



## SB 231 (Hertzberg) – Sewer Tax – OPPOSE

### **C.A.R. Opposes Bill That Allows Property Owners to Be TAXED WITHOUT a Vote**

PLEASE CALL TODAY! VOTE COULD BE MONDAY!

C.A.R. is OPPOSING SB 231 (Hertzberg), a bill that allows local governments to circumvent the State Constitution and Proposition 218 to tax property owners directly for costs related to stormwater infrastructure projects without the legally required voter approval. C.A.R opposes SB 231 because it uses legal “sleight of hand” to allow local governments to impose new taxes without required voter input. The bill will be considered by the ENTIRE Assembly as soon as Monday, June 19<sup>th</sup>.

#### **Action Items**

**Call your Assembly Member TODAY!  
Urge a NO Vote on SB 231**

**Call 1-800-798-6593**

Enter your **NRDS ID** (or the Red Alert **PIN number** in the chart below) followed by the # sign to be connected to your legislator's office.

**When staff answers the phone, you can use the following script:**

"Hi, this is (insert your name). I'm a constituent and a REALTOR®. Please ask the Assembly Member to Vote No on SB 231. Don't allow local governments to impose stormwater taxes by side-stepping voters."

**Also, if you use Twitter™, please Tweet the following:**

*Govt shouldn't side-step voters on stormwater tax. <Insert legislator Twitter™ handle> No tax increase without a vote. #NoSB231 #CALeg*

Assembly Member		PIN Number	Twitter™ Handle
Joaquin	Arambula	9818	@drarambula559

#### **Background**

Current law, as enacted by voters with Proposition 218 – The Right to Vote on Taxes initiative, requires that all new property-related taxes and most fees proposed by a local government or agency must be approved by 2/3 of the voters. A limited exception to this general rule exists for fees assessed for water, garbage, and sewer service.

SB 231 will redefine the word ‘sewer’ in the law in order to avoid the 2/3 vote

requirement and directly tax property-owners for larger stormwater infrastructure projects.

### **Talking Points**

- **SB 231 is an attempt to impose TAXES without voter approval.** Proponents claim the bill only seeks to attach a definition to the term “sewers.” In reality, the bill is nothing more than legal “trickery” to get around having to get voter approval for a new tax.
- **SB 231 is a blatant attempt to circumvent the will of the voters.** SB 231 ignores the will and mandate of the voters, by creating an expansive definition of the word ‘sewer’ that is neither consistent with public policy, the intent of the voters, nor the plain meaning of the word.
- **Voters SHOULD have the ability to approve or deny paying for larger infrastructure projects.** Notwithstanding the merits of a particular project, Proposition 218 gave the decision-making authority for funding to the voters. And the voters should be the ones to decide.

### **For More Information**

Please contact DeAnn Kerr at [deannk@car.org](mailto:deannk@car.org) or Rian Barrett at [rianb@car.org](mailto:rianb@car.org)