

CALIFORNIA PROP 39

Amends the California Constitution to Require Voters to Present Government-Issued Identification to Vote

Purpose

Proposition 39 is a citizen initiated constitutional amendment that would require voters to present government-issued identification to vote in person or to provide identifying information to vote by mail. It would also require election officials to make best efforts to verify that voters on the rolls are U.S. citizens.¹

Research Assistant: Keith Maben '28

Background

According to the California Legislative Analyst's Office (LAO), in order to register to vote in California, a person must be a U.S. citizen, reside in the state, be at least 18 years old, not currently in prison, and not be found unable to vote by a court.² A voter's identity is established during the registration process through his or her driver's license number, state identification number, or Social Security number's last four digits. A voter who does not provide this information during the registration process may be asked to present it when first casting a ballot.³

Under current law, when voters cast a ballot in person, they identify themselves by signing a list of registered voters prior to voting. When voters mail in their ballots, they identify themselves by signing the envelope containing their ballot. Election officials verify signatures on vote-by-mail ballots before counting them but typically do not do so for in-person voters' ballots.⁴ Also, California does not require that voters present identification to vote on election day, one of only 14 U.S. states that allow voters to cast ballots without presenting identification.⁵

Proposition 39 has been the subject of two notable court challenges, both filed in the Sacramento County Superior Court. The first concerned the measure's ballot title. The initiative originally qualified for the ballot under the title: "Establishes additional voter identification and citizenship verification requirements." On July 3, 2026, California Attorney General Rob Bonta's office revised the official title to read: "Prohibits citizens from voting unless they present government-issued identification."⁶ Proponents of Proposition 39 sued, arguing that the revised language mischaracterized the measure. On August 6, 2026, Judge Jennifer Rockwell denied the petition, ruling that Attorney General Bonta's title, summary, and label accurately describe Proposition 39.⁷

The second case concerned the ballot argument in favor of Proposition 39 that would appear in the state's official voter information guide. California Assembly Speaker Robert Rivas (D-29) and Senate President Pro Tempore Monique Limón (D-21) filed suit, arguing that several claims in the guide were false and misleading.⁸ Specifically, they took issue with language claiming that the measure would make it easier to vote and would save the state money. On August 6, 2026, Judge Shelleyanne Chang ruled that the challenged statements were indeed false and misleading, and granted Rivas and Limón's petition.

Proposal

If approved, Proposition 39 would:⁹

- Require “state and local election officials to make ‘best efforts... to verify that voters on the rolls are U.S. Citizens” and to report the proportion of registered voters in each county whose citizenship status has been verified.
- Require voters to present government-issued identification while voting in person.
- Require voters to provide the last four digits of their selected government-issued identification number on the ballot envelope when voting by mail.
- Create a free-state-issued voter identification card that voters could request and use to meet the identification requirement.
- Require the State Auditor to review state and county compliance with the measure every odd-numbered year and to recommend improvements.
- Require the legislature to pass additional laws to implement the measure, as Proposition 39 leaves several details undefined, including which forms of identification would qualify and what steps are considered “best efforts” to verify the citizenship status of registered voters.

Fiscal Impact

The LAO estimates that Proposition 39 would increase state and local government costs by tens of millions to hundreds of millions of dollars each year. This would represent less than 0.25% of the state’s General Fund budget.¹⁰ The precise cost would depend on future decisions made by the legislature, state departments, local governments, and voters. For instance, the design of the voter identification card and the number of voters who request one could affect the measure’s overall cost. The state could realize savings if fewer people registered to vote due to the removal of ineligible voters or of eligible voters who lacked government-issued identification. But the LAO estimates that these potential savings likely would not exceed the measure’s costs.¹¹

SUPPORT FOR PROPOSITION 39

Supporters of Proposition 39 Include:¹²

- State Assemblymember Carl DeMaio (R-75)
- California Republican Party
- Reform California
- Californians for Voter ID
- Former California Secretary of State Bill Jones (R)
- Howard Jarvis Taxpayers Association

The proponents' official website is <https://www.voteridca.org/>.

As of September 19, 2026, proponents had raised a total of \$30,686,973.¹³

Arguments for Proposition 39¹⁴

Supporters argue Proposition 39 would:

- Increase trust in California's elections.
- Bring California in line with most other states, which require voters to show some form of identification to vote.
- Keep voting easy while simultaneously making it more secure.
- Not place burdens on voters such as birth certificates or other additional documentation.
- Guarantee every citizen a free government ID if they wanted one.
- Require California's voter lists to be accurate and up-to-date, ensuring that only citizens are registered.

OPPOSITION TO PROPOSITION 39

Opponents of Proposition 39 Include:¹⁵

- U.S. Senator Alex Padilla (D)
- Gubernatorial Candidate Xavier Becerra (D)
- California Democratic Party
- American Civil Liberties Union
- Common Cause
- League of Women Voters of California
- Californians for Voting Rights
- California Teachers Association
- SEIU California

The opponents' official website is: CAforvotingrights.org.

As of September 19, 2026, opponents had raised \$15,768,273.¹⁶

Arguments Against Proposition 39¹⁷

Opponents argue Proposition 39 would:

- Enact a scheme by Donald Trump and his cronies to rig California elections, undermining freedom and democracy at the cost to taxpayers of hundreds of millions of dollars.
- Make voting more challenging for eligible voters who lack a driver's license or other approved form of identification.
- Place burdens disproportionately on voters who have disabilities, low-incomes, or have recently moved.
- Burden women who have changed their names after marriage, creating potential confusion at the ballot box.

A YES VOTE ON PROPOSITION 39

A YES vote on Proposition 39 would amend the California Constitution to require voters to present government-issued identification to vote, and would direct election officials to verify the citizenship status of registered voters.

A NO VOTE ON PROPOSITION 39

A NO vote on Proposition 39 would maintain current law, under which a voter's identity is established through signature verification for mail-in ballots, but there is usually no signature verification for in-person voting and voters need not present identification.

Endnotes

- 1 The text of the proposed constitutional amendment is at California Secretary of State, *Official Voter Information Guide, General Election, November 3, 2026*, pp. 133-134, <https://vig.cdn.sos.ca.gov/2026/general/pdf/complete-vig.pdf>.
- 2 California Legislative Analyst's Office (LAO), Propositions on the November 3, 2026 Ballot, "Proposition 39," <https://lao.ca.gov/BallotAnalysis/Proposition?number=39&year=2026>.
- 3 LAO, "Proposition 39."
- 4 LAO, "Proposition 39."
- 5 Ballotpedia, "Voter Identification Laws by State," accessed August 25, 2026, https://ballotpedia.org/Voter_identification_laws_by_state.
- 6 Ashley Zavala, "Prop 39 Campaign Sues California Attorney General Over Ballot Title Change for Voter ID Measure," *KCRA*, July 29, 2026, <https://www.kcra.com/article/prop-39-campaign-sues-california-attorney-general-voter-id-measure/73296334>.
- 7 Democracy Docket, "California Court Shuts Down GOP Bid to Sanitize Anti-voting Measure," August 6, 2026, <https://www.democracymatters.com/news-alerts/california-court-shuts-down-gop-bid-to-sanitize-anti-voting-measure/>.
- 8 Alan Riquelmy, "California Judge Rules Voter ID Supporters Must Rewrite Ballot Arguments," *Courthouse News Service*, August 6, 2026, <https://www.courthouse-news.com/california-judge-rules-voter-id-supporters-must-rewrite-ballot-arguments/>.
- 9 LAO, "Proposition 39."
- 10 LAO, "Proposition 39."
- 11 LAO, "Proposition 39."
- 12 CalMatters, "What to Know About Prop. 39, CA Voter ID Initiative," August 4, 2026, <https://calmatters.org/california-voter-guide-2026/proposition-39-voter-id/>; Ballotpedia, "California Proposition 39, Voter Identification, Citizenship Verification, and Registered Voter List Administration Initiative (2026)," accessed August 29, 2026, [https://ballotpedia.org/California_Proposition_39_Voter_Identification_Citizenship_Verification_and_Registered_Voter_List_Administration_Initiative_\(2026\)#google_vignette](https://ballotpedia.org/California_Proposition_39_Voter_Identification_Citizenship_Verification_and_Registered_Voter_List_Administration_Initiative_(2026)#google_vignette); CA Secretary of State, *Official Voter Information Guide*, pp. 52-53.
- 13 Ballotpedia, "Proposition 39."
- 14 CA Secretary of State, *Official Voter Information Guide*, pp. 52-53.
- 15 CalMatters, "What to Know About Prop. 39"; Ballotpedia, "California Proposition 39"; California Secretary of State, "Argument Against Proposition 39," <https://elections.cdn.sos.ca.gov/public-display/prop-39-arg-against.pdf>.
- 16 Ballotpedia, "Proposition 39."
- 17 CA Secretary of State, *Official Voter Information Guide*, pp. 52-53; Ballotpedia, "Proposition 39"; CalMatters, "What to Know About Prop. 39."

