

‘Batten down the hatches’ Gavin Newsom wants \$25M to fight Trump as president-elect’s legal ‘hurricane’ looms over California

December 19, 2024



Gov. Gavin Newsom wants state lawmakers to help pad out his litigation fund to the tune of \$25 million, according to his office, as they brace for legal attacks and “federal overreach” from President-elect Donald Trump.

“The Governor is working with lawmakers to establish a litigation fund to bolster the state’s legal resources in response to the incoming federal administration’s signaled policy proposals that would harm the state,” Newsom’s team said in a speech to State Senators and Assembly members, Dec. 3. “Working with the Legislature, the Governor is proposing a new litigation fund of up to \$25 million for the California Department of Justice and state agencies to defend California from unconstitutional federal overreach, challenge illegal federal actions in court, and take administrative actions to reduce potential harm.”

Newsom, who first announced the establishment of a new litigation fund on Nov. 7, had issued a proclamation last month convening a special session of the California Legislature “to safeguard California

values and fundamental rights in the face of an incoming Trump administration,” according to his office. That special session is now beginning this week.

On Monday, legislation was introduced by California Assemblyman Jesse Gabriel, D-Encino, to set aside the \$25 million that Newsom has asked for. An additional \$500,000 was requested to help cover the costs of “initial case preparation,” according to Gabriel’s office.

“While we always hope to collaborate with our federal partners, California will be ready to vigorously defend our interests and values from any unlawful action by the incoming Trump Administration,” Gabriel said in a statement. “We know from President-elect Trump’s statements — and from the more than 120 lawsuits that California filed during the first Trump Administration — that we must be prepared to defend ourselves. We’re not going to be caught flat-footed.”

Senate Budget Chair Scott Wiener, a Democrat who represents San Francisco, also introduced a budget bill on Monday that includes the \$25 million for the Golden State’s Department of Justice and an additional \$10 million to help give county and city attorneys protection from policy challenges.

“We’re in the calm before the storm and we know the hurricane force winds are about to hit from the incoming federal administration,” said Senate President Pro Tem Mike McGuire in a statement. “It’s time to get prepared and batten down the hatches.”

The special session was said to have been convened as a way for lawmakers to “focus on bolstering California legal resources,” according to Newsom’s office, “to protect civil rights, reproductive freedom, climate action and immigrant families.” The governor released a statement on Sunday calling his state “a tent pole of the country” that must be legally protected.

“We will work with the incoming administration and we want President Trump to succeed in serving all Americans,” Newsom said. “But when there is overreach, when lives are threatened, when rights and freedoms are targeted, we will take action. And that is exactly what this special session is about — setting this state up for success, regardless of who is in the White House.”

Newsom has said that he fears Trump will go after the state’s stances on abortion, environmental protections and federal disaster response funding, among other things, following repeated threats by the former and future president to do so. Between 2017 and 2021, California reportedly filed more than 120 lawsuits challenging Trump’s authority on things like health care, gun control, civil rights issues and immigration.

“The Governor’s proposed legal investment has the potential to yield significant returns for California families and protect billions of dollars in state funding,” Newsom’s office said Sunday. “The new litigation fund will help safeguard critical funding for disaster relief, health care programs, and other vital services that millions of Californians depend on daily. It will also position the state to defend against unlawful federal actions that could jeopardize not only tangible resources but also immeasurable protections, such as access to reproductive health care, access to clean air and water, and fundamental civil rights.”

When Newsom first called for the special session of the Legislature last month, he stated that California's freedoms were "under attack" and promised to not "sit idle."

"We are prepared, and we will do everything necessary to ensure Californians have the support and resources they need to thrive," Newsom said.

According to Gabriel's office, the legislation that was introduced by him on Monday includes two special session bills: Assembly Bill (AB) X1-1 and ABX1-2. The first will set aside the \$25 million in funding to cover "the costs of potential litigation," while the second will "immediately allocate" the \$500,000 needed for case preparation.

"Both bills will be considered by a special session Budget Committee appointed by Assembly Speaker Robert Rivas, where they are expected to further develop through ongoing conversations with the State Senate and Governor Newsom," Gabriel's office said Monday. "The goal is to pass both bills and have them signed into law prior to the inauguration of President-elect Trump on January 20, 2025."