, 703.) “The basis for deferring to the legislative evaluation of
2 a problem is that ‘the factors which influenced the Legislature to adopt the general laws may
3 likewise lead the courts to the conclusion that the matter is of statewide rather than merely local
4 concern.’ ” (*Huntington Beach, supra*, 44 Cal.App.5th at p. 272, quoting *Anderson v. City of San*
5 *Jose, supra*, 42 Cal.App.5th at p. 707, internal quotation marks omitted.) Moreover, if there is any
6 “doubt [over] whether a matter which is of concern to both municipalities and the state is of
7 sufficient statewide concern to justify a new legislative intrusion,” such doubt “ ‘must be resolved
8 in favor of the legislative authority of the state.’ ” (*Baggett v. Gates* (1982), 32 Cal.3d 128, 140,
9 citation omitted (hereafter *Baggett*).)

10 The “Supreme Court has explained that integrity in the municipal electoral process is” “a
11 statewide interest.” (*Bonta, supra*, 115 Cal.App.5th at p. 970, quoting *Jauregui*, 226 Cal.App.4th
12 at 801.) This is so because “[e]lectoral results lack integrity where a protected class is denied equal
13 participation in the electoral process.” (*Ibid.*) The history of voter discrimination detailed *supra*
14 Section I “provide[s] useful historical context” to show how the statewide election provisions
15 protect “the right of citizens to vote against unnecessary interference by [local government.”
16 (*Bonta, supra*, 115 Cal.App.5th at p. 970.) “These examples amply demonstrate the weight of the
17 state’s interest in regulating (and, where possible, eliminating) barriers to voting.” (*Ibid.*) Measure
18 B embodies a straightforward example where, “*under the historical circumstances presented*, the
19 state has a more substantial interest in the subject than the charter [locality],” such that Measure B
20 is plainly preempted. (*City of Vista, supra*, 54 Cal.4th at p. 558, alternation in original, citation
21 omitted.)

22 **D. The Relevant Elections Code Provisions Avoid Unnecessary Interference in**
23 **Municipal Affairs.**

24 The County cannot claim any home rule authority since there “is a ‘direct, substantial
25 connection between the rights provided by [Measure B] and the Legislature’s asserted purpose.’ ”
26 (*Huntington Beach, supra*, 44 Cal.App.5th at p. 277, quoting *Baggett, supra*, 32 Cal.3d at p. 140.)

27 As detailed above, the Legislature’s adoption of the Elections Code, and especially section
28

1 10005, is expressly authorized by the California Constitution and is reasonably related to the
2 statewide concerns of ensuring election integrity, protecting the right to vote, and banning improper
3 practices that affect elections. In *Jauregui*, the Court of Appeal answered the issue presented here
4 by finding that the California Voting Rights Act of 2001 (§§ 14025–32) is “reasonably related to
5 the right to vote” and “integrity of elections,” and “not unduly broad in sweep” with respect to
6 municipal affairs. (*Jauregui*, *supra*, 226 Cal.App.4th at p. 802.) The Court of Appeal in *Bonta*
7 reached the same conclusion when it blocked Huntington Beach’s Measure A as violative of state
8 law just last year. (See *Bonta*, *supra*, 115 Cal.App.5th at p. 971.)

9 Here, the exact same conclusion must follow. Binding precedent has already determined
10 that state laws that regulate elections like section 10005 are “reasonably related to the statewide
11 issue it addresses: election integrity.” (*Ibid.*) The Court of Appeal reached that conclusion because
12 section 10005 bars local government officials from requiring “a person to present identification for
13 the purpose of voting or submitting a ballot at any polling place,” which prevents laws like Measure
14 B from “disenfranchis[ing] low-income voters, voters of color, voters with disabilities, and senior
15 voters.” (2024 Cal. Legis. Serv. Ch. 990, § 1(a)(4) (SB-1174).) Section 10005 and other Elections
16 Code provisions thus have an obvious nexus to state constitutional “right to vote” and the “integrity
17 of elections” (*Jauregui*, *supra*, 226 Cal.App.4th at p. 802), and the sweeping reach of each is
18 appropriately-tailored to restrict local intrusion into voting rights and “California’s established,
19 well-balanced methods of ensuring election integrity across the state.” (2024 Cal. Legis. Serv. Ch.
20 990, § 1(a)(8) (SB-1174).)

21 * * *

22 In sum, even applying the more rigorous test for home rule for a charter city—which need
23 not apply here in the muted context of a charter *county*—each and every step in the four-part test
24 confirms that California law preempts Measure B.

25 CONCLUSION

26 For the foregoing reasons, amici respectfully submit that the Court hold that Measure B is
27 preempted by California law.

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