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***Close Elections Forecast for Proposition 15 (Split Roll Property Taxes)
and Proposition 22 (App-based Drivers)
Prop. 16 (Diversity) and Prop. 21 (Rent Control) trail***

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The final pre-election *Berkeley IGS Poll* finds that Californians are closely divided on two of the most contentious of this year's state ballot propositions. These include Proposition 15, the "split roll" initiative to tax commercial and industrial properties based on current market value instead of its purchase price, and Proposition 22, the app-based drivers initiative whose aim is to classify such workers as independent contractors rather than employees. In both cases slightly more of those polled said they either already had or were intending to vote Yes than were voting No. However, neither initiative had reached the 50% plus one voter threshold needed for passage two weeks before Election Day at the time the poll was completed.

The poll found 49% of voters in favor of Prop. 15 and 42% on the No side, with 9% undecided. Yet, this lead was less than half the 15-point advantage found in a similar *Berkeley IGS Poll* last month. When comparing the two polls, the proportion of voters opposes to the initiative had increased 8 points, while support for Prop. 15 was stagnant. If history is any guide, when late campaign shifts toward the No side are observed in heavily contested and well-financed ballot measures like Prop. 15, its lead tends to reduce further in the closing weeks, resulting in a closer outcome.

With regard to Prop. 22, 46% of the voters polled were voting Yes to have app-based drivers be treated as independent contractors, while 42% were voting No to classify them as employees. A sizable 12% were undecided. The early mid-September *Berkeley IGS Poll* found 39% of likely voters intending to vote Yes on Prop. 22 and 36% on the No side, with 25% undecided. The relatively large proportions of undecided voters in both polls suggest that many voters were having a difficult time reaching a final decision on this initiative. How these late deciding voters ultimately come to judgement will likely determine its fate.

The poll finds less support for two other, closely watched measures on the statewide election ballot. These include Proposition 16, an initiative to bring greater diversity into

public employment, education and contracting decisions and overturn a previously approved 1996 ballot initiative, Proposition 209, that banned such affirmative action programs, and Proposition 21, an initiative to expand the authority of local governments to enact rent control laws on residential property. Both measures trailed by double-digit margins in the latest poll, with each receiving less than 40% support.

IGS Co-Director Eric Schickler commented that “the fates of Propositions 15 and 22 will be important signals of whether the state’s Democrats can translate their electoral advantage into substantive policy changes in taxes and corporate governance.”

Table 1 Trend of likely voter preferences regarding four salient statewide propositions appearing on California’s November 2020 election ballot			
	Yes %	No %	Undecided %
<u>Proposition 15</u> (Split roll property taxes)			
October 16-23	49	42	9
September 9-15	49	34	17
<u>Proposition 16</u> (Diversity in public employment, education and contracting)			
October 16-23	38	49	13
September 9-15	33	41	26
<u>Proposition 21</u> (Rent control)			
October 16-23	37	48	15
September 9-15	37	37	26
<u>Proposition 22</u> (App-based drivers as independent contractors)			
October 16-23	46	42	12
September 9-15	39	36	25

Voters in conflict over competing arguments relating to Proposition 15

In an attempt to better understand voter motivations behind the vote on Prop. 15, the poll asked voters whether they agreed or disagreed with two statements that have been made about Proposition 15, one by initiative proponents and the other by its opponents. The results demonstrate the conflict that many voters face when making a final voting decision on this initiative.

When asked the statement that Prop. 15 will bring much needed revenues to the state’s public schools, community colleges and local governments, 47% of voters agree, while 37% disagree. Opinions about the need for these additional revenues were highly correlated with voting preferences on Prop. 15, with those voting Yes overwhelmingly in agreement (79% to 8%), while No voters disagreed 76% to 13%. Significantly, undecided voters were more likely to agree than disagree, 40% to 13%, although nearly half (47%) had no opinion.

On the other hand, an even larger majority agree that the proposed changes to the way commercial and industrial properties are to be taxed under Prop. 15 would only be the first step in bringing about similar changes to the way residential properties are taxed in the future. A 56% majority of likely voters agreed with this statement, while 19% disagreed and 25% had no opinion. Voters opposed to the initiative overwhelmingly concurred with the statement, 72% to 13%. And even a plurality of Prop. 15's supporters agreed (47% to 24%), although many had no opinion.

Table 2
How likely voter preferences on Proposition 15 vary with regard to two competing arguments about the initiative

	Total likely voters %	Yes voters %	No voters %	Undecided voters %
<u>The additional tax revenues that Proposition 15 would bring to the state's public schools, community colleges and local governments are needed given the large revenue losses these institutions are facing as a result of the coronavirus pandemic.</u>				
Agree	47	79	13	40
Disagree	37	8	76	13
No opinion	16	13	11	47
<u>The proposed changes to how commercial and industrial properties are taxed under this year's Proposition 15 ballot initiative are only the first step to making other similar changes to the way residential properties are taxed in the future.</u>				
Agree	56	47	72	31
Disagree	19	24	13	16
No opinion	25	29	15	53

Voting preferences on Prop. 15 vary across major segments of the electorate

The poll finds clear partisan and ideological divisions in voter preferences on Prop. 15. Democrats and self-described liberal voters were favoring the initiative by large margins, while Republicans and conservatives were one-sided in their opposition.

Homeowners were intending to vote No by 10 points, while renters were supporting Prop. 15 by 25 points. Regionally, support for the initiative was greatest among voters in Los Angeles County, the San Francisco Bay Area, while majorities of voters in Orange County and the Central Valley were opposed.

Opinions on Prop. 15 also varied by a voter's age and educational background. Voters under age 40 were among the initiative's strongest backers, while pluralities of voters age 50 or older were voting No, especially those age 75 or older. Majorities of voters holding a bachelors' degree and those who had completed post graduate work were lining up on the Yes side, while pluralities of non-college graduates were voting No.

Table 3 Voter preferences on Prop. 15 (Split Roll Property Taxes) across major subgroups of the likely electorate			
	Yes	No	Undecided
	%	%	%
Total likely voters	49	42	9
Democrat	70	20	10
Republican	10	85	5
No Party Preference	49	39	12
Other parties	36	58	8
Very conservative	8	87	5
Somewhat conservative	13	80	7
Moderate	41	49	10
Somewhat liberal	73	16	11
Very liberal	85	5	10
Homeowner	41	51	8
Renter/other	57	32	11
Los Angeles County	53	37	10
San Diego County	43	45	12
Orange County	39	53	8
Inland Empire	41	46	13
Other Southern California	50	42	8
Central Valley	38	53	9
San Francisco Bay Area	59	33	8
Other Northern California	53	39	8
Male	49	44	7
Female	48	41	11
18-29	67	21	12
30-39	56	33	11
40-49	48	42	10
50-64	43	48	9
65-74	44	49	7
75 or older	33	62	5
White non-Hispanic	46	47	7
Latino	51	36	13
Asian / Pacific Islander	55	36	9
Black	60	31	9
High school graduate	41	47	12
Some college/trade school	43	48	9
Bachelors' degree	54	39	7
Post graduate work	58	31	11

Subgroup variations on Prop. 22 (App-based Drivers)

Republicans were supporting Prop. 22, the app-based drivers initiative 71% to 21%, while Democrats were opposed, although not by as large a margin, 52% to 34%. No Party Preference and minor party voters were closely divided on the initiative.

Views of Prop. 22 also differed by political ideology as large majorities of conservatives were voting Yes and majorities of liberals voting No. Significantly, the poll found self-described political moderates backing the initiative by thirteen points, 49% to 36%, with 15% undecided.

There were also big differences in voting preferences by age. The poll found majorities of voters under age 40 on the No side, while pluralities of voters age 50 or older were in favor, in particular those age 75 or older, who supported it two to one.

On a regional basis, Yes side voters were outnumbering No voters on Prop. 22 across all regions of the state with the exception of the San Francisco Bay Area where it trailed by twenty points and Los Angeles County and the counties north of San Francisco where voters were divided.

While differences were also evident between voters living in union-affiliated households and those in non-union households, these differences were not as large as might be expected given the nature of the initiative and the fact that the state's labor unions are among its strongest opponents. Voters living in union-affiliated households were opposing the initiative by 51% to 40%, while voters in non-union households were voting in favor 47% to 41%.

In addition, the poll found the state's Latinos and Asian American voters closely divided on the initiative, while Black voters were backing it by 20 points and whites favoring it by 5 points.

Table 4 Voter preferences on Prop. 22 (App-based Drivers as Independent Contractors) across major subgroups of the likely electorate			
	Yes	No	Undecided
	%	%	%
Total likely voters	46	42	12
Democrat	34	52	14
Republican	71	21	8
No Party Preference	44	45	11
Other parties	46	43	11
Very conservative	71	23	6
Somewhat conservative	69	20	11
Moderate	49	36	15
Somewhat liberal	33	56	11
Very liberal	19	70	11
Union household	40	51	9
Non-union household	47	41	12
Los Angeles County	44	45	11
San Diego County	53	32	15
Orange County	53	40	7
Inland Empire	50	37	13
Other Southern California	47	37	16
Central Valley	54	33	13
San Francisco Bay Area	35	55	10
Other Northern California	44	43	13
Male	47	44	9
Female	45	41	14
18-29	36	55	9
30-39	36	52	12
40-49	44	43	13
50-64	52	37	11
65-74	48	38	14
75 or older	61	30	9
White non-Hispanic	47	42	11
Latino	43	44	13
Asian / Pacific Islander	45	45	10
Black	53	33	14
High school graduate	45	41	14
Some college/trade school	51	39	10
Bachelors' degree	44	44	12
Post graduate work	42	47	11

Voting preferences on Prop. 16 (Diversity in Public Employment, Education and Contracting)

When asked how they would vote on Prop. 16, the poll found just 38% of voters backing the measure, while 49% were opposed. While Democrats were supporting the initiative nearly two-to-one margin (57% to 26%), Republicans were nearly unanimous in their opposition, with 86% voting No and just 6% voting Yes. Majorities of No Party Preference and minor party voters were also lining up on the No side.

Voting preferences also differed widely by a voter's self-described political ideology, with more than eight in ten conservatives voting No, and large majorities of liberals voting Yes. However, political moderates, a major swing voting bloc, were opposing Prop. 16 by twenty-three points.

Opposition to Prop. 16 was broad-based across the state's major geographic regions, with majorities or pluralities of voters in nearly all regions voting No. The lone exception was the nine-county San Francisco Bay Area, where voters were narrowly in favor, 48% to 40%.

While Prop. 16 was being backed by the state's Black voters by twenty-five points, the state's Latino voters were about evenly divided. On the other hand, the poll found Asian American voters now joining whites in opposing the initiative.

IGS Co-Director Cristina Mora noted that "the absence of strong Latino support for Proposition 16 is surprising given that the community remains significantly underrepresented in higher education and public employment in California and would stand to benefit from the proposition's passage."

Women voters, another key segment, were closely dividing their votes, with 41% voting Yes and 44% voting No. By contrast, men were heavily on the No side, 54% to 35%.

In addition, the poll found differences in voting preferences by education, with voters non-college graduates opposing Prop. 16 five to three, while voters who had completed post graduate work were backing the initiative by eleven points.

Table 5 Voter preferences on Prop. 16 (Diversity in Public Employment, Education and Contracting) across major subgroups of the likely electorate			
	Yes	No	Undecided
	%	%	%
Total likely voters	38	49	13
Democrat	57	26	17
Republican	6	86	8
No Party Preference	33	54	13
Other parties	27	56	17
Very conservative	6	87	7
Somewhat conservative	9	82	9
Moderate	31	54	15
Somewhat liberal	56	28	16
Very liberal	74	12	14
Los Angeles County	44	42	14
San Diego County	32	52	16
Orange County	29	59	12
Inland Empire	31	55	14
Other Southern California	36	52	12
Central Valley	27	58	15
San Francisco Bay Area	48	40	12
Other Northern California	38	53	9
Male	35	54	11
Female	41	44	15
18-29	43	41	16
30-39	42	43	15
40-49	35	50	15
50-64	35	52	13
65-74	40	50	10
75 or older	30	59	11
White non-Hispanic	35	53	12
Latino	40	42	18
Asian / Pacific Islander	39	50	11
Black	58	33	9
High school graduate	30	52	18
Some college/trade school	32	56	12
Bachelors' degree	42	45	13
Post graduate work	50	39	11

Voter preferences on Prop. 21 (Rent Control)

With regard to Prop 21, just 37% of the voters polled were on the Yes side, while 48% were voting No, and another 15% undecided. Just two years ago California voters rejected a similar rent control ballot initiative 59% to 41%.

The partisan divide in voter preferences on Prop. 21 resembles that of Prop. 16. While Democrats were supporting the initiative roughly two to one (53% to 29%), Republicans were overwhelmingly opposed, 83% to 9%. Pluralities of No Party Preference and minor party voters were also lining up on the No side.

In addition, conservative voters were solidly opposed, while liberals, especially those describing themselves as very liberal were voting Yes. Political moderates were also voting No by seventeen points.

As would be expected, big differences are seen between renters and homeowners on the rent control initiative, with renters backing the initiative 50% to 34%, but homeowners opposed by an even greater 61% to 26% margin.

Preferences on Prop. 21 were also tied to the income level of voters. Majorities of voters at the upper end of the income scale were voting No, while pluralities of voters at the lower end were on the Yes side. Middle-income voters, those whose households earned between \$40,000 and \$100,000 annually, were also narrowly on the No side.

The poll found the state's whites opposing the rent control initiative by a wide margin. Black voters were backing the rent control initiative greater than two to one, Latinos was also supportive by a narrower 10-point margin, while the state's Asian American voters were narrowly on the No side.

There were genders differences on Prop. 21 as well, with male voter opposed by seventeen points (52% to 35%) and women about evenly divided.

Table 6 Voter preferences on Prop. 21 (Rent Control) across major subgroups of the likely electorate			
	Yes	No	Undecided
	%	%	%
Total likely voters	37	48	15
Democrat	53	29	18
Republican	9	83	8
No Party Preference	36	47	17
Other parties	34	55	11
Very conservative	13	79	8
Somewhat conservative	10	80	10
Moderate	34	51	15
Somewhat liberal	51	31	18
Very liberal	74	11	15
Homeowner	26	61	13
Renter/other	50	34	16
Los Angeles County	48	36	16
San Diego County	31	53	16
Orange County	32	59	9
Inland Empire	35	51	14
Other Southern California	31	54	15
Central Valley	27	56	17
San Francisco Bay Area	41	46	13
Other Northern California	36	47	17
Male	35	52	13
Female	40	44	16
18-29	47	31	22
30-39	47	38	15
40-49	40	46	14
50-64	36	51	13
65-74	27	58	15
75 or older	28	64	8
White non-Hispanic	32	54	14
Latino	46	36	18
Asian / Pacific Islander	39	45	16
Black	64	28	8
Less than \$20,000	52	28	20
\$20,000-\$39,999	48	38	14
\$40,000-\$99,999	40	46	14
\$100,000 or more	31	56	13

About the Survey

The findings in this report are based on a *Berkeley IGS Poll* completed by the Institute of Governmental Studies (IGS) at the University of California, Berkeley. The poll was administered online in English and Spanish October 16-21, 2020 among 6,686 California registered voters, of whom 5,352 were considered likely to vote or had already voted in this year's election.

The survey was administered by distributing email invitations to stratified random samples of the state's registered voters. Each email invited voters to participate in a non-partisan survey conducted by the University and provided a link to the IGS website where the survey was housed. Reminder emails were distributed to non-responding voters and an opt out link was provided for voters not wishing to receive further email invitations.

Samples of registered voters with email addresses were provided to IGS by Political Data, Inc., a leading supplier of registered voter lists in California and were derived from information contained on the state's official voter registration rolls. Prior to the distribution of emails, the overall sample was stratified by age and gender in an attempt to obtain a proper balance of survey respondents across major segments of the registered voter population.

To protect the anonymity of survey respondents, voters' email addresses and all other personally identifiable information derived from the original voter listing were purged from the data file and replaced with a unique and anonymous identification number during data processing. In addition, post-stratification weights were applied to align the overall sample of registered voters to population characteristics of the state's registered voters. Likely voters were identified based on a voter's stated interest in and intention to vote in the election and factoring in their history of voting in past elections.

The sampling error associated with the results from the survey are difficult to calculate precisely due to the effects of sample stratification and the post-stratification weighting. Nevertheless, it is likely that findings based on the sample of likely voters in the election are subject to a sampling error of approximately +/-2 percentage points at the 95% confidence level.

Detailed tabulations reporting the results to each question can be found at the *Berkeley IGS Poll* website at <https://www.igs.berkeley.edu/research/berkeley-igs-poll>.

Question wording

PROPOSITION 15: INCREASES FUNDING SOURCES FOR PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND LOCAL GOVERNMENT SERVICES BY CHANGING TAX ASSESSMENT OF COMMERCIAL AND INDUSTRIAL PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT.

Taxes such properties based on current market value, instead of purchase price. Fiscal impact: Increased property taxes on commercial properties worth more than \$3 million providing \$6.5 billion to \$11.5 billion in new funding to local governments and schools. (If the election were held today how would you vote on Proposition 15?) (How did you vote on Proposition 15?)

PROPOSITION 16: ALLOWS DIVERSITY AS A FACTOR IN PUBLIC EMPLOYMENT, EDUCATION AND CONTRACTING DECISIONS. LEGISLATIVE CONSTITUTIONAL AMENDMENT. Permits government decision-making policies to consider race, sex, color, ethnicity, or national origin in order to address diversity by repealing constitutional provision prohibiting such policies. Fiscal Impact: No direct fiscal effect on state and local entities. The effects of the measure depend on the future choices of state and local government entities and are

highly uncertain. (If the election were held today how would you vote on Proposition 16?) (How did you vote on Proposition 16?)

PROPOSITION 21: EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE. Allows local governments to establish rent control on residential properties over 15 years old. Local limits on rate increases may differ from statewide limit. Fiscal Impact: Overall, a potential reduction in state and local revenues in the high tens of millions of dollars per year over time. Depending on actions by local communities, revenue losses could be less or more. (If the election were held today how would you vote on Proposition 21?) (How did you vote on Proposition 21?)

PROPOSITION 22: EXEMPTS APP-BASED TRANSPORTATION AND DELIVERY COMPANIES FROM PROVIDING EMPLOYEE BENEFITS TO CERTAIN DRIVERS. INITIATIVE STATUTE. Classifies app-based drivers as "independent contractors," instead of "employees," and provides independent-contractor drivers other compensation, unless certain criteria are met. Fiscal Impact: Minor increase in state income taxes paid by rideshare and delivery company drivers and investors. (If the election were held today how would you vote on Proposition 22?) (How did you vote on Proposition 22?)

Do you agree or disagree with the following statements? (ORDER OF STATEMENTS ROTATED)

- (1) "The proposed changes to how commercial and industrial properties are taxed under this year's Proposition 13 ballot initiative are only the first step to making other similar changes to the way residential properties are taxed in the future."
- (2) "The additional tax revenues that Proposition 13 would bring to the state's public schools, community colleges and local governments are needed given the large revenue losses these institutions are facing as a result of the coronavirus pandemic."

About the Institute of Governmental Studies

The Institute of Governmental Studies (IGS) is an interdisciplinary organized research unit that pursues a vigorous program of research, education, publication and public service. A component of the University of California system's flagship Berkeley campus, IGS is the oldest organized research unit in the UC system and the oldest public policy research center in the state. IGS's co-directors are Professor Eric Schickler and Associate Professor Cristina Mora.

IGS conducts periodic surveys of public opinion in California on matters of politics and public policy through its *Berkeley IGS Poll*. The poll, which is disseminated widely, seeks to provide a broad measure of contemporary public opinion, and to generate data for subsequent scholarly analysis. The director of the *Berkeley IGS Poll* is Mark DiCamillo. For a complete listing of stories issued by the *Berkeley IGS Poll* go to <https://www.igs.berkeley.edu/research/berkeley-igs-poll>.