

 **2019**

**LEGISLATIVE GUIDE TO
CALIFORNIA
ELECTION LAWS**



**SUMMARY OF ELECTION
RELATED LEGISLATION**



**CALIFORNIA
ASSOCIATION
OF CLERKS AND
ELECTION OFFICIALS**

LEGISLATIVE GUIDE TO ELECTION LAWS

2019

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 2019. Changes in or additions to text are shown by underlined italics, deletions 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.legislature.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.

TABLE OF CONTENTS

Section One

Bill Listing	1
--------------------	---

Section Two

Sections Affected.....	3 - 6
------------------------	-------

Section Three

2019 Chaptered Legislation	7 - 133
----------------------------------	---------

Section Four

Vetoed Bills.....	134
Vetoed Messages	135 - 142

Section Five

2019 Statutes Index	143 - 145
---------------------------	-----------

Section One**BILL LISTING**

	<u>BILL NO.</u>	<u>CHAPTER NO.</u>
ASSEMBLY	17	223
	49	553
	57	82
	59	554
	299	224
	504	262
	566	91
	623	863
	679	63
	693	99
	698	14
	730	493
	963	559
	991	497
	1044	106
	1707	561
	1829	562
SENATE	27	121
	47	563
	72	565
	151	566
	359	567
	505	149
	523	568
	641	328
	681	569
TOTAL COUNT:	26	

Section Two**SECTIONS AFFECTED**

Am = Amended, Add = Added, R = Repealed, Rn = Renumbered

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
CODE OF CIVIL PROCEDURES	35	493	Am, R and Add
EDUCATION	Chapter 10.5 (commencing with Section 66850) to Part 40 of Division 5 of Title 3	559	Add
ELECTIONS	101	563	Am
	104	563	Am
	107	563	Add
	108	563	Add
	1000	562	Am
	2028	63	Am
	2148.5	559	Add
	2170	99	Am
	2170	565	Am
	2188.2	106	Am
	2194	568	Am
	2220	262	Am
	2221	262	Am
	2222	262	Am
	2224	262	Am and R
	2225	262	Am
	2226	262	Am, R and Add
	2227	262	Am
	2302	561	Add
	3001	553	Am
	3019	568	Am
	3019.5	224	Am
	3019.5	497	Am
	4005	553	Am
	4005	554	Am

2019 Legislative Guide to Election Law

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
ELECTIONS (Continued)	6000a	149	Am and Rn
	6000.1	149	Add
	6000.2	149	Add
	6001	149	Am and Rn
	6041	149	Am
	6101	149	Am
	6122	149	Am
	6340	149	Am
	6360	149	Am
	6382	149	Am
	6520	149	Am
	6581	149	Am
	6591	149	Am
	6721	149	Am
	6722	149	Am
	6768	497	Am
	6781	149	Am
	6791	149	Am
	Chapter 7 (commencing with Section 6880) to Part 1 of Division 6	121	Add
	6851.5	149	Am
	6852	149	Am
	6854.5	149	Am
	6857.2	149	Add
	8020	562	Am
	8061	562	Am
	8106	562	Am
	8106.5	497	Am
	8406	562	Am
	Part 5 (commencing with Section 8900) to Division 8	121	Add
	9008	563	Am
	9030	14	Am
	9030	562	Am
	9031	14	Am
9105	563	Am	
9114	14	Am	

2019 Legislative Guide to Election Law

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
ELECTIONS (Continued)	9115	14	Am
	9144.5	569	Add
	9203	563	Am
	9237.2	569	Add
	9238	567	Am
	9266.5	569	Add
	9308	14	Am
	9309	14	Am
	9341.5	569	Add
	10010	497	Am
	10512	562	Am
	10703	562	Am
	10703	328	Am
	11320	566	Am
	12283	554	Am
	13102	497	Am
	13105	863	Am
	13118	863	Am
	13119	863	Am
	13120	863	Am
	13202	863	Am
	13203	863	Am
	13204	863	Am
	13205	863	Am
	13206	863	Am
	13206.5	863	Am
	13208	863	Am
	13209	863	Am
	13210	863	Am
	13211	863	Am
	13211.7	82	Add
	13212	863	Am
	13213	863	Am
	13214	863	Am
13215	863	Am	
13216	863	Am	
13216.5	863	Am	
13217	863	Am	
13218	863	Add	
13219	863	Am	
13231	863	Am	
13300	566	Am	
13303	566	Am	
13315	863	Am	
14002	223	Am	

2019 Legislative Guide to Election Law

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
ELECTIONS (Continued)	14004	223	Am
	14201	497	Am
	15305	91	Add
	15620	562	Am
	18503	223	Am
	18600	563	Am
	20010	493	Am, Add and R
	21003	497	Am
GOVERNMENT	12172.5	106	Am

Section Three

2019 CHAPTERED LEGISLATION

ELECTIONS: VOTE BY MAIL BALLOTS

Assembly Bill 17 Chapter 223

CURRENT PROVISIONS

Existing law requires a vote by mail ballot to be available to any registered voter.

Existing law requires employers, as specified, to allow voters to take up to two hours off of work, without loss of pay, to vote.

NEW PROVISIONS

Prohibits an employer from requiring or requesting that an employee bring the employee's vote by mail ballot to work or vote the employee's vote by mail ballot at work.

Makes a violation of this prohibition subject to a civil fine of up to \$10,000 per election.

SECTIONS AFFECTED:

SECTION 1.

This act shall be known and may be cited as the "Voter Protection Act."

SEC. 2.

Amends Elections Code 14002.

Sections ~~14000 and 14001~~ 14000, 14001, and 14004 shall apply to all public agencies and the employees thereof, as well as to employers and employees in private industry.

SEC. 3.

Adds Elections Code 14004.

(a) An employer shall not require or request that an employee bring the employee's vote by mail ballot to work or vote the employee's vote by mail ballot at work.

(b) This section does not prohibit an employer from encouraging an employee to vote.

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

SEC. 4.**Adds Elections Code 18503.**

An employer who violates Section 14004 shall be subject to a civil fine of up to ten thousand dollars (\$10,000) per election. An action for a civil fine under this subdivision may be brought by the Secretary of State or any public prosecutor with jurisdiction.

CALIFORNIA VOTER PROTECTION ACT OF 2019

Assembly Bill 49**Chapter 553****CURRENT PROVISIONS**

Existing law authorizes certain counties, on or after specified dates, to conduct any election as an all-mailed ballot election if, among other conditions, the county elections official permits a voter to vote a ballot at a vote center.

Existing law also requires, as another condition for conducting an all-mailed ballot election, that beginning 29 days before the day of the election, the county elections official mail to each registered voter a vote by mail ballot packet that includes a return envelope with instructions for the use and return of the vote by mail ballot.

Existing law requires that application for a vote by mail voter's ballot be made in writing to the elections official having jurisdiction over the election during a specified period prior to the election, subject to specified exceptions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

NEW PROVISIONS

Requires the elections official to begin mailing vote by mail ballots no later than 29 days before an election and requires that the mailing be complete within 5 days.

Prohibits the county elections official from discriminating against any region or precinct in the county in choosing which ballots to mail first within the prescribed 5-day mailing period.

SECTIONS AFFECTED:**SECTION 1.**

This act shall be known, and may be cited, as the California Voter Protection Act

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of 2019.

SEC. 2.**Amends Elections Code 3001.**

(a) Except as provided in Chapter 3 (commencing with Section 3200) and Sections 3007.5, 3007.7, and 3007.8, application for a vote by mail voter's ballot shall be made in writing to the elections official having jurisdiction over the election between the 29th and the 7th day prior to the election. The application shall be signed by the applicant and shall show ~~his or her~~ the applicant's place of residence. Any applications received by the elections official prior to the 29th day shall be kept and processed during the application period.

(b) No later than 29 days before the day of the election, the county elections official shall begin mailing the materials required by Section 3010 to qualified applicants for vote by mail ballots, including voters who are permanent vote by mail voters pursuant to Chapter 3 (commencing with Section 3200). The county elections official shall have five days to mail a ballot to each person who has requested a vote by mail ballot by the 29th day before the day of the election and five days for each voter who requests a vote by mail ballot after that date. The county elections official shall not discriminate against any region or precinct in the county in choosing which ballots to mail first within the prescribed five-day mailing period.

SEC. 3.**Amends Elections Code 4005.**

(a) Notwithstanding Section 4000 or any other law, on or after January 1, 2018, the Counties of Calaveras, Inyo, Madera, Napa, Nevada, Orange, Sacramento, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Sutter, and Tuolumne, and, except as provided in Section 4007, on or after January 1, 2020, any county may conduct any election as an all-mailed ballot election if all of the following apply:

(1) (A) At least two ballot dropoff locations are provided within the jurisdiction where the election is held or the number of ballot dropoff locations are fixed in a manner so that there is at least one ballot dropoff location provided for every 15,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election, whichever results in more ballot dropoff locations. For purposes of this subparagraph, a vote center that includes an exterior ballot drop box counts only as a single ballot dropoff location. Ballot dropoff locations shall comply with the regulations adopted pursuant to subdivision (b) of Section 3025.

(B) A ballot dropoff location provided for under this section consists of a secure, accessible, and locked ballot box located as near as possible to established public transportation routes and that is able to receive voted ballots. All ballot dropoff locations shall be open at least during regular business hours

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beginning not less than 28 days before the day of the election, and on the day of the election. At least one ballot dropoff location shall be an accessible, secured, exterior drop box that is available for a minimum of 12 hours per day including regular business hours.

(2) (A) The county elections official permits a voter residing in the county to do any of the following at a vote center:

(i) Return, or vote and return, ~~his or her~~ the voter's vote by mail ballot.

(ii) Register to vote, update ~~his or her~~ the voter's voter registration, and vote pursuant to Section 2170.

(iii) Receive and vote a provisional ballot pursuant to Section 3016 or Article 5 (commencing with Section 14310) of Chapter 3 of Division 14.

(iv) Receive a replacement ballot upon verification that a ballot for the same election has not been received from the voter by the county elections official. If the county elections official is unable to determine if a ballot for the same election has been received from the voter, the county elections official may issue a provisional ballot.

(v) Vote a regular, provisional, or replacement ballot using accessible voting equipment that provides for a private and independent voting experience.

(B) Each vote center shall have at least three voting machines that are accessible to voters with disabilities.

(3) (A) On the day of the election, from 7 a.m. to 8 p.m., inclusive, and on each of the three days before the election, for a minimum of eight hours per day, at least one vote center is provided for every 10,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election. At least 90 percent of the number of vote centers required by this subparagraph shall be open for all four days during the required times. Up to 10 percent of the number of vote centers required by this subparagraph may be open for less than four days if at least one vote center is provided for every 10,000 registered voters on each day.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 20,000 registered voters, a minimum of two ~~voter~~ vote centers are provided on the day of the election and on each of the three days before the election within the jurisdiction where the election is held.

(4) (A) Beginning 10 days before the day of the election and continuing daily up to and including the fourth day before the election, for a minimum of eight hours per day, at least one vote center is provided for every 50,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 50,000 registered voters, a minimum of two vote centers are provided within the jurisdiction where the election is held.

(C) The vote centers provided under this section are established in accordance with the accessibility requirements described in Article 5 (commencing

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2019 Legislative Guide to Election Law

with Section 12280) of Chapter 3 of Division 12, the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(D) The vote centers provided under this section are equitably distributed across the county so as to afford maximally convenient options for voters and are established at accessible locations as near as possible to established public transportation routes. The vote centers shall be equipped with voting units or systems that are accessible to individuals with disabilities and that provide the same opportunity for access and participation as is provided to voters who are not disabled, including the ability to vote privately and independently in accordance with Sections 12280 and 19240.

(E) (i) The vote centers provided under this section have an electronic mechanism for the county elections official to immediately access, at a minimum, all of the following voter registration data:

- (I) Name.
- (II) Address.
- (III) Date of birth.
- (IV) Language preference.
- (V) Party preference.
- (VI) Precinct.

(VII) Whether or not the voter has been issued a vote by mail ballot and whether or not a ballot has been received by the county elections official.

(ii) The electronic mechanism used to access voter registration data shall not be connected in any way to a voting system.

(5) A method is available for voters with disabilities to request and receive a blank vote by mail ballot and, if a replacement ballot is necessary, a blank replacement ballot that voters with disabilities can read and mark privately and independently pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).

(6) (A) Except as otherwise provided for in this section, election boards for the vote centers established under this section meet the requirements for eligibility and composition pursuant to Article 1 (commencing with Section 12300) of Chapter 4 of Division 12.

(B) Each vote center provides language assistance in all languages required in the jurisdiction under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) in a manner that enables voters of the applicable language minority groups to participate effectively in the electoral process. Each vote center shall post information regarding the availability of language assistance in English and all other languages for which language assistance is required to be provided in the jurisdiction under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

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(i) If a vote center is located in, or adjacent to, a precinct, census tract, or other defined geographical subsection required to establish language requirements under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), or if it is identified as needing language assistance through the public input process described in clause (ii), the county elections official shall ensure that the vote center is staffed by election board members who speak the required language. If the county elections official is unable to recruit election board members who speak the required language, alternative methods of effective language assistance shall be provided by the county elections official.

(ii) The county elections official shall solicit public input regarding which vote centers should be staffed by election board members who are fluent in a language in addition to English pursuant to subdivision (c) of Section 12303 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(iii) The county elections official shall provide notice in the sample ballot, in vote by mail materials, and on ~~his or her Internet Web site~~ the official's internet website of the specific language services available at each vote center.

(C) Each vote center provides election materials translated in all languages required in the jurisdiction under subdivision (a) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(D) Each vote center provides reasonable modifications and auxiliary aids and services as required by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701 et seq.).

(7) (A) Beginning 10 days before the election, the county elections official maintains, in an electronic format, an index of voters who have done any of the following at one of the ~~voter vote~~ centers established pursuant to this section:

- (i) Registered to vote or updated ~~his or her~~ the voter's voter registration.
- (ii) Received and voted a provisional ballot or replacement ballot.
- (iii) Voted a ballot using equipment at the vote center.

(B) The index required by subparagraph (A) includes the same information for each voter as is required to be included on copies of the index of affidavits of voter registration that are posted pursuant to Section 14294. The index required by subparagraph (A) shall be updated continuously during any time that a vote center is open in the jurisdiction.

(8) (A) ~~Beginning~~ No later than 29 days before the day of the election, the county elections official ~~mails to each registered voter~~ begins mailing to registered voters a vote by mail ballot packet that includes a return envelope with instructions for the use and return of the vote by mail ballot. The county elections official shall have five days to mail a ballot to each person who is registered to vote on the 29th day before the day of the election and five days for each subsequent registered

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voter. The county elections official shall not discriminate against any region or precinct in the county in choosing which ballots to mail first within the prescribed five-day mailing period.

(B) The county elections official delivers to each voter, with either the sample ballot sent pursuant to Section 13303 or with the vote by mail ballot packet, all of the following:

(i) A notice, translated in all languages required under subdivision (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:

(I) An all-mailed ballot election is being conducted and each eligible voter will be issued a vote by mail ballot by mail.

(II) The voter may cast a vote by mail ballot in person at a vote center during the times and days specified in subparagraph (A) of paragraph (4) or on election day.

(III) No later than seven days before the day of the election, the voter may request the county elections official to send a vote by mail ballot in a language other than English pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or a facsimile copy of the ballot printed in a language other than English pursuant to Section 14201.

(IV) No later than seven days before the day of the election, the voter may request the county elections official to send or deliver a ballot that voters with disabilities can read and mark privately and independently pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).

(ii) A list of the ballot dropoff locations and vote centers established pursuant to this section, including the dates and hours they are open. The list shall also be posted on the ~~Internet Web site~~ internet website of the county elections official in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(iii) A postage-paid postcard that the voter may return to the county elections official for the purpose of requesting a vote by mail ballot in a language other than English or for the purpose of requesting a vote by mail ballot in an accessible format.

(C) Upon request, the county elections official provides written voting materials to voters with disabilities in an accessible format, as required by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701 et seq.).

(9) (A) The county elections official establishes a language accessibility advisory committee that is comprised of representatives of language minority communities. The committee shall be established no later than October 1 of the year before the first election conducted pursuant to this section. The committee shall hold its first meeting no later than April 1 of the year in which the first election is conducted pursuant to this section.

(B) The county elections official establishes a voting accessibility advisory

committee that is comprised of voters with disabilities. The committee shall be established no later than October 1 of the year before the first election conducted pursuant to this section. The committee shall hold its first meeting no later than April 1 of the year in which the first election is conducted pursuant to this section.

(C) A county with fewer than 50,000 registered voters may establish a joint advisory committee for language minority communities and voters with disabilities.

(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 (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(ii) One meeting, publicly noticed at least 10 days in advance of the meeting, that includes representatives from the disability community and community organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities.

(B) The county elections official, when developing the draft plan for the administration of elections conducted pursuant to this section, considers, at a minimum, all of the following:

(i) Vote center and ballot dropoff location proximity to public transportation.

(ii) Vote center and ballot dropoff location proximity to communities with historically low vote by mail usage.

(iii) Vote center and ballot dropoff location proximity to population centers.

(iv) Vote center and ballot dropoff location proximity to language minority communities.

(v) Vote center and ballot dropoff location proximity to voters with disabilities.

(vi) Vote center and ballot dropoff location proximity to communities with low rates of household vehicle ownership.

(vii) Vote center and ballot dropoff location proximity to low-income communities.

(viii) Vote center and ballot dropoff location proximity to communities of eligible voters who are not registered to vote and may need access to same day voter registration.

(ix) Vote center and ballot dropoff location proximity to geographically isolated populations, including Native American reservations.

(x) Access to accessible and free parking at vote centers and ballot dropoff locations.

(xi) The distance and time a voter must travel by car or public transportation to a vote center and ballot dropoff location.

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2019 Legislative Guide to Election Law

(xii) The need for alternate methods for voters with disabilities for whom vote by mail ballots are not accessible to cast a ballot.

(xiii) Traffic patterns near vote centers and ballot dropoff locations.

(xiv) The need for mobile vote centers in addition to the number of vote centers established pursuant to this section.

(C) The county elections official publicly notices the draft plan for the administration of elections conducted pursuant to this section and accepts public comments on the draft plan for at least 14 days before the hearing held pursuant to subparagraph (D).

(D) (i) Following the 14-day review period required by subparagraph (C), the county elections official holds a public meeting to consider the draft plan for the administration of elections conducted pursuant to this section and to accept public comments. The meeting shall be publicly noticed at least 10 days in advance of the meeting on the ~~Internet Web sites~~ internet websites of the clerk of the county board of supervisors and the county elections official, or, if neither the clerk of the county board of supervisors nor the county elections official maintain an ~~Internet Web site~~, internet website, in the office of the county elections official.

(ii) After the public hearing to consider the draft plan for the administration of elections conducted pursuant to this section and to accept public comments, the county elections official shall consider any public comments ~~he or she~~ the official receives from the public and shall amend the draft plan in response to the public comments to the extent ~~he or she~~ the official deems appropriate. The county elections official shall publicly notice the amended draft plan and shall accept public comments on the amended draft plan for at least 14 days before the county elections official may adopt the amended draft plan pursuant to subparagraph (E).

(E) (i) Following the 14-day review and comment period required by clause (ii) of subparagraph (D), the county elections official may adopt a final plan for the administration of elections conducted pursuant to this section, and shall submit the voter education and outreach plan that is required by clause (i) of subparagraph (I) to the Secretary of State for approval.

(ii) The Secretary of State shall approve, approve with modifications, or reject a voter education and outreach plan submitted pursuant to clause (i) of subparagraph (I) within 14 days after the plan is submitted by the county elections official.

(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~~ internet website of the county elections official in each language in which the county is required to provide voting materials and assistance under subdivision (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~~ internet website in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(F) Public meetings held pursuant to this paragraph shall, upon request,

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provide auxiliary aids and services to ensure effective communication with people with disabilities.

(G) Within two years of the adoption of the first plan for the administration of elections conducted pursuant to this section, the county elections official shall hold public meetings in accordance with the procedures described in subparagraphs (C) to (F), inclusive, to consider revising the first plan for the administration of elections conducted pursuant to this section. Every four years thereafter, the county elections official shall hold public meetings in accordance with the procedures described in subparagraphs (C) to (F), inclusive, to consider revising the plan for the administration of elections conducted pursuant to this section.

(H) (i) With reasonable public notification, a county elections official may amend a plan for the administration of elections conducted pursuant to this section no more than 120 days before the date of an election held pursuant to this section.

(ii) With reasonable public notification, a county elections official may amend a plan for the administration of elections conducted pursuant to this section more than 120 days before the date of an election held pursuant to this section if ~~he or she~~ the official provides at least 30 days to accept public comments on the amended plan.

(I) The plan for the administration of elections conducted pursuant to this section, includes all of the following:

(i) A voter education and outreach plan that is approved by the Secretary of State and that includes all of the following:

(I) A description of how the county elections official will use the media, including social media, newspapers, radio, and television that serve language minority communities for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline.

(II) A description of how the county elections official will use the media, including social media, newspapers, radio, and television for purposes of informing voters of the availability of a vote by mail ballot in an accessible format and the process for requesting such a ballot.

(III) A description of how the county elections official will have a community presence to educate voters regarding the provisions of this section.

(IV) A description of the accessible information that will be publicly available on the accessible ~~Internet Web site~~ internet website of the county elections official.

(V) A description of the method used by the county elections official to identify language minority voters.

(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 (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et

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2019 Legislative Guide to Election Law

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 (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(ib) The disability community, including organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities. The county elections official shall hold at least one voter education workshop to increase accessibility and participation of eligible voters with disabilities.

(VII) A description of how the county will spend the necessary resources on voter education and outreach to ensure that voters are fully informed about the election. This description shall include information about the amount of money the county plans to spend on voter education and outreach activities under the plan, and how that compares to the amount of money spent on voter education and outreach in recent similar elections in the same jurisdiction that were not conducted pursuant to this section.

(VIII) 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. Outreach made under this subclause shall include access for voters who are deaf or hard of hearing and voters who are blind or visually impaired.

(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 materials and assistance under subdivision (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.

(X) At least two direct contacts with voters for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline. The two direct contacts are in addition to any other required contacts including, but not limited to, sample ballots and the delivery of vote by mail ballots.

(ii) A description of how a voter with disabilities may request and receive a blank vote by mail ballot and, if a replacement ballot is necessary, a blank replacement ballot that a voter with disabilities can mark privately and independently.

(iii) A description of how the county elections official will address significant disparities in voter accessibility and participation identified in the report required by subdivision (g).

(iv) A description of the methods and standards that the county elections official will use to ensure the security of voting conducted at vote centers.

(v) Information about estimated short-term and long-term costs and savings from conducting elections pursuant to this section as compared to recent

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similar elections in the same jurisdiction that were not conducted pursuant to this section.

(vi) To the extent available at the time of publication, information on all of the following:

(I) The total number of vote centers to be established.

(II) The total number of ballot dropoff locations to be established.

(III) The location of each vote center.

(IV) The location of each ballot dropoff location and whether it is inside or outside.

(V) A map of the locations of each vote center and ballot dropoff location.

(VI) The hours of operation for each vote center.

(VII) The hours of operation for each ballot dropoff location.

(VIII) The security and contingency plans that would be implemented by the county elections official to do both of the following:

(ia) Prevent a disruption of the vote center process.

(ib) Ensure that the election is properly conducted if a disruption occurs.

(IX) The number of election board members and the number of bilingual election board members and the languages spoken.

(X) The services provided to voters with disabilities, including, but not limited to, the type and number of accessible voting machines and reasonable modifications at each vote center.

(XI) The design, layout, and placement of equipment inside each ~~voter~~ voter center that protects each voter's right to cast a private and independent ballot.

(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 (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(J) The plan for the administration of elections conducted pursuant to this section is posted in a format that is accessible to persons with disabilities on the ~~Internet Web site~~ internet website of the Secretary of State and on the ~~Internet Web site~~ internet website of the county elections official.

(b) Notwithstanding Section 4000 or any other law, on or after January 1, 2018, the Counties of Calaveras, Inyo, Madera, Napa, Nevada, Orange, Sacramento, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Sutter, and Tuolumne, and on or after January 1, 2020, any county may conduct a special election as an all-mailed ballot election under this section if all of the following apply:

(1) The county elections official has done either of the following:

(A) Previously conducted an election as an all-mailed ballot election in

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2019 Legislative Guide to Election Law

accordance with subdivision (a).

(B) Adopted a final plan for the administration of elections pursuant to clause (i) of subparagraph (E) of paragraph ~~(9)~~ (10) of subdivision (a), in which case the county elections official shall complete all activities provided for in the voter education and outreach plan that is required by clause (i) of subparagraph (I) of paragraph ~~(9)~~ (10) of subdivision (a) before the day of the special election.

(2) (A) On the day of election, from 7 a.m. to 8 p.m., inclusive, at least one vote center is provided for every 30,000 registered voters. If the jurisdiction is not wholly contained within the county, the county elections official shall make a reasonable effort to establish a vote center within the jurisdiction where the special election is held.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 30,000 registered voters, the county elections official makes a reasonable effort to establish a vote center.

(3) (A) Not less than 10 days before the day of the election, for a minimum of eight hours per day, at least one vote center is provided for every 60,000 registered voters. If the jurisdiction is not wholly contained within the county, the county elections official shall make a reasonable effort to establish a vote center within the jurisdiction where the special election is held.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 30,000 registered voters, the county elections official makes a reasonable effort to establish a vote center.

(4) (A) At least one ballot dropoff location is provided for every 15,000 registered voters. At least one ballot dropoff location shall be located within the jurisdiction where the special election is held. All ballot dropoff locations shall be open at least during regular business hours beginning not less than 28 days before the day of the election, and on the day of the election.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 15,000 registered voters, at least one ballot dropoff location shall be provided.

(c) Except as otherwise provided in this section, the election day procedures shall be conducted in accordance with Division 14 (commencing with Section 14000).

(d) The county elections official may provide, at ~~his or her~~ the official's discretion, additional ballot dropoff locations and vote centers for purposes of this section.

(e) The return of voted vote by mail ballots is subject to Sections 3017 and 3020.

(f) For the sole purpose of reporting the results of an election conducted pursuant to this section, upon completion of the ballot count, the county elections official shall divide the jurisdiction into precincts pursuant to Article 2 (commencing with Section 12220) of Chapter 3 of Division 12 and shall prepare a statement of the results of the election in accordance with Sections 15373 and 15374.

(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 (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.

(B) The report required by subparagraph (A) shall be posted on the ~~Internet Web site~~ internet website 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).

(2) The county elections official shall post on ~~his or her Internet Web site~~ the official's internet website a report that compares the cost of elections conducted pursuant to this section to the costs of previous elections. The report shall be posted in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(h) The Secretary of State shall enforce the provisions of this section pursuant to Section 12172.5 of the Government Code.

(i) For purposes of this section, "disability" has the same meaning as defined in subdivisions (j), (m), and (n) of Section 12926 of the Government Code.

SEC. 4.

Section 3.5 of this bill incorporates amendments to Section 4005 of the Elections Code proposed by both this bill and Assembly Bill 59. That section shall only

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become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 4005 of the Elections Code, and (3) this bill is enacted after Assembly Bill 59, in which case Section 3 of this bill shall not become operative.

SEC. 5.

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: NAMES OF CANDIDATES

Assembly Bill 57 Chapter 82

CURRENT PROVISIONS

Existing law requires the translation of ballots and ballot materials into languages other than English when specified circumstances exist.

NEW PROVISIONS

Requires that, if a jurisdiction provides a translation of the candidate's alphabet-based names into a character-based language, such as Chinese, Japanese, or Korean, phonetic transliterations of the alphabet-based names of candidate be provided.

Requires if a candidate's name is to appear on the ballot in more than one jurisdiction in an election, all of those jurisdictions providing translated ballots and ballot materials to use the same phonetic transliteration or character-based translation of the name.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 13211.7.

(a) (1) In jurisdictions required to provide translated ballot materials pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503), as that section may be amended from time to time, any ballot that provides a translation of a candidate's name shall contain a phonetic transliteration of the candidate's name, except as provided in subdivision (b).

(2) This section applies only to character-based languages, including, but not limited to, Mandarin Chinese, Cantonese, Japanese, and Korean.

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(3) If a candidate's name is to appear on the ballot in more than one jurisdiction in an election, all of those jurisdictions required to provide translated ballot materials pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503) shall use the same phonetic transliteration or character-based translation of the name.

(4) (A) In a jurisdiction in which separate ballots containing translations of the candidates' names are printed in different languages, both the alphabet-based names and the translations of the candidates' names, for candidates that have translated names, shall appear on the translated ballot.

(B) If a jurisdiction is unable to comply with subparagraph (A) due to limitations of its existing voting system, any new voting system purchased by the jurisdiction after July 1, 2020, shall be able to accommodate the requirements of subparagraph (A).

(b) If a candidate has a character-based name by birth, that can be verified by birth certificate or other valid identification, the candidate may use that name on the ballot instead of a phonetic transliteration. A candidate who does not have a character-based name by birth, but who identifies by a particular character-based name and can demonstrate to the local elections official that the candidate has been known and identified within the public sphere by that name over the past two years, may use that name instead of a phonetic transliteration.

SEC. 2.

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: POLLING PLACES: COLLEGE AND UNIVERSITY CAMPUSES

Assembly Bill 59 Chapter 554

CURRENT PROVISIONS

Existing law requires the Secretary of State to annually provide every high school, community college, and California State University and University of California campus with voter registration forms.

Existing law also expresses the intent of the Legislature that every eligible high school and college student receive a meaningful opportunity to register to vote.

Existing law authorizes certain counties, on or after specified dates, to conduct

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any election as an all-mailed ballot election if, among other conditions, the county elections official permits a voter to vote a ballot at a vote center. Existing law requires a county elections official conducting an all-mailed ballot election to consider various factors in determining the location of vote centers.

Existing law requires, upon the request of a local elections official, that the governing body having jurisdiction over a school building or other public building allow the school to be used as a polling place or vote center, under specified conditions.

NEW PROVISIONS

Directs a county elections official conducting an all-mailed ballot election to consider vote center location on a public or private university or college campus.

Expands the definition of “public building” for purposes of that provision to include buildings owned or controlled by community college districts, the California State University, and the University of California, and also clarifies that the University of California is encouraged, but not required, to comply with such a request.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 4005.

(a) Notwithstanding Section 4000 or any other law, on or after January 1, 2018, the Counties of Calaveras, Inyo, Madera, Napa, Nevada, Orange, Sacramento, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Sutter, and Tuolumne, and, except as provided in Section 4007, on or after January 1, 2020, any county may conduct any election as an all-mailed ballot election if all of the following apply:

(1) (A) At least two ballot dropoff locations are provided within the jurisdiction where the election is held or the number of ballot dropoff locations are fixed in a manner so that there is at least one ballot dropoff location provided for every 15,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election, whichever results in more ballot dropoff locations. For purposes of this subparagraph, a vote center that includes an exterior ballot drop box counts only as a single ballot dropoff location. Ballot dropoff locations shall comply with the regulations adopted pursuant to subdivision (b) of Section 3025.

(B) A ballot dropoff location provided for under this section consists of a secure, accessible, and locked ballot box located as near as possible to established public transportation routes and that is able to receive voted ballots. All ballot dropoff locations shall be open at least during regular business hours beginning not less than 28 days before the day of the election, and on the day of

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the election. At least one ballot dropoff location shall be an accessible, secured, exterior drop box that is available for a minimum of 12 hours per day including regular business hours.

(2) (A) The county elections official permits a voter residing in the county to do any of the following at a vote center:

(i) Return, or vote and return, ~~his or her~~ their vote by mail ballot.

(ii) Register to vote, update ~~his or her~~ their voter registration, and vote pursuant to Section 2170.

(iii) Receive and vote a provisional ballot pursuant to Section 3016 or Article 5 (commencing with Section 14310) of Chapter 3 of Division 14.

(iv) Receive a replacement ballot upon verification that a ballot for the same election has not been received from the voter by the county elections official. If the county elections official is unable to determine if a ballot for the same election has been received from the voter, the county elections official may issue a provisional ballot.

(v) Vote a regular, provisional, or replacement ballot using accessible voting equipment that provides for a private and independent voting experience.

(B) Each vote center shall have at least three voting machines that are accessible to voters with disabilities.

(3) (A) On the day of the election, from 7 a.m. to 8 p.m., inclusive, and on each of the three days before the election, for a minimum of eight hours per day, at least one vote center is provided for every 10,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election. At least 90 percent of the number of vote centers required by this subparagraph shall be open for all four days during the required times. Up to 10 percent of the number of vote centers required by this subparagraph may be open for less than four days if at least one vote center is provided for every 10,000 registered voters on each day.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 20,000 registered voters, a minimum of two voter centers are provided on the day of the election and on each of the three days before the election within the jurisdiction where the election is held.

(4) (A) Beginning 10 days before the day of the election and continuing daily up to and including the fourth day before the election, for a minimum of eight hours per day, at least one vote center is provided for every 50,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 50,000 registered voters, a minimum of two vote centers are provided within the jurisdiction where the election is held.

(C) The vote centers provided under this section are established in accordance with the accessibility requirements described in Article 5 (commencing with Section 12280) of Chapter 3 of Division 12, the federal Americans with

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2019 Legislative Guide to Election Law

Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(D) The vote centers provided under this section are equitably distributed across the county so as to afford maximally convenient options for voters and are established at accessible locations as near as possible to established public transportation routes. The vote centers shall be equipped with voting units or systems that are accessible to individuals with disabilities and that provide the same opportunity for access and participation as is provided to voters who are not disabled, including the ability to vote privately and independently in accordance with Sections 12280 and 19240.

(E) (i) The vote centers provided under this section have an electronic mechanism for the county elections official to immediately access, at a minimum, all of the following voter registration data:

- (I) Name.
- (II) Address.
- (III) Date of birth.
- (IV) Language preference.
- (V) Party preference.
- (VI) Precinct.

(VII) Whether or not the voter has been issued a vote by mail ballot and whether or not a ballot has been received by the county elections official.

(ii) The electronic mechanism used to access voter registration data shall not be connected in any way to a voting system.

(5) A method is available for voters with disabilities to request and receive a blank vote by mail ballot and, if a replacement ballot is necessary, a blank replacement ballot that voters with disabilities can read and mark privately and independently pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).

(6) (A) Except as otherwise provided for in this section, election boards for the vote centers established under this section meet the requirements for eligibility and composition pursuant to Article 1 (commencing with Section 12300) of Chapter 4 of Division 12.

(B) Each vote center provides language assistance in all languages required in the jurisdiction under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) in a manner that enables voters of the applicable language minority groups to participate effectively in the electoral process. Each vote center shall post information regarding the availability of language assistance in English and all other languages for which language assistance is required to be provided in the jurisdiction under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(i) If a vote center is located in, or adjacent to, a precinct, census tract, or

other defined geographical subsection required to establish language requirements under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), or if it is identified as needing language assistance through the public input process described in clause (ii), the county elections official shall ensure that the vote center is staffed by election board members who speak the required language. If the county elections official is unable to recruit election board members who speak the required language, alternative methods of effective language assistance shall be provided by the county elections official.

(ii) The county elections official shall solicit public input regarding which vote centers should be staffed by election board members who are fluent in a language in addition to English pursuant to subdivision (c) of Section 12303 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(iii) The county elections official shall provide notice in the sample ballot, in vote by mail materials, and on ~~his or her Internet Web site~~ the official's internet website of the specific language services available at each vote center.

(C) Each vote center provides election materials translated in all languages required in the jurisdiction under subdivision (a) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(D) Each vote center provides reasonable modifications and auxiliary aids and services as required by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701 et seq.).

(7) (A) Beginning 10 days before the election, the county elections official maintains, in an electronic format, an index of voters who have done any of the following at one of the voter centers established pursuant to this section:

- (i) Registered to vote or updated ~~his or her~~ their voter registration.
- (ii) Received and voted a provisional ballot or replacement ballot.
- (iii) Voted a ballot using equipment at the vote center.

(B) The index required by subparagraph (A) includes the same information for each voter as is required to be included on copies of the ~~index of affidavits of voter registration~~ roster that are posted pursuant to Section 14294. The index required by subparagraph (A) shall be updated continuously during any time that a vote center is open in the jurisdiction.

(8) (A) Beginning 29 days before the day of the election, the county elections official mails to each registered voter a vote by mail ballot packet that includes a return envelope with instructions for the use and return of the vote by mail ballot.

(B) The county elections official delivers to each voter, with either the sample ballot sent pursuant to Section 13303 or with the vote by mail ballot packet, all of the following:

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2019 Legislative Guide to Election Law

(i) A notice, translated in all languages required under subdivision (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:

(I) An all-mailed ballot election is being conducted and each eligible voter will be issued a vote by mail ballot by mail.

(II) The voter may cast a vote by mail ballot in person at a vote center during the times and days specified in subparagraph (A) of paragraph (4) or on election day.

(III) No later than seven days before the day of the election, the voter may request the county elections official to send a vote by mail ballot in a language other than English pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or a facsimile copy of the ballot printed in a language other than English pursuant to Section 14201.

(IV) No later than seven days before the day of the election, the voter may request the county elections official to send or deliver a ballot that voters with disabilities can read and mark privately and independently pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).

(ii) A list of the ballot dropoff locations and vote centers established pursuant to this section, including the dates and hours they are open. The list shall also be posted on the ~~Internet Web site~~ internet website of the county elections official in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(iii) A postage-paid postcard that the voter may return to the county elections official for the purpose of requesting a vote by mail ballot in a language other than English or for the purpose of requesting a vote by mail ballot in an accessible format.

(C) Upon request, the county elections official provides written voting materials to voters with disabilities in an accessible format, as required by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701 et seq.).

(9) (A) The county elections official establishes a language accessibility advisory committee that is comprised of representatives of language minority communities. The committee shall be established no later than October 1 of the year before the first election conducted pursuant to this section. The committee shall hold its first meeting no later than April 1 of the year in which the first election is conducted pursuant to this section.

(B) The county elections official establishes a voting accessibility advisory committee that is comprised of voters with disabilities. The committee shall be established no later than October 1 of the year before the first election conducted pursuant to this section. The committee shall hold its first meeting no later than April 1 of the year in which the first election is conducted pursuant to this section.

(C) A county with fewer than 50,000 registered voters may establish a joint advisory committee for language minority communities and voters with disabilities.

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(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 (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(ii) One meeting, publicly noticed at least 10 days in advance of the meeting, that includes representatives from the disability community and community organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities.

(B) The county elections official, when developing the draft plan for the administration of elections conducted pursuant to this section, considers, at a minimum, all of the following:

(i) Vote center and ballot dropoff location proximity to public transportation.

(ii) Vote center and ballot dropoff location proximity to communities with historically low vote by mail usage.

(iii) Vote center and ballot dropoff location proximity to population centers.

(iv) Vote center and ballot dropoff location proximity to language minority communities.

(v) Vote center and ballot dropoff location proximity to voters with disabilities.

(vi) Vote center and ballot dropoff location proximity to communities with low rates of household vehicle ownership.

(vii) Vote center and ballot dropoff location proximity to low-income communities.

(viii) Vote center and ballot dropoff location proximity to communities of eligible voters who are not registered to vote and may need access to same day voter registration.

(ix) Vote center and ballot dropoff location proximity to geographically isolated populations, including Native American reservations.

(x) Access to accessible and free parking at vote centers and ballot dropoff locations.

(xi) The distance and time a voter must travel by car or public transportation to a vote center and ballot dropoff location.

(xii) The need for alternate methods for voters with disabilities for whom vote by mail ballots are not accessible to cast a ballot.

(xiii) Traffic patterns near vote centers and ballot dropoff locations.

(xiv) The need for mobile vote centers in addition to the number of vote centers established pursuant to this section.

(xv) Vote center location on a public or private university or college

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campus.

(C) The county elections official publicly notices the draft plan for the administration of elections conducted pursuant to this section and accepts public comments on the draft plan for at least 14 days before the hearing held pursuant to subparagraph (D).

(D) (i) Following the 14-day review period required by subparagraph (C), the county elections official holds a public meeting to consider the draft plan for the administration of elections conducted pursuant to this section and to accept public comments. The meeting shall be publicly noticed at least 10 days in advance of the meeting on the ~~Internet Web sites~~ internet websites of the clerk of the county board of supervisors and the county elections official, or, if neither the clerk of the county board of supervisors nor the county elections official maintain an ~~Internet Web site~~, internet website, in the office of the county elections official.

(ii) After the public hearing to consider the draft plan for the administration of elections conducted pursuant to this section and to accept public comments, the county elections official shall consider any public comments ~~he or she~~ the official receives from the public and shall amend the draft plan in response to the public comments to the extent ~~he or she~~ the official deems appropriate. The county elections official shall publicly notice the amended draft plan and shall accept public comments on the amended draft plan for at least 14 days before the county elections official may adopt the amended draft plan pursuant to subparagraph (E).

(E) (i) Following the 14-day review and comment period required by clause (ii) of subparagraph (D), the county elections official may adopt a final plan for the administration of elections conducted pursuant to this section, and shall submit the voter education and outreach plan that is required by clause (i) of subparagraph (I) to the Secretary of State for approval.

(ii) The Secretary of State shall approve, approve with modifications, or reject a voter education and outreach plan submitted pursuant to clause (i) of subparagraph (I) within 14 days after the plan is submitted by the county elections official.

(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~~ internet website of the county elections official in each language in which the county is required to provide voting materials and assistance under subdivision (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~~ internet website in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(F) Public meetings held pursuant to this paragraph shall, upon request, provide auxiliary aids and services to ensure effective communication with people with disabilities.

(G) Within two years of the adoption of the first plan for the administration of elections conducted pursuant to this section, the county elections official

shall hold public meetings in accordance with the procedures described in subparagraphs (C) to (F), inclusive, to consider revising the first plan for the administration of elections conducted pursuant to this section. Every four years thereafter, the county elections official shall hold public meetings in accordance with the procedures described in subparagraphs (C) to (F), inclusive, to consider revising the plan for the administration of elections conducted pursuant to this section.

(H) (i) With reasonable public notification, a county elections official may amend a plan for the administration of elections conducted pursuant to this section no more than 120 days before the date of an election held pursuant to this section.

(ii) With reasonable public notification, a county elections official may amend a plan for the administration of elections conducted pursuant to this section more than 120 days before the date of an election held pursuant to this section if ~~he or she~~ the official provides at least 30 days to accept public comments on the amended plan.

(I) The plan for the administration of elections conducted pursuant to this section, includes all of the following:

(i) A voter education and outreach plan that is approved by the Secretary of State and that includes all of the following:

(I) A description of how the county elections official will use the media, including social media, newspapers, radio, and television that serve language minority communities for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline.

(II) A description of how the county elections official will use the media, including social media, newspapers, radio, and television for purposes of informing voters of the availability of a vote by mail ballot in an accessible format and the process for requesting such a ballot.

(III) A description of how the county elections official will have a community presence to educate voters regarding the provisions of this section.

(IV) A description of the accessible information that will be publicly available on the accessible ~~Internet Web site~~ internet website of the county elections official.

(V) A description of the method used by the county elections official to identify language minority voters.

(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 (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 (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101

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2019 Legislative Guide to Election Law

et seq.).

(ib) The disability community, including organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities. The county elections official shall hold at least one voter education workshop to increase accessibility and participation of eligible voters with disabilities.

(VII) A description of how the county will spend the necessary resources on voter education and outreach to ensure that voters are fully informed about the election. This description shall include information about the amount of money the county plans to spend on voter education and outreach activities under the plan, and how that compares to the amount of money spent on voter education and outreach in recent similar elections in the same jurisdiction that were not conducted pursuant to this section.

(VIII) 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. Outreach made under this subclause shall include access for voters who are deaf or hard of hearing and voters who are blind or visually impaired.

(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 materials and assistance under subdivision (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.

(X) At least two direct contacts with voters for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline. The two direct contacts are in addition to any other required contacts including, but not limited to, sample ballots and the delivery of vote by mail ballots.

(ii) A description of how a voter with disabilities may request and receive a blank vote by mail ballot and, if a replacement ballot is necessary, a blank replacement ballot that a voter with disabilities can mark privately and independently.

(iii) A description of how the county elections official will address significant disparities in voter accessibility and participation identified in the report required by subdivision (g).

(iv) A description of the methods and standards that the county elections official will use to ensure the security of voting conducted at vote centers.

(v) Information about estimated short-term and long-term costs and savings from conducting elections pursuant to this section as compared to recent similar elections in the same jurisdiction that were not conducted pursuant to this section.

(vi) To the extent available at the time of publication, information on all of the following:

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- (I) The total number of vote centers to be established.
- (II) The total number of ballot dropoff locations to be established.
- (III) The location of each vote center.
- (IV) The location of each ballot dropoff location and whether it is inside or outside.
- (V) A map of the locations of each vote center and ballot dropoff location.
- (VI) The hours of operation for each vote center.
- (VII) The hours of operation for each ballot dropoff location.
- (VIII) The security and contingency plans that would be implemented by the county elections official to do both of the following:
 - (ia) Prevent a disruption of the vote center process.
 - (ib) Ensure that the election is properly conducted if a disruption occurs.
- (IX) The number of election board members and the number of bilingual election board members and the languages spoken.
- (X) The services provided to voters with disabilities, including, but not limited to, the type and number of accessible voting machines and reasonable modifications at each vote center.
- (XI) The design, layout, and placement of equipment inside each voter center that protects each voter's right to cast a private and independent ballot.
 - (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 (a) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).
- (J) The plan for the administration of elections conducted pursuant to this section is posted in a format that is accessible to persons with disabilities on the ~~Internet Web site~~ internet website of the Secretary of State and on the ~~Internet Web site~~ internet website of the county elections official.
 - (b) Notwithstanding Section 4000 or any other law, on or after January 1, 2018, the Counties of Calaveras, Inyo, Madera, Napa, Nevada, Orange, Sacramento, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Sutter, and Tuolumne, and on or after January 1, 2020, any county may conduct a special election as an all-mailed ballot election under this section if all of the following apply:
 - (1) The county elections official has done either of the following:
 - (A) Previously conducted an election as an all-mailed ballot election in accordance with subdivision (a).
 - (B) Adopted a final plan for the administration of elections pursuant to clause (i) of subparagraph (E) of paragraph (9) of subdivision (a), in which case the county elections official shall complete all activities provided for in the voter education and outreach plan that is required by clause (i) of subparagraph (I) of

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2019 Legislative Guide to Election Law

paragraph (9) of subdivision (a) before the day of the special election.

(2) (A) On the day of election, from 7 a.m. to 8 p.m., inclusive, at least one vote center is provided for every 30,000 registered voters. If the jurisdiction is not wholly contained within the county, the county elections official shall make a reasonable effort to establish a vote center within the jurisdiction where the special election is held.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 30,000 registered voters, the county elections official makes a reasonable effort to establish a vote center.

(3) (A) Not less than 10 days before the day of the election, for a minimum of eight hours per day, at least one vote center is provided for every 60,000 registered voters. If the jurisdiction is not wholly contained within the county, the county elections official shall make a reasonable effort to establish a vote center within the jurisdiction where the special election is held.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 30,000 registered voters, the county elections official makes a reasonable effort to establish a vote center.

(4) (A) At least one ballot dropoff location is provided for every 15,000 registered voters. At least one ballot dropoff location shall be located within the jurisdiction where the special election is held. All ballot dropoff locations shall be open at least during regular business hours beginning not less than 28 days before the day of the election, and on the day of the election.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 15,000 registered voters, at least one ballot dropoff location shall be provided.

(c) Except as otherwise provided in this section, the election day procedures shall be conducted in accordance with Division 14 (commencing with Section 14000).

(d) The county elections official may provide, at ~~his or her~~ the official's discretion, additional ballot dropoff locations and vote centers for purposes of this section.

(e) The return of voted vote by mail ballots is subject to Sections 3017 and 3020.

(f) For the sole purpose of reporting the results of an election conducted pursuant to this section, upon completion of the ballot count, the county elections official shall divide the jurisdiction into precincts pursuant to Article 2 (commencing with Section 12220) of Chapter 3 of Division 12 and shall prepare a statement of the results of the election in accordance with Sections 15373 and 15374.

(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 (a) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et

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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.

(B) The report required by subparagraph (A) shall be posted on the ~~Internet Web site~~ internet website 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).

(2) The county elections official shall post on ~~his or her Internet Web site~~ the official's internet website a report that compares the cost of elections conducted pursuant to this section to the costs of previous elections. The report shall be posted in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(h) The Secretary of State shall enforce the provisions of this section pursuant to Section 12172.5 of the Government Code.

(i) For purposes of this section, "disability" has the same meaning as defined in subdivisions (j), (m), and (n) of Section 12926 of the Government Code.

SEC. 2.

Amends Elections Code 12283.

(a) For purposes of this section, "public building" means a building owned or controlled by ~~a city, county, or other~~ any of the following:

- (1) A local governmental agency. ~~agency.~~ including a city or county.
- (2) The University of California.
- (3) The California State University.
- (4) A community college district.

(b) (1) The governing body having jurisdiction over school buildings or

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other public buildings may authorize the use of its buildings for polling places, or for vote centers, as described in Section 4005, beginning up to 10 days before the election and continuing through election day, and it may also authorize the use of its buildings, without cost, for the storage of voting machines and other vote-tabulating devices.

~~(b)~~

~~(2) The governing body having jurisdiction over school buildings or other public buildings may authorize the use of its buildings for polling places, or for vote centers, as described in Section 4005, beginning up to ten days before the election and continuing through election day, and it may also authorize the use of its buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if if a city or county elections official specifically requests the use of a school building or public building for polling places, or vote centers beginning up to ~~ten~~ 10 days before the election and continuing through election day, as well as during key dates necessary for drop-off, set-up, and pick-up of election materials, as determined by the elections official, the governing body having jurisdiction over the particular school building or public building shall allow its use for the purpose requested. When allowing use of a school building for polling places or vote centers, the governing body may, requested, except that the University of California is encouraged, but is not required to, do any of the following: required, to comply with a request made pursuant to this paragraph.~~

(3) When allowing use of a school building for polling places or vote centers, the governing body may, but is not required to, do any of the following:

~~(4)~~

(A) Continue school in session, if the governing body identifies 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 or vote centers.

~~(2)~~

(B) Designate the day for staff training and development.

~~(3)~~

(C) Close the school to students and certificated employees.

(c) (1) An elections official requesting the use of a school building pursuant to subdivision (b) shall include in ~~his or her~~ the official's request a list of the schools from which the use of a building for polling places or vote centers is needed. Requests must be made within sufficient time in advance of the school year for the governing body to determine, on a school-by-school or districtwide basis, whether to keep the affected schools in session, designate the schoolday for staff training and development, or close the school to students and nonclassified employees before school calendars are printed and distributed to parents.

(2) An elections official requesting the use of a public building pursuant to subdivision (b) shall include in ~~his or her~~ the official's request a list of the buildings from which the use of a building for polling places or vote centers is needed.

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Requests shall be made sufficiently before election day for the governing body of the city, county, or other local governmental agency to adequately plan for the public building's use as a polling place or vote center.

(d) Once a governing body has approved the use of a school building or public building as a polling place or vote center, the governing body shall instruct the school district or other public administrator to provide the elections official a site with an adequate amount of space that will allow the precinct board or vote center to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and to make ~~internet~~ *internet* access available for use by local elections officials, if requested. Beginning ~~ten~~ *10* days before the election and continuing through election day, if requested by the elections official, the district administrator shall make building parking available at no charge to the precinct or vote center board and voters.

(e) A public building, including, but not limited to, a building operated by a school district, that is used as a polling place or vote center shall comply with applicable accessibility requirements described in this article, the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

SEC. 3.

Section 1.5 of this bill incorporates amendments to Section 4005 of the Elections Code proposed by both this bill and Assembly Bill 49. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 4005 of the Elections Code, and (3) this bill is enacted after Assembly Bill 49, in which case Section 1.5 of this bill shall not become operative.

SEC. 4.

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.

VOTE BY MAIL BALLOT TRACKING

Assembly Bill 299

Chapter 224

CURRENT PROVISIONS

Existing law requires that the vote by mail ballot be made available to any registered voter.

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Existing law requires a county elections official to establish a free access system that allows a vote by mail voter to learn if the voter's vote by mail ballot was counted and, if not, the reason why the ballot was not counted.

NEW PROVISIONS

Requires a county elections official, when the elections official updates the county's election management system or voter look up tool on the county's internet website with new voter information, to provide the updated information to the Secretary of State to update the information provided to the public.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 3019.5.

(a) A county elections official shall establish a free access system that allows a vote by mail voter to learn if ~~his or her~~ the voter's vote by mail ballot was counted and, if not, the reason why the ballot was not counted. For each election, the elections official shall make the free access system available to a vote by mail voter upon completion of the official canvass and for 30 days after completion of the official canvass.

(b) For purposes of establishing the free access system for vote by mail ballots required by subdivision (a), a county elections official may use the free access system for provisional ballots established by the county pursuant to Section 302 of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 21082).

(c) If a county elections official elects not to mail a county voter information guide to a voter pursuant to Section 13305, the elections official shall use any savings achieved to offset the costs associated with establishing the free access system for vote by mail ballots required by subdivision (a).

(d) When a county elections official updates the county's election management system or voter look-up tool on the county's internet website with new voter information, the elections official shall provide the updated information to the Secretary of State to update the information that the Secretary of State provides to the public.

SEC. 2.

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.

VOTER REGISTRATION: RESIDENCY CONFIRMATION**Assembly Bill 504****Chapter 262****CURRENT PROVISIONS**

Existing law requires a county elections official to conduct a preelection residency confirmation procedure before a primary election by mailing a nonforwardable postcard to each registered voter of the county. However, existing law authorizes the county elections official to exclude from this residency confirmation procedure a voter who has voted at an election held within the last six months preceding the start of the procedure, or a person who has preregistered but will not be 18 years of age on or before the date of the primary election.

Existing law authorizes a county elections official, in lieu of mailing a residency confirmation postcard, to contract with the United States Postal Service or its licensees to obtain use of postal service change-of-address data.

Based on the change-of-address data received from the United States Postal Service or its licensees, existing law requires a county elections official to send a forwardable notice to enable a voter to verify or correct address information. If the change-of-address data indicates that the voter has moved to a new address in California, the forwardable notice must notify the voter that the voter will be registered to vote at the new address unless the voter notifies the county elections official's office within 15 days that the new address is not the voter's permanent residence. If postal service change-of-address data received from a nonforwardable mailing indicates that a voter has moved and left no forwarding address, the forwardable notice must be sent, in substantially the form prescribed, to attempt to verify that the voter has moved and left no forwarding address.

Existing law does not require the county elections official to mail a forwardable notice to a voter if the official receives a notification through the National Change of Address System (NCOA) or Operation Mail that the voter has moved and has given no forwarding address.

Existing law authorizes a county elections official to send an alternate residency confirmation postcard to a voter who has not voted in an election within the preceding four years and whose residence address, name, or party preference has not been updated during that time. If the voter fails to confirm the voter's address as directed in the alternate residency confirmation postcard, the county elections official may place the voter's name on the inactive file of registered voters.

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NEW PROVISIONS

Authorizes a county elections official to exclude from this residency confirmation procedure a voter who has confirmed the voter's voter registration record on the internet website of the Secretary of State within the year preceding the start of the confirmation procedure.

Extends this contracting authority to the Secretary of State, and requires the Secretary of State to share this data with county elections officials through the statewide voter registration database.

SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 2220.**

(a) The county elections official shall conduct a preelection residency confirmation procedure as provided in this article. This procedure shall be completed by the 90th day immediately ~~prior to~~ before the primary election. The procedure shall be initiated by mailing a nonforwardable postcard to each registered voter of the county preceding the direct primary election. Postcards mailed pursuant to this article shall be sent "Address Correction Requested, Return Postage Guaranteed," and shall be in substantially the following form:

"We are requesting your assistance in correcting the addresses of voters who have moved and have not reregistered.

"1. If you still live at the address noted on this postcard, your voter registration will remain in effect and you may disregard this notice.

"2. If the person named on this postcard is not at this address, please return this postcard to your mail carrier."

(b) The county elections official, at ~~his or her~~ the county elections official's discretion, shall not be required to mail a residency confirmation postcard pursuant to subdivision (a) to any of the following: ~~any~~

(1) A voter who has voted at an election held within the last six months preceding the start of the confirmation procedure or to any procedure.

(2) A voter who has confirmed the voter's voter registration records on the internet website of the Secretary of State within the last year preceding the start of the confirmation procedure.

(3) A person under 18 years of age who has submitted a properly executed affidavit of registration pursuant to subdivision (d) of Section 2102 and who will not be 18 years of age on or before the primary election.

SEC. 2.**Amends Elections Code 2221.**

(a) Based on the postal notices on the returned residency confirmation postcards received pursuant to Section 2220, the county elections official shall

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take the following actions:

(1) The ~~affidavits of voter registration status of persons~~ a voter whose residency confirmation ~~postcards are~~ postcard is returned by the post office as undeliverable and who ~~have~~ has no forwarding address shall be ~~placed in the inactive file~~ updated by the county elections official to inactive pursuant to paragraph (2) of subdivision (a) of Section ~~2226. These persons~~ 2226, and the voter shall be mailed ~~the a~~ a confirmation ~~notices~~ notice, as described in subdivision (c) of Section 2225.

(2) The ~~affidavits of voter registration of persons~~ record of a voter for whom a forwarding ~~addresses~~ address within the county or outside the county ~~are~~ is received shall be immediately updated by the county elections official to reflect the new address provided by the post ~~office and~~ office, the former address shall be maintained with the voter ~~record. These persons~~ registration record, and the voter shall be mailed ~~the a~~ a confirmation ~~notices~~ notice, as described in subdivision (b) of Section 2225.

(b) All updates to ~~affidavits of a voter's~~ registration record made pursuant to this section shall be reflected on the voter list as required by Section 2191.

SEC. 3.

Amends Elections Code 2222.

In lieu of mailing a residency confirmation postcard, as prescribed in subdivision (a) of Section 2220, the Secretary of State or a county elections official may contract with the United States Postal Service or its licensees to obtain use of postal service change-of-address data, such as the National Change of Address System (NCOA) and Operation Mail. The data received by the Secretary of State pursuant to this section shall be shared with county elections officials through the statewide voter registration database.

SEC. 4.

Amends Elections Code 2224.

(a) If a voter has not voted in an election within the preceding four years, and ~~his or her~~ the voter's residence address, name, or party preference has not been updated during that time, the county elections official may send an alternate residency confirmation postcard. The use of this postcard may be sent subsequent to NCOA or county voter information guide returns, but shall not be used in the residency confirmation process conducted under Section 2220. The postcard shall be forwardable, including a postage-paid and preaddressed return form to enable the voter to verify or correct the address information, and shall be in substantially the following form:

“If the person named on the postcard is not at this address, PLEASE help keep the voter rolls current and save taxpayer dollars by returning this postcard to your mail carrier.”

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“IMPORTANT NOTICE”

“According to our records you have not voted in any election during the past four years, which may indicate that you no longer reside in ____ County. If you continue to reside in California you must confirm your residency address in order to remain on the active voter list and receive election materials in the mail.”

“If confirmation has not been received within 15 days, you may be required to provide proof of your residence address in order to vote at future elections.”

(b) The use of a toll-free number to confirm the old residence address is optional. A change to a voter’s address shall be received in writing.

(c) A county using the alternate residency confirmation procedure shall notify all voters of the procedure in the county voter information guide or in a separate mailing.

(d) This section shall become inoperative on January 1, 2020, and, as of January 1, 2029, is repealed.

SEC. 5.

Amends Elections Code 2225.

(a) (1) Based on change-of-address data received from the United States Postal Service or its licensees, the county elections official shall send a forwardable notice, including a postage-paid and preaddressed return form, to enable the voter to verify or correct address information.

Notification

(2) If notification received through NCOA or Operation Mail or a returned mailing indicates that a voter has moved and has given no forwarding address shall not require the mailing of a forwardable notice to that voter. or indicates that a voter has moved out of the state, the county elections official shall send a forwardable notice in substantially the same format as the notice set forth in paragraph (2) of subsection (d) of Section 20507 of Title 52 of the United States Code.

(b) If postal service change-of-address data indicates that the voter has moved to a new residence address in California, the forwardable notice shall be in substantially the following form:

“We have received notification that you have moved to a new residence address in California. ~~You will be registered to vote at your new address unless you notify our office within 15 days that the address to which this card was mailed is not a change of your permanent residence. You must~~ Your voter registration record has been updated to this new address. If this is correct, you do not have to take any action. If this is incorrect, you can notify our office by either returning the attached postage-paid postcard, or by calling toll free. ~~If this is not a permanent residence, and if you do not~~ free; you must notify us ~~within~~ at least 15 days, ~~days prior to the next election or~~ you may be required to provide proof of your residence address in order to vote at future elections.” vote using a provisional ballot.”

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(c) If postal service change-of-address data received from a nonforwardable mailing indicates that a voter has moved and left no forwarding address, ~~address, address or indicates that a voter has moved out of the state,~~ a forwardable notice shall be sent in substantially the ~~following form:~~ same format as the notice set forth in paragraph (2) of subsection (d) of Section 20507 of Title 52 of the United States Code.

~~“We are attempting to verify postal notification that the voter to whom this card is addressed has moved and left no forwarding address. If the person receiving this card is the addressed voter, please confirm your continued residence or provide current residence information on the attached postage-paid postcard within 15 days. If you do not return this card and continue to reside in California, you may be required to provide proof of your residence address in order to vote at future elections and, if you do not offer to vote at any election in the period between the date of this notice and the second federal general election following this notice, your voter registration will be cancelled and you will have to reregister in order to vote.”~~

(d) The use of a toll-free number to confirm the old residence address is optional. Any change to the voter address must be received in writing.

(e) Upon the mailing of the forwardable address confirmation notice described in subdivision (b) to a voter, the county elections official shall not update the status of the voter’s registration to inactive.

(f) Upon the mailing of the forwardable address confirmation notice described in subdivision (c) to a voter, the county elections official shall update the status of the voter’s registration to inactive.

SEC. 6.

Amends Elections Code 2226.

(a) Based on change-of-address information received pursuant to Sections 2220 to 2225, inclusive, or change-of-address information provided directly by the voter, the county elections official shall take the following actions as appropriate:

(1) If the information indicates the voter has moved to a new residence address in California, the county elections official shall immediately update the voter’s ~~registration:~~ registration record.

(2) If the mailings have been returned as undeliverable, ~~or if the voter fails to confirm his or her address as required by Section 2224,~~ or if NCOA, Operation Mail, a returned mailing, or postal service change-of-address data received from a nonforwardable mailing indicates that the voter has moved and left no forwarding address, or if any of these sources indicate that a voter has moved out of the state, the county elections official ~~may place the voter’s name on the inactive file of~~

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~~registered voters who shall update the status of the voter's registration to inactive.~~ Voters with an inactive voter registration status do not receive election materials and are not included in calculations to determine the number of signatures required for qualification of candidates and measures, precinct size, or other election administration-related processes.

(3) If a voter's registration status is inactive based on the voter's failure to confirm the voter's address pursuant to Section 2224, the county elections official shall send a forwardable address verification mailing, as set forth in subdivision (c) of Section 2225. The voter registration record of a voter who fails to respond to the address verification mailing, and who does not offer to vote or vote at any election between the date of the mailing described in Section 2225 and two federal general elections after the date of that mailing, shall be canceled.

(b) The voter registration record of ~~any a~~ voter whose ~~name has been placed on the inactive file of registered voters~~ status is inactive for failure to respond to an address verification mailing required by subdivision (c) of Section 2225, and who does not offer to vote or vote at any election between the date of the mailing and two federal general elections after the date of that mailing, ~~may~~ shall be canceled.

(c) ~~Any voter whose name has been placed on the inactive file of registered voters and~~ A voter who has a registration status of inactive, who offers to vote at any election between the date of the verification ~~notice,~~ mailing required by subdivision (c) of Section 2225 and two federal general elections after the date of ~~notice,~~ that mailing, or who notifies the elections official of a continued residency, ~~shall be removed from the inactive file and placed on the active voter file.~~ have the voter's voter registration status updated to active.

(d) All address updates, cancellations, and active and inactive transactions made to ~~the~~ voter registration file records pursuant to this section shall be reflected on the voter list as required by Section 2191.

(e) This section shall remain in effect only until the date that the Secretary of State certifies that the state's statewide voter registration database, which was developed in compliance with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), has been modified to notify county elections officials when a voter confirms the voter's registration record on the Secretary of State's internet website, and as of that date is repealed.

SEC. 7.

Adds Elections Code 2226.

(a) Based on change-of-address information received pursuant to Sections 2220 to 2225, inclusive, or change-of-address information provided directly by the voter, the county elections official shall take the following actions as appropriate:

(1) If the information indicates the voter has moved to a new residence address in California, the county elections official shall immediately update the

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voter's registration record.

(2) If the mailings have been returned as undeliverable, or if NCOA, Operation Mail, a returned mailing, or postal service change-of-address data received from a nonforwardable mailing indicates that the voter has moved and left no forwarding address, or if any of these sources indicate that a voter has moved out of the state, the county elections official shall update the status of the voter's registration to inactive. Voters with an inactive voter registration status do not receive election materials and are not included in calculations to determine the number of signatures required for qualification of candidates and measures, precinct size, or other election administration-related processes.

(3) If a voter's registration status is inactive based on the voter's failure to confirm the voter's address pursuant to Section 2224, the county elections official shall send a forwardable address verification mailing, as set forth in subdivision (c) of Section 2225. However, the county elections official shall not send this mailing to a voter who has confirmed the voter's voter registration record on the internet website of the Secretary of State within a year from the date of the mailing. The voter registration record of a voter who fails to respond to the address verification mailing, and who does not offer to vote or vote at any election between the date of the mailing described in Section 2225 and two federal general elections after the date of that mailing, shall be canceled.

(b) The voter registration record of a voter whose status is inactive for failure to respond to an address verification mailing required by subdivision (c) of Section 2225, and who does not offer to vote or vote at any election between the date of the mailing and two federal general elections after the date of that mailing, shall be canceled.

(c) A voter who has a registration status of inactive, who offers to vote at any election between the date of the verification mailing required by subdivision (c) of Section 2225 and two federal general elections after the date of that mailing, who notifies the elections official of a continued residency, or who has confirmed the voter's voter registration record on the internet website of the Secretary of State, shall have the voter's voter registration status updated to active.

(d) All address updates, cancellations, and active and inactive transactions made to voter registration records pursuant to this section shall be reflected on the voter list as required by Section 2191.

SEC. 8.

Amends Elections Code 2227.

(a) In lieu of mailing a residency confirmation postcard, as prescribed in subdivision (a) of Section 2220, the county elections official may contract with a consumer credit reporting agency or its licensees to obtain use of change-of-address data in accordance with this section.

(b) If the county elections official contracts with a consumer credit reporting agency or its licensees pursuant to subdivision (a), all of the following

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shall occur:

(1) For each registered voter in the county, the county elections official shall initiate a search for change-of-address data with the consumer credit reporting agency or its licensees by providing the name and residence address of each registered voter in the county to the consumer credit reporting agency or its licensees.

(2) The consumer credit reporting agency or its licensees shall search their databases for each name and address provided by the county elections official and shall report to the county elections official any information indicating that the registered voter changed ~~his or her~~ the voter's residence address.

(c) (1) Notwithstanding Section 2194 of this code or Section 6254.4 of the Government Code, and except as provided in paragraph (2), a county elections official may disclose a registered voter's name and residence address to a consumer credit reporting agency or its licensees pursuant to, and in accordance with, this section.

(2) A county elections official shall not disclose to a consumer credit reporting agency or its licensees the name and residence address of a registered voter if that information is deemed confidential pursuant to Section 2166, 2166.5, or 2166.7 of this code, or Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code.

(d) A consumer credit reporting agency or its licensees shall use the information provided by a county elections official only pursuant to paragraph (2) of subdivision (b), and shall not retain any information received from the county elections official pursuant to this section.

(e) Based on change-of-address data received from a consumer credit reporting agency or its licensees, the county elections official shall send a forwardable notice, including a postage-paid and preaddressed return form, which may be in the form of a postcard, to the registered voter to enable the voter to verify or correct address information. The forwardable notice shall be in substantially the following form:

"We have received notification that you have moved to a new residence address in ____ County. You will remain registered to vote at your old address unless you notify our office that the address to which this card was mailed is a change of your permanent residence. Please notify our office in writing by returning the attached postage-paid postcard. If this is not a permanent residence, and you do not wish to change your address for voting purposes, please disregard this notice."

(f) The county elections official shall take all of the following actions as appropriate:

(1) If a voter responds to the forwardable notice sent pursuant to subdivision (e) or otherwise verifies in a signed writing that ~~he or she~~ the voter has

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moved to a new residence address in California, the county elections official shall verify the signature on the response by comparing it to the signature on file for the voter and, if appropriate, immediately update the voter's registration *record* with the new residence address.

(2) If a voter does not respond to the forwardable notice sent pursuant to subdivision (e) and does not otherwise verify in a signed writing that ~~he or she~~ *the voter* has moved to a new residence address, the elections official shall not ~~place the voter's name on the inactive file of registered voters~~ *update the status of the voter's registration to inactive* or cancel the voter registration.

(g) For purposes of this section, "consumer credit reporting agency" has the same meaning as set forth in subdivision (d) of Section 1785.3 of the Civil Code.

SEC. 9.

Sections 1 and 7 of this act shall become operative on the date that the Secretary of State certifies that the state's statewide voter registration database, which was developed in compliance with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), has been modified to notify county elections officials when a voter confirms the voter's registration record on the Secretary of State's internet website.

SEC. 10.

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: OFFICIAL CANVASS PERIOD

Assembly Bill 566

Chapter 91

CURRENT PROVISIONS

Existing law requires the official canvass for an election to commence no later than the Thursday following the election and to be continued daily, Saturdays, Sundays, and holidays excepted, for not less than 6 hours each day until completed. Elections officials are required to report the final results of the canvass to the governing board and the Secretary of State.

NEW PROVISIONS

Requires an elections official, on the 2nd day after an election, to send to the Secretary of State an initial report containing the estimated number of outstanding

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unprocessed ballots.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 15305.

(a) For purposes of this section, “unprocessed ballot” means a voted polling place ballot, voted vote by mail ballot, voted provisional ballot, or voted conditional registration ballot that has not yet been counted or processed for counting.

(b) On the second day after the election, an elections official shall send to the Secretary of State an initial report containing the estimated number of outstanding unprocessed ballots.

(c) Commencing on the sixth day after the election, an elections official shall, on any day that the elections official publicly releases updated election results, send to the Secretary of State a report on the estimated number of outstanding unprocessed ballots. The report shall be submitted to the Secretary of State in the form and manner prescribed by the Secretary of State, and the last report shall be delivered upon the completion of the official canvass.

SEC. 2.

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: PRINTING REQUIREMENTS AND BALLOT DESIGN

**Assembly Bill 623
Chapter 863**

CURRENT PROVISIONS

Existing law imposes ballot layout specifications, including specific requirements relating to the size and font of text.

Existing law also prescribes the format that must be used for county voter information guides.

Existing law specifically requires that a notice regarding vote by mail applications be made in heavy-faced gothic type, not smaller than 12-point.

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NEW PROVISIONS

Deletes various provisions requiring certain text be printed in a particular font and makes other ballot related changes allowing more flexibility.

Deletes the requirement that the notice be in gothic type. Requires the Secretary of State to establish a ballot design advisory committee.

SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 13105.**

(a) In the case of a candidate for a voter-nominated office in a primary election, a general election, or a special election to fill a vacancy in the office of United States Senator, Member of the United States House of Representatives, State Senator, or Member of the Assembly, immediately to the right of and on the same line as the name of the candidate, or immediately below the name if there is not sufficient space to the right of the name, there shall be identified, as specified by the Secretary of State, the designation made by the candidate pursuant to Section 8002.5. The identification shall be in substantially the following form:

(1) In the case of a candidate who designated a political party preference pursuant to Section 8002.5, "Party Preference: _____."

(2) In the case of a candidate who did not state a preference for a political party pursuant to Section 8002.5, "Party Preference: None."

(b) In the case of candidates for President and Vice President, the name of the party shall appear to the right of and equidistant from the pair of names of these candidates and on the same line as the name of the candidate for President, or immediately below the name of the vice presidential candidate if there is not sufficient space to the right of the name.

(c) If for a general election any candidate for President of the United States or Vice President of the United States has received the nomination of any additional party or parties, the name(s) shall be printed to the right of the name of the candidate's own ~~party.~~ party, or immediately below the name if there is not sufficient space to the right of the name. Party names of a candidate shall be separated by commas. If a candidate has qualified for the ballot by virtue of an independent nomination, the word "Independent" shall be printed instead of the name of a political party in accordance with the above rules.

SEC. 2.**Amends Elections Code 13118.**

The following rules apply when a person who is a candidate for an office believes that another person with a name that is so similar that it may be confused with ~~his or her~~ the candidate's name has filed or will file a nomination paper for the same office:

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2019 Legislative Guide to Election Law

(a) The candidate may, at the time of filing ~~his or her~~ the candidate's nomination paper, or within five days after the time for filing nomination papers has expired, file with the elections official a statement that shall be in substance as follows:

"I _____, believe that another person, whose name is so similar to mine that it may be confused with mine, has filed or will file a nomination paper for the same office for which I have filed a nomination paper, and I therefore request and direct that the elections official assign a number to each candidate with a similar name to be printed on the ballot as a distinguishing mark.

_____ Name
Candidate for the office
of "

(b) The distinguishing mark shall be a number, commencing with the number "1" and continuing in numerical sequence until each candidate with a similar name has been assigned a distinguishing number, and shall be printed at the right of the name on the ballot.

(c) The first candidate who filed ~~his or her~~ the candidate's nomination papers shall have the number "1" and each subsequent candidate, based on the time of filing ~~his or her~~ the candidate's nomination papers, shall be assigned the next number in numerical sequence.

(d) In addition to the designated numbers that the elections official shall place on the ballot when the above conditions are met, ~~he or she~~ the elections official shall place on the ballot, immediately preceding the names of the candidates to be voted upon, or on the contest header if there is not sufficient space immediately preceding the name, the following warning:

"Warning! There are two (or applicable number) candidates for this office with identical names."

This warning shall also be included, in a prominent manner, on any state voter information guide, county voter information guide, or other mailing sent by the elections official, before the election, to persons eligible to vote for this office.

(e) To determine the order on the ballot for the candidates with similar names, the elections official shall conduct a drawing of the numbers assigned to the candidates in a similar manner as provided for in Section 13112.

SEC. 3.**Amends Elections Code 13119.**

(a) The ballots used when voting upon a measure proposed by a local governing body or submitted to the voters as an initiative or referendum measure pursuant to Division 9 (commencing with Section 9000), including a measure

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authorizing the issuance of bonds or the incurrence of debt, shall have printed on them the words “Shall the measure (stating the nature thereof) be adopted?” To the right or below the statement of the measure to be voted on, the words “Yes” and “No” shall be printed on separate lines, with voting targets. If a voter ~~stamps a cross (+) in the voting target after~~ marks the voting target next to the printed word “Yes,” ~~his or her~~ the voter’s vote shall be counted in favor of the adoption of the measure. If ~~he or she stamps a cross (+) in the voting target after~~ the voter marks the voting target next to the printed word “No,” ~~his or her~~ the voter’s vote shall be counted against its adoption.

(b) If the proposed measure imposes a tax or raises the rate of a tax, the ballot shall include in the statement of the 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, the following terms have the following meanings:

(1) “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.

(2) “Target” means an object designated as the aim for a voter to make a vote selection.

SEC. 4.

Amends Elections Code 13120.

The ballots used when voting upon a state, county, city, or district statute or ordinance referred to the voters of the respective jurisdiction as a referendum measure pursuant to Division 9 (commencing with Section 9000) shall have printed on them the words “Shall the statute (or ordinance) (stating the nature thereof, including any identifying number or title) be adopted?” Opposite the statement of the statute or ordinance to be voted on and to its right, or immediately below if there is not sufficient space opposite the statement or ordinance and to its right, the words “Yes” and “No” shall be printed on separate lines, with voting ~~squares~~ targets. If a voter ~~stamps a cross (+) in the voting square after~~ marks the voting target next to the printed word “Yes,” ~~his or her~~ the voter’s vote shall be counted in favor of the adoption of the ordinance or statute. If ~~he or she stamps a cross (+) in the voting square after~~ the voter marks the voting target next to the printed word “No,” ~~his or her~~ the voter’s vote shall be counted against its adoption.

SEC. 5.

Amends Elections Code 13202.

All ballots of the same sort prepared by any county elections official, clerk or secretary of a legislative body, or other person having charge of preparing ballots

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for the same polling place, shall be precisely the same size, arrangement, quality and tint of paper, and kind of type, and shall be printed with ~~black~~ ink of the same tint, so that without the numbers on the stubs it is impossible to distinguish any one of the ballots from the other ballots of the same sort. The names of all candidates printed upon the ballot shall be in type of the same size and character. *If there is not sufficient space for a candidate name, the size may be adjusted as close as possible to the size and character of all the other candidate names printed upon the ballot.*

SEC. 6.

Amends Elections Code 13203.

Across the top of the ballot shall be printed in ~~heavy-faced~~ *boldface* ~~gothic~~ capital type not smaller than 30-point, the words "OFFICIAL BALLOT." ~~However, if the ballot is no wider than a single column, the words "OFFICIAL BALLOT" may be as small as 24-point.~~ Beneath this heading, in the case of a partisan primary election, shall be printed in 18-point boldface ~~gothic~~ capital type the official party designation or the words "NONPARTISAN BALLOT" as applicable. Beneath the heading line or lines, there shall be printed, in boldface type as large as the width of the ballot makes possible, the number of the congressional, Senate, and Assembly district, the name of the county in which the ballot is to be voted, and the date of the election.

SEC. 7.

Amends Elections Code 13204.

(a) The instructions to voters shall be printed ~~at least three-eighths of an inch~~ below the district designation. The instructions shall begin with the words "INSTRUCTIONS TO VOTERS:" in no smaller than 16-point ~~gothic condensed~~ capital type. Thereafter, there shall be printed in 10-point ~~gothic condensed~~ capital type all of the following directions that are applicable to the ballot:

"To vote for a candidate for Chief Justice of California; Associate Justice of the Supreme Court; Presiding Justice, Court of Appeal; or Associate Justice, Court of Appeal, ~~stamp a cross (+) in the voting square after~~ *mark the voting target next to* the word "Yes," to the right of the name of the candidate. To vote against that candidate, ~~stamp a cross (+) in the voting square after~~ *mark the voting target next to* the word "No," to the right of the name of that candidate."

"To vote for any other candidate of your selection, ~~stamp a cross (+) in the voting square to the right of~~ *mark the voting target next to* the candidate's name. [When justices of the Supreme Court or Court of Appeal do not appear on the ballot, the instructions referring to voting after the word "Yes" or the word "No" will be deleted and the above sentence shall read: "To vote for a candidate whose name appears on the ballot, ~~stamp a cross (+) in the voting square to the right of~~ *mark the voting target next to* the candidate's name."] Where two or more candidates for the same

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office are to be elected, ~~stamp a cross (+) after~~ place a mark next to the names of all candidates for the office for whom you desire to vote, not to exceed, however, the number of candidates to be elected.”

“To vote for a qualified write-in candidate, write the person’s name in the blank space provided for that purpose after the names of the other candidates for the same office.”

“To vote on any measure, ~~stamp a cross (+) in the voting square after~~ mark the voting target next to the word “Yes” or after the word “No.”

“Marking the ballot outside of the designated space to vote for a candidate or measure may compromise the secrecy of the ballot.”

“If you wrongly ~~stamp,~~ mark, tear, or deface this ballot, return it to the precinct board member and obtain another.”

“On vote by mail ballots mark ~~a cross (+)~~ with pen or pencil.”

(b) The instructions to voters shall be separated ~~by no smaller than a 2-point rule~~ from the portion of the ballot ~~which~~ that contains the various offices and measures to be voted on.

SEC. 8.

Amends Elections Code 13205.

Additional instructions to voters shall appear on the ballot prior to those provided for in Section 13204 under the following conditions:

(a) In a primary election at which candidates for delegate to national convention are to be voted upon, the instructions shall read:

“To vote for the group of candidates preferring a person whose name appears on the ballot, ~~stamp a cross (+) in the square opposite~~ mark the voting target next to the name of the person preferred. To vote for a group of candidates not expressing a preference for a particular candidate, ~~stamp a cross (+) in the square opposite~~ mark the voting target next to the name of the chairman of the group.”

(b) In elections when electors of President and Vice President of the United States are to be chosen, there shall be placed upon the ballot, in addition to the instructions to voters as provided in this chapter, an instruction as follows:

“To vote for all of the electors of a party, ~~stamp a cross (+) in the square opposite~~ mark the voting target next to the names of the presidential and vice presidential candidates of that party. A ~~cross (+) stamped in the square opposite~~ mark of the voting target next to the name of a party and its presidential and vice presidential candidate, is a vote for all of the electors of that party, but for no other candidates.”

(c) If a group of candidates for electors has been nominated under Chapter 3 (commencing with Section 8400) of Division 8, and has under Chapter 1 (commencing at Section 8300) of Division 8 designated the names of the candidates for President and Vice President of the United States for whom those candidates have pledged themselves to vote, the instructions to voters shall also contain the following:

“To vote for those electors who have pledged themselves to vote for a candidate

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for President and Vice President not supported by any particular party ~~stamp a cross (+) in the square opposite~~ mark the voting target next to the names of those presidential and vice presidential candidates.”

(d) If a group of candidates for electors has been nominated by a party not qualified to participate in the election, the instructions to voters shall also contain the following:

“To vote for those electors who have pledged themselves to vote for a candidate for President and for Vice President of any party not qualified to participate in the election write in the names and party of those presidential and vice presidential candidates in the blank space provided for that purpose.”

SEC. 9.

Amends Elections Code 13206.

(a) On the partisan ballot used in a direct primary election, immediately below the instructions to voters, there shall be a ~~box not less than one-half inch high enclosed by a heavy-ruled line the same as the borderline. This box shall be as long as there are columns for the partisan ballot and shall be set directly above these columns.~~ box. Within the box shall be printed the words “Party-Nominated Offices.” Immediately below that phrase within the same box shall be printed the following: “Only voters who disclosed a preference upon registering to vote for the same party as the candidate seeking the nomination of any party for the Presidency or election to a party committee may vote for that candidate at the primary election, unless the party has adopted a rule to permit non-party voters to vote in its primary elections.”

(b) The same style of box described in subdivision (a) shall also appear over the columns of the nonpartisan part of the ballot and within the box in the same style and point size of type shall be printed “Voter-Nominated and Nonpartisan Offices.” Immediately below that phrase within the same box shall be printed the following:

“All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot.”

SEC. 10.

Amends Elections Code 13206.5.

(a) (1) On the ballot used in a statewide general election in each year evenly divisible by the number four, immediately below the instructions to voters, there shall be a ~~box not less than one-half inch high enclosed by a heavy-ruled~~

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~~line the same as the borderline. This box shall be as long as there are columns for the ballot and shall be set directly above these columns.~~ box. Within the box shall be printed the words “Party-Nominated Offices.” Immediately below that phrase within the same box shall be printed the following: “The party label accompanying the name of a candidate for party-nominated office on the general election ballot means that the candidate is the official nominee of the party shown.”

(2) On the ballot used in a statewide general election in each year evenly divisible by the number four, following the portion of the ballot for party-nominated offices, the same style of box described in paragraph (1) shall appear and within the box in the same style and point size of type shall be printed “Voter-Nominated and Nonpartisan Offices.” Immediately below that phrase within the same box shall be printed the following: “All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot.”

(b) On the ballot used in a statewide general election in each even-numbered year that is not evenly divisible by the number four, immediately below the instructions to voters, there shall be a ~~box not less than one-half inch high enclosed by a heavy-ruled line the same as the borderline. This box shall be as long as there are columns for the ballot and shall be set directly above these columns.~~ box. Within the box shall be printed the words “Voter-Nominated and Nonpartisan Offices.” Immediately below that phrase within the same box shall be printed the following: “All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot.”

SEC. 11.

Amends Elections Code 13208.

(a) In the right-hand margin of each column light vertical lines shall be printed in such a way as to create a voting target ~~after~~ next to the name of each candidate for partisan office, voter-nominated office, nonpartisan office (except for Justice of the Supreme Court or justice of a court of appeal), or for chairperson of a group of candidates for delegate to a national convention who express no preference for a presidential candidate. In the case of Supreme Court or appellate

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justices and in the case of measures submitted to the voters, the lines shall be printed so as to create voting targets to the right of the words “Yes” and “No.” The voting targets shall be used by the voters to express their choices as provided for in the instruction to voters.

(b) The standard voting target ~~shall be at least three-eighths of an inch wide but~~ may be up to one-half inch wide. Voting targets for measures may be as tall as is required by the space occupied by the title and summary.

(c) As used in this section, “target” means an object designated as the aim for a voter to make a vote selection.

SEC. 12.

Amends Elections Code 13209.

Whenever a foreign translation of the ballot is required by the federal Voting Rights Act of 1965, as amended by Public Law 94-73, to appear on the ballot as well as the English language version, the ballot, including a ballot reference page or pages as specified in Section 301, may be so designed as to place the foreign translation ~~to the right of the voting square:~~ next to the voting target.

SEC. 13.

Amends Elections Code 13210.

(a) In the case of candidates for delegate to national convention, there shall be printed in boldface ~~gothic~~ type, not smaller than 12-point, across the column above the names of the persons preferred by the groups of candidates for delegates, the words, “President of the United States.” The words “Vote for one group only” shall extend to the extreme right-hand margin of the ~~column and over the voting square:~~ column.

(b) In the case of candidates for President and Vice President, the words “Vote for One Party” shall appear just below the heading “President and Vice President” and shall be printed so as to appear above the voting ~~squares~~ targets for that office. The heading “President and Vice President” shall be printed in boldface ~~12-point gothic type, and shall be centered above the names of the candidates:~~ 12-point type.

(c) In that section of the ballot designated for judicial offices, next to the heading “judicial” shall appear the instruction: “Vote yes or no for each office.”

(d) In the case of candidates for Justice of the Supreme Court and court of appeal, within the rectangle provided for each candidate, and immediately above each candidate’s name, there shall appear the following: “For (designation of judicial ~~office).~~” office).” There shall be as many of these headings as there are candidates for these judicial offices. No heading shall apply to more than one judicial office. Underneath each heading shall appear the words “Shall (title and name of Justice) be elected to the office for the term provided by ~~law?~~” law?”

(e) In the case of all other candidates, each group of candidates to be voted on shall be preceded by the designation of the office for which they are running,

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and the words “vote for one” or “vote for no more than two,” or more, according to the number to be nominated or elected. The designation of the office shall be printed flush with the left-hand margin in boldfaced ~~gothic~~ type not smaller than 8-point. The words, “vote for ____” shall extend to the extreme right-hand margin of the ~~column and over the voting square.~~ column. The number of candidates to be nominated or elected shall be printed in boldface type. The designation of the office and the directions for voting shall be separated from the candidates by a light line. There shall be no line between the headings for federal or legislative offices and the designation of the office and the directions for voting.

SEC. 14.**Amends Elections Code 13211.**

The names of the candidates shall be printed on the ballot, without indentation, in ~~roman~~ capital, boldface type not smaller than eight-point, ~~between light lines or rules at least three-eighths of an inch apart but no more than one-half inch apart.~~ However, in the case of candidates for President and Vice President, the lines or rules may be as much as five-eighths of an inch apart.

SEC. 15.**Amends Elections Code 13212.**

Except for a voter-nominated office at a general election, under the designation of each office shall be printed as many blank spaces, defined by light lines ~~or rules at least three-eighths of an inch apart but no more than one-half inch apart, as there are candidates to be nominated or elected to the office.~~

SEC. 16.**Amends Elections Code 13213.**

Each group of names of candidates for a particular office shall be separated from the succeeding group ~~by a three-point rule.~~ Each series of groups shall be headed by the caption “President of the United States,” “President and Vice President,” “State,” “United States Senator,” “United States Representative,” “State Senator,” “Member of the State Assembly,” “County,” or “City” or other proper general classification, as the case may be, printed in ~~boldfaced~~ boldface ~~gothic~~ capital type. Each caption shall be separated from the names of the candidates beneath ~~by a two-point line.~~

SEC. 17.**Amends Elections Code 13214.**

The left-hand side of the first column of names on the ballot and the right-hand side of the last column of voting ~~squares~~ targets on the ballot shall be bordered ~~by a six-point rule. The side edges of the ballot shall be one-half inch outside of the six-point down rule.~~ The binding or stitching of each package of ballots shall be along the top or head of the ballot. If ballots are to be used on a ballot on demand

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system or another system that prints content onto ballots, ballots are not required to be bound or stitched.

SEC. 18.

Amends Elections Code 13215.

(a) The ballots ~~shall~~ may be printed on the same leaf with a stub not over one inch in depth. The stub ~~shall~~ may be separated from the ballot by a horizontal perforated line or rule from side to side. Upon this stub shall be printed only the number of the ballot.

(b) Stubs are not required on ballots to be used on a ballot on demand system or another system that prints content onto the ballot.

SEC. 19.

Amends Elections Code 13216.

(a) On each ballot a horizontal non-solid-ruled line shall extend across the top of the ballot ~~one inch~~ below the horizontal perforated line. The same number appearing on the stub shall be printed above the horizontal, non-solid-ruled line ~~within two inches of~~ on the left side of the ballot. Above this number shall be printed in parentheses in small type as follows: "(This number shall be torn off by a precinct board member and handed to the voter.)". The words "I HAVE VOTED—HAVE YOU?" may also be printed immediately above or below the number.

(b) (1) ~~One-half inch to the right of~~ Next to the ballot number there shall be a short vertical perforated rule or line extending upward from the horizontal non-solid-ruled line to the horizontal perforated line. Immediately above this horizontal non-solid-ruled line shall be printed in boldface lowercase type, at least 12-point in size, ~~and~~ enclosed in parentheses, the following: "Fold ballot to this line leaving top margin exposed."

(2) Above this printed direction and midway between it and the top edge of the ballot shall be printed in boldface uppercase type, at least 12-point in size, ~~with the four middle words underlined or otherwise made prominent,~~ the following: "Mark ~~crosses (+) on ballot ONLY WITH RUBBER STAMP; never~~ the ballot with pen or pencil."

(3) Below this direction and midway between it and the next line shall be printed in boldface uppercase type, at least 12-point in size, enclosed in parentheses and with the first four and last five words underlined or otherwise made prominent, the following: "(VOTE BY MAIL BALLOTS MAY BE MARKED WITH PEN AND INK OR PENCIL.)"

(c) A ballot stub is not required if the information listed in subdivisions (a) and (b) is presented to the voter on a separate form accompanying the ballot.

SEC. 20.

Amends Elections Code 13216.5.

A ballot stub may be used, but is not required, for a ballot produced on demand

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if the quantity of ballots produced for the election can be reconciled by the ballot processing method used by the ~~voting system~~. system generating the ballot for use. The ballots may contain printed and distinguishing marks if secrecy in voting is protected.

SEC. 21.**Amends Elections Code 13217.**

(a) The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county, or the ballots and stubs may be numbered consecutively within each combination of congressional, senatorial, and Assembly districts in each county. In a partisan primary election, the sequence of numbers on the official ballots and stubs for each party within each county, or within each political subdivision in each county, shall begin with the number 1.

(b) In counties using vote centers, ballots may be serialized in the way that best promotes ballot accounting and with the greatest economic efficiency for the county.

SEC. 22.**Adds Elections Code 13218.**

(a) The Secretary of State shall establish a ballot design advisory committee to assist the Secretary of State to promulgate regulations that prescribe ballot design and format.

(b) The ballot design advisory committee shall consist of the Secretary of State, or the secretary's designee, and members to be appointed by the Secretary of State who are recognized ballot design experts and county elections officials or a designee of a county elections official. Each recognized ballot design expert shall have demonstrated experience with ballot design requirements and knowledge of presenting election materials to voters using plain language methods or another method that is easy for voters to access and understand.

SEC. 23.**Amends Elections Code 13219.**

When printed, all ballots shall be bound in stub books, of such size as the clerk may determine. A record of the number of ballots printed shall be kept by the officer authorizing the printing. If stubs are not used pursuant to Section 13216, ballots may be bound by another method determined by the county elections official.

SEC. 24.**Amends Elections Code 13231.**

If the elections official of any county finds it necessary in connection with the use of any approved method of vote counting, ~~he or she~~ the elections official may provide for any of the following changes in the format of ballots in one or more precincts

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at any election:

- (a) Ballots may be bound and padded at the side.
- (b) The left and right edge of ballots may be trimmed to the edge of printed material.
- (c) A series of punched holes may be provided in the upper right-hand portion of each ballot.
- (d) The ballot number may be placed at any place along the top left-hand corner of the ballot.
- (e) A cutout section, not to exceed two inches in depth, commencing at the left-hand edge of the far right column of the ballot, may be provided along the top edge of the ballot.
- (f) Press perforations may be placed between columns of the ballot, from top to bottom, to permit the folding of the ballot at each perforation.
- (g) “Yes” and “No” columns where necessary, may be as narrow as one-quarter inch wide.
- (h) The instructions to voters may be placed at the bottom of the ballot instead of at the top of the ballot, and an appropriate reference to the location of the instructions may be printed in the upper right portion of the ballot.
- (i) The ballot serial number may be placed on any position of the ballot that does not impact other required text or voting targets on the ballot card.

SEC. 25.

Amends Elections Code 13315.

(a) The officer charged with the duty of providing county voter information guides for an election at which vote by mail voter ballots may be cast shall cause to be printed on the envelope containing the county voter information guide in ~~heavy-faced~~ **boldface** ~~gothic~~ type, not smaller than 12-point, the following:

Notice: Vote By Mail Ballot Application Enclosed.

(b) This section does not apply to the envelopes mailed to vote by mail voters.

SEC. 26.

Section 3.5 of this bill incorporates amendments to Section 13119 of the Elections Code proposed by both this bill and Senate Bill 268. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 13119 of the Elections Code, and (3) this bill is enacted after Senate Bill 268, in which case Section 3 of this bill shall not become operative.

VOTER QUALIFICATIONS: RESIDENCE AND DOMICILE

Assembly Bill 679

Chapter 63

CURRENT PROVISIONS

Existing law describes the domicile of a person for voting purposes as that place in which the person's habitation is fixed, wherein the person has the intention of remaining, and to which, whenever the person is absent, the person has the intention of returning.

Existing law provides that the place where a person's family is domiciled is the person's domicile, except as specified.

Existing law provides that if a person has a family fixed in one place, and the person does business in another place, the former is the person's place of domicile. However, if the person having a family fixed in one place has taken up an abode in another place with the intention of remaining and the person's family does not so reside with the person, that other abode is the person's domicile.

NEW PROVISIONS

Clarifies that, for purposes of provisions relating to voter registration, a person may take up an abode at the same place at which the person does business.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 2028.

If a person has a family fixed in one place, and ~~he or she~~ the person does business in another place, the former is ~~his or her~~ the person's place of ~~domicile, but any~~ domicile. However, if the person having a ~~family, who~~ family fixed in one place, has taken up an abode in another place with the intention of ~~remaining~~ remaining, and ~~whose~~ the person's family does not so reside with ~~him or her,~~ the person, the person is a domiciliary where ~~he or she~~ the person has so taken up the abode. For purposes of this section, a person may take up an abode at the same place at which the person does business.

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CONDITIONAL VOTER REGISTRATION: VOTING

Assembly Bill 693

Chapter 99

CURRENT PROVISIONS

Existing law authorizes an elector who is otherwise qualified to register to vote to complete a conditional voter registration and cast a provisional ballot during the 14 days immediately preceding an election, as prescribed.

NEW PROVISIONS

Authorizes an elections official to offer a nonprovisional ballot to a conditional voter registrant if the official uses the statewide voter registration database developed in compliance with the requirements of the federal Help America Vote Act to make certain verifications before issuing the ballot and, if the registrant has been included on a roster for that election in that county, the official updates that roster to indicate that the voter has voted.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 2170.

(a) "Conditional voter registration" means a properly executed affidavit of registration that is delivered by the registrant to the county elections official during the 14 days immediately preceding an election or on election day and which may be deemed effective pursuant to this article after the elections official processes the affidavit, determines the registrant's eligibility to register, and validates the registrant's information, as specified in subdivision (c).

(b) In addition to other methods of voter registration provided by this code, an elector who is otherwise qualified to register to vote under this code and Section 2 of Article II of the California Constitution may complete a conditional voter registration and cast a provisional ~~ballot~~ ballot, or nonprovisional ballot under subdivision (f), during the 14 days immediately preceding an election or on election day pursuant to this article.

(c) (1) A conditional voter registration shall be deemed effective if the county elections official is able to determine before or during the canvass period for the election that the registrant is eligible to register to vote and that the information provided by the registrant on the registration affidavit matches information contained in a database maintained by the Department of Motor Vehicles or the federal Social Security Administration.

(2) If the information provided by the registrant on the registration affidavit cannot be verified pursuant to paragraph (1) but the registrant is otherwise eligible to vote, the registrant shall be issued a unique identification number pursuant to

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Section 2150 and the conditional voter registration shall be deemed effective.

(d) The county elections official shall offer conditional voter registration and ~~provisional~~ voting pursuant to this article, in accordance with all of the following procedures:

(1) The elections official shall provide conditional voter registration and ~~provisional~~ voting pursuant to this article at all permanent offices of the county elections official in the county.

(2) The elections official shall advise registrants that a conditional voter registration will be effective only if the registrant is determined to be eligible to register to vote for the election and the information provided by the registrant on the registration affidavit is verified pursuant to subdivision (c).

(3) The elections official shall conduct the receipt and handling of each conditional voter registration and offer and receive a corresponding ~~provisional~~ ballot in a manner that protects the secrecy of the ballot and allows the elections official to process the registration, determine the registrant's eligibility to register, and validate the registrant's information before counting or rejecting the corresponding ~~provisional~~ ballot.

(4) After receiving a conditional voter registration, the elections official shall process the registration, determine the registrant's eligibility to register, and attempt to validate the registrant's information.

(5) If a conditional registration is deemed effective, the elections official shall include the corresponding ~~provisional~~ ballot in the official canvass.

(e) The county elections official may offer conditional voter registration and ~~provisional~~ voting pursuant to this article at satellite offices of the county elections office, in accordance with the procedures specified in paragraphs (2) to (5), inclusive, of subdivision (d).

(f) An elections official may offer a nonprovisional ballot to a registrant if the official does both of the following:

(1) Uses the statewide voter registration database developed in compliance with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) to do all of the following before issuing the nonprovisional ballot:

(A) Verify that the registrant is deemed eligible to register to vote.

(B) Verify that the registrant has not voted in the state in that election.

(C) Verify that the registrant has not been included on a roster for that election in another county in the state that is not conducting elections pursuant to Section 4005.

(D) Update the voter's record to indicate that the voter has voted in that election.

(2) If the registrant has been included on a roster for that election in that county, the official updates that roster to indicate that the voter has voted and shall not be issued another nonprovisional ballot for that election.

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ELECTIONS: INITIATIVE AND REFERENDUM PETITIONS: SIGNATURE VERIFICATION

Assembly Bill 698 Chapter 14

CURRENT PROVISIONS

Existing law sets forth procedures for the verification of signatures on initiative and referendum petitions by elections officials.

NEW PROVISIONS

Prohibits the invalidation of a signature on an initiative or referendum petition because of a variation of the signature caused by the substitution of initials for the first or middle name, or both, of the person signing the petition.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 9030.

(a) Each section of the petition shall be filed with the elections official of the county or city and county in which it was circulated, but all sections circulated in any county or city and county shall be filed at the same time. Once filed, no petition section shall be amended except by order of a court of competent jurisdiction.

(b) Within eight days after the filing of the petition, excluding Saturdays, Sundays, and holidays, the elections official shall determine the total number of signatures affixed to the petition and shall transmit this information to the Secretary of State. If the total number of signatures filed with all elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient, the Secretary of State shall so notify the proponents and the elections officials, and no further action shall be taken with regard to the petition.

(c) If the number of signatures filed with all elections officials is 100 percent or more of the number of qualified voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the elections officials.

(d) Within 30 days after this notification, excluding Saturdays, Sundays, and holidays, the elections official shall determine the number of qualified voters who have signed the petition. If more than 500 names have been signed on sections of the petition filed with an elections official, the elections official shall use a random sampling technique for verification of signatures, as determined by the Secretary of State. The random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the elections official shall be given an equal opportunity to be included in the sample. The random sampling shall include an examination of at least 500 or 3 percent of the signatures, whichever is greater. In determining from the records of registration what number of qualified

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voters have signed the petition, the elections official may use any facsimiles of voters' signatures provided that the method of preparing and displaying the facsimiles complies with law. *A signature shall not be invalidated because of a variation of the signature caused by the substitution of initials for the first or middle name, or both, of the person signing the petition.*

(e) The elections official, upon the completion of the examination, shall immediately attach to the petition, except the signatures thereto appended, a properly dated certificate, showing the result of the examination, and shall immediately transmit the petition and the certificate to the Secretary of State. A copy of this certificate shall be filed in the elections official's office.

(f) If the certificates received from all elections officials by the Secretary of State establish that the number of valid signatures does not equal 95 percent of the number of qualified voters needed to find the petition sufficient, the petition shall be deemed to have failed to qualify, and the Secretary of State shall immediately so notify the proponents and the elections officials.

(g) If the certificates received from all elections officials by the Secretary of State total more than 110 percent of the number of qualified voters needed to find the petition sufficient, the Secretary of State shall certify that the measure is qualified for the ballot as provided in Section 9033.

SEC. 2.

Amends Elections Code 9031.

(a) If the statistical sampling shows that the number of valid signatures is within 95 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the Secretary of State shall order the examination and verification of the signatures filed, and shall so notify the elections officials. *A signature shall not be invalidated because of a variation of the signature caused by the substitution of initials for the first or middle name, or both, of the person signing the petition.*

(b) Within 30 days, excluding Saturdays, Sundays, and holidays, after receipt of the order, the elections official or registrar of voters shall determine from the records of registration what number of qualified voters have signed the petition and if necessary the board of supervisors shall allow the elections official or registrar additional assistance for the purpose of examining the petition and provide for their compensation. In determining from the records of registration what number of qualified voters have signed the petition, the elections official or registrar of voters may use any file or list of registered voters maintained by ~~his or her~~ their office, or the facsimiles of voters' signatures, provided that the method of preparing and displaying the facsimiles complies with law.

(c) (1) During the examination and verification of the signatures filed, the elections official or registrar of voters shall submit one or more reports to the Secretary of State showing the number of signatures of qualified voters that have been verified as of that date. The Secretary of State shall determine the number of

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reports required to be submitted and the manner of their submission.

(2) The Secretary of State shall maintain a list indicating the number of verified signatures of qualified voters who have signed the petition based on the most recent reports submitted pursuant to paragraph (1). If the Secretary of State determines, prior to each county's completing the examination of each signature filed, that based on the list the petition is signed by the requisite number of voters needed to declare the petition sufficient, the Secretary of State shall immediately notify the elections official or registrar of voters of every county or city and county in the state of this fact. Immediately after receipt of this notification, the elections official or registrar of voters may suspend signature verification until receipt of a certificate pursuant to Section 9033 or until otherwise instructed by the Secretary of State.

(d) The elections official or registrar, upon the completion of the examination or notification pursuant to paragraph (2) of subdivision (c), shall immediately attach to the petition, except the signatures thereto appended, an amended certificate properly dated, showing the result of the examination and shall immediately transmit the petition, together with the amended certificate, to the Secretary of State. A copy of the amended certificate shall be filed in the elections official's office.

(e) (1) If the amended certificates establish the petition's sufficiency, the Secretary of State shall certify that the measure is qualified for the ballot as provided in Section 9033.

(2) If the amended certificates received from all elections officials by the Secretary of State establish that the petition has still been found insufficient, the Secretary of State shall immediately so notify the proponents and the elections officials.

SEC. 3.

Amends Elections Code 9114.

Except as provided in Section 9115, within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, the elections official shall examine the petition, and from the records of registration ascertain whether or not the petition is signed by the requisite number of voters. A certificate showing the results of this examination shall be attached to the petition.

In determining the number of valid signatures, the elections official may check the signatures against facsimiles of voters' signatures provided that the method of preparing and displaying the facsimiles complies with law. *A signature shall not be invalidated because of a variation of the signature caused by the substitution of initials for the first or middle name, or both, of the person signing the petition.*

The elections official shall notify the proponents of the petition as to the sufficiency or insufficiency of the petition.

If the petition is found insufficient, no further action shall be taken. However, the failure to secure sufficient signatures, shall not preclude the filing of a new petition

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on the same subject, at a later date.

If the petition is found sufficient, the elections official shall certify the results of the examination to the board of supervisors at the next regular meeting of the board.

SEC. 4.

Amends Elections Code 9115.

(a) Within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, if, from the examination of petitions pursuant to Section 9114 shows that more than 500 signatures have been signed on the petition, the elections official may use a random sampling technique for verification of signatures. The random sample of signatures to be verified shall be drawn so that every signature filed with the elections official shall be given an equal opportunity to be included in the sample. The random sampling shall include an examination of at least 500, or 3 percent of the signatures, whichever is greater. *A signature shall not be invalidated because of a variation of the signature caused by the substitution of initials for the first or middle name, or both, of the person signing the petition.*

(b) If the statistical sampling shows that the number of valid signatures is within 95 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the elections official shall, within 60 days from the date of the filing of the petition, excluding Saturdays, Sundays, and holidays, examine and verify the signatures filed. If the elections official determines, prior to completing the examination of each signature filed, that the petition is signed by the requisite number of qualified voters to declare the petition sufficient, the elections official may terminate the verification of the remaining unverified signatures.

(c) In determining from the records of registration, what number of valid signatures are signed on the petition, the elections official may check the signatures against facsimiles of voters' signatures, provided that the method of preparing and displaying the facsimiles complies with law.

(d) The elections official shall attach to the petition a certificate showing the result of this examination and shall notify the proponents of either the sufficiency or insufficiency of the petition.

(e) If the petition is found insufficient, no action shall be taken on the petition. However, the failure to secure sufficient signatures shall not preclude the filing later of an entirely new petition to the same effect.

(f) If the petition is found to be sufficient, the elections official shall certify the results of the examination to the board of supervisors at the next regular meeting of the board.

SEC. 5.

Amends Elections Code 9308.

(a) Except as provided in Section 9309, within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, the district

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elections official shall examine the petition, and from the records of registration ascertain whether the petition is signed by the requisite number of voters. A certificate showing the results of this examination shall be attached to the petition.

(b) In determining the number of valid signatures, the district elections official may check the signatures against facsimiles of voters' signatures, provided that the method of preparing and displaying the facsimiles complies with law. A signature shall not be invalidated because of a variation of the signature caused by the substitution of initials for the first or middle name, or both, of the person signing the petition.

(c) The district elections official shall notify the proponents of the petition as to the sufficiency or insufficiency of the petition.

(d) If the petition is found insufficient, no further action shall be taken. However, the failure to secure sufficient signatures, shall not preclude the filing of a new petition on the same subject, at a later date.

(e) If the petition is found sufficient, the district elections official shall certify the results of the examination to the governing board of the district at the next regular meeting of the board.

SEC. 6.

Amends Elections Code 9309.

(a) Within 30 days from the date of filing of the petition, excluding Saturdays, Sundays, and holidays, if, from the examination of petitions pursuant to Section 9308, more than 500 signatures have been signed on the petition, the district elections official may use a random sampling technique for verification of signatures. The random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the elections official shall be given an equal opportunity to be included in the sample. A random sampling shall include an examination of at least 500 or 3 percent of the signatures, whichever is greater. A signature shall not be invalidated because of a variation of the signature caused by the substitution of initials for the first or middle name, or both, of the person signing the petition.

(b) If the statistical sampling shows that the number of valid signatures is within 95 to 110 percent of the number of signatures of qualified voters needed to declare the petition sufficient, the district elections official, within 60 days from the date of the filing of the petition, excluding Saturdays, Sundays, and holidays, shall examine and verify each signature filed.

(c) In determining from the records of registration, what number of valid signatures are signed on the petition, the district elections official may check the signatures against facsimiles of voters' signatures, provided that the method of preparing and displaying the facsimiles complies with law.

(d) The district elections official shall attach to the petition, a certificate showing the result of this examination, and shall notify the proponents of either the sufficiency or insufficiency of the petition.

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(e) If the petition is found insufficient, no action shall be taken on the petition. However, the failure to secure sufficient signatures shall not preclude the filing later of an entirely new petition to the same effect.

(f) If the petition is found to be sufficient, the district elections official shall certify the results of the examination to the governing board of the district at the next regular meeting of the board.

ELECTIONS: DECEPTIVE AUDIO OR VISUAL MEDIA

Assembly Bill 730 Chapter 493

CURRENT PROVISIONS

Existing law prohibits a person or specified entity from, with actual malice, producing, distributing, publishing, or broadcasting campaign material, as defined, that contains (1) a picture or photograph of a person or persons into which the image of a candidate for public office is superimposed or (2) a picture or photograph of a candidate for public office into which the image of another person or persons is superimposed, unless the campaign material contains a specified disclosure.

NEW PROVISIONS

Prohibits a person, committee, or other entity, within a certain number of days of an election at which a candidate for elective office will appear on the ballot, from distributing with actual malice materially deceptive audio or visual media of the candidate with the intent to injure the candidate's reputation or to deceive a voter into voting for or against the candidate, unless the media includes a disclosure stating that the media has been manipulated.

SECTIONS AFFECTED:

SECTION 1.

Amends Code of Civil Procedure 35.

(a) Proceedings in cases involving the registration or denial of registration of voters, the certification or denial of certification of candidates, the certification or denial of certification of ballot measures, ~~and election contests~~ contests, and actions under Section 20010 of the Elections Code shall be placed on the calendar in the order of their date of filing and shall be given precedence.

(b) 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.

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SEC. 2.**Adds Code of Civil Procedure 35.**

(a) Proceedings in cases involving the registration or denial of registration of voters, the certification or denial of certification of candidates, the certification or denial of certification of ballot measures, and election contests shall be placed on the calendar in the order of their date of filing and shall be given precedence.

(b) This section shall become operative January 1, 2023.

SEC. 3.**Amends Elections Code 20010.**

(a) Except as provided in subdivision (b), ~~no~~ a person, firm, association, corporation, campaign committee, or organization ~~may~~; shall not, with actual malice, produce, distribute, publish, or broadcast campaign material that contains (1) a picture or photograph of a person or persons into which the image of a candidate for public office is superimposed or (2) a picture or photograph of a candidate for public office into which the image of another person or persons is superimposed. "Campaign material" includes, but is not limited to, any printed matter, advertisement in a newspaper or other periodical, television commercial, or computer image. For purposes of this section, "actual malice" means the knowledge that the image of a person has been superimposed on a picture or photograph to create a false representation, or a reckless disregard of whether or not the image of a person has been superimposed on a picture or photograph to create a false representation.

(b) A person, firm, association, corporation, campaign committee, or organization may produce, distribute, publish, or broadcast campaign material that contains a picture or photograph prohibited by subdivision (a) only if each picture or photograph in the campaign material includes the following statement in the same point size type as the largest point size type used elsewhere in the campaign material: "This picture is not an accurate representation of fact." The statement shall be immediately adjacent to each picture or photograph prohibited by subdivision (a).

(c) (1) Any registered voter may seek a temporary restraining order and an injunction prohibiting the publication, distribution, or broadcasting of any campaign material in violation of this section. Upon filing a petition under this section, the plaintiff may obtain a temporary restraining order in accordance with Section 527 of the Code of Civil Procedure.

(2) A candidate for public office whose likeness appears in a picture or photograph prohibited by subdivision (a) may bring a civil action against any person, firm, association, corporation, campaign committee, or organization that produced, distributed, published, or broadcast the picture or photograph prohibited by subdivision (a). The court may award damages in an amount equal to the cost of producing, distributing, publishing, or broadcasting the campaign material that violated this section, in addition to reasonable attorney's fees and costs.

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(d) (1) This ~~act shall~~ section does not apply to a holder of a license granted pursuant to the federal Communications Act of 1934 (47 U.S.C. Sec. 151 et seq.) in the performance of the functions for which the license is granted.

(2) This ~~act shall~~ section does not apply to the publisher or an employee of a newspaper, magazine, or other periodical that is published on a regular basis for any material published in that newspaper, magazine, or other periodical. For purposes of this subdivision, a “newspaper, magazine, or other periodical that is published on a regular basis” ~~shall~~ does not include any newspaper, magazine, or other periodical that has as its primary purpose the publication of campaign advertising or communication, as defined by Section 304.

(e) This section shall become operative on January 1, 2023.

SEC. 4.

Adds Elections Code 20010.

(a) Except as provided in subdivision (b), a person, committee, as defined in Section 82013 of the Government Code, or other entity shall not, within 60 days of an election at which a candidate for elective office will appear on the ballot, distribute, with actual malice, materially deceptive audio or visual media, as defined in subdivision (e), of the candidate with the intent to injure the candidate's reputation or to deceive a voter into voting for or against the candidate.

(b) (1) The prohibition in subdivision (a) does not apply if the audio or visual media includes a disclosure stating: “This _____ has been manipulated.”

(2) The blank in the disclosure required by paragraph (1) shall be filled with whichever of the following terms most accurately describes the media:

(A) Image.

(B) Video.

(C) Audio.

(3) (A) For visual media, the text of the disclosure shall appear in a size that is easily readable by the average viewer and no smaller than the largest font size of other text appearing in the visual media. If the visual media does not include any other text, the disclosure shall appear in a size that is easily readable by the average viewer. For visual media that is video, the disclosure shall appear for the duration of the video.

(B) If the media consists of audio only, the disclosure shall be read in a clearly spoken manner and in a pitch that can be easily heard by the average listener, at the beginning of the audio, at the end of the audio, and, if the audio is greater than two minutes in length, interspersed within the audio at intervals of not greater than two minutes each.

(c) (1) A candidate for elective office whose voice or likeness appears in a materially deceptive audio or visual media distributed in violation of this section may seek injunctive or other equitable relief prohibiting the distribution of audio or visual media in violation of this section. An action under this paragraph shall be entitled to precedence in accordance with Section 35 of the Code of Civil

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Procedure.

(2) A candidate for elective office whose voice or likeness appears in a materially deceptive audio or visual media distributed in violation of this section may bring an action for general or special damages against the person, committee, or other entity that distributed the materially deceptive audio or visual media. The court may also award a prevailing party reasonable attorney's fees and costs. This subdivision shall not be construed to limit or preclude a plaintiff from securing or recovering any other available remedy.

(3) In any civil action alleging a violation of this section, the plaintiff shall bear the burden of establishing the violation through clear and convincing evidence.

(d) (1) This section shall not be construed to alter or negate any rights, obligations, or immunities of an interactive service provider under Section 230 of Title 47 of the United States Code.

(2) This section does not apply to a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, that broadcasts materially deceptive audio or visual media prohibited by this section as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage of bona fide news events, if the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the materially deceptive audio or visual media.

(3) This section does not apply to a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, when it is paid to broadcast materially deceptive audio or visual media.

(4) This section does not apply to an internet website, 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, and that publishes materially deceptive audio or visual media prohibited by this section, if the publication clearly states that the materially deceptive audio or visual media does not accurately represent the speech or conduct of the candidate.

(5) This section does not apply to materially deceptive audio or visual media that constitutes satire or parody.

(e) As used in this section, "materially deceptive audio or visual media" means an image or an audio or video recording of a candidate's appearance, speech, or conduct that has been intentionally manipulated in a manner such that both of the following conditions are met:

(1) The image or audio or video recording would falsely appear to a reasonable person to be authentic.

(2) The image or audio or video recording would cause a reasonable person to have a fundamentally different understanding or impression of the expressive content of the image or audio or video recording than that person would

have if the person were hearing or seeing the unaltered, original version of the image or audio or video recording.

(f) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(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.

PUBLIC POSTSECONDARY EDUCATION: STUDENT CIVIC AND VOTER EMPOWERMENT ACT

Assembly Bill 963 Chapter 559

CURRENT PROVISIONS

Existing law establishes the California Community Colleges, the California State University, and the University of California as the 3 segments of public postsecondary education in this state. The missions and functions of these segments are set forth in the Donahoe Higher Education Act.

The Student Voter Registration Act of 2003 requires the Secretary of State to annually provide every high school and University of California campus, and authorizes the Secretary of State to annually provide every community college and California State University campus, with voter registration forms, as specified.

The act also requires the California State University and the California Community Colleges to implement a process and the infrastructure to allow a person who enrolls online at the institution to submit an affidavit of voter registration electronically on the internet website of the Secretary of State.

The act encourages the University of California to comply with this provision.

NEW PROVISIONS

Establishes the Student Civic and Voter Empowerment Program to be conducted by the Secretary of State, in partnership with the State Community Colleges, the State University, and the University of the State. Requires the State Community Colleges and the State University, and requests the University of the State, to distribute campus wide emails to students with specified voting and election related dates and information to include specified dates to all students with specified dates on all calendars.

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SECTIONS AFFECTED:

SECTION 1.

(a) The Legislature finds and declares both of the following:

(1) Public postsecondary education institutions in California are voter registration agencies for the purposes of the National Voter Registration Act of 1993 and as such are charged with specified voter registration responsibilities pursuant to Chapter 6 of Division 2 of the Elections Code.

(2) The Secretary of State is the chief elections officer for California and is required, pursuant to subparagraph (D) of paragraph (1) of subdivision (b) of Section 10 of the Elections Code, to make efforts to promote civic learning and engagement to prepare students to register to vote and to vote.

(b) It is the intent of the Legislature to establish clear pathways for the Secretary of State to assist public postsecondary education institutions in meeting the voter registration and participation objectives set forth in the Elections Code.

SEC. 2.

CHAPTER 10.5.

Adds Education Code 66850.

This chapter shall be known, and may be cited, as the Student Civic and Voter Empowerment Act.

Adds Education Code 66851.

(a) Beginning January 1, 2020, the Secretary of State, in partnership with the California Community Colleges, the California State University, and the University of California, shall conduct a program to be known as the Student Civic and Voter Empowerment Program.

(b) The Secretary of State shall evaluate and report to the Legislature, on or before January 1, 2021, and annually thereafter, the results of the program, including the number of students who registered as a result of the program, statistics relating to the outcome of the program, and any other benefits or problems that arose for the program.

Adds Education Code 66852.

Each campus of the California Community Colleges and the California State University shall, and each campus of the University of California is requested to, do all of the following:

(a) (1) In consultation with the Secretary of State, during the first month of each academic semester or quarter, distribute campuswide emails to all students providing the following civic and election dates and information:

(A) National Voter Registration Day, held annually on the fourth Tuesday in September.

(B) The last day to register to vote online or to register to vote by mail or

in person.

(C) The date when a county may begin to offer early voting at the office of the elections official or at a satellite location, pursuant to Section 3018 of the Elections Code, and a statement that the date, times, and locations for early voting and conditional voter registration may be confirmed on the internet website of the Secretary of State or at the county elections office.

(D) The primary and general election dates as provided in Chapter 4 of Division 0.5 of the Elections Code and Division 1 of the Elections Code.

(E) A statement that, pursuant to Chapter 1 of Division 3 of the Elections Code, a voter may apply to vote by mail at any time until after the seventh day prior to an election, and that a vote by mail voter may vote in person at the office of the county elections official or at a satellite location established by the county elections official on or before the day of the election.

(F) A link to the internet web page for the Secretary of State's Students Vote Project, established pursuant to Section 2148.5 of the Elections Code.

(2) In consultation with the Secretary of State, one month before each statewide election, distribute by campuswide emails to all students the dates and information specified in subparagraphs (A) through (F) of paragraph (1) and an internet website address link or unique Uniform Resource Locator (URL) link furnished by the Secretary of State's office providing all of the following election information:

(A) The Secretary of State's internet web page for online voter registration. That website shall include a statement providing the information specified in subparagraph (B) of paragraph (1).

(B) The Secretary of State's internet website address for election information.

(C) The Secretary of State's internet website address for the most current voter information guide, required to be prepared pursuant to Section 9082.7 of the Elections Code.

(D) The Secretary of State's internet website address for the voter registration status tool, or a similar web page that directs the recipient to voter or election information for the county of the recipient.

(E) A disclaimer stating all of the following:

(i) That the civic and election information provided applies to the county where the campus is located.

(ii) That election information varies by county.

(iii) That recipients of the email are encouraged to check the internet website containing the Secretary of State's voter registration status tool, or a similar web page, to find election information for the county where the recipient's voter registration is active.

(3) Include in both printed and electronic academic calendars the dates specified in subparagraphs (A), (B), (C), and (D) of paragraph (1).

(b) (1) Post on social media reminders to students, at least one day before

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each event occurs unless specified otherwise, of all of the following:

(A) The early voting and conditional voter registration information specified in subparagraph (C) of paragraph (1) of subdivision (a).

(B) Election day, including a reminder the day before and the day of the election. The reminders shall state that a qualified voter may register to vote on the day of the election, if necessary, at a conditional voter registration site established by the voter's county elections official.

(C) After the emails required by paragraph (2) of subdivision (a) are sent, the voter information guide and county sample ballot information provided in that email.

(2) For the purposes of this subdivision, the social media content can be furnished, or requested, by the Secretary of State.

(c) (1) Designate one person per campus to act as a Civic and Voter Empowerment Coordinator, who shall do all of the following:

(A) Implement the requirements of this section.

(B) Ensure that, in every academic year, each campus holds a minimum of three election outreach events to increase civic learning, democratic participation, civic engagement, and voter turnout consistent with all of the following:

(i) During an academic term in each even-numbered year, an outreach event shall occur within the final 30 days preceding each statewide primary and general election.

(ii) All students shall be invited to participate in the coordination of and to attend these events.

(iii) All events may be sponsored by a campus-based student organization.

(C) Develop a Civic and Voter Empowerment Action Plan consistent with all of the following:

(i) The coordinator shall invite leadership from faculty and students, and administrators from each of student affairs, academic affairs, and government relations or a similar office to participate in a meeting or meetings to develop the action plan.

(ii) The action plan shall include, but not necessarily be limited to, a campus-specific effort to increase civic learning and democratic participation, with an emphasis on civic engagement, voter turnout, and community building.

(iii) Students shall be invited to develop the action plan and to coordinate the meeting or meetings to develop the action plan.

(D) The coordinator shall share the action plan developed pursuant to subparagraph (C) with the Secretary of State no later than December 1, 2020, for inclusion in the report to the Legislature submitted pursuant to subdivision (b) of Section 66851. The action plan shall be periodically updated and resubmitted to the Secretary of State, as determined necessary by the coordinator.

(2) The Civic and Voter Empowerment Coordinator shall be nonpartisan.

SEC. 3.**Adds Elections Code 2148.5.**

(a) The Secretary of State shall promote and seek to improve student voter registration rates and participation by developing a Students Vote Project to implement the requirements of Section 66852 of the Education Code.

(b) Through the Students Vote Project, the Secretary of State shall provide to the California Community Colleges, the California State University, and the University of California, or campuses thereof, the materials and resources required by Section 66852 of the Education Code, including print calendars with civic- and election-related dates.

(c) The Secretary of State shall establish and maintain an internet web page for the Students Vote Project, which shall include the dates and information required to be distributed pursuant to paragraphs (1) and (2) of subdivision (a) of Section 66852 of the Education Code.

SEC. 4.

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.

MAINTENANCE OF THE CODES

Assembly Bill 991**Chapter 497****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. 101.****Amends Elections Code 3019.5.**

(a) A county elections official shall establish a free access system that allows a vote by mail voter to learn if ~~his or her~~ the voter's vote by mail ballot was counted and, if not, the reason why the ballot was not counted. For each election, the elections official shall make the free access system available to a vote by mail

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voter upon completion of the official canvass and for 30 days after completion of the official ~~canvass~~ canvass.

(b) For purposes of establishing the free access system for vote by mail ballots required by subdivision (a), a county elections official may use the free access system for provisional ballots established by the county pursuant to Section 302 of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 21082).

(c) If a county elections official elects not to mail a county voter information guide to a voter pursuant to Section 13305, the elections official shall use any savings achieved to offset the costs associated with establishing the free access system for vote by mail ballots required by subdivision (a).

**SEC. 102.
Amends Elections Code 6768.**

The declaration of a candidate for delegate shall be in substantially the following form:

~~(Signed)~~

Declaration of Candidate for Delegate

State of California
County of

	}	
	}	ss.

I, _____, reside and am a registered voter at
_____ (street address) _____,
in the (city or town) of _____,
in the County of _____, State of California.

I desire to be a candidate, at the presidential primary to be held on the ____ day of _____, 20__, for delegate to the next national convention of the ____ Party with which the Peace and Freedom Party of California is affiliated on the national level and I will qualify as a delegate if elected.

I personally prefer _____ as the nominee of the Peace and Freedom Party for President of the United States, and hereby declare to the voters of the Peace and Freedom Party in the State of California that if elected as delegate to the national party convention, I shall to the best of my judgment and ability, support _____ as the nominee of the Peace and Freedom Party for President of the United

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States. (This statement of preference shall be omitted where the candidate for delegate is part of a group not expressing a preference for a particular presidential candidate.)

I declare under penalty of perjury that the foregoing is true and correct.

Executed at _____, California, this ____ day of _____, 20__.

_____ (Signed)

SEC. 103.

Amends Elections Code 8106.5.

(a) Notwithstanding paragraph (3) of subdivision (b) of Section 8106, if the last day to file in-lieu-filing-fee petitions pursuant to that paragraph for a special election to fill a vacancy occurs before the vacancy begins, or before the Governor calls the special election by issuing a proclamation pursuant to Section 10700, the following apply:

(1) If the nomination period for the special election is 12 days or more, the in-lieu-filing-fee petitions shall be filed at least 9 days before the close of the nomination period. Within 3 days after receipt of a petition, the elections official shall notify the candidate of any deficiency. The candidate shall then, at the time of obtaining nomination forms, pay a pro rata portion of the filing fee to cover the deficiency.

(2) If the nomination period for the special election is 11 days or less, the Secretary of State shall set the time for filing in-lieu-filing-fee petitions and the time by which the elections official shall notify the candidate of any deficiency. If there is a deficiency, the candidate shall, at the time of obtaining nomination forms, pay a pro rata portion of the filing fee to cover the deficiency.

(b) If the number of days for a candidate to collect signatures on a petition in lieu of a filing fee for a special election that is held to fill a vacancy is less than the number of days that a candidate would have to collect signatures on a petition for a regular election for the same office, the elections official shall reduce the required number of signatures for the petition, as specified in subdivision (a) of Section 8106, by the same proportion as the reduction in time for the candidate to collect signatures.

(c) Notwithstanding subdivision (b), the number of signatures required on an in-lieu-filing-fee petition for a special election held to fill a vacancy in the office of Representative in Congress, ~~state~~ State Senator, or Member of the Assembly shall be not less than 100.

SEC. 104.

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

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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 proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than 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.

(2) After all draft maps are drawn, the political subdivision shall publish and make available for release at least one draft map and, if members of the governing body of the political subdivision will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections. The political subdivision shall also hold at least two additional hearings over a period of no more than 45 days, at which the public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. The first version of a draft map shall be published at least seven days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven days before being adopted.

(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, and it shall take into account the preferences expressed by members of the districts.

(c) This section applies to, but is not limited to, a proposal that is required due to a court-imposed change from an at-large method of election to a district-based election.

(d) For purposes of this section, the following terms have the following meanings:

(1) "At-large method of election" has the same meaning as set forth in subdivision (a) of Section 14026.

(2) "District-based election" has the same meaning as set forth in subdivision (b) of Section 14026.

(3) "Political subdivision" has the same meaning as set forth in subdivision (c) of Section 14026.

(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 of 2001.

(2) A prospective plaintiff shall not commence an action to enforce

Sections 14027 and 14028 within 45 days of the political subdivision's receipt of the written notice described in paragraph (1).

(3) (A) Before receiving a written notice described in paragraph (1), or within 45 days of receipt of a notice, a political subdivision may pass a resolution outlining its intention to transition from at-large to district-based elections, specific steps it will undertake to facilitate this transition, and an estimated ~~time frame~~ timeframe for doing so.

(B) If a political subdivision passes a resolution pursuant to subparagraph (A), a prospective plaintiff shall not commence an action to enforce Sections 14027 and 14028 within 90 days of the resolution's passage.

(C) (i) A political subdivision and the prospective plaintiff who first sends a notice pursuant to paragraph (1) may enter into a written agreement to extend the time period described in subparagraph (B) for up to an additional 90 days in order to provide additional time to conduct public outreach, encourage public participation, and receive public input. The written agreement shall include a requirement that the district boundaries be established no later than six months before the political subdivision's next regular election to select governing board members. However, in a political subdivision that holds a primary election as part of its process for selecting governing board members, the written agreement shall include a requirement that district boundaries be established no later than six months before the political subdivision's next regular primary election.

(ii) No later than 10 days after a political subdivision enters into a written agreement pursuant to clause (i), the political subdivision shall prepare and make available on its ~~Internet Web site~~ internet website a tentative schedule of the public outreach events and the public hearings held pursuant to this section. If a political subdivision does not maintain an ~~Internet Web site~~, internet website, the political subdivision shall make the tentative schedule available to the public upon request.

(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).

(2) If more than one prospective plaintiff is entitled to reimbursement, the political subdivision shall reimburse the prospective plaintiffs in the order in which

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they sent a written notice pursuant to paragraph (1) of subdivision (e), and the 45-day time period described in paragraph (1) shall apply only to reimbursement of the first prospective plaintiff who sent a written notice. The cumulative amount of reimbursements to all prospective plaintiffs 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, United States city average, as published by the United States Department of Labor.

SEC. 105.

Amends Elections Code 13102.

(a) All voting shall be by ballot. There shall be provided, at each polling place, at each election at which public officers are to be voted for, but one form of ballot for all candidates for public office, except that, for partisan primary elections, one form of ballot shall be provided for each qualified political party as well as one form of nonpartisan ballot, in accordance with subdivision (b).

(b) At partisan primary elections, each voter not registered disclosing a preference ~~with~~ for any one of the political parties participating in the election shall be furnished only a nonpartisan ballot, unless ~~he or she~~ the voter requests a ballot of a political party and that political party, by party rule duly noticed to the Secretary of State, authorizes a person who has declined to disclose a party preference to vote the ballot of that political party. The nonpartisan ballot shall contain only the names of all candidates for nonpartisan offices, voter-nominated offices, and measures to be voted for at the primary election. Each voter registered as preferring a political party participating in the election shall be furnished only a ballot for which ~~he or she~~ the voter disclosed a party preference in accordance with Section 2151 or 2152 and the nonpartisan ballot, both of which shall be printed together as one ballot in the form prescribed by Section 13207.

(c) A political party may adopt a party rule in accordance with subdivision (b) that authorizes a person who has declined to disclose a party preference to vote the ballot of that political party at the next ensuing partisan primary election. The political party shall notify the party chair immediately upon adoption of that party rule. The party chair shall provide written notice of the adoption of that rule to the Secretary of State not later than the 135th day ~~prior to~~ before the partisan primary election at which the vote is authorized.

(d) The county elections official shall maintain a record of which political party's ballot was requested pursuant to subdivision (b), or whether a nonpartisan ballot was requested, by each person who declined to disclose a party preference. The record shall be made available to any person or committee who is authorized to receive copies of the printed ~~indexes of registration~~ roster for primary and general elections pursuant to Section 2184. A record produced pursuant to this subdivision shall be made available in either a printed or electronic format, as

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requested by the authorized person or committee.

SEC. 106.

Amends Elections Code 14201.

(a) In counties and precincts where the Secretary of State has determined that it is appropriate, the county elections official shall provide facsimile copies of the 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. Facsimile ballots shall also be printed in other languages and 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 if it is appropriate to 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 residents of a particular county or precinct, or if interested citizens or organizations provide the Secretary of State with information 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 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.

(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 the voter's 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~~ roster shall inform voters of the existence of the

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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 official shall provide information on the county elections ~~Internet Web site~~ internet website 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~~ internet website 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 (a) and (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 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 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.), in lieu of providing facsimile copies of the ballot in any language required under subdivision (a), need not comply with subdivisions (c), (d), and (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. 107.

Amends Elections Code 21003.

(a) (1) Not sooner than April 1, 2020, and not later than July 1, 2020, the Department of Corrections and Rehabilitation shall furnish to the Legislature and the Citizens Redistricting Commission, in the form of a single electronic file for each database maintained by the Department, information regarding each inmate incarcerated in a state correctional facility on April 1, 2020. For purposes of this section, a "state correctional facility" means a facility under the control of the

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Department of Corrections and Rehabilitation.

(2) The information furnished by the Department of Corrections and Rehabilitation pursuant to paragraph (1) shall include the following for each inmate:

(A) A unique identifier, other than the inmate's name or Department of Corrections and Rehabilitation number.

(B) Any information maintained by the Department of Corrections and Rehabilitation about the residential address or addresses at which the inmate was domiciled before the inmate's most current term of incarceration, including any available information about the date on which each address was added to records maintained by the Department. If the Department of Corrections and Rehabilitation does not have any residential address information for an inmate, the information furnished by the Department shall state that fact.

(C) The inmate's ethnicity, as identified by the inmate, and the inmate's race, to the extent such information is maintained by the Department of Corrections and Rehabilitation.

(D) The address of the state correctional facility where the inmate is incarcerated on the decennial Census Day.

(3) In 2030 and in each year ending in the number zero thereafter, the Department of Corrections and Rehabilitation shall furnish, in the form of a single electronic file for each database maintained by the Department, the information specified in paragraphs (1) and (2) for each inmate incarcerated in a state correctional facility on the decennial Census Day to the Legislature and the Citizens Redistricting Commission not sooner than the decennial Census Day and not later than 90 days thereafter.

(4) The Department of Corrections and Rehabilitation shall exclude all inmates in federal custody in a facility within California from the information furnished pursuant to this section.

(b) In order to comply with its obligation to ensure that a complete and accurate computerized database is available for redistricting in accordance with subdivision (b) of Section 8253 of the Government Code, the Legislature, in coordination with the Citizens Redistricting Commission, shall ensure that the information provided by the Department of Corrections and Rehabilitation pursuant to subdivision (a) is included in that computerized database.

(c) Notwithstanding subdivision (b), and regardless of the form in which the information is furnished by the Department of Corrections and Rehabilitation, the Legislature or the Citizens Redistricting Commission shall not publish information regarding the race, ethnicity, or prior residential addresses of specific inmates.

(d) Consistent with Section 2025, the Legislature hereby requests the Citizens Redistricting Commission to deem each incarcerated person as residing at ~~his or her~~ that person's last known place of residence, rather than at the institution of ~~his or her~~ that person's incarceration, and to use the information furnished to it pursuant to subdivision (a) in carrying out its redistricting responsibilities under Article XXI of the California Constitution. The Legislature also requests the Citizens

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Redistricting Commission to do all of the following when it uses information regarding inmates that is furnished pursuant to this section:

(1) Deem an inmate incarcerated in a state correctional facility for whom the last known place of residence is either outside California or cannot be determined, or an inmate in federal custody in a facility within California, to reside at an unknown geographical location in the state and exclude the inmate from the population count for any district, ward, or precinct.

(2) Adjust race and ethnicity data in districts, wards, and precincts that contain prisons in a manner that reflects reductions in the local population as inmates are included in the population count of the district, ward, or precinct of their last known place of residence and, to the extent practicable, those deemed to reside at an unknown geographic location.

(e) For purposes of this section, “last known place of residence” means the most recent residential address of an inmate before the inmate’s most current term of incarceration that is sufficiently specific to be assigned to a census block, as determined from information furnished by the Department of Corrections and Rehabilitation in accordance with this section. In the case of an inmate for whom residential address information is available but is not sufficiently specific to allow the address to be assigned to a census block, the “last known place of residence” means a ~~randomly determined~~ *randomly determined* census block located within the smallest geographical area that can be identified based on the residential address information furnished by the Department of Corrections and Rehabilitation.

ELECTIONS: SECRETARY OF STATE

Assembly Bill 1044 Chapter 106

CURRENT PROVISIONS

Existing law requires that an application for voter registration information available pursuant to law and maintained by the Secretary of State or by the elections official of any county be made pursuant to specified requirements.

Existing law requires a person or entity who has received voter registration information pursuant to these provisions, following discovery or notification of a breach in the security of the storage of the information, to disclose the breach in security to the Secretary of State.

Existing law requires the Secretary of State to adopt regulations describing best practices for storage and security of voter registration information received by an applicant.

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Existing law authorizes the Secretary of State to require elections officers to make reports concerning elections in their jurisdictions.

NEW PROVISIONS

Authorizes the Secretary of State to require an applicant to take a training course regarding data security as a condition for the receipt of voter registration information if that course is made available to the applicant at no cost to the applicant.

Clarifies that required reports by elections officers may include information about the identity of, and contact information for, the elections official who is responsible for conducting elections in the jurisdiction.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 2188.2.

(a) The Secretary of State shall adopt regulations that describe the best practices for storage and security of voter registration information received by an applicant pursuant to Section 2188.

(b) The Secretary of State may require an applicant to take a training course regarding data security as a condition for the receipt of voter registration information if that course is made available to the applicant at no cost to the applicant.

SEC. 2.

Amends Government Code 12172.5.

(a) The Secretary of State is the chief elections officer of the state, and shall administer the provisions of the Elections Code. The Secretary of State shall see that elections are efficiently conducted and that state election laws are enforced. The Secretary of State may require elections officers to make reports concerning elections in their ~~jurisdictions~~ jurisdictions, which may include information about the identity of, and contact information for, the elections official who is responsible for conducting elections in the jurisdiction.

(b) If, at any time, the Secretary of State concludes that state election laws are not being enforced, the Secretary of State shall call the violation to the attention of the district attorney of the county or to the Attorney General. In these instances, the Secretary of State may assist the county elections officer in discharging ~~his or her~~ the officer's duties.

(c) In order to determine whether an elections law violation has occurred, the Secretary of State may examine voted, unvoted, spoiled and canceled ballots, vote-counting computer programs, vote by mail ballot envelopes and applications, and supplies referred to in Section 14432 of the Elections Code. The Secretary of State may also examine any other records of elections officials as ~~he or~~

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~~she~~ the Secretary of State finds necessary in making ~~his or her~~ determination, a determination under this subdivision, subject to the restrictions set forth in Section 6253.5.

(d) The Secretary of State may adopt regulations to assure the uniform application and administration of state election laws.

POLLING PLACES: HANDHELD DEVICES

Assembly Bill 1707 Chapter 561

CURRENT PROVISIONS

Existing law sets forth various restrictions relating to permissible conduct at polling places, including, among others, that a person is prohibited from photographing, video recording, or otherwise recording a voter entering or exiting a polling place with the intent of dissuading another person from voting, as specified.

NEW PROVISIONS

Provides that a voter or any other person may not be prohibited from using an electronic device, including a smartphone, tablet, or other handheld device, at a polling place provided that the use of the device does not result in a violation of other provisions of law.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 2302.

A voter or any other person shall not be prohibited from using an electronic device, including a smartphone, tablet, or other handheld device, at a polling place provided that the use of the device does not result in a violation of Section 14221, 14224, 14291, 18370, 18502, 18540, 18541, or any other provision of this code.

ELECTIONS

Assembly Bill 1829 Chapter 562

CURRENT PROVISIONS

Existing law establishes election dates, including on the first Tuesday after the first Monday in March of each year.

Existing law provides procedures for the circulation of candidate nomination documents and initiative and referendum petitions for signatures and requires the documents and petitions to be filed with county elections officials, as specified.

Existing law requires a candidate for public office to submit a declaration of candidacy, in order to appear on a ballot, nomination papers signed by registered voters, and a filing fee with the Secretary of State or a county elections official, depending on the office sought.

Existing law authorizes a candidate to submit a petition containing a specified number of signatures of registered voters in lieu of a filing fee.

Existing law requires public officers to take and subscribe the oath or affirmation set forth in the California Constitution before entering on the duties of office. Candidates for district elections must also take this oath when filing the declaration of candidacy.

Existing law requires the county elections official or district secretary, or a person designated by the county elections official or district secretary, to administer the oath to candidates for district elections.

Existing law provides, until January 1, 2020, that a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly may be conducted as an all-mailed ballot election pursuant to a statute allowing San Diego County to conduct such an election as a pilot program.

Existing law authorizes a voter to file with the elections official a written request for a recount within 5 days of completion of the official canvass for that election.

NEW PROVISIONS

Clarifies that, for candidate nomination documents and initiative and referendum petitions circulated outside of a designated county, the documents and petitions must be filed with the county elections official for which the document or petition was circulated, rather than the county elections official in which the document or petition was circulated.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 1000.

The established election dates are as follows:

~~(a)~~

(a) The first Tuesday after the first Monday in March of each year.

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(b) 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. 2.

Amends Elections Code 8020.

(a) No candidate's name shall be printed on the ballot to be used at the direct primary unless the following nomination documents are delivered for filing to the county elections official:

(1) Declaration of candidacy pursuant to Section 8040.

(2) Nomination papers signed by signers pursuant to Section 8041.

(b) The forms shall first be available on the 113th day prior to the direct primary election, or on the 158th day prior to the primary election for a candidate for membership on a county central committee, and shall be delivered to the county for which the nomination documents were circulated not later than 5 p.m. on the 88th day prior to the primary election. The forms may be delivered to the county elections official by a person other than the candidate.

(c) Upon the receipt of an executed nomination document, the county elections official shall give the person delivering the document a receipt, properly dated, indicating that the document was delivered to the county elections official.

(d) Notwithstanding Section 8028, upon request of a candidate, the county elections official shall provide the candidate with a declaration of candidacy. The county elections official shall not require a candidate to sign, file, or sign and file, a declaration of candidacy as a condition of receiving nomination papers.

SEC. 3.

Amends Elections Code 8061.

(a) If a candidate submits an in-lieu-filing-fee petition pursuant to Section 8106, any or all signatures appearing on the petition, which would be valid under Section 8041, shall be counted towards the number of voters required to sign a nomination paper. If an in-lieu-filing-fee petition contains a requisite number of valid signatures under Section 8062, the candidate shall not be required to file nomination papers, but may request the elections official to accept the petition instead of filing nomination papers.

if

(b) If an in-lieu-filing-fee petition does not contain the requisite number of valid signatures as set forth in Section 8062, the candidate shall be entitled to file, within the time period allowed for filing nomination papers, a nomination paper in order to obtain the requisite number of valid signatures required to be submitted to

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the elections official on a nomination paper. A candidate who submits a nomination paper pursuant to this ~~paragraph~~ subdivision shall only be required to obtain the number of signatures thereon needed to supplement the in-lieu-filing-fee petition so that the combination of signatures appearing on the in-lieu-filing-fee petition and the nomination paper equals or exceeds the requisite number of signatures set forth in Section 8062.

SEC. 4.

Amends Elections Code 8106.

(a) Notwithstanding any other provision of this article, a ~~candidate~~ candidate, or a person authorized by the 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, 1,000 signatures.

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

(3) For candidates running for statewide office, 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~~ a candidate seeks nomination is 2,000 or more, ~~a~~ the candidate may submit a petition containing three signatures of registered voters for each dollar of the filing fee, or 7 percent of the total of registered voters in the district in which ~~he or she~~ the candidate 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~~ a candidate seeks nomination is less than 2,000, ~~a~~ the candidate may submit a petition containing three signatures of registered voters for each dollar of the filing fee, or 14 percent of the total of registered voters in the district in which ~~he or she~~ the candidate seeks nomination, whichever is less.

(6) A voter may sign both a candidate's nomination papers and ~~his or her~~ 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, forms for securing signatures. The number of forms that the elections official shall furnish a candidate shall be a quantity that provides the candidates with 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

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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 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 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:

(1) Any registered voter may sign an in-lieu-filing-fee petition for any candidate for whom ~~he or she~~ the voter 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 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 30 days before the close of the nomination period. Within 10 days after receipt of a petition, the elections official shall notify the candidate of any deficiency. The candidate shall then, at the time of obtaining nomination forms, 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~~ for 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 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 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 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 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. 5.**Amends Elections Code 8406.**

Any nomination paper may be presented in sections, but each section shall contain the name of the candidate and the name of the office for which ~~he or she~~ the candidate is proposed for nomination. Each section shall bear the name of the county ~~in~~ for which it is circulated.

SEC. 6.1.**Amends Elections Code 9030.**

(a) Each section of the petition shall be filed with the elections official of the county or city and county ~~in~~ for which it was circulated, but all sections circulated in any county or city and county shall be filed at the same time. Once filed, no petition section shall be amended except by order of a court of competent jurisdiction.

(b) Within eight days after the filing of the petition, excluding Saturdays, Sundays, and holidays, the elections official shall determine the total number of signatures affixed to the petition and shall transmit this information to the Secretary of State. If the total number of signatures filed with all elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient, the Secretary of State shall so notify the proponents and the elections officials, and no further action shall be taken with regard to the petition.

(c) If the number of signatures filed with all elections officials is 100 percent or more of the number of qualified voters needed to declare the petition sufficient, the Secretary of State shall immediately so notify the elections officials.

(d) Within 30 days after this notification, excluding Saturdays, Sundays, and holidays, the elections official shall determine the number of qualified voters who have signed the petition. If more than 500 names have been signed on sections of the petition filed with an elections official, the elections official shall use a random sampling technique for verification of signatures, as determined by the Secretary of State. The random sample of signatures to be verified shall be drawn in such a manner that every signature filed with the elections official shall be given an equal opportunity to be included in the sample. The random sampling shall include an examination of at least 500 or 3 percent of the signatures, whichever is greater. In determining from the records of registration what number of qualified voters have signed the petition, the elections official may use any facsimiles of voters' signatures provided that the method of preparing and displaying the facsimiles complies with law. *A signature shall not be invalidated because of a variation of the signature caused by the substitution of initials for the first or middle name, or both, of the person signing the petition.*

(e) The elections official, upon the completion of the examination, shall immediately attach to the petition, except the signatures thereto appended, a properly dated certificate, showing the result of the examination, and shall immediately transmit the petition and the certificate to the Secretary of State. A

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copy of this certificate shall be filed in the elections official's office.

(f) If the certificates received from all elections officials by the Secretary of State establish that the number of valid signatures does not equal 95 percent of the number of qualified voters needed to find the petition sufficient, the petition shall be deemed to have failed to qualify, and the Secretary of State shall immediately so notify the proponents and the elections officials.

(g) If the certificates received from all elections officials by the Secretary of State total more than 110 percent of the number of qualified voters needed to find the petition sufficient, the Secretary of State shall certify that the measure is qualified for the ballot as provided in Section 9033.

SEC. 7.

Amends Elections Code 10512.

(a) Each candidate shall set forth in full the oath or affirmation set forth in Section 3 of Article XX of the California Constitution, which shall be filed with the declaration of candidacy. The county elections official or district secretary, or a person designated by the county elections official or district secretary, shall administer the oath.

(b) ~~The county elections official or district secretary, or a person designated by the county elections official or district secretary, may administer the oath or affirmation set forth in Section 3 of Article XX of the California Constitution to the candidate elected to office.~~

SEC. 8.5.

Amends Elections Code 10703.

(a) (1) Except as provided in paragraph (2), a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly shall be conducted on a Tuesday at least 126 days, but not more than 140 days, following the issuance of an election proclamation by the Governor pursuant to Section 1773 of the Government Code.

(2) A special election to fill a vacancy in an office listed in paragraph (1) may be conducted within ~~480~~ 200 days following the proclamation in order to consolidate the election or the primary election with ~~a regularly scheduled statewide election or local~~ an election occurring wholly or partially within the same territory in which the vacancy ~~exists, provided that the voters eligible to vote in the local election comprise at least 50 percent of all the voters eligible to vote on the vacancy.~~ exists.

(b) Except as provided in Chapter 3 (commencing with Section 10730), a special election or a primary election ~~may~~ shall not be conducted on the day after a state holiday.

(c) (1) A special election described in this section may be conducted as an all-mailed ballot election pursuant to Section ~~4000.5.~~ 4000.5 or 4001.5.

(2) This subdivision shall remain in effect only until January

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1, ~~2020~~, 2021, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, ~~2020~~, 2021, deletes or extends that date.

SEC. 9.

Amends Elections Code 15620.

(a) Following completion of the official canvass ~~and again following completion of any postcanvass risk-limiting audit conducted pursuant to Section 15560~~, any voter may, within five days thereafter but not later than 5 p.m. on the fifth day, file with the elections official responsible for conducting an election in the county wherein the recount is sought a written request for a recount of the votes cast for candidates for any office, for slates of presidential electors, or for or against any measure, ~~provided if~~ the office, slate, or measure is not voted on statewide. The request shall specify on behalf of which candidate, slate of electors, or position on a measure (affirmative or negative) it is filed.

(b) If an election is conducted in more than one county, the request for the recount may be filed by any voter within five days but not later than 5 p.m. on the fifth day, beginning on the 31st day after the election, with the elections official of, and the recount may be conducted within, any or all of the affected counties.

(c) For the purposes of this section, "completion of the official canvass" shall be presumed to be that time when the elections official signs the certified statement of the results of the election except that, in the case of a city election, if a city council canvasses the returns itself and does not order the elections official to conduct the canvass, "completion of the official canvass" shall be presumed to be that time when the governing body declares the persons elected or the measures approved or defeated.

SEC. 10.

(a) Section 6.1 of this bill incorporates amendments to Section 9030 of the Elections Code proposed by both this bill and Assembly Bill 698. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 9030 of the Elections Code, and (3) this bill is enacted after Assembly Bill 698, in which case Sections 6, 6.2, and 6.3 of this bill shall not become operative.

(b) Section 6.2 of this bill incorporates amendments to Section 9030 of the Elections Code proposed by both this bill and Assembly Bill 1451. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 9030 of the Elections Code, (3) Assembly Bill 698 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 1451, in which case Sections 6, 6.1, and 6.3 of this bill shall not become operative.

(c) Section 6.3 of this bill incorporates amendments to Section 9030 of the Elections Code proposed by this bill, Assembly Bill 698, and AB 1451. It shall only become operative if (1) all three bills are enacted and become effective on

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or before January 1, 2020, (2) all three bills amend Section 9030 of the Elections Code, and (3) this bill is enacted after Assembly Bill 698 and AB 1451, in which case Sections 6, 6.1, and 6.2 of this bill shall not become operative.

SEC. 11.

Section 8.5 of this bill incorporates amendments to Section 10703 of the Elections Code proposed by both this bill and Senate Bill 641. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 10703 of the Elections Code, and (3) this bill is enacted after Senate Bill 641, in which case Section 8 of this bill shall not become operative.

PRIMARY ELECTIONS: BALLOT ACCESS: TAX RETURNS

**Senate Bill 27
Chapter 121**

CURRENT PROVISIONS

Existing law establishes processes for printing on presidential primary ballots the names of candidates for President of the United States who are considered to be generally recognized candidates or who are selected by a sufficient number of registered voters.

Existing law, applicable to non-presidential direct primary elections, requires the Secretary of State to transmit to each county elections official a certified list of candidates who are eligible to be voted for in the official's county at a direct primary election.

NEW PROVISIONS

Enacts the Presidential Tax Transparency and Accountability Act, which would require a candidate for President, in order to have his or her name placed upon a primary election ballot, to file his or her income tax returns for specified taxable years with the Secretary of State.

SECTIONS AFFECTED:

SECTION 1.

CHAPTER 7

Adds Elections Code 6880.

This chapter shall be known and may be cited as the Presidential Tax Transparency and Accountability Act.

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Adds Elections Code 6881.

The Legislature finds and declares that the State of California has a strong interest in ensuring that its voters make informed, educated choices in the voting booth. To this end, the state has mandated that extensive amounts of information be provided to voters, including county and state voter information guides. The Legislature also finds and declares that a Presidential candidate's income tax returns provide voters with essential information regarding the candidate's potential conflicts of interest, business dealings, financial status, and charitable donations. The information in tax returns therefore helps voters to make a more informed decision. The Legislature further finds and declares that as one of the largest centers of economic activity in the world, the State of California has a special interest in the President refraining from corrupt or self-enriching behaviors while in office. The people of California can better estimate the risks of any given Presidential candidate engaging in corruption or the appearance of corruption if they have access to candidates' tax returns. Finally, the State of California has an interest in ensuring that any violations of the Foreign Emoluments Clause of the United States Constitution or statutory prohibitions on behavior such as insider trading are detected and punished. Mandated disclosure of Presidential candidates' tax returns will enable enforcement of the laws against whichever candidate is elected President. The Legislature finds and declares that compliance costs with this requirement will be trivial.

Adds Elections Code 6882.

For purposes of this chapter, "income tax return" means any tax or information return, declaration of estimated tax, or claim for refund required by, or provided for or permitted under, the provisions of the Internal Revenue Code, and that is filed on behalf of, or with respect to any person, and any amendment or supplement thereto, including supporting schedules, attachments, or lists that are supplemental to, or part of, the return so filed.

Adds Elections Code 6883.

(a) Notwithstanding any other law, the Secretary of State shall not print the name of a candidate for President of the United States on a primary election ballot, unless the candidate, at least 98 days before the presidential primary election, files with the Secretary of State copies of every income tax return the candidate filed with the Internal Revenue Service in the five most recent taxable years, in accordance with the procedure set forth in Section 6884.

(b) If the candidate has not filed the candidate's income tax return with the Internal Revenue Service for the tax year immediately preceding the primary election, the candidate shall submit a copy of the income tax return to the Secretary of State within five days of filing the return with the Internal Revenue Service.

(c) The requirement in subdivision (a) does not apply to any year in which the candidate was not required to file the candidate's income tax return with the

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

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Internal Revenue Service.**Adds Elections Code 6884.**

(a) The candidate shall submit the following to the Secretary of State:

(1) (A) Two copies of each tax return required by Section 6883. One copy of each tax return shall be identical to the version submitted to the Internal Revenue Service, without redactions. The second copy of each tax return shall be redacted pursuant to this paragraph. The tax returns shall be provided to the Secretary of State in hard-copy form.

(B) The candidate shall redact the following information from the redacted version of each tax return:

(i) Social security numbers.

(ii) Home address.

(iii) Telephone number.

(iv) Email address.

(v) Medical information.

(C) The candidate may also redact the following information from the redacted version of each tax return:

(i) Names of dependent minors.

(ii) Employer identification number.

(iii) Business addresses.

(iv) Preparer tax identification number, address, telephone number, and email address of paid tax return preparers.

(2) A written consent form, signed by the candidate, granting the Secretary of State permission to publicly release a version of the candidate's tax returns redacted pursuant to this section. The Secretary of State shall prepare a standard consent form consistent with this paragraph.

(b) The Secretary of State shall review the redacted copy of each tax return submitted by the candidate to ensure that the redactions comply with subdivision (a). If the Secretary of State determines that the candidate has redacted information other than that permitted by subdivision (a), the Secretary of State shall prepare a new version of the tax return with only the redactions permitted by that subdivision.

(c) (1) Within five days of receipt of the candidate's tax returns, the Secretary of State shall make redacted versions of the tax returns available to the public on the Secretary of State's internet website. Except as provided in paragraph (2), the Secretary of State shall make public the redacted versions of the tax returns submitted by the candidate pursuant to subdivision (a).

(2) If the Secretary of State is required to prepare a redacted version of a tax return pursuant to subdivision (b), the Secretary of State shall make public that version.

(3) The public versions of the tax returns shall be continuously posted until the official canvass for the presidential primary election is completed. Upon

completion of the official canvass, the Secretary of State shall remove the public versions of the tax returns.

(4) The Secretary of State shall retain the paper copies of the submitted tax returns until the completion of the official canvass of the ensuing general election. Thereafter, the paper copies of the submitted tax returns shall be destroyed as soon as practicable, unless the Secretary of State has received a court order, or a lawful written request from a state or federal governmental agency, directing the Secretary of State to preserve the submitted tax returns.

SEC. 2.

PART 5

Adds Elections Code 8900.

The Legislature finds and declares that the State of California has a strong interest in ensuring that its voters make informed, educated choices in the voting booth. To this end, the state has mandated that extensive amounts of information be provided to voters, including county and state voter information guides. The Legislature also finds and declares that the income tax returns of candidates for Governor provide voters with essential information regarding the candidate's potential conflicts of interest, business dealings, financial status, and charitable donations. The information in tax returns therefore helps voters to make a more informed decision. The Legislature further finds and declares that as one of the largest centers of economic activity in the world, the State of California has a special interest in state elected officials refraining from corrupt or self-enriching behaviors while in office. The people of California can better estimate the risks of any given candidate for Governor engaging in corruption or the appearance of corruption if they have access to candidates' tax returns. Finally, the State of California has an interest in ensuring that any violations of statutory prohibitions on behavior such as insider trading are detected and punished. Mandated disclosure of the tax returns of candidates for Governor will enable enforcement of the laws against whichever candidates are elected to those offices. The Legislature finds and declares that compliance costs with this requirement will be trivial.

Adds Elections Code 8901.

For the purposes of this part, "income tax return" has the same meaning as in Section 6882.

Adds Elections Code 8902.

(a) Notwithstanding any other law, the name of a candidate for Governor shall not be printed on a direct primary election ballot, unless the candidate, at least 98 days before the direct primary election, files with the Secretary of State copies of every income tax return the candidate filed with the Internal Revenue Service in the five most recent taxable years, in accordance with the procedure set forth in Section 8903.

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) If the candidate has not filed the candidate's income tax return with the Internal Revenue Service for the tax year immediately preceding the primary election, the candidate shall submit a copy of the income tax return to the Secretary of State within five days of filing the return with the Internal Revenue Service.

(c) The requirement in subdivision (a) does not apply to any year in which the candidate was not required to file the candidate's income tax return with the Internal Revenue Service.

Adds Elections Code 8903.

(a) The candidate shall submit the following to the Secretary of State:

(1) (A) Two copies of each tax return required by Section 8902. One copy of each tax return shall be identical to the version submitted to the Internal Revenue Service, without redactions. The second copy of each tax return shall be redacted pursuant to this paragraph. The tax returns shall be provided to the Secretary of State in hard-copy form.

(B) The candidate shall redact the following information from the redacted version of each tax return:

(i) Social security numbers.

(ii) Home address.

(iii) Telephone number.

(iv) Email address.

(v) Medical information.

(C) The candidate may also redact the following information from the redacted version of each tax return:

(i) Names of dependent minors.

(ii) Employer identification number.

(iii) Business addresses.

(iv) Preparer tax identification number, address, telephone number, and email address of paid tax return preparers.

(2) A written consent form, signed by the candidate, granting the Secretary of State permission to publically release a version of the candidate's tax returns redacted pursuant to this section. The Secretary of State shall prepare a standard consent form consistent with this paragraph.

(b) The Secretary of State shall review the redacted copy of each tax return submitted by the candidate to ensure that the redactions comply with subdivision (a). If the Secretary of State determines that the candidate has redacted information other than that permitted by subdivision (a), the Secretary of State shall prepare a new version of the tax return with only the redactions permitted by that subdivision.

(c) (1) Within five days of receipt of the candidate's tax returns, the Secretary of State shall make redacted versions of the tax returns available to the public on the Secretary of State's internet website. Except as provided in paragraph (2), the Secretary of State shall make public the redacted versions of

the tax returns submitted by the candidate pursuant to subdivision (a).

(2) If the Secretary of State is required to prepare a redacted version of a tax return pursuant to subdivision (b), the Secretary of State shall make public that version.

(3) The public versions of the tax returns shall be continuously posted until the official canvass for the direct primary election is completed. Upon completion of the official canvass, the Secretary of State shall remove the public versions of the tax returns.

(4) The Secretary of State shall retain the paper copies of the submitted tax returns until the completion of the official canvass of the ensuing general election. Thereafter, the paper copies of the submitted tax returns shall be destroyed as soon as practicable, unless the Secretary of State has received a court order, or a lawful written request from a state or federal governmental agency, directing the Secretary of State to preserve the submitted tax returns.

SEC. 3.

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 ensure that the protections afforded by this act are in place for the 2020 primary election, it is necessary for this act to take effect immediately.

INITIATIVE, REFERENDUM, AND RECALL PETITIONS: DISCLOSURES

Senate Bill 47

Chapter 563

CURRENT PROVISIONS

Existing law requires that an initiative petition contain specified language advising the public of its right to determine whether the person circulating the petition is a paid signature gatherer or a volunteer.

Existing law prescribes other requirements regarding the form, content, and presentation of initiative and referendum petitions.

NEW PROVISIONS

Requires, for a state or local initiative, referendum, or recall petition that requires voter signatures, and for which the circulation is paid for by a committee, that an Official Top Funders disclosure be made that identifies the name of the committee, any top contributors, and the month and year during which the Official Top Funders disclosure is valid.

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

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

2019 Legislative Guide to Election Law

Makes certain misrepresentations with regard to the Official Top Funders disclosures a crime.

SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 101.**

(a) Notwithstanding any other law, a state or local initiative petition required to be signed by voters shall contain in ~~12-point type~~, 11-point type, before that portion of the petition for voters' signatures, printed names, and residence addresses, the following ~~language:~~ language, in order:

~~"NOTICE TO THE PUBLIC~~

~~THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK."~~

(1) "NOTICE TO THE PUBLIC:." This text shall be in a boldface font.

(2) If the petition does not include the disclosure statement described by subdivision (b) of Section 107, the text "YOU HAVE THE RIGHT TO SEE AN "OFFICIAL TOP FUNDERS" SHEET." This text shall be in a boldface font.

(3) "THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK."

(b) A state initiative petition shall contain, in the same location and type size described in subdivision (a), the following language:

~~"THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THIS PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT."~~

SEC. 2.**Amends Elections Code 104.**

(a) Wherever any petition or paper is submitted to the elections official, each section of the petition or paper shall have attached to it a declaration signed by the circulator of the petition or paper, setting forth, in the circulator's own hand, the following:

(1) The printed name of the circulator.

(2) The residence address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained.

(3) The dates between which all the signatures to the petition or paper were obtained.

(b) Each declaration submitted pursuant to this section shall also set forth

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the following:

(1) That the circulator circulated that section and witnessed the appended signatures being written.

(2) That according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be.

(3) That the circulator is 18 years of age or older.

(4) If the petition does not include the disclosure statement described by subdivision (b) of Section 107, that the circulator showed each signer a valid and unfalsified "Official Top Funders" sheet, as required by Section 107.

(c) The circulator shall certify the content of the declaration as to its truth and correctness, under penalty of perjury under the laws of the State of California, with the signature of ~~his or her~~ the circulator's name. The circulator shall state the date and the place of execution on the declaration immediately preceding ~~his or her~~ the circulator's signature.

SEC. 3.

Adds Elections Code 107.

(a) (1) A committee formed pursuant to Section 82013 of the Government Code that pays for the circulation of a state or local initiative, referendum, or recall petition shall create an Official Top Funders sheet as follows, with all text in a black roman type with a type size of 14 point on a plain, contrasting background, and centered horizontally, except as described below. None of the text shall have its type condensed or have the spacing between characters reduced to be narrower than a normal roman type.

(2) At the top of the sheet shall appear the text "OFFICIAL TOP FUNDERS. Valid only for", followed by a month and year that starts at most seven days after the date the top contributors as defined in subdivision (c) of Section 84501 of the Government Code were last confirmed. This text shall be boldface and with a type size of at least 16 point.

(3) Next, separated by a blank horizontal line from the text in paragraph (2), shall appear the title of the initiative, referendum, or recall as it appears on the petition, in all capital letters.

(4) (A) Next, separated by a blank horizontal line from the text in paragraph (3), shall appear a disclosure statement in a printed or drawn box with a black border.

(B) At the top of the disclosure statement shall appear the text "Petition circulation paid for by" in boldface text.

(C) Next, on a separate horizontal line, shall appear the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101 of the Government Code. If the committee has any top contributors as defined in subdivision (c) of Section 84501 of the Government Code, it shall be followed by a blank horizontal line and then the underlined text "Committee major funding from:".

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

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(D) The top contributors as defined in subdivision (c) of Section 84501 of the Government Code, if any, shall each be disclosed in boldface text on a separate horizontal line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions, as defined in subdivision (b) of Section 84501 of the Government Code, on the first line.

(E) The committee, in its discretion, may include the underlined text “Endorsed by:”, followed by a list, not underlined, of up to three endorsers. The text pursuant to this subparagraph shall be separated from the text above and below it by a blank horizontal line.

(F) The following line shall include the text “Latest Official Top Funders:” followed by either (i) the internet web page on the Secretary of State’s internet website that lists the “Official Top Funders” statements that are reported pursuant to subdivision (f), or (ii) the internet website described in subdivision (c).

(5) If the petition is a state initiative petition, next, separated by at least two blank horizontal lines from the disclosures of paragraph (4) and (5), shall appear the text “OFFICIAL TITLE AND SUMMARY (SAME AS ON PETITION)”, in boldface text in all capital letters.

(6) If the petition is a state initiative petition, next, starting on a separate horizontal line, shall appear the text “The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:”, in boldface text with a type size of 11 point.

(7) If the petition is a state initiative petition, next, starting on a separate horizontal line, shall appear the Attorney General summary of the initiative as it appears on the initiative petition, in plain text with a type size of 11 point.

(b) Notwithstanding any other law, a state or local initiative, referendum, or recall petition that requires voter signatures and for which the circulation is paid for by a committee formed pursuant to Section 82013 of the Government Code shall either include a disclosure statement on the petition that is displayed as follows or the circulator for the petition shall present as a separate document the Official Top Funders sheet described in subdivision (a) to a prospective signer of the petition.

(1) The disclosure statement shall have a solid white background and shall be in a printed or drawn box with a black border and shall appear before that portion of the petition for voters’ signatures, printed names, and residence addresses. The text in the disclosure area shall be in a black Arial equivalent type with a type size of at least 10 point, with all lines centered horizontally in the disclosure area.

(2) The top of the disclosure shall include the text “OFFICIAL TOP FUNDERS. Valid only for”, followed by a month and year that starts at most seven days after the date the top contributors as defined in subdivision (c) of Section 84501 of the Government Code were last confirmed. The text of this paragraph shall be boldface.

(3) Next shall appear, on a separate horizontal line, the text “Petition

circulation 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 of the Government Code. If the committee has any top contributors as defined in subdivision (c) of Section 84501 of the Government Code, it shall be followed by, on a separate horizontal line, the underlined text “Committee major funding from:”.

(4) The top contributors as defined in subdivision (c) of Section 84501 of the Government Code, if any, shall each be disclosed in boldface text on a separate horizontal line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions, as defined in subdivision (b) of Section 84501 of the Government Code, on the first line.

(5) The committee, in its discretion, may include the underlined text “Endorsed by:”, followed by a list, not underlined, of up to three endorsers. The text in this paragraph shall be separated from the text above and below it by a blank horizontal line.

(6) The following line shall include the text “Latest info.” followed by the URL for either (A) the internet web page on the Secretary of State’s internet website that lists the “Official Top Funders” statements that are reported pursuant to subdivision (f), or (B) the internet website described in subdivision (c). The text specified in this paragraph shall be underlined.

(c) Any committee formed pursuant to Section 82013 of the Government Code that pays for the circulation of a state or local initiative, referendum, or recall petition may create a page on an internet website that includes both of the following:

(1) A prominent link to the most recent Official Top Funders sheet as described in subdivision (a). The Official Top Funders sheet that the page links to shall be in a format that allows it to be viewed on an internet website and printed out on a single page of paper.

(2) A prominent link to the full text of the initiative or referendum.

(d) The disclosure of a top contributor or endorser 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 or endorser’s name in common usage or parlance.

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

(f) A committee that circulates a state initiative, referendum, or recall petition shall submit the Official Top Funders sheet required by subdivision (a), and any updates to that statement, to the Secretary of State, who shall post that statement on the Secretary of State’s internet website along with the previous versions the committee submitted.

(g) This section does not require a local elections official to verify the

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accuracy of the information required by this section or to re-approve the petition upon any updates the committee makes.

(h) Signatures collected on an initiative, referendum, or recall petition are not invalid solely because the information required by this section was absent or inaccurate.

(i) For purposes of this section, “endorser” means:

(1) A business that has been in existence for at least two years and has had at least one full-time staffer during that period.

(2) A non-profit organization that was not originally created for the purposes of serving as a committee, that has been in existence for at least two years, and either has received contributions from more than 50 donors in that period or has had at least one full-time staffer during that period.

(3) A political party.

(4) An individual, whose name may include their title if they are an elected official or represent one of the organizations described in paragraph (1), (2), or (3).

SEC. 4.

Adds Elections Code 108.

Notwithstanding any other law, the pages of a petition may be bound together by any reasonable method, including the use of staples.

SEC. 5.

Amends Elections Code 9008.

Every proposed initiative measure, prior to circulation, shall have placed across the top of the petition in ~~12-point~~ 11-point or larger roman boldface type, all of the following:

(a) The Attorney General’s unique numeric identifier placed before the circulating title and summary upon each page where the circulating title and summary is to appear.

(b) The circulating title and summary prepared by the Attorney General upon each page of the petition on which signatures are to appear. The circulating title shall appear in all capital letters.

~~(c) The circulating title and summary prepared by the Attorney General upon each section of the petition preceding the text of the measure.~~

~~(d)~~

(c) The circulating title and summary prepared by the Attorney General as required by subdivision ~~(e)~~ (b) shall be preceded by the following statement: “Initiative measure to be submitted directly to the voters.” **“INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS.”**, followed by, on a separate line, **“The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure.”** This text shall be in boldface.

SEC. 6.**Amends Elections Code 9105.**

(a) The county elections official shall immediately transmit a copy of any proposed measure to the county counsel. Within 15 days after the proposed measure is filed, the county counsel shall provide and return to the county elections official a ballot title and summary for the proposed measure. The ballot title may differ from any other title of the proposed measure and shall express in 500 words or less the purpose of the proposed measure. In providing the ballot title, the county counsel shall give a true and impartial statement of the purpose of the proposed measure in such language that the ballot title shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure.

(b) The county elections official shall furnish a copy of the ballot title and summary to the proponents of the proposed measure. The proponents shall, prior to the circulation of the petition, publish the Notice of Intention, and the ballot title and summary of the proposed measure in a newspaper of general circulation published in that county, and file proof of publication with the county elections official.

(c) The ballot title and summary prepared by the county counsel shall appear upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than ~~12 point~~ 11 point. The ballot title and summary shall be clearly separated from the text of the measure. The text of the measure shall be printed in type not smaller than 8 point. The heading of the proposed measure shall be in a boldface type in substantially the following form:

~~The heading of the proposed measure shall be in substantially the following form:~~

~~**Initiative Measure to be Submitted Directly to the Voters**~~

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The county counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the county counsel. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

SEC. 7.**Amends Elections Code 9203.**

(a) Any person who is interested in any proposed measure shall file a copy of the proposed measure with the elections official with a request that a ballot title and summary be prepared. This request shall be accompanied by the address of the person proposing the measure. The elections official shall immediately

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transmit a copy of the proposed measure to the city attorney. Within 15 days after the proposed measure is filed, the city attorney shall provide and return to the city elections official a ballot title for and summary of the proposed measure. The ballot title may differ from any other title of the proposed measure and shall express in 500 words or less the purpose of the proposed measure. In providing the ballot title, the city attorney shall give a true and impartial statement of the purpose of the proposed measure in such language that the ballot title shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure.

(b) The elections official shall furnish a copy of the ballot title and summary to the person filing the proposed measure. The person proposing the measure shall, prior to its circulation, place upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than ~~42 point~~, 11 point, the ballot title prepared by the city attorney. The text of the measure shall be printed in type not smaller than 8 point. The heading of the proposed measure shall be in a boldface type in substantially the following form:

~~The heading of the proposed measure shall be in substantially the following form:~~

~~**Initiative Measure to be Submitted Directly to the Voters**~~

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the city attorney. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

SEC. 8.

Amends Elections Code 18600.

Every person is guilty of a misdemeanor who:

(a) Circulating, as principal or agent, or having charge or control of the circulation of, or obtaining signatures to, any state or local initiative, referendum or recall petition, intentionally misrepresents or intentionally makes any false statement concerning the contents, purport or effect of the ~~petition~~ petition, or the petition's Official Top Funders disclosure required by Section 107, to any person who signs, or who desires to sign, or who is requested to sign, or who makes inquiries with reference to it, or to whom it is presented for ~~his or her~~ the person's signature.

(b) Willfully and knowingly circulates, publishes, or exhibits any false statement or misrepresentation concerning the contents, purport or effect of any state or local initiative, referendum, or recall ~~petition~~ petition, or the petition's Official

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Top Funders disclosure required by Section 107, for the purpose of obtaining any signature to, or persuading or influencing any person to sign, that petition.

(c) Circulating, as principal or agent, or having charge or control of the circulation of, or obtaining signatures to, any state or local initiative, intentionally makes any false statement in response to any inquiry by any voter as to whether ~~he or she~~ the person is a paid signature gatherer or a volunteer.

SEC. 9.

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 10.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, 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.

However, if the Commission on State Mandates determines that this act contains other 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.

CONDITIONAL VOTER REGISTRATION: PROVISIONAL BALLOTS

Senate Bill 72

Chapter 565

CURRENT PROVISIONS

Existing law authorizes an elector who is otherwise qualified to register to vote to complete a conditional voter registration and cast a provisional ballot during the 14 days immediately preceding an election or on election day, as prescribed. A county elections official is required to offer conditional voter registration and provisional voting at all permanent offices of the county elections official in the county in accordance with specified procedures.

Existing law also permits the county elections official to offer conditional voter registration and provisional voting at satellite offices of the county elections office.

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 PROVISIONS

Requires the county elections official to offer conditional voter registration and provisional voting at satellite offices of the County Elections Office and all polling places in that county.

Requires the elections official to provide the voter with a ballot for the voter's precinct, if the elections official is able to determine a conditionally registered voter's precinct, and the ballot for that precinct is available. Provides a caveat of certain additional changes.

SECTIONS AFFECTED:**SECTION 1.5****Amends Elections Code 2170.**

(a) "Conditional voter registration" means a properly executed affidavit of registration that is delivered by the registrant to the county elections official during the 14 days immediately preceding an election or on election day and which may be deemed effective pursuant to this article after the elections official processes the affidavit, determines the registrant's eligibility to register, and validates the registrant's information, as specified in subdivision (c).

(b) In addition to other methods of voter registration provided by this code, an elector who is otherwise qualified to register to vote under this code and Section 2 of Article II of the California Constitution may complete a conditional voter registration and cast a provisional ~~ballot~~ ballot, or nonprovisional ballot under subdivision (f), during the 14 days immediately preceding an election or on election day pursuant to this article.

(c) (1) A conditional voter registration shall be deemed effective if the county elections official is able to determine before or during the canvass period for the election that the registrant is eligible to register to vote and that the information provided by the registrant on the registration affidavit matches information contained in a database maintained by the Department of Motor Vehicles or the federal Social Security Administration.

(2) If the information provided by the registrant on the registration affidavit cannot be verified pursuant to paragraph (1) but the registrant is otherwise eligible to vote, the registrant shall be issued a unique identification number pursuant to Section 2150 and the conditional voter registration shall be deemed effective.

(d) The county elections official shall offer conditional voter registration and ~~provisional~~ voting pursuant to this article, in accordance with all of the following procedures:

(1) The elections official shall provide conditional voter registration and ~~provisional~~ voting pursuant to this article at all permanent and satellite offices of the county elections official and all polling places in the county.

(2) The elections official shall advise registrants that a conditional voter registration

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will be effective only if the registrant is determined to be eligible to register to vote for the election and the information provided by the registrant on the registration affidavit is verified pursuant to subdivision (c).

(3) The elections official shall conduct the receipt and handling of each conditional voter registration and offer and receive a corresponding ~~provisional~~ ballot in a manner that protects the secrecy of the ballot and allows the elections official to process the registration, determine the registrant's eligibility to register, and validate the registrant's information before counting or rejecting the corresponding ~~provisional~~ ballot.

(4) After receiving a conditional voter registration, the elections official shall process the registration, determine the registrant's eligibility to register, and attempt to validate the registrant's information.

(5) If a conditional registration is deemed effective, the elections official shall include the corresponding ~~provisional~~ ballot in the official canvass.

~~(e) The county elections official may offer conditional voter registration and provisional voting pursuant to this article at satellite offices of the county elections office.~~ *After receiving a conditional voter registration, the elections official shall provide a provisional ballot* in accordance with the ~~procedures specified in paragraphs (2) to (5), inclusive, of subdivision (d).~~ *following procedures:*

(1) If the elections office, satellite office, or polling place is equipped with an electronic poll book, or other means to determine the voter's precinct, the elections official shall provide the voter with a ballot for the voter's precinct if the ballot is available. The ballot may be cast by any means available at the elections office, satellite office, or polling place.

(2) If the elections official is unable to determine the voter's precinct, or a ballot for the voter's precinct is unavailable, the elections official shall provide the voter with a ballot and inform the voter that only the votes for the candidates and measures on which the voter would be entitled to vote in the voter's assigned precinct may be counted pursuant to paragraph (3) of subdivision (c) of Section 14310. The ballot may be cast by any means available at the elections office, satellite office, or polling place.

(3) Notwithstanding paragraph (2), if the elections official is able to determine the voter's precinct, but a ballot for the voter's precinct is unavailable, the elections official may inform the voter of the location of the voter's polling place. A voter described in this paragraph shall not be required to vote at the voter's polling place and may instead, at the voter's choosing, cast a ballot pursuant to paragraph (2).

(4) This subdivision does not apply to elections conducted pursuant to Section 4005 or 4007.

(f) An elections official may offer a nonprovisional ballot to a registrant if the official does both of the following:

(1) Uses the statewide voter registration database developed in compliance with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.) to do all of the following before issuing the nonprovisional ballot:

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- (A) Verify that the registrant is deemed eligible to register to vote.
- (B) Verify that the registrant has not voted in the state in that election.
- (C) Verify that the registrant has not been included on a roster for that election in another county in the state that is not conducting elections pursuant to Section 4005.
- (D) Update the voter's record to indicate that the voter has voted in that election.
- (2) If the registrant has been included on a roster for that election in that county, the official updates that roster to indicate that the voter has voted and shall not be issued another nonprovisional ballot for that election.

SEC. 2.

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. 3.

Section 1.5 of this bill incorporates amendments to Section 2170 of the Elections Code proposed by both this bill and AB 693. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 2170 of the Elections Code, and (3) this bill is enacted after AB 693, in which case Section 1 of this bill shall not become operative.

ELECTIONS

Senate Bill 151 Chapter 566

CURRENT PROVISIONS

Existing law specifies the procedures for recall elections of state and local officers.

Existing law specifies the information required to be included on ballots for recall elections and the format of that information.

Existing law requires the county elections official to mail a county voter information guide for a political party or a nonpartisan county voter information guide, as specified, to each voter no more than 40 days nor less than 10 days before a primary election.

Existing law requires a county elections official to send, not more than 40 days nor less than 21 days before an election, a copy of a substantial facsimile of the official

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ballot used in the election to each voter who is registered at least 29 days before the election.

NEW PROVISIONS

Authorizes an officer in a voter nominated office who is subject to a recall election to have the officer's party preference identified on the ballot.

Specifies the format and appearance of the statement of party preference. Deletes the prohibition against sending materials to voters a specified number of days before a primary election or election.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 11320.

The following shall appear on the ballots at every recall election, except in the case of a landowner voting district, with respect to each officer sought to be recalled:

(a) The question "Shall [name of officer sought to be recalled] be recalled (removed) from the office of [title of office]?"

(b) To the right of the foregoing question, the words "Yes" and "No" on separate lines with an enclosed voting space to the right of each.

(c) If the officer sought to be recalled holds a voter-nominated office, the officer may elect to have the officer's party preference identified on the ballot. The officer shall inform the Secretary of State whether the officer elects to have a party preference identified on the ballot by the deadline for the officer to file an answer with the Secretary of State pursuant to Section 11023. The Secretary of State shall disseminate this information to all appropriate county elections officials. The statement of party preference shall appear immediately to the right of and on the same line as the officer's name, or immediately below the officer's name if there is not sufficient space to the right of the officer's name, and shall appear in substantially the following form:

(1) If the officer stated a political party preference on the officer's affidavit of registration, the statement shall read: "Party Preference: _____" (inserting the name of the qualified political party stated on the affidavit of registration.) The listed political party preference shall be the political party preference stated on the officer's affidavit of registration at the time the notice of intention is filed with the elections official pursuant to Section 11021.

(2) If the officer did not state a political party preference on the officer's affidavit of registration, the statement shall read: "Party Preference: None."

(3) If the officer elects not to have the officer's political party preference identified on the ballot, or if the officer fails to inform the Secretary of State whether the officer elects to have a party preference identified on the ballot by the deadline for the officer to file an answer with the Secretary of State, the statement of party

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preference shall not appear on the ballot.

SEC. 2.

Amends Elections Code 13300.

(a) By at least 29 days before the partisan primary, each county elections official shall prepare a separate county voter information guide for each political party and a separate nonpartisan county voter information guide. The county elections official shall place in each guide, as applicable, in the order provided in Chapter 2 (commencing with Section 13100), and under the appropriate title of each office, the names of all candidates for whom nomination papers have been duly filed with ~~him or her~~, the county elections official or have been certified to ~~him or her~~ the county elections official by the Secretary of State, to be voted for in ~~his or her~~ the county elections official's county at the partisan primary election.

(b) The county voter information guides shall include a substantial facsimile of the official ballots, except as otherwise provided by law. The county voter information guides shall be printed on paper of a different texture from the paper to be used for the official ballot.

(c) One county voter information guide of the party for which the voter has disclosed a preference, as evidenced by ~~his or her~~ the voter's registration, shall be mailed ~~not more than 40 nor fewer~~ no later than 10 days before the election to each voter entitled to vote at the primary who registered at least 29 days before the election. A nonpartisan county voter information guide shall be so mailed to each voter who is not registered as preferring any of the parties participating in the primary election. On election day the voter may, upon request, vote the ballot of a political party if authorized by the party's rules, duly noticed to the Secretary of State.

SEC. 3.

Amends Elections Code 13303.

(a) For each election, each appropriate elections official shall cause to be printed, on plain white paper or tinted paper, without watermark, at least as many copies of the form of ballot provided for use in each voting precinct as there are voters in the precinct. These copies shall be designated "county voter information guide" upon their face and shall include a substantial facsimile of the official ballots used in the election, except as otherwise provided by law. A county voter information guide shall be mailed, postage prepaid, ~~not more than 40 nor less~~ no later than 21 days before the election to each voter who is registered at least 29 days before the election.

(b) The elections official shall send notice of the polling 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, which

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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 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~~ internet website and, if applicable, of the county ~~Internet Web site~~ internet website where a county voter information guide may be viewed.

SEC. 4.

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: REFERENDUM

Senate Bill 359 Chapter 567

CURRENT PROVISIONS

Existing law provides procedures for the circulation of referendum petitions in municipal elections and requires, among other things, that each section of the referendum petition contain the text of the ordinance or the portion of the ordinance that is the subject of the referendum.

NEW PROVISIONS

Permits each section of a referendum petition to contain an impartial summary of the referendum instead of the text of the ordinance, or the portion of the ordinance, that is the subject of the referendum.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 9238.

(a) Across the top of each page of the referendum petition there shall be printed the following:

“Referendum Against an Ordinance Passed by the City Council”

(b) Each section of the referendum petition shall contain ~~(1) the identifying number or title, and (2) the text of the ordinance or the portion of the ordinance that is the subject of the referendum.~~ all of the following:

(1) The identifying number or title of the ordinance.

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(2) Either of the following:

(A) The text of the ordinance or the portion of the ordinance that is the subject of the referendum.

(B) An impartial summary of the referendum not to exceed 5,000 words prepared pursuant to the following procedure:

(i) Within three business days of the final passage of the ordinance, the referendum's proponents shall file a copy of the proposed summary with the local elections official, who shall immediately transmit a copy of the proposed summary to the city attorney.

(ii) Within 10 business days the city attorney shall issue an approved summary to the local elections official and the referendum's proponents for circulation. The city attorney may edit the summary prior to approval. All edits made to the summary shall be true and impartial and shall not contain argument or any matter likely to cause prejudice for or against the referendum. The city attorney may add the full text of the ordinance, or the portion of the ordinance that is the subject of the referendum, to the summary if doing so would not exceed the 5,000-word limit.

(iii) The summary shall include a link to a public website containing the text of the ordinance or the portion of the ordinance that is the subject of the referendum.

(iv) The 5,000 word limit imposed by this subparagraph shall include all attachments, exhibits, and other supplements to the summary.

(v) If the city attorney fails to issue an approved summary within 10 business days, the proposed summary submitted by the proponents shall be considered approved.

(vi) Notwithstanding Section 9235, proponents who circulate a referendum petition pursuant to this subparagraph shall have 30 days from the date the summary is approved to submit a petition with the required number of signatures to the local elections official. The ordinance subject to the referendum petition shall not become effective until this period has expired.

(C) After the proponents begin circulating a referendum petition prepared pursuant to subparagraph (A) or (B), the proponents shall not circulate another version of the referendum petition prepared using the other method.

The

(c) The petition sections shall be designed in the same form as specified in Section 9020.

~~(e)~~

(d) Each section of the referendum petition shall have attached thereto the declaration of the person soliciting the signatures. This declaration shall be substantially in the same form as set forth in Section 9022.

SEC. 2.

If the Commission on State Mandates determines that this act contains costs

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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.

PRESIDENTIAL PRIMARY ELECTIONS

Senate Bill 505 Chapter 149

CURRENT PROVISIONS

Existing law provides for specific procedures by which the Democratic Party, the Republican Party, the American Independent Party, the Peace and Freedom Party, and the Green Party participate in the presidential primary election.

Existing law requires the Secretary of State to place the name of a candidate seeking the nomination of one of those parties for the office of President of the United States on the presidential primary ballot when the Secretary of State determines that the candidate is generally advocated for or recognized throughout the United States as actively seeking the nomination of the party, and to announce and distribute to the news media a list of the candidates the Secretary of State intends to place on the ballot a specified number of days before the presidential primary election.

Existing law requires the Secretary of State to send a letter to specified officials in the Green Party of California and the Peace and Freedom Party of California soliciting additional information regarding the placement of candidates from those parties on the ballot on or before the 150th day before the election.

Existing law requires an unselected candidate or uncommitted delegation seeking the nomination of a party that desires to be placed on the presidential primary ballot to have nomination papers circulated for signature on behalf of the candidacy.

Existing law authorizes a circulator of those nomination papers to obtain signatures during a specified period before the presidential primary election, and requires the nomination papers to be prepared, circulated, signed, verified, and left for examination with the county elections official of the county in which the papers are circulated a specified number of days before the presidential primary election.

NEW PROVISIONS

Defines the phrases generally advocated for or recognized candidate or recognized candidate for purposes to mean an individual who has an authorized campaign committee registered with the Federal Election Commission for the office of

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President of the United States and who meets specified criteria.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 6000.1.

“Generally advocated for or recognized candidate” or “recognized candidate” means an individual who has an authorized campaign committee registered with the Federal Election Commission for the office of President of the United States and submits proof, pursuant to Section 6000.2, of at least one of the following criteria:

(a) The candidate is qualified for funding under the Federal Election Campaign Act of 1974 (52 U.S.C. Sec. 30101 et seq.).

(b) The candidate has appeared as a candidate in a national presidential debate hosted by a political party qualified to participate in a primary election, with at least two participating candidates, which is publicly available for viewing by voters in more than one state during the current presidential election cycle. For purposes of this subdivision, “political party qualified to participate in a primary election” means any political party qualified in California, a major or minor ballot-qualified political party in another state, or a national committee of a political party recognized by the Federal Election Commission.

(c) The candidate has been placed or has qualified for placement on a presidential primary ballot or a caucus ballot of a major or minor ballot-qualified political party in at least one other state in the current presidential election cycle.

(d) The candidate has been or has qualified to be a candidate in a caucus of a major or minor ballot-qualified political party in at least one other state in the current presidential election cycle.

(e) The candidate has all of the following:

(1) A current presidential campaign internet website or webpage hosted by the candidate or a qualified political party.

(2) A written request submitted on the candidate’s behalf to the Secretary of State requesting that the candidate be placed on the presidential primary ballot. The written request shall be from a party qualified to participate in a primary election, as set forth in Section 5100.

SEC. 2.

Adds Elections Code 6000.2.

(a) A candidate for the office of the President of the United States shall provide to the Secretary of State proof, in substantially the following form, of meeting at least one of the criteria set forth in Section 6000.1:

GENERALLY ADVOCATED FOR OR RECOGNIZED CANDIDATE

_____, a candidate for the office of the President of the United States of America, is a generally advocated for or recognized candidate, as defined in Section 6000.1 of the Elections Code, and has met at least one of the following criteria:

- The candidate is qualified for funding under the Federal Election Campaign Act of 1974 (52 U.S.C. Sec. 30101, et seq.). Attach supporting documentation and provide a description:
-

- The candidate has appeared as a candidate in a national presidential debate hosted by a political party qualified to participate in a primary election, as defined in subdivision (b) of Section 6000.1 of the Elections Code, with at least two participating candidates, which is publicly available for viewing by voters in more than one state during the current presidential election cycle. Attach supporting documentation and provide a description:
-

- The candidate has been placed or has qualified for placement on a presidential primary ballot or a caucus ballot of a major or minor ballot-qualified political party in at least one other state in the current presidential election cycle. Attach supporting documentation and provide a description:
-

- The candidate has been or has qualified to be a candidate in a caucus of a major or minor ballot-qualified political party in at least one other state in the current presidential election cycle. Attach supporting documentation and provide a description:
-

- The candidate has all of the following (attach documentation and provide a description for each item):
-

(1) A current presidential campaign internet website or webpage hosted by the candidate or a qualified political party.

(2) A written request submitted on the candidate's behalf to the Secretary of State requesting that the candidate be placed on the presidential primary ballot. The written request is from a party qualified to participate in a primary election, as set forth in the Section 5100 of the Elections Code.

Dated this _____ day of _____, 20__.

Signature of candidate

(b) The candidate shall file the form set forth in subdivision (a) and any attached supporting documentation with the Secretary of State and specify the California qualified political party ballot on which the candidate seeks to appear on or before the 98th day before the presidential primary election.

SEC. 3.

Amends and renumbers Elections Code 6000a.

~~6000a.~~6001

This chapter shall be known and may be cited as the "Alquist Open Presidential Primary Act."

SEC. 4.

Amends and renumbers Elections Code 6001.

~~6001.~~6001.5

This chapter applies to the Democratic Party.

SEC. 5.

Amends Elections Code 6041.

The Secretary of State shall place the name of a candidate upon the presidential primary ballot when ~~he or she~~ the Secretary of State has determined that the candidate is generally advocated for or recognized throughout the United States or California as actively seeking the nomination of the Democratic Party for President of the United States. The Secretary of State shall include as criteria for selecting candidates the fact of qualifying for funding under the Federal Elections Campaign Act of 1974, as amended.

~~Between the 150th day and the 68th~~ On or before the 88th day preceding a presidential primary election, the Secretary of State shall publicly announce and distribute to the news media for publication a list of the selected candidates

that ~~he or she~~ the Secretary of State intends to place on the ballot at the following presidential primary election.

SEC. 6.

Amends Elections Code 6101.

Nomination papers to be circulated pursuant to Section 6061 shall be prepared, circulated, signed, and verified and shall be left for examination with the county elections official of the county in which they are circulated at least ~~73~~ 81 days prior to the presidential primary election.

SEC. 7.

Amends Elections Code 6122.

Circulators may obtain signatures to the nomination paper for which they were appointed at any time between the period of ~~430~~ 120 days and ~~73~~ 81 days, inclusive, prior to the presidential primary election.

SEC. 8.

Amends Elections Code 6340.

(a) The Secretary of State shall place the name of a candidate upon the Republican presidential primary ballot when the Secretary of State has determined that the candidate is generally advocated for or recognized throughout the United States or California as a candidate for the nomination of the Republican Party for President of the United States.

(b) On or before the ~~120th~~ 88th day preceding a presidential primary election the Secretary of State shall publicly announce and distribute to the news media for publication a list of the candidates ~~he or she~~ the Secretary of State intends to place on the ballot at the following presidential primary election. Following this announcement ~~he or she~~ the Secretary of State may add candidates to ~~his or her~~ the Secretary of State's selection, but ~~he or she may~~ the Secretary of State shall not delete any candidate whose name appears on the announced list.

SEC. 9.

Amends Elections Code 6360.

Nomination papers properly prepared, circulated, signed and verified shall be left, for examination, with the county elections official of the county in which they are circulated, at least ~~74~~ 81 days prior to the presidential primary.

SEC. 10.

Amends Elections Code 6382.

Circulators may obtain signatures to the nomination paper of a candidate at any time not more than ~~404~~ 120 nor less than ~~74~~ 81 days prior to the presidential primary.

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SEC. 11.**Amends Elections Code 6520.**

(a) The Secretary of State shall place the name of a candidate upon the American Independent Party presidential preference ballot when the Secretary of State has determined that the candidate is generally advocated for or recognized in the news media throughout the United States or California as actively seeking the nomination of the American Independent Party for President of the United States.

(b) On or before the ~~420th~~ 88th day preceding a presidential primary election, the Secretary of State shall publicly announce and distribute to the news media for publication a list of the candidates ~~he or she~~ the Secretary of State intends to place on the ballot at the following presidential primary election. Following this announcement ~~he or she~~ the Secretary of State may add candidates to ~~his or her~~ the Secretary of State's selection, but ~~he or she~~ the Secretary of State may not delete any candidate whose name appears on the announced list.

SEC. 12.**Amends Elections Code 6581.**

Nomination papers properly prepared, circulated, signed and verified shall be left, for examination, with the elections official of the county in which they are circulated at least ~~74~~ 81 days prior to the presidential primary.

SEC. 13.**Amends Elections Code 6591.**

Circulators may obtain signatures to the nomination paper of the candidate or group of candidates at any time not more than ~~404~~ 120 nor less than ~~74~~ 81 days prior to the presidential primary.

SEC. 14.**Amends Elections Code 6721.**

On or before the ~~450th~~ 120th day preceding a presidential primary election, the Secretary of State shall send a letter by first-class mail to the Chairpersons of record of the Peace and Freedom Party State and County Central Committees, informing them that, while a response is not required, any information they wish to submit will be considered by the Secretary of State in the determination of candidates to be placed on the Peace and Freedom Party presidential preference primary ballot pursuant to Section 6720.

SEC. 15.**Amends Elections Code 6722.**

On or before the ~~420th~~ 88th day preceding a presidential primary election, the Secretary of State shall publicly announce and distribute to the news media for publication a list of the candidates ~~she or he~~ the Secretary of State intends to place on the ballot at the following presidential primary election. Following this

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announcement, the Secretary of State may add to ~~her or his~~ the Secretary of State's selection, but ~~she or he~~ the Secretary of State may not delete any candidate whose name appears on the announced list. The Secretary of State shall mail a copy of the list and any subsequent additions thereto to the Chairpersons of the Peace and Freedom Party State and County Central Committees.

SEC. 16.**Amends Elections Code 6781.**

Nomination papers properly prepared, circulated, signed and verified shall be left for examination with the elections official of the county in which they are circulated, at least ~~74~~ 81 days prior to the presidential primary.

SEC. 17.**Amends Elections Code 6791.**

Circulators may obtain signatures to the nomination paper of the candidate or group of candidates at any time not more than ~~104~~ 120 nor less than ~~74~~ 81 days prior to the presidential primary.

SEC. 18.**Amends Elections Code 6851.5.**

On or before the ~~150th~~ 120th day preceding a presidential primary election, the Secretary of State shall send a letter by first-class mail to the Green Party Liaison to the Secretary of State informing ~~her or him~~ the Green Party Liaison that, while a response is not required, any information ~~she or he~~ the Green Party Liaison wishes to submit will be considered by the Secretary of State in the determination of candidates to be placed on the Green Party presidential preference primary ballot pursuant to Section 6851.

SEC. 19.**Amends Elections Code 6852.**

On or before the ~~120th~~ 88th day preceding a presidential primary election, the Secretary of State shall publicly announce and distribute to the news media for publication a list of the candidates ~~she or he~~ the Secretary of State intends to place on the ballot at the following presidential primary election. Following this announcement, the Secretary of State may add candidates to ~~her or his~~ the Secretary of State's selection, but ~~she or he~~ the Secretary of State may not delete any candidate whose name appears on the announced list. The Secretary of State shall mail a copy of the list and any subsequent additions to the list to the Green Party Liaison to the Secretary of State.

SEC. 20.**Amends Elections Code 6854.5.**

Nomination papers properly prepared, circulated, signed, and verified shall be left,

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for examination, with the elections official of the county in which they are circulated at least ~~74~~ 81 days before the presidential preference primary election.

SEC. 21.**Adds Elections Code 6857.2.**

Circulators may obtain signatures to the nomination paper of the candidate or group of candidates at any time not more than 120 nor less than 81 days prior to the presidential primary.

SEC. 22.

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 ensure that the procedures and protections afforded by this act will be implemented for the 2020 presidential primary election, it is necessary for this act to take effect immediately.

ELECTIONS: VOTE BY MAIL BALLOTS

Senate Bill 523**Chapter 568****CURRENT PROVISIONS**

Existing law requires an elections official, upon receiving a vote by mail ballot, to compare the signature on the identification envelope of the ballot to specified records of the voter's signature.

Existing law requires, if the signature does not compare, the elections official, at least 8 days before the certification of the election, to provide the voter with notice of an opportunity to verify the voter's signature by signing and delivering a signature verification statement to the elections official, as specified.

Existing law requires, if the elections official determines that the voter has not signed the ballot identification envelope, prohibits the elections official from rejecting the vote by mail ballot if the voter either signs the ballot identification envelope at the office of the elections official during regular business hours, or completes and submits an unsigned ballot statement, as specified, before 5 p.m. on the 8th day after the election.

Existing law provides that certain information on a voter's affidavit of registration, including the voter's home address and signature, is confidential and prohibits

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disclosure of the information except in specified circumstances.

NEW PROVISIONS

Requires, in the case of a voter whose signatures do not match, the elections official to notify the voter, a minimum number of days before the certification of the election, of an opportunity to verify the voter's signature. Extends the deadline for a voter who did not sign the ballot identification envelope to sign the envelope, or sign and deliver an unsigned ballot statement.

SECTIONS AFFECTED:

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:

(1) Shall be confidential and shall not appear on any computer terminal, list, affidavit, duplicate affidavit, or other medium routinely available to the public at the county elections official's office.

(2) Shall not be used for any personal, private, or commercial purpose, including, but not limited to:

(A) The harassment of any voter or voter's household.

(B) The advertising, solicitation, sale, or marketing of products or services to any voter or voter's household.

(C) Reproduction in print, broadcast visual or audio, or display on the Internet or any computer terminal unless pursuant to paragraph (3).

(3) Shall be provided with respect to any voter, subject to the provisions of Sections 2166, 2166.5, 2166.7, and 2188, to any candidate for federal, state, or local office, to any committee for or against any initiative or referendum measure for which legal publication is made, and to any person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the Secretary of State.

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

(b) (1) Notwithstanding any other law, the California driver's license number, the California identification card number, the social security number, and any other unique identifier used by the State of California for purposes of voter identification shown on the affidavit of voter registration of a registered voter, or added to voter registration records to comply with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), are confidential and shall not be disclosed to any person.

(2) Notwithstanding any other law, the signature of the voter shown on the affidavit of voter registration or an image thereof is confidential and shall not be disclosed to any person, except as provided in subdivision (c).

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(c) (1) The home address or signature of any voter shall be released whenever the person's vote is challenged pursuant to Sections 15105 to 15108, inclusive, or Article 3 (commencing with Section 14240) of Chapter 3 of Division 14. The address or signature shall be released only to the challenger, to elections officials, and to other persons as necessary to make, defend against, or adjudicate the challenge.

(2) An elections official shall permit a person to view the signature of a voter for the purpose of determining whether the signature matches a signature on an affidavit of registration or an image thereof or a petition, but shall not permit a signature to be copied.

(d) A governmental entity, or officer or employee thereof, shall not be held civilly liable as a result of disclosure of the information referred to in this section, unless by a showing of gross negligence or willfulness.

(e) For the purposes of this section, "voter's household" is defined as the voter's place of residence or mailing address or any persons who reside at the place of residence or use the mailing address as supplied on the affidavit of registration pursuant to paragraphs (3) and (4) of subdivision (a) of Section 2150.

(f) Notwithstanding any other law, information regarding voters who did not sign a vote by mail ballot identification envelope or whose signature on the vote by mail ballot identification envelope did not match the voter's signature on file shall be treated as confidential voter registration information pursuant to this section and Section 6254.4 of the Government Code. This information shall not be disclosed to any person except as provided in this section. Any disclosure of this information shall be accompanied by a notice to the recipient regarding Sections 18109 and 18540. Voter information provided pursuant to this subdivision shall be updated daily, include the name of the voter, and be provided in a searchable electronic format.

SEC. 2.

Amends Elections Code 3019.

(a) (1) Upon 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:

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

(B) 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.

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

(3) In comparing signatures pursuant to this section, an elections official may use signature verification technology. If signature verification technology determines that the signatures do not compare, the elections official shall visually

examine the signatures and verify that the signatures do not compare.

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

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

(c) 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 not be counted. The elections official shall write the cause of the rejection on the face of the identification envelope only after completing the procedures described in subdivision (d).

(d) (1) A minimum of eight days prior to the certification of the election, the elections official shall provide notice to all voters identified pursuant to subdivision (c) of the opportunity to verify their signatures no later than 5 p.m. two days prior to the certification of the election.

(2) The notice and instructions shall be in substantially the following form:

“READ THESE INSTRUCTIONS CAREFULLY. FAILURE TO FOLLOW
THESE INSTRUCTIONS MAY CAUSE YOUR VOTE BY MAIL BALLOT NOT
TO COUNT.

1. We have determined that the signature you provided on your vote by mail ballot does not match the signature(s) on file in your voter record. In order to ensure that your vote by mail ballot will be counted, the signature verification statement must be completed and returned as soon as possible.
2. The signature verification statement must be received by the elections official of the county where you are registered to vote no later than 5 p.m. two days prior to certification of the election.
3. You must sign your name where specified on the signature verification statement (Voter's Signature).
4. Place the signature verification statement into a mailing envelope addressed to your local elections official. Mail, deliver, or have the completed statement delivered to the elections official. Be sure there is sufficient postage if mailed and that the address of the elections official is correct.

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

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

5. If you do not wish to send the signature verification statement by mail or have it delivered, you may submit your completed statement by email or facsimile transmission to your local elections ~~official using the information provided.~~ 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)~~

(3) The notice and instructions shall be translated in all languages required in that county by Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

(4) The elections official shall not reject a vote by mail ballot identified pursuant to subdivision (c) if each of the following conditions is satisfied:

(A) The voter delivers, in person, by mail, by fax, or by email, a signature verification statement signed by the voter and the elections official receives the statement no later than 5 p.m. two days prior to the certification of the election, or the voter, before the close of the polls on election day, completes and submits a signature verification statement to a polling place within the county or a ballot dropoff box.

(B) Upon receipt of the signature verification statement, the elections official shall compare the signature on the statement with the signature on file in the voter's record.

(i) If upon conducting the comparison of signatures the elections official determines that the signatures compare, ~~he or she~~ the elections official shall deposit the ballot, still in the identification envelope, in a ballot container in ~~his or her~~ the elections official's office.

(ii) If upon conducting the comparison of the signatures the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted. The elections official shall write the cause of the rejection on the face of the identification envelope.

~~(4)~~

(5) The signature verification statement shall be in substantially the following form and may be included on the same page as the notice and instructions specified in paragraph (2):

"SIGNATURE VERIFICATION STATEMENT

I,, am a registered voter of _____ County,

State of California. I declare under penalty of perjury that I requested and returned a vote by mail ballot. 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"

~~(5)~~

~~(6)~~ An elections official shall include the vote by mail ballot signature verification statement and instructions provided in this subdivision on ~~his or her Internet Web site,~~ the elections official's internet website and shall provide the election official's mailing address, email address, and facsimile transmission number on the ~~Internet Web page~~ internet web page containing the statement and instructions.

~~(6)~~

~~(7)~~ If the elections official determines that the signatures compare, the official shall use the signature in the signature verification statement, even if returned untimely, to update the voter's signature for future elections.

(e) (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.~~ no later than 5 p.m. two days prior to the certification of the election.

(ii) ~~Before 5 p.m. on the eighth day after the election,~~ No later than 5 p.m. two days prior the certification of the election. completes and submits an unsigned ballot statement in substantially the following form:

"UNSIGNED BALLOT STATEMENT

I,, am a registered voter of _____ County,

2019 Legislative Guide to Election Law

State of California. I 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.

~~(B)~~

(B) A minimum of eight days prior to the certification of the election, the elections official shall provide notice and instructions to all voters identified pursuant to this subdivision of the opportunity to provide a signature no later than 5 p.m. two days prior to the certification of the election.

(C) 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~~ the elections official 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~~ the elections official's 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.~~ the elections official shall provide notice to the voter pursuant to subdivisions (c) and (d).

~~(D)~~

(D) 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.~~ possible, but no later than 5 p.m. two days prior to the certification of 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. 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)

(3) The notice and instructions shall be translated in all languages required in that county by Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

(4) An elections official shall include the unsigned ballot statement and instructions described in this subdivision on his or her Internet Web site, the elections official’s internet website and shall provide the elections official’s mailing address, email address, and facsimile transmission number on the Internet Web page internet web page containing the statement and instructions.

(f) 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. 3.

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.

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

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

SPECIAL ELECTIONS

Senate Bill 641

Chapter 328

CURRENT PROVISIONS

Existing law requires the Governor to call a statewide special election by proclamation.

Existing law generally requires the Governor to issue this proclamation within 14 calendar days of a vacancy in a congressional or legislative office, and it permits that election to be conducted within 180 days following the proclamation, as specified, in order to consolidate the election with a regularly scheduled election.

Existing law authorizes, until January 1, 2020, conducting a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly as an all-mailed ballot election.

NEW PROVISIONS

Extends the authority to conduct a special election to fill a vacancy in the Office of Representative in Congress, State Senator, or Member of the Assembly as an all mailed ballot election.

SECTIONS AFFECTED:

SEC. 1.

Amends Elections Code 10703.

(a) (1) Except as provided in paragraph (2), a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly shall be conducted on a Tuesday at least 126 days, but not more than 140 days, following the issuance of an election proclamation by the Governor pursuant to Section 1773 of the Government Code.

(2) A special election to fill a vacancy in an office listed in paragraph (1) may be conducted within ~~180~~ 200 days following the proclamation in order to consolidate the election or the primary election with ~~a regularly scheduled statewide election or local~~ an election occurring wholly or partially within the same territory in which the vacancy ~~exists, provided that the voters eligible to vote in the local election comprise at least 50 percent of all the voters eligible to vote on the vacancy.~~ exists.

(b) Except as provided in Chapter 3 (commencing with Section 10730), a special election or a primary election ~~may~~ shall not be conducted on the day after a state holiday.

(c) (1) A special election described in this section may be conducted as

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an all-mailed ballot election pursuant to Section ~~4000.5~~ 4000.5 or 4001.5

(2) This subdivision shall remain in effect only until January 1, ~~2020~~, 2021, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, ~~2020~~, 2021, deletes or extends that date.

ELECTIONS: VOTER REGISTRATION: PARTISAN PRIMARY ELECTIONS

Senate Bill 681

Chapter 569

CURRENT PROVISIONS

Existing law authorizes the proponent of a county, municipal, or district initiative to withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

NEW PROVISIONS

Authorizes the proponent of a county, municipal, or district referendum to withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official. Grants the same authority to withdraw to the proponent of an amendment of a city or county charter.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 9144.5.

The proponent of a referendum may withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 2.

Adds Elections Code 9237.2.

The proponent of a referendum may withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 3.

Adds Elections Code 9266.5.

The proponent of a measure proposing to amend a charter may withdraw the charter amendment at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

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

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SEC. 4.**Adds Elections Code 9341.5.**

The proponent of a referendum may withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 5.

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. 6.

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 extend the ability to withdraw a petition to proponents of an amendment of a city or county charter or local referendum at the earliest possible opportunity, it is necessary that this bill go into immediate effect.

Section Four

VETOED BILLS

<u>BILL NO.</u>	<u>AUTHOR</u>	<u>SUBJECT</u>	<u>DATE</u>
AB 681	Gonzalez	Elections: Voter Registration: Primary Elections	10/13/2019
AB 773	Gonzalez	Voter Education: High School Pupils	10/07/2019
AB 1036	Aguiar-Curry	Elections: Civic Outreach and Voter Engagement	10/13/2019
AB 1391	Bonta	Elections: Voter Language Preference	10/13/2019
AB 1451	Low	Petition Circulators	10/07/2019
SB 139	Allen	Independent Redistricting Commissions	10/13/2019
SB 268	Wiener	Ballot Measures: Local Taxes	10/13/2019
SB 696	Umbergh	Elections: Political Parties	10/09/2019

Total Count: 8

Section Four

VETOED MESSAGES

BILL NUMBER: California Assembly Bill No. 681

VETOED DATE: October 13, 2019

To the Members of the California State Assembly:

I am returning Assembly Bill 681 without my signature.

This bill requires county elections officials to send a notice to each registered voter in the county with specified voting information before every presidential primary election. This bill also requires a local elections official to accept a change of address form, or a change in party preference form, from a registered voter from the 14th day before an election through the close of polls on election day instead of executing a new affidavit of registration.

While I share the Legislature's intent to reduce voter confusion, this bill may create a state-reimbursable mandate with likely significant ongoing General Fund costs to the state, thus it should be considered in the annual budget process.

Sincerely,

Gavin Newsom, Governor

BILL NUMBER: California Assembly Bill No. 773

VETOED DATE: October 7, 2019

To Members of the California State Assembly:

I am returning Assembly Bill 773 without my signature.

This bill requires the Secretary of State, in coordination with the State Superintendent of Public Instruction, to develop educational programming for pupils in grade 12 on voting registration and participation.

The State has already made a significant investment to increase turnout among young voters, and there is evidence that these efforts are working. The Secretary of State's Office reported that in 2018 there was a significant increase in turnout for voters ages 18-22. Rather than imposing a prescriptive requirement that imposes a one-size-fits-all requirement on each high school, I would prefer that the Secretary of State and the Superintendent of Public Instruction continue their coordination to help register and preregister young people to vote.

Sincerely

Gavin Newsom, Governor

BILL NUMBER: California Assembly Bill No. 1036

VETOED DATE: October 13, 2019

To the Members of the California State Assembly:

I am returning Assembly Bill 1036 without my signature.

This bill, which sunsets on January 1, 2027, authorizes the Yolo County Elections Office, in partnership with the Yolo County Office of Education, to conduct a High School Voter Education Pilot Program to increase civic engagement. This bill also makes certain requirements of the Secretary of State related to county voter outreach, registration, and education efforts.

Yolo County voluntarily held a youth empowerment summit in 2017 and in 2019 that included, among other lessons, how to properly fill out a ballot and provided an opportunity for eligible students to register or pre-register to vote. Students received hands-on experience in the democratic process and had the opportunity to interact directly with their elected representatives. In this case, the goal of increased student civic engagement and participation is being met without specific state funding. Consequently, paying local entities to perform activities that they could and should conduct independently of state reimbursement is not fiscally prudent.

This bill may also create an election-related reimbursable mandate of potentially significant costs to the state. Additionally, if the Secretary of State opts to provide grants to local jurisdictions for the voter outreach and education programs prescribed by this measure, and it is determined that Help America Vote Act (HAVA) funding cannot be used for that purpose, this bill may result in General Fund cost pressures.

For these reasons, I am unable able to sign this bill.

Sincerely,

Gavin Newsom, Governor

BILL NUMBER: California Assembly Bill No. 1391

VETOED DATE: October 13, 2019

To the Members of the California State Assembly:

I am returning Assembly Bill 1391 without my signature.

This bill requires vote by mail ballot applications to provide a means for the applicant to specify the preferred language in which he or she would like to receive future election materials. It also requires voter notifications to include a statement of the voter's language preference and instructions to receive election materials in the voter's preferred language.

While this bill is laudable, I must veto it because of the new obligations it imposes on county elections officials and the state-reimbursable mandate it creates. However, I will propose funding in the 2020-21 budget for the Secretary of State to fulfill its responsibilities in this bill in demonstration of California's commitment to empowering all eligible Californians to exercise their right to vote.

Sincerely,

Gavin Newsom, Governor

BILL NUMBER: California Assembly Bill No. 1451

VETOED DATE: October 7, 2019

To the Members of the California State Assembly:

I am returning Assembly Bill 1451 without my signature.

This bill makes it a misdemeanor to pay signature gatherers based on the number of signatures they collect on a state or local initiative, referendum or recall petition, and requires that at least 10% of signatures on a state initiative petition be collected by unpaid circulators.

While I appreciate the intent of this legislation to incentivize grassroots support for the initiative process, I believe this measure could make the qualification of many initiatives cost-prohibitive, thereby having the opposite effect. I am a strong supporter of California's system of direct democracy and am reluctant to sign any bill that erects barriers to citizen participation in the electoral process.

For this reason, cannot sign this bill.

Sincerely,

Gavin Newsom, Governor

BILL NUMBER: California Senate Bill No. 139

VETOED DATE: October 13, 2019

To the Members of the California State Senate:

I am returning Senate Bill 139 without my signature.

This bill requires a county with more than 400,000 residents to establish an independent redistricting commission tasked with adopting the county's supervisorial districts following each federal decennial census.

While I agree these commissions can be an important tool in preventing gerrymandering, local jurisdictions are already authorized to establish independent, advisory or hybrid redistricting commissions. Moreover, this measure constitutes a clear mandate for which the state may be required to reimburse counties pursuant to the California Constitution and should therefore be considered in the annual budget process.

Sincerely,

Gavin Newsom, Governor

BILL NUMBER: California Sentate Bill No. 268

VETOED DATE: October 13, 2019

To the Members of the California State Senate:

I am returning Senate Bill 268 without my signature.

This bill makes modifications to ballot label requirements and notification requirements to voters for a local measure that imposes or increases a tax with more than one rate or authorizes the issuance of bonds.

I am concerned that this bill as crafted will reduce transparency for local tax and bond measures.

Sincerely,

Gavin Newsom, Governor

BILL NUMBER: California Sentate Bill No. 696

VETOED DATE: October 9, 2019

To the Members of the California State Senate:

I am returning Senate Bill 696 without my signature.

This bill will require any existing political party that uses a variation of the phrase “no party preference” or “decline to state,” or the word or variation of the word “independent” in its name, to change its name or to lose its qualification as a political party.

The American Independent Party of California has been using that name for more than 50 years. This bill would force that entity to change the name it has used since its inception. By requiring one existing political party to change its current name, this bill could be interpreted as a violation of the rights of free speech and association guaranteed by the First and Fourteenth Amendments to the U.S. Constitution.

For this reason, I cannot sign this bill.

Sincerely,

Gavin Newsom, Governor

Section Five**2019 STATUTES INDEX**

<u>Code</u>	<u>Bill No.</u>	<u>Chapter No.</u>	<u>Subject</u>	<u>Page No.</u>
Elections	AB 17	223	Elections: Vote by Mail Ballots	7
Elections	AB 49	553	California Voter Protection Act of 2019	8
Elections	AB 57	82	Elections: Names of Candidates	21
Elections	AB 59	554	Elections: Polling Places: College and University Campuses	22
Elections	AB 299	224	Vote by Mail Ballot Tracking	36
Elections	AB 504	262	Voter Registration: Residency Confirmation	38
Elections	AB 566	91	Elections: Official Canvass Period	46
Elections	AB 623	863	Elections: Printing Requirements and Ballot Design	47
Elections	AB 679	63	Voter Qualifications: Residence and Domicile	60

2019 Legislative Guide to Election Law

<u>Code</u>	<u>Bill No.</u>	<u>Chapter No.</u>	<u>Subject</u>	<u>Page No.</u>
Elections	AB 693	99	Conditional Voter Registration: Voting	61
Elections	AB 698	14	Elections: Initiative and Referendum Petitions: Signature Verification	63
Code of Civil Procedure, Elections	AB 730	493	Elections: Deceptive Audio or Visual Media	68
Education, Elections	AB 963	559	Public Postsecondary Education: Student Civic and Voter Empowerment Act	72
Elections	AB 991	497	Maintenance of the Codes	76
Elections	AB 1044	106	Elections: Secretary of State	85
Elections	AB 1707	561	Polling Places: Handheld Devices	87
Elections	AB 1829	562	Elections	87
Elections	SB 27	121	Primary Elections: Ballot Access: Tax Returns	95
Elections	SB 47	563	Initiative, Referendum, and Recall Petitions: Disclosures	100

2019 Legislative Guide to Election Law

<u>Code</u>	<u>Bill No.</u>	<u>Chapter No.</u>	<u>Subject</u>	<u>Page No.</u>
Elections	SB 72	565	Conditional Voter Registration: Provisional Ballots	108
Elections	SB 151	566	Elections	111
Elections	SB 359	567	Elections: Referendum	114
Elections	SB 505	149	Presidential Primary Elections	116
Elections	SB 523	568	Elections: Vote by Mail Ballots	123
Elections	SB 641	328	Special Elections	131
Elections	SB 681	569	Local Referenda and Charter Amendments: Withdrawal	132