

**RESOLUTION OF THE BOARD OF EDUCATION
ORANGE COUNTY CALIFORNIA**

Opposing Senate Bill ("SB") 249 Regarding County Board Elections

April 2, 2025

WHEREAS, on or about February 1, 2021, Sen. David Min introduced SB 286, moving the Orange County Board of Education ("Board") elections from the June primary election to the November general election ballot; and

WHEREAS, on August 11, 2022, SB 286 was held in the Assembly Appropriations Committee suspense file; and

WHEREAS, the tabling of SB 286 blocked passage of the bill; and

WHEREAS, SB 286 was held in suspense in part because it created a new reimbursable state mandate creating State General Fund expenses every election cycle; and

WHEREAS, on or about January 4, 2024, Senator Josh Newman introduced SB 907, seeking not only to move Board elections from the June primary to the November general election ballot, but also adding two (2) Board trustees; and

WHEREAS, on February 7, 2024, the Board formally opposed SB 907, resolving in relevant part:

- The OCBE does not support adding hundreds of thousands and costs taxpayers must fund to reconfigure the board, changed its selection process, and add additional trustees.

WHEREAS, on September 28, 2024, Governor Gavin Newsom vetoed SB 907 stating:

To the Members of the California State Senate: I am returning Senate Bill 907 without my signature. This bill requires the Orange County Board of Education (OCBOE) to be increased from five to seven members and requires an election for the OCBOE to be consolidated with the statewide general election in November of each even-numbered year. I appreciate the author's intent to increase representation on the OCBOE. However, there are local processes for altering the number of members on a county board of education and changing when local elections are held. State circumvention of these local procedures, especially with respect to a single county board of education, should be avoided absent extraordinary circumstances. Unfortunately, I am not convinced those circumstances exist in the context of this legislation. For these reasons, I cannot sign this bill. Sincerely, Gavin Newsom

WHEREAS, on March 10, 2025, Senator Tom Umberg amended SB 249; and

WHEREAS, Senator Umberg's amendment would require, beginning January 1, 2026, all county board of education elections to be held in the November general election in even-numbered years; and

WHEREAS, SB 249 would change the county board of election procedures for five (5) California counties: Orange, Riverside, Sacramento, San Joaquin and Alameda; and

WHEREAS, all impacted counties have the ability to change their election procedures through local action; and

WHEREAS, changing elective procedures in all impacted counties would create five (5) new and separate reimbursable mandates to be paid through the state general fund. For example:

- In 2024, regarding SB 907, the California Senate Appropriations Committee found that costs in the hundreds of thousands of dollars would be incurred for the Orange County Registrar to change election procedures; and

WHEREAS, SB 249 will potentially cost the State General Fund five (5) times that of the recent Orange County projected cost; and

WHEREAS, the California Department of Finance opposed both SB 286 and SB 907 based upon their fiscal impact to the State General Fund; and

WHEREAS, Governor Newsom's veto of SB 907 emphasized the importance of avoiding state intervention in local procedures.

THEREFORE, BE IT RESOLVED:

1. The Board opposes SB 249 because it is a usurpation of local electoral control.
2. The Board opposes SB 249 because it is an unnecessary drain on the State General Fund.
3. The Board opposes SB 249 because no special circumstances exist to justify state circumvention of local procedures.
4. The Board calls for the county boards and departments of education in Riverside, Sacramento, San Joaquin and Alameda to join in opposition to SB 249.

ADOPTED AND APPROVED this 2nd day of April, 2025 at a regular meeting of the Orange County Board of Education.

AYES:

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NOES:

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ABSENT: 0
ABSTAINED: 0

State of California)
) ss.
County of Orange)

I, Ken L. Williams, D.O., President of the Board of Education of Orange County, California, hereby certify that the foregoing Resolution was duly and regularly adopted by said Board at a regular meeting thereof held on the 2nd day of April, 2025.

IN WITNESS THEREOF, I have hereunto set my hand and seal to this Resolution this 2nd day of April, 2025.

Ken Williams, D.O.
Ken L. Williams, D.O., President
Orange County Board of Education

