

November 9, 2023

Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4797

Re: ***Legislature of the State of California et al. v. Weber (Hiltachk)***
Case No. S281977

Honorable Chief Justice Gurrero and Associate Justices,

We write in our capacity as duly elected members of the California State Legislature, asking you to summarily deny Petitioners' writ of mandate and request for a stay of the Taxpayer Protection and Government Accountability Act (hereafter TPA) that is currently eligible for the November 2024 ballot.

It is important to note at the outset, we have not taken a position on TPA. However, unless it is withdrawn by its proponent, the duly qualified measure *should* appear on the ballot. We were not consulted before members of the Legislature went to extraordinary lengths to request this Court intervene in the initiative process to remove TPA from the ballot, which would deprive voters of their right to weigh in on important policy matters. To be clear, we oppose this action. The foundational role that the citizens' initiative plays in our state, and the right of the voters to utilize the initiative process, cannot and should not be abridged by this Court.

Nothing in Petitioners' writ necessitates pre-election review, and we ask this Court to allow voters to weigh in first, before any legal challenges are heard and decided. If the measure fails, and it very well may, then the issue will be moot. Even if the measure is approved by voters, there will be ample time to decide any legal issues at that time. Removing this measure from the ballot would be a marked departure from this Court's well-established jurisprudence, and could set a dangerous precedent to undermine the voters' reserved initiative power, which has long been a paramount structural element of our state Constitution.

For these reasons, we respectfully ask the Court to summarily dismiss the Petition.

Sincerely,



Don Perata
Former President Pro Tempore
California State Senate



Mike Roos
Former Speaker Pro Tempore
California State Assembly



Joe Coto
Former Assemblymember
California State Assembly