

# Senator Alex Padilla

## Fact Sheet



### **SB 362– PADILLA** **Disaster Responder Voting** (03/14/2013)

#### **Summary**

SB 362 would authorize the Governor and local elections officials to ensure that California emergency workers assisting in disaster relief efforts out of the state can vote.

#### **Background**

Californian residents volunteer to assist in natural disaster relief efforts across the U.S and the world. They travel to areas affected by disasters for extended periods of time to help with recovery. These efforts can occur close to an election and affect a volunteer's ability to vote, such as Hurricane Sandy which occurred a week before the 2012 Presidential Election.

In the aftermath of Hurricane Sandy the Los Angeles Department of Water & Power, SoCal Edison, San Diego Gas & Electric, Pacific Gas & Electric, the California Red Cross, the California National Guard, and the California Emergency Management Urban Search and Rescue Team, and many other California residents went to New York and New Jersey to volunteer.

The California volunteers had little time to prepare special arrangements to vote and the deadline to apply for an absentee ballot had already passed. The deadline is 7 days before an election. Neither the Governor nor Secretary of State nor County Election Officials had the authority to allow the volunteers to vote under special circumstances.

The California Utilities Emergency Association (CUEA) oversees California's national relief efforts. CUEA found that during Hurricane Sandy relief efforts in New York and New Jersey several hundred utility workers were unable to vote. Many of them had intended to vote at their local polling place, but due to the timing of the relief efforts were unable to, and they missed the deadline for absentee ballots.

#### **This Bill**

Would allow Governor to declare an out of state emergency and issue an executive order to help out of state California emergency workers vote.

Would require elections officials to issue a vote by mail ballot to emergency workers after the 7 day deadline.

Would allow elections official to send the vote by mail ballot via email or fax.

Would allow emergency worker vote by mail ballots to be counted if the ballot was postmarked by election day.

#### **Existing Law**

Current law, gives the Governor certain powers to assist voters during declared states of emergency within California. (ELEC Code 14313)

Current law creates a process for voters who are hospitalized close to an election (ELEC 3021)

Current law does not provide any provisions for assisting voters who are out of state or country because of a disaster.