



2017

Legislative Guide To
CALIFORNIA
ELECTION LAWS

SUMMARY OF ELECTION RELATED LEGISLATION

California Association of Clerks and Election Officials

LEGISLATIVE GUIDE TO ELECTION LAWS

2017

Summary of Election Related Legislation



**CALIFORNIA ASSOCIATION OF CLERKS AND
ELECTION OFFICIALS**

How to Use This Manual

This Legislative Guide to Election Laws has been prepared to provide you with a summary of election related legislation chaptered or vetoed in 2017. Changes in or additions to text are shown by underlined italics, deletions are indicated by strikeouts. In addition to summaries of legislation and California code language, the manual also contains the Assembly or Senate Bill number, chapter number assigned by the Secretary of State, Governor's veto letters, and a table of code sections affected by chaptered legislation. A copy of each bill listed in its full text can be obtained from the Legislative Counsel of California at www.leginfo.ca.gov.

Disclaimer

It is not the intent of the authors of this publication to provide any legal analysis or opinion relating to the bills listed herein. Please note that anyone using this guide must bear full responsibility to make their own determinations as to all legal standards, duties and factual material contained therein.

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Section One

BILL LISTING

	<u>BILL NO.</u>	<u>CHAPTER NO.</u>
ASSEMBLY	4	29
	187	183
	195	105
	249	546
	467	640
	469	839
	551	196
	606	656
	660	381
	722	409
	765	748
	801	711
	837	819
	840	820
	867	749
	895	111
	901	713
	918	845
	1044	85
	1104	715
	1154	88
	1194	795
	1344	796
	1367	848
	1403	797
	1516	561
	1620	800

	<u>BILL NO.</u>	<u>CHAPTER NO.</u>
	1729	354
	1730	118
ASSEMBLY CONSTITUTIONAL AMENDMENT	17	190
ASSEMBLY JOINT RESOLUTION	1	122
SENATE	5	852
	45	827
	96	28
	117	180
	205	387
	226	855
	235	512
	267	622
	286	806
	332	161
	358	624
	365	216
	511	394
	568	335
	595	650
	597	570
	628	243
	634	833
	665	75
Senate Joint Resolution	3	100
	11	189
TOTAL COUNT:	52	

Section Two

SECTIONS AFFECTED

Am = Amended, Add = Added, R = Repealed, Rn = Renumbered

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
EDUCATION	5224	243	R
	5224.1	243	R
	5225	243	Am
	72031	243	Am
ELECTIONS	10	394	Am
	316	335	Am, R, Add
	319.5	806	Am
	325	806	Add
	336.5	806	Am
	338.5	806	Add
	338.6	806	Add
	339	806	Am
	340	335	Am, R, Add
	349.5	806	Add
	357.5	806	Add
	359.2	806	Add
	1000	335	Am, R, Add
	1001	335	Am, R, Add
	1201	335	Am, R, Add
	1202	335	Am, R, Add
	1405	748	Am
	2105.5	796	Am
	2105.6	796	Add
	2153	118	Am
	2154	806	Am
	2155	806	Am
	2155.4	29	Am
	2183	806	Am
	2184	806	Am
	2185	806	Am
	2189	806	Am
	2191	806	Am
	2194	656	Am
2221	806	Am	
2226	806	Am	

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
	2300	806	Am
	3005	806	Am
	3015	806	Am
	3016	806	Am
	3017	561	Am
	3017	806	Am
	3019	820	Am
	3021	806	Am
	3023	85	Am
	3108	797	Am
	3108	806	Am
	3109	806	Am
	4000.5	845	Am
	4001.5	845	Am
	4005	180	Am
	4005	845	Am
	4005.5	180	Add
	4005.6	845	Add
	8106	839	Am
	9067	75	Am
	9084	656	Am
	9086	656	Am
	9094.5	656	Am
	9096	656	Am
	9111	748	Am
	9116	748	R
	9118	748	Am
	9166	75	Am
	9212	748	Am
	9214	748	R
	9215	748	Am
	9287	75	Am
	9310	748	Am
	9311	748	R
	9401	795	Am
	9503	75	Am
	10010	561	Am
	10545	806	Am
	11020	118	Am
	11104	28	Am
	11104	180	Add and R
	11105	180	R
	11106	28	Am
	11106	180	Add and R

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
	11108	28	Am
	11108	180	Add and R
	11324	180	Add and R
	12105.5	806	Am
	12106	806	Am
	12107	806	Am
	12108	806	Am
	12224	806	Am
	12262	118	Am
	12281	806	Am
	12283	806	Am
	12286	806	Am
	12303	845	Am
	12310	806	Am
	12312	806	Am
	12313	806	Am
	12318	806	Am
	12321	806	Am
	13101	806	Am
	13107	512	Am
	13119	105	Am
	13216.5	806	Add
	13303	806	Am
	13315	806	Am
	13324	28	Am
	14102	806	Am
	14103	806	Am
	14105	806	Am
	14105	819	Am
	14105.1	806	Am
	14105.2	819	Add
	14105.3	806	Am
	14107	806	Am
	14108	806	R
	14113	806	Am
	14200	806	Am
	14200	845	Am
	14201	845	Am
	14202	806	Am
	14212	806	Am
	14216	806	Am
	14217	806	Am
	14227.5	819	Add
	14240	806	Am

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
	14243	806	Am
	14244	806	Am
	14246	806	Am
	14282	845	Am
	14294	806	Am
	14297	806	Am
	14298	806	Am
	14300	806	Am
	14310	806	Am
	14403	806	Am
	14404	806	Am
	14405	806	Am
	14430	806	Am
	14432	806	Am
	15111	806	Am
	15201	806	Am
	15250	806	Am
	15250.5	806	Am
	15251	806	Am
	15278	806	Am
	15320	806	Am
	15360	88	Am
	15360	820	Am
	17001	806	Am
	17200	354	Am
	17300	806	Am
	17303	806	Am
	17304	806	Am
	17305	806	Am
	17306	806	Am
	18320	715	Am
	18380	806	Am
	18660	848	Am
	21534	561	Am
	21535	561	Am
	21550	711	Am
	21551	711	Add
	21552	711	Add
	21553	711	Add
	23002	561	Am

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
	Article 2.5 (commencing with Section 14428) to Chapter 4 of Division 14	806	Add
	Section 93 of Chapter 28 of the Statutes of 2017 the heading of Article 5 (commencing with Section 2183) of Chapter 2 of Division 2	180 806	R Am
GOVERNMENT	1360	387	Am
	6205	570	Am
	6205.5	570	Am
	6206	570	Am
	6206.7	570	Am
	6208.5	570	Am
	6209.5	570	Am
	6209.7	570	Am
	6253.5	354	Am
	12173	656	Am
	16202	387	Am
	23725	713	Add
	25536.9	387	Am
	57114.5	833	R
	61250	409	Am
	68203	28	Am
	82004.5	749	Add
	82015	749	Am
	82022.5	749	Add
	82025	546	Am
	82041.3	749	Add
	83123.7	622	Add and R
	84204.5	183	Am
	84215	111	Am
	84224	749	Add
	84305	546	Am
	84305.7	855	Am
	84310	546	Am
	84501	546	Am
	84502	546	Add

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
	84503	546	Add
	84504	546	Add
	84504.1	546	Add
	84504.2	546	Add
	84504.3	546	Add
	84504.4	546	Add
	84504.5	546	Add
	84505	546	Am
	84506	546	R
	84506.5	546	Am
	84507	546	R
	84508	546	R
	84509	546	Add
	84510	546	Am
	84511	546	Am
	84602.3	624	Add
	84605	111	Am
	84606	111	Am
	85400	749	Am
	85704	546	Am
	87406	800	Am
	87406.3	196	Am
	89002	827	Add
	89003	827	Add
	(Chapter 28 of the First Extraordinary Session of the Statutes of 1962)	833	R
LABOR	90.6	28	Add
	98.7	28	Am
	226.4	28	Am
	1174.1	28	Add
	1197.1	28	Am
	1287	28	Am
	1684	28	Am
	1725.5	28	Am
	1742.1	28	Am
	1770	28	Am
	1771.1	28	Am
	1771.3	28	Am
	1771.4	28	Am
	1773.3	28	Am
	1773.6	28	Am

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
	1778	28	Am
	1780	28	Am
	1811	28	Am
	1860	28	Am
	2065	28	Am
	2675.5	28	Am
	6310	28	Am
	6427	28	Am
	6429	28	Am
	6431	28	Am
	6505.5	28	Am
	7381	28	Am
	9060	28	Am
MILITARY	79.3	28	Add
	79.4	28	Add
	1010	28	Add
	1011	28	Add
	1012	28	Am
	1012.1	28	Am
	1012.2	28	Am
	1012.3	28	Am
	1012.4	28	Am
	1012.6	28	R
	1014	28	R
	1015	28	R
	1023	28	Am
	1024	28	R
	1025	28	Am
	1026	28	R
	1030.1	28	Am
	1031	28	Am
	1032	28	Am
	1033.1	28	Add
	1033.2	28	R
	1034	28	Am
	1035	28	Am
	1035.05	28	Am
	1035.1	28	Am
	1035.2	28	Am
	1035.3	28	Am
	1035.4	28	Am
	1035.5	28	Am

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
	1035.6	28	Am
	1035.7	28	Am
	1036	28	Am
	1037	28	Am
	1038	28	Am
	1038.1	28	Am
	1038.5	28	Am
	1039.3	28	Am
	1042	28	Am
	1042.1	28	Am
	1043	28	Am
	1044	28	Am
	1044.5	28	Am
	1045	28	Am
	1046	28	Am
	1050	28	Am
	1051	28	Add
	1410	28	Am
	1412	28	Am
	1416	28	Am
PENAL	602.1	381	Am
PUBLIC RESOURCES CODE	5506.13	216	Add
PUBLIC UTILITIES	640	180203	Am
	852	5096.611	Add
	852	75089.5	Add
		add Division 45 (commenci ng with Section 80000)	
	852	80000)	Add
STREETS AND HIGHWAYS	30923	650	Add

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
WATER	79772.5	852	Add
WELFARE AND INSTITUTIONS CODE	11403.5	161	Add

Section Three

2017 CHAPTERED LEGISLATION

VOTER NOTIFICATION

[Assembly Bill 4](#)

Chapter 29

CURRENT PROVISIONS

Existing law requires a county elections official, upon receipt of a properly executed affidavit of registration or address correction notice or letter, to send a voter a voter notification stating that he or she is registered to vote and providing additional information. If a person under 18 years of age submits an affidavit of registration, the county elections official is required to send that person a voter preregistration notification stating that he or she is preregistered to vote and providing additional information.

NEW PROVISIONS

Authorizes a county elections official to first send the recipient of a voter notification or voter preregistration notification a text message or email indicating that his or her information has been received and that a subsequent notification will follow.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 2155.4.

An elections official may, upon receipt of a properly executed affidavit of registration or address correction notice or letter pursuant to Section 2119, Article 2 (commencing with Section 2220) of Chapter 3, or the federal National Voter Registration Act of 1993 (52 U.S.C. Sec. 20501 et seq.), or an affidavit of registration pursuant to Section 2101 or subdivision (d) of Section 2102, notify the sender by text message or email that his or her voter registration information has been received and that he or she will receive a subsequent notification pursuant to Section 2155 or 2155.3.

POLITICAL REFORM ACT OF 1974: LOCAL BALLOT MEASURE CONTRIBUTION AND EXPENDITURE REPORTING

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Assembly Bill 187**Chapter 183****CURRENT PROVISIONS**

The Political Reform Act of 1974 provides that if a committee receives contributions totaling \$2,000 or more in a calendar year and is subject to a specified reporting requirement, that committee is required to file online or electronically with the Secretary of State each time it makes contributions of independent expenditures of at least \$5,000 to support or oppose the qualification or passage of a single state ballot measure.

Existing law requires that the filing occur within 10 business days of the contribution or independent expenditure and that it contain detailed information relating to the committee, ballot initiative, and contribution or independent expenditure.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

NEW PROVISIONS

Requires a committee to file a report each time it makes contributions or independent expenditures aggregating \$5,000 or more to support or oppose the qualification of a single local initiative or referendum ballot measure.

Requires that the report be filed in a specified manner within 10 business days of reaching the aggregated dollar threshold. The bill would prescribe the information contained within the report.

SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 84204.5.**

(b) In addition to any other report required by this title, a committee pursuant to subdivision (a) of Section 82013 shall file a report each time it makes contributions totaling five thousand dollars (\$5,000) or more or independent expenditures aggregating five thousand dollars (\$5,000) or more to support or oppose the qualification of a single local initiative or referendum ballot measure. A committee that is required to file a report under this subdivision shall file the report in the places where it would be required to file campaign statements under this article as if it were formed or existing primarily to support or oppose the local initiative or referendum ballot measure. The report shall be filed within 10 business days of reaching the aggregate dollar threshold and shall contain all of the following:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

(1) The full name, street address, and identification number of the committee.

(2) The name or subject of the measure.

(3) The date, amount, and a description of the goods or services for which the contribution or expenditure was made, and in the case of a contribution, the name, address, and identification number of the committee. In addition, the report shall include the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 regarding contributions or loans received from a person described in that subdivision, covering the period from the day after the closing date of the last campaign report filed to the date of the contribution or expenditure, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the contribution or expenditure. The information described in paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 that is required to be reported pursuant to this subdivision is not required to be reported in more than one report provided for in this subdivision for each contribution or loan received from a person described in subdivision (f) of Section 84211.

(c) Reports required by this section are not required to be filed by a committee primarily formed to support or oppose the qualification or passage of a state ballot measure or the qualification of a local initiative or referendum ballot measure for expenditures made on behalf of the ballot measure or measures for which it is formed.

LOCAL INITIATIVE MEASURES: BALLOT PRINTING SPECIFICATIONS

Assembly Bill 195

Chapter 105

CURRENT PROVISIONS

Existing law requires that the ballots used when voting upon a proposed county, city, or district ordinance submitted to the voters as an initiative measure have printed on them a specified statement describing the nature of the proposed ordinance.

NEW PROVISIONS

Extends existing law which requires that the ballots used when voting upon a proposed county, city, or district ordinance submitted as an initiative measure have printed on them specified text relating to the proposed ordinance, to include any measure submitted to the voters that is proposed by a local governing body or submitted to the voters as an initiative measure.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 13119

(a) The ballots used when voting upon a measure proposed ~~county, city, or district ordinance submitted to the voters of the respective~~ by a local government governing body or submitted to the voters as an initiative or referendum measure pursuant to Division 9 (commencing with Section 9000), including a measure authorizing the issuance of bonds or the incurrence of debt, shall have printed on them the words "Shall the ~~ordinance~~ measure (stating the nature thereof) be adopted?" Opposite the statement of the ~~ordinance~~ measure to be voted on, and to its right, the words "Yes" and "No" shall be printed on separate lines, with voting squares. If a voter stamps a cross (+) in the voting square after the printed word "Yes," his or her vote shall be counted in favor of the adoption of the ~~ordinance~~ measure. If he or she stamps a cross (+) in the voting square after the printed word "No," his or her vote shall be counted against its adoption.

(b) If the proposed ~~ordinance~~ measure imposes a tax or raises the rate of a tax, the ballot shall include in the statement of the ~~ordinance~~ measure to be voted on the amount of money to be raised annually and the rate and duration of the tax to be levied.

(c) The statement of the measure shall be a true and impartial synopsis of the purpose of the proposed measure, and shall be in language that is neither argumentative nor likely to create prejudice for or against the measure.

(d) For purposes of this section, "local governing body" means the governing body of a city, county, city and county, including a charter city or charter county, or district, including a school district.

POLITICAL REFORM ACT OF 1974: CAMPAIGN DISCLOSURES

[Assembly Bill 249](#)

Chapter 546

CURRENT PROVISIONS

Existing law, the Political Reform Act of 1974, provides for the comprehensive regulation of campaign financing and activities. The act requires a committee that supports or opposes ballot measures to name and identify itself using a name or phrase that clearly identifies the economic or other special interests of its major donors of \$50,000 or more. The act also requires that the identity of a common employer shared by major donors be disclosed.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

The act defines “expenditure” as a payment, a forgiveness of a loan, a payment of a loan by a 3rd party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes.

The act prohibits a candidate or committee from sending a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing, as specified.

The act prohibits a candidate, committee, or slate mailer organization from expending campaign funds to pay for specified telephone calls that advocate support of, or opposition to, a candidate, ballot measure, or both, unless the name of the organization that authorized or paid for the call is disclosed to the recipient of the call during the course of each call.

The act also requires advertisements, as defined, to include prescribed disclosure statements, including, among others, a requirement that the disclosure statements include the names of the persons who made the 2 highest cumulative contributions, as defined, to the committee paying for the advertisement.

The act imposes, in addition to other penalties, a fine of up to triple the amount of the cost of an advertisement on a person who violates the disclosure requirements for advertisements.

The act prohibits a person from making a contribution as an intermediary on behalf of another person without disclosing to the recipient of the contribution specified information about both the intermediary and the source of the contribution.

The act also prohibits a person from making a contribution to a committee on the condition or with the agreement that it will be contributed to a particular candidate unless the contribution is disclosed in compliance with those requirements for contributions made by an intermediary.

NEW PROVISIONS

Changes the content and format of disclosure statements required on specified campaign advertisements in a manner that generally requires such disclosures to be more prominent.

Establishes new requirements for determining when contributions are considered to be "earmarked."

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

SECTIONS AFFECTED:

SECTION 1.

This act shall be known and may be cited as the California Disclose Act.

SEC. 2.

(a) For voters to make an informed choice in the political marketplace, political advertisements should not intentionally deceive voters about the identity of who or what interest is trying to persuade them how to vote.

(b) Disclosing who or what interest paid for a political advertisement will help voters be able to better evaluate the arguments to which they are being subjected during political campaigns and therefore make more informed voting decisions.

SEC. 3.

Amends Government Code 82025

(a) "Expenditure" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, unless it is clear from the surrounding circumstances that it is not made for political purposes. "Expenditure" does not include a candidate's use of his or her own money to pay for either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code. An expenditure is made on the date the payment is made or on the date consideration, if any, is received, whichever is earlier.

(b) A payment is made for political purposes if it is any of the following:

(1) For purposes of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate or candidates, or the qualification or passage of any measure.

(2) Made by any of the following:

(A) A candidate, unless it is clear from surrounding circumstances that the payment was made for personal purposes unrelated to his or her candidacy or status as an officeholder.

(B) A controlled committee.

(C) An official committee of a political party, including a state central committee, county central committee, assembly district committee, or any subcommittee of such committee.

(D) An organization formed or existing primarily for political purposes, as described in paragraph (1), including, but not limited to, a political action committee established by any membership organization, labor union, or corporation.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

(c) “Expenditure” includes any monetary or nonmonetary payment made by any person, other than the persons or organizations described in subdivision (b), that is used for communications that expressly advocate the nomination, election, or defeat of a clearly identified candidate or candidates, or the qualification, passage, or defeat of a clearly identified ballot measure.

(1) “Clearly identified” is defined as follows:

(A) A candidate is clearly identified if the communication states his or her name, makes unambiguous reference to his or her office or status as a candidate, or unambiguously describes him or her in any manner.

(B) A group of candidates is clearly identified if the communication makes unambiguous reference to some well-defined characteristic of the group, even if the communication does not name each candidate. A communication that clearly identifies a group of candidates and expressly advocates their election or defeat is reportable as an expenditure, but the expenditure need not be allocated among all members of the class or group on the campaign statement reporting the expenditure.

(C) A measure that has qualified to be placed on the ballot is clearly identified if the communication states a proposition number, official title, or popular name associated with the measure. In addition, the measure is clearly identified if the communication refers to the subject matter of the measure and either states that the measure is before the people for a vote or, taken as a whole and in context, unambiguously refers to the measure.

(D) A measure that has not qualified to be placed on the ballot is clearly identified if the communication refers to the subject matter of the measure and the qualification drive.

(2) A communication “expressly advocates” the nomination, election, or defeat of a candidate or the qualification, passage, or defeat of a measure if it contains express words of advocacy such as “vote for,” “elect,” “support,” “cast your ballot,” “vote against,” “defeat,” “reject,” “sign petitions for,” or, within 60 days before an election in which the candidate or measure appears on the ballot, the communication otherwise refers to a clearly identified candidate or measure so that the communication, taken as a whole, unambiguously urges a particular result in an election.

(A) Except for those communications paid for with public moneys by a state or local government agency, a communication, taken as a whole, unambiguously urges a particular result in an election if it is not susceptible of any reasonable interpretation other than as an appeal to vote for or against a specific candidate or measure. A communication is not susceptible of any reasonable interpretation other than as an appeal to vote for or against a specific candidate or measure when, taken as a whole, it could only be interpreted by a reasonable person as containing an appeal to vote for or against a specific candidate or measure because of both of the following:

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*Full text can be obtained from www.leginfo.ca.gov

(i) The electoral portion of the communication is unmistakable, unambiguous, and suggestive of only one meaning.

(ii) Reasonable minds could not differ as to whether it encourages a vote for or against a clearly identified candidate or measure, or encourages some other kind of action on a legislative, executive, or judicial matter or issue.

(B) The following nonexhaustive examples, referring to candidates or measures on the ballot in an upcoming election, illustrate statements that in most contexts would not be susceptible of any reasonable interpretation other than as an appeal to vote for or against a specific candidate or measure: “Smith’s the One”; “No Measure A”; “Rally ‘round O’Malley”; “Create jobs with Measure X”; “Only Nancy Brown can clean out City Hall”; “Proposition 123 - your last chance to save California”; “Joe Green will earn your trust”; “Bob Boone is unqualified for office and a special-interest puppet”; “Shirley Hall - bad for California, bad for you.”

(C) The following non-exhaustive examples, referring to candidates or measures on the ballot in an upcoming election, illustrate statements that would be susceptible of a reasonable interpretation other than as an appeal to vote for or against a specific candidate or measure: “Assembly Member Nancy Brown needs to be tough on criminals. Call her and tell her to stick firm on AB 100”; “Poor children need a home too. Support the Mayor’s stance against more budget cuts”; “Thank you, Supervisor Smith, for continuing to support our farmers.”

(D) Safe Harbor. A communication does not expressly advocate the nomination, election, or defeat of a candidate, or the qualification, passage, or defeat of a measure, within the meaning of this section, if both of the following apply:

(i) The communication does not mention an election, candidacy, political party unless required by law, opposing candidate, or voting by the general public, and it does not take a position on the character, qualifications, or fitness for office of a candidate or officeholder, or the merits of a ballot measure.

(ii) The communication focuses on a legislative, executive, or judicial matter or issue, either urging a candidate to take a particular position or action with respect to the matter or issue, or urging the public to adopt a particular position and to contact the candidate with respect to the matter or issue.

(E) Rules of Interpretation. If a communication does not qualify for the safe harbor described in subparagraph (D), the commission shall consider if the communication has an interpretation other than as an appeal to vote for or against a clearly identified candidate or measure, in order to determine if, on balance, the communication is not susceptible of any

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reasonable interpretation other than as an appeal to vote for or against a clearly identified candidate or measure.

(3) Reporting Expenditures.

(A) The amount of an expenditure reportable pursuant to this subdivision shall include all costs directly attributable to the communication, including, but not limited to, salaries, production, postage, space or time purchased, agency fees, printing, and any additional administrative or overhead costs attributable to the communication. The expenditure does not include any of the regular ongoing business overhead that will be incurred in similar amounts regardless of the communication.

(B) When a printed or broadcast communication circulates outside the state, the expenditure may be calculated on the basis of the fraction of the total cost attributable to circulation within the state.

(C) Costs directly traceable to the communication are reportable when the communication is made, or when payments are made in connection with the development, production, or dissemination of the communication, whichever occurs first.

(D) The costs of printing and distributing petitions, recruiting, training, and paying expenses of petition circulators, and other costs incurred in connection with the qualification of a measure are reportable expenditures.

(4) Notwithstanding this subdivision, "expenditure" does not include costs incurred for communications that expressly advocate the nomination, election, or defeat of a clearly identified candidate or candidates, or the qualification, passage, or defeat of a clearly identified measure or measures by either of the following:

(A) A broadcasting station, including a cable or satellite television operation, programmer, or producer, Internet Web site, or a regularly published newspaper, magazine, or other periodical of general circulation, including an Internet or electronic publication, that routinely carries news and commentary of general interest, for the cost of covering or carrying a news story, commentary, or editorial.

(B) A regularly published newsletter or regularly published periodical, other than those specified in subparagraph (A), whose circulation is limited to an organization's members, employees, shareholders, other affiliated individuals, and those who request or purchase the publication. This subparagraph applies only to the costs regularly incurred in publishing the newsletter or periodical. If additional costs are incurred because the newsletter or periodical is issued on other than its regular schedule, expanded in circulation, or substantially altered in style, size, or format, the additional costs are expenditures.

(5) The term expenditure also does not include uncompensated Internet activity by an individual supporting or opposing a candidate or

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measure as stated in Section 18215.2 of Title 2 of the California Code of Regulations.

(d) A payment used to make contributions, as defined in Section 82015, is an expenditure.

**SEC. 4.
Amends Government Code 84305.**

(a) ~~(1)~~ Except as provided in subdivision (b), ~~no candidate or committee shall~~ a candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type ~~which shall be~~ that is in a color or print ~~which that~~ contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the ~~organization's candidate's, candidate controlled committee established for an~~ elective office for the controlling candidate's, or political party committee's address is a matter of public record with the Secretary of State.

(2) Except as provided in subdivision (b), a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass mailing that is not required to include a disclosure pursuant to Section 84502 unless the name, street address, and city of the committee is shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type that is in a color or print that contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the committee's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) (1) A candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee shall not send a mass electronic mailing unless the name of the candidate or committee are shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(2) A committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee, shall not send a mass electronic mailing that is not required to include a disclosure pursuant to Section 84502 or 84504.3 unless the

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name of the committee is shown in the electronic mailing preceded by the words "Paid for by" in at least the same size font as a majority of the text in the electronic mailing.

(d) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

(e) For purposes of this section, the following terms have the following meaning:

(1) "Mass electronic mailing" means sending more than two hundred substantially similar pieces of electronic mail within a calendar month.

(2) "Sender" means the candidate, candidate controlled committee established for an elective office for the controlling candidate, or political party committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable pursuant to Sections 84200 to 84217, inclusive.

(3) To "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment; (A) to any person for the design, printing, postage, materials, or other costs of the mailing, including salaries, fees, or commissions, or (B) as a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(f) This section does not apply to a mass mailing or mass electronic mailing that is paid for by an independent expenditure.

SEC. 5. Amends Government Code 84310

(a) A candidate, candidate controlled committee established for an elective office for the controlling candidate, political party committee, or slate mailer organization—~~may~~ shall not expend campaign funds, directly or indirectly, to pay for telephone calls that are similar in nature and aggregate 500 or more in number, made by an individual, or individuals, or by electronic means and that advocate support of, or opposition to, a candidate, ballot measure, or both, unless during the course of each call the name of the candidate, candidate controlled committee established for an elective office for the controlling candidate, political party committee, or slate mailer organization that authorized or paid for the call is disclosed to the recipient of the call. Unless the organization that authorized the call and in whose name it is placed has filing obligations under this title, and the name announced in the call either is the full name by which the organization or individual is identified in any statement or report required to be filed under this title or is the name by which the organization or individual is commonly known, the candidate, candidate controlled committee established for an elective office for the controlling candidate, political party committee, or slate mailer organization

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that paid for the call shall be disclosed. This section ~~shall~~ does not apply to telephone calls made by the candidate, the campaign manager, or individuals who are volunteers.

(d) This section does not apply to a telephone call that is paid for by an independent expenditure.

SEC. 6.
Amends Government Code 84501

For purposes of this article, the following terms have the following meanings:

(a) (1) "Advertisement" means any general or public ~~advertisement~~ ~~which~~ communication that is authorized and paid for by a ~~person or~~ committee for the purpose of supporting or opposing a candidate or candidates for elective office or a ballot measure or ballot measures.

(2) "Advertisement" does not include any of the following:

(A) A communication from an organization, other than a political party, to its members.

(B) A campaign button smaller than 10 inches in diameter; a bumper sticker smaller than 60 square inches; or a small tangible promotional item, such as a pen, pin, or key chain, upon which the disclosure required cannot be conveniently printed or displayed.

(C) Wearing apparel.

(D) Sky writing.

(E) An electronic media communication for which inclusion of the disclosures required by Section 84502, 84503, or 84506.5, is impracticable or would severely interfere with the committee's ability to convey the intended message because of the nature of the technology used to make the communication.

(F) Any other communication as determined by regulations of the Commission.

(b) "Cumulative contributions" means the cumulative amount of contributions received by a committee beginning 12 months before the date of the expenditure and ending seven days before the time the advertisement is sent to the printer or broadcaster.

(c) (1) "Top contributors" means the persons from whom the committee paying for an advertisement has received its three highest cumulative contributions of fifty thousand dollars (\$50,000) or more.

(2) If two or more contributors of identical amounts qualify as top contributors, the most recent contributor of that amount shall be listed as the top contributor in any disclosure required by Section 84503.

(3) If a committee primarily formed to support or oppose the same state candidate or ballot measure contributes funds to another committee primarily formed to support or oppose the same state candidate or ballot measure and the funds used for the contribution were earmarked to support

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or oppose that candidate or ballot measure, the committee receiving the earmarked contribution shall disclose the contributors who earmarked their funds as the top contributor or contributors on the advertisement if the definition of top contributor provided for in paragraph (1) is otherwise met. If the committee receiving the earmarked contribution contributes any portion of the contribution to another committee primarily formed to support or oppose the specifically identified ballot measure or candidate, that committee shall disclose the true source of the contribution to the new committee receiving the earmarked funds. The new committee shall disclose the contributor on the new committee's advertisements if the definition of top contributor provided for in paragraph (1) is otherwise met.

(A) The primarily formed committee making the earmarked contribution shall provide the primarily formed committee receiving the earmarked contribution with the name and address of the contributor or contributors who earmarked their funds and the amount of the earmarked contribution from each contributor at the time the contribution is made. If the committee making the contribution received earmarked contributions that exceed the amount contributed or received contributions that were not earmarked, the committee making the contribution shall use a reasonable accounting method to determine which top contributors to identify pursuant to this subparagraph, but in no case shall the same contribution be disclosed more than one time to avoid disclosure of additional contributors who earmarked their funds.

(B) The committee receiving the earmarked contribution may rely on the information provided pursuant to subparagraph (A) for purposes of complying with the disclosure required by Section 84503 and shall be considered in compliance with Section 84503 if the information provided pursuant to subparagraph (A) is disclosed as otherwise required.

(C) For purposes of this paragraph, funds are considered "earmarked" if any of the circumstances described in subdivision (b) of Section 85704 apply.

SEC. 7.

Repeals Government Code 84502

SEC. 8.

Adds Government Code 84502.

(a) (1) Any advertisement paid for by a committee pursuant to subdivision (a) of Section 82013, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the words "Paid for by" followed by the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101.

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(2) Any advertisement paid for by a committee pursuant to subdivision (a) of Section 82013 that is a political party committee or a candidate controlled committee established for an elective office of the controlling candidate shall include the words "Paid for by" followed by the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101 if the advertisement is any of the following:

(A) Paid for by an independent expenditure.

(B) An advertisement supporting or opposing a ballot measure.

(C) A radio or television advertisement.

(b) Any advertisement paid for by a committee pursuant to subdivision (b) or (c) of Section 82013 shall include the words "Paid for by" followed by the name that the filer is required to use on campaign statements pursuant to subdivision (c) of Section 84211.

SEC. 9.

Repeals Government Code 84503

SEC. 10.

Adds Government Code 84503

(a) Any advertisement paid for by a committee pursuant to subdivision (a) of Section 82013, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the words "committee major funding from" followed by the names of the top contributors to the committee paying for the advertisement. If fewer than three contributors qualify as top contributors, only those contributors that qualify shall be disclosed pursuant to this section. If there are no contributors that qualify as top contributors, this disclosure is not required.

(b) The disclosure of a top contributor pursuant to this section need not include terms such as "incorporated," "committee," "political action committee," or "corporation," or abbreviations of these terms, unless the term is part of the contributor's name in common usage or parlance.

(c) If this article requires the disclosure of the name of a top contributor that is a committee pursuant to subdivision (a) of Section 82013 and is a sponsored committee pursuant to Section 82048.7 with a single sponsor, only the name of the single sponsoring organization shall be disclosed.

(d) This section does not apply to a committee as defined by subdivision (b) or (c) of Section 82013.

SEC. 11.

Repeals Government Code 84504

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SEC. 12.**Adds Government Code 84504**

(a) An advertisement paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, that is disseminated over the radio or by telephonic means shall include the disclosures required by Sections 84502, 84503, and 84506.5 at the beginning or end of the advertisement, read in a clearly spoken manner and in a pitch and tone substantially similar to the rest of the advertisement, and shall last no less than three seconds.

(b) Notwithstanding the definition of "top contributors" in paragraph (1) of subdivision (c) of Section 84501, radio and prerecorded telephonic advertisements shall disclose only the top two contributors of fifty thousand dollars (\$50,000) or more unless the advertisement lasts 15 seconds or less or the disclosure statement would last more than eight seconds, in which case only the single top contributor of fifty thousand dollars (\$50,000) or more shall be disclosed.

SEC. 13.**Adds Government Code 84504.1**

(a) An advertisement paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, that is disseminated as a video, including advertisements on television and videos disseminated over the Internet, shall include the disclosures required by Sections 84502 and 84503 at the beginning or end of the advertisement.

(b) The disclosure required by subdivision (a) shall be written and displayed for at least five seconds of a broadcast of 30 seconds or less or for at least 10 seconds of a broadcast that lasts longer than 30 seconds.

(1) The written disclosure required by subdivision (a) shall appear on a solid black background on the entire bottom one-third of the television or video display screen, or bottom one-fourth of the screen if the committee does not have or is otherwise not required to list top contributors, and shall be in a contrasting color in Arial equivalent type, and the type size for the smallest letters in the written disclosure shall be 4 percent of the height of the television or video display screen. The top contributors, if any, shall each be disclosed on a separate horizontal line, in descending order, beginning with the top contributor who made the largest cumulative contributions on the first line. The name of each of the top contributors shall be centered horizontally. The written disclosures shall be underlined, except for the names of the top contributors, if any.

(2) If using a type size of 4 percent of the height of the television or video display screen causes the name of any of the top contributors to exceed the width of the screen or causes the disclosures to exceed one-third

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of the television or video display screen, the type size of the name of the top contributor shall be reduced until the top contributor's name fits on the width of the screen or the entire disclosure fits within one-third of the television or video display screen, but in no case shall the type size be smaller than 2.5 percent of the height of the screen.

(c) An advertisement that is an independent expenditure supporting or opposing a candidate shall include the appropriate statement from Section 84506.5 in the solid black background described in paragraph (1) of subdivision (b) below all other text required to appear in that area in a contrasting color and in Arial equivalent type no less than 2.5 percent of the height of the television or video display screen.

**SEC. 14.
Adds Government Code 84504.2**

(a) A print advertisement paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the disclosures required by Sections 84502, 84503, and 84506.5, displayed as follows:

(1) The disclosure area shall have a solid white background and shall be in a printed or drawn box on the bottom of at least one page that is set apart from any other printed matter. All text in the disclosure area shall be in contrasting color.

(2) The text shall be in an Arial equivalent type with a type size of at least 10-point for printed advertisements designed to be individually distributed, including, but not limited to, mailers, flyers, and door hangers.

(3) The top contributors, if any, shall each be disclosed on a separate horizontal line, in descending order, beginning with the top contributor who made the largest cumulative contributions on the first line. The name of each of the top contributors shall be centered horizontally in the disclosure area.

(4) Immediately below the text described in paragraph (3), committees subject to Section 84223 shall include the text "Funding Details At [insert Commission Internet Web site]." The text shall be in an Arial equivalent type with a type size of at least 10-point for printed advertisements designed to be individually distributed, including, but not limited to, mailers, flyers, and door hangers.

(b) Notwithstanding paragraphs (2) and (4) of subdivision (a), the disclosures required by Sections 84502, 84503, and 84506.5 on a printed advertisement that is larger than those designed to be individually distributed, including, but not limited to, yard signs or billboards, shall be in Arial equivalent type with a total height of at least five percent of the height of the advertisement, and printed on a solid background with sufficient contrast that is easily readable by the average viewer. The text may be adjusted so it does

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not appear on separate horizontal lines, with the top contributors separated by a comma.

(c) Notwithstanding the definition of “top contributors” in paragraph (1) of subdivision (c) of Section 84501, newspaper, magazine, or other public print advertisements that are 20 square inches or less shall be required to disclose only the single top contributor of fifty thousand dollars (\$50,000) or more.

**SEC. 15.
Adds Government Code 84504.3**

(a) An electronic media advertisement, other than an Internet Web site, paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall comply with both of the following:

(1) Include the text “Who funded this ad?” in a contrasting color and a font size that is easily readable by the average viewer.

(2) Such text shall be a hyperlink to an Internet Web site containing the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color and in no less than 8 point font.

(b) Notwithstanding subdivision (a), the text required by paragraph (1) of subdivision (a) is not required if including the language would be impracticable. In such circumstances the advertisement need only include a hyperlink to an Internet Web site containing the disclosures required by Sections 84502, 84503, and 84506.5.

(c) Notwithstanding subdivisions (a) and (b), an Internet Web site paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color and in no less than 8 point font.

(d) An Internet Web site that is hyperlinked as provided for in paragraph (2) of subdivision (a) shall remain online and available to the public until 30 days after the date of the election in which the candidate or ballot measure supported or opposed by the advertisement was voted upon.

(e) An advertisement made via a form of electronic media that is audio only and therefore cannot include either of the disclaimers in subdivision (a) shall comply with the disclaimer requirements for radio advertisements in Section 84504.

(f) An advertisement made via a form of electronic media that allows users to engage in discourse and post content, or any other type of social media, shall only be required to include the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color and in no less than 8 point font on the committee’s profile, landing page, or similar location and shall not

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be required to include the disclaimer required by subdivision (a) on each individual post, comment, or other similar communication.

(g) The disclaimer required by this section does not apply to advertisements made via social media for which the only expense or cost of the communication is compensated staff time unless the social media account where the content is posted was created only for the purpose of advertisements governed by this title.

SEC. 16.

Adds Government Code 84504.4.

A radio or television advertisement that is paid for by a political party or a candidate controlled committee established for an elective office of the controlling candidate, and that does not support or oppose a ballot measure and is not paid for by an independent expenditure, shall include the disclosure required by Section 84502 subject to the following requirements:

(a) In a radio advertisement, the words shall be included at the beginning or end of the advertisement and read in a clearly spoken manner and in a pitch and tone substantially similar to the rest of the advertisement.

(b) In a television advertisement, the words shall appear in writing for at least four seconds with letters in a type size that is greater than or equal to 4 percent of the height of the screen.

SEC. 17.

Adds Government Code 84504.5

An advertisement that is an independent expenditure and paid for by a political party or a candidate controlled committee established for an elective office of the controlling candidate shall include the disclosures required by Sections 84502 and 84506.5. An advertisement that supports or opposes a ballot measure and is paid for by a political party or a candidate controlled committee established for an elective office of the controlling candidate shall include the disclosure required by Section 84502. A disclosure that is included in an advertisement pursuant to this section is subject to the following requirements:

(a) A radio or telephone advertisement shall include the required disclosures at the beginning or end of the advertisement and be read in a clearly spoken manner and in a pitch and tone substantially similar to the rest of the advertisement, and shall last no less than three seconds.

(b) A video advertisement, including television and videos disseminated over the Internet, shall include the required disclosures in writing at the beginning or end of the advertisement in a text that is of sufficient size to be readily legible to an average viewer and in a color that has a reasonable degree of contrast with the background of the advertisement for at least four seconds. The required disclosure must also be

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spoken during the advertisement if the written disclosure appears for less than five seconds of a broadcast of thirty seconds or less or for less than ten seconds of a broadcast of sixty seconds or more.

(c) (1) A print advertisement shall include the required disclosures in no less than 10 point font and in a color that has a reasonable degree of contrast with the background of the advertisement.

(2) Notwithstanding paragraph (1), the required disclosures on a print advertisement that is larger than those designed to be individually distributed, such as a yard sign or billboard, shall in total constitute no less than five percent of the total height of the advertisement and shall appear in a color that has a reasonable degree of contrast with the background of the advertisement.

(d) An electronic media advertisement shall include the disclosures required by Section 84504.3.

SEC. 18.

Amends Government Code 84505.

(a) In addition to the requirements of Sections 84502, 84503, ~~84504, 84506,~~ and 84506.5, the committee placing the advertisement or persons acting in concert with that committee shall be prohibited from creating or using a noncandidate-controlled committee or a nonsponsored committee to avoid, or that results in the avoidance of, the disclosure of any individual, industry, business entity, controlled committee, or sponsored committee as a ~~major funding source.~~ top contributor.

(b) Written disclosures required by Sections 84503 and 84506.5 shall not appear in all capital letters, except that capital letters shall be permitted for the beginning of a sentence, the beginning of a proper name or location, or as otherwise required by conventions of the English language.

SEC. 19.

Repeals Government Code 84506

SEC. 20.

Amends Government Code 84506.5

(a) An advertisement supporting or opposing a candidate that is paid for by an independent expenditure ~~must~~ shall include ~~the following statement:~~ This advertisement was a statement that it was not authorized by a candidate or a committee controlled by a candidate. If the advertisement was authorized or paid for by a candidate for another office, the expenditure shall instead include a statement that "This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office. office."

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SEC. 21.
Repeals Government Code 84507

SEC. 22.
Repeals Government Code 84508

SEC. 23.
Repeals Government Code 84509

SEC. 24.
Adds Government Code 84509.

If the order of top contributors required to be disclosed pursuant to this article changes or a new contributor qualifies as a top contributor, the disclosure in the advertisement shall be updated as follows:

(a) A television, radio, telephone, electronic billboard, or other electronic media advertisement shall be updated to reflect the new top contributors within five business days. A committee shall be deemed to have complied with this subdivision if the amended advertisement is delivered, containing a request that the advertisement immediately be replaced, to all affected broadcast stations or other locations where the advertisement is placed no later than the fifth business day.

(b) A print media advertisement, including nonelectronic billboards, shall be updated to reflect the new top contributors before placing a new or modified order for additional printing of the advertisement.

SEC. 25.
Amends Government Code 84510

(a) *(1)* In addition to the remedies provided for in Chapter 11 (commencing with Section 91000) of this title, any person who violates ~~this article~~ Section 84503 or 84506.5 is liable in a civil or administrative action brought by the ~~commission~~ Commission or any person for a fine up to three times the cost of the advertisement, including placement costs.

(2) Notwithstanding paragraph (1), any person who intentionally violates any provision of Sections 84504 to 84054.3, inclusive, or Section 84504.5, for the purpose of avoiding disclosure is liable in a civil or administrative action brought by the Commission or any person for a fine up to three times the cost of the advertisement, including placement costs.

(b) The remedies provided in subdivision (a) shall also apply to any person who purposely causes any other person to violate ~~any provision of this article~~ any of the sections described in paragraph (1) or (2) of subdivision (a) or who aids and abets any other person in a violation.

SEC. 26.

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Amends Government Code 84511

(c) An advertisement paid for by a committee described in paragraph (1) of subdivision (a) shall include a disclosure statement stating “(spokesperson’s name) is being paid by this campaign or its donors” in highly visible font shown continuously if the advertisement consists of printed or televised material, or spoken in a clearly audible format if the advertisement is a radio broadcast or telephonic message. *If the advertisement is a television or video advertisement, the statement shall be shown continuously, except when the disclosure statement required by Section 84504.1 is being shown.*

SEC.27.

Amends Government Code 85704

(a) A person ~~may~~ shall not make any contribution to a committee ~~on the condition or with the agreement that it will be contributed~~ or candidate that is earmarked for a contribution to any other particular committee, ballot measure, or candidate unless the contribution is fully disclosed pursuant to Section 84302.

(b) For purposes of subdivision (a), a contribution is earmarked if the contribution is made under any of the following circumstances:

(1) The committee or candidate receiving the contribution solicited the contribution for the purpose of making a contribution to another specifically identified committee, ballot measure, or candidate, requested the contributor to expressly consent to such use, and the contributor consents to such use.

(2) The contribution was made subject to a condition or agreement with the contributor that all or a portion of the contribution would be used to make a contribution to another specifically identified committee, ballot measure, or candidate.

(3) After the contribution was made, the contributor and the committee or candidate receiving the contribution reached a subsequent agreement that all or a portion of the contribution would be used to make a contribution to another specifically identified committee, ballot measure, or candidate.

(c) Notwithstanding subdivisions (a) and (b), dues, assessments, fees, and similar payments made to a membership organization or its sponsored committee in an amount less than five hundred dollars (\$500) per calendar year from a single source for the purpose of making contributions or expenditures shall not be considered earmarked.

(d) The committee making the earmarked contribution shall provide the committee receiving the earmarked contribution with the name and address of the contributor or contributors who earmarked their funds and the amount of the earmarked contribution from each contributor at the time it

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makes the contribution. If the committee making the contribution received earmarked contributions that exceed the amount contributed, or received contributions that were not earmarked, the committee making the contribution shall use a reasonable accounting method to determine which contributors to identify pursuant to this subdivision, but in no case shall the same contribution be disclosed more than one time to avoid disclosure of additional contributors who earmarked their funds.

(e) Earmarked contributions shall be disclosed on reports required by Chapter 4 (commencing with Section 84100) as follows:

(1) A contributor who qualifies as a committee pursuant to Section 82013 and who makes a contribution to a committee but earmarks the funds to another specifically identified committee pursuant to paragraph (1) or (2) of subdivision (b) shall disclose the specifically identified committee as the recipient of the contribution and the other committee as an intermediary at the time the earmarked contribution is made. The specifically identified committee shall disclose the contributor and intermediary at the time the funds are received from the intermediary. The intermediary committee shall disclose receipt of the funds as a miscellaneous increase to cash at the time the funds are received and shall disclose the expenditure as the transfer of an earmarked contribution from the contributor to the specifically identified committee at the time the funds are transferred to the specifically identified committee.

(2) A contributor who qualifies as a committee pursuant to Section 82013 and who makes a contribution to a committee and subsequently earmarks the funds pursuant to paragraph (3) of subdivision (b) shall include a notation on the contributor's next statement that the original contribution was subsequently earmarked, including the name of the specifically identified committee, ballot measure, or candidate supported or opposed. The committee that previously received the funds shall also include a notation on its next statement that the original contribution was subsequently earmarked and shall disclose the original contributor to any new committee to which it transfers the earmarked funds. The new committee shall disclose the true source of the contribution with a notation that the contribution was earmarked to the specified ballot measure or candidate.

(3) A contributor who qualifies as a committee pursuant to Section 82013 and who earmarks a contribution to a specifically identified ballot measure or candidate shall disclose a contribution to the committee that received the contribution with a notation that the contribution was earmarked to the specific ballot measure or candidate. Compliance with this paragraph satisfies the contributor's disclosure obligations under this title. The committee receiving the earmarked contribution shall disclose the contributor with a notation that the contribution was earmarked to the specific ballot measure or candidate when the contribution is received. The committee

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receiving the funds is solely responsible for disclosing the ultimate use of the earmarked contribution, whether by contribution or expenditure, at the time the funds are used. If the committee receiving the earmarked contribution contributes any portion of the contribution to another committee to support or oppose the specifically identified ballot measure or candidate, that committee shall disclose the true source of the contribution to the new committee receiving the earmarked funds for disclosure on the new committee's campaign report. The new committee shall disclose the true source of the contribution with a notation that the contribution was earmarked for the specific ballot measure or candidate.

(f) A violation of this section shall not be based solely on the timing of contributions made or received.

SEC. 28.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 29.

Notwithstanding Section 31, Sections 3 to 27, inclusive, shall become operative on January 1, 2018.

SEC. 30.

The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

SEC. 31.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for the public to prepare for new provisions added by this bill in anticipation of the 2018 elections, it is necessary that this act take effect immediately.

LOCAL TRANSPORTATION AUTHORITIES: TRANSACTIONS AND USE TAXES

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Assembly Bill 467

Chapter 640

CURRENT PROVISIONS

The Local Transportation Authority and Improvement Act provides for the creation in any county of a local transportation authority and authorizes the imposition by the authority, by ordinance, of a retail transactions and use tax, subject to approval of the ordinance by 2/3 of the voters.

Existing law provides for the authority to adopt a transportation expenditure plan for the proceeds of the tax, and requires the entire adopted transportation expenditure plan to be included in the voter information guide sent to voters.

NEW PROVISIONS

Exempts, upon the request of an authority, a county elections official, from including the entire adopted transportation expenditure plan in the voter information guide, if the authority posts the plan on its Internet Web site, as prescribed and the sample ballot and the voter information guide sent to voters include information on viewing an electronic version of the plan on the Internet Web site and for obtaining a printed copy of the plan by calling the county elections office.

Requires the county elections official to mail a printed copy of the plan at no cost to each person requesting a copy, if the county elections official exercises this authority.

SECTIONS AFFECTED:

SECTION 1.

Amends Public Utilities Code 180203.

(a) The county shall conduct the special election called by the board of supervisors pursuant to Section 180201. If the measure is approved, the authority shall reimburse the county for its cost in conducting the special election.

(b) The special election shall be called and conducted in the same manner as provided by law for the conduct of special elections by a county.

(c) ~~The~~(1) Except as otherwise provided in paragraph (2), the sample ballot to be mailed to the voters, pursuant to Section 13303 of the Elections Code, shall be the full proposition, as set forth in the ordinance calling the election, and the voter information guide shall include the entire adopted county transportation expenditure plan.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

(2) (A) A county elections official, upon the request of an authority that posts the entire adopted county transportation expenditure plan on an Internet Web site maintained by the authority, may comply with paragraph (1) by printing, in the sample ballot, immediately below the full proposition, and in the voter information guide, in no less than 10-point bold type, text substantially as follows: “The adopted county transportation expenditure plan may be viewed electronically at [insert applicable Internet Web site address]. If you desire a printed copy of the adopted county transportation expenditure plan, please call the county elections office at [insert applicable telephone number] and one will be mailed to you at no cost.” If the county elections official exercises the authority under this paragraph, the county elections official shall provide a printed copy of the entire adopted county transportation expenditure plan by mail to each person requesting a copy.

(B) A county that posts the entire adopted county transportation expenditure plan on an Internet Web site pursuant to subparagraph (A) shall ensure that the plan is posted in a manner that is easily accessible to voters.

CANDIDATE: NOMINATION DOCUMENTS

Assembly Bill 469 Chapter 839

CURRENT PROVISIONS

Existing law requires a candidate for elective office to pay a prescribed filing fee or to submit, at least 15 days before the close of the nomination period, a petition containing signatures of registered voters in lieu of the filing fee.

Existing law requires the Secretary of State or an elections official to make forms for securing signatures available 45 days before the first day for circulating nomination papers.

Existing law requires the elections official, within 10 days after receiving the in-lieu-filing-fee petition, to notify a candidate of any deficiency with the petition. If a deficiency is found, existing law requires the candidate to either submit a supplemental in-lieu-filing-fee petition or pay a pro rata portion of the filing fee to cover the deficiency.

NEW PROVISIONS

Requires a candidate to file an in-lieu-filing-fee petition at least 30 days before the close of the nomination period.

Decreases the number of required signatures on an in-lieu-filing-fee petition, as specified.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Removes the authorization for a candidate to submit a supplemental petition to cover any deficiency, and it would instead only permit the candidate to pay a pro rata portion of the filing fee.

Requires that the forms for securing signatures be made available 60 days before the first day for circulating nomination papers.

Makes a conforming change. Urgency statute.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 8106

(a) Notwithstanding any other provision of this article, a candidate may submit a petition containing signatures of registered voters in lieu of a filing fee as follows:

(1) For the office of California State Assembly, ~~4,500~~ 1,000 signatures.

(2) For the office of California State Senate and the United States House of Representatives, ~~3,000~~ 2,000 signatures.

(3) For candidates running for statewide office, ~~10,000~~ 7,000 signatures.

(4) For all other offices for which a filing fee is required, if the number of registered voters in the district in which he or she seeks nomination is 2,000 or more, a candidate may submit a petition containing ~~four~~ three signatures of registered voters for each dollar of the filing fee, or ~~40~~ seven percent of the total of registered voters in the district in which he or she seeks nomination, whichever is less.

(5) For all other offices for which a filing fee is required, if the number of registered voters in the district in which he or she seeks nomination is less than 2,000, a candidate may submit a petition containing ~~four~~ three signatures of registered voters for each dollar of the filing fee, or ~~20~~ 14 percent of the total of registered voters in the district in which he or she seeks nomination, whichever is less.

(6) A voter may sign both a candidate's nomination papers and his or her in-lieu-filing-fee petition. However, if signatures appearing on the documents are counted towards both the nomination paper and the in-lieu-filing-fee petition signature requirements, a person may only sign one of the documents.

(b) The Secretary of State or an elections official shall furnish to each candidate, upon request, and without ~~charge therefor,~~ charge, forms for securing signatures. The number of forms ~~which~~ that the elections official shall furnish a candidate shall be a quantity that provides the candidates with

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*Full text can be obtained from www.leginfo.ca.gov

spaces for signatures sufficient in number to equal the number of signatures that the candidate is required to secure pursuant to subdivision (a) if the candidate desires that number of forms. However, the elections official, rather than provide the candidate with the number of forms set forth in the preceding sentence, or upon the request of a candidate, may provide the candidate with a master form that may be duplicated by the candidate at the candidate's expense for the purpose of circulating additional petitions. The Secretary of State shall provide the master form. The elections official may provide candidates a form other than the master form provided by the Secretary of State. However, that form shall meet all statutory requirements, and the elections official shall also make available and accept the master form provided by the Secretary of State. All forms shall be made available commencing ~~45~~ 60 days before the first day for circulating nomination papers. However, in cases of vacancies for which a special election is authorized or required to be held to fill the vacancy, and where the prescribed nomination period would commence less than ~~45~~ 60 days after the creation of the vacancy, the forms shall be made available within five working days after the creation of the vacancy. No other form except the form furnished by the Secretary of State or the elections official or forms duplicated from a master form shall be used to secure signatures. Each petition section shall bear an affidavit signed by the circulator, in substantially the same form as set forth in Section 8041. The substitution of signatures for fees shall be subject to all of the following provisions: following:

(1) Any registered voter may sign an in-lieu-filing-fee petition for any candidate for whom he or she is eligible to vote.

(2) If a voter signs more candidates' petitions than there are offices to be filled, the voter's signatures shall be valid only on those petitions ~~which,~~ that, taken in the order they were filed, do not exceed the number of offices to be filled.

(3) In-lieu-filing-fee petitions shall be filed at least ~~45 days prior to~~ 30 days before the close of the nomination period. ~~Upon receipt of the minimum number of in-lieu filing fee signatures required, or a sufficient combination of signatures and pro rata filing fee, the elections official shall issue nomination papers provisionally. Within 10 days after receipt of a petition, the elections official shall notify the candidate of any deficiency. The candidate shall then, prior to the close of~~ at the time of obtaining nomination period, forms, either submit a supplemental petition, or pay a pro rata portion of the filing fee to cover the deficiency.

(4) If the petition is circulated for an office in more than one county, the candidate shall submit the signatures to the elections official in the county in which the petition was circulated. The elections official shall, at least two days after verifying the signatures on the petition, notify the Secretary of State of the total number of valid signatures. If the number of signatures is

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insufficient, the Secretary of State shall notify the candidate and the elections officials of the fact. The candidate may submit the necessary number of valid signatures ~~at any time prior to~~ least 30 days before the close of the period for circulating nomination papers. Each circulator shall meet the requirements of Section 102.

(5) Each candidate may submit a greater number of signatures to allow for subsequent losses due to invalidity of some signatures. The elections official shall not be required to determine the validity of a greater number of signatures than that required by this section.

(c) For ~~the~~ purposes of this section, the requisite number of signatures shall be computed from the latest registration figures forwarded to the Secretary of State pursuant to Section 2187 ~~prior to~~ before the first day on which petitions are available.

(d) All valid signatures obtained pursuant to this section shall be counted toward the number of voters required to sign a nomination paper in accordance with Section 8061 or 8405.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for the signature forms for in-lieu-filing-fee petitions to be available for use 60 days before the first day for circulating nomination papers for the June 2018 primary election, it is necessary that this act take effect immediately.

POLITICAL REFORM ACT OF 1974: POSTEMPLOYMENT RESTRICTIONS

[Assembly Bill 551](#)

Chapter 196

CURRENT PROVISIONS

The Political Reform Act of 1974 prohibits, for a period of one year after the official leaves his or her position, elected and other specified local officials who held positions with a local government agency, as defined, from acting as agents or attorneys for, or otherwise representing, for compensation, any other person, by appearing before, or communicating with, that local government agency, or any committee, subcommittee, or present member of that local government agency, or any officer or employee of the local government agency, if the appearance or communication is made for the purpose of influencing administrative or legislative action, as specified, or

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influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property.

Existing law excludes from this prohibition appearances and communications by a board member, officer, or employee of another local government agency, or an employee or representative of a public agency, as specified, if the individual is appearing or communicating on behalf of that agency.

NEW PROVISIONS

Prohibits a former local elected official or top administrator for a local agency, for a year after leaving that position, from appearing before or communicating with the former agency, for compensation, as an independent contractor for another government agency.

SECTIONS AFFECTED:

SECTION 1.

Amends Government Code 87406.3

(b) (1) Subdivision (a) does not apply to an individual who is, at the time of the appearance or communication, a board member, officer, or employee of another local government agency or an employee or representative of a public agency and is appearing or communicating on behalf of that agency.

(2) Subdivision (a) applies to an individual who is, at the time of the appearance or communication, an independent contractor of a local government agency or a public agency and is appearing or communicating on behalf of that agency.

~~(d)~~ Notwithstanding Sections 82002 and 82037, the following definitions ~~shall~~ apply for purposes of this section only:

(1) "Administrative action" means the proposal, drafting, development, consideration, amendment, enactment, or defeat by any local government agency of any matter, including any rule, regulation, or other action in any regulatory proceeding, whether quasi-legislative or quasi-judicial. Administrative action does not include any action that is solely ministerial.

(2) "Legislative action" means the drafting, introduction, modification, enactment, defeat, approval, or veto of any ordinance, amendment, resolution, report, nomination, or other matter by the legislative body of a local government agency or by any committee or subcommittee thereof, or by a member or employee of the legislative body of the local government agency acting in his or her official capacity.

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*Full text can be obtained from www.leginfo.ca.gov

STATE VOTER INFORMATION GUIDES

Assembly Bill 606

Chapter 656

CURRENT PROVISIONS

Existing law requires the Secretary of State to prepare and mail to voters a state voter information guide that includes, among other things, a copy of the specific constitutional or statutory provision, if any, that each state measure would repeal or revise.

Existing law requires the Secretary of State to make available the complete contents of the state voter information guide over the Internet.

Existing law also requires the Secretary of State to establish procedures to allow a voter to opt out of receiving the state voter information guide by mail and, instead, to either receive the guide in an electronic format or receive an electronic notification making the guide available by means of online access.

Existing law requires the Secretary of State to develop a program to utilize modern communications and information processing technology to enhance the availability and accessibility of information on statewide candidates and ballot initiatives.

NEW PROVISIONS

Requires the Secretary of State to include before each state measure a conspicuous notice that identifies the location on the Secretary of State's Internet Web site of the specific constitutional or statutory provision that the state measure would repeal or revise, as specified.

Requires that the electronic version of the state voter information guide include an active hyperlink for each cited Uniform Resource Locator. Makes conforming changes.

Authorizes the Secretary of State to electronically send election information, including information contained within the state voter information guide, to a voter if specified requirements are met.

Authorizes the Secretary of State to utilize affidavit of voter registration information for these purposes.

SECTIONS AFFECTED:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

AB 606

SECTION 1.

Amends Elections Code 2194

(a) Except as provided in Section 2194.1, the affidavit of voter registration information identified in Section 6254.4 of the Government Code:

(4) May be used by the Secretary of State for the purpose of educating voters pursuant to Section 12173 of the Government Code.

SEC. 2.

Amends Elections Code 9084

The state voter information guide shall contain all of the following:

(b) Before each state measure, a conspicuous notice that identifies the location on the Secretary of State's Internet Web site of the specific constitutional or statutory provision that the state measure would repeal or revise.

SEC. 3.

Amends Elections Code 9086

(e) If ~~no~~ an argument against the measure has not been submitted, the argument for the measure shall appear on the right page facing the analysis.

(f) Before each state measure, a conspicuous notice identifying the location on the Secretary of State's Internet Web site of the complete text of the state measure. The Secretary of State's Internet Web Site shall contain the provisions of the proposed measure and the existing laws repealed or revised by the measure. The provisions of the proposed measure differing from the existing laws affected shall be distinguished in print, so as to facilitate comparison. There shall be printed immediately below each state measure, in no less than 10-point bold type, a legend substantially as follows: "If you desire a copy of the full text of the state measure, please call the Secretary of State at (insert toll-free telephone number) and a copy will be mailed at no cost to you."

SEC. 4.

Amends Elections Code 9094.5

(a) The Secretary of State shall establish processes to enable a voter to do both of the following:

(1) Opt out of receiving by mail the state voter information guide prepared pursuant to Section 9081.

(2) When the state voter information guide is available, receive either the state voter information guide in an electronic format or an electronic notification making the guide available by means of online access. The electronic version of the state voter information guide shall include an active hyperlink for each cited Uniform Resource Locator.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

SEC. 5.
Amends Elections Code 9096

(a) As soon as copies of the state voter information guide and copies of the full text of all measures described in subdivision (f) of Section 9086 are available, the Secretary of State shall immediately mail the following number of copies to the listed persons and places:

- (1) Five copies to each county elections official or registrar of voters.
- (2) Six copies to each city elections official.
- (3) Five copies to each Member of the Legislature.
- (4) Five copies to the proponents of each ballot measure.
- (b) The Secretary of State shall also mail:
 - (1) Two copies to each public library and branch of each public library.

- (2) Twelve copies to each public high school or other public school teaching at least the 11th and 12th grades, and 25 copies to each public postsecondary educational institution. Upon request, and in the discretion of the Secretary of State, additional copies may be furnished to these persons and institutions.

(c) No later than one business day after receipt of a request from a voter, the Secretary of State shall mail the full text of a state measure described in subdivision (f) of Section 9086 to the voter.

SEC. 6.
Amends Government Code 12173

~~(a) The Secretary of State's office shall develop a program to utilize modern communications and information processing technology to~~ electronic communications and enhance the availability and accessibility of information on statewide candidates and ballot initiatives. This includes making information available online as well as through other information processing technology.

(b) The Secretary of State may electronically send all of the following election information to a voter:

- (1) The date of the election.
- (2) The voter registration deadline.
- (3) Other information that assists the voter in registering to vote or casting a ballot.
- (4) Information contained within the state voter information guide pursuant to Section 9082.7.

(c) The Secretary of State may send the information identified in subdivision (b) using one or both of the following methods:

- (1) By electronic mail if the Secretary of State has the voter's email address and provides the voter with an opportunity to opt out of receiving communications.

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*Full text can be obtained from www.leginfo.ca.gov

(2) By text message to the voter's electronic device if the voter has consented to receiving text messages and the voter has been provided with an opportunity to opt out of receiving communications.

PUBLIC AGENCIES: UNLAWFUL INTERFERENCE

Assembly Bill 660

Chapter 381

CURRENT PROVISIONS

Under existing law, any person who intentionally interferes with any lawful business carried on by the employees of a public agency open to the public by obstructing or intimidating those attempting to carry on or transact business and refusing to leave, as specified, is guilty of a misdemeanor.

NEW PROVISIONS

Provides that it is an infraction to intentionally interfere with any lawful business carried on by the employees of a public agency open to the public by knowingly making a material misrepresentation of the law to those attempting to transact business with the agency and refusing to leave, as specified.

SECTIONS AFFECTED:

SECTION 1.

Amends Penal Code 602.1

(c) Any person who intentionally interferes with any lawful business carried on by the employees of a public agency open to the public, by knowingly making a material misrepresentation of the law to those persons there to transact business with the public agency, and who refuses to leave the premises of the public agency after being requested to leave by the office manager or a supervisor of the public agency, or by a peace officer acting at the request of the office manager or a supervisor of the public agency, is guilty of an infraction, punishable by a fine of up to four hundred dollars (\$400).

SEC. 2.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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*Full text can be obtained from www.leginfo.ca.gov

ISLA VISTA COMMUNITY SERVICES DISTRICT: BOARD OF DIRECTORS

[Assembly Bill 722](#)

Chapter 409

CURRENT PROVISIONS

Existing law authorizes the establishment of the Isla Vista Community Services District, as provided, for the performance of various services.

Existing law specifies the composition of the board of directors of the district, that includes 5 members elected at large from within the district, one member appointed by the Board of Supervisors of the County of Santa Barbara, and one member appointed by the Chancellor of the University of California, Santa Barbara.

Existing law prohibits a public officer, including, but not limited to, an appointed or elected member of a governmental board, commission, committee, or other body, from simultaneously holding two public offices that are incompatible, as specified.

NEW PROVISIONS

Provides that service on the board of directors of the district by a member of the Board of Supervisors of the County of Santa Barbara or by any public officer of the County of Santa Barbara or his or her deputy shall not be considered an incompatible office.

SECTIONS AFFECTED:

SECTION 1.

Amends Government Code 61250

(3) (A) Notwithstanding any other law, service on the board of directors of the district by a member of the Board of Supervisors of the County of Santa Barbara or by any public officer of the County of Santa Barbara or his or her deputy shall not be considered an incompatible office.

(B) The Legislature finds and declares that members of the Board of Supervisors of the County of Santa Barbara or public officers of the County of Santa Barbara or their deputies can offer expertise and assistance in county operations to the board of directors of the district. Therefore, the Legislature finds and declares that service on the board of directors of the district is compatible with service as a member of the Board of Supervisors of the County of Santa Barbara or as another public officer, or his or her deputy, of the County of Santa Barbara.

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*Full text can be obtained from www.leginfo.ca.gov

(4) Acquire, construct, improve, and maintain sidewalks, lighting, gutters, and trees to supplement the level of service provided by either the County of Santa Barbara or County Service Area *No.* 31. The district shall not acquire, construct, improve, or maintain any work owned by another public agency unless that other public agency gives its written consent.

LOCAL INITIATIVE MEASURES: SUBMISSION TO THE VOTERS

[Assembly Bill 765](#)

Chapter 748

CURRENT PROVISIONS

Existing law permits a proposed county, municipal, or district ordinance to be submitted to the governing body of the county, city, or district by filing an initiative petition signed by a specified number of voters.

If a county or municipal initiative measure qualifies for the ballot, existing law requires that the election for the measure be either at a special election or at the next statewide or regular election, depending on the percentage of signatures received on the initiative petition.

If a district initiative measure qualifies for the ballot, existing law requires that the election for the measure be either at a special election or at the next regular election, depending on whether the initiative petition contains a specified request.

NEW PROVISIONS

Requires that an election for a county, municipal, or district initiative measure that qualifies for a ballot to be the next statewide or regular election, unless the governing body of the county, city, or district calls a special election.

Makes conforming changes.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 1405

~~(b)~~*The* *in subdivision (b), the* election for a county initiative that qualifies pursuant to Section 9118 shall be held at the next statewide election occurring not less than 88 days after the date of the order of election. The election for a municipal or district initiative that qualifies pursuant to Section

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*Full text can be obtained from www.leginfo.ca.gov

9215 or ~~9314~~ 9310 shall be held at the jurisdiction's next regular election occurring not less than 88 days after the date of the order of election.

(b) The governing body of a county, city, or district may call a special election for the purpose of submitting an initiative measure to the voters before the date on which the initiative measure would appear on the ballot pursuant to subdivision (a). If the governing body calls a special election pursuant to this subdivision, the election shall be held not less than 88 days nor more than 103 days after the order of the election.

**SEC. 2.
Amends Elections Code 9111**

(a) During the circulation of the petition or before taking either action described in subdivisions (a) and (b) of ~~Section 9116~~, or Section 9118, the board of supervisors may refer the proposed initiative measure to ~~any a~~ county agency or agencies for a report on any or all of the following:

**SEC. 3.
Repeals Elections Code 9116**

**SEC. 4.
Amends Elections Code 9118**

If the initiative petition is signed by voters not less in number than 10 percent of the entire vote cast in the county for all candidates for Governor at the last gubernatorial election preceding the publication of the notice of intention to circulate an initiative petition, the board of supervisors shall do one of the following:

(a) Adopt the ~~ordinance~~ ordinance, without ~~alteration~~ alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Submit the ordinance, without alteration, to the voters pursuant to ~~subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405.~~

(c) Order a report pursuant to Section 9111 at the regular meeting at which the certification of the petition is presented. When the report is presented to the board of supervisors, ~~it~~ the board shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).

**SEC. 5.
Amends Elections Code 9212**

(a) During the circulation of the petition, or before taking either action described in subdivisions (a) and (b) of ~~Section 9214~~, or Section 9215,

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AB 765

the legislative body may refer the proposed initiative measure to ~~any~~ a city agency or agencies for a report on any or all of the following:

**SEC. 6.
Repeals Elections Code 9214**

**SEC. 7.
Amends Elections Code 9215**

If the initiative petition is signed by not less than 10 percent of the voters of the city, according to the last report of registration by the county elections official to the Secretary of State pursuant to Section 2187, effective at the time the notice specified in Section 9202 was published, or, in a city with 1,000 or less registered voters, by 25 percent of the voters or 100 voters of the city, whichever is the lesser number, the legislative body shall do one of the following:

(a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Submit the ordinance, without alteration, to the voters pursuant to ~~subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405.~~

**SEC. 8.
Amends Elections Code 9310**

(a) If the initiative petition is signed by voters not less in number than 10 percent of the voters in the district, where the total number of registered voters is less than 500,000, or not less in number than 5 percent of the voters in the district, where the total number of registered voters is 500,000 or more, ~~and the petition contains a request that the ordinance be submitted immediately to a vote of the people at a special election,~~ the district board shall do either of the following:

(1) Adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(2) ~~Immediately order that the ordinance be submitted to the voters,~~ Submit the ordinance, without alteration, to the voters pursuant to ~~subdivision (a) of Section 1405.~~

(b) The number of registered voters referred to in subdivision (a) shall be calculated as of the time of the last report of registration by the county elections official to the Secretary of State made ~~prior to~~ before publication or posting of the notice of intention to circulate the initiative petition.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

SEC. 9.
Repeals Elections Code 9311

COUNTY OF SAN DIEGO CITIZENS REDISTRICTING COMMISSION

Assembly Bill 801
Chapter 711

CURRENT PROVISIONS

Existing law establishes the Independent Redistricting Commission in the County of San Diego, which consists of 5 members and 2 alternate members who are selected randomly, as prescribed.

Existing law requires the commission to adjust the boundaries of the county's supervisorial districts and to adopt a redistricting plan, as specified.

NEW PROVISIONS

Increases the membership of the Independent Redistricting Commission of San Diego to 14 members and no alternates, and would revise the process for their selection, as specified.

Imposes restrictions to eliminate conflicts-of-interest on the part of commissioners and would require increased public involvement in the redistricting process.

Makes legislative findings and declarations as to the necessity of a special statute for the County of San Diego.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 21550

(a) As used in this ~~section~~, chapter, the following terms have the following meanings:

(1) "Board" means the Board of Supervisors of the County of San Diego.

(2) "County elections official" means the San Diego County Registrar of Voters.

(3) "Commission" means the Independent Redistricting Commission established by subdivision (b).

(4) "Immediate family member" means a spouse, child, in-law, parent, or sibling.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

(b) (1) There is, in the County of San Diego, an Independent Redistricting Commission. The commission shall be created no later than December 31, 2020, and in each year ending in the number zero thereafter. The selection process is designed to produce a commission that is independent from the influence of the board and reasonably representative of the county's diversity.

(2) In the year following the year in which the decennial federal census is taken, the commission shall adjust the boundary lines of the supervisorial districts of the board in accordance with this chapter.

(c) The commission shall be comprised of ~~five members and two alternates~~ who 14 members. The political party preferences of the commission members, as shown on the members' most recent affidavits of registration, shall be as proportional as possible to the total number of voters who are registered with each political party in the County of San Diego or who decline to state or do not indicate a party preference, as determined by registration at the most recent statewide election. However, the political party preferences of the commission members are not required to be exactly the same as the proportion of political party preferences among the registered voters of the county. At least one commission member shall reside in each of the five existing supervisorial districts of the board. Commissioners shall each meet the following qualifications:

(1) Be a resident of the County of San Diego.

(2) Be a voter who has been continuously registered in the County of San Diego with the same political party preference or with no political party preference and who has not changed his or her political party preference for five or more years immediately preceding the date of his or her appointment to the commission.

(3) Have voted in at least one of the last three statewide elections immediately preceding his or her application to be a member of the commission.

(4) Within the 10 years immediately preceding the date of application to the commission, neither the applicant, nor an immediate family member of the applicant, has done any of the following:

(A) Been appointed to, elected to, or have been a candidate for office at the local, state, or federal level representing the County of San Diego, including as a member of the board.

(B) Served as an employee of, or paid consultant for, an elected representative at the local, state, or federal level representing the County of San Diego.

(C) Served as an employee of, or paid consultant for, a candidate for office at the local, state, or federal level representing the County of San Diego.

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(D) Served as an officer, employee, or paid consultant of a political party or as an appointed member of a political party central committee.

(E) Been a registered federal, state, or local lobbyist.

(5) Possess experience that demonstrates analytical skills relevant to the redistricting process and voting rights, and possess an ability to comprehend and apply the applicable state and federal legal requirements.

(6) Possess experience that demonstrates an ability to be impartial.

(7) Possess experience that demonstrates an appreciation for the diverse demographics and geography of the County of San Diego.

(d) An interested person meeting the qualifications specified in subdivision (c) may submit an application to the county elections official to be considered for membership on the commission. The county elections official shall review the applications and eliminate applicants who do not meet the specified qualifications.

(e) (1) From the pool of qualified applicants, the county elections official shall select 60 of the most qualified applicants, taking into account the requirements described in subdivision (c). The county elections official shall make public the names of the 60 most qualified applicants for at least 30 days. The county elections official shall not communicate with a member of the board, or an agent for a member of the board, about any matter related to the nomination process or applicants before the publication of the list of the 60 most qualified applicants.

(2) During the period described in paragraph (1), the county elections official may eliminate any of the previously selected applicants if the official becomes aware that the applicant does not meet the qualifications specified in subdivision (c).

(f) (1) After complying with the requirements of subdivision (e), the county elections official shall create a subpool for each of the five existing supervisorial districts of the board.

(2) (A) At a regularly scheduled meeting of the board, the Clerk of the County of San Diego shall conduct a random drawing to select one commissioner from each of the five subpools established by the county elections official.

(B) After completing the random drawing pursuant to subparagraph (A), at the same meeting of the board, the clerk shall conduct a random drawing from all of the remaining applicants, without respect to subpools, to select three additional commissioners.

(g) (1) The eight selected commissioners shall review the remaining names in the subpools of applicants and shall appoint six additional applicants to the commission.

(2) The six appointees shall be chosen based on relevant experience, analytical skills, and ability to be impartial, and to ensure that the commission reflects the county's diversity, including racial, ethnic,

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geographic, and gender diversity. However, formulas or specific ratios shall not be applied for this purpose. The eight commissioners shall also consider political party preference, selecting applicants so that the political party preference of the members of the commission complies with subdivision (c).

SEC. 2.
Adds Elections Code 21551

(a) A commission member shall apply this chapter in a manner that is impartial and that reinforces public confidence in the integrity of the redistricting process.

(b) The term of office of each member of the commission expires upon the appointment of the first member of the succeeding commission.

(c) Nine members of the commission shall constitute a quorum. Nine or more affirmative votes shall be required for any official action.

(d) (1) The commission shall not retain a consultant who would not be qualified as an applicant pursuant to paragraph (4) of subdivision (c) of Section 21550.

(2) For purposes of this subdivision, "consultant" means a person, whether or not compensated, retained to advise the commission or a commission member regarding any aspect of the redistricting process.

(e) Each commission member shall be a designated employee for purposes of the conflict of interest code adopted by the County of San Diego pursuant to Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 of the Government Code.

SEC. 3.
Adds Elections Code 21552

(a) The commission shall establish single-member supervisorial districts for the board pursuant to a mapping process using the following criteria as set forth in the following order of priority:

(1) Districts shall comply with the United States Constitution and each district shall have a reasonably equal population with other districts for the board, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or is allowable by law.

(2) Districts shall comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(3) Districts shall be geographically contiguous.

(4) The geographic integrity of any city, local neighborhood, or local community of interest shall be respected in a manner that minimizes its division to the extent possible without violating the requirements of paragraphs (1) to (3), inclusive. A community of interest is a contiguous population that shares common social and economic interests that should be

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included within a single district for purposes of its effective and fair representation. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

(5) To the extent practicable, and where it does not conflict with paragraphs (1) to (4), inclusive, districts shall be drawn to encourage geographical compactness such that nearby areas of population are not bypassed for more distant areas of population.

(b) The place of residence of any incumbent or political candidate shall not be considered in the creation of a map. Districts shall not be drawn for purposes of favoring or discriminating against an incumbent, political candidate, or political party.

(c) (1) The commission shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

(2) Before the commission draws a map, the commission shall conduct at least seven public hearings, to take place over a period of no fewer than 30 days, with at least one public hearing held in each supervisorial district.

(3) After the commission draws a draft map, the commission shall do both of the following:

(A) Post the map for public comment on the Internet Web site of the County of San Diego.

(B) Conduct at least two public hearings to take place over a period of no fewer than 30 days.

(4) (A) The commission shall establish and make available to the public a calendar of all public hearings described in paragraphs (2) and (3). Hearings shall be scheduled at various times and days of the week to accommodate a variety of work schedules and to reach as large an audience as possible.

(B) Notwithstanding Section 54954.2 of the Government Code, the commission shall post the agenda for the public hearings described in paragraphs (2) and (3) at least seven days before the hearings. The agenda for a meeting required by paragraph (3) shall include a copy of the draft map.

(5) (A) The commission shall arrange for the live translation of a hearing held pursuant to this chapter in an applicable language if a request for translation is made at least 24 hours before the hearing.

(B) For purposes of this paragraph, an "applicable language" means a language for which the number of residents of the County of San Diego who are members of a language minority is greater than or equal to 3 percent of the total voting age residents of the county.

(6) The commission shall take steps to encourage county residents to participate in the redistricting public review process. These steps may include:

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(A) Providing information through media, social media, and public service announcements.

(B) Coordinating with community organizations.

(C) Posting information on the Internet Web site of the County of San Diego that explains the redistricting process and includes a notice of each public hearing and the procedures for testifying during a hearing or submitting written testimony directly to the commission.

(7) The board shall take all steps necessary to ensure that a complete and accurate computerized database is available for redistricting, and that procedures are in place to provide to the public ready access to redistricting data and computer software equivalent to what is available to the commission members.

(8) The board shall provide for reasonable funding and staffing for the commission.

(9) All records of the commission relating to redistricting, and all data considered by the commission in drawing a draft map or the final map, are public records.

(d) (1) The commission shall adopt a redistricting plan adjusting the boundaries of the supervisorial districts and shall file the plan with the county elections official before August 15 of the year following the year in which each decennial federal census is taken.

(2) The plan shall be effective 30 days after it is filed with the county elections official.

(3) The plan shall be subject to referendum in the same manner as ordinances.

(4) The commission shall issue, with the final map, a report that explains the basis on which the commission made its decisions in achieving compliance with the criteria described in subdivisions (a) and (b).

SEC. 4.

Adds Elections Code 21553

A commission member shall be ineligible for a period of five years beginning from the date of appointment to hold elective public office at the federal, state, county, or city level in this state. A commission member shall be ineligible for a period of three years beginning from the date of appointment to hold appointive federal, state, or local public office, to serve as paid staff for, or as a paid consultant to, the Board of Equalization, the Congress, the Legislature, or any individual legislator, or to register as a federal, state, or local lobbyist in this state.

SEC. 5.

The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of

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Section 16 of Article IV of the California Constitution because of the unique circumstances facing the County of San Diego.

SEC. 6.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

NO PARTY PREFERENCE VOTERS: PARTISAN PRIMARY ELECTIONS

Assembly Bill 837

Chapter 819

CURRENT PROVISIONS

Existing law requires a voter to disclose a preference for a political party in order to participate in the political party's primary election.

Existing law permits a voter who has declined to disclose a political party preference to request the ballot of a political party at a partisan primary election if the political party, by party rule duly noticed to the Secretary of State, authorizes a voter who has declined to disclose a political party preference to vote the ballot of the political party at that election.

Existing law requires the voter registration card, the vote by mail application, and the state voter information guide to notify voters that a voter is not entitled to vote the ballot of a political party at a partisan primary election unless he or she has disclosed a preference for the political party or he or she has declined to disclose a political party preference and the political party has authorized a voter who has declined to disclose a preference to vote its ballot.

Existing law generally requires the Secretary of State to prepare certain election materials. Existing law requires an elections official to furnish the precinct officers with specified supplies for an election.

NEW PROVISIONS

Requires the Secretary of State, a county elections official, and the members of a precinct board to provide information to voters, as specified, relating to the ability of a voter who has declined to disclose a political party preference to vote a political party's ballot at a partisan primary election.

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*Full text can be obtained from www.leginfo.ca.gov

Requires the Secretary of State and a county elections official to prepare and print specified notices and other materials.

SECTIONS AFFECTED:

SECTION 1.

Adds Chapter 6 to Division 13 (commencing with Section 13500) to the Elections Code

CHAPTER 6 Partisan Primary Elections

13500

This chapter applies only to partisan primary elections.

13501

(a) The Secretary of State shall include in the state voter information guide the information specified in subdivision (a) of Section 9083.5, including a statement explaining that a voter who has declined to disclose a political party preference may not vote in a political party's primary election unless the political party has authorized a voter who has declined to disclose a political party preference to vote in its primary election.

(b) The Secretary of State shall make all of the following information available on the Secretary of State's Internet Web site:

(1) A statement that a voter who has declined to disclose a political party preference may vote in a political party's partisan primary election if the political party, by party rule duly noticed to the Secretary of State, authorizes a voter who has declined to disclose a political party preference to vote in the next ensuing partisan primary election.

(2) The name of each political party that authorizes a voter who has declined to disclose a political party preference to vote in the partisan primary election.

(3) A statement that a voter who has declined to disclose a political party preference may request the ballot of one of the political parties that authorizes a voter who has declined to disclose a political party preference to vote in the partisan primary election.

(c) A county elections official shall include all of the information described in paragraphs (1) to (3), inclusive, of subdivision (b) in the nonpartisan county voter information guide prepared pursuant to Section 13300 and shall make the information available on the official's Internet Web site. In addition, the county elections official shall send an email to the email address of a voter who has declined to disclose a political party preference notifying the voter that he or she may request a political party's ballot at the next ensuing partisan primary election if the political party has so authorized.

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The county elections official shall also provide the notice to a voter who has declined to disclose a political party preference by text message if the voter has provided written consent to receive text messages from the county elections official.

13502.

(a) With each nonpartisan vote by mail ballot that is sent to a voter who has declined to disclose a political party preference, the county elections official shall include a notice informing the voter that he or she may request a political party's ballot at the next ensuing partisan primary election if the political party has so authorized.

(b) In addition to any other method permitted by law, a voter who has declined to disclose a political party preference may request the ballot of a political party that has authorized a voter who has declined to disclose a political party preference to vote in its partisan primary election as follows:

(1) In his or her vote by mail application pursuant to subdivision (c) of Section 3006.

(2) By telephone pursuant to Section 3007.8.

(3) Over the Internet if available pursuant to Section 3007.7.

(4) By email or by facsimile transmission if permitted by the county elections official.

(c) No later than seven days before the date of a partisan primary election, a voter who has declined to disclose a political party preference and who has received a nonpartisan vote by mail ballot may return his or her unvoted ballot to the county elections official and request and receive the ballot for a political party if the political party has authorized a voter who has declined to disclose a political party preference to vote in its partisan primary election.

SEC. 2.5.

Amends Elections Code 14105

The elections official shall furnish to ~~the precinct officers~~ each polling place all of the following:

(a) At least one accessible copy of the voter list.

~~(b) Necessary printed blanks for the roster, tally sheets, lists of voters,~~ voter list, declarations, and returns.

~~(c) Envelopes in which to enclose returns.~~

(c) Not less fewer than six 6 nor more than 12 instruction cards to each precinct polling place for the guidance of voters in obtaining and marking their ballots. On each card shall be printed necessary instructions and the provisions of Sections 14225, 14279, 14280, 14287, 14291, 14295, 15271, 15272, 15273, 15276, 15277, 15278, 18370, 18380, 18403, 18563, and 18569.

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(d) A digest of the election laws with any further instructions the county elections official may desire to make.

(e) An American flag of sufficient size to adequately assist the voter in identifying the polling place. The flag is to be erected at or near the polling place ~~on election day.~~ place.

(f) A ballot container, properly marked on the outside indicating its contents. ~~If it is necessary to supply additional ballot containers, these additional containers shall also be marked on the outside,~~ outside indicating their contents.

(g) At least one copy of the certified write-in list, if applicable.

(h) A sufficient number of cards to each polling place containing the telephone number of the office to which a voter may call to obtain information about his or her ~~precinct location.~~ polling place. The card shall state that the voter may call collect during polling hours.

(i) An identifying badge or insignia for each member of the precinct board. The member shall print his or her name ~~and the precinct number thereon~~ on the badge or insignia, and shall wear the badge or insignia at all times in the performance of duties, so as to be readily identified as a member of the precinct board by all persons entering the polling place.

(j) Facsimile copies of the ballot containing ballot measures and ballot instructions printed in Spanish or other languages as provided in Section 14201.

(k) Sufficient copies of the notices to be posted on the ~~indexes~~ voter list used at the polls. The notice shall read as follows: "This ~~index~~ voter list shall not be marked in any manner except by a member of the precinct board acting pursuant to Section ~~14297 of the Elections Code.~~ 14297. Any person who removes, tears, marks, or otherwise defaces this ~~index~~ voter list with the intent to falsify or prevent others from readily ascertaining the name, address, or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor."

(l) A roster ~~of voters~~ for each precinct polling place in the form prescribed in Section 14107.

~~*(p)* In addition, the elections official may, with the approval of the board of supervisors, furnish the original books of affidavits of registration or other material necessary to verify signatures to the precinct officers.~~

(m) Printed copies of the Voter Bill of Rights, as supplied by the Secretary of State. The Voter Bill of Rights shall be conspicuously posted both inside and outside every polling place.

~~This section shall become operative on January 1, 1990.~~

(n) For a partisan primary election, printed copies of the posters or other materials described in Section 14105.2. The posters or other materials shall be conspicuously posted both inside and outside every polling place.

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*Full text can be obtained from www.leginfo.ca.gov

SEC. 3.

Adds Elections Code 14105.2

(a) For a partisan primary election, the Secretary of State shall prepare and print posters or other materials that contain all of the following information:

(1) A statement that a voter who has declined to disclose a political party preference may vote in a political party's partisan primary election if the political party, by party rule duly noticed to the Secretary of State, authorizes a voter who has declined to disclose a political party preference to vote in the next ensuing partisan primary election.

(2) The name of each political party that authorizes a voter who has declined to disclose a political party preference to vote in the partisan primary election.

(3) A statement that a voter who has declined to disclose a political party preference may request the ballot of one of the political parties that authorizes a voter who has declined to disclose a political party preference to vote in the partisan primary election.

(b) The Secretary of State shall supply the posters or other materials described in subdivision (a) to each elections official who shall furnish the materials to the precinct officers pursuant to Section 14105.

SEC. 4.

Adds Elections Code 14227.5

(a) At a partisan primary election, before providing a voter who has declined to disclose a political party preference with a nonpartisan ballot or before the voter enters the voting booth, as applicable, a member of the precinct board shall provide a uniform notification to the voter informing him or her that he or she may request a political party's ballot and the name of each political party that has authorized a voter who has declined to disclose a political party preference to vote in its ballot.

(b) A county elections official shall train the members of a precinct board regarding their duties under subdivision (a).

SEC. 5.

Section 2.5 of this bill incorporates amendments to Section 14105 of the Elections Code proposed by both this bill and Senate Bill 286. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 14105 of the Elections Code, and (3) this bill is enacted after Senate Bill 286, in which case Section 2 of this bill shall not become operative.

SEC. 6.

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If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

ELECTIONS: VOTE BY MAIL AND PROVISIONAL BALLOTS

Assembly Bill 840

Chapter 820

CURRENT PROVISIONS

Under existing law, a vote by mail voter must sign the vote by mail ballot envelope. This envelope contains, among other information, a declaration under penalty of perjury that the voter resides within the precinct in which he or she is voting and is the person whose name appears on the envelope. If an elections official determines that a voter has failed to sign this identification envelope, the elections official is prohibited from rejecting the vote by mail ballot if the voter signs the identification envelope at the election official's office before 5 p.m. on the eighth day after the election or the voter completes and submits an unsigned ballot statement, as specified.

Existing law requires certain instructions to accompany the unsigned ballot statement, including the instruction that a voter may submit his or her completed unsigned ballot statement by facsimile transmission to the local elections official instead of mailing or delivering the completed unsigned ballot statement to the local elections official.

Existing law requires an elections official to include the unsigned ballot statement and instructions on his or her Internet Web site, and to provide the election official's mailing address and facsimile transmission number on that site.

Existing law requires an elections official, immediately upon the close of the polls, to conduct a semifinal official canvass by tabulating vote by mail and precinct ballots and compiling the results.

No later than the Thursday following the election, existing law requires the elections official to conduct an official canvass of the ballots cast in an election, including counting any valid vote by mail and provisional ballots that were not included in the semifinal official canvass.

Existing law requires an elections official, during the official canvass of an election in which a voting system is used, to conduct a public manual tally of

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the ballots tabulated by the voting system, including vote by mail ballots, cast in 1% of the precincts chosen at random, as specified.

NEW PROVISIONS

Requires the unsigned ballot statement to be signed under penalty of perjury, and also include in that statement a representation that the voter is a resident of the precinct in which he or she voted and is the person whose name appears on the vote by mail ballot envelope.

Authorizes a voter to submit his or her completed unsigned ballot statement to the local elections official by email by requiring that the instructions accompanying unsigned ballot statements inform a voter that a completed unsigned ballot statement can be submitted by mail.

Requires the local elections official to include his or her email address on the Internet Web page containing the unsigned ballot statement and instructions.

Specifies that the one percent manual tally is a tally of the ballots canvassed in the semifinal official canvass and does not include provisional ballots.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 3019

(a) Upon ~~receipt of~~ *receiving* a vote by mail ballot, the elections official shall compare the signature on the identification envelope with either of the following to determine if the signatures compare:

(1) The signature appearing on the voter's affidavit of registration or any previous affidavit of registration of the voter.

(2) The signature appearing on a form issued by an elections official that contains the voter's signature and that is part of the voter's registration record.

(b) In comparing signatures pursuant to subdivision (a), the elections official may use facsimiles of voters' signatures, provided that the method of preparing and displaying the facsimiles complies with the law.

(c) (1) If upon conducting the comparison of signatures pursuant to subdivision (a) the elections official determines that the signatures compare, he or she shall deposit the ballot, still in the identification envelope, in a ballot container in his or her office.

(2) If upon conducting the comparison of signatures pursuant to subdivision (a) the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall

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not be counted. The cause of the rejection shall be written on the face of the identification envelope.

(d) The variation of a signature caused by the substitution of initials for the first or middle name, or both, shall not be grounds for the elections official to determine that the signatures do not compare.

(e) In comparing signatures pursuant to this section, an elections official may use signature verification technology. If signature verification technology determines the signatures do not compare, the elections official shall not reject the ballot unless he or she visually examines the signatures and verifies that the signatures do not compare.

(f) (1) (A) Notwithstanding any other law, if an elections official determines that a voter has failed to sign the identification envelope, the elections official shall not reject the vote by mail ballot if the voter does any of the following:

(i) Signs the identification envelope at the office of the elections official during regular business hours before 5 p.m. on the eighth day after the election.

(ii) Before 5 p.m. on the eighth day after the election, completes and submits an unsigned ballot statement in substantially the following form:

“UNSIGNED BALLOT STATEMENT

I, am a registered voter of _____ County,

State of California. I ~~do solemnly swear (or affirm)~~ declare under penalty of perjury that I requested and returned a vote by mail ballot and that I have not and will not vote more than one ballot in this election. I am a resident of the precinct in which I have voted, and I am the person whose name appears on the vote by mail ballot envelope. I understand that if I commit or attempt any fraud in connection with voting, or if I aid or abet fraud or attempt to aid or abet fraud in connection with voting, I may be convicted of a felony punishable by imprisonment for 16 months or two or three years. I understand that my failure to sign this statement means that my vote by mail ballot will be invalidated.

Voter's Signature

Address”

(iii) Before the close of the polls on election day, completes and submits an unsigned ballot statement, in the form described in clause (ii), to a polling place within the county or a ballot dropoff box.

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*Full text can be obtained from www.leginfo.ca.gov

(B) If timely submitted, the elections official shall accept any completed unsigned ballot statement. Upon receipt of the unsigned ballot statement, the elections official shall compare the voter's signature on the statement in the manner provided by this section.

(i) If the elections official determines that the signatures compare, he or she shall attach the unsigned ballot statement to the identification envelope and deposit the ballot, still in the identification envelope, in a ballot container in his or her office.

(ii) If the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted.

(C) An elections official may use methods other than those described in subparagraph (A) to obtain a voter's signature on an unsigned identification envelope.

(2) Instructions shall accompany the unsigned ballot statement in substantially the following form:

“READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE STATEMENT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your vote by mail ballot will be counted, your statement should be completed and returned as soon as possible so that it can reach the elections official of the county in which your precinct is located no later than 5 p.m. on the eighth day after the election.

2. You must sign your name on the line above (Voter's Signature).

3. Place the statement into a mailing envelope addressed to your local elections official. Mail, deliver, or have delivered the completed statement to the elections official. Be sure there is sufficient postage if mailed and that the address of the elections official is correct.

4. ~~Alternatively,~~ *If you do not wish to send the statement by mail or have it delivered,* you may submit your completed statement by facsimile *or email* transmission to your local elections official, or submit your completed statement to a polling place within the county or a ballot dropoff box before the close of the polls on election day.

(3) An elections official shall include the unsigned ballot statement and instructions described in this subdivision on his or her Internet Web site, and shall provide the elections official's mailing—~~address~~ *address, email address*, and facsimile transmission number on the Internet Web page containing the statement and instructions.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

(g) A ballot shall not be removed from its identification envelope until the time for processing ballots. A ballot shall not be rejected for cause after the identification envelope has been opened.

SEC. 2.

Section 15360 of the Elections Code, as amended by Section 1 of Chapter 88 of the Statutes of 2017, is amended to read:

Amends Elections Code 15360

(a) During the official canvass of every election in which a voting system is used, the official conducting the election shall conduct a public manual tally of the ballots tabulated by those devices, including vote by mail ballots, using either of the following methods:

(1) (A) A public manual tally of the ~~ballots~~, ballots canvassed in the semifinal official canvass, including vote by mail ~~ballots~~, ballots but not including provisional ballots, cast in 1 percent of the precincts chosen at random by the elections official. If 1 percent of the precincts is less than one whole precinct, the tally shall be conducted in one precinct chosen at random by the elections official.

(B) (i) In addition to the 1 percent manual tally, the elections official shall, for each race not included in the initial group of precincts, count one additional precinct. The manual tally shall apply only to the race not previously counted.

(ii) ~~Additional precincts for the manual tally may be selected at the discretion of the elections official. The elections official may, at his or her discretion, select additional precincts for the manual tally, which may include vote by mail and provisional ballots.~~

(2) A two-part public manual tally, which includes both of the following:

(A) A public manual tally of the ~~ballots~~, ballots canvassed in the semifinal official canvass, not including vote by mail or provisional ballots, cast in 1 percent of the precincts chosen at random by the elections official and conducted pursuant to paragraph (1).

(B) (i) A public manual tally of not less than 1 percent of the vote by mail ballots ~~cast in the election~~, canvassed in the semifinal official canvass. Batches of vote by mail ballots shall be chosen at random by the elections official.

(ii) For purposes of this section, a “batch” means a set of ballots tabulated by the voting system devices, for which the voting system can produce a report of the votes cast.

(iii) (l) In addition to the 1 percent manual tally of the vote by mail ballots, the elections official shall, for each race not included in the initial 1 percent manual tally of vote by mail ballots, count one additional batch of vote

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*Full text can be obtained from www.leginfo.ca.gov

by mail ballots. The manual tally shall apply only to the race not previously counted.

(II) ~~Additional batches for the manual tally may be selected at the discretion of the elections official.~~ *The elections official may, at his or her discretion, select additional batches for the manual tally, which may include vote by mail and provisional ballots.* (b) If vote by mail ballots are cast on a direct recording electronic voting system at the office of an elections official or at a satellite location of the office of an elections official pursuant to Section 3018, the official conducting the election shall either include those ballots in the manual tally conducted pursuant to paragraph (1) or (2) of subdivision (a), or conduct a public manual tally of those ballots cast on no fewer than 1 percent of all the direct recording electronic voting machines used in that election chosen at random by the elections official.

POLITICAL REFORM ACT OF 1974: CONTRIBUTIONS

[Assembly Bill 867](#)

Chapter 749

CURRENT PROVISIONS

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing and related matters, including campaign contributions.

The act defines “contribution” as a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes.

The act further describes types of payments that are expressly included or excluded from the definition, including specified payments made at the behest of a committee, elected officer, or member of the Public Utilities Commission.

The act requires that certain behested payments that are made principally for legislative, governmental, or charitable purposes be reported, as specified.

NEW PROVISIONS

Revises the provisions that define the term “contribution” for purposes of the act, including provisions describing behested payments that are not contributions and the reporting requirements for behested payments, as defined.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

Makes technical, nonsubstantive conforming changes.

AB 867

SECTIONS AFFECTED:

SECTION 1.

The Legislature finds and declares each of the following:

(a) In the years since the voters enacted the Political Reform Act of 1974 by initiative measure, the definition of “contribution” has been amended several times for the purpose of clarifying the types of payments that are appropriately subject to contribution limits and campaign reporting requirements.

(b) The incremental revisions to the definition of “contribution” in Section 82015 of the Government Code have rendered that section increasingly convoluted, unreadable, and difficult to navigate. Specifically, Section 82015 includes, within the definition of “contribution,” definitions of other terms as well as substantive reporting requirements, all of which should be relocated to independent code sections in appropriate areas of the act.

(c) Reorganizing these provisions of Section 82015 serves not only to conform them to the accepted drafting style for statutory codes, but also to improve their readability for the benefit of the public generally as well as the public officials who must comply with them, thereby furthering the purpose of the act.

(d) The organizational changes made by this act are intended to be technical and clarifying in nature.

SEC. 2.

Adds Government Code 82004.5

“Behested payment” means a payment that is made at the behest of a committee, an elected officer, a member of the Public Utilities Commission, or an agent thereof, under any of the following circumstances:

(a) Full and adequate consideration is received from the committee or elected officer.

(b) The payment is made to a different candidate or to a committee not controlled by the behesting candidate.

(c) As to an elected officer, it is clear from the surrounding circumstances that the payment was made for purposes unrelated to the officer’s seeking or holding of elective office. For purposes of this subdivision, a payment is made for purposes related to an elected officer’s seeking or holding of elective office if all or a portion of the payment is used for election-related activities, as defined in Section 82022.5. The following types of payments are presumed to be for purposes unrelated to an elected officer’s seeking or holding of elective office:

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(1) A payment made principally for personal purposes, in which case it may be considered a gift under the provisions of Section 82028. Payments that are otherwise subject to the limits of Section 86203 are presumed to be principally for personal purposes.

(2) A payment made by a state, local, or federal governmental agency.

(3) A payment made by a nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(4) A payment made principally for charitable purposes.

(5) A payment made principally for legislative or governmental purposes by a person other than a state, local, or federal governmental agency.

SEC. 3.

Amends Government Code 82015

(a) "Contribution" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a ~~payment~~ payment, except to the extent that full and adequate consideration is received, ~~unless received or if~~ it is clear from the surrounding circumstances that ~~the payment~~ is not made for political purposes.

(b) "Contribution" includes all of the following:

(1) The purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the candidate's own money or property used on behalf of his or her candidacy, other than personal funds of the candidate used to pay either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code; the granting of discounts or rebates not extended to the public generally or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; the payment of compensation by any person for the personal services or expenses of any other person if the services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration.

(2) The transfer of anything of value received by a committee from another committee, unless full and adequate consideration is received.

(3) The payment of public moneys by a state or local governmental agency for a communication to the public that satisfies both of the following:

(A) The communication expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage, or defeat of a clearly identified measure, or, taken as a whole and in context, unambiguously urges a particular result in an election.

(B) The communication is made at the behest of the affected candidate or committee.

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(4) A payment made by a person to a multipurpose organization as defined and described in Section 84222.

(5) (A) A payment made by a lobbyist or a cohabitant of a lobbyist for costs related to a fundraising event held at the home of the lobbyist, including the value of the use of the home as a fundraising event venue. A payment described in this paragraph is attributable to the lobbyist for purposes of Section 85702.

(B) A payment made by a lobbying firm for costs related to a fundraising event held at the office of the lobbying firm, including the value of the use of the office as a fundraising event venue.

(c) "Contribution" does not include any of the following:

(1) Amounts received pursuant to an enforceable promise to the extent those amounts have been previously reported as a contribution. However, the fact that those amounts have been received shall be indicated in the appropriate campaign statement.

(2) Except as provided in paragraph (5) of subdivision (b), a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are five hundred dollars (\$500) or less.

(3) Volunteer personal services or payments made by any individual for his or her own travel expenses if the payments are made voluntarily without any understanding or agreement that they will be, directly or indirectly, repaid to him or her.

(4) A behested payment, as defined in Section 82004.5, but only as to the behesting committee, elected officer, or member of the Public Utilities Commission.

SEC. 4.

Adds Government Code 82022.5

"Election-related activities" include, but are not limited to, the following with respect to candidate-based elections:

(a) Communications that contain express advocacy of the nomination or election of a candidate or the defeat of his or her opponent.

(b) Communications that contain reference to a candidate's candidacy for elective office, the candidate's election campaign, or the candidate's or his or her opponent's qualifications for elective office.

(c) Solicitation of contributions to the candidate or to third persons for use in support of the candidate or in opposition to his or her opponent.

(d) Arranging, coordinating, developing, writing, distributing, preparing, or planning of any communication or activity described in subdivisions (a) to (c), inclusive.

(e) Recruiting or coordinating campaign activities of campaign volunteers on behalf of the candidate.

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*Full text can be obtained from www.leginfo.ca.gov

(f) Preparing campaign budgets.

(g) Preparing campaign finance disclosure statements.

(h) Communications directed to voters or potential voters as part of activities encouraging or assisting persons to vote if the communication contains express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

SEC. 5.

Adds Government Code 82041.3

“Made at the behest of” means made under the control or at the direction of, in cooperation, consultation, coordination, or concert with, at the request or suggestion of, or with the express, prior consent of.

SEC. 6.

Adds Government Code 84224

(a) A behested payment described in subdivision (b) shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars (\$5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the behesting officer or member of the Public Utilities Commission with the officer’s or member’s agency and is a public record subject to inspection and copying pursuant to Section 81008. The report shall contain all of the following information: name of payor; address of payor; amount of the payment or payments; date or dates the payment or payments were made; the name and address of the payee; a brief description of the goods or services provided or purchased, if any; and a description of the specific purpose or event for which the payment or payments were made. Once the five-thousand-dollar (\$5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source shall be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, state agencies, including the Public Utilities Commission, shall forward a copy of these reports to the Fair Political Practices Commission, and local agencies shall forward a copy of these reports to the officer with whom elected officers of that agency file their campaign statements.

(b) The reporting requirement imposed by this section applies to a behested payment that satisfies each of the following:

(1) The payment is made at the behest of an elected officer or member of the Public Utilities Commission.

(2) The behesting elected officer or member of the Public Utilities Commission does not provide full and adequate consideration in exchange for the payment.

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(3) The payment is made principally for a legislative, governmental, or charitable purpose.

(4) If made principally for a legislative or governmental purpose, the payment is made by a person other than a state, local, or federal governmental agency.

SEC. 7.

Amends Government Code 85400

(a) A candidate for elective state office, other than the Board of Administration of the Public Employees' Retirement System, who voluntarily accepts expenditure limits ~~may~~ shall not make campaign expenditures in excess of the following:

(1) For an Assembly candidate, four hundred thousand dollars (\$400,000) in the primary or special primary election and seven hundred thousand dollars (\$700,000) in the general or special general election.

(2) For a Senate candidate, six hundred thousand dollars (\$600,000) in the primary or special primary election and nine hundred thousand dollars (\$900,000) in the general or special general election.

(3) For a candidate for the State Board of Equalization, one million dollars (\$1,000,000) in the primary election and one million five hundred thousand dollars (\$1,500,000) in the general election.

(4) For a statewide candidate other than a candidate for Governor or the State Board of Equalization, four million dollars (\$4,000,000) in the primary election and six million dollars (\$6,000,000) in the general election.

(5) For a candidate for Governor, six million dollars (\$6,000,000) in the primary election and ten million dollars (\$10,000,000) in the general election.

(b) For purposes of this section, "campaign expenditures" has the same meaning as "election-related activities" as defined in ~~clauses (i) to (vi), inclusive, and clause (viii) of subparagraph (C) of paragraph (2) of subdivision (b) of Section 82045.~~ Section 82022.5.

(c) A campaign expenditure made by a political party on behalf of a candidate ~~may~~ shall not be attributed to the limitations on campaign expenditures set forth in this section.

POLITICAL REFORM ACT OF 1974: CAMPAIGN STATEMENTS: FILING

[Assembly Bill 895](#)

Chapter 111

CURRENT PROVISIONS

The Political Reform Act of 1974 requires enumerated individuals and entities to file campaign statements with the Secretary of State. The act requires

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*Full text can be obtained from www.leginfo.ca.gov

certain of these individuals and entities to file online or by electronic means, as specified, and it permits others to do so voluntarily.

Existing law requires that online filers continue to file in paper format until the Secretary of State determines that the online and electronic disclosure systems are operating securely and effectively.

Existing law specifies that the paper filing be considered the official filing for audit and other legal purposes.

Existing law requires the Secretary of State to certify an online and electronic disclosure system for public use, as specified.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house of the Legislature and compliance with specified procedural requirements.

NEW PROVISIONS

Eliminates the requirement that those filers who file online or by electronic means also file in paper format pending the determination by the Secretary of State.

Becomes operative when the Secretary of State certifies the online filing and disclosure system for public use.

SECTIONS AFFECTED:

SECTION 1.

Amends Section 84215 of the Government Code.

All candidates and elected officers and their controlled committees, except as provided in subdivisions (d) and (e), shall file one copy of the campaign statements required by Section 84200 with the elections official of the county in which the candidate or elected official is domiciled, as defined in subdivision (b) of Section 349 of the Elections Code. In addition, campaign statements shall be filed at the following places:

(a) Statewide elected officers, including members of the State Board of Equalization; Members of the Legislature; Supreme Court justices, court of appeal justices, and superior court judges; candidates for those offices and their controlled committees; committees formed or existing primarily to support or oppose these candidates, elected officers, justices and judges, or statewide measures, or the qualification of state ballot measures; and all state general purpose committees and filers not specified in subdivisions (b)

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to (e), inclusive, shall file a campaign statement by online or electronic means, as specified in Section 84605, and shall file the original and one copy of the campaign statement in paper format with the Secretary of State. 84605.

SEC. 2.

Amends Section 84605 of the Government Code.

(a) The following persons shall file online or electronically with the Secretary of State:

(f) The Secretary of State shall maintain at all times a secured, official version of all original online and electronically filed statements and reports required by this chapter. ~~Upon determination by the Secretary of State, pursuant to Section 84606, that the system is operating securely and effectively, this online or electronic version~~ chapter, which shall be the official version for audit and other legal purposes.

SEC. 3.

Amends Section 84606 of the Government Code.

The Secretary of State shall determine and publicly disclose when the online and electronic disclosure systems are operating effectively. In making this determination, the Secretary of State shall consult with the commission, the Department of Information Technology, and any other appropriate public or private entity. The online or electronic disclosure system shall not become operative until the Department of Information Technology approves the system. Upon this determination, filers required by this chapter to file online or electronically will no longer be required to file ~~a paper copy~~ or with local filing officers. Furthermore, the date that a filer transmits an online or electronic report shall be the date the filed report is received by the Secretary of State.

SEC. 4.

This act shall not become operative until the Secretary of State certifies an online filing and disclosure system pursuant to paragraph (7) of subdivision (b) of Section 84602 of the Government Code.

COUNTY OF SAN DIEGO: LOCAL ELECTIONS

[Assembly Bill 901](#)

Chapter 713

CURRENT PROVISIONS

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Existing law authorizes the amendment of a county charter by proposals submitted by the governing body or by a petition signed by 10% of the qualified electors of the county, as specified.

Existing law also provides that a candidate for a nonpartisan office at a primary election who receives votes on a majority of all the ballots cast for candidates for that office shall be elected to that office.

NEW PROVISIONS

Prescribes certain requirements relating to the availability and accessibility of non-English facsimile ballots and the public posting of voter information to the County of Los Angeles if it conducts a vote center election pursuant to the Voter's Choice Act.

Requires county elections officials to report the number of individuals recruited to serve as members of precinct boards, including the number of those individuals recruited who are fluent in each language required to be represented at polling places.

Provides that a county elections official is not required to provide facsimile copies of the ballot in a particular language if the county elections official is required to provide translated ballots in that language under other provisions of law, as specified.

Makes conforming changes to other provisions of law.

SECTIONS AFFECTED:

SECTION 1.

Adds Government Code 23725

(a) Notwithstanding any other provision of law, the charter of the County of San Diego may be amended by proposals submitted to the county electors by the board of supervisors or by a petition signed by 10 percent of the qualified electors in the county to require that candidates for ~~the office of county board of supervisor~~ county office be elected at the general election. Only the candidates who receive the highest or second highest number of votes cast at the primary election shall appear on the ballot as candidates for ~~the county office of supervisor~~ at the ensuing general election. In the event there are two or less candidates for county office, the names of the candidates shall not appear on the primary election ballot and the candidate for ~~the office of county supervisor~~ county office with the highest number of votes cast shall be elected at the general election.

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*Full text can be obtained from www.leginfo.ca.gov

(b) For purposes of this section, "county office" means any of the following offices:

(1) County supervisor.

(2) District attorney.

(3) Sheriff.

(4) Assessor, recorder, and county clerk.

(5) Treasurer and tax collector.

(6) Member of the county board of education.

SEC. 2.

The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique issues facing the County of San Diego due to its size and the complexity of its government.

CALIFORNIA VOTING FOR ALL ACT

Assembly Bill 918

Chapter 845

CURRENT PROVISIONS

In counties where the Secretary of State has determined that it is appropriate, existing law requires each precinct board to post, in a conspicuous location in the polling place, at least one facsimile copy of the ballot with the ballot measures and ballot instructions printed in Spanish.

Existing law requires that facsimile ballots be printed in other languages and posted in the same manner if a significant and substantial need is found by the Secretary of State.

Existing law, the California Voter's Choice Act, authorizes 14 specified counties, on or after January 1, 2018, and on or after January 1, 2020, any county except for the County of Los Angeles, to conduct any election as an all-mailed ballot election if certain conditions are satisfied.

On or after January 1, 2020, the act authorizes the County of Los Angeles to conduct any election as a vote center election if certain conditions are satisfied, including conditions related to ballot dropoff locations and vote centers.

Existing law states the intent of the Legislature that non-English-speaking citizens, like all other citizens, should be encouraged to vote and that

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appropriate efforts should be made to minimize obstacles to non-English-speaking citizens voting without assistance.

Existing law requires an elections official to make reasonable efforts to recruit election officials who are fluent in a non-English language and in English, if the official finds that non-English-speaking citizens approximate 3% or more of the voting-age residents of a precinct, or if interested citizens or organizations provide information that the elections official believes indicates a need for voting assistance for qualified non-English-speaking citizens.

NEW PROVISIONS

Prescribes certain requirements relating to the availability and accessibility of non-English facsimile ballots and the public posting of voter information to the County of Los Angeles if it conducts a vote center election pursuant to the Voter's Choice Act.

Requires county elections officials to report the number of individuals recruited to serve as members of precinct boards, including the number of those individuals recruited who are fluent in each language required to be represented at polling places.

Provides that a county elections official is not required to provide facsimile copies of the ballot in a particular language if the county elections official is required to provide translated ballots in that language under other provisions of law, as specified.

Makes conforming changes to other provisions of law.

SECTIONS AFFECTED:

SECTION 1.

This act shall be known and may be cited as the California Voting for All Act.

SEC. 2.

Amends Elections Code 4000.5

(B) The elections official delivers to each voter, with either the sample ballot sent pursuant to Section 13303 or with the voter's ballot, all of the following:

(i) A notice, translated in all languages required under subdivision ~~(e)~~ (a) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), that informs voters of all of the following:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

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(7) (A) The elections official submits to the Secretary of State a voter education and outreach plan to be implemented by the eligible entity for any election conducted pursuant to this section. The voter education and outreach plan shall include, but shall not be limited to, all of the following:

(i) One education and outreach meeting that includes representatives, advocates, and other stakeholders representing each community for which the eligible entity is required to provide voting materials and assistance in a language other than English under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(ii) One education and outreach meeting that includes representatives from community organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities.

(iii) At least one in-person bilingual voter education workshop for each language in which the eligible entity is required to provide voting materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(iv) At least one in-person voter education workshop to increase accessibility for participation of eligible voters with disabilities.

(v) A toll-free voter assistance hotline maintained by the elections official that is operational no later than the date that vote by mail ballots are mailed to voters until 5 p.m. on the day after the special election. The toll-free voter assistance hotline shall provide assistance to voters in all languages in which the eligible entity is required to provide voting materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(vi) At least one public service announcement in the media, including newspapers, radio, and television, that serve English-speaking citizens for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline.

(vii) At least one public service announcement in the media, including newspapers, radio, and television, that serves non-English-speaking citizens for each language in which the eligible entity is required to provide voting materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline.

SEC. 3.

Amends Elections Code 4001.5

(B) In addition to the items required to be delivered to each voter under subparagraph (C), the county elections official delivers to each voter a notice, translated in all languages required under subdivision ~~(e)~~ (a) of

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Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), that informs voters that an all-mailed ballot election is being conducted. The county elections official may send only one notice to a household if multiple registered voters reside within that household.

(C) The county elections official delivers to each voter, with the sample ballot sent pursuant to Section 13303 and with the voter's ballot, all of the following:

(i) A notice, translated in all languages required under subdivision ~~(e)~~ (a) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), that informs voters of all of the following:

(8) (A) The county elections official submits to the Secretary of State a voter education and outreach plan to be implemented by the county for any election conducted pursuant to this section. The voter education and outreach plan shall include, but shall not be limited to, all of the following:

(i) One education and outreach meeting that includes representatives, advocates, and other stakeholders representing each community for which the county is required to provide voting materials and assistance in a language other than English under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(iii) At least one in-person bilingual voter education workshop for each language in which the county is required to provide voting materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(v) A toll-free voter assistance hotline maintained by the county elections official that is operational no later than the date that vote by mail ballots are mailed to voters until 5 p.m. on the day after the special election. The toll-free voter assistance hotline shall provide assistance to voters in all languages in which the county is required to provide voting materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(vii) At least one public service announcement in the media, including newspapers, radio, and television, that serve non-English-speaking citizens for each language in which the county is required to provide voting materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline.

(9) (A) The county elections official establishes a community election advisory committee that consists of community members representing minority groups covered under the federal Voting Rights Act of 1965 (52

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U.S.C. Sec. 10101 et seq.) and subdivision ~~(e)~~ (a) of Section 14201 and voters with disabilities including, but not limited to, mobility, sensory, physical, and mental disabilities. In lieu of a community election advisory committee, the county elections official may establish both a local voting accessibility advisory committee pursuant to the guidelines promulgated by the Secretary of State and a local language accessibility advisory committee. For purposes of this section, a local language accessibility advisory committee shall consist of community members representing minority groups covered under the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) and subdivision ~~(e)~~ (a) of Section 14201.

SEC. 4

Amends Elections Code 4005

(10) (A) The county elections official develops a draft plan for the administration of elections conducted pursuant to this section in consultation with the public, including both of the following:

(i) One meeting, publicly noticed at least 10 days in advance of the meeting, that includes representatives, advocates, and other stakeholders representing each community for which the county is required to provide voting materials and assistance in a language other than English under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(iii) The draft plan, the amended draft plan, and the adopted final plan for the administration of elections conducted pursuant to this section shall be posted on the Internet Web site of the county elections official in each language in which the county is required to provide voting materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), and the Secretary of State's Internet Web site in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(VI) A description of how the county elections official will educate and communicate the provisions of this section to the public, including:

(ia) Communities for which the county is required to provide voting materials and assistance in a language other than English under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.). The county elections official shall hold at least one bilingual voter education workshop for each language in which the county is required to provide voting materials and assistance in a language other than English under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(IX) At least one public service announcement in the media, including newspapers, radio, and television, that serve non-English-speaking citizens for each language in which the county is required to provide voting

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materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline.

(vii) A toll-free voter assistance hotline that is accessible to voters who are deaf or hard of hearing, and that is maintained by the county elections official that is operational no later than 29 days before the day of the election until 5 p.m. on the day after the election. The toll-free voter assistance hotline shall provide assistance to voters in all languages in which the county is required to provide voting materials and assistance under subdivision ~~(e)~~ (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(g) (1) (A) Within six months of each election conducted pursuant to this section or Section 4007, the Secretary of State shall report to the Legislature, to the extent possible, all of the following information by categories of race, ethnicity, language preference, age, gender, disability, permanent vote by mail status, historical polling place voters, political party affiliation, and language minorities as it relates to the languages required under subdivision ~~(e)~~ (a) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.):

- (i) Voter turnout.
- (ii) Voter registration.
- (iii) Ballot rejection rates.
- (iv) Reasons for ballot rejection.
- (v) Provisional ballot use.
- (vi) Accessible vote by mail ballot use.
- (vii) The number of votes cast at each vote center.
- (viii) The number of ballots returned at ballot dropoff locations.
- (ix) The number of ballots returned by mail.
- (x) The number of persons who registered to vote at a vote center.
- (xi) Instances of voter fraud.
- (xii) Any other problems that became known to the county elections official or the Secretary of State during the election or canvass.

SEC. 5.

Adds Elections Code 4005.6

An election conducted pursuant to Section 4005 or 4007 is subject to the following requirements:

(a) The provisions of Sections 14200 and 14201 that apply to polling places also apply to vote centers.

(b) Prior to every election, the county elections official shall determine if a voter has previously identified a preferred language other than English to the elections official or to the Secretary of State. If the voter's

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precinct is required to have a facsimile copy of the ballot in the voter's preferred language pursuant to Section 14201, the county elections official shall send to him or her by regular mail or electronic mail a facsimile copy of the ballot in that language. The voter shall receive the facsimile copy of the ballot before vote centers open pursuant to subparagraph (A) of paragraph (4) of subdivision (a) of Section 4005. The facsimile copy of the ballot shall be sufficiently distinct in appearance from a regular ballot to prevent voters from attempting to vote on the facsimile copy.

SEC. 6.
Amends Elections Code 12303

(a) ~~No~~ A person who cannot read or write the English language is not eligible to act as a member of any precinct board.

(b) It is the intent of the Legislature that non-English-speaking citizens, like all other citizens, should be encouraged to vote. Therefore, appropriate efforts should be made to minimize obstacles to ~~voting by non-English-speaking~~ citizens ~~who lack sufficient skill in English to vote~~ voting without assistance.

(c) (1) Where the elections official finds that citizens described in subdivision (b) approximate 3 percent or more of the voting-age residents of a precinct, ~~or in the event that~~ if interested citizens or organizations provided information ~~which~~ that the elections official believes indicates a need for voting assistance for qualified citizens described in subdivision (b), the elections official shall make reasonable efforts to recruit election officials who are fluent in a language used by citizens described in subdivision (b) and in English. This recruitment shall be conducted through the cooperation of interested citizens and organizations and through voluntarily donated public service notices in the media, including newspapers, radio, and television, particularly those media that serve the non-English-speaking citizens described in subdivision (b).

(2) (A) Within 150 days following each statewide general election, the county elections official shall report to the Secretary of State the number of individuals recruited to serve as members of precinct boards, including the number of election officials individuals recruited who are fluent in each language required to be represented under Section 14201, 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.). The Secretary of State shall issue uniform standard reporting guidelines.

(B) The Secretary of State shall post all county reports received under subparagraph (A) on his or her Internet Web site within 180 days following each statewide general election.

(3) At each polling place, a member of the precinct board shall identify the languages spoken by him or her, other than English, by wearing a

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name tag, button, sticker, lanyard, or other mechanism, as determined by the county elections official. The text indicating the language skills of the member of the precinct board shall be in the non-English language or languages spoken by that member.

(d) At least 14 days before an election, the elections official shall prepare and make available to the public a list of the precincts to which officials were appointed pursuant to this section, and the language or languages other than English in which they will provide assistance.

SEC. 7.

Adds Elections Code 13400

(a) A vote by mail voter may request that a facsimile copy of his or her ballot in the language of his or her preference be sent to him or her by regular mail or electronic mail if the voter lives in a precinct that requires a facsimile copy of the ballot in that language pursuant to Section 14201. The county elections officer shall provide instructions to vote by mail voters in the county voter information guide and on the county elections Internet Web site on how to request a facsimile copy of a ballot, in all languages that the county is required to provide facsimile copies of ballots. A vote by mail voter may request a facsimile copy of a ballot by telephone, mail, online, or when requesting a vote by mail ballot from the county no later than seven days before election day.

(b) The county elections official shall prepare the requested facsimile copies described in subdivision (a) no later than 10 days before election day. Requests received by the county elections official 10 days or more before election day shall be processed by the 10th day prior to election day.

(c) This section does not limit an elections official from distributing facsimile copies of the ballot more widely than as required by subdivision (a) or earlier than required by subdivision (b).

SEC. 8.5.

Amends Elections Code 14200

A member of each precinct board shall cause the following voting information to be publicly posted at each polling ~~place on the day of each election:~~ place:

- (a) A sample version of the ballot that will be used for the election.
- (b) Information regarding the date of the election and the hours during which polling places will be open.
- (c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot.
- (d) Instructions for mail-in registrants and first-time voters under Section 303(b) of the federal Help America Vote Act of 2002-(P.L. 107-252)-(52 U.S.C. Sec. 20901 et seq.).

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(e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated.

(f) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation as they pertain to elections.

(g) Information regarding the languages other than English in which members of the precinct board can assist voters. The information shall be provided in all of the languages other than English spoken by the members.

SEC. 9.

Amends Elections Code 14201

(a) In *counties and precincts* where the Secretary of State has determined that it is appropriate, ~~each precinct board shall post, in a conspicuous location in the polling place, at least one~~ *the county elections official shall provide* ~~facsimile copy~~ *copies* of the ~~ballot ballot, as described in subdivision (b),~~ with the ballot measures and ballot instructions printed in Spanish, one of which shall be posted in a conspicuous location in the polling place and at least one of which shall be made available for voters at the polling place to use as a reference when casting a private ballot. ~~If the Secretary of State determines that it is appropriate to post the election materials in Spanish in only certain precincts in the county, the material shall be posted in the polling places situated in those precincts. Facsimile ballots shall also be printed in other languages and posted provided in the same manner if a significant and substantial need is found by the Secretary of State. A facsimile copy of the ballot available for voters to use in casting a private ballot shall be sufficiently distinct in appearance from a regular ballot to prevent voters from attempting to vote on the facsimile copy.~~

(b) (1) In determining whether if it is appropriate to post provide the election materials in Spanish or other languages, the Secretary of State shall determine the number of residents of voting age in each county and precinct who are members of a single language minority, and who lack sufficient skills in English to vote without assistance. If the number of these residents equals 3 percent or more of the ~~voting age~~ voting-age residents of a particular county or precinct, or ~~in the event that~~ if interested citizens or organizations provide the Secretary of State with information ~~which~~ that gives the Secretary of State sufficient reason to believe a need for the furnishing of facsimile ballots, the Secretary of State shall find a need to ~~post at least one facsimile copy of the ballot~~ provide at least two facsimile copies with the ballot measures and ballot instructions printed in Spanish or other applicable language in the affected polling places.

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(2) If the Secretary of State determines that the number of voting-age residents in a precinct who are members of a single language minority and who lack sufficient skills in English to vote without assistance exceeds 20 percent of the voting-age residents in that precinct, the county elections official shall provide at least four facsimile copies of the ballot in the language of that language minority, one of which shall be posted in a conspicuous location in the polling place and at least three of which shall be made available for voters at the polling place to use as a reference when casting a private ballot.

(c) (1) In polling places where facsimile copies of the ballot are necessary, members of the precinct boards shall be trained on the purpose and proper handling of the facsimile copies of the ballot and shall be prepared to inform voters of the existence of the facsimile copies of the ballot, as appropriate.

(2) If a voter requests a facsimile copy of a ballot that is available in his or her language of preference pursuant to subdivision (a), a member of the precinct board shall provide the facsimile copy of the ballot to the voter.

(3) In polling places where facsimile copies of the ballot are necessary, a sign near the index of registration shall inform voters of the existence of the facsimile copies of the ballot. The sign shall be in English and in the language or languages of the facsimile copies available in that polling place.

(d) At least 14 days before an election, the county elections Internet Web site identifying all polling places in the county and the languages of facsimile copies of the ballot that will be available to voters at each polling place. Explanatory information pertaining to the list of polling places, but not the list itself, shall be available in all languages in which the county provides facsimile copies of the ballot.

(e) The county elections official shall include text in the county voter information guide that refers voters with language needs to the portion of the county elections Internet Web site containing the information specified in subdivision (d). The text shall be in all languages in which the county provides facsimile copies of the ballot.

(f) The Secretary of State shall make the determinations and findings set forth in subdivisions ~~(b)~~ (a) and ~~(e)~~ (b) by January 1 of each year in which the Governor is elected.

(g) (1) A county elections official shall not be required to provide facsimile copies of the ballot in a particular language if the county elections official is required to provide translated ballots in that language pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(2) In a polling place where a county elections official is required pursuant to subdivision (a) to provide a facsimile copy of the ballot in a

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language other than English, the county elections official may instead provide voters with a ballot translated into that language. A county elections official who provides and publicizes translated ballots in accordance with in the same manner as translated ballots provided and publicized pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) seq.), in lieu of providing facsimile copies of the ballot in all languages any language required under subdivision (a), need not comply with subdivisions (c), (d), and (e). (e) as pertaining to that language.

(h) It is the intent of the Legislature that non-English-speaking citizens, like all other citizens, should be encouraged to vote. Therefore, appropriate efforts should be made on a statewide basis to minimize obstacles to voting by citizens who lack sufficient skill in English to vote without assistance.

SEC. 10.

Amends Elections Code 14282

(a) When a voter declares under oath, administered by any member of the precinct board at the time the voter appears at the polling place to vote, that the voter is then unable to mark a ballot, the voter shall receive the assistance of not more than two persons selected by the voter, other than the voter's employer, an agent of the voter's employer, or an officer or agent of the union of which the voter is a member.

(b) The county elections official shall provide information on the county elections Internet Web site and in the county voter information guide informing voters that a voter who is unable to mark a ballot may bring up to two individuals to the polls to assist them in voting as specified in subdivision (a). The information shall be available in all languages for which the county has requirements under Section 14201 of this code and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(c) ~~No~~ A person assisting a voter shall not divulge any information regarding the marking of the ballot.

(d) In those polling places that are inaccessible under the guidelines promulgated by the Secretary of State for accessibility by the physically handicapped, a physically handicapped person may appear outside the polling place and vote a regular ballot. The person may vote the ballot in a place that is as near as possible to the polling place and that is accessible to the physically handicapped. A precinct board member shall take a regular ballot to that person, qualify that person to vote, and return the voted ballot to the polling place. In those precincts in which it is impractical to vote a regular ballot outside the polling place, vote by mail ballots shall be provided in sufficient numbers to accommodate physically handicapped persons who present themselves on election day. The vote by mail ballot shall be

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presented to and voted by a physically handicapped person in the same manner as a regular ballot may be voted by that person outside the polling place.

SEC. 11.

Section 8.5 of this bill incorporates amendments to Section 14200 of the Elections Code proposed by both this bill and Senate Bill 286. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 14200 of the Elections Code, and (3) this bill is enacted after Senate Bill 286, in which case Section 8 of this bill shall not become operative.

STATE VOTER INFORMATION GUIDE: VOTECAL INTERNET WEB SITE

[Assembly Bill 1044](#)

Chapter 85

CURRENT PROVISIONS

Existing law requires that the vote by mail ballot be available to any registered voter and that the Secretary of State prepare and distribute to appropriate elections officials uniform printed and electronic applications for vote by mail ballots.

Existing law requires that each ballot delivered to a qualified applicant be accompanied by a state voter information guide, unless the voter has already been provided a state voter information guide.

Existing law requires elections officials to establish processes and systems for a voter to verify that his or her vote by mail ballot or provisional ballot was counted.

NEW PROVISIONS

Requires that the state voter information guide display the Internet Web site address for a voter to check the status of his or her vote by mail or provisional ballot.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 3023

Each ballot that is delivered pursuant to this chapter shall be accompanied by state voter information guide, unless the voter has already been provided a state voter information guide. *The state voter information guide shall display*

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the Internet Web site address for a voter to check the status of his or her vote by mail or provisional ballot.

THE CALIFORNIA POLITICAL CYBERFRAUD ABATEMENT ACT

Assembly Bill 1104 Chapter 715

CURRENT PROVISIONS

Existing law makes it unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud, as defined.

Existing law defines the term “political cyberfraud” to include a knowing and willful act concerning a political Web site that is committed with the intent to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or to cause a person reasonably to believe that a political Web site has been posted by a person other than the person who posted the Web site, and would cause a reasonable person, after reading the Web site, to believe the site actually represents the view of the proponent or opponent of a ballot measure.

Existing law also defines the term “political Web site” to mean an Internet Web site that urges or appears to urge the support or opposition of a ballot measure.

NEW PROVISIONS

Modifies the definition of the terms “political cyberfraud” and “political Web site” to include Internet Web sites that urge or appear to urge the support or opposition of candidates for public office

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 18320

(a) This act shall be known and may be cited as the “California Political Cyberfraud Abatement Act.”

(b) It is unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud.

(c) As used in this section:

(1) “Political cyberfraud” means a knowing and willful act concerning a political Web site that is committed with the intent to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or cause a person reasonably to believe that a political Web site has been posted by a person other than the person who

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posted the Internet Web site, and would cause a reasonable person, after reading the Internet Web site, to believe the site actually represents the views of the proponent or opponent of a ballot-measure, measure or of a candidate for public office. Political cyberfraud includes, but is not limited to, any of the following acts:

(A) Intentionally diverting or redirecting access to a political Web site to another person's Internet Web site by the use of a similar domain name, meta-tags, or other electronic measures.

(B) Intentionally preventing or denying exit from a political Web site by the use of frames, hyperlinks, mousetrapping, popup screens, or other electronic measures.

(C) Registering a domain name that is similar to another domain name for a political Web site.

(D) Intentionally preventing the use of a domain name for a political Web site by registering and holding the domain name or by reselling it to another with the intent of preventing its use, or both.

(2) "Domain name" means any alphanumeric designation that is registered with or assigned by any domain name registrar, domain name registry, or other domain registration authority as part of an electronic address on the Internet.

(3) "Political Web site" means ~~a~~ an Internet Web site that urges or appears to urge the support or opposition of ~~a ballot-measure.~~ measure or a candidate for public office.

OFFICIAL CANVASS: ONE-PERCENT MANUAL TALLY

Assembly Bill 1154

Chapter 88

CURRENT PROVISIONS

Existing law requires an elections official, during the official canvass of an election in which a voting system is used, to conduct a public manual tally of the ballots cast in 1% of the precincts chosen at random by the elections official, as specified. In addition to the 1% manual tally,

Existing law requires the elections official, for each race not included in the initial group of precincts, to count one additional precinct and authorizes the elections official, at his or her discretion, to select additional precincts for the manual tally.

NEW PROVISIONS

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Prohibits the elections official from randomly choosing the initial precincts or selecting an additional precinct for the manual tally until after the close of the polls on election day.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 15360.

(d) The elections official shall not randomly choose the initial precincts or select an additional precinct for the manual tally until after the close of the polls on election day.

ELECTIONS: LOCAL BOND MEASURES: TAX RATE STATEMENT

[Assembly Bill 1194](#)

Chapter 795

CURRENT PROVISIONS

Existing law requires local government agencies, when submitting for voter approval bond measures that will be secured by an ad valorem tax, to provide the voters, along with a sample ballot, a statement that includes estimates of tax rates and debt service in connection with the measure, including estimates of the tax rates required to fund the bond issue during the first fiscal year after the first sale of the bonds and the first fiscal year after the last sale of the bonds. This statement must be included in voter information guides for those bond measures, as specified.

NEW PROVISIONS

Requires local government agencies, when submitting for voter approval bond measures that will be secured by an ad valorem tax, to provide the voters, along with a sample ballot, a statement that includes estimates of tax rates and debt service in connection with the measure, including estimates of the tax rates required to fund the bond issue during the first fiscal year after the first sale of the bonds and the first fiscal year after the last sale of the bonds.

Requires that statement to include a specified estimate.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 9401

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(a) In connection with each bond issue specified in Section 9400, a statement shall be mailed to the voters with the sample ballot for the bond election. The statement required by this section shall be filed with the elections official conducting the election not later than the 88th day before the election, and shall include all of the following:

(1) The best estimate from official sources of the average annual tax rate that would be required to be levied to fund that bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of the election or a projection based on experience within the same jurisdiction or other demonstrable factors. The estimate shall also identify the final fiscal year in which the tax is anticipated to be collected.

VOTING RIGHTS: INMATES AND PERSONS FORMERLY INCARCERATED

[Assembly Bill 1344](#)

Chapter 796

CURRENT PROVISIONS

Existing law provides that a person is entitled to register to vote if he or she is a United States citizen, a resident of California, not imprisoned or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election.

Existing law requires the Department of Corrections and Rehabilitation and county probation departments to either establish and maintain on its Internet Web site a hyperlink to the Internet Web site at which the Secretary of State's voting rights guide for incarcerated persons may be found or post a notice that contains that Internet Web site address.

NEW PROVISIONS

Requires the Department of Corrections and Rehabilitation and county probation departments to both establish and maintain on its Internet Web site a hyperlink to the Internet Web site at which information provided by the Secretary of State regarding voting rights for persons with a criminal history may be found and to post a notice that contains that Internet Web site address.

Requires the Department of Corrections and Rehabilitation and county probation departments to provide certain voting rights information to persons under their jurisdiction upon the request of such a person.

SECTIONS AFFECTED:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

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SECTION 1.

Amends Elections Code 2105.5

(a) The Department of Corrections and Rehabilitation shall do ~~one~~ both of the following:

(1) Establish and maintain on the department's Internet Web site a hyperlink to the Internet Web site at which ~~the Secretary of State's voting rights guide for incarcerated persons~~ information provided by the Secretary of State regarding voting rights for persons with a criminal history may be found.

(2) Post, in each parole office where parolees are seen, a notice that contains the Internet Web site address at which ~~the Secretary of State's voting rights guide for incarcerated persons~~ information provided by the Secretary of State regarding voting rights for persons with a criminal history may be found.

(b) Each county probation department shall do ~~one~~ both of the following:

(1) Establish and maintain on the county probation department's Internet Web site a hyperlink to the Internet Web site at which ~~the Secretary of State's voting rights guide for incarcerated persons~~ information provided by the Secretary of State regarding voting rights for persons with a criminal history may be found.

(2) Post, in each probation office where probationers are seen, a notice that contains the Internet Web site address at which ~~the Secretary of State's voting rights guide for incarcerated persons~~ information provided by the Secretary of State regarding voting rights for persons with a criminal history may be found.

SEC. 2.

Adds Elections Code 2105.6

(a) The Department of Corrections and Rehabilitation shall ~~do all of the following for~~ provide each parolee under the jurisdiction of the department upon the completion of his or her ~~parole~~: parole, upon the parolee's request, information provided by the Secretary of State regarding voting rights for persons with a criminal history.

~~(1) Provide the parolee the most recent version of the Secretary of State's voting rights guide for incarcerated persons.~~

~~(2) Inform the parolee, at the time the parolee is provided the guide described in paragraph (1), that he or she may be eligible to vote.~~

~~(3) Provide the parolee an affidavit of registration.~~

(b) Each county probation department shall do all of the following for each person under the department's supervision:

(b) Each county probation department is encouraged to notify persons that a printed version of information regarding voting rights for

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persons with a criminal history who are under the department's supervision is available upon request.

~~(c) Each county probation department shall do all of the following for provide each person under the department's supervision: supervision, upon the person's request, information provided by the Secretary of State regarding voting rights for persons with a criminal history.~~

~~(1) Provide the person the most recent version of the Secretary of State's voting rights guide for incarcerated persons.~~

~~(2) Inform the person, at the time the person is provided the guide described in paragraph (1), that he or she may be eligible to vote.~~

~~(3) Provide the person, upon the person's request, an affidavit of registration if the person is eligible to register to vote.~~

IMPROPER SIGNATURE-GATHERING TACTICS

Assembly Bill 1367 Chapter 848

CURRENT PROVISIONS

Existing law makes it a crime punishable by a fine, imprisonment, or both a fine and imprisonment, for a person to make a false affidavit concerning any initiative, referendum, or recall petition or the signatures appended to a petition.

NEW PROVISIONS

Provides that it is a crime punishable by a fine, imprisonment, or both a fine and imprisonment, for a person, company, organization, company official, or other organizational officer in charge of a person who circulates an initiative, referendum, or recall petition and who knowingly directs an affiant to make a false affidavit concerning the initiative, referendum, or recall petition or the signatures appended to the petition or who knows or reasonably should know that an affiant has made a false affidavit concerning the initiative, referendum, or recall petition or the signatures appended and submits the section of the petition that contains the false affidavit.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 18660

(a) Every person is punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years, or in a county jail not exceeding one year, or by both that fine and imprisonment, who

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makes any false affidavit concerning an initiative, referendum, or recall petition or the signatures appended ~~thereto~~ to an initiative, referendum, or recall petition.

(b) A person, company, organization, company official, or other organizational officer in charge of a person who circulates an initiative, referendum, or recall petition and who does either of the following is punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment:

(1) Knowingly directs an affiant to make a false affidavit concerning an initiative, referendum, or recall petition or the signatures appended to an initiative, referendum, or recall petition.

(2) Knows or reasonably should know that an affiant has made a false affidavit concerning an initiative, referendum, or recall petition or the signatures appended to an initiative, referendum, or recall petition and submits the section of the petition that contains the false affidavit.

MILITARY AND OVERSEAS VOTERS

Assembly Bill 1403

Chapter 797

CURRENT PROVISIONS

Existing law authorizes a military or overseas voter to apply in person to the elections official for permission to register if he or she is released from service after the closing date of registration for an election, has returned to the county of his or her residence, and is not a registered voter, as specified.

NEW PROVISIONS

Allows a military or overseas voter who is required to move under official active duty military orders after the closing date of registration to apply in person to his or her elections official for permission to register after the closing date of registration, as specified.

SECTIONS AFFECTED:

SECTION.1.

Amends Elections Code 3108.

~~If a~~ (a) A military or overseas voter who is qualified pursuant to paragraph (1) of subdivision (b) of Section 300 is may apply in person to the voter's elections official for permission to register after the closing date of registration under the following conditions:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

~~(1) The military or overseas voter is released from service after the closing date of registration for an election and has returned residence, returns to the county of his or her residence, and is not a registered voter, he or she may apply in person to the elections official for permission to register. If the voter, To register, the elector shall furnish documentary proof of release that he or she was released from service after the closing date of registration for the election, the elections official shall allow him or her to be registered and to vote in the election. On or before the day of election the elections official shall deliver to the precinct board a list of military or overseas voters registered under this section.~~

~~(2) The military or overseas voter is required to move under official active duty military orders after the closing date of registration. To register, the elector shall furnish a copy of his or her official military orders.~~

~~(b) On or before the day of election the elections official shall deliver to the precinct board a list of military or overseas voters who registered under this section.~~

SEC. 2.

~~Section 1.5 of this bill incorporates amendments to Section 3108 of the Elections Code proposed by both this bill and Senate Bill 286. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 3108 of the Elections Code, and (3) this bill is enacted after Senate Bill 286, in which case Section 1 of this bill shall not become operative.~~

MAINTENANCE OF THE CODES

Assembly Bill 1516
Chapter 561

CURRENT PROVISIONS

Existing law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes.

NEW PROVISIONS

Makes nonsubstantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature.

SECTIONS AFFECTED:

SEC. 50.
Amends Elections Code 3017

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

(a) All vote by mail ballots cast under this division shall be voted on or before the day of the election. After marking the ballot, the vote by mail voter shall do any of the following: (1) return the ballot by mail or in person to the elections official who issued the ballot, (2) return the ballot in person to a member of a precinct board at a polling place or vote center within the state, or (3) return the ballot to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. However, a vote by mail voter who is unable to return the ballot may designate any person to return the ballot to the elections official who issued the ballot, to the precinct board at a polling place or vote center within the state, or to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. The ballot ~~must, however,~~ must be received by the elections official who issued the ballot, the precinct board, or the vote by mail ballot dropoff location before the close of the polls on election day. If a vote by mail ballot is returned to a precinct board at a polling place or vote center, or to a vote by mail ballot dropoff location, that is located in a county that is not the county of the elections official who issued the ballot, the elections official for the county in which the vote by mail ballot is returned shall forward the ballot to the elections official who issued the ballot no later than eight days after receipt.

(e) (1) A person designated to return a vote by mail ballot shall not receive any form of compensation based on the number of ballots that the person ~~has returned~~ returns and ~~no~~ an individual, group, or organization shall not provide compensation on this basis.

(2) For purposes of this paragraph, “compensation” means any form of monetary payment, goods, services, benefits, promises or offers of employment, or any other form of consideration offered to another person in exchange for returning another voter’s vote by mail ballot.

(3) ~~Any~~ A person in charge of a vote by mail ballot and who knowingly and willingly engages in criminal acts related to that ballot as described in Division 18 (commencing with Section 18000), including, but not limited to, fraud, bribery, intimidation, and tampering with or failing to deliver the ballot in a timely fashion, is subject to the appropriate punishment specified in that division.

SEC. 51.

Amends Elections Code 10010

(a) A political subdivision that changes from an at-large method of election to a district-based election, or that establishes district-based elections, shall do all of the following before a public hearing at which the governing body of the political subdivision votes to approve or defeat an ordinance establishing district-based elections:

(1) Before drawing a draft map or maps of the (1) proposed boundaries of the districts, the political subdivision shall hold at least two public hearings

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*Full text can be obtained from www.leginfo.ca.gov

over a period of no more than ~~thirty~~ 30 days, at which the public is invited to provide input regarding the composition of the districts. Before these hearings, the political subdivision may conduct outreach to the public, including to non-English-speaking communities, to explain the districting process and to encourage public participation.

(b) In determining the final sequence of the district elections conducted in a political subdivision in which members of the governing body will be elected at different times to provide for staggered terms of office, the governing body shall give special consideration to the purposes of the California Voting Rights Act of 2001 (~~Chapter 1.5 (commencing with Section 14025) of Division 14 of this code~~), 2001, and it shall take into account the preferences expressed by members of the districts.

(e) (1) Before commencing an action to enforce Sections 14027 and 14028, a prospective plaintiff shall send by certified mail a written notice to the clerk of the political subdivision against which the action would be brought asserting that the political subdivision's method of conducting elections may violate the California Voting Rights Act. Act of 2001.

(f) (1) If a political subdivision adopts an ordinance establishing district-based elections pursuant to subdivision (a), a prospective plaintiff who sent a written notice pursuant to paragraph (1) of subdivision (e) before the political subdivision passed its resolution of intention may, within 30 days of the ordinance's adoption, demand reimbursement for the cost of the work product generated to support the notice. A prospective plaintiff shall make the demand in writing and shall substantiate the demand with financial documentation, such as a detailed invoice for demography services. A political subdivision may request additional documentation if the provided documentation is insufficient to corroborate the claimed costs. A political subdivision shall reimburse a prospective plaintiff for reasonable costs claimed, or in an amount to which the parties mutually agree, within 45 days of receiving the written demand, except as provided in paragraph (2). In all cases, the amount of the reimbursement shall not exceed the cap described in paragraph (3).

(3) The amount of reimbursement required by this section is capped at \$30,000, as adjusted annually to the Consumer Price Index for All Urban Consumers, ~~U.S.~~ United States city average, as published by the United States Department of Labor.

SEC. 52.

Amends Elections Code 21534

(a) The commission shall establish single-member supervisorial districts for the board pursuant to a mapping process using the following criteria as set forth in the following order of priority:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

(8) The board shall provide ~~for~~ reasonable funding and staffing for the commission.

SEC. 53.

Amends Elections Code 21535

A commission member shall be ineligible for a period of five years beginning from the date of appointment to hold elective public office at the federal, state, county, or city level in this state. A commission member shall be ineligible for a period of three years beginning from the date of appointment to hold appointive federal, state, or local public office, to serve as paid staff for, or as a paid consultant to, the Board of Equalization, the Congress, the Legislature, or any individual legislator, or to register as a federal, ~~state~~ state, or local lobbyist in this state.

SEC. 54.

Amends Elections Code 23002

(d) The commission shall submit a report to the legislative body ~~of its findings on~~ documenting the need for changes to the boundaries, and its recommended changes, within six months after the final population figures determined in each federal decennial census have been released, but in any event not later than August 1 of the year following the year in which the census is taken.

POLITICAL REFORM ACT OF 1974: POSTGOVERNMENT EMPLOYMENT

[Assembly Bill 1620](#)

Chapter 800

CURRENT PROVISIONS

The Milton Marks Postgovernment Employment Restrictions Act of 1990 prohibits a Member of the Legislature, for a period of one year after leaving office, from acting as a compensated agent or attorney for, or otherwise representing, any other person by making appearances before, or communications with, the Legislature or its committees, present Members, or officers or employees, if the appearance or communication is made for the purpose of influencing legislative action.

NEW PROVISIONS

Extends the length of the "revolving door" ban when a member of the Legislature resigns from office so that it remains in effect until a year has passed since the end of the legislative session in which the member resigns.

SECTIONS AFFECTED:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

SECTION 1.**Amends Government Code 87406**

(a) This section shall be known, and may be cited, as the Milton Marks Postgovernment Employment Restrictions Act of 1990.

(b) ~~No~~ (1) Except as provided in paragraph (2), a Member of the Legislature, for a period of one year after leaving office, ~~shall,~~ shall not, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before the Legislature, any committee or subcommittee thereof, any present Member of the Legislature, or any officer or employee thereof, if the appearance or communication is made for the purpose of influencing legislative action.

(2) A Member of the Legislature who resigns from office, for a period commencing with the effective date of the resignation and concluding one year after the adjournment sine die of the session in which the resignation occurred, shall not, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before the Legislature, any committee or subcommittee thereof, any present Member of the Legislature, or any officer or employee thereof, if the appearance or communication is made for the purpose of influencing legislative action.

(c) ~~No~~ An elected state officer, other than a Member of the Legislature, for a period of one year after leaving office, ~~shall,~~ shall not, for compensation, act as agent or attorney for, or otherwise represent, any other person by making any formal or informal appearance, or by making any oral or written communication, before any state administrative agency, or any officer or employee thereof, if the appearance or communication is for the purpose of influencing administrative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. For purposes of this subdivision, an appearance before a "state administrative agency" does not include an appearance in a court of law, before an administrative law judge, or before the Workers' Compensation Appeals Board.

(d) (1) ~~No~~ A designated employee of a state administrative agency, any officer, employee, or consultant of a state administrative agency who holds a position ~~which~~ that entails the making, or participation in the making, of decisions ~~which~~ that may foreseeably have a material effect on any financial interest, and ~~no~~ a member of a state administrative agency, for a period of one year after leaving office or employment, ~~shall,~~ shall not, for compensation, act as agent or attorney for, or otherwise represent, any other person, by making any formal or informal appearance, or by making any oral or written communication, before any state administrative agency, or officer

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or employee thereof, for which he or she worked or represented during the 12 months before leaving office or employment, if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. For purposes of this paragraph, an appearance before a state administrative agency does not include an appearance in a court of law, before an administrative law judge, or before the Workers' Compensation Appeals Board. The prohibition of this paragraph ~~shall only apply~~ *applies* to designated employees employed by a state administrative agency on or after January 7, 1991.

(2) For purposes of paragraph (1), a state administrative agency of a designated employee of the Governor's office includes any state administrative agency subject to the direction and control of the Governor.

(e) The prohibitions contained in subdivisions (b), (c), and (d) ~~shall do~~ *do* not apply to any individual subject to this section who is or becomes ~~any~~ *either* of the following:

(1) An officer or employee of another state agency, board, or commission if the appearance or communication is for the purpose of influencing legislative or administrative action on behalf of the state agency, board, or commission.

(2) An official holding an elective office of a local government agency if the appearance or communication is for the purpose of influencing legislative or administrative action on behalf of the local government agency.

~~(f) This section shall become operative on January 1, 1991, but only if Senate Constitutional Amendment No. 32 of the 1989-90 Regular Session is approved by the voters. With respect to Members of the Legislature whose current term of office on January 1, 1991, began in December 1988, this section shall not apply until January 1, 1993.~~

EXAMINATION OF PETITIONS

Assembly Bill 1729

Chapter 354

CURRENT PROVISIONS

Existing law requires elections officials to preserve initiative and referendum petitions received or filed in their offices for 8 months after the certification of the results of the election for which the petition qualified, or 8 months after the final examination of the petition by the elections official if the measure is not submitted to the voters.

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Existing law requires the elections officials to thereafter destroy these petitions as soon as practicable unless certain conditions are satisfied.

Existing law authorizes the proponents of a petition, no later than 21 days after certification of the insufficiency, to examine a petition found to be insufficient.

NEW PROVISIONS

Requires the county elections official to preserve the petition until one year from the date of the proponent's last examination, if a proponent has commenced examination of a petition pursuant to this provision.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 17200

(a) ~~Elections~~ Except as provided in subdivision (b), elections officials required by law to receive or file in their offices any initiative or referendum petition shall preserve the petition until eight months after the certification of the results of the election for which the petition qualified or, if the measure, for any reason, is not submitted to the voters, eight months after the final examination of the petition by the elections official.

(b) Thereafter, the petition shall be destroyed as soon as practicable unless ~~it~~ any of the following conditions is satisfied:

(1) The petition is in evidence in some action or proceeding then ~~pending or unless the~~ pending.

(2) The elections official has received a written request from the Attorney General, the Secretary of State, the Fair Political Practices Commission, a district attorney, a grand jury, or the governing body of a county, city and county, or district, including a school district, that the petition be preserved for use in a pending or ongoing investigation into election irregularities, the subject of which relates to the petition's qualification or disqualification for placement on the ballot, or in a pending or ongoing investigation into a violation of the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code).

(3) The proponents of the petition have commenced an examination pursuant to Section 6253.5 of the Government Code, in which case the petition shall be preserved until one year from the date that the proponents last examined the petition.

(c) If a petition subject to paragraph (3) of subdivision (b) is circulated in multiple counties, a county that performs an examination pursuant to this section shall inform the other counties in which the petition is circulated of the examination to facilitate compliance with that paragraph. If

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the petition is circulated statewide, the Secretary of State shall ensure compliance.

(d) Public access to any such petition shall be restricted in accordance with Section 6253.5 of the Government Code.

(e) This section ~~shall apply~~ applies to the following petitions:

- (1) Statewide initiative and referendum petitions.
- (2) County initiative and referendum petitions.
- (3) Municipal initiative and referendum petitions.
- (4) Municipal city charter amendment petitions.
- (5) District initiative and referendum petitions.

SEC. 2.

Amends Government Code 6253.5

(b) ~~If~~ the proponents of a petition are permitted to examine the petition and ~~memoranda,~~ memoranda pursuant to subdivision (a), the examination shall commence not later than 21 days after certification of ~~insufficiency.~~ insufficiency, and the county elections officials shall retain the documents as prescribed in Section 17200 of the Elections Code.

(d) As used in this ~~section~~ section, "proponents of the petition" means the following:

COMMITTEE ON ELECTIONS AND REDISTRICTING: ELECTIONS OMNIBUS BILL

[Assembly Bill 1730](#)

Chapter 118

CURRENT PROVISIONS

Existing law requires the county elections official, if an affidavit of registration does not contain all the information required to be submitted, but the telephone number is legible, to telephone the affiant to attempt to collect the missing information.

Existing law requires the proponents of a recall of an elected officer to submit a notice of intention, which is required to contain, among other requirements, the printed name, signature, and residence address of each of the proponents, as specified.

Existing law requires an elections official to divide a jurisdiction into precincts and prepare detail maps or exterior descriptions of the precincts.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Existing law requires that jurisdictional boundary changes occur at least 88 days before an election for the changes to be effective for purposes of that election.

NEW PROVISIONS

Requires the county elections official to attempt to contact the affiant and collect the missing information if the affidavit does not contain all of the information required.

Makes a conforming change.

Clarifies that the residence address must include the street and number, city, and ZIP Code of each of the proponents of the recall.

Increases the existing period for jurisdictional boundary changes to 125 days before an election for boundary changes to be effective.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 2153

(a) Except as provided in Section 2154, the affidavit of registration shall show all the facts required to be stated.

(b) If the affidavit does not contain all of the information required, ~~but the telephone number of the affiant is legible~~, the county elections official shall ~~telephone~~ attempt to contact the affiant and ~~attempt to~~ collect the missing information.

(c) If the affidavit does not contain all of the information required, and the county elections official is not able to collect the missing information ~~by telephone~~, but the mailing address of the affiant is legible, the county elections official shall inform the affiant of the reason for rejection and shall send to the affiant either of the following:

(1) A new voter registration card.

(2) Any other document, as determined by the elections official, on which the affiant may provide the missing information. An affiant who provides information pursuant to this paragraph shall certify under penalty of perjury that the information provided is true and correct.

SEC. 2.

Amends Elections Code 11020.

The notice of intention shall contain all of the following:

(a) The name and title of the officer sought to be recalled.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

(b) A statement, not exceeding 200 words in length, of the reasons for the proposed recall.

(c) The printed name, signature, and residence address, *including street and number, city, and ZIP Code*, of each of the proponents of the recall. If a proponent cannot receive mail at the residence address, he or she must provide an alternative mailing address. The minimum number of proponents is 10, or equal to the number of signatures required to have been filed on the nomination paper of the officer sought to be recalled, whichever is higher.

(d) The provisions of Section 11023.

SEC. 3.

Amends Elections Code 12262

Jurisdictional boundary changes occurring less than ~~88~~ 125 days before an election shall not be effective for purposes of that election. Voters residing within an area affected by a boundary change, occurring within ~~88~~ 125 days before an election, shall vote at the ensuing election in all respects as if ~~no~~ a boundary change had not occurred. ~~However, any district that holds a general district election on the first Tuesday after the first Monday in November of an odd-numbered year shall complete any boundary change not less than 130 days prior to the election in order to comply with Section 10522.~~

BALLOT MEASURES: EFFECTIVE DATE

[Assembly Constitutional Amendment 17](#)

Chapter 190

CURRENT PROVISIONS

The California Constitution provides that an initiative statute, referendum, or constitutional amendment or revision approved by a majority of votes thereon takes effect the day after the election unless the measure provides otherwise.

Existing law requires the Secretary of State to compile the results of all statewide measures, and to prepare, certify, and file a statement of the vote from the compiled results no later than the 38th day after the election.

NEW PROVISIONS

Provides that an initiative statute, a referendum, or a constitutional amendment or revision approved by a majority of votes thereon takes effect 5 days after the Secretary of State files the statement of the vote for the election at which the measure is voted on, and the measure clarifies that an initiative statute, referendum, or constitutional amendment or revision may

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provide that it becomes operative after its effective date. Makes nonsubstantive changes to these provisions.

SECTIONS AFFECTED:

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2017-2018 Regular Session commencing on the fifth day of December 2016, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

First—

That Section 10 of Article II thereof is amended to read:

SEC. 10.

(a) An initiative statute or referendum approved by a majority of votes cast thereon takes effect on the fifth day after the ~~election unless the measure provides otherwise.~~ Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date. If a referendum petition is filed against a part of a ~~statute~~ statute, the remainder of the statute shall not be delayed from going into effect.

(b) If provisions of ~~2~~ two or more measures approved at the same election conflict, ~~these~~ the provisions of the measure receiving the highest number of affirmative vote votes shall prevail.

(c) The Legislature may amend or repeal a referendum ~~statute.~~ statute. The Legislature may amend or repeal an initiative statute by another statute that becomes effective only when approved by the electors unless the initiative statute permits amendment or repeal without ~~their~~ the electors' approval.

(d) ~~Prior to~~ Before circulation of an initiative or referendum petition for signatures, a copy shall be submitted to the Attorney General who shall prepare a title and summary of the measure as provided by law.

(e) The Legislature shall provide for the manner in which ~~petitions a~~ petition shall be circulated, presented, and certified, and ~~measures the~~ manner in which a measure shall be submitted to the electors.

Second—

That Section 4 of Article XVIII thereof is amended to read:

SEC. 4.

A proposed amendment or revision shall be submitted to the electors ~~and~~ and, if approved by a majority of votes ~~thereon~~ cast thereon, takes effect on the fifth day after the ~~election unless the measure~~

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*Full text can be obtained from www.leginfo.ca.gov

~~provides otherwise.~~ *Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date.* If provisions of ~~2~~ two or more measures approved at the same election conflict, ~~those~~ the provisions of the measure receiving the highest number of affirmative vote votes shall prevail.

PRESIDENTIAL ELECTIONS: ELECTORAL COLLEGE

[Assembly Joint Resolution 1](#)

Chapter 122

NEW PROVISIONS

Urges the United States Congress to propose and send to the states for ratification a constitutional amendment to abolish the electoral college and provide for the direct election of the President and Vice President of the United States by the popular vote of all eligible citizens of the United States.

Text can be obtained from www.leginfo.ca.gov

CALIFORNIA DROUGHT, WATER, PARKS, CLIMATE, COASTAL PROTECTION, AND OUTDOOR ACCESS FOR ALL ACT OF 2018

[Senate Bill 5](#)

Chapter 852

NEW PROVISIONS

Provides for the submission of a ballot measure to the voters at the June 5, 2018, statewide primary direct election to enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Authorizes the issuance of bonds pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all programs.

Text can be obtained from www.leginfo.ca.gov

POLITICAL REFORM ACT OF 1974: MASS MAILING PROHIBITION

[Senate Bill 45](#)

Chapter 827

CURRENT PROVISIONS

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

The Political Reform Act of 1974 prohibits sending mass mailings at public expense.

The act defines “mass mailing” as over 200 substantially similar pieces of mail not including form letters or other mail that is sent in response to an unsolicited request, letter, or other inquiry.

An existing regulation adopted by the Fair Political Practices Commission prescribes criteria for mass mailings that are prohibited by the act and for mass mailings that are permissible under the act.

NEW PROVISIONS

Codifies existing regulation.

Prohibits a mass mailing from being sent within the 60 days preceding an election by or on behalf of a candidate whose name will appear on the ballot, except as specified.

A willful violation of the act’s provisions is punishable as a misdemeanor. By expanding the scope of an existing crime, this bill would impose a state-mandated local program

SECTIONS AFFECTED:

SECTION 1.

Adds Government Code 89002

(a) Except as provided in subdivision (b), a mailing is prohibited by Section 89001 if all of the following criteria are met:

(1) An item sent is delivered, by any means, to the recipient at his or her residence, place of employment or business, or post office box. The item delivered to the recipient must be a tangible item, such as a videotape, record, or button, or a written document.

(2) The item sent either:

(A) Features an elected officer affiliated with the agency that produces or sends the mailing.

(B) Includes the name, office, photograph, or other reference to an elected officer affiliated with the agency that produces or sends the mailing, and is prepared or sent in cooperation, consultation, coordination, or concert with the elected officer.

(3) Any of the costs of distribution are paid for with public money or the costs of design, production, and printing exceeding fifty dollars (\$50) are paid with public moneys, and the design, production, or printing is done with the intent of sending the item other than as permitted by this section.

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*Full text can be obtained from www.leginfo.ca.gov

(4) More than two hundred substantially similar items are sent in a single calendar month, excluding any item sent in response to an unsolicited request and any item described in subdivision (b).

(b) Notwithstanding subdivision (a), a mass mailing of the following items is not prohibited by Section 89001:

(1) An item in which the elected officer's name appears only in the letterhead or logotype of the stationery, forms, including "For Your Information" or "Compliments of" cards or stamps, and envelopes of the agency sending the mailing, or of a committee of the agency, or of the elected officer, or in a roster listing containing the names of all elected officers of the agency. For purposes of this section, the return address portion of a self-mailer is considered the envelope. In any such item, the names of all elected officers must appear in the same type size, typeface, type color, and location. The item shall not include the elected officer's photograph, signature, or any other reference to the elected officer, except as specifically permitted by this section. The item may, however, include the elected officer's office or district number and the elected officer's name or district number in his or her Internet Web site address or electronic mail address.

(2) A press release sent to members of the media.

(3) An item sent in the normal course of business from one governmental entity or officer to another governmental entity or officer, including all local, state, and federal officers or entities.

(4) An intra-agency communication sent in the normal course of business to employees, officers, deputies, and other staff.

(5) An item sent in connection with the payment or collection of funds by the agency sending the mailing, including tax bills, checks, and similar documents, in any instance in which use of the elected officer's name, office, title, or signature is necessary to the payment or collection of the funds. The item shall not include the elected officer's photograph, signature, or any other reference to the elected officer, except as specifically permitted by this section.

(6) Any item sent by an agency responsible for administering a government program, to persons subject to that program, in any instance in which the mailing of the item is essential to the functioning of the program, the item does not include the elected officer's photograph, and use of the elected officer's name, office, title, or signature is necessary to the functioning of the program.

(7) Any legal notice or other item sent as required by law, court order, or order adopted by an administrative agency pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2), and in which use of the elected officer's name, office, title, or signature is necessary in the notice or other mailing. For purposes of this paragraph, inclusion of an elected officer's name on a ballot

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as a candidate for elective office, and inclusion of an elected officer's name and signature on a ballot argument, shall be considered necessary to that notice or other item.

(8) A telephone directory, organization chart, or similar listing or roster which includes the names of elected officers as well as other individuals in the agency sending the mailing, in which the name of each elected officer and individual listed appears in the same type size, typeface, and type color. The item shall not include an elected officer's photograph, name, signature, or any other reference to an elected officer, except as specifically permitted by this section.

(9) (A) An announcement of any meeting or event of either of the following:

(i) An announcement sent to an elected officer's constituents concerning a public meeting that is directly related to the elected officer's incumbent governmental duties, is to be held by the elected officer, and that the elected officer intends to attend.

(ii) An announcement of any official agency event or events for which the agency is providing the use of its facilities or staff or other financial support.

(B) Any announcement provided for in this paragraph shall not include the elected officer's photograph or signature and may include only a single mention of the elected officer's name except as permitted elsewhere in this section.

(10) An agenda or other writing that is required to be made available pursuant to Sections 11125.1 and 54957.5, or a bill, file, history, journal, committee analysis, floor analysis, agenda of an interim or special hearing of a committee of the Legislature, or index of legislation, published by the Legislature.

11) A business card that does not contain the elected officer's photograph or more than one mention of the elected officer's name.

(c) For purposes of this section, the following terms have the following meanings:

(1) "Elected officer affiliated with the agency" means an elected officer who is a member, officer, or employee of the agency, or of a subunit thereof such as a committee, or who has supervisory control over the agency or appoints one or more members of the agency.

(2) "Features an elected officer" means that the item mailed includes the elected officer's photograph or signature or singles out the elected officer by the manner of display of his or her name or office in the layout of the document, such as by headlines, captions, type size, typeface, or type color.

(3) "Substantially similar" is defined as follows:

(A) Two items are "substantially similar" if any of the following applies:

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(i) The items are identical, except for changes necessary to identify the recipient and his or her address.

(ii) The items are intended to honor, commend, congratulate, or recognize an individual or group, or individuals or groups, for the same event or occasion, are intended to celebrate or recognize the same holiday, or are intended to congratulate an individual or group, or individuals or groups, on the same type of event, such as birthdays or anniversaries.

(iii) Both of the following apply to the items mailed:

(I) Most of the bills, legislation, governmental action, activities, events, or issues of public concern mentioned in one item are mentioned in the other.

(II) Most of the information contained in one item is contained in the other.

(B) Enclosure of the same informational materials in two items mailed, such as copies of the same bill, public document, or report, shall not, by itself, mean that the two items are "substantially similar." The informational materials shall not include the elected officer's name, photograph, signature, or any other reference to the elected officer except as permitted elsewhere in this section.

(C) An item is only considered substantially similar to other items sent by the same official, not to items sent by other officials in the same agency.

(4) "Unsolicited request" is defined as follows:

(A) A written or oral communication, including a petition, that specifically requests a response and is not requested or induced by the recipient elected officer or by any third person acting at his or her behest. However, an unsolicited oral or written communication, including a petition, that does not contain a specific request for a response shall be deemed to constitute an unsolicited request for a single written response.

(B) An unsolicited request for continuing information on a subject shall be deemed an unsolicited request for multiple responses directly related to that subject for a period of time not to exceed 24 months. An unsolicited request to receive a regularly published agency newsletter shall be deemed an unsolicited request for each issue of that newsletter.

(C) A previously unsolicited request to receive an agency newsletter or mass mailing on an ongoing basis shall not be deemed to have become solicited by the sole fact that the requestor responds to an agency notice indicating that, in the absence of a response, his or her name will be purged from the mailing list for that newsletter or mass mailing. A notice in the following language shall be deemed to meet this standard:

"The law does not permit this office to use public funds to keep you updated on items of interest unless you specifically request that it do so."

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*Full text can be obtained from www.leginfo.ca.gov

Inclusion of a similar notice in other items does not constitute a solicitation under this section.

(D) A communication sent in response to an elected officer's participation at a public forum or press conference, or to his or her issuance of a press release, shall be deemed an unsolicited request.

(E) A person who subscribes to newspapers or other periodicals published by persons other than elected officers shall be deemed to have made unsolicited requests for materials published in those subscription publications.

SEC. 2.

Adds Government Code 89003

(a) A Notwithstanding subdivision (b) of Section 89002, a mass mailing mailing, as defined in Section 82041.5, that meets the criteria of subdivision (a) of Section 89002 shall not be sent within the 90 60 days preceding an election by or on behalf of a candidate whose name will appear on the ballot at that election. election, except as otherwise required by law, provided in paragraphs (3)–(2) to (8), inclusive, and paragraph (10) of subdivision (b) of Section 89002.

STATE GOVERNMENT

[Senate Bill 96](#)

Chapter 28

CURRENT PROVISIONS

The California Constitution enables electors to initiate a recall of state officers by gathering sufficient signatures within a 160-day period. Upon certification by the Secretary of State that this requirement has been met, the California Constitution authorizes the Governor to call a recall election within 60 to 80 days or to consolidate it with a regularly scheduled election that is within 180 days of the certification of the signatures.

The California Constitution authorizes the Legislature to provide for recall elections, and existing statutes establish a procedural framework for certifying recall petitions and holding recall elections.

Existing law requires the Secretary of State, within 10 days of receiving from one or more county elections officials a petition certified to have been signed by the stated number of registered voters, to transmit to each county elections official a certificate showing that fact, and showing the total number of signatures collected by the proponents.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

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Existing law requires local elections officials to submit signatures gathered by proponents of a recall to the Secretary of State at least every 30 days.

Existing law requires that signatures submitted at these intervals or after the deadline for submission of all signatures be verified according to specified procedures, including the use of a random sampling technique, and, as specified, the examination and verification of each signature filed.

NEW PROVISIONS

Requires the Secretary of State to notify a county elections official that a petition received a sufficient number of signatures to initiate a recall election. After this notice has been provided, the bill provides for a period of 30 business days in which voters who signed the petition may withdraw their signatures.

Requires, no later than 10 days after that period ends, the county elections officials to report to the Secretary of State the total number of signatures that were withdrawn, and requires that this process continue until the Secretary of State determines that there is a sufficient number of verified signatures, not including withdrawn signatures, to initiate a recall election. If a sufficient number of verified signatures is ultimately obtained, requires the Department of Finance, in consultation with affected elections officials and the Secretary of State, to estimate the costs of the recall election if it is held as a special election or as part of the next regularly scheduled election.

Prohibits the Secretary of State from certifying the sufficiency of the signatures until the Joint Legislative Budget Committee has had 30 days to review and comment on the Department of Finance's estimate of the costs of the recall election. Following that period, requires the Department of Finance's estimate to be posted on the Secretary of State's Internet Web site, and authorizes the Department of Finance to direct the Controller to remit specified costs of conducting the recall election to affected counties. Appropriates \$5,000,000 for this purpose.

Repeals the provisions that allow for the use of random sampling as a method of verifying signatures for a recall petition, thereby requiring the examination and verification of each signature filed.

States the Legislature's intent that these provisions apply retroactively.

By increasing the duties of local officials, this bill imposes a state-mandated local program.

Changes in or additions to text are shown by underlined *italics*, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

SECTIONS AFFECTED:

SECTION 1.

The Legislature finds and declares all of the following:

(a) Pursuant to Section 16 of Article II of the California Constitution, the Legislature is required to provide for the circulation, filing, and certification of petitions, nomination of candidates, and the recall election.

(b) Recall elections are extraordinary elections in which an official may be removed by fewer voters than the number of voters who elected that official.

(c) Before a recall election is held, any and all steps should be employed to ensure the accuracy and validity of the petition process.

(d) It is the Legislature's intent that the changes made by this act in the Elections Code apply retroactively to recalls that are pending at any stage at the time of the act's enactment, and to provide funds to reimburse counties for additional unexpected costs as a result.

SEC. 2.

Amends Elections Code 11104.

(a) The elections official, 30 days after a recall has been initiated and every 30 days thereafter, or more frequently at the discretion of the elections official, shall report to the Secretary of State all of the following:

(b) Signatures shall be verified in the same manner set forth in subdivisions (b), (c), (d), (e), (f), and (g) subdivision (b) of ~~Section 9030, and in~~ Section 9031.

SEC. 3.

Repeals Elections Code 11105.

SEC. 4.

Amends Elections Code 11106.

Immediately after the deadline for submission of all signatures, the elections official shall verify any remaining signatures in the same manner set forth in subdivisions (b), (c), (d), (e), (f), and (g) subdivision (b) of ~~Section 9030, and in~~ Section 9031. This verification shall apply to all signatures submitted to each county elections official.

SEC. 5.

Amends Elections Code 11108.

(a) When the Secretary of State has received from one or more county elections officials a petition certified to have been signed by the stated a sufficient number of registered voters, to initiate a recall election, he or she shall, within 10 days, transmit to notify each county elections official—a

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

~~certificate showing that fact, and showing the total number of signatures collected by the proponents. The county elections official shall file the certificate in his or her office. of that fact.~~

(b) Notwithstanding any other law, any voter who has signed a recall petition under this chapter shall have his or her signature withdrawn from the petition upon the voter filing a written request that includes the voter's name, residence address, and signature with the elections official within thirty business days of the Secretary of State's notice provided by subdivision (a).

(c) No later than ten business days after the withdrawal period provided by subdivision (b), the elections officials shall report to the Secretary of State the total number of signatures that have been withdrawn pursuant to subdivision (b). The Secretary of State shall promptly make a second preliminary determination of whether the petitions have been signed by the sufficient number of registered voters to initiate a recall election. If the petitions have not been signed by a sufficient number of registered voters, the Secretary of State shall notify the county elections officials to continue to verify signatures pursuant to Section 11104. The Secretary of State and elections officials shall continue to make the notifications and reports required by this section until such time as the Secretary of State determines that there is a sufficient number of verified signatures, not including withdrawn signatures, to initiate a recall election.

(d) Upon receipt of the notification from the Secretary of State required in subdivision (c) that there is a sufficient number of verified signatures, not including withdrawn signatures, to initiate a recall election, the Department of Finance shall, in consultation with the affected elections officials and the Secretary of State, estimate the costs of the recall election, including expenses for verifying signatures, printing ballots and voter information guides, and operating polling places. The Department shall estimate the costs that would be incurred if (1) the recall election is held as a special election and (2) the recall election is consolidated with the next regularly scheduled election pursuant to subdivision (b) of Section 15 of Article II of the California Constitution. The Department of Finance shall submit the estimate to the Governor, the Secretary of State, and the Chairperson of the Joint Legislative Budget Committee.

(e) Notwithstanding any other law, the Secretary of State shall not certify the sufficiency of the signatures under Section 11109 until the Joint Legislative Budget Committee has had 30 days to review and comment on the estimate submitted by the Department of Finance pursuant to subdivision (d).

(f) The Secretary of State shall publish a copy of the estimate submitted by the Department of Finance on the Secretary of State's public Internet Web site no later than 21 business days after the time for the Joint Legislative Budget Committee to review the estimate has expired.

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(g) After the time for the Joint Legislative Budget Committee to review the estimate has expired, the Director of Finance, or his or her designee, shall direct the Controller to remit to the elections official from those funds designated for that purpose in any budget act or other measure an amount that takes into consideration the amount of funds available for the purpose, the number of elections officials expected to conduct state recall elections held in that fiscal year, the Department of Finance's estimates of the costs of each elections official to conduct each state recall election, and the amount reasonably necessary to conduct such recall election.

SEC. 6.
Amends Elections Code 11324.

(a) The official responsible for preparing the ballot shall, at least 10 days before the recall election, mail a voter information guide to each registered voter of the electoral jurisdiction of the officer sought to be recalled.

(b) In the case of a recall of a state officer, the official responsible for preparing the voter information guide pursuant to subdivision (a) shall include in the voter information guide the report of estimated costs of the recall prepared by the Department of Finance pursuant to subdivision (d) of Section 11108.

COMMITTEE ON BUDGET AND FISCAL REVIEW: ELECTIONS

Senate Bill 117
Chapter 180

NEW PROVISIONS

Requires the Secretary of State to assist each county conducting an all-mailed ballot election in 2018 in providing additional voter education and community outreach, including, but not limited to, direct contact with voters.

Authorizes the Secretary of State to provide funding allocated for these purposes to each county.

Authorizes the Secretary of State to contract with any qualified person or organization for purposes of preparing the report to the Legislature.

Appropriates \$350,000 from the General Fund to the Secretary of State for these purposes, with \$100,000 allocated for the report to the Legislature and \$250,000 allocated for assisting counties in providing additional voter education and outreach.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

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Repeals and reenacts specified provisions.

Requires that the Department of Finance submit its estimate of the costs of the recall election within 30 business days of receipt of the Secretary of State's notice of sufficient signatures to initiate a recall.

Repeals a \$5,000,000 appropriation to the Department of Finance for allocation to counties for recall election costs and provisions that allow for the use of random sampling as a method of verifying signatures for a recall petition, thereby requiring the examination and verification of each signature filed.

States various findings and declarations of the Legislature, including the Legislature's intent that specified changes in the Elections Code relating to recall elections apply retroactively.

Declares that this bill is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

SECTIONS AFFECTED:

SECTION 1.

The Legislature finds and declares all of the following:

(a) Senate Bill 96 of the 2017–18 Regular Session (Chapter 28 of the Statutes of 2017), which took effect on June 27, 2017, is a bill providing for appropriations related to the budget bill passed by the Senate and Assembly on June 15, 2017. Among other statutory changes, Senate Bill 96 revised provisions of the Elections Code relating to recall petition procedures, including those governing signature verification by county elections officials and the timeline for petition certification by the Secretary of State.

(b) On July 20, 2017, the Howard Jarvis Taxpayers Association and certain individuals who signed a petition to recall Senator Josh Newman filed an Emergency Petition for Writ of Mandate and Request for Immediate Stay against Secretary of State Alex Padilla in the California Court of Appeal, Third Appellate District, asking the court to compel Secretary of State Padilla to certify the recall petition in accordance with the law that was in effect before Senate Bill 96 was enacted.

(c) On August 14, 2017, the Court of Appeal issued an alternative writ of mandate staying Secretary of State Padilla "from enforcing the amendments to the Elections Code effected by Senate Bill 96." The court order cites both the requirement in Section 9 of Article IV of the California Constitution that "[a] statute shall embrace but one subject, which shall be expressed in its title," and the California Supreme Court decision in Harbor v.

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Deukmejian (1987) 43 Cal.3d 1078, in which the Supreme Court held that Senate Bill 1379 of the 1983–84 Regular Session of the Legislature (Chapter 268 of the Statutes of 1984) was invalid as a violation of the aforementioned single subject rule in Section 9 of Article IV.

(d) To eliminate any issue as to whether the changes to recall petition procedures made by Senate Bill 96 are enacted in violation of the single subject rule, it is the intent of the Legislature to repeal those provisions and reenact them in this act, which embraces only the subject of elections.

SEC. 2.

The Legislature finds and declares all of the following:

(a) Pursuant to Section 16 of Article II of the California Constitution, the Legislature is required to provide for the circulation, filing, and certification of petitions, nomination of candidates, and the recall election.

(b) Recall elections are extraordinary elections in which an official may be removed by fewer voters than the number of voters who elected that official.

(c) Before a recall election is held, any and all steps should be employed to ensure the accuracy and validity of the petition process.

(d) It is the Legislature's intent that the changes made to the Elections Code by Sections 6, 7, 9, 11, and 13 of this act apply retroactively to recalls that are pending at any stage at the time of the act's enactment.

SEC. 3.

Amends Elections Code 4005

(g) (1) (A) Within six months of each election conducted pursuant to this section or Section 4007, the Secretary of State shall report to the Legislature, to the extent possible, all of the following information by categories of race, ethnicity, language preference, age, gender, disability, permanent vote by mail status, historical polling place voters, political party affiliation, and language minorities as it relates to the languages required under subdivision (c) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.):

- (i) Voter turnout.
- (ii) Voter registration.
- (iii) Ballot rejection rates.
- (iv) Reasons for ballot rejection.
- (v) Provisional ballot use.
- (vi) Accessible vote by mail ballot use.
- (vii) The number of votes cast at each vote center.
- (viii) The number of ballots returned at ballot dropoff locations.
- (ix) The number of ballots returned by mail.
- (x) The number of persons who registered to vote at a vote center.

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(xi) Instances of voter fraud.

(xii) Any other problems that became known to the county elections official or the Secretary of State during the election or canvass.

(B) The report required by subparagraph (A) shall be posted on the Internet Web site of the Secretary of State in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(C) The report required by subparagraph (A) shall be submitted to the Legislature in compliance with Section 9795 of the Government Code.

(D) If an election is conducted pursuant to this section, the county shall submit, to the extent possible, to the Secretary of State the information needed for the Secretary of State to prepare the report required by subparagraph (A).

(E) The Secretary of State may contract with any qualified person or organization for purposes of preparing the report required by subparagraph (A).

SEC. 4.

Adds Elections Code 4005

The Secretary of State shall assist each county conducting an election in 2018 pursuant to Section 4005 in providing voter education and community outreach in addition to the voter education and outreach required by Section 4005, including, but not limited to, direct contact with voters. The Secretary of State may provide funding allocated for the purposes of this section to each county.

SEC. 5.

Repeals Elections Code 11104

SEC. 6.

Adds Elections Code 11104

(a) The elections official, 30 days after a recall has been initiated and every 30 days thereafter, or more frequently at the discretion of the elections official, shall report to the Secretary of State all of the following:

(1) The number of signatures submitted on the recall petition sections for the period ending five days previously, excluding Saturdays, Sundays, and holidays.

(2) The cumulative total of all signatures received since the time the recall was initiated and through the period ending five days previously, excluding Saturdays, Sundays, and holidays.

(3) The number of valid signatures, verified pursuant to subdivision (b), submitted during the previous reporting period, and of valid signatures verified during the current reporting period.

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(4) The cumulative total of all valid signatures received since the time the recall was initiated and ending five days previously, excluding Saturdays, Sundays, and holidays.

(b) Signatures shall be verified in the same manner set forth in subdivision (b) of Section 9031.

(c) The elections official, at the end of each 30-day period, shall attach to the petition a form provided by the Secretary of State, properly dated, that includes the information required by subdivision (a), and submit a copy of the petition, except as to the signatures appended thereto, to the Secretary of State and file a copy of the form in his or her office.

(d) Notwithstanding subdivisions (a) and (b), and Section 11106, the elections official shall not be required to verify signatures on a recall petition until the signatures submitted equal at least 10 percent of the total signatures required to qualify the recall for the ballot, as determined by the Secretary of State.

SEC. 7.
Repeals Elections Code 11105

SEC. 8.
Repeals Elections Code 11106

SEC. 9.
Adds Elections Code 11106

Immediately after the deadline for submission of all signatures, the elections official shall verify any remaining signatures in the same manner set forth in subdivision (b) of Section 9031. This verification shall apply to all signatures submitted to each county elections official.

SEC. 10.
Repeals Elections Code 11108

SEC. 11.
Adds Elections Code 11108

(a) When the Secretary of State has received from one or more county elections officials a petition certified to have been signed by a sufficient number of registered voters to initiate a recall election, he or she shall, within 10 days, notify each county elections official of that fact.

(b) Notwithstanding any other law, any voter who has signed a recall petition under this chapter shall have his or her signature withdrawn from the petition upon the voter filing a written request that includes the voter's name, residence address, and signature with the elections official within 30 business days of the Secretary of State's notice provided by subdivision (a).

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(c) No later than 10 business days after the withdrawal period provided by subdivision (b), the elections officials shall report to the Secretary of State the total number of signatures that have been withdrawn pursuant to subdivision (b). The Secretary of State shall promptly make a second preliminary determination of whether the petitions have been signed by the sufficient number of registered voters to initiate a recall election. If the petitions have not been signed by a sufficient number of registered voters, the Secretary of State shall notify the county elections officials to continue to verify signatures pursuant to Section 11104. The Secretary of State and elections officials shall continue to make the notifications and reports required by this section until such time as the Secretary of State determines that there is a sufficient number of verified signatures, not including withdrawn signatures, to initiate a recall election.

(d) Upon receipt of the notification from the Secretary of State required in subdivision (c) that there is a sufficient number of verified signatures, not including withdrawn signatures, to initiate a recall election, the Department of Finance shall, in consultation with the affected elections officials and the Secretary of State, estimate the costs of the recall election, including expenses for verifying signatures, printing ballots and voter information guides, and operating polling places. The Department shall estimate the costs that would be incurred if (1) the recall election is held as a special election and (2) the recall election is consolidated with the next regularly scheduled election pursuant to subdivision (b) of Section 15 of Article II of the California Constitution. Within 30 business days of receipt of the Secretary of State's notice of sufficient signatures to initiate a recall required by subdivision (c), the Department of Finance shall submit the estimate to the Governor, the Secretary of State, and the Chairperson of the Joint Legislative Budget Committee.

(e) Notwithstanding any other law, the Secretary of State shall not certify the sufficiency of the signatures under Section 11109 until the Joint Legislative Budget Committee has had 30 days to review and comment on the estimate submitted by the Department of Finance pursuant to subdivision (d).

(f) The Secretary of State shall publish a copy of the estimate submitted by the Department of Finance on the Secretary of State's public Internet Web site no later than 21 business days after the time for the Joint Legislative Budget Committee to review the estimate has expired.

(g) After the time for the Joint Legislative Budget Committee to review the estimate has expired, the Director of Finance, or his or her designee, shall direct the Controller to remit to the elections official from those funds designated for that purpose in any budget act or other measure an amount that takes into consideration the amount of funds available for the purpose, the number of elections officials expected to conduct state recall

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elections held in that fiscal year, the Department of Finance's estimates of the costs of each elections official to conduct each state recall election, and the amount reasonably necessary to conduct such recall election.

SEC. 12.
Repeals Elections Code 11324

SEC. 13.
Adds Elections Co15360

(a) The official responsible for preparing the ballot shall, at least 10 days before the recall election, mail a voter information guide to each registered voter of the electoral jurisdiction of the officer sought to be recalled.

(b) In the case of a recall of a state officer, the official responsible for preparing the voter information guide pursuant to subdivision (a) shall include in the voter information guide the report of estimated costs of the recall prepared by the Department of Finance pursuant to subdivision (d) of Section 11108.

SEC. 14.
Repeals Section 93 of Chapter 28 of the Statutes of 2017

SEC. 15.
The sum of three hundred fifty thousand dollars (\$350,000) is hereby appropriated from the General Fund to the Secretary of State to be allocated according to the following schedule:

(a) One hundred thousand dollars (\$100,000) for purposes of the report to the Legislature required by subparagraph (A) of paragraph (1) of subdivision (g) of Section 4005 of the Elections Code.

(b) Two hundred fifty thousand dollars (\$250,000) for purposes of voter education and outreach pursuant to Section 4005.5 of the Elections Code.

SEC. 16
If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 17
This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California

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Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

LOCAL GOVERNMENT OMNIBUS ACT OF 2017

Senate Bill 205
Chapter 387

CURRENT PROVISIONS

The California Constitution requires, among others, all public officers to take a specified oath of office.

Existing statutory law requires any officer to take that oath before he or she enters the duties of his or her office.

Existing law authorizes the County of Merced, by a 4/5 vote of the board of supervisors, to sell a specified area of county property that the county has acquired from the federal government due to the closure of Castle Air Force Base.

Existing law establishes the Committee on County Accounting Procedures which consists of 10 members appointed by the Controller. Of those 10 members, 5 of the members are required to be county auditors.

NEW PROVISIONS

Requires an officer to take an oath following any election or appointment and before entering the duties of his or her office.

Authorizes the County of Merced to enter into a lease, concession, or managerial contract involving a specified area of county property, by a four-fifths vote of the board of supervisors.

Makes changes relating to the Committee on County Auditing Procedures, sexual harassment prevention training, certain appointments lists, and certain flood control facilities.

SECTIONS AFFECTED:

SECTION 1.

(a) This act shall be known, and may be cited, as the Local Government Omnibus Act of 2017.

(b) The Legislature finds and declares that Californians want their governments to be run efficiently and economically and that public officials

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should avoid waste and duplication whenever possible. The Legislature further finds and declares that it desires to control its own costs by reducing the number of separate measures. Therefore, it is the intent of the Legislature in enacting this act to combine several minor, noncontroversial statutory changes relating to the common theme, purpose, and subject of local government into a single measure.

SEC. 2.

Amends Government Code 1360

Unless otherwise provided, following any election or appointment and before any officer enters on the duties of his or her office, he or she shall take and subscribe the oath or affirmation set forth in Section 3 of Article XX of the Constitution of California.

SEC. 8.

Amends Government Code 16202

Notwithstanding any other provision of law, in the event that the state acquires an interest in real property pursuant to subdivision (b) of Section 16200, the Controller may, in addition to the options provided in Section 16201, take any other action with respect to that real property interest as will best serve the interest of the state. These actions may include, but shall not be limited to, the sale, lease, or retention of any interest so acquired. The Controller may contract with licensed real estate brokers, maintenance and repair contractors, security contractors, appraisers, property managers, insurance brokers, and any other experts or specialists as may be necessary to protect or preserve the state's interest in that property. The Controller may pay the costs incurred pursuant to those contracts out of the amount appropriated by Section ~~46400~~, 16180, or from any appropriation in lieu thereof.

SEC. 9.

Amends Government Code 25536.9

(a) In addition to the authority provided for in Section 25536, and in accordance with subdivision (b), the County of Merced, by a four-fifths vote of the board of supervisors, may sell or enter into a lease, concession, or managerial contract involving a specified area of county property that the county has acquired from the federal government due to the closure of Castle Air Force Base, without otherwise complying with this article.

(5) The county has given notice pursuant to Section 6062a and posted the notice in the office of the county clerk. The notice shall specify the date that the board determines that any of the affected property shall be subject to this section, and shall include all of the following:

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(A) A description of the property proposed to be ~~sold~~ *sold, leased, or subject to a concession or managerial contract* pursuant to this section.

(B) The proposed terms of the ~~sale~~ *sale, lease, concession, or managerial contract*.

(C) The location where offers will be accepted and executed.

(D) The telephone number and address of the county officer responsible for executing the ~~sale~~ *sale, lease, concession, or managerial contract*.

POLITICAL REFORM ACT OF 1974: SLATE MAILERS

Senate Bill 226

Chapter 855

CURRENT PROVISIONS

The Political Reform Act of 1974 regulates a type of mass mailings, known as slate mailers, that support or oppose multiple candidates or ballot measures for an election.

The act requires a slate mailer organization that displays a logo, insignia, emblem, or trademark that is identical or substantially similar to that of a governmental agency or specified nongovernmental organization to obtain express written permission to do so.

The act requires a slate mailer organization that sends a slate mailer or other mass mailing that identifies itself or its source material as representing a nongovernmental organization with a name that would reasonably be understood to imply that the nongovernmental organization is composed of, or affiliated with, law enforcement, firefighting, emergency medical, or other public safety personnel, to disclose in the slate mailer or mass mailing the total number of members in the organization identified in the slate mailer or mass mailing.

Existing law makes a knowing or willful violation of the act a misdemeanor and subjects offenders to criminal penalties.

NEW PROVISIONS

Requires a slate mailer organization to disclose on the mailing, whether the slate mailer represents public safety personnel.

SECTIONS AFFECTED:

SECTION 1.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Amends Government Code 84305.7

(a) If a slate mailer organization sends a slate mailer or other mass mailing that displays a logo, insignia, emblem, or trademark that is identical or substantially similar to the logo, insignia, emblem, or trademark of a governmental agency, and that would reasonably be understood to imply the participation or endorsement of that governmental agency, the slate mailer organization shall obtain the express written consent ~~of~~ *from* the governmental agency associated with the logo, insignia, emblem, or trademark prior to using the logo, insignia, emblem, or trademark in the slate mailer or other mass mailing.

(b) If a slate mailer organization sends a slate mailer or other mass mailing that displays a logo, insignia, emblem, or trademark that is identical or substantially similar to the logo, insignia, emblem, or trademark of a nongovernmental organization that represents law enforcement, firefighting, emergency medical, or other public safety personnel, and that would reasonably be understood to imply the participation or endorsement of that nongovernmental organization, the slate mailer organization shall obtain ~~the~~ express written consent of ~~from~~ the nongovernmental organization associated with the logo, insignia, emblem, or trademark prior to using the logo, insignia, emblem, or trademark in the slate mailer or other mass mailing.

(c) If a slate mailer organization sends a slate mailer or other mass mailing that identifies itself or its source material as representing a nongovernmental organization with a name that includes the term “peace officer,” “reserve officer,” “deputy,” “deputy sheriff,” “sheriff,” “police,” “highway patrol,” “California Highway Patrol,” “law enforcement,” “firefighter,” “fire marshal,” “paramedic,” “emergency medical technician,” “public safety,” or any other term that would reasonably be understood to imply that the nongovernmental organization is composed of, represents, or is affiliated with, law enforcement, firefighting, emergency medical, or other public safety personnel, the slate mailer or mass mailing shall disclose ~~on the outside of each piece of mail and on at least one of the inserts included with each piece of mail in no less than 12-point roman type, which shall be in a color or print that contrasts with the background so as to be easily legible,~~ the total number of law enforcement, firefighting, emergency medical, or other public safety members in the nongovernmental organization identified in the slate mailer or mass mailing, as provided in paragraph (1) of subdivision (d). ~~If~~ the slate mailer organization is ~~not include~~ composed of or does not represent any members who are law enforcement, firefighting, emergency medical, or other public safety personnel, the slate mailer or mass mailing shall disclose that the slate mailer organization does not represent public safety ~~personnel~~ personnel, as provided in paragraph (2) of subdivision (d).

(d) A disclosure pursuant to subdivision (c) shall be include one of the following statements:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

(1) If the slate mailer organization represents public safety personnel members: "This organization represents _____ public safety personnel." The slate mailer organization shall fill in the blank part of the statement with the number of public safety personnel members it represents.

(2) If the slate mailer organization does not represent public safety personnel members: "This organization does not represent any public safety personnel."

(e) A disclosure pursuant to subdivision (d) shall be in a format that satisfies all of the following:

(1) Printed in roman type that is no less than 14-point font.

(2) Located on the outside of the slate mailer or mass mailing within one-half of an inch of the recipient's name and address.

(3) Contained in a box with an outline that has a line weight of at least 3.25 pt. The background color of the box shall be in a contrasting color to the background of the slate mailer or mass mailing. The outline of the box shall be in a contrasting color to both the background color of the mailing and the background color of the box. The color of the text of the disclosure shall be in a contrasting color to the background color of the box.

(f) (1) For purposes of subdivision (c), "member has the same meaning as defined in paragraph (2) of subdivision (a) of Section 18531.7 of Title 2 of the California Code of Regulations. means any of the following:

(A) A person who, pursuant to a specific provision of an organization's articles or bylaws, may vote directly or indirectly for the election of a director or officer or for the disposition of all or substantially all of the assets of the organization in a merger or dissolution.

(B) A person designated as a member in the articles or bylaws of an organization that is tax exempt under Section 501(c) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)) and who has the right to vote to change the organization's articles or bylaws or has paid dues to the organization.

(C) Members of a local union are considered to be members of any national or international union of which the local union is a part and of any federation with which the local, national, or international union is affiliated.

ELECTIONS: BALLOT DESIGNATION REQUIREMENTS

[Senate Bill 235](#)

Chapter 512

CURRENT PROVISIONS

Existing law provides, with the exception of candidates for Justice of the State Supreme Court or court of appeal, that each candidate for elective city, county, district, state, or federal office may choose to have only one of specified designations, including his or her current principal professions,

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vocations, or occupations appear immediately under his or her name as a candidate on an election ballot.

NEW PROVISIONS

Limits the ballot designations that candidates for judicial office are permitted to use, as specified.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 13107

(a) With the exception of candidates for ~~judicial office~~, Justice of the State Supreme Court or Court of Appeal, court of appeal, immediately under the name of each candidate, and not separated from the name by any line, unless the designation made by the candidate pursuant to Section 8002.5 must be listed immediately below the name of the candidate pursuant to Section 13105, and in that case immediately under the designation, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the ~~people, or to which he or she was appointed, in the case of a superior court judge.~~ people.

(2) The word "incumbent" if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the ~~people, or, in the case of a superior court judge, was appointed to that office.~~ people.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. ~~For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.~~

(4) The phrase "appointed incumbent" if the candidate holds an office ~~other than a judicial office~~ by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word "appointed" and the title of the office. In either instance, the candidate may not use the unmodified word "incumbent" or any words designating the office unmodified by the word "appointed." However, the phrase "appointed

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incumbent” shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) (1) Except as specified in paragraph (2), for candidates for judicial office, immediately under the name of each candidate, and not separated from the name by any line, only one of the following designations may appear at the option of the candidate:

(A) Words designating the city, county, district, state, or federal office held by the candidate at the time of filing the nomination documents.

(B) The word “incumbent” if the candidate is a candidate for the same office that he or she holds at the time of filing the nomination papers.

(C) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

(2) For a candidate for judicial office who is an active member of the State Bar employed by a city, county, district, state, or by the United States, the designation shall appear as one of the following:

(A) Words designating the actual job title, as defined by statute, charter, or other governing instrument.

(B) One of the following ballot designations: “Attorney,” “Attorney at Law,” “Lawyer,” or “Counselor at Law.” The designations “Attorney” and “Lawyer” may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(3) A designation made pursuant to subparagraph (A) of paragraph (1) or paragraph (2) shall also contain relevant qualifiers, as follows:

(A) If the candidate is an official or employee of a city, the name of the city shall appear preceded by the words “City of.”

(B) If the candidate is an official or employee of a county, the name of the county shall appear preceded by the words “County of.”

(C) If the candidate is an official or employee of a city and county, the name of the city and county shall appear preceded by the words “City and County.”

(D) If the candidate performs quasi-judicial functions for a governmental agency, the full name of the agency shall be included.

(c) A candidate for superior court judge who is an active member of the State Bar and practices law as one of his or her principal professions shall use one of the following ballot designations as his or her ballot designation: “Attorney,” “Attorney at Law,” “Lawyer,” or “Counselor at Law.”

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The designations “Attorney” and “Lawyer” may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(d) For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(e) The Secretary of State ~~and~~ any other elections official shall not accept a designation of which any of the following would be true:

(1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision ~~(a)~~ (a) or (b).

~~(2) In the event the~~ If a candidate fails to provide a designation that complies with subdivision (a) or (b) within the three-day period specified in paragraph (1), ~~no~~ a designation shall not appear after the candidate’s name.

(g) A designation given by a candidate shall not be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision ~~(e)~~ (f) or as provided in subdivision ~~(e)~~ (h). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

(h) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days before the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

(i) In all cases, the words so used shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements of Sections 13207 and 13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.

(j) If a foreign language translation of a candidate’s designation is required under the federal Voting Rights Act of 1965 (52 U.S.C. Sec. ~~40404~~, 10101 et seq.), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is

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practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue length.

SEC. 2.

This act applies to all judicial elections held on or after January 1, 2018.

POLITICAL REFORM ACT OF 1974: CITY OF SACRAMENTO

Senate Bill 267

Chapter 622

CURRENT PROVISIONS

Existing law authorizes the Fair Political Practices Commission, upon mutual agreement between the Commission and the Board of Supervisors of the County of San Bernardino, to have primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance reform ordinance of the County of San Bernardino, as specified.

Existing law also authorizes the Fair Political Practices Commission to enter into such an agreement with the City Council of the City of Stockton.

NEW PROVISIONS

Authorizes the Commission and the City Council of the City of Sacramento to also enter into such an agreement, as specified.

Requires, if such an agreement is executed, that the Commission report specified information to the Legislature regarding the performance of that agreement on or before January 1, 2022.

Repeals its provisions on January 1, 2023.

Makes legislative findings and declarations as to the necessity of a special statute for the City of Sacramento.

Takes effect immediately as an urgency statute.

SECTIONS AFFECTED:

SECTION 1.

Adds Government Code 83123.7

(f) If an agreement is entered into pursuant to this section, the Commission shall report to the Legislature regarding the performance of

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that agreement ~~within four years of the date on which the agreement was entered, on or before January 1, 2022,~~ and shall submit that report in compliance with Section 9795. The Commission shall develop the report in consultation with the City Council of the City of Sacramento. The report shall include, but is not limited to, all of the following:

(1) The status of the agreement.

(2) The estimated annual cost savings, if any, for the City of Sacramento.

(3) A summary of relevant annual performance metrics, including measures of use, enforcement, and customer satisfaction.

(4) Public comments submitted to the Commission or the City of Sacramento relative to the operation of the agreement.

(5) Legislative recommendations.

(g) This section shall remain in effect only until January 1, 2023, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2023, deletes or extends that date.

~~(g) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.~~

SEC. 4.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to facilitate timely contract negotiations between the City of Sacramento and the Commission, it is necessary that this act take effect immediately.

ELECTIONS: VOTING

[Senate Bill 286](#)

Chapter 806

CURRENT PROVISIONS

Existing law permits vote by mail voters who return to their home precincts on election day to vote if they surrender their vote by mail ballots, as specified.

Existing law requires the precinct board to return these surrendered ballots to the elections official in a designated envelope.

Existing law, the California Voter's Choice Act, authorizes certain counties to conduct any election, after a specified date, as an all-mailed ballot election if

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*Full text can be obtained from www.leginfo.ca.gov

certain conditions are satisfied, including conditions related to ballot dropoff locations, vote centers, and plans for the administration of all-mailed ballot elections.

NEW PROVISIONS

Permits vote by mail voters who return to their home precincts or go to another voting location, as specified, to vote nonprovisional ballots if they surrender their ballots to the relevant voting authority or, if they are unable to surrender their vote by mail ballots, if the voting authority verifies that they have not returned their vote by mail ballots and notates their voter records accordingly.

Makes conforming and other nonsubstantive changes to provisions affected by the California Voter's Choice Act.

SECTION 1.

Amends Elections Code 319.5

"Electioneering" means the visible display or audible dissemination of information that advocates for or against any candidate or measure on the ballot within 100 feet of a polling place, a vote center, an elections official's office, or a satellite location under Section 3018. Prohibited electioneering information includes, but is not limited to, any of the following:

- (a) A display of a candidate's name, likeness, or logo.
- (b) A display of a ballot measure's number, title, subject, or logo.
- (c) Buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information.
- (d) Dissemination of audible electioneering information.

(e) At vote by mail ballot drop boxes, loitering near or disseminating visible or audible electioneering information.

SEC. 2.

Adds Elections Code 325

"Inspector" means the supervisor of the precinct board of which he or she is a member.

SEC. 3.

Amends Elections Code 336.5

(a) "One percent manual tally" is the public process of manually tallying votes in 1 percent of the precincts, selected at random by the elections official, and in one precinct for each race not included in the randomly selected precincts. This procedure is conducted during the official canvass to verify the accuracy of the automated count.

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*Full text can be obtained from www.leginfo.ca.gov

(b) In an election conducted using vote centers, a 1-percent manual tally can be conducted using the batch process set forth in Section 15360.

SEC. 4.
Adds Elections Code 338.5

“Polling place” means a location where a voter casts a ballot and includes the following terms, as applicable: poll, polling location, and vote center. A polling place can serve more than one precinct.

SEC. 5.
Adds Elections Code 338.6

“Precinct” means a geographical area within a county that is made up of voters and is formed pursuant to Chapter 3 (commencing with Section 12200) of Division 12. All voters from the same precinct are assigned to a specific polling place for an election. In an election conducted using vote centers, eligible voters from any precinct within the county can use any vote center located within the county.

SEC. 6.
Amends Elections Code 339

(a) “Precinct board” is the board appointed by the elections official to serve at a single precinct or a consolidated precinct. In an election conducted using vote centers, “precinct board” means the board appointed by the elections official to serve at a vote center.

(b) “Precinct board,” when used in relation to proceedings taking place after the polls have closed, likewise includes any substitutive canvassing and counting board that may have been appointed to take the place of the board theretofore serving.

(c) “Precinct board member” is a member of the precinct board and includes an election officer.

SEC. 7.
Adds Elections Code 349.5

“Roster” means the official list of voters for an election, which may be in paper or electronic form. The roster becomes the official list of voters who have voted in the election once signed by the voter or marked by the elections official.

SEC. 8.
Adds Elections Code 357.5

“Vote center” means a location established for holding elections that offers the services described in Sections 2170, 4005, and 4007.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

SEC. 9.

Adds Elections Code 359.2

“Voter list” means the list of registered voters in a single or consolidated precinct or in an entire county. The voter list may be in the form of a walking list, street index list, or other format, as provided by the elections official. The voter list is updated by the elections official with public information related to who has voted in an election.

SEC. 10.

Amends Elections Code 2154

In the event that the county elections official receives an affidavit of registration, executed under penalty of perjury, that does not include portions of the information for which space is provided, the county elections official shall apply the following rebuttable presumptions:

(a) If no middle name or initial is shown, it shall be presumed that none exists.

(b) If no party preference is shown, it shall be presumed that the affiant has declined to disclose a party preference. The county elections official shall designate the affiant’s party preference as “Unknown” on a ~~voter registration index~~ roster under Article 5 (commencing with Section ~~2180~~ 2183) and the affiant shall otherwise be treated as a “No Party Preference” voter.

SEC. 11.

Amends Elections Code 2155

Upon receipt of a properly executed affidavit of registration or address correction notice or letter pursuant to Section 2119, Article 2 (commencing with Section 2220), or the federal National Voter Registration Act of 1993 (52 U.S.C. Sec. 20501 et seq.), the county elections official shall send the voter a voter notification by nonforwardable, first-class mail, address correction requested. The voter notification shall state the party preference for which the voter has registered in the following format:

Party: (Name of political party)

The voter notification shall be substantially in the following form:

VOTER NOTIFICATION

You are registered to vote. The party preference you chose, if any, is on this card. This card is being sent as a notification of:

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

1. Your recently completed affidavit of registration.

OR,

2. A change to your registration because of an official notice that you have moved. If your residence address has not changed or if your move is temporary, please call or write to our office immediately.

OR,

3. Your recent registration with a change in party preference. If this change is not correct, please call or write to our office immediately.

You may vote in any election held 15 or more days after the date on this card.

Your name will appear on the ~~index~~ roster kept at the polls.

Please contact our office if the information shown on the reverse side of this card is incorrect.

(Signature of Voter)

SEC. 12.

Amends *The heading of Article 5 (commencing with Section 2183) of Chapter 2 of Division 2 of the Elections Code to read: Article 5. ~~Voter Registration Index-Roster~~*

SEC. 13.

Amends Elections Code 2183

(a) The elections official shall supply an electronic copy, or paper copy upon request, of the ~~index~~ roster and of supplements to the ~~index~~, roster, necessary to bring it up to date, for all elections to be held within the county. The county elections official shall also supply copies of the ~~index~~ roster and supplements as may be requested by the elections official of a city, school district, or other body. The name of each voter whose affidavit of registration has been canceled shall be removed from the ~~index~~ roster and supplement. The county elections official may charge an amount sufficient to reimburse the county for the expense incurred in preparing and furnishing the ~~indexes of registrations~~ roster and supplements.

(b) (1) The ~~index~~ roster shall contain the name, address, residence telephone number if furnished, and political party preference of each voter, and also a ruled space to the left of each name, within which to write, in

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figures, the line number designating the position of the name of the ~~voter on the roster of voters.~~ voter.

(2) The name shall include the given name and the middle name or initials, if any. At the affiant's option, the given name may be preceded by the designation "Miss," "Ms.," "Mrs.," or "Mr."

**SEC. 14.
Amends Elections Code 2184**

Upon request of any Member of the Legislature, of Congress, or any candidate who is to be voted for in the county, in a city therein, or in a political subdivision of either, or upon written demand of his or her campaign committee, of any committee for or against any proposed ballot measure, or of any committee for or against any referendum or initiative measure for which legal publication has been made, the county elections official shall furnish to the Member of the Legislature, of Congress, or to either the candidate or his or her campaign committee or to the ballot measure committee the ~~index of the registration~~ roster for the primary and general elections in which the Member of the Legislature or Congress may participate as a candidate, or for the election in which the candidate will participate, or the ballot measure will be voted upon, at a charge of fifty cents (\$0.50) per thousand names. All moneys collected shall be deposited in the county treasury to the credit of the general fund.

**SEC. 15.
Amends Elections Code 2185**

Upon written request of the chair or vice chair of a party state central committee or of the chair of a party county central committee, the county elections official shall furnish to each committee, without charge therefor, the ~~index of registration~~ roster for the primary and general elections, for any special election at which a partisan office is to be filled, or for any statewide special election. The county elections official shall furnish one copy per election in an electronic form, or in paper form upon request, of the ~~indexes~~ rosters specified in this section.

**SEC. 16.
Amends Elections Code 2189**

Before the first day of the opening of the polls for any election held throughout the county, the county elections official shall deliver to the precinct board in each precinct ~~three copies of the index to the affidavits of registration~~ at least one printed or electronic copy of the roster for that ~~precinct,~~ polling place, with canceled names lined out or otherwise indicated and with necessary supplements to bring the ~~index~~ roster up to date. ~~The index and supplements shall constitute the register to be used at the election.~~

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*Full text can be obtained from www.leginfo.ca.gov

SEC. 17.
Amends Elections Code 2191

(a) Upon request, the elections official shall compile ~~an index, list, a~~ voter list or file, by precinct, of all persons who voted in previous elections. This information shall be compiled in conjunction with the purge of voter registration files conducted pursuant to Article 2 (commencing with Section 2220) of Chapter 3.

~~Information~~

(b) Information compiled pursuant to this section shall include ~~that~~ the information ~~which~~ that is required to appear in the index as set forth in Section 2183.

~~Any~~

(c) Any person, candidate, or committee who is entitled to obtain a copy of any information contained in this article shall, upon written request to the elections official, be entitled to obtain the ~~index, list,~~ voter list or file compiled pursuant to this section. The elections official shall inform any recipient of this information ~~as to whether the index, list,~~ voter list or file includes a voting history of vote by mail voters. The elections official may require the payment of a fee not to exceed the cost of duplicating the information as a condition to furnishing the information contained in this section.

SEC. 18.
Amends Elections Code 2221

(b) All updates to affidavits of registration made pursuant to this section shall be reflected on the voter ~~index~~ list as required by Section 2191.

SEC. 19.
Amends Elections Code 2226

(d) All address updates, cancellations, and inactive transactions made to the voter registration file pursuant to this section shall be reflected on the voter ~~index~~ list as required by Section 2191.

SEC. 20.
Amends Elections Code 2300

(B) If at any time before you finally cast your ballot, you feel you have made a mistake, you have the right to exchange the spoiled ballot for a new ballot. Vote by mail voters may also request and receive a new ballot if they return their spoiled ballot to an elections official before the closing of the ~~polls on election day.~~ polls.

SEC. 21.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Amends Elections Code 3005

(a) Whenever, on the 88th day before the election, there are 250 or less persons registered to vote in any precinct, the elections official may furnish each voter with a vote by mail ballot along with a statement that there will be no polling place for the election. The elections official shall also notify each voter of the location of the two nearest polling places in the event the voter chooses to return the ballot on or before election day. The voter shall not be required to file an application for the vote by mail ballot and the ballot shall be sent as soon as the ballots are available.

Ne

(b) A precinct shall not be divided in order to conform to this section.

SEC. 22.**Amends Elections Code 3015**

~~Vote~~ (a) Notwithstanding subdivision (f) of Section 14310, vote by mail voters who return to the polling place designated for their home precincts on or before election day may day, or go to a vote center established pursuant to Section 4005, or to the office or satellite office of an elections official where voting is permitted, shall be permitted to vote ~~only nonprovisional ballots~~ if they surrender either of the following conditions is satisfied:

(1) They surrender their vote by mail voter ballots to the inspector of the precinct ~~board.~~ board, a member of the vote center election board, or the elections official.

(2) They are unable to surrender their vote by mail voter ballots pursuant to paragraph (1) but the precinct board, vote center election board, or elections official does all of the following:

(A) Verifies that they have not returned their vote by mail ballots.

(B) Notates their voter records to ensure that their vote by mail ballots are not cast or tabulated after they vote at the polls.

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(b) The precinct board and vote center election board shall return the unused vote by mail voters' ballots surrendered pursuant to subdivision (a) to the elections official in an envelope designated for this purpose.

SEC. 22.5.**Amends Elections Code 3016**

~~Any vote by mail voter who is unable to surrender his or her vote by mail voter's ballot within the meaning of Section 3015~~ Vote by mail voters who return to the polling place designated for their home precincts on or before election day, or go to a vote center established pursuant to Section 4005, or to the office or satellite office of an elections official where voting is permitted,

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shall be issued a provisional ballot in accordance with Section ~~44310~~. 14310
if neither of the conditions in subdivision (a) of Section 3015 is satisfied.

SEC. 23.
Amends Elections Code 3017

(b) The elections official shall establish procedures to ensure the secrecy of a ballot returned to a ~~precinct~~ polling place and the security, confidentiality, and integrity of any personal information collected, stored, or otherwise used pursuant to this section.

(e) (1) A person designated to return a vote by mail ballot shall not receive any form of compensation based on the number of ballots that the person has returned and ~~no~~ an individual, group, or organization shall not provide compensation on this basis.

SEC. 24.
Amends Elections Code 3021

After the close of the period for requesting vote by mail voter ballots by mail any voter unable to go to the polls because of illness or disability resulting in his or her confinement in a hospital, sanatorium, nursing home, or place of residence, or any voter unable because of a physical handicap to go to his or her polling place or because of that handicap is unable to vote at his or her polling place due to existing architectural barriers at his or her polling place denying him or her physical access to the polling place, voting booth, or voting apparatus or machinery, or any voter unable to go to his or her polling place because of conditions resulting in his or her absence from the precinct ~~on~~ for an election ~~day~~ may request in a written statement, signed under penalty of perjury that a ballot be delivered to him or her. This written statement shall not be required if the vote by mail ballot is voted in the office of the elections official as defined by subdivision (b) of Section 3018, at the time of the request. This ballot shall be delivered by the elections official to any authorized representative of the voter who presents this written statement to the elections official.

SEC. 25.5.
Amends Elections Code 3108

(a) A military or overseas voter who is qualified pursuant to paragraph (1) of subdivision (b) of Section 300 may apply in person to the voter's elections official for permission to register after the closing date of registration under the following conditions:

(1) The military or overseas voter is released from service after the closing date of registration for an election and has returned election, returns to the county of his or her residence residence, and is not a registered voter, he or she may apply in person to the elections official for permission to

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

register. If the elector furnishes documentary proof of release from service after the closing date of registration for the election, the elections official shall allow him or her to be registered and to vote in the election. On or before the day of election the elections official shall deliver to the precinct board a list of military or overseas voters registered under this section: voter. To register, the elector shall furnish documentary proof that he or she was released from service after the closing date of registration for the election.

(2) The military or overseas voter is required to move under official active duty military orders after the closing date of registration. To register, the elector shall furnish a copy of his or her official military orders.

(b) On or before the day of election, or the first day a vote center opens, the elections official shall deliver to the precinct board a list of military or overseas voters who registered under this section.

SEC. 26.

Amends Elections Code 3109

If any military or overseas voter to whom a vote by mail ballot has been mailed and which ballot has not been voted by him or her returns to the county in which he or she is registered, or for a military or overseas voter qualified pursuant to paragraph (2) of subdivision (b) of Section 321, to the county in which the applicant's parent or legal guardian resided when the parent or legal guardian last lived within the territorial limits of the United States or the District of Columbia on or before election day, he or she may apply for a second vote by mail ballot pursuant to Section 3014. ~~The elections official shall require him or her to sign an authorization to cancel the vote by mail ballot previously issued when it is returned to the county elections official.~~ The elections official shall then issue another vote by mail ballot to the voter, or the elections official shall certify to the precinct board that the voter is eligible to vote in the ~~precinct polling place of his or her residence.~~ election.

SEC. 27.

Amends Elections Code 10545

The envelope, certificate with the ~~roster of voters, roster, tally lists, voter list, and the marked copy of index of voters, if it is used,~~ and voter list, shall be: be all of the following:

(a) Sealed in an envelope by the inspector in the presence of the judge and clerk.

(b) Endorsed "Election returns of (naming the precinct) precinct."

(c) Directed to the county elections official.

(d) Immediately delivered by the inspector or by a responsible person designated by him, to the county elections official.

SEC. 28.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Amends Elections Code 12105.5

(d) This section does not apply to elections conducted using vote centers.

SEC. 29.

Amends Elections Code 12106

(e) This section does not apply to elections conducted using vote centers.

SEC. 30.

Amends Elections Code 12107

(c) This section does not apply to elections conducted using vote centers.

SEC. 31.

Amends Elections Code 12108

(b) This section does not apply to elections conducted using vote centers.

SEC. 32.

Amends Elections Code 12224

(a) At the discretion of the elections official, the voters of the precinct may be divided into two or more groups, as nearly equal as possible, and one precinct board appointed to serve each group. When the voters of a precinct are so divided, there may be one or more polling ~~places, but there shall be~~ places and a ballot box for and a set of returns from each group.

(b) This section does not apply to elections conducted using vote centers.

SEC. 33.

Amends Elections Code 12281

(c) This section does not apply to elections conducted using vote centers.

SEC. 34.

Amends Elections Code 12283

(a) The governing body having jurisdiction over school buildings or other public buildings may authorize the use of its buildings for polling ~~places on any election day,~~ places, and may also authorize the use of its buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county elections official specifically requests the use of a school building for polling ~~places on an election day,~~ places, the

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governing body having jurisdiction over the particular school building shall allow its use for the purpose requested. When allowing use of a school building for polling places, the governing body may, but is not required to, do any of the following:

(1) Continue school in session, provided that the governing body shall identify to the elections official making the request the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places.

(2) Designate the day for staff training and development.

(3) Close the school to students and nonclassified employees. Classified employees are those so defined by Section 41401 of the Education Code.

**SEC. 35.
Amends Elections Code 12286**

(d) This section does not apply to elections conducted using vote centers.

**SEC. 36.
Amends Elections Code 12310**

Each member of a precinct board shall receive ~~a stipend for services fixed by~~ compensation from the governing body of the jurisdiction. This sum shall be paid out of the treasury of the jurisdiction in which the election is held. The inspector may receive more compensation than the other members of the precinct board. The additional compensation to the inspector is for services rendered in securing precinct board members and other duties which may be directed by the elections official.

**SEC. 37.
Amends Elections Code 12312**

~~No~~ A person shall not be suspended or discharged from any service or employment because of absence while serving as an election ~~officer~~ on election day officer.

**SEC. 38.
Amends Elections Code 12313**

(b) This section does not apply to elections conducted using vote centers.

**SEC. 39.
Amends Elections Code 12318**

(c) This section does not apply to elections conducted using vote centers.

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SEC. 40.
Amends Elections Code 12321

(a) (1) Each inspector shall sign a declaration of intention to faithfully discharge the duties of inspector and shall return it to the elections official at least 15 days before election ~~day~~. day or the first day of service at a vote center. If the inspector fails or refuses to sign and file the declaration, the elections official shall appoint a substitute who shall make and file the application.

(2) The declaration of an inspector and each of the declarations of other members of the precinct board provided for in this article shall be signed in the presence of a witness and shall be as binding on the signer as would be an oath of office.

(3) The declaration of an inspector shall be in substantially the following form:

State of California }
County of } ss.

I do hereby solemnly declare that I will support the Constitution of the United States and the Constitution of the State of California, and that I will to the best of my ability, faithfully discharge the duties of inspector for ~~precinct~~ polling place or vote center _____ for the election to be held on _____, ~~19~~, 20.

Signed in the presence of _____ (Signature) _____
on _____, ~~19~~, 20.

(b) ~~On the day of election, and before~~ Before entering upon the performance of duties, each of the precinct board members, other than the inspector, shall sign a declaration of intention to faithfully discharge the duties of an election officer. The declaration shall be signed before any member of the precinct board. The form for each of the declarations shall be provided in the roster for the ~~precinct~~. polling place. The declaration of the precinct board member shall be in substantially the following form:

State of California }
County of } ss.

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I do hereby solemnly declare that I will support the Constitution of the United States and the Constitution of the State of California, and that I will to the best of my ability, faithfully discharge the duties of precinct board member for ~~precinct~~ polling place or vote center _____ for the election to be held on _____, ~~19~~ 20_____.

Signed in the presence of _____ (Signature) _____
on _____, ~~19~~ 20_____.

(c) Any precinct board member may administer and certify oaths required to be administered during the progress of an election. This authorization shall include the power to give any type of oath required of a public employee. There shall be no fee or charge for administering an oath.

(d) In lieu of signing and returning the declaration of the inspector, as provided in this chapter, the county elections official may require the inspector to sign the declaration ~~on the day of~~ for an election and before entering upon the performance of these duties.

SEC. 41.
Amends Elections Code 13101

(b) This section does not apply to elections conducted using vote centers.

SEC. 41.5.
Adds Elections Code 13216.5

A ballot stub may be used, but is not required, for a ballot produced on demand if the quantity of ballots produced for the election can be reconciled by the ballot processing method used by the voting system. The ballots may contain printed and distinguishing marks if secrecy in voting is protected.

SEC. 42.
Amends Elections Code 13303

(b) The elections official shall send notice of the ~~polling place~~ place, which includes vote centers, to each voter with the county voter information guide. Only official matter shall be sent out with the county voter information guide as provided by law.

(c) The elections official shall send notice of the ~~polling place~~ polling place, which includes vote centers, to each voter who registered after the 29th day before the election and is eligible to participate in the election. The notice shall also include information as to where the voter can obtain a county

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voter information guide and a state voter information guide before the election, a statement indicating that those documents will be available at the polling place at the time of the election, and the address of the Secretary of State's Internet Web site and, if applicable, of the county Internet Web site where a county voter information guide may be viewed.

SEC. 43.
Amends Elections Code 13315

(b) This section does not apply to the envelopes mailed to vote by mail voters.

SEC. 44.
Amends Elections Code 14102

(a) (1) For each statewide election, the elections official shall provide a sufficient number of official ballots in each precinct to reasonably meet the needs of the voters in that precinct on election day using the precinct's voter turnout history as the criterion, but in no case shall this number be less than 75 percent of registered voters in the precinct, and for vote by mail and emergency purposes shall provide the additional number of ballots that may be necessary.

(2) The number of party ballots to be furnished to any precinct for a primary election shall be computed from the number of voters registered in that precinct as intending to affiliate with a party, and the number of nonpartisan ballots to be furnished to any precinct shall be computed from the number of voters registered in that precinct without statement of intention to affiliate with any of the parties participating in the primary election.

(b) For all other elections, the elections official shall provide a sufficient number of official ballots in each precinct to reasonably meet the needs of the voters in that precinct on election day, using the precinct's voter turnout history as the criterion, but in no case shall this number be less than 75 percent of the number of registered voters in the precinct, and for vote by mail and emergency purposes shall provide the additional number of ballots that may be necessary.

(c) Notwithstanding subdivisions (a) and (b), in elections conducted using voter centers, the elections official shall provide sufficient materials for voting.

SEC. 45.
Amends Elections Code 14103

(a) Before the opening of the polls at any election, the elections official shall cause to be delivered to the precinct board in each precinct in which the election is to be held, the proper number of ballots of the kinds to be used in that precinct. The ballots shall be delivered in sealed packages

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*Full text can be obtained from www.leginfo.ca.gov

with marks on the outside clearly designating the precinct or polling place for which they are intended, and the number of ballots enclosed.

(b) Notwithstanding subdivision (a), in elections conducted using vote centers, ballots or ballot stock shall be delivered in sealed packages indicating the number of ballots or the amount of ballot stock enclosed.

**SEC. 46.
Amends Elections Code 14105**

The elections official shall furnish to ~~the precinct officers~~ each polling place all of the following:

(a) ~~Printed copies of the indexes.~~ At least one accessible copy of the voter list.

(b) Necessary printed blanks for the roster, tally sheets, ~~lists of voters,~~ voter list, declarations, and returns.

~~(c) Not less than six nor more than 12 instruction cards to each precinct~~ polling place for the guidance of voters in obtaining and marking their ballots. On each card shall be printed necessary instructions and the provisions of Sections 14225, 14279, 14280, 14287, 14291, 14295, 15271, 15272, 15273, 15276, 15277, 15278, 18370, 18380, 18403, 18563, and 18569.

(d) A digest of the election laws with any further instructions the county elections official may desire to make.

(e) An American flag of sufficient size to adequately assist the voter in identifying the polling place. The flag is to be erected at or near the polling place on election day. ~~place.~~

(f) A ballot container, properly marked on the outside indicating its contents. If it is necessary to supply additional ballot containers, these additional containers shall also be marked on the outside indicating their contents.

(g) At least one copy of the certified write-in list, if applicable.

(h) A sufficient number of cards to each polling place containing the telephone number of the office to which a voter may call to obtain information about his or her ~~precinct location.~~ polling place. The card shall state that the voter may call collect during polling hours.

(i) An identifying badge or insignia for each member of the precinct board. The member shall print his or her name ~~and the precinct number~~ thereon and shall wear the badge or insignia at all times in the performance of duties, so as to be readily identified as a member of the precinct board by all persons entering the polling place.

(j) Facsimile copies of the ballot containing ballot measures and ballot instructions printed in Spanish or other languages as provided in Section 14201.

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*Full text can be obtained from www.leginfo.ca.gov

(k) Sufficient copies of the notices to be posted on the ~~indexes~~ voter list used at the polls. The notice shall read as follows: "This ~~index~~ voter list shall not be marked in any manner except by a member of the precinct board acting pursuant to Section ~~14297 of the Elections Code.~~ 14297. Any person who removes, tears, marks, or otherwise defaces this ~~index~~ voter list with the intent to falsify or prevent others from readily ascertaining the name, address, or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor."

(l) A roster ~~of voters~~ for each ~~precinct~~ polling place in the form prescribed in Section 14107.

(m) Printed copies of the Voter Bill of Rights, as supplied by the Secretary of State. The Voter Bill of Rights shall be conspicuously posted both inside and outside every polling place.

SEC. 47.

Amends Elections Code 14105.1

In addition to the materials identified in Section 14105, the elections official shall furnish to the ~~precinct officers~~ polling place printed copies of the notices specified in Section 9083.5, as supplied by the Secretary of State. The notices shall be conspicuously posted both inside and outside every polling place.

SEC. 48.

Amends Elections Code 14105.3

(a) The federal Help America Vote Act of 2002 (~~P.L. 107-252~~) (52 U.S.C. Sec. 20901 et seq.) requires voting information to be publicly posted at each polling place ~~on the day of~~ for each election for federal office. Voting information is defined as including general information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated.

(b) The Secretary of State shall print posters and other appropriate materials setting forth the voter rights listed in Section 2300. The posters shall be printed in as many languages as the Secretary of State determines are necessary, but, at a minimum, in sufficient languages to comply with Section 14201 and with the federal Voting Rights Act of ~~1965, as amended by Public Law 94-73.~~ 1965 (52 U.S.C. Sec. 10301 et seq.). The Secretary of State shall distribute the posters and materials to all county elections officials sufficiently in advance of statewide elections.

SEC. 49.

Amends Elections Code 14107

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(a) The roster to be kept by each precinct board shall ~~be substantially in~~ contain all of the following form: following:

Roster

of the _____ election held in the _____ precinct _____ district, County of _____, on the _____ day of _____, 20____. Following are the voters of above precinct desiring to vote under Sections 14216, 14218, 14278, and 14284 of the Elections Code:

No.	Signature of voter	Residence of voter
1		
2		
3		
etc.		

(1) Space for the voter's signature.

(2) The residence address of the voter.

(3) At the heading of each page or signature area, the following words: "WARNING: It is a crime punishable by imprisonment in the state prison or in county jail for anyone to fraudulently vote, fraudulently attempt to vote, vote more than once, attempt to vote more than one, impersonate a voter, or attempt to impersonate a voter (Sec. 18560, Elections Code)."

(4) Immediately below the final signature on the roster, the following statements:

We

(A) We hereby certify that all voters whose signatures appear hereinbefore in this roster voted this day excepting the following who, after signing the roster, failed to vote or were challenged and denied the right to vote.

No. _____ Name No. _____ Name

We

(B) We further certify that the number of voters who voted in this precinct at this election is _____, and that the above list of voters, less those who did not vote as enumerated, constitutes the roster of this precinct for this election.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

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We further certify that the total number of official ballots received, voted, rejected, spoiled and canceled, found in the ballot container and the number accounted for is as indicated on the ballot statement.

We further certify that the assisted voters list and challenge list show a complete list of all voters assisted or challenged.

_____ Clerk _____ Inspector
_____ Clerk ~~Judge~~
_____ Clerk Judge

All members of the precinct board shall sign this certificate.

(b) When votes are counted at the precinct, all members of the board shall also sign the certificate of performance prescribed in Section 15280.

SEC. 49.5.
Repeals Elections Code 14108

SEC. 50.
Amends Elections Code 14113

The containers of the ballots furnished to the polling places shall provide adequate protection for the ballots during storage and upon removing the ballots.

SEC. 51.
Amends Elections Code 14200

A member of each precinct board shall cause the following voting information to be publicly posted at each polling place ~~on the day of each election:~~ place:

(a) A sample version of the ballot that will be used for the election.

(b) Information regarding the date of the election and the hours during which polling places will be open.

(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot.

(d) Instructions for mail-in registrants and first-time voters under Section 303(b) of the Help America Vote Act of 2002 ~~(P.L. 107-252).~~ (52 U.S.C. Sec. 20901 et seq.).

SEC. 52.
Amends Elections Code 14202

(a) Before opening the polls, the precinct board shall post in separate, convenient places at or near the polling place, and of easy access to the voters, not less than two of the copies at least one printed copy of the index voter list to the affidavits of registration for that precinct. The copies of

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~~the index may be by street address in numerical order.~~ polling place. The copies of the voter list shall be by street address in numerical order.

(b) Notwithstanding subdivision (a), in elections conducted using vote centers, at each polling place the elections official or the precinct board shall provide access to the voter list.

SEC. 53.

Amends Elections Code 14212

The polls shall be open at 7 a.m. of the day of any election, and shall be kept open until 8 p.m. of the same day, when the polls shall be closed, except as provided in ~~Section~~ Sections 4005, 4007, and 14401.

SEC. 54.

Amends Elections Code 14216

(a) Any person desiring to vote shall announce ~~state or provide~~ his or her name and address in an audible tone of voice, and when one of ~~and, upon~~ the precinct officers finds finding the name in the index, the officer shall in a like manner repeat the name and address. The ~~roster, the~~ voter shall then ~~write~~ sign his or her name and residence address in the space provided or, if the voter is unable to write, sign, shall have the name and residence address ~~written~~ his or her name signed by another person on ~~a~~ the roster of voters provided for that purpose, whereupon a challenge may be interposed as provided in this article.

(b) The signature shall be capable of being retained for the prescribed retention period for the election being conducted.

(c) This section does not prohibit the use of technology to capture the signature prescribed by subdivision

SEC. 55.

Amends Elections Code 14217

If the precinct board is unable to find a voter's name upon the ~~index of registration,~~ roster, it shall inform the voter that he or she may cast a provisional ballot and the procedure for doing so. If the voter elects to cast a provisional ballot, the precinct board shall furnish the voter with a provisional ballot, in accordance with Section 14310.

SEC. 56.

Amends Elections Code 14240

(a) A person offering to vote may be orally challenged within the polling place only by a member of the precinct board upon any or all of the following grounds:

(1) That the voter is not the person whose name appears on the ~~index.~~ roster.

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*Full text can be obtained from www.leginfo.ca.gov

(2) That the voter is not a resident of the ~~precinct~~, precinct, or in an election conducted using a voter center, not a resident of the county.

(3) That the voter is not a citizen of the United States.

(4) That the voter has voted ~~that day~~, in that election.

(5) That the voter is presently on parole for the conviction of a felony.

(b) ~~On the day of the election no~~ A person, other than a member of a precinct board or other official responsible for the conduct of the election, shall not challenge or question any voter concerning the voter's qualifications to vote.

SEC. 57.

Amends Elections Code 14243

If the challenge is on the ground that the person seeking to vote is not the person whose name appears on the ~~index~~, roster, a member of the precinct board shall tender the following oath: "You do swear (or affirm) that you are the person whose name is entered on the ~~index~~." roster."

SEC. 58.

Amends Elections Code 14244

If the challenge is on the ground that the person seeking to vote is not a resident of the ~~precinct~~, precinct, or in an election conducted using a voter center, not a resident of the county, the person challenged shall be sworn to answer questions, and after having been sworn, a member of the precinct board shall ask that person: "Are you a resident of this precinct?" or in an election conducted using a voter center, "Are you a resident of the county?"; If the answer to the question is "Yes," without significant qualification, no other questions shall be asked.

SEC. 59.

Amends Elections Code 14246

If the challenge is on the ground either that the person challenged is not the person whose name appears on the ~~index~~, roster, or that he or she has voted that day, the challenge shall be determined in favor of the person challenged if that person takes the oath as set forth either in Section 14243 or 14245.

SEC. 60.

Amends Elections Code 14294

(a) At all elections, a member of the precinct board shall mark, ~~on one of the copies of the index~~ in the space provided on the voter list posted at or near the polling place, the name of each person who has voted, by drawing a line through the name of the voter, with a pen or indelible pencil. The board member shall mark off the names at least once each hour, to and

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including 6 p.m. In all counties not using the ~~index roster~~, voter list, the board member shall draw a line under the last name signed in the roster at 6 p.m. or at the time of discontinuation of this procedure, whichever occurs last.

(b) If an electronic poll book is used at the polling place, the elections official may use a printout or an electronic means of notification of the list of each person who has voted. The elections official shall provide the printout or electronic notification at least once each hour, to and including 6 p.m., or at the time of discontinuation of this procedure, whichever occurs last.

SEC. 61.

Amends Elections Code 14297

(a) No later than the time at which the voter delivers the voted ballot, a precinct board member in charge of the ~~index voter list~~ shall write in the space opposite the name of the voter the line number designating the position of the name on the roster. In those counties using ~~the a~~ combined index roster, the voter's name shall be crossed off of the ~~index voter list~~ in lieu of numbering.

(b) In an election conducted using vote centers, or if an electronic poll book is used, only the electronic roster shall be updated.

SEC. 62.

Amends Elections Code 14298

(a) The precinct board shall maintain ~~the copies~~ at least one printed copy of the ~~index voter list~~ posted during the whole time of voting. ~~These copies~~ The copies of the voter list shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14294.

(b) A member of the precinct board shall post a notice on each ~~index~~ which voter list that reads as follows: "This ~~index voter list~~ shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14294. Any person who removes, tears, marks, or otherwise defaces this ~~index voter list~~ with the intent to falsify or prevent others from readily ascertaining the name, address, or political ~~affiliation~~ preference of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor."

(c) If an electronic poll book is used, a notice shall be posted near the electronic poll book that reads as follows: "This roster shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14294. Any person who removes, tears, marks, or otherwise defaces this index with the intent to falsify or prevent others from readily ascertaining the name, address, or political preference of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor."

SEC. 63.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Amends Elections Code 14300

(f) In elections conducted using voter centers, the elections official shall provide a sufficient amount of ballot stock to be used for printing ballots in each vote center.

SEC. 64.

Amends Elections Code 14310

(a) At all elections, a voter claiming to be properly registered, but whose qualification or entitlement to vote cannot be immediately established upon examination of the ~~index of registration roster~~ for the precinct or upon examination of the records on file with the county elections official, shall be entitled to vote a provisional ballot as follows:

SEC. 65.

Amends Elections Code 14403

(b) This section does not apply to elections conducted using vote centers.

SEC. 66.

Amends Elections Code 14404

(b) This section does not apply to elections conducted using vote centers.

SEC. 67.

Amends Elections Code 14405

(c) This section does not apply to elections conducted using vote centers.

SEC. 68.

Adds Article 2.5 (commencing with Section 14228) to Chapter 4 of Division 14 of the Elections Code

Article 2.5. Elections Using Vote Centers

(a) Notwithstanding Section 14420, in elections conducted using vote centers, at the end of each voting day, the precinct board shall remove the voted ballots from the ballot container and deliver them to the central receiving center pursuant to Section 14422.

(b) The precinct board shall certify to the election official the number of ballots cast at the vote center on the roster, as well as the number of ballots voted. If there is any discrepancy between the numbers, the discrepancy shall be noted with an explanation of the difference and signed by all members of the precinct board.

(c) The precinct board shall record on forms the information needed for the reconciliation of the ballots required by Section 14405.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

(d) For vote centers using tabulating equipment, the precinct board shall record the number of ballots cast on each voting device and securely seal the device to prevent additional ballots from being cast until the next day of voting. The precinct board shall record all seals used for this procedure on a log for each vote center.

**SEC. 69.
Amends Elections Code 14430**

The precinct board, as soon after the polls are closed as possible, shall prepare the supplies, including the copies of the ~~index voter list or roster~~ posted at or near the polling place, and records of the election for delivery to the elections official.

**SEC. 70.
Amends Elections Code 14432**

The precinct board shall enclose and seal in one or two packages, as determined by the elections official, all of the following:

(a) Two tally sheets, if ballots are to be tabulated manually at the precinct.

(b) ~~The roster of voters.~~ roster. If an electronic poll book is used, either or both the electronic poll book and the electronic media containing the roster shall be secured and returned to the elections official.

(c) ~~The copy of the index used as the voting record.~~ voter list. If an electronic voter list is used, either or both the electronic voter list and the electronic media containing the voter list shall be secured and returned to the elections official.

(d) The challenge list.

(e) The assisted voter's list.

**SEC. 71.
Amends Elections Code 15111**

The elections official shall keep an accurate list of all voters who have received and voted a vote by mail ballot at each election and compare this list with the ~~roster of voters~~ as provided in Section 15278. That list shall include the election precinct of the voter.

**SEC. 72.
Amends Elections Code 15201**

(a) As soon as the polls are closed, the precinct board shall, in the presence of the public do all of the following:

(1) Seal the container used to transport voted ballots and insure that the precinct ~~number~~ number, or in an election conducted using a voter center, the vote center number, is designated on the ballot container.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

SEC. 73.

Amends Elections Code 15250

This article applies to all elections in which votes are counted by means of a voting ~~machine~~. machine at a polling place or vote center.

SEC. 74.

Amends Elections Code 15250.5

(a) As soon as the polls are ~~closed~~, closed on election day, the precinct board, in the presence of the watchers and all others lawfully present, shall immediately lock the voting machine against voting and do all of the following:

(1) Count the votes cast on voting machines and report the results pursuant to subdivisions (b) and (c).

(2) Complete, sign, and return to the elections official all furnished forms requiring its signatures.

(b) When votes are counted on one or more voting machines at the precinct, all members of the precinct board, upon the completion of their duties, shall sign a certificate of performance, which shall be substantially in the following form:

This certificate of performance is for ~~precinct~~ polling place or vote center _____, for the _____ election, held on the _____ day of _____, (year).

(1) The results of the votes cast form posted outside the polling place includes the total number of votes cast on each voting machine for each candidate for each office, and the total number of votes cast on each voting machine for and against each ballot measure.

(2) The results of votes cast form provided to the county elections official shows the same numbers. (1) The results of the votes cast form posted outside the polling place includes the total number of votes cast on each voting machine for each candidate for each office, and the total number of votes cast on each voting machine for and against each ballot measure, except as provided in paragraph (2).

(2) For each voting machine recording fewer than 10 ballots, only the number of ballots cast on that machine is posted.

(3) The results of votes cast form provided to the county elections official shows the same numbers.

In this case, only the number of ballots cast on each voting machine is posted and included on the results of votes cast form provided to the county elections official.

_____ Inspector	_____ Clerk
_____ Assistant Inspector	_____ Clerk
_____ Judge	_____ Clerk
_____ Judge	_____ Clerk

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In this case, only the summary of votes for all precincts combined is reported. An additional report showing just the number of people who voted in each precinct may also be provided, but it will not show by precinct the votes cast for each candidate in each office.

(c) (1) The precinct board shall sign and post conspicuously on the outside of the polling place a copy of the results of votes cast form. The copy shall remain posted for at least 48 hours after the official time fixed for the closing of the polls.

(2) To protect a person's right to cast a secret ballot under Section 7 of Article II of the California Constitution, in cases where fewer than 10 voters cast ballots on any single voting machine on which the results are tallied at the precinct, the precinct board shall post only the total number of people who voted on that voting machine, and shall not post the total number of votes cast on each voting machine for each candidate for each office or the total number of votes cast on each voting machine for and against each ballot measure.

SEC. 75.
Amends Elections Code 15251

Upon receipt of the result of votes cast from the precinct boards, the elections official shall ~~compile~~ do either of the following:

(a) Compile and make available to the public the ~~results so received~~ received results as to the offices and measures.

(b) Compare the received results to the results provided to the public from the central tabulation or tally system pursuant to Chapter 4 (commencing with Section 15300) of Division 15.

SEC. 76.
Amends Elections Code 15278

On completion of the canvass of the returns for each election, the elections official shall compare the vote by mail voters' list with the ~~roster of voters in~~ for each precinct to determine if any voter cast more than one ballot at that election.

SEC. 77.
Amends Elections Code 15320

Vote by mail ballots and mail ballot precinct ballots returned to the elections office and to the polls on or before election day that are not included in the semifinal official canvass phase of the election, including any ballots returned to another jurisdiction in the state and forwarded to the elections official who issued the ballot pursuant to Section 3017, shall be processed and counted during the official canvass in the manner prescribed by Chapter 2

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(commencing with Section 15100) of *Division 15*, and pursuant to the requirements of Section 3019.

SEC. 78.

Amends Elections Code 17001

The elections official shall keep a copy of the ~~index to the affidavits of registration~~ roster described in Section ~~2180~~ 2183 on file as a public record for election, political research, and governmental purposes for a period of five years.

SEC. 79.

Amends Elections Code 17300

(a) The elections official shall preserve all rosters ~~of voters~~ or combined rosters and ~~indexes~~ voter lists as provided for in Section ~~14109, 14107~~, if applicable, until five years after the date of the election, after which they may be destroyed by that official.

(b) In lieu of preserving the original ~~roster of voters~~, roster, the elections official may, by filming or other suitable method, record the original roster of voters and destroy the roster following the next subsequent general election.

SEC. 80.

Amends Elections Code 17303

(a) The following provisions ~~shall~~ apply to those elections ~~where~~ in which candidates for one or more of the following offices are voted upon: President, Vice President, United States Senator, and United States Representative.

(b) The elections official shall preserve the package or packages containing the following items for a period of 22 months:

(1) Two tally sheets.

(2) The copy of the ~~index~~ roster used as the voting record. If an electronic poll book is used, a copy of the electronic data file may be preserved in lieu of creating a paper copy.

SEC. 81.

Amends Elections Code 17304

(a) The following provisions ~~shall~~ apply to all state or local elections not provided for in subdivision (a) of Section 17303. An election is not deemed a state or local election if votes for candidates for federal office may be cast on the same ballot as votes for candidates for state or local office.

(b) The elections official shall preserve the package or packages containing the following items for a period of six months:

(1) Two tally sheets.

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(2) The copy of the ~~index roster~~ used as the voting record. *If an electronic poll book is used, a copy of the electronic data file may be preserved in lieu of creating a paper copy.*

**SEC. 82.
Amends Elections Code 17305**

(a) The following provisions ~~shall~~ apply to those elections where candidates for one or more of the following offices are voted upon: President, Vice President, United States Senator, and United States Representative.

(b) Upon the completion of the counting of the votes as provided in Article 4 (commencing with Section 15640) of Chapter ~~42~~ 9 of Division 15, all ballot cards shall be ~~arranged by precincts and shall be kept by the elections official for 22 months from the date of the election or so long thereafter as any contest involving the vote at the election remains undetermined.~~

(c) Notwithstanding any other provision of this code, the final disposition of all voted ballot cards shall be determined by the elections official.

(d) Sealed ballot containers may be opened if the elections official determines it is necessary in a shredding or recycling process. ~~Nothing in this~~ *This* section shall *not* be construed to allow packages or containers to be opened except for purposes specified herein. The packages or containers shall otherwise remain unopened until the ballots are destroyed or recycled.

**SEC. 83.
Amends Elections Code 17306**

(a) The following provisions shall apply to all state or local elections not provided for in subdivision (a) of Section 17305. An election is not deemed a state or local election if votes for candidates for federal office may be cast on the same ballot as votes for candidates for state or local office.

(b) Upon the completion of the counting of the votes as provided in Article 4 (commencing with Section 15640) of Chapter ~~42~~ 9 of Division 15, all ballot cards shall be ~~arranged by precincts and shall be kept by the elections official for six months from the date of the election or so long thereafter as any contest involving the vote at the election remains undetermined.~~

(c) Notwithstanding any other provision of this code, the final disposition of all voted ballot cards shall be determined by the elections official.

(d) Sealed ballot containers may be opened if the elections official determines it is necessary in a shredding or recycling process. ~~Nothing in this~~ *This* section shall *not* be construed to allow packages or containers to be opened except for purposes specified herein. The packages or containers shall otherwise remain unopened until the ballots are destroyed or recycled.

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SEC. 84.
Amends Elections Code 18380

(a) ~~No~~^A person, during any election, shall not do any of the following:

(1) Remove or destroy any of the supplies or other conveniences placed in the voting booths or compartments for the purpose of enabling the voter to prepare his or her ballot.

(2) Remove, tear down, or deface the cards printed for the instruction of voters.

(3) Remove, tear, ~~mark~~ ^{mark}, ~~destroy~~, or otherwise deface any voter ~~index~~ ^{list or roster} with the intent to falsify or prevent others from readily ascertaining the name, address, or political ~~affiliation~~ ^{preference} of any voter, or the fact that a voter has or has not voted.

(4) Remove, tear down, or deface the signs identifying the location of a polling place or identifying areas within 100 feet of a polling place.

(b) Any person who violates any of the provisions of this section is guilty of a misdemeanor.

SEC. 85.

(a) Section 25.5 of this bill incorporates amendments to Section 3108 of the Elections Code proposed by both this bill and Assembly Bill 1403. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 3108 of the Elections Code, and (3) this bill is enacted after Assembly Bill 1403, in which case Section 25 of this bill shall not become operative.

(b) Section 46.5 of this bill incorporates amendments to Section 14105 of the Elections Code proposed by both this bill and Assembly Bill 837. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 14105 of the Elections Code, and (3) this bill is enacted after Assembly Bill 837, in which case Section 46 of this bill shall not become operative.

(c) Section 51.5 of this bill incorporates amendments to Section 14200 of the Elections Code proposed by both this bill and Assembly Bill 918. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 14200 of the Elections Code, and (3) this bill is enacted after Assembly Bill 918, in which case Section 51 of this bill shall not become operative.

VOTER REGISTRATION: FOSTER YOUTH

Senate Bill 332
Chapter 161

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

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CURRENT PROVISIONS

Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care and to nonminor dependents up to 21 years of age.

Existing law requires, in order to be provided AFDC-FC benefits, one of several conditions to be satisfied, including, for a nonminor dependent, that he or she has been placed pursuant to a mutual agreement or is reentering foster care placement pursuant to a voluntary agreement.

Existing law requires a county social worker to create a case plan for foster youth within a specified timeframe after the child is introduced into the foster care system.

Existing law requires the case plan to include prescribed components, including, among other things, when appropriate, for a child who is 16 years of age or older and for a nonminor dependent, a transitional independent living plan (TILP).

NEW PROVISIONS

Requires the State Department of Social Services to include specified information relating to voter registration, including the voter registration page on the Secretary of State's Internet Web site, on a flyer for the Independent Living Program, on the form used for a nonminor dependent to enter into a mutual agreement or a voluntary reentry agreement, on the form used to create a TILP, on the department's Internet Web site for the Independent Living Program, and on the Office of the Foster Care Ombudsman's Internet Web site.

Authorizes a county social worker to provide a voter registration form to a child 16 years of age or older or a nonminor dependent concurrent with the provision of any of those forms.

Authorizes the department to implement, interpret, or make specific these provisions by means of an all-county letter or similar instructions, without taking any regulatory action.

SECTIONS AFFECTED:**SECTION 1.****Adds Welfare and Institutions Code 11403.05.**

(a) The department shall include all of the following on a flyer for the Independent Living Program created by the department, the form used for a

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nonminor dependent to enter into a mutual agreement described in subdivision (u) of Section 11400, the form used for a nonminor dependent to enter into a voluntary reentry agreement described in subdivision (z) of Section 11400, the form used to create a transitional independent living plan described in paragraph (16) of subdivision (g) of Section 16501.1, the department's Internet Web site for the Independent Living Program, and the Office of the Foster Care Ombudsman's Internet Web site:

(1) The voter registration page on the Secretary of State's Internet Web site.

(2) The toll-free telephone number maintained by the Secretary of State that contains election-related information.

(3) The email address of the Secretary of State.

(b) A county social worker may provide a voter registration form to a child 16 years of age or older or a nonminor dependent concurrent with the provision of a form identified in subdivision (a).

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of an all-county letter or similar instructions, without taking any regulatory action.

POLITICAL REFORM ACT OF 1974: SECRETARY OF STATE: ONLINE FILING AND DISCLOSURE SYSTEM

Senate Bill 358
Chapter 624

CURRENT PROVISIONS

The Political Reform Act of 1974 generally requires elected officials, candidates for elective office, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other entities, to file periodic campaign statements.

The act requires that these campaign statements contain prescribed information related to campaign contributions and expenditures of the filing entities.

Existing law, the Online Disclosure Act, requires the Secretary of State, in consultation with the Fair Political Practices Commission, to develop online and electronic filing processes for use by these persons and entities.

NEW PROVISIONS

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Requires the Secretary of State to conspicuously post on his or her Internet Web site hyperlinks to the Internet Web site of any local government agency that contains publicly disclosed campaign finance information and to update these hyperlinks accordingly.

SECTIONS AFFECTED:

SECTION 1.

Adds Government Code 84602.3

The Secretary of State shall conspicuously post on his or her Internet Web site hyperlinks to the Internet Web site of any local government agency that contains publically-disclosed campaign finance information. The Secretary of State shall update these hyperlinks no later than December 31 of each year.

REGIONAL PARK AND OPEN-SPACE DISTRICTS: COUNTY OF SOLANO

Senate Bill 365

Chapter 216

CURRENT

Existing law authorizes proceedings for the formation of a regional park and open-space or regional open-space district in specified counties in the state to be initiated by resolution of the county board of supervisors adopted after a noticed hearing, and specifies the contents of the resolution.

NEW PROVISIONS

Authorizes the formation of a regional district in the County of Solano to be initiated by resolution of the county board of supervisors after a noticed hearing.

Specifies the contents of the resolution, including the calling of an election, as prescribed.

SECTIONS AFFECTED:

SECTION 1.

(a) There is increasing interest in preserving the natural and open-space areas of the County of Solano and in creating opportunities for public access to these areas for hiking and other recreational activities.

(b) Formation of a regional park and open-space district or regional open-space district in the County of Solano is critically needed to help address the unresolved needs in the Solano County area with respect to the preservation of open-space and natural areas and the enhancement of

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regional parks and recreation facilities, including regional trail connections to the greater San Francisco Bay area.

SEC. 2.

Adds Public Resources Code 5506.13

(a) A proceeding for the formation of a regional district in the County of Solano may be initiated by resolution of the Board of Supervisors of the County of Solano, adopted after a hearing noticed in accordance with Section 6064 of the Government Code, in lieu of the petition and related proceedings specified in this article.

(b) The resolution shall do all of the following:

(1) Name the proposed regional district and state the reasons for forming it.

(2) Specify that the Board of Supervisors of the County of Solano shall act, ex officio, as the governing body for the regional district, except as provided in paragraph (8). The provisions of this article pertaining to district directors do not apply, and all powers and authority of the regional district shall be vested in the board of supervisors in its capacity as the governing body of the regional district, unless a separate board is elected pursuant to paragraph (8).

(3) Describe the territory to be included in the regional district.

(4) Describe the sources of funding that may be made available by the County of Solano upon formation of the regional district and describe any other methods by which the regional district will be financed.

(5) Specify that the district shall not have, and may not exercise, the power of eminent domain pursuant to Section 5542 or any other law.

(6) (A) Call and give notice of an election to be held in the proposed regional district for the purpose of determining whether the regional district shall be formed. The election shall be consolidated with a statewide election or any election conducted throughout the County of Solano.

ELECTIONS: SECRETARY OF STATE

Senate Bill 511

Chapter 394

CURRENT PROVISIONS

Existing law declares that the Secretary of State is the chief elections officer of the state and that he or she has prescribed powers and duties.

NEW PROVISIONS

Changes in or additions to text are shown by underlined italics, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

Clarifies the scope of those powers and duties, and requires the Secretary of State to make reasonable efforts to promote voter registration and voting, as specified, especially in underrepresented communities.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 10

(a) The Secretary of State is the chief elections officer of the state, and has the powers and duties specified in this code and Section 12172.5 of the Government Code.

(b) (1) The Secretary of State shall make reasonable efforts to do all of the following:

(A) Promote voter registration to eligible voters.

(B) Encourage eligible voters to vote.

(C) Promote pre-registration to eligible citizens.

(D) Promote civic learning and engagement to prepare students and new citizens to register to vote and to vote.

(2) In undertaking these efforts, the Secretary of State shall prioritize communities that have been historically underrepresented in voter registration or voting.

PRIMARY ELECTIONS: ELECTION DATE

Senate Bill 568

Chapter 335

CURRENT PROVISIONS

Existing law requires that the statewide direct primary be held on the first Tuesday after the first Monday in June in each even-numbered year.

Existing law requires that the presidential primary be held on the first Tuesday after the first Monday in June in any year that is evenly divisible by the number 4, and requires that the presidential primary be consolidated with the statewide direct primary held in that year.

NEW PROVISIONS

Provides that, beginning in 2019, the date of the statewide direct primary and the presidential primary is changed to the first Tuesday after the first Monday in March and would continue the requirement that those elections be consolidated.

SECTIONS AFFECTED:

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*Full text can be obtained from www.leginfo.ca.gov

SECTION 1.

Amends Elections Code 316

(a) "Direct primary" is the primary election held on either the first Tuesday after the first Monday in June in each ~~an~~ even-numbered year that is not evenly divisible by the number four, or on a date described in Section 340 in a year that is evenly divisible by the number four, to nominate candidates to be voted for at the ensuing general election or to elect members of a party central committee.

(b) This section shall remain in effect only until January 1, 2019, and as of that date is repealed.

SEC. 2.

Adds Elections Code 316

(a) "Direct primary" is the primary election held on the first Tuesday after the first Monday in March in each even-numbered year.

(b) This section shall become operative January 1, 2019.

SEC.3.

Amends Elections Code 340

(a) "Presidential primary" is the primary election that is held ~~on the first Tuesday after the first Monday in June~~ in any year that is evenly divisible by the number four, and at which delegations to national party conventions are to be chosen. *The presidential primary shall be held on either of the following dates: REMOVE*

(b) This section shall remain in effect only until January 1, 2019, and as of that date is repealed.

SEC. 4.

Adds Elections Code 340

(a) "Presidential primary" is the primary election that is held on the first Tuesday after the first Monday in March of any year that is evenly divisible by four.

(b) This section shall become operative January 1, 2019.

SEC. 5.

Amends Elections Code 1000

The established election dates are as follows:

(a) The second Tuesday of April in each even-numbered year.

(b) The first Tuesday after the first Monday in March of each odd-numbered year.

(c) The first Tuesday after the first Monday in June in each year.

(d) The first Tuesday after the first Monday in November of each year.

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(e) In a year that is evenly divisible by the number four, either of the following dates:

SEC. 6.
Adds Elections Code 1000

The established election dates are as follows:

(a) The second Tuesday of April in each even-numbered year.

(b) The first Tuesday after the first Monday in March of each odd-numbered year.

(c) The first Tuesday after the first Monday in November of each year.

(d) The first Tuesday after the first Monday in March in each even-numbered year.

(e) This section shall become operative January 1, 2019.

SEC. 7.
Amends Elections Code 1001

(a) Elections held in June and November of each even-numbered year are statewide elections and the dates of those elections are statewide election dates.

(b) This section shall remain in effect only until January 1, 2019, and as of that date is repealed.

SEC. 8.
Adds Elections Code 1001

The following are statewide elections and their dates are statewide election dates:

(a) An election held in November of an even-numbered year.

(b) An election held in March of an even-numbered year.

(c) An election held on a date set pursuant to subdivision (b) of Section 1202.

(d) This section shall become operative January 1, 2019.

SEC. 9.
Amends Elections Code 1201

(a) The statewide direct primary shall be held on the first Tuesday after the first Monday in March of each even-numbered year.

(b) This section shall remain in effect only until January 1, 2019, and as of that date is repealed.

SEC. 10.
Adds Elections Code 1201

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(a) The statewide direct primary shall be held on the third Tuesday in March of each even-numbered year, or, as applicable in years evenly divisible by four, an earlier date selected by the Governor pursuant to subdivision (b) of Section 1202.

(b) This section shall become operative January 1, 2019.

SEC. 11.

Amends Elections Code 1202

(a) The presidential primary shall be held on the first Tuesday after the first Monday in June in any year that is evenly divisible by the number four, and shall be consolidated with the statewide direct primary held in that year.

(b) This section shall remain in effect only until January 1, 2019, and as of that date is repealed.

SEC. 12.

Adds Elections Code 1202

(a) The presidential primary shall be consolidated with the statewide direct primary in any year that is evenly divisible by four, and the consolidated primary shall be held on the first Tuesday after the first Monday in March.

(b) This section shall become operative January 1, 2019.

METROPOLITAN TRANSPORTATION COMMISSION: TOLL BRIDGE REVENUES: BART INSPECTOR GENERAL: SANTA CLARA VALLEY TRANSPORTATION AUTHORITY: HIGH-OCCUPANCY TOLL LANES

[Senate Bill 595](#)

Chapter 650

NEW PROVISIONS

Requires the City and County of San Francisco and the other eight counties in the San Francisco Bay area to conduct a special election, to be known as Regional Measure 3, on a proposed increase in the amount of the toll rate charged on the state-owned toll bridges in that area to be used for specified projects and programs, as specified.

Requires the Bay Area Toll Authority (BATA) to reimburse from toll revenues, as specified, the counties and the City and County of San Francisco for the cost of submitting the measure to the voters, as specified.

Requires the City and County of San Francisco and the other eight counties in the San Francisco Bay area to conduct a special election, to be known as Regional Measure 3, on a proposed increase in the amount of the toll rate

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charged on the state-owned toll bridges in that area to be used for specified projects and programs, as specified.

Requires the Bay Area Toll Authority (BATA) to reimburse from toll revenues, as specified, the counties and the City and County of San Francisco for the cost of submitting the measure to the voters, as specified.

SECTIONS AFFECTED:

SECTION. 13.

Adds Streets and Highways Code 30923

(a) For purposes of the special election to be conducted pursuant to this section, the authority shall select an amount of the proposed increase in the toll rate, not to exceed three dollars (\$3), for vehicles crossing the bridges described in Section 30910 to be placed on the ballot for approval by the voters.

(b) The toll rate for vehicles crossing the bridges described in Section 30910 shall not be increased by the rate selected by the authority pursuant to subdivision (a) prior to the availability of the results of a special election to be held in the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma to determine whether the residents of those counties and of the City and County of San Francisco approve the toll increase.

(c) (1) Notwithstanding any provision of the Elections Code, the Board of Supervisors of the City and County of San Francisco and of each of the counties described in subdivision (b) shall call a special election to be conducted in the City and County of San Francisco and in each of the counties that shall be consolidated with a statewide primary or general election, which shall be selected by the authority.

(2) The authority shall determine the ballot question, which shall include the amount of the proposed toll increase selected pursuant to subdivision (a) and a summary of the Regional Measure 3 expenditure plan. The ballot question shall be submitted to the voters as Regional Measure 3 and stated separately in the ballot from state and local measures.

(d) The ballot pamphlet for the special election shall include a summary of the Regional Measure 3 expenditure plan regarding the eligible projects and programs to be funded pursuant to Section 30914.7. The Metropolitan Transportation Commission shall prepare a summary of the Regional Measure 3 expenditure plan.

(e) The county clerks shall report the results of the special election to the authority. If a majority of all voters voting on the question at the special election vote affirmatively, the authority may phase in the increased toll schedule consistent with subdivision (c) of Section 30916.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

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(f) If a majority of all the voters voting on the question at the special election do not approve the toll increase, the authority may by resolution resubmit the measure to the voters at a subsequent statewide primary or general election. If a majority of all of the voters vote affirmatively on the measure, the authority may adopt the toll increase and establish its effective date and establish the completion dates for all reports and studies required by Sections 30914.7 and 30950.3.

(g) (1) Each county and city and county shall share translation services for the ballot pamphlet and shall provide the authority a certified invoice that details the incremental cost of including the measure on the ballot, as well as the total costs associated with the election.

(2) The authority shall reimburse each county and city and county participating in the election for the incremental cost of submitting the measure to the voters. These costs shall be reimbursed from revenues derived from the tolls if the measure is approved by the voters, or, if the measure is not approved, from any bridge toll revenues administered by the authority.

(h) If the voters approve a toll increase pursuant to this section, the authority shall establish an independent oversight committee within six months of the effective date of the toll increase to ensure that any toll revenues generated pursuant to this section are expended consistent with the applicable requirements set forth in Section 30914.7. The oversight committee shall include two representatives from each county within the jurisdiction of the commission. Each representative shall be appointed by the applicable county board of supervisors and serve a four-year term and shall be limited to two terms. The oversight committee shall annually review the expenditure of funds by the authority for the projects and programs specified in Section 30914.7 and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings. The oversight committee may request any documents from the authority to assist the committee in performing its functions.

(i) If voters approve a toll increase pursuant to this section, the authority shall annually prepare a report to the Legislature, in conformance with Section 9795 of the Government Code, on the status of the projects and programs funded pursuant to Section 30914.7.

(j) Except as provided in subdivision (c) of Section 30916 and Section 30918, the toll increase adopted by the authority pursuant to this section shall not be changed without statutory authorization by the Legislature.

HUMAN TRAFFICKING: VICTIM CONFIDENTIALITY

Senate Bill 597 Chapter 570

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CURRENT PROVISIONS

Existing law authorizes victims of domestic violence, sexual assault, or stalking to complete an application to be approved by the Secretary of State for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions.

Any person who makes a false statement in an application is guilty of a misdemeanor.

NEW PROVISIONS

Makes this program available to a victim of human trafficking, as defined.

Makes the program available to household members, as defined, of a victim of domestic violence, sexual assault, stalking, or human trafficking, excluding the perpetrator, if applicable. Makes additional conforming changes.

By including victims of human trafficking and specified household members of victims of domestic violence, sexual assault, stalking, or human trafficking, impose new duties on local public officials and expand the scope of an existing crime, thereby creating a state-mandated local program.

Makes additional conforming changes.

SECTIONS AFFECTED:

Text can be obtained from www.leginfo.ca.gov

LOCAL EDUCATIONAL AGENCIES: GOVERNING BOARD ELECTIONS: LOS ANGELES COMMUNITY COLLEGE DISTRICT

[Senate Bill 628](#)

Chapter 243

CURRENT PROVISIONS

Existing law requires the governing board of a school district or community college district that is situated wholly or partly within a city containing a population of over 1,900,000 according to the 1950 federal census to be composed of 7 members elected at large at the same time and manner of the city council of that city, as specified.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state.

Existing law establishes community college districts, administered by a governing board, throughout the state.

Existing law requires members of the governing board of the Los Angeles Community College District to be elected at large in a manner established by a specified statute.

Existing law also authorizes the governing board of the Los Angeles Community College District to adopt a resolution by majority vote to enact an alternative method by which members of the governing board may be elected at large and by individual seat number, as specified.

NEW PROVISIONS

Deletes the provision requiring the members of the governing board of the Los Angeles Community College District to be elected at large in a manner established by a specified statute.

Provides that, commencing with the 2019 election for the governing board of the Los Angeles Community College District, and each election thereafter, the governing board may adopt a resolution by majority vote to enact an alternative method by which members of the governing board may be elected by trustee area, as specified.

Makes legislative findings and declarations as to the necessity of a special statute for the Los Angeles Community College District.

SECTIONS AFFECTED:

SECTION 1.

Repeals Education Code 5224

SEC. 2.

Repeals the Education Code 5224.1

SEC. 3.

Amends Education Code 5225

Notwithstanding Section 5033, when a unified school district is formed pursuant to Chapter 4 (commencing with Section 35700) of Part 21 of Division 3 of Title 2, which includes a city school district having a city board of

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*Full text can be obtained from www.leginfo.ca.gov

education as provided under *former* Section ~~5224~~, *5224 as it existed on January 1, 2017*, the unified school district shall be governed by ~~said~~ *that* city board of ~~education~~ *education*, and the governing board members thereof shall continue in office for the remainder of their terms as elected pursuant to *former* Section ~~5224~~. *5224 as it existed on January 1, 2017*.

SEC. 4.

Amends Education Code 72031

The provisions of this section shall apply only to the Los Angeles Community College District.

(a) Whenever in this code a section refers to a district, or to two or more districts, governed by a single governing board, or by governing boards of identical personnel, or to a district or districts in which the average daily attendance is in excess of 400,000, or makes a similar reference, all provisions of the section shall apply with equal force to both the city school district and community college district.

(b) Commencing with the ~~2013~~ *2019* election for the governing board of the Los Angeles Community College District, and each election thereafter, the governing board may adopt a resolution by majority vote to enact an alternative method by which members of the governing board of the Los Angeles Community College District may be elected ~~at large and by individual seat number wherein, upon~~ *by trustee area. The trustee shall be required to reside and be registered to vote in the trustee area he or she seeks to represent, and the trustee shall be elected by only the registered electors of the same trustee area. Upon* certification of the election, the candidate with the highest number of votes for ~~an individual seat number a trustee area~~ shall be deemed the candidate elected for that ~~individual seat number.~~ *trustee area.*

SEC. 5.

The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique needs of the Los Angeles Community College District. The enactment of Section 4 of this act is therefore necessary.

SANTA CLARITA VALLEY WATER AGENCY

Senate Bill 634

Chapter 833

CURRENT PROVISIONS

Existing law, the Castaic Lake Water Agency Law, created the Castaic Lake Water Agency and authorizes the agency to acquire water and water rights,

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*Full text can be obtained from www.leginfo.ca.gov

including water from the State Water Project, and to provide, sell, and deliver water at wholesale for municipal, industrial, domestic, and other purposes.

Existing law, the County Water District Law, authorizes the formation of county water districts and authorizes those districts to appropriate, acquire, and conserve water and water rights for any useful purpose and to operate water rights, works, properties, rights, and privileges useful or necessary to convey, supply, store, or make use of water for any purpose authorized by that law.

Existing law authorizes the Castaic Lake Water Agency to prescribe methods for the construction of works and for the letting of contracts for the construction of works, structures, or equipment, or the performance or furnishing of labor, materials, or supplies, for carrying out specified provisions.

Existing law requires all contracts for any improvement or unit of work when the cost estimate exceeds \$5,000 to be let to the lowest responsible bidder or bidders.

Existing law authorizes the agency to have work done by force account without advertising for bids and to purchase in the open market materials and supplies when the estimated cost of the work or the cost of the materials and supplies does not exceed \$5,000.

Existing law requires, for any proposal involving the dissolution of the Newhall County Water District, that the local agency formation commission forward the change of organization or reorganization for confirmation by the voters if the commission finds that a petition requesting that the proposal be submitted for confirmation by the voters has been signed, as prescribed.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (act), provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts.

NEW PROVISIONS

Prohibits an association from establishing a general policy prohibiting the installation or use of a rooftop solar energy system for household purposes on the roof of the building in which the owner resides, or a garage or carport adjacent to the building that has been assigned to the owner for exclusive use.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

Prohibits an association from requiring approval by a vote of members owning separate interests in the common interest development in those circumstances. Any action by an association that contravenes these provisions would be void and unenforceable. Makes nonsubstantive and clarifying changes.

Exempts from that vote requirement an action to install and use a solar energy system on the common roof of a residence that meets specified requirements.

Requires an association, when reviewing a request to install a solar energy system on a multifamily common area roof shared by more than one homeowner, to require an applicant to notify each owner of a unit in the building on which the installation will be located of the application and to require each owner to maintain a homeowner liability coverage policy, as specified.

Permits an association, when reviewing this request, to impose additional reasonable requirements, including a requirement to submit a solar site survey showing the placement of the solar energy system, in accordance with specific criteria.

SECTIONS AFFECTED:

Text can be obtained from www.leginfo.ca.gov

ELECTIONS: BALLOT MEASURES

[Senate Bill 665](#)

Chapter 75

CURRENT PROVISIONS

Existing law provides, whenever a statewide, county, city, or school district measure qualifies for the ballot, specified entities, including bona fide associations of citizens, may file a written argument for or against the measure. If more than one of these entities or individuals submits an argument, existing law directs the appropriate official to select the argument to be printed and distributed based on the identity of the author or authors, which existing law prioritizes, as specified.

NEW PROVISIONS

Requires an organization or association submitting an argument for or against a measure to also submit additional information to the appropriate

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

official to enable that official to determine if it qualifies as a bona fide association of citizens.

Prohibits the official from considering the type of documentation submitted or the form of the association when selecting an argument from among associations.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 9067.

(a) If more than one argument for, or more than one argument against, a measure is filed within the time prescribed, the Secretary of State shall select one of the arguments for printing in the ~~county~~ state voter information ~~guides~~ guide. In selecting the argument the Secretary of State shall give preference and priority in the order named to the arguments of the following:

(b) In order to enable the Secretary of State to determine whether it qualifies as a bona fide association of citizens, an organization or association submitting an argument for or against a measure shall submit with its argument a copy of one of the following:

(1) Its articles of incorporation, articles of association, partnership documents, bylaws, or similar documents.

(2) Letterhead containing the name of the organization and its principal officers.

(3) If the organization or association is a primary formed committee established to support or oppose the measure, its statement of organization filed pursuant to Section 84101 of the Government Code.

(c) In selecting an argument from among bona fide associations of citizens, the Secretary of State shall not consider the type of documentation submitted pursuant to subdivision (b) or the form of the association.

SEC. 2.

Amends Elections Code 9166.

(b) In order to enable the county elections official to determine whether it qualifies as a bona fide association of citizens, an organization or association submitting an argument for or against a county measure shall submit with its argument a copy of one of the following:

(1) Its articles of incorporation, articles of association, partnership documents, bylaws, or similar documents.

(2) Letterhead containing the name of the organization and its principal officers.

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*Full text can be obtained from www.leginfo.ca.gov

(3) If the organization or association is a primarily formed committee established to support or oppose the measure, its statement of organization filed pursuant to Section 84101 of the Government Code.

(f) In selecting an argument from among bona fide associations of citizens, the city elections official shall not consider the type of documentation submitted pursuant to subdivision (b) or the form of the association.

SEC. 3.

Amends Elections Code 9287.

(e) In order to enable the city elections official to determine whether it qualifies as a bona fide association of citizens, an organization or association submitting an argument for or against a city measure shall submit with its argument a copy of one of the following:

(1) Its articles of incorporation.

(2) Letterhead containing the name of the organization and its principal officers.

(3) If the organization or association is a primarily formed committee established to support or oppose the measure, its statement of organization filed pursuant to Section 84101 of the Government Code.

SEC. 4.

Amends Elections Code 9503.

(e) In order to enable the person conducting the election to determine whether it qualifies as a bona fide association of citizens, an organization or association submitting an argument for or against a school measure shall submit with its argument a copy of one of the following:

(1) Its articles of incorporation, articles of association, partnership documents, bylaws, or similar documents.

(2) Letterhead containing the name of the organization and its principal officers.

(3) If the organization or association is a primary formed committee established to support or oppose the measure, its statement of organization filed pursuant to Section 84101 of the Government Code.

(f) In selecting an argument from among bona fide associations of citizens, the person conducting the election shall not consider the type of documentation submitted pursuant to subdivision (b) or the form of the association.

PRESIDENTIAL ELECTIONS: ELECTORAL COLLEGE

[Senate Joint Resolution 3](#)

Chapter 100

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

NEW PROVISION

This measure urges the state legislature and governor of each state to ratify the Agreement Among the States to Elect the President by National Popular Vote so that the President and Vice President of the United States are directly elected by the popular vote of all eligible citizens of the United States.

Text can be obtained from www.leginfo.ca.gov

**PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY:
VOTER DATA PROTECTION**

[Senate Joint Resolution 11](#)**Chapter 189****NEW PROVISIONS**

Urges each state's Secretary of State and other relevant state elections officials to join California in refusing to provide their state voter data to the Presidential Advisory Commission on Election Integrity.

Text can be obtained from www.leginfo.ca.gov

Changes in or additions to text are shown by underlined *italics*, deletions by ~~strikethroughs~~.

*Full text can be obtained from www.leginfo.ca.gov

Section Four**VETOED BILLS**

<u>BILL NO.</u>	<u>AUTHOR</u>	<u>SUBJECT</u>	<u>DATE</u>
AB 894	Frazier	Candidates' Statements: False Statements	10/15/2017
AB 973	Low	Remote Accessible Vote by Mail System	10/15/2017
AB 1004	Calderon	Secretary of State: Voter Information Web Site	10/14/2017
AB 1479	Bonta	Public Records: Custodian of Records: Civil Penalties	10/13/2017
SB 149	McGuire and Wiener	Presidential Primary Elections: Ballot Access	10/15/2017
Total Count:	5		

Section Four

VETOED MESSAGES

BILL NUMBER: California Assembly Bill No. 894

VETOED DATE: October 15, 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 894 without my signature. This bill increases the maximum fine for knowingly making a false statement of a material fact in a candidate's statement from \$1,000 to \$5,000.

I am not convinced this is a widespread problem in California elections or that this bill would be much of a deterrent. The conventional response to resume puffing is exposure by the press or political attack by the opposition.

Sincerely,

Edmund G. Brown Jr.

BILL NUMBER: California Assembly Bill No. 973

VETOED DATE: October 15, 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 973 without my signature.

This bill requires a county elections official, by January 1, 2020, to allow voters with disabilities, and military and overseas voters, to cast a ballot using a certified remote accessible vote-by-mail system.

Just last year, I signed AB 2252 that created standards for the Secretary of State to review and approve remote accessible vote-by-mail ballot systems for use in California elections. Additionally, current law permits any voter, including a voter with a disability or a military or overseas voter, to electronically receive and cast a vote-by-mail ballot using a remote accessible vote-by-mail system, once available.

I am hesitant to mandate that counties use this technology at a time when certification of these systems is in its nascent stages. As these systems become certified, however, I encourage counties to review and adopt them as appropriate.

Sincerely,

Edmund G. Brown Jr.

BILL NUMBER: California Assembly Bill No. 1004

VETOED DATE: October 14, 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 1004 without my signature.

This bill requires the Secretary of State to establish an online database of elected federal, state, and local officials.

The Secretary of State currently does not have a centralized system in place to track these elected officials. Although well-intentioned, I do not believe this is the time to take on such a task given the other technology projects underway by the Secretary of State's office.

Moreover, it is currently possible to learn the identity of office holders by making inquiries of federal, state and local officials.

Sincerely,

Edmund G. Brown Jr.

BILL NUMBER: California Assembly Bill No. 1479

VETOED DATE: October 13, 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 1479 without my signature.

This bill requires public agencies designate a person or office to act as the agency's custodian of records to respond to any California Public Records Act request.

I am not convinced this bill would have any measurable impact on the speed or accuracy in responding to Public Record Act requests. While I am open to future discussions about strengthening public record disclosures for all branches of California government, this bill has the potential to further confuse an already complex process.

Sincerely,

Edmund G. Brown Jr.

BILL NUMBER: California Senate Bill No. 149

VETOED DATE: October 15, 2017

To the Members of the California State Senate:

I am returning Senate Bill 149 without my signature.

This bill requires any candidate for president to disclose five years of his or her income tax returns before their name can be placed on California's primary election ballot.

Although tax returns are by law confidential, many presidential candidates have voluntarily released them. This bill is a response to President Trump's refusal to release his returns during the last election.

While I recognize the political attractiveness-even the merits-of getting President Trump's tax returns, I worry about the political perils of individual states seeking to regulate presidential elections in this manner. First, it may not be constitutional. Second, it sets a "slippery slope" precedent. Today we require tax returns, but what would be next? Five years of health records? A certified birth certificate? High school report cards? And will these requirements vary depending on which political party is in power?

A qualified candidate's ability to appear on the ballot is fundamental to our democratic system. For that reason, I hesitate to start down a road that well might lead to an ever escalating set of differing state requirements for presidential candidates.

Sincerely,

Edmund G. Brown Jr.

Section Five

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