



For Immediate Release

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**CA LEGISLATURE TO SUPREME COURT:
LET CALIFORNIANS VOTE ON WHETHER TO OVERTURN CITIZENS UNITED**

*The California State Legislature asks Supreme Court to restore Proposition 49 to the ballot,
the Overturn Citizens United Act.*

SAN FRANCISCO, CA – January 19, 2015, The California State Legislature filed today a Petition for Rehearing in *Howard Jarvis Taxpayers Association v. Padilla* (No. S220289). The Petition calls on the Court to modify the Court's opinion and restore Proposition 49, the Overturn Citizens United Act, to the ballot to let Californians instruct Congress and the Legislature to pass and ratify a constitutional amendment that would limit campaign spending and establish that only human beings (and not corporations) enjoy constitutional rights.

On January 4, 2016, the Supreme Court ruled 6 to 1 in *HJTA v. Padilla* that Proposition 49, the Overturn Citizens United Act, valid under the California Constitution. The ruling was a stunning reversal of the Court's August 2014 5-1 decision to remove Proposition 49 from the November 2014 ballot. However, rather than restore Proposition 49 to the November 2016 ballot, the Court suggested that the Legislature pass a new bill.

"The Court didn't finish the job with its ruling on *HJTA v. Padilla*," said Michele Sutter, co-founder of MOVI (Money Out Voters In), the *Overturn Citizens United Act's* lead supporter. "This rehearing will allow them the opportunity to do justice for the 18 million California voters the Court has now disenfranchised twice. Californians have earned the right to vote to overturn *Citizens United*. If the Court hadn't intervened to remove the legislature's perfectly legal ballot measure, something the court had never done before, we'd have voted on Prop 49 in 2014. The Court needs to correct its mistake and restore Prop 49 to the ballot."

"The California Supreme Court created this problem by blocking the people from voting on this question in 2014, for reasons that the court now admits were incorrect. This filing asks the Court to clean up the mess it created," said Ron Fein, the Legal Director for Free Speech For People and co-author of an *amicus curiae* brief filed in the California Supreme Court case.

"Clearly, when the legislature specified that Prop 49 should appear on the November 2014 ballot, it intended for the measure to appear on the ballot," said Trent Lange, President of the California Clean Money Campaign. "The California Supreme Court should restore it now, rather than allowing a technicality to disenfranchise Californians from advising our representatives to pass a constitutional amendment repealing Citizens United."

"The Justices should clean up their own mess, not ask others to do it for them. If they can find the authority in the California Constitution to erroneously remove a question from the ballot, they can find the authority to put it back," said Derek Cressman, the Campaign Manager of the Yes on Prop 49 Committee and author of *When Money Talks: The High Price of "Free" Speech and the Selling of Democracy*.

"Justice is delayed, but it will not be denied. The Legislature can count on an upswell of We the People who will demand that a voter instruction be placed on the 2016 ballot that tells Congress to pass a Constitutional Amendment to overturn Citizens United," said Kathay Feng, Common Cause CA.

“As presidential candidates race to raise money for their campaign coffers, the need to limit the influence of extremely wealthy and corporate donors in our elections is clearer than ever. At the urging of their constituents, the legislature put Prop 49 on the ballot back in 2014, and we are counting on the legislature to do whatever it takes to allow Californians to hold a vote on the 2016 ballot,” said Emily Rusch, Executive Director of CALPIRG

Sixteen states and more than 650 cities and towns across the country have called on their representatives to support this amendment. In 2012, 75 percent of the voters in Montana and Colorado passed ballot initiatives calling for an amendment. Presidential candidates Hillary Clinton, Sen. Bernie Sanders (I-Vt.) and Sen. Lindsey Graham (R-S.C.), who suspended his campaign for President on December 21st, have each called for an amendment to overturn the *Citizens United* decision.

To arrange interviews, please contact Edward Erikson at Edward.Erikson@gmail.com or call 202-420-9947

Money Out Voters In is a nonpartisan, grassroots organization dedicated to putting the American people in charge of our own government. <http://www.moneyoutvotersin.org/>

Free Speech For People is a national non-partisan campaign pressing for a Constitutional amendment to reclaim our democracy. Learn more at: <http://freespeechforpeople.org/>

Common Cause California is a non-profit, non-partisan, grassroots advocacy organization that works to strengthen public participation and ensure that public officials and public institutions are accountable and responsive to citizens. <http://www.commoncause.org/states/california/>

California Clean Money Campaign is a non-profit, non-partisan, organization dedicated to achieving an open and accountable government that is responsive to the needs of all Californians. <http://www.caclean.org/>

The California Public Interest Research Group, CALPIRG, is a statewide consumer group that stands up to powerful interests whenever they threaten our health and safety, our financial security, or our right to fully participate in our democratic society. <http://www.calpirg.org/>