

**CACEO/SOS
Voters Choice Act (SB 450) Working Group**

**Wednesday, May 10, 2017
10:00 a.m. to 3:00 p.m.
Secretary of State Building
Multipurpose Room 1st Floor**

**Call-in Information: (855) 797-9485
Participant Code: 661 483 051**

WebEx Link:

<https://californiagold.webex.com/californiagold/onstage/g.php?MTID=efb1ddb8c27149e3640f85b14e6f7c68f>

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Agenda

- Presentations Regarding Public Consultations
 - Mindy Romero - California Civic Engagement Project
 - Malka Kopell - Center for Collaborative Policy
 - Eric McGhee - Public Policy Institute of California
- County Updates and Presentations
 - Neal Kelley - Orange County
 - Jill LaVine - Sacramento County
 - BPC Report: John Gardner - Solano County
- Formation of Language and Accessibility Advisory Committees
 - Jon Ivy - Secretary of State
- Review of Proposed Deadline Dates
- Review of Draft Outreach Plan Template
- Subcommittee Reports
 - Legislative Changes - Jana Lean, Secretary of State
- Additional Items and Future Agenda Items

CACEO - Voter's Choice Working Group

March 22, 2017 Meeting Notes

County and SOS Staff in Attendance

Nevada	Solano	Shasta	Leg Analyst Office
Sacramento	Calaveras	Tuolumne	Jon Ivy SOS
Santa Barbara	Inyo	Susan Lapsley SOS	Rachelle Delucchi SOS
Madera	Napa	Jana Lean SOS	Todd Ross SOS
Sutter	Orange	James Schwab SOS	Robbie Anderson SOS
Santa Clara	San Luis Obispo	Mike Somers SOS	Anna D'Ascenzi SOS
Los Angeles	San Mateo	Joanna Southard SOS	Karen Devoe SOS

I. Regulations Update

After introductions, Jana Lean from the SOS presented a chart on estimated timelines for completion of various regulatory packages. Ballot printing and e-pollbook proposed regulations were sent to CACEO for feedback. Dean Logan has reached out to several counties and is awaiting receipt of specific feedback. The presentation by the BPC to the 450 Working Group will cover some of the specific feedback received. SOS will send the collected comments out for review so that those who have commented already will be able to ensure their comments have been received. SOS will solicit early feedback from CACEO on conditional voter registration. Greg Diaz from Nevada asked about what vote center regulations may look like. SOS replied that they are in the process of collecting input and making considerations for what may need to be clarified for vote center regulations.

II. Conditional Voter Registration and BPC Report

John Gardner from Solano presented a summary of the BPC process regarding technology solutions for vote center connectivity. Susan Lapsley from SOS reminded everyone that wireless communications are inherently less secure than wired connections. Greg Diaz from Nevada wanted some clarity as to whether or not a laptop would be considered an e-pollbook under the proposed regulations. Susan said that the current draft of regulations would need to be updated to provide clarity regarding different types of light EMS connections (laptops versus e-pollbooks). John continued to walk the group through the options for connectivity that BPC had concluded were the most likely to be workable. Some of the discussion moved to cost considerations, but John reminded the group that the BPC's role was to consider process and allow each county to conduct cost and risk analysis. James Schwab from SOS asked about what the process looks like in other states, like Colorado. It was clarified that Colorado is a top-down system whereas VoteCal was designed as a bottom-up system. DIMS discussed various options including both wired and wireless solutions while also mentioning that two-factor authentication can provide a high degree of security for even wireless connections. Chicago was used as an example where they rented a private network from Verizon and used MiFi's to connect wirelessly to their EMS. It was also suggested that in some rural places that counties piggy-back on existing emergency management networks to provide connectivity. During the course of the discussion on connectivity vs. security, it was brought up that the discussion should really focus on risk assessment. Some considerations

would include security, signal strength, backup options, and local factors. The amount of data that will need to be securely transferred will be increasing significantly given the onset of conditional voter registration and transmission of voter registration data. The group then heard from several counties about their connectivity and security solutions. The discussion around this topic concluded with an discussion of a wide array of concerns regarding CVR, VoteCal, ballot processing timing, primary political party registration during presidential primaries, and the language indicating immediate access to voter information at vote centers. It was suggested that counties offer specific input on what they are thinking of doing for 450 and identify any potential blocks. Additionally, the BPC was asked to continue to provide technical analysis for the 450 Working Group. It was acknowledged that CVR presents challenges in scalability for processing CVRs in larger election settings.

Lastly, a question was asked about what type of staffing needs the counties were considering when thinking about implementing 450. Counties reported a likely blend of professional election series staff, trained part-time staff, and some form of more traditional poll worker.

III. County Cost Estimates and Implementation

Greg Diaz from Nevada presented on the editorial and LTE response to 450 from the Nevada County Union newspaper. He noted that staffing costs are an issue and he was trying to come up with a flat stipend for the poll workers that would work the 135 hours of the election. He is also exploring options around creating a new job classification. Someone asked about the possibility that the state may want to consider passing a bill that would classify these workers differently to avoid some HR issues. Napa mentioned that they classify their workers as seasonal (which allows for a 180-day period) and this allows them to work around some of the county HR requirements. It was suggested that the group establish a special subcommittee to analyze classifications, benefits, costs, and other labor issues and would report back on options for staffing models. SOS will approach labor representatives, who are attending the taskforce meetings, and ask them to help weigh in on options.

IV. County Updates

Calaveras – They are likely to use the vote center model in 2018. They are drafting an EAP and working to get together a LAAC and VAAC. They have letters out to possible vote center sites. They don't anticipate needing new equipment.

Inyo – They are a maybe in terms of utilizing the vote center model for 2018 elections. They received input from the Grand Jury and Board of Supervisors. They are currently able to be completely VBM and don't believe locations of votes centers will be an issue. They don't have a LAAC or VAAC established at this time. Money for new equipment is an issue, and they have an RFP on the way (May/June).

Madera – They are reviewing options and are a maybe on utilizing the vote center model for 2018 elections. Their LAAC and VAAC creation is in process. They need new equipment regardless of their election administration model.

Napa – They believe they will be utilizing the vote center model for 2018 elections. They did brief the Board on how the election would work and believe their administration costs will go up \$130,000 (mostly staffing). They will also be spending \$100,000 on new equipment.

Nevada – They are planning on utilizing the vote center model for 2018 elections. They issued a press releases and the information is before the Board. Their LAAC and VAAC creation process is underway, as is the drafting of the EAP. They anticipate holding public hearings in the summer. They believe their current equipment should work with the new model.

Orange – They are planning on utilizing the vote center model for 2018 elections. They anticipate a new equipment purchase. An RFP is underway for the new equipment. LAAC and VAAC creation is currently in process.

Sacramento – They are planning on utilizing the vote center model for 2018 elections. They are currently surveying vote center sites. Their outreach plan is in development. The Board is waiting on completion of a survey of voters (and they anticipate the report being completed by April 1). An RFP is on the way for the equipment that is needed. New equipment is needed regardless of election administration model. They have a VAAC in place and LAAC creation underway. They have completed a GIS overlay for vote center siting.

San Luis Obispo – They report a 50% chance on utilizing the vote center model for 2018 elections. The biggest challenge for them currently is finding polling locations that could serve as vote center locations. They are planning to use GIS for vote center siting. They need new equipment regardless of the election administration model. They believe they have the resources for a new equipment purchase, but money for additional staffing is possibly an issue.

San Mateo – They are planning on utilizing the vote center model for 2018 elections. The draft election administration plan should be completed in the next 30 days. They are following their previous all-mail ballot model template and have identified a majority of vote center locations. The budget development is in process. They need new equipment but it isn't necessary to move forward on vote center model for 2018.

Santa Clara – They are not planning on utilizing the vote center model for 2018 elections. They are looking at 2020 elections to switch to the vote center model. They have developed an RFP for e-pollbooks. They believe they will conduct a test of a vote center process. Their equipment purchase has been put on hold and likely looking at 2019 for new system.

Shasta – They are not likely to utilize the vote center model for 2018 elections. They report that the costs are prohibitive, but that their Board is supportive. They do need new equipment regardless of the election administration model.

Sierra – They are not likely to utilize the vote center model for 2018 elections.

Sutter – They are planning on utilizing the vote center model for 2018 elections. They plan to use existing equipment for 2018. Their LAAC and VAAC creation processes are underway. EAP draft is also currently in process. A polling site survey revealed that the county libraries

are not on board with becoming vote centers. The cost effectiveness of the new model will be an important measure in evaluating the new model.

Tuolumne – They are planning on utilizing the vote center model for 2018 elections. They are currently working with a GIS specialist to identify vote center locations. They believe county facilities will likely be used for some of their vote centers. The presentation to Board went well, although money is an issue because their budget is tight.

V. SB 450 and Existing Laws

Jana Lean from SOS proposed that the working group put together a small committee to clarify what existing law requires and compare that to the requirements for vote centers and ensure that there is clarity regarding how vote centers should be operating. The goal will be to identify anything items that may need to be included in a bill to provide the necessary legal framework for the operation of vote centers. The goal will be to have the necessary items identified by the end of May and propose it to Senator Stern for SB 568. The staffer for 568 is Darren (who also staffed 450). The committee volunteers were Jana Lean, Courtney Bailey (Sacramento), Aaron Nevarez (LA), John (Solano), Kammi Foote (Inyo), and possibly someone from Santa Clara County.

VI. Related Pending Legislation

AB 918 – Bonta
AB 973 – Lowe
SB 286 – Stern

Additionally, the LAO is conducting funding analysis [this has since been released and can be found here: <http://www.lao.ca.gov/reports/2017/3634/state-role-elections-033017.pdf>]. The Legislature is interested in what is happening around the state regarding voting equipment.

There is a possible bond act for new equipment for all counties. There may be a need to put on a lobby day for the bill. (The bond has been introduced in AB-668).

VII. Future Items and Meeting Date

Items suggested for discussion at future meetings:

- Public Consultations on Vote Center Siting and the Public Hearing process for Election Administration Plans.
- LAO to brief the group on their new report regarding the State's role in funding elections.
- Possible research to be conducted. Both Eric McGee of PPIC and Mindy Romero of UC Davis have offered to conduct SB 450 related research.
- A discussion of what possible Outreach Plans will look like and reports from Counties regarding the creation of these plans.

The group was reminded that the Secretary has offered to personally travel to counties to talk with Supervisors regarding VoteCal implementation. The next meeting is scheduled for May 10, 2017 from 10 a.m. – 3 p.m.



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10 Keys to Successful Engagement

1. **Have a Clear Purpose.** People need a reason to participate in the process. A common understanding and shared agreement of the problem support the development of a clear purpose for the group. As appropriate, recognize time limits and other real world constraints that may impact solutions to the problem.
2. **Include Those Who Have a Stake.** All persons needed to solve the problem should be at the table and committed to full participation—including sticking with the effort until issues are resolved. Make sure designated stakeholders have the executive support of their agency or organization so that, at the end of the day, they can implement the group’s decisions. Agree to communication processes to ensure that participants are accountable to the constituencies they represent.
3. **Encourage Good Faith Commitment and Participation.** Participants must commit to respectful conversation and come to the table in good faith. Acceptance of diverse values and interests is essential. Get beyond the past. Acknowledge early-on where the past has created distrust and commit to going beyond it.
4. **Seek Leaders with Skills in Facilitation.** Make sure the group has one or more participants with good facilitative leadership skills to ensure joint problem-solving and shared decision-making.
5. **Develop a Clear Decision-Making Process.** Let the collaborative design the decision-making process. Agreement on the decision-making process and roles ensures that all participants accept how the group will operate. Further, it empowers stakeholders to take charge and make decisions. Clarify and agree on who is responsible for implementation of decisions made during meetings.
6. **Develop a Solution for All.** Make sure participants understand the needs, concerns and aspirations of all others. Out of this understanding, groups can develop creative solutions that address everyone’s needs, not just a few. Continuously document agreements.
7. **Ground Discussions in Knowledge.** Make sure you have resources, in kind or other, to gather information on which to base collaborative decisions and to implement decisions. Throughout the process, all information should be available equally to all participants. Mutually agreed-to information is a powerful tool.
8. **Commit to Implementation.** Make an explicit implementation plan an essential part of the solution. Balance short and long-term actions. Use a variety of tools to facilitate implementation (such as MOUs and tools supportive of strategic planning, dispute resolution, facilitation, organizational development). Develop communication systems to support implementation of decisions made by the group.
9. **Take Your Time.** Collaboration does not happen overnight. Take time to do it right. Regularly acknowledge contributions by all stakeholders. Share and celebrate progress.
10. **Prepare.** Prepare carefully for each meeting so each has a clear agenda and goals, both to further the overall process and facilitate the overarching outcome of the collaborative. Preparation also respects participants’ time. Anticipate and plan for training and resources. Consider allocating time during meetings for networking, training and sharing resources.



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PUBLIC ENGAGEMENT FOR SB 450 IMPLEMENTATION

ADVISORY COMMITTEES – TIPS FOR WORKING WITH YOUR LAACS AND VAACS

1. Start early
2. Recruit widely
 - Ask for help from community leaders
3. Plan meeting schedule in advance
4. Make the meetings count
 - Focus on open or controversial questions
 - Ask for help from AC members (additional research, brainstorming solutions, checking in with their constituencies)
5. Understand where you are on the public participation spectrum
6. Consider creating an outreach committee

PUBLIC CONSULTATION WORKSHOPS – THINGS TO THINK ABOUT

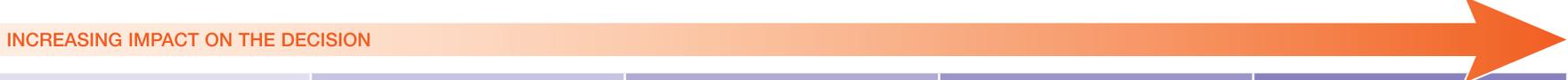
1. Try to set dates at least a month in advance
2. Utilize your advisory committees to help develop workshop topics and assist with outreach
3. Send out materials/make them available online beforehand if possible
4. At workshops:
 - Think about the questions you want to ask – and match the process (i.e., electronic input, plenary brainstorming, small group work) to the questions
 - Be clear and transparent about your constraints – what's possible and what's not
 - Understand (and communicate) where you are on the public participation spectrum
 - Utilize break-out groups for large crowds
5. Consider creating meeting summaries to communicate beyond the workshop

For more information, contact:

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IAP2'S PUBLIC PARTICIPATION SPECTRUM

The IAP2 Federation has developed the Spectrum to help groups define the public's role in any public participation process. The IAP2 Spectrum is quickly becoming an international standard.

INCREASING IMPACT ON THE DECISION 

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.



FEBRUARY 2016

Eric McGhee
Daniel Krimm

Putting California's Voter Turnout in Context



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SUMMARY

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Turnout in California’s recent elections has hit record lows, prompting concern about the implications for the state’s democracy and encouraging many to think of ways the lack of participation might be turned around. To understand and address this challenge requires putting it in broader context. This short report identifies California’s turnout trends over time; separates them into presidential, midterm, and primary elections; examines the separate voting steps of registration and turnout; and places all of these numbers into comparative context with other states.

When seen in isolation, California has a turnout problem. Californians are registering at the same rates as before, but they are not following through and casting a ballot as often. This problem is mostly limited to midterm elections (both primary and fall general), though there is some evidence of a decline in presidential primaries as well. Fall presidential elections continue to draw voters as well today as they did 35 years ago. Thus, if we are concerned about turnout in California, midterm elections ought to be an area of special focus.

But compared to other states, California also has a registration problem. The registration rate has stayed flat in California but climbed elsewhere. California’s recent adoption of automated registration could radically reduce the administrative burden of registering to vote, but what remains will be the same motivational and logistical barriers that impede turnout among the registered.

To address this turnout issue, we briefly examine two possible policy changes discussed recently: 1) the “Colorado model” of voting, and 2) more robust and comprehensive civics education in school. Both demonstrate some promise of increasing turnout, but neither will be a silver bullet. The way forward will increasingly consist of efforts to mobilize already registered voters and get them to the polls.

Introduction

California's 2014 voter turnout hit record lows in both primary and general elections. This has prompted a great deal of concern about the potential causes of this low civic participation, where it is headed, and what can be done about it.

Unlike many other states, California has been working hard to make the voting and registration processes as easy as possible. Residents can register to vote online and submit a vote-by-mail ballot in every election. Mail ballots can even arrive slightly late—so long as they are mailed by Election Day and make it to the registrar within three days of the election. Some of the more significant changes to the registration system are yet to come. The state is poised to allow residents as young as 16 to “preregister,” to help automate the process of passing registrations through the DMV, and to enable any remaining unregistered citizens to sign up and cast a ballot after the traditional registration deadline has passed.

These efforts to improve voter turnout are important, but before we proceed further it is useful to step back and get a better sense of the nature and scope of the problem. We need to unpack overall turnout decline by different types of elections, and distinguish between enduring voter apathy and apathy toward specific elections.

Below we address some general questions about turnout in California that ought to be on the minds of everyone concerned about the issue:

1. Has turnout declined in all types of elections—presidential, midterm, and primary?
2. What role does declining registration play, as compared to declining turnout among those who are registered?
3. Are the answers to the first two questions different if we compare California to other states?
4. What are some future solutions we might adopt to address the turnout problem?

The answers to these questions create a more complex and nuanced portrait of voter turnout in California, and reveal insights into the nature of low turnout in recent years.

Turnout by Election Type

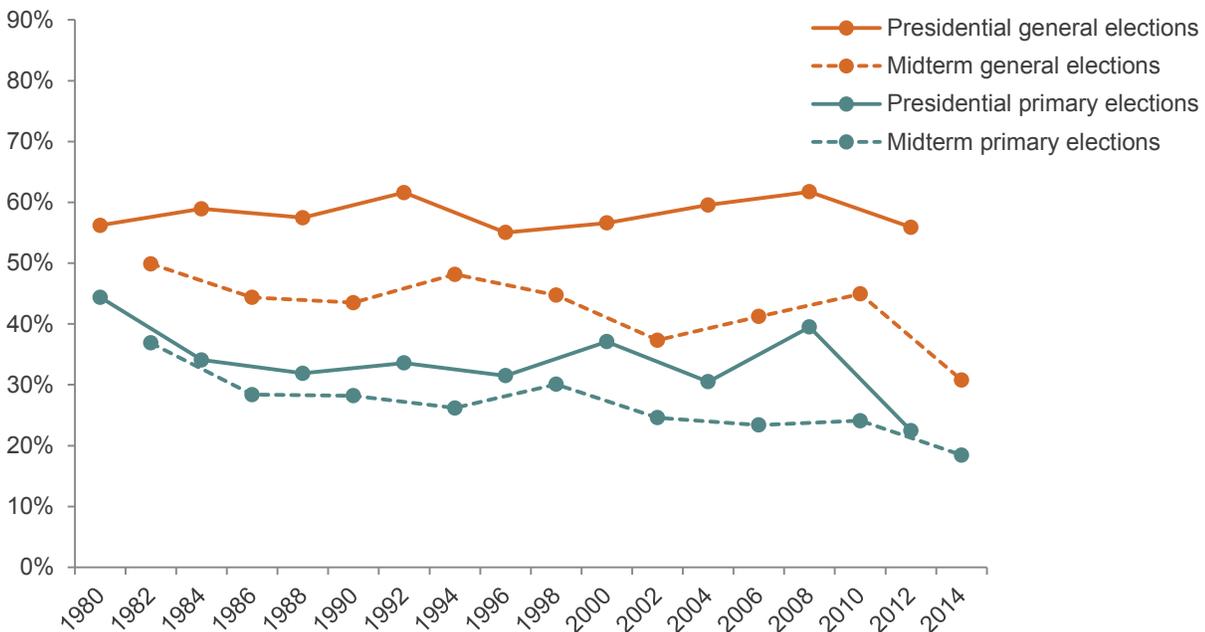
When predicting turnout in a given election, the most important thing to know is whether a presidential contest is on the ballot. Presidential elections receive vastly more media attention and voter interest than even the most contentious and high-profile contest for any other office or ballot measure. That in turn drives far more voters to the polls. At the other end of the spectrum, turnout for primary elections has tended to be weak because the options have usually been limited to candidates of the same party, thus sapping even a presidential primary contest of the excitement that comes from a battle of competing world views. Even in the last two primary elections in California, when the “top-two” system has placed candidates of all parties on the same ballot, the decisions in the primary stage have not determined the final winner and so have not received the same level of attention as a fall general election.

These distinctions are useful because if turnout decline is concentrated in certain types of elections, tepid campaigns or uninspiring candidates might be an important cause. At the very least, such a pattern would suggest there is more to the problem than mechanical demographic trends or broad dissatisfaction with government.

Figure 1 shows the share of California residents who voted over the past 35 years, splitting the trend into four types of elections: fall elections with a presidential race on the ballot; fall midterm elections when there is no presidential race but the state’s executive positions, such as governor and attorney general, are filled; and primary elections in both types of years.

FIGURE 1

Turnout decline among eligible Californians has been concentrated in midterm and primary elections



SOURCE: California Secretary of State.

NOTE: Graph shows turnout rate among Californians who are eligible to vote.

The graph makes clear that fall presidential contests do not fit the pattern of turnout decline. There was a modest decline up through about 1996, but in the years since, turnout in presidential elections has actually climbed more often than it has fallen. At any rate, there is no sign here of a disengaging electorate.

The same could not be said of primary elections or midterm general elections. Turnout in these races has fallen significantly. In midterm general elections, it has slid from about 50 percent in 1982 to 31 percent in 2014, and in midterm primaries from 36 percent to 18 percent. Turnout in California's gubernatorial races used to be about 10 percentage points lower than in the previous presidential race. That gap is now over twice as large.

Presidential primaries are a more ambiguous case. For most of this period, turnout in these primaries has not fallen at all. But the 2012 presidential primary suddenly produced a new low (23%), raising questions about whether this drop will persist in 2016 or whether turnout will return to the higher levels of the past.

Registration versus Voting

The turnout trends in Figure 1 actually conflate two separate steps. Before they can vote, Californians must first confirm they are eligible by registering with their county registrar (eligibility is mostly a matter of citizenship).¹ Currently in California, registration must take place at least 15 days before the election, and whenever voters move, it is incumbent on them to reregister at their new address. Thus, potential voters must have the motivation and forethought to register before they can make any further voting decisions. And once they are registered they must still cast a ballot, which requires its own motivation and set of decisions.

These two steps are necessarily driven by similar factors, but they are different enough that they should be considered separately. Traditionally, changes in the registration rate are “sticky”—they occur slowly and persist over time. A relatively consistent voter who does not move never has to reregister, and even inactive voters are rarely removed from the registration list entirely. Turnout, by contrast, can fluctuate significantly over time as the same group of registered voters responds to the politics of the moment. Moreover, although voters who are registered but not voting are relatively disengaged from the current election, they have at least expressed a provisional interest in voting by making the effort to become registered. That means they might be more responsive to future efforts at mobilization.

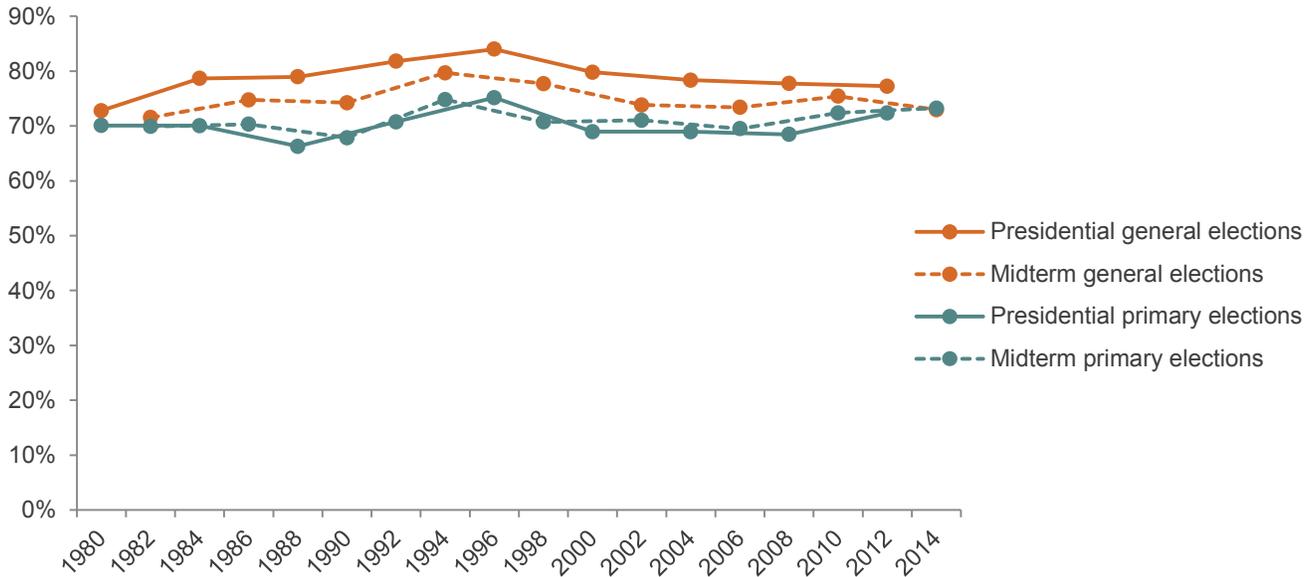
On a more practical level, addressing the problem of low voter participation requires knowing the community one needs to target. If registration among eligible residents is falling, the problem lies mostly with young people not signing up at rates comparable to older generations. Remedies would focus on the process of registration itself. On the other hand, if turnout is falling among the registered population, it suggests that even those who at some point considered themselves likely to vote have become disengaged from the political process. Since there is no need to register them, reaching out to these voters and convincing them to participate becomes a much larger part of the solution.

Figures 2 and 3 split the trends in Figure 1 into these two separate stages: the registration rate among eligible residents and the turnout rate among registered voters. In the past 35 years there has been almost no change in the overall registration rate (Figure 2). It tends to be somewhat lower in midterms and primary elections, as relatively more voters leave the rolls than are added to them. There has also been a modest decline of a few percentage points since the mid-1990s. But there is otherwise little sign of a broader trend over time.

¹ In fact, for qualified noncitizens living in California, the decision to become a citizen is really a third step that must precede these other two.

FIGURE 2

California's registration rate has been flat



SOURCE: California Secretary of State.

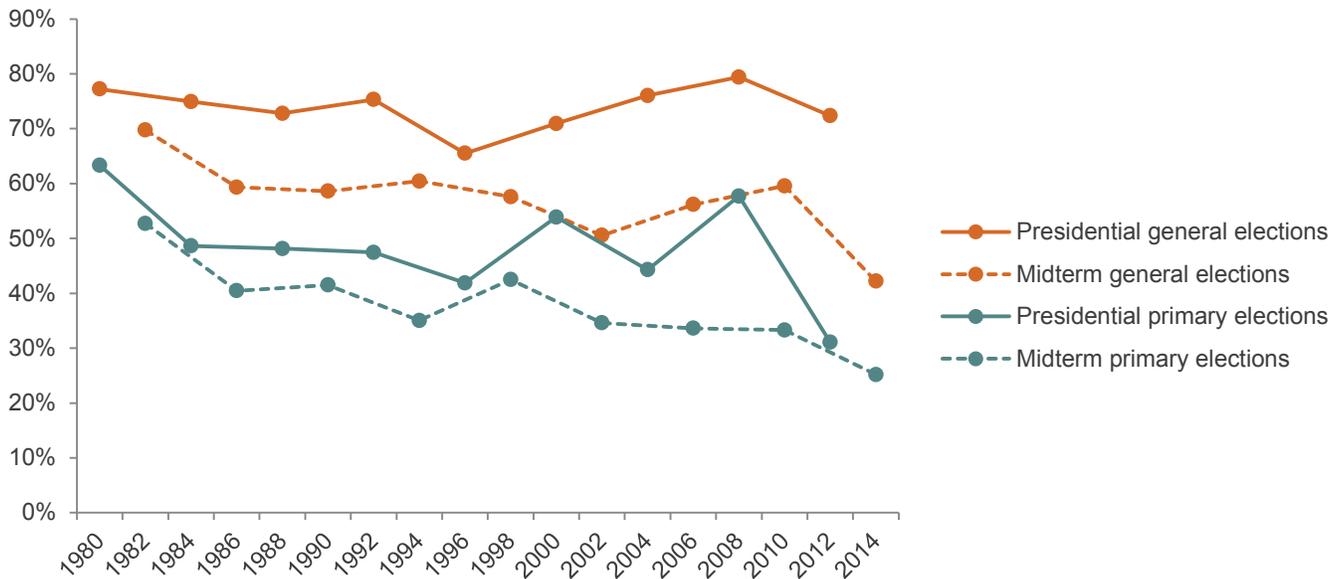
NOTE: The 2008 election season had two primary elections—one for president in February and one for all other offices in June; the graph shows turnout only for the presidential.

Turnout among the registered tells a very different story (Figure 3). This figure looks like an exaggerated version of Figure 1: there has been no real decline in turnout for fall presidential races, but both primaries and fall general elections in midterm years have seen participation plummet. Turnout among registered voters is down almost 30 percent in these elections.² Presidential primaries once again offer an in-between case, with some signs of stability and some signs of decline. However, turnout does tend to be higher in years like 2000 and 2008, when there was no incumbent on either side and California's primary fell early enough in the process to potentially make a difference in the outcome.

² At least some of the decline in primary elections might reflect the lower primary turnout rate of registered independents (officially called “no party preference” voters), who have been a growing share of the electorate over time.

FIGURE 3

Turnout among registered voters in California has fallen



SOURCE: California Secretary of State.

NOTE: The 2008 election season had two primary elections—one for president in February and one for all other offices in June; the graph shows turnout only for the presidential.

In sum, California’s decline in voter turnout is hard to pin on registration. Nor does it have much to do with fall presidential races, which continue to engage the public as much as they did 35 years ago. The problem lies with midterm elections where no presidential contest is on the ballot, and to a certain extent with presidential primaries as well. Next we will broaden our view to see how California measures up to other states and whether these dynamics may reflect a larger trend across the country.

California in Comparative Perspective

California’s midterm primary and general election turnout may be falling, but is California doing any worse than other states? If turnout decline is occurring everywhere at the same rate, then California may have no relative decline at all. The opposite is also possible: if turnout or registration in other states is rising or falling, even the absence of change in California might reflect a declining or improving position in relative terms.

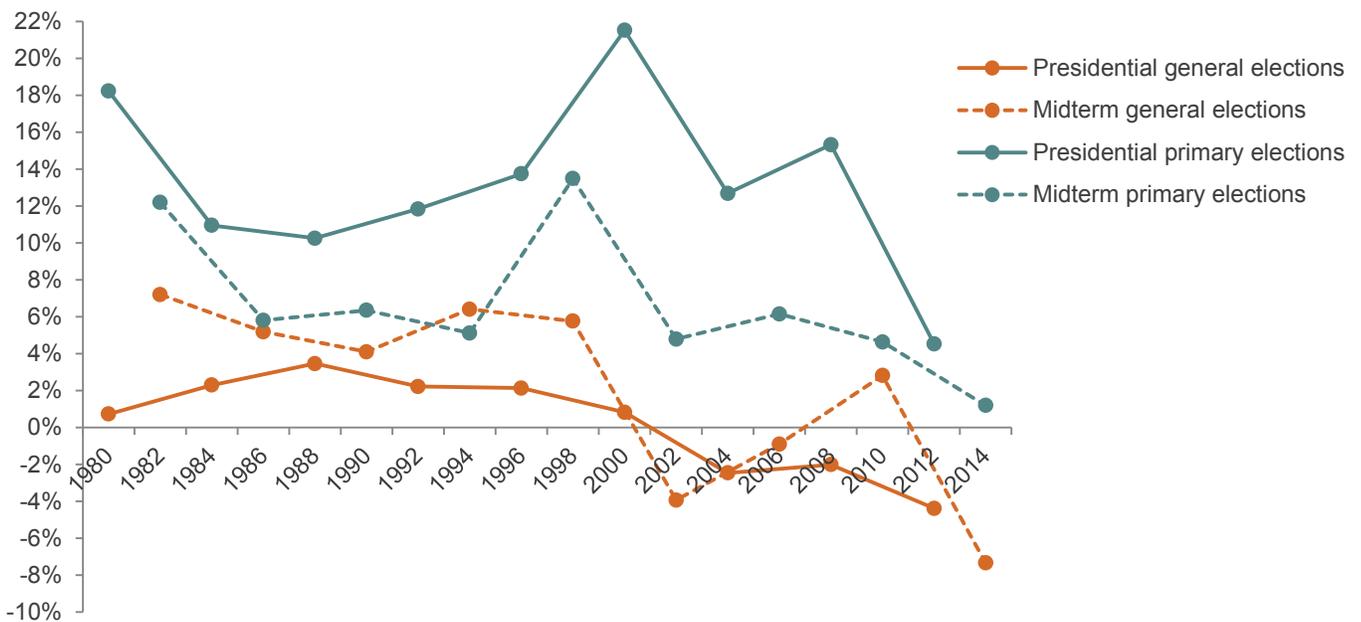
If California’s turnout has declined at the same rate as in other places, then the explanation likely does not lie with anything about the state’s particular demography or politics, but rather with broader trends in American society. This would not absolve the state of responsibility to address the problem, but it would put the magnitude of the problem in the proper perspective. By contrast, if the state’s turnout has fallen even faster than in other states, it would suggest something specific to California. It would also suggest both the possibility of more control over solutions and a greater sense of urgency about finding them.

Figure 4 below shows how eligible turnout deviates from the trend in the rest of the country. Positive numbers mark higher turnout for California, and negative numbers lower turnout. Most of the conclusions are unchanged when seen in comparative perspective: turnout is still declining in relative terms for midterm primary and general

elections, and there are still signs of concern from the 2012 presidential primary.³ Each of these trends is less pronounced because turnout elsewhere has also been declining. Interestingly, turnout in California’s primary elections has been higher than the rest of the country throughout this time period, including for the record low turnout of 2014.⁴

However, the story for fall presidential elections does change when seen from this comparative perspective. Relative to other states, turnout in California’s presidential elections has been slipping since at least 2000, and the state’s turnout in those years has been below the average for all other states since about 2004. In short, California’s fall presidential turnout has remained steady, but in other states it has risen, increasingly leaving California behind.⁵

FIGURE 4
Turnout relative to other states has fallen in midterm and presidential elections



SOURCE: United States Elections Project (eligible voters and turnout, 1980–2014); National Conference of State Legislatures (primary ballot measure outcomes for determining turnout for some states in some years); Congressional Quarterly Voting and Elections Collection (primary election outcomes); various secretaries of state (other primary election outcomes data).

NOTE: Graph shows California’s turnout among the eligible population as a deviation from the average turnout in all other states. Positive values show higher turnout than the nation as a whole, while negative numbers show lower turnout. Because primary turnout was not available for all states in all years, a standardized comparison case was created with a multilevel model with no fixed effects and random effects for years and states. The year random effects established the reference point for each year, purged of the idiosyncrasies of the states that happened to be included in the data in that year. The 2008 election season had two primary elections—one for president in February and one for all other offices in June; the graph shows turnout only for the presidential.

³ California’s rank has slipped some, reflecting the fact that a small number of states have been doing quite well with primary turnout in recent years. See McGhee (2014) for details.

⁴ At least some of this difference likely reflects the fact that, until recently, California was one of the only states to regularly feature initiatives on the primary election ballot. However, the legislature recently banned citizen initiatives from the primary ballot, so they will only appear on the fall ballot in the future.

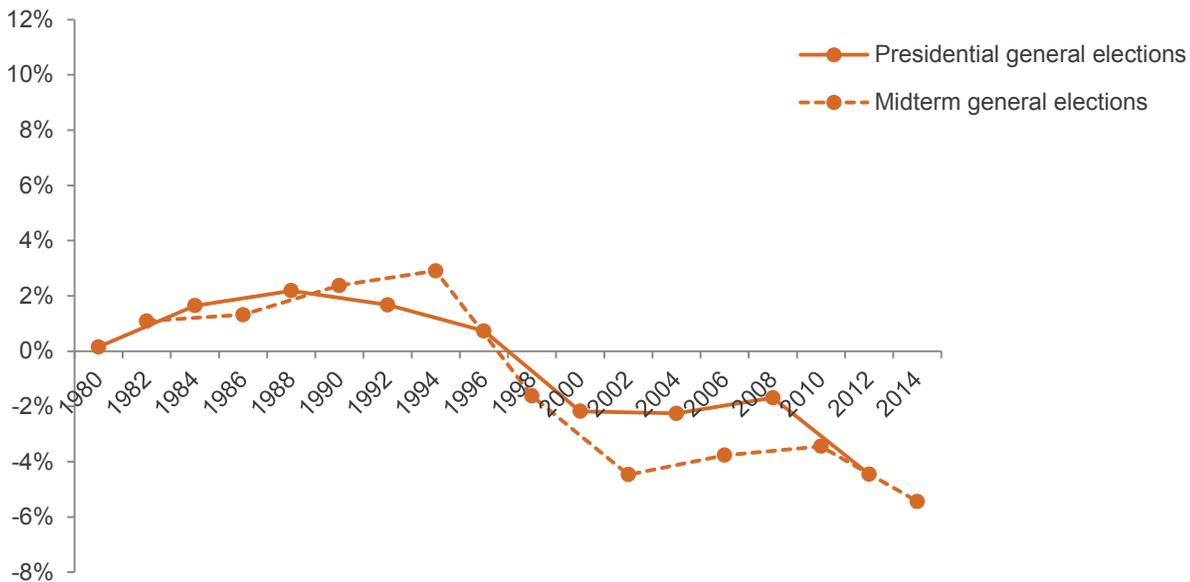
⁵ Eligibility in Figure 3 comes from the United States Election Project, which works to develop nationally comparable measures of eligibility that incorporate multiple eligibility factors, including citizenship and status as a convicted felon.

What about the distinction between registration and voting? Relative to other states, is California falling behind more in one than the other? Figure 4 splits the data into registration and turnout as before, but now presents those trends in relative terms.⁶ These data are not available for primaries, so the analysis here focuses only on presidential and midterm general elections.

Figure 2 showed that the absolute registration rate for California has been flat over the past 35 years; Figure 5 shows that the registration rate relative to other states has steadily fallen. Given the stickiness of registration, it is not surprising that this decline has been fairly measured and steady, and that the pattern has been virtually identical in presidential and midterm elections.

FIGURE 5

Compared to other states, California’s registration rate has fallen in both presidential and midterm elections



SOURCE: U.S. Census Current Population Survey.

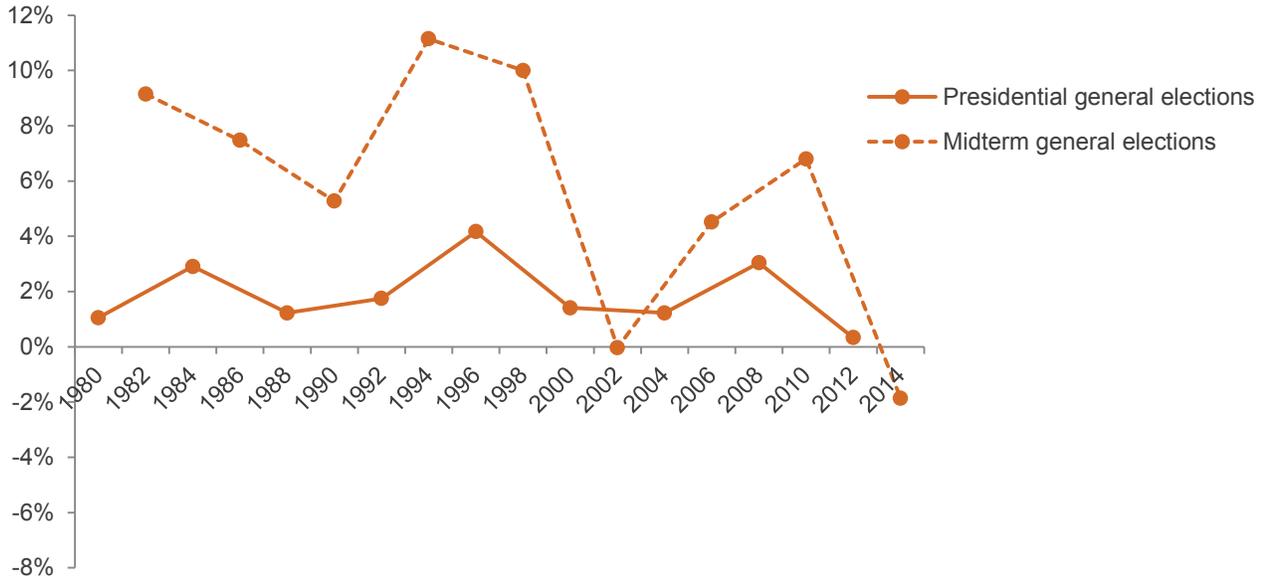
NOTE: Graphs show California’s deviation from the average registration rate of all other states.

⁶ Because official registration records from other states are often poorly kept and difficult to compare, this analysis uses the Current Population Survey of the U.S. Census, a survey that is only administered in fall elections with a federal contest on the ballot. Missing data on the registration and turnout questions in this survey have been imputed using the procedure described in the technical appendix of the PPIC report *Expanding California’s Electorate: Will Recent Reforms Increase Voter Turnout?* (McGhee 2014).

Figure 6 shows California’s relative turnout among those who are registered. Here the story is more familiar: turnout in presidential elections has been mostly flat compared to the rest of the country, while turnout in midterms has been erratic but generally trending down. In both types of elections, with only a few exceptions, California has beaten the rest of the country at getting voters to the polls once they are registered.

FIGURE 6

Compared to other states, California’s turnout has been higher and has fallen more slowly and erratically



SOURCE: U.S. Census Current Population Survey.

NOTE: Graphs show California’s deviation from the average registered voter turnout of all other states.

Lessons from Recent Trends

This examination of trends leaves us with a more nuanced picture of turnout in California than we had before:

- California's registration rate has been mostly flat over the past 35 years, but it probably should have been climbing. Other states have improved their registration rates on average over the same period.⁷ This relative decline in California's registration is dragging down California's relative turnout across both midterm and presidential elections.
- Midterm general elections—when California elects its governors and other statewide officers—present the most serious cause for concern. Turnout is falling in both primaries and general elections, and in both absolute and relative terms.
- California's turnout in presidential primaries has been falling, but inconsistently enough that it does not yet merit serious concern. In fact, if turnout in the June 2016 presidential primary manages to be about 35 percent of eligible residents or higher, it would indicate no persistent decline at all.

⁷ California's relative decline may in part reflect the fact that California is no longer a battleground state in presidential elections, in a time when presidential contests overall have become more competitive. In fact, other large non-battleground states with similar demographics to California's such as Illinois, New York, and Texas have also seen relative turnout and registration declines. By contrast, Florida, which has similar demographics but is a battleground, has seen its relative registration and turnout increase. However, even if presidential competition is the cause, it is still worth considering what California might do to make up some of the difference.

Possible Policy Changes

When comparing the two steps of the voting process—registration and turnout—it is perhaps easiest to make the case for targeting registration as the focus of state policy. A higher registration rate would likely produce a modest improvement in turnout among those eligible to vote, and the natural stickiness of registration would give such changes greater staying power.

Recent policy changes in California will make registration so simple as to virtually eliminate it as a separate barrier. AB 1461, which was signed by Governor Brown in 2015, initiated a system that will soon begin to register many more California citizens when they apply for a new driver’s license, renew an old one, or change their address with the Department of Motor Vehicles (DMV). Though the change will not happen overnight, this new system will eventually draw many more citizens onto the voter rolls.⁸

Thus, future policy will need to focus more on getting out the vote among those who are already registered. Turnout among the registered has fallen sharply in primary and fall midterm elections, even if at least some of that decline is common to the rest of the country.

Moreover, the decision whether or not to register is about more than the immediate procedural headaches of doing so. In part it reflects one’s engagement with the political world, and so has a lot in common with the decision about voting itself. Many unregistered citizens have never been asked to participate nor given a reason to think it matters, and many see politics as lacking relevance to their own lives. Thus, once automated registration is in place, there will still be a need to encourage these new voters to cast a ballot.

What, then, can be done to encourage more people to cast a ballot? Two possibilities have been receiving attention lately: adopting the “Colorado model” of voting; and beefing up civic education in schools.

The “Colorado Model” of Voting

In its 2015 session, the California legislature considered SB 450, which would adopt a system of voting similar to the one currently used in Colorado. For counties that choose to participate, the traditional precinct system would be replaced with a smaller number of larger “vote centers.” Unlike polling places, each vote center would be able to handle all county residents, not just those who live nearby. Moreover, all voters would be sent a vote-by-mail ballot by default, which they could return by mail, drop off at any vote center in the county, or deposit in one of a number of ballot drop-off locations. If they chose not to vote by mail or if they lost or spoiled their vote by mail ballot, they could have their ballot printed out at any of the vote centers in the county, which would be open for early voting up to 10 days before Election Day. Finally, the system would also plug into the state’s new “conditional” registration system,⁹ meaning unregistered citizens could come to a vote center and both register and vote at the same time.

Research suggests vote centers and vote-by-mail elections are much cheaper to run, which is attractive in a time when funding for elections has been on the decline (Gronke and Miller 2012; Folz 2014; Hall et al. 2012). However, the effects on turnout are more mixed. Though vote centers do not seem to produce a decline in turnout,

⁸ AB 1461 is a somewhat less aggressive version of a system recently adopted in Oregon. Oregon will automatically add eligible voters from its DMV database to the voter rolls, and then send follow-up letters allowing those new voters to opt out of the system. The California system will require DMV customers to attest to their eligibility to vote and give them an “opt out” question before their records are sent to the Secretary of State.

⁹ The “conditional” registration system will allow California citizens to both register and vote simultaneously at any time between the traditional close of registration deadline 15 days before the election up to and including Election Day itself. However, while many states that have similar systems allow registration and voting at a polling place on Election Day, the California system will require users to go to a county registrar’s office. Allowing vote centers to serve as county registrar offices for the purposes of conditional registration could greatly expand the system’s reach.

early experiments have not consistently produced an increase, either (Folz 2014; Hall et al. 2012; Stein and Vonnahme 2008). Likewise, the effect of vote-by-mail elections has generally been to increase turnout, though at least one study actually found a decline, and it is not clear whether the increase in turnout persists over time (Gronke and Miller 2012; Kousser and Mullin 2007; Southwell and Burchett 2000; Gerber et al. 2013; Leighley and Nagler 2014).

One complicated issue with vote centers concerns how many to make available for a given population. Since the goal is generally to open fewer vote centers than precincts, it is always possible that too few will be opened and voters will have trouble finding a convenient one nearby. Research on the effect of distance on voting has found turnout declines up to 5 percent for distances up to 10 miles from the precinct (Dyck and Gimpel 2005). But since vote centers are more flexible than precincts—they will accept all potential voters no matter where in the county they reside and will be open for more than just Election Day—voters may more often find themselves in closer proximity to a voting location at a moment when they have some free time to cast a vote.

Civic Education

Another possible way to increase turnout is to focus on the low participation rates of young people (Romero 2015) and do a better job of acculturating them into the habit of voting. There has been some work on this front already. The recent California Task Force on K–12 Civic Learning has offered a lengthy list of recommendations rooted in six “proven practices” (*Revitalizing K–12 Civic Learning In California: A Blueprint For Action, Guardian of Democracy: The Civic Mission of Schools*). The six practices cover both classroom activities (instruction, discussion) and participatory exercises (service learning, simulations, civic extracurriculars, school governance).

Research suggests why these practices work and what will help them work better. Young people often distrust politicians and political institutions and feel that their participation in elections does not matter (Bowler and Donovan 2013; Blais et al. 2004). At the same time, they are surprisingly receptive to volunteering and activism (Andolina et al. 2003; Chareka and Sears 2006). At its best, civic education connects the latter to the former by imparting a broader understanding of institutional levers of power and connecting them to current events and local concerns (Bennett 2007; Hart et al. 2007).

The specific effects on voter turnout can be notable. One study found that high school extracurricular participation in political organizations increased subsequent adult turnout from 21 to 38 percent (Andolina et al. 2003). Another found that one year of coursework in American Government or Civics increased the probability of voting as an adult by 3 to 6 percent, with a more pronounced 7 to 11 percent effect among students whose parents did not make a practice of discussing politics with them (Bachner 2010). A study of students participating in the Kids Voting USA program found modest but significant correlations after an agenda of interactive classroom instruction and discussion with parents (Kioussis and McDevitt 2008). Ideally, civic education that combines more of these practices in an integrated program should see larger effects on civic engagement in general, and voting in particular. Preregistration of 16- and 17-year-olds may be particularly helpful here, as more high school students will have the opportunity to register to vote at the same time that they are taking a civics course.

Conclusion

These potential reforms are not the only means of possibly increasing turnout. But as California's voter registration process gets easier, we move further into a world where the main barrier is the cost of and motivation for voting. Indeed, much of the registration problem we currently have may actually reflect these deeper issues.

The Colorado model is about lowering the costs of voting for voters, and there may be other steps along the same lines that we can take. But it is impossible to eliminate all the costs, so improving turnout will require an ongoing process of outreach and mobilization. Civic education is one step in that process. But aggressive outreach should become the new normal if we seek to increase participation.

For this reason, it will be important to identify which Californians are not registering or voting, and why they are not. This will help us better understand who to mobilize and what policy options might be best suited to improve the situation. Something about California's midterm elections is failing to energize the electorate, but there is more to learn about which portions of the electorate have become especially disengaged.

In short, our portrait of turnout in California is marked by both broad and detailed brush strokes. Our registration rate lags other states in a way that affects many types of elections and suggests a more general disengagement. But turnout decline is also concentrated in specific types of elections, suggesting disengagement with the politics of the moment. Addressing the turnout problem will require acknowledging that both types of disengagement exist and attempting to alleviate them.

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Local LAACs, VAACs, and Joint Advisory Committees

Guide to Creating a Local Voting Accessibility Advisory Committee (VAAC)

<http://elections.cdn.sos.ca.gov/pdfs/guide-create-local-vaac.pdf>

Guide to Creating a Local Language Accessibility Advisory Committee (LAAC)

Coming soon: <http://www.sos.ca.gov/elections/laac>

Contacting Statewide VAAC and LAAC Members

Voting Accessibility Advisory Committee:

vaac@sos.ca.gov

www.sos.ca.gov/elections/vaac

Language Accessibility Advisory Committee:

laac@sos.ca.gov

www.sos.ca.gov/elections/laac

County elections offices with local advisory committees:

- Alameda
- Calaveras
- Colusa
- El Dorado
- Humboldt
- Los Angeles
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- Napa
- Orange
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- San Bernardino
- San Diego
- San Francisco
- San Mateo
- Santa Barbara
- Shasta
- Sonoma
- Stanislaus
- Tehama
- Ventura

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Suggested Deadlines for Voters' Choice Act Implementation

The following document details dates for deadlines in order to ensure appropriate implementation of the Voters' Choice Act (VCA). Unless otherwise noted, these dates do not appear in code and are suggestions proposed by the Secretary of State in an effort to help Counties navigate implementation of the new law. The final decision on when and how best to implement the VCA rests with county elections officials.

- August 1, 2017 - Date by which counties should make the final decision as to whether or not they will be utilizing the Vote Center model for the 2018 elections.
- August 15, 2017 - Date by which counties should have collected the necessary data and developed and Election Administration Plan outline to engage communities at the public consultation meetings.
- October 1, 2017 - Legal deadline to establish a county LAAC/VAAC.
- October 2, 2017 - Date by which counties should have held all necessary public consultations for language minority communities or voters with disabilities to aid in the development of an Election Administration Plan (EAP).
- October 10, 2017 - Date by which counties should have published a proposed EAP.
- December 4, 2017 - Latest date by which counties should have transmitted their Outreach Plan to the SOS.
- December 19, 2017 - Final date SOS will be approving Outreach Plans
- February 5, 2018 - This is the deadline for making changes to the Amended Election Administration Plan that require a 30 day public comment period.
- March 9, 2018 - Legal deadline to account for the number of registered voters in the county in order to determine the number of vote centers and drop boxes to be places around the county.
- April 1, 2018 - Legal deadline to hold the first meeting of the county LAAC/VAAC.

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Education and Outreach Plan Development Template

Voter Contact – General

In this section, describe the systematic strategy that your county will use to educate the general public about the Election Administration Plan and how voting will change for them in the upcoming elections. Please address all of the following items:

- A. Describe your media outreach plan and your use of the following:
 - 1. Television
 - 2. Radio
 - 3. Periodicals
 - 4. Social Media
 - 5. Public Service announcements
- B. Describe your community presence plan. Include a list of the dates and locations for:
 - 1. Community events staff are scheduled to attend.
 - 2. Community forums staff are schedule to give presentations regarding voting under the VCA.
 - 3. Other venues staff will utilize to educate the public about voting under the VCA.
- C. Describe your plan to have two direct contacts with voters.
- D. Provide copies of any drafted materials that will be used in educating the public about the transition to the Vote Center model.
- E. List your community partners and their role in your Outreach Plan.
- F. List any additional communities you intend to target (youth voters, vulnerable populations, underserved communities, etc) and your specific plans to reach them.

Voter Contact – Language Minority Communities

In this section, describe the systematic strategy that your county will use to identify and educate each language minority community about the Election Administration Plan and how voting will change for them in the upcoming elections. Please address all of the following items:

- A. Describe the methods used to identify language minority communities.
- B. Describe which language minority communities will be served.
- C. Describe your plan to use media to reach out to each language minority community via:
 - 1. Television
 - 2. Radio
 - 3. Periodicals
 - 4. Social Media
 - 5. Public Service Announcements

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- D. Describe the time and location of bilingual education workshops for each language community.
- E. List the time and date of the community events for each language minority community you will attend.
- F. How many election board members will you be utilizing?
 - 1. How many of the board members are bilingual for each language you are serving?
- G. Provide copies of any drafted materials that will be used in educating language minority communities about the transition to the Vote Center model.
- H. List any community partners that specialize in advocating for a language minority community and their role in your plan to communicate with each language minority.

Voter Contact – Voters with Disabilities

In this section, describe the systematic strategy that your county will use to educate the public about how accessibility is being addressed in the Election Administration Plan and how voting will be accommodated for voters with disabilities. Please address all of the following items:

- A. Describe your plan to use media to reach out to voters with disabilities and inform voters of accessible voting options via:
 - 1. Television
 - 2. Radio
 - 3. Periodicals
 - 4. Social Media
 - 5. Public Service Announcements
- B. List the time and location of at least one education workshop that will be held specifically for disabled voters and advocates for disabled voters.
- C. Describe the services to be provided to voters with disabilities, including:
 - 1. The type and number of voting machines.
 - 2. The type and number of reasonable accommodations and modifications at voter centers.
- D. Provide copies of any drafted materials that will be used in educating voters with disabilities about the transition to the Vote Center model and the options for accessible vote casting.
- E. List any community partners that specialize in advocating for persons with disabilities and their role in communicating with voters with disabilities.

Vote Center and Ballot Dropoff Location Information

To the extent possible please provide the following information:

- A. The number of vote centers to be established.
- B. The number of dropoff locations to be established.
- C. List the locations of vote centers and their hours of operation.
- D. List the locations of ballot dropoffs and whether they are inside or outside.
- E. Provide a map of the locations of vote centers and dropoff locations.

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- F. List the security and contingency plans that will be implemented to ensure prevention of a disruption of the election process.
- G. List the security and contingency plans that will be implemented to ensure continuation of the election process in the case a disruption occurs.

Vote Center Ballot Security and Privacy Plans

- A. Describe the design, layout, and placement of equipment in each vote center to ensure the casting of private ballots.
- B. List of the methods and standards used to ensure security of voting.

Budget

- A. Provide an accounting of your projected budget for outreach activities.
- B. Provide a comparison of your projected outreach budget to past budgets for outreach (at least the last two election cycles).
- C. Provide an estimate of projected short-term savings.
- D. Provide an estimate of the projected long-term savings.

[If Necessary] Second Implementation

If your county has conducted an election utilizing the provisions of the Voters' Choice Act and there were disparities in voter access described in the report to the legislature, please provide an accounting of your plan to address those disparities.

Proposed Amendments to Elections Code for SB 450 Implementation

Below is an example of some proposed amendments to the Elections Code that the SB 450 Legislative Subcommittee is contemplating. The hope is that by creating some basic definitions, fewer Elections Code sections will have to be amended in order to have a seamless implementation of SB 450.

Section 324.5. "Index" means the list of registered voters in a single or consolidated precinct or in an entire county.

Section 325. "Inspector" means the supervisor of the precinct board of which he or she is a member.

Section 338.5. "Polling Place" means a location where a voter casts a ballot and includes the following terms, as applicable: poll, polling location, and vote center. A polling place can serve more than one precinct.

Section 338.6. "Precinct" means a geographical area within a county, that is made up of voters and is formed pursuant to Chapter 3 of Division 12. All voters from the same precinct are assigned to a specific polling place for an election. In an election conducted using vote centers, eligible voters from any precinct within the county can use any vote center located within the county.

Section 339. (a) "Precinct board" is the board appointed by the elections official to serve at a single precinct or a consolidated precinct. *In an election conducted using vote centers, "precinct board" means the board appointed by the elections official to serve at a vote center.*

(b) "Precinct board," when used in relation to proceedings taking place after the polls have closed, likewise includes any substitutive canvassing and counting board that may have been appointed to take the place of the board theretofore serving.

Section 349.5. "Roster" means the list of voters assigned to a precinct and contains an area for a voter's signature. The roster may be in paper or electronic form.

Section 357.5. "Vote center" means a location established for holding elections that offers the services described in Sections 2170 and 4005 or 4007.