

Chaptered, Vetoed, & Dead Bills
2019-2020 Legislative Session
Updated 11/11/2020

Chaptered Bills

1. AB 100, Committee on Budget. State Government. (CHAPTER 20)

[An act to amend Section 10149 of the Business and Professions Code, to amend Section 19402 of the Elections Code, and to add Article 5.1 (commencing with Section 8589.71) to Chapter 7 of Division 1 of Title 2 of, and to repeal Chapters 12 (commencing with Section 8870), 12.1 (commencing with Section 8871), and Chapters 14 (commencing with Section 8899.10) of Division 1 of Title 2 of, the Government Code, relating to state government, and making an appropriation therefor, to take effect immediately, bill related to the budget. Signed by Governor and filed with Secretary of State on June 29, 2020.]

Existing law requires the Secretary of State to use funds appropriated to the Secretary of State in the Budget Act of 2018 and the Budget Act of 2019 for voting system replacement for counties by awarding reimbursement contracts to counties for voting system replacement using a specified funding allocation. To receive reimbursement, a county is required to provide matching funds that are at least equivalent to 1/4 of the state funds received for the eligible expenditures. Existing law requires the Secretary of State to reimburse the county by matching county funds spent on a 3-to-1 basis, up to the maximum amount of funds allocated for the contract.

This bill would include costs reasonably related to the administration of an election during the COVID-19 pandemic as an eligible expenditure that is reimbursable. For the eligible expenditures made on or after July 1, 2020, and before July 1, 2021, the bill would specify that a county is not required to provide matching funds, and would require the Secretary of State to reimburse the county for eligible expenditures, up to the maximum amount of funds allocated for the contract. By removing a restriction on the expenditure of funds available under an existing appropriation, this bill would make an appropriation.



2. AB 646, McCarty. Elections: voter eligibility. (CHAPTER 320)

[An act to amend Sections 2101, 2105.6, 2105.7, 2106, 2150, 2201, 2212, 2300, and 14240 of the Elections Code, relating to elections. Signed by Governor and filed with Secretary of State on September 30, 2020.]

Existing law prohibits a person who is on parole for the conviction of a felony from voting, registering to vote, or preregistering to vote.

This bill would remove those prohibitions, thereby allowing a person on parole to preregister, register, and vote and make other technical and conforming changes.

This bill would become operative only if ACA 6 of the 2019–20 Regular Session is approved by the voters.



3. AB 849, Bonta. Elections: city and county redistricting. (CHAPTER 557)

[An act to amend Sections 21500, 21501, 21506, 21507, 21600, 21601, 21606, and 21607 of, to add Sections 21500.1, 21507.1, 21508, 21509, 21605, 21607.1, 21608, 21609, 21622, 21623, 21625, 21626, 21627, 21627.1, 21628, and 21629 to, to repeal Sections 21502, 21504, and 21604 of, and to repeal and add Sections 21503, 21602, 21603, 21620, and 21621 of, the Elections Code, and to amend Sections 34874, 34877.5, 34884, and 34886 of the Government Code, relating to elections.]

Existing law establishes criteria and procedures pursuant to which cities and counties adjust or adopt council and supervisorial district area boundaries, as applicable, for the purpose of electing members of the governing body of each of those local jurisdictions.

This bill would revise and recast these provisions. The bill would require the governing body of each local jurisdiction described above to adopt new district boundaries after each federal decennial census, except as specified. The bill would specify redistricting criteria and deadlines for the adoption of new boundaries by the governing body. The bill would specify hearing procedures that would allow the public to provide input on the placement of boundaries and on proposed boundary maps. The bill would require the governing body to take specified steps to encourage the residents of the local jurisdiction to participate in the redistricting process. By increasing the duties of these local jurisdictions, the bill would impose a state-mandated local program.



4. AB 860, Berman. Elections: vote by mail ballots. (CHAPTER 4)

[An act to amend Sections 3019.7, 3020, and 15101 of, and to add Sections 3000.5 and 3016.7 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and filed with Secretary of State on June 18, 2020.]

Under existing law, a registered voter may vote by mail by requesting a vote by mail ballot for a specific election or by becoming a permanent vote by mail voter. County

elections officials must begin mailing ballots and other required materials to these voters no later than 29 days before the day of the election. Existing law, the California Voter's Choice Act, authorizes any county to conduct any election occurring on or after January 1, 2020, as an all-mailed ballot election if specified conditions are met. In an all-mailed ballot election held under the act, the county elections official must mail a ballot to every registered voter, regardless of whether the voter requested a vote by mail ballot or is a permanent vote by mail voter.

This bill would require county elections officials to mail a ballot to every registered voter for the November 3, 2020, statewide general election.

Existing law requires county elections officials to permit voters with a disability, and military or overseas voters, to cast a ballot using a certified remote accessible vote by mail system. This bill would require county elections officials to permit any voter to cast a ballot using a certified remote accessible vote by mail system for the November 3, 2020, statewide general election.

Existing law requires the Secretary of State to establish, by January 1, 2020, a system that a county elections official may use to allow a voter to track the voter's vote by mail ballot through the mail system and processing by the county elections official. County elections officials are not required to use the system, however. This bill would require county elections officials to use the Secretary of State's system, or a system that meets the same specifications, for the November 3, 2020, statewide general election.

Under existing law, a vote by mail ballot is timely cast if it is voted on or before election day and, if returned by mail, received by the voter's elections official via the United States Postal Service, or a bona fide private mail delivery company, no later than 3 days after election day. This bill would, for the November 3, 2020, statewide general election, extend the deadline by which vote by mail ballots must be received by the county elections official to the 17th day after election day.

Under existing law, any jurisdiction having the necessary computer capability may start to process vote by mail ballots on the 10th business day before the election. This processing includes opening vote by mail ballot return envelopes, removing ballots, duplicating any damaged ballots, and preparing the ballots to be machine read, or machine reading them, including processing write-in votes so that they can be tallied by the machine, but under no circumstances may a vote count be accessed or released until 8 p.m. on the day of the election.

This bill would authorize these jurisdictions, for the November 3, 2020, statewide general election, to begin processing vote by mail ballots on the 29th day before the election.

5. AB 1276, Bonta. Local redistricting. (CHAPTER 90)

[An act to amend Sections 21500, 21500.1, 21501, 21506, 21507, 21508, 21534, 21552, 21600, 21601, 21602, 21605, 21606, 21607, 21608, 21609, 21620, 21621, 21622, 21623, 21625, 21626, 21627, 21627.1, 21628, 21629, and 23000 of, and to add Section 21630 to, the Elections Code, relating to elections. Approved by Governor and filed with Secretary of State on September 18, 2020.]

(1) Existing law establishes procedures and criteria pursuant to which counties, general law cities, and charter cities adopt supervisorial and council district boundaries for the purpose of electing members of a county's board of supervisors or a city's council.

This bill would make technical, clarifying, and conforming changes to make these provisions consistent in their application to those jurisdictions.

(2) Under the redistricting procedures described above, existing law requires those jurisdictions to adopt the boundaries of districts no earlier than August 1 in each year ending in the number 1, but not later than 151 days before the jurisdiction's next regular election occurring in March in each year ending in the number 2. Existing law requires the board of supervisors or the council to publish the date, time, and location of a public hearing or workshop on redistricting, or a draft map pending adoption as a final map, on the internet at least 3 days in advance if the hearing or workshop is held, or the draft map will be adopted as a final map, within 179 days of the jurisdiction's next regular election. Existing law requires the Citizens Redistricting Commission and the Legislature to coordinate efforts to make publicly available a computerized database which contains data necessary for redistricting. Existing law authorizes a candidate for elective office in a county or charter city to submit a petition containing signatures of a specified number of registered voters in lieu of a filing fee, and requires an elections official to make forms for securing signatures available commencing 60 days before the first day for circulating nomination papers, except as specified.

This bill would, for redistricting occurring in 2031 and thereafter, instead require district boundaries to be adopted no later than 205 days before the jurisdiction's next regular election occurring after January 1 in each year ending in the number 2. For redistricting occurring before 2031, the bill would require boundaries to be adopted not later than 174 days before the next regular election if the election is held after January 1, 2022, and before July 1, 2022, and not later than 205 days before the next regular election if the election is held on or after July 1, 2022. For redistricting in counties and charter cities to which the 174 day deadline applies, the bill would prohibit forms for securing signatures in lieu of a filing fee from being made available until at least 28 days after the adoption of a final map, and would require an elections official in a county or charter city to reduce the number of signatures required, as specified, if that prohibition reduces the amount of time in which a candidate can collect signatures before the first day for circulating nomination papers. The bill would instead require the board of supervisors or council to publish the date, time, and location of a hearing or workshop on the internet

at least 3 days in advance if the hearing or workshop is held within 28 days of the deadline for the jurisdiction to adopt district boundaries. The bill would prohibit a board of supervisors or council, or their contractors, from releasing draft maps of districts earlier than 3 weeks after the database described above is made publicly available, unless the database is made available less than 90 days before the deadline to adopt a map, in which case the 3 week period would be shortened or waived, as specified.

(4) Existing law establishes the Citizens Redistricting Commission in the County of Los Angeles and the Independent Redistricting Commission in the County of San Diego for the purpose of adjusting the boundaries of supervisorial districts of the boards of supervisors in those counties. Existing law requires each of the supervisorial districts in the jurisdiction of one of those commissions to have a reasonably equal population with other districts in the same jurisdiction, except as specified. Existing law requires each of those commissions to adopt a redistricting plan adjusting the boundaries of supervisorial districts and to file the plan with specified county officials before August 15 of the year following the year in which each federal decennial census is taken. Existing law requires the commissions to conduct public hearings before drawing a map that proposes redistricting. Existing law provides that a redistricting plan is not effective until 30 days after it is filed.

This bill would require the measure of population equality for supervisorial districts in those counties to be based on the total population of residents of the respective county as determined by the most recent federal decennial census for which specified redistricting data is available, and would prohibit an incarcerated person from being counted as part of a county's population, unless specified redistricting data shows that the incarcerated person's last known place of residence may be assigned to the county. The bill would instead require each of those commissions to file their redistricting plans pursuant to the deadlines for adopting district boundaries described above that are applicable to counties. The bill would also apply to those commissions the provisions described above that prohibit counties or their contractors from releasing draft maps within certain time periods following the date on which redistricting data becomes publicly available. The bill would authorize the commissions to change the location of a hearing, including the use of virtual hearings that permit remote access and participation, if a public health order that prohibits large gatherings is in place, subject to specified requirements. The bill would repeal the provisions described above delaying the effective date of a redistricting plan.

(5) The California Constitution authorizes a city to adopt a charter by a majority vote of its electors, and authorizes a charter city to make and enforce all ordinances and regulations in respect to municipal affairs. The California Constitution provides that it shall be competent in a city charter to provide for the manner in which, the method by which, the times at which, and the terms for which municipal officers and employees shall be elected or appointed. Existing law establishes criteria pursuant to which charter cities adjust or adopt council district area boundaries, as applicable, for the purpose of

electing members of the city council. These criteria encourage council districts to be geographically contiguous and compact, to respect the geographic integrity of communities of interest, as defined, and to have easily identifiable and understandable boundaries.

This bill would provide that these criteria do not apply to a charter city that has adopted comprehensive or exclusive redistricting criteria, as defined, in its city charter. The bill would clarify that if a council assigns the power to adopt new district boundaries to an advisory, hybrid, or independent redistricting commission, the charter city remains subject to the same redistricting deadlines, requirements, and restrictions that are applicable to the council.

6. AB 2314, Ramos. Native American Voting Accessibility Advisory Committee. (CHAPTER 169)

[An act to add Chapter 9 (commencing with Section 2700) to Division 2 of the Elections Code, relating to voters. Signed by Governor and filed with Secretary of State on September 25, 2020.]

Existing law designates the Secretary of State as the chief elections officer of the state and requires the Secretary of State to make reasonable efforts to promote voter registration and encourage eligible voters to vote.

This bill would require the Secretary of State to establish a Native American Voting Accessibility Advisory Committee. The committee would include the Secretary of State, the Secretary of State's designees, and additional members appointed by the Secretary of State who have demonstrated experience with voting rights or are county elections officials. The committee would serve in an advisory capacity to the Secretary of State and would make specified recommendations and take other actions to make voting more accessible to Native American voters.

7. AB 2400, Quirk. Election results: risk-limiting audits. (CHAPTER 33)

[An act to amend Sections 15365, 15366, and 15367 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and filed with Secretary of State on August 27, 2020.]

Existing law requires an elections official, during the official canvass of an election in which a voting system is used, to conduct a public manual tally of the ballots cast in 1% of the precincts chosen at random by the elections official, as specified. Existing law, operative until January 1, 2021, authorizes the use of risk-limiting audits in lieu of this 1% manual tally beginning with the March 3, 2020, statewide primary election. Under this law, a participating county is required to perform a partial risk-limiting audit of each cross-jurisdictional contest.



This bill would extend the authority to use risk-limiting audits until January 1, 2023. The bill would authorize a county to choose to perform the risk-limiting audit in only some of the contests within the county. The bill would remove the requirement to perform a partial risk-limiting audit of each cross-jurisdictional contest.

**8. AB 3370, Committee on Elections and Redistricting. Elections omnibus bill.
(CHAPTER 106)**

[An act to amend Sections 7201.1, 8001, 9144, 15101, and 18104 of the Elections Code, relating to elections. Signed by Governor and filed with Secretary of State on September 18, 2020.]

(1) Existing law governing primary elections prohibits a declaration of candidacy for membership on a county central committee unless the candidate has been affiliated with the political party of that committee for a specified time period. These provisions do not apply to the presidential primary, but do apply to other partisan offices. However, existing law defines “partisan office” to include only the offices of President of the United States, Vice President of the United States, and the delegates therefor, and elected members of party committees.

This bill would delete the provisions of law purporting to apply the candidacy restrictions to partisan offices.

(2) Existing law governing referendum of county ordinances requires a county board of supervisors to suspend and reconsider an ordinance if a petition protesting the adoption of the ordinance is presented to the board before the effective date of the ordinance and is signed by a specified number of voters of the county.

This bill would require the petition to be submitted to the county elections official instead of the board of supervisors.

(3) Existing law permits any jurisdiction in which vote by mail ballots are cast to begin processing vote by mail ballot return envelopes 29 days before the election, and authorizes any jurisdiction having the necessary computer capability to start processing vote by mail ballots 10 business days before the election.

This bill would extend that authority to start processing vote by mail ballots to 15 business days before the election.



9. SB 158, Allen. County of Los Angeles Citizens Redistricting Commission: membership. (CHAPTER 107)

[An act to amend Section 21532 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and filed with Secretary of State on September 18, 2020.]

Existing law creates the Citizens Redistricting Commission in the County of Los Angeles and sets out a selection process for its membership designed to produce a commission that is independent from the influence of the county's Board of Supervisors and reasonably representative of the county's diversity. Existing law requires the political party preferences of the redistricting commission members to be as proportional as possible to the political party preferences among the registered voters of the county, though they are not required to be of exactly the same proportion.

This bill would require that the proportional representation in the redistricting commission include the category of voters in the county who decline to state or do not indicate a party preference.

This bill would declare that it is to take effect immediately as an urgency statute.



10. SB 207, Hurtado. Elections: voter registration: partisan primary elections. (CHAPTER 1)

[An act to amend Section 2152 of, and to add Section 2119.5 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and filed with Secretary of State on February 13, 2020.]

Existing law requires a county elections official to accept affidavits of registration received on or before the 15th day before an election and to accept conditional voter registration affidavits received during the 14 days immediately preceding an election and on election day. Existing law establishes procedures for a voter to change the voter's residence address by executing a new affidavit of registration or a notice or letter of the change of address, or for a voter to change the voter's political party preference by executing a new affidavit of registration.

This bill would permit a voter, from the 14th day immediately preceding an election until the close of polls on election day, in lieu of executing a new affidavit of registration, to change the voter's residence address or political party preference by submitting to the voter's county elections official a written request containing the new residence address or political party preference and signed under penalty of perjury. The bill would require a ballot or provisional ballot to be provided to the voter, as specified, and would require that the registration of the voter be immediately updated.



11. SB 423, Umberg. November 3, 2020, statewide general election. (CHAPTER 31)

[An act to add and repeal Chapter 7 (commencing with Section 1600) of Division 1 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and filed with Secretary of State on August 6, 2020.]

Existing law authorizes counties, on or after specified dates, to conduct any election as an all-mailed ballot election if, among other conditions, the county elections official provides for ballot drop-off locations and vote centers meeting minimum requirements. Vote centers are required to be open from the 10th day before the election until election day, as specified.

This bill would authorize a county for the November 3, 2020, statewide general election to not have its vote centers open before the 3rd day prior to the election.

In counties without all-mailed ballot procedures, existing law requires the elections official to divide the jurisdiction into precincts meeting certain requirements and to designate a polling place for each precinct.

This bill would provide an alternative procedure for the November 3, 2020, statewide general election authorizing the elections official to establish consolidated precinct boards, located within the same physical polling place, serving the voters residing in multiple adjacent precincts, as provided.

For the November 3, 2020, statewide general election, the bill would also (1) require elections officials to conduct a voter education and outreach campaign, (2) urge counties to provide drive-through ballot drop-off or voting locations, (3) authorize elections officials to establish vote centers, polling places, or consolidated polling places in locations whose primary purpose is the sale and dispensation of alcoholic beverages, (4) require the Secretary of State to establish a process to consider requests from counties to adjust or partially waive the minimally required number, location, or operational duration, of vote centers, consolidated polling places, or ballot drop-off locations, (5) require the Secretary of State to conduct a statewide voter education and outreach campaign regarding new procedures in place for the election, and (6) require the Secretary of State to establish a strike team to assist counties as needed to acquire suitable locations for vote centers, polling places, and consolidated polling places as well as other assets necessary for the safe and successful conduct of the election.

12. SB 739, Stern. Elections: vote by mail ballots and false or misleading information. (CHAPTER 109)

[An act to amend Section 18302, and to amend, add, and repeal Section 3022, of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and filed with Secretary of State on September 18, 2020.]

Existing law requires county elections officials to mail a vote by mail ballot to every registered voter for the November 3, 2020, statewide general election. Existing law requires elections officials to include with the county voter information guide an application for a vote by mail ballot.

This bill would make this requirement to include with the county voter information guide an application for a vote by mail ballot inapplicable for the November 3, 2020, statewide general election.

Existing law makes it a misdemeanor for a person, with actual knowledge and intent to deceive, to cause to be distributed or to distribute literature or any other form of communication to a voter that the person knows to include voting information that is incorrect, false, or misleading, as specified.

This bill would specifically include within this prohibition a false or misleading communication regarding the qualifications to apply for, receive, or return a vote by mail ballot. By creating a new crime, this bill would create a state-mandated local program.

13. SB 970, Umberg. Primary election date. (CHAPTER 111)

[An act to amend Sections 316, 340, 1000, 1001, 1201, and 1202 of the Elections Code, relating to elections. Signed by Governor and filed with Secretary of State on September 18, 2020.]

Existing law requires that the statewide direct primary be held on the first Tuesday after the first Monday in March in each even-numbered year. Existing law requires that the presidential primary be held on that same date in any year that is evenly divisible by 4.

This bill would change the date of the statewide direct primary to the first Tuesday after the first Monday in June in even-numbered years in which there is no presidential primary.



14.SB 1371, Committee on Judiciary. Maintenance of the codes. (CHAPTER 370)

[An act to amend Sections 2170, 3019, 3019.5, 6000.2, 6360, 6581, 6781, and 15620 of the Elections Code. Signed by Governor and filed with Secretary of State on September 30, 2020.]

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

This bill would make nonsubstantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature.

Vetoed Bills

SB 139, Allen. Independent redistricting commissions.

[An act to amend Sections 23001, 23003, and 23004 of, and to add Sections 23001.5, 23005 and 23006 to, the Elections Code, relating to elections. Vetoed by Governor on October 13, 2019 and sustained on January 13, 2020.]

Existing law authorizes a local jurisdiction, defined as including a county, general law city, school district, community college district, or special district, to establish an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission to change, or recommend changes to, the district boundaries of the legislative body of the local jurisdiction. Existing law provides for the establishment of the County of Los Angeles Citizens Redistricting Commission and the County of San Diego Independent Redistricting Commission.

This bill would, with certain exceptions, require a county with more than 400,000 residents on and after January 1, 2019, and on and after January 1 of every subsequent year ending in the number 9, to establish by March 1, 2021, and by March 1 of every subsequent year ending in the number one, either a 9-member or 12-member independent redistricting commission to adopt the county's supervisorial districts after each federal decennial census pursuant to a specified procedure. The bill would require a county that does not pass an ordinance to establish a commission by March 1, 2020, and by March 1 of every subsequent year ending in the number zero to establish a 12-member commission pursuant to those procedures. The bill would require a commission established pursuant to those procedures to take steps to encourage county residents to participate in the redistricting process, and would specify certain procedures for the commission's hearing process relating to notice, the number of hearings, and translation of hearings. The bill would require the county to provide for reasonable funding and staffing of the commission. The bill would require the board of supervisors of a county to petition the superior court of the county for an order establishing supervisorial district boundaries if the independent redistricting commission does not adopt supervisorial district boundaries by a specified deadline. The bill would require the County of Los Angeles or the County of San Diego to establish 12-member independent redistricting commissions pursuant to these procedures if existing laws providing for the establishment of County of Los Angeles Citizens Redistricting Commission and the County of San Diego Independent Redistricting Commission are invalidated by a court. By increasing the duties of counties, the bill would impose a state-mandated local program. The bill would clarify that a local jurisdiction that is partially or wholly located in the County of Los Angeles or the County of San Diego may contract with the County of Los Angeles Citizens Redistricting Commission and the County of San Diego Independent Redistricting Commission to adopt the local jurisdiction's election district boundaries.

Governor's Veto Message

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

SB 212, Allen. Elections: local voting methods.

[An act to amend Sections 5013, 5020, 5027, and 5028 of, and to add Sections 1018, 1019, 1020, 5010, 5032, and 5096 to, the Education Code, to amend Section 8141 of, to add Section 8141.3 to, and to add Division 22 (commencing with Section 24000) to, the Elections Code, to amend Sections 25040 and 25061 of, to add Section 25001 to, and to add Article 4 (commencing with Section 34910) to Chapter 4 of Part 1 of Division 2 of Title 4 of, the Government Code, relating to elections.]

Under existing law, a candidate for nonpartisan office who receives votes on the majority of all ballots cast at a primary election is elected to that office, and the office does not appear on the ballot in the ensuing general election. Existing law prescribes which candidates appear on the ballot in the ensuing general election if no candidate has been elected pursuant to this provision, or if the number of candidates elected at the primary election is less than the total number to be elected to that office. Under existing law, these provisions do not apply to elections to fill certain enumerated offices.

This bill would apply these provisions, upon approval by a jurisdiction's voters, to the nomination of officers for general law cities, counties, school districts, community college districts, and county boards of education, except as specified.

Existing law provides procedures for the election of candidates for elective offices in cities, counties, and local educational agencies. Existing law specifies the circumstances in which voters in these jurisdictions may elect officers at large or from or by district. Existing law prescribes the length of various terms of office for locally elected officials.



This bill would authorize a city, county, or local educational agency to conduct an election using ranked choice voting, in which voters rank the candidates for office in order of preference, as specified. This bill would specify the procedures for conducting an election using ranked choice voting as it applies to both a single-seat election and a multiseat election.

Governor's Veto Message

To the Members of the California State Senate:

I am returning Senate Bill 212 without my signature.

This bill authorizes general law cities, counties, and school districts to conduct a local election using ranked choice voting.

Ranked choice is an experiment that has been tried in several charter cities in California. Where it has been implemented, I am concerned that it has often led to voter confusion, and that the promise that ranked choice voting leads to greater democracy is not necessarily fulfilled. The state would benefit from learning more from charter cities who use ranked choice voting before broadly expanding the system.

Sincerely,
Gavin Newsom

SB 268, Wiener. Ballot measures: local taxes.

[An act to amend Sections 9401, 9403, 9405, and 13119 of, to amend the heading of Chapter 5 (commencing with Section 9400) of Division 9 of, to add Section 9406 to, and to repeal and add Section 9400 of, the Elections Code, relating to elections.]

Existing law requires that 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, including a measure authorizing the issuance of bonds or the incurrence of debt, have printed on them a true and impartial statement describing the purpose of the measure. If the proposed measure imposes a tax or raises the rate of a tax, existing law requires the ballot to include in the statement of the measure the amount of money to be raised annually and the rate and duration of the tax to be levied.

This bill would exempt from this requirement a measure that imposes or increases a tax with more than one rate or authorizes the issuance of bonds. The bill would instead permit for these types of measures the statement of the measure to include the words "See voter guide for tax rate information."

Existing law requires local governments, when submitting for voter approval a bond measure that will be secured by an ad valorem tax, to provide the voters with a statement that includes estimates of the tax rates required to fund the measure.

This bill would additionally require for a measure that imposes or increases a tax with more than one rate or authorizes the issuance of bonds, that voters be provided with a

statement that includes specified information relating to the tax that will be imposed or increased as a result of the measure.

Governor's Veto Message

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



SB 696, Umberg. Elections: political parties.

[An act to amend Section 5001 of, and to add Section 5201 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.]

Under existing law, a group of electors may qualify a new political party by holding a caucus or convention at which temporary party officers are elected, by designating a party name, and by filing notice with the Secretary of State that the party has organized, elected temporary officers, and has declared its intent to qualify in a primary election. Existing law prohibits the name of a new party from being so similar to the name of an existing party so as to mislead the voters or from conflicting with the name of an existing political body that has previously filed notice with the Secretary of State.

This bill would prohibit the name of a party from including the phrase “no party preference” or “decline to state” or the word “independent” or a variation of that word or those phrases. The bill would require a party that is qualified on the effective date of the bill, but whose name includes a variation of the phrase “no party preference” or “decline to state” or the word “independent,” to file a change of name notice with the Secretary of State by October 29, 2019. The Secretary of State would be required to disqualify, by October 30, 2019, any party that fails to so submit an appropriate change of name notice. The Secretary of State would be required to send related notices, as provided.

Governor's Veto Message

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

Dead Bills

AB 177, Low. Election day holiday.

[An act to amend Section 7.1 of the Civil Code, to amend Sections 37220, 45203, 79020, 79030, and 88203 of the Education Code, to amend Section 1100 of the Elections Code, to amend Sections 6700, 19853, and 19853.1 of the Government Code, and to amend Section 4692 of the Welfare and Institutions Code, relating to elections.]

Existing law requires that an election for congressional and state elective offices be held on the first Tuesday after the first Monday in November of each even-numbered year. Existing law requires a presidential general election to be held on the first Tuesday after the first Monday in November in any year that is evenly divisible by the number 4.

Existing law designates specific days as holidays in this state. Existing law designates holidays on which community colleges and public schools are required to close. Existing law entitles state employees, with specified exceptions, to be given time off with pay for specified holidays. Existing law designates optional bank holidays.

This bill would add the day on which a statewide general election is held, which is the first Tuesday after the first Monday in November of any even-numbered year, to these lists of holidays. The bill would require community colleges and public schools to close on any day on which a statewide general election is held. The bill would require that state employees, with specified exceptions, be given time off with pay for days on which a statewide general election is held.

AB 265, Choi. Elections: state and county voter information guides: judicial candidates.

[An act to amend Sections 9083 and 9084 of, and to add Section 13307.8 to, the Elections Code, relating to elections.]

Under existing law, the Secretary of State is required to prepare a state voter information guide that contains, among other things, voluntary statements by candidates for statewide elective offices and, if the ballot contains a question on the confirmation or retention of a justice of the Supreme Court, information on the justice. In addition, if the ballot contains a question as to the confirmation of a justice to the Supreme Court or a court of appeal, the state voter information guide must contain a written explanation of the electoral procedure for these justices. The Secretary of State is required to mail the state voter information guide to each voter, as specified, and make it available online along with additional information.

Existing law also requires local elections officials to prepare a county voter information guide that contains, among other things, voluntary statements by candidates for nonpartisan elective office. The local elections official is required to mail a county voter information guide to each voter in the county, as specified. In addition, if the local elections official permits the electronic distribution of candidate statements, each candidate for nonpartisan elective office may prepare a candidate statement to be posted on the internet website of the local elections official.

This bill would require the Secretary of State, whenever the ballot contains a question as to the confirmation or retention of a justice of the Supreme Court or a court of appeal, to provide specified information about each justice in the state voter information guide. County elections officials would also be required to provide specified information about each candidate for judge of the superior court in the county voter information guide. The bill would grant the Secretary of State and county elections officials the discretion to only include the information regarding court of appeal justices and candidates for superior court judge in the online versions of the state and county voter information guides, as specified.



AB 363, as amended, Gonzalez. Elections: vote by mail ballots.

[An act to amend Section 3018 of the Elections Code, relating to elections.]

Existing law provides procedures for a registered voter to apply for a vote by mail ballot. A voter using a vote by mail ballot may, prior to the close of the polls on election day, vote the ballot in person at the office of the elections official. The local elections official may also permit a voter using a vote by mail ballot to vote the ballot in person at satellite locations.

This bill would instead require local elections officials to permit a voter using a vote by mail ballot to vote the ballot in person at satellite locations and would require local elections officials to provide for at least one satellite location to be open, for a minimum of eight hours per day, on the Saturday, Sunday, and Monday preceding the election, as specified.

AB 592, as introduced, Gallagher. Elections: fraud.

[An act to amend Section 18500 of the Elections Code, relating to elections.]

Existing law makes it a crime for a person to commit or aid in fraud regarding the casting of a ballot in an election.

This bill would make nonsubstantive changes to these provisions.

AB 610, as amended, Obernolte. Elections: local bond measures: tax rate statement.

[An act to amend Section 9401 of the Elections Code, relating to elections.]

Existing law requires local governments, when submitting for voter approval a bond measure that will be secured by an ad valorem tax, to provide the voters with a statement that includes estimates of the tax rates required to fund the measure. Tax rates are expressed as the rate per \$100 of assessed valuation on all property to be taxed to fund the bond measure.

This bill would instead require that the tax rate be expressed as the rate per \$1,000 of assessed valuation on all property to be taxed to fund the bond measure.



AB 787, as introduced, Gipson. Elections: voter registration.

[An act to add Article 3.6 (commencing with Section 2149) to Chapter 2 of Division 2 of, and to repeal and add Section 2212 of, the Elections Code, relating to elections.]

Existing law requires the Secretary of State to coordinate with voter registration agencies in order to facilitate compliance with the federal National Voter Registration Act of 1993 and promote the exercise of the right to vote by eligible voters. The federal act requires a voter registration agency to distribute mail voter registration application forms, assist applicants in completing voter registration application forms, and accept completed voter registration application forms.

This bill would require a county or a city and county that operates a jail facility to allow organizations to conduct in-person voter registration activities, including, but not limited to, the provision of vote-by-mail applications, in each county jail facility. The bill would require a county or city and county to establish policies and criteria governing the admittance of individuals from those organizations into jail facilities, including procedures for notifying an individual of the basis for denial of admittance and the opportunity to appeal a denial of admittance. The bill would require the sheriff of the county or city and county in which a jail facility is located to publish those procedures on the sheriff's internet website, as specified.

AB 820, as introduced, Cervantes. Ballots.

[An act to amend Section 13260 of the Elections Code, relating to elections.]

Existing law authorizes the Secretary of State to approve the use of ballot cards only under specified conditions, including if the ballot is designed with a section with places for the voter to punch holes to indicate the voter's choices of candidates and votes on measures.

This bill would make technical, nonsubstantive changes to these provisions.

AB 1692, as introduced, Kiley. Petitions: filings.

[An act to amend Section 9030 of the Elections Code, relating to elections.]

Existing law requires that a petition relating to a measure to be submitted the voters be filed simultaneously with the elections officials in the county in which the petition was circulated. It also provides procedures and time limits for elections officials and the Secretary of State to determine the validity and numerical sufficiency of the signatures submitted with the petition.

This bill would make a technical, nonsubstantive change to these provisions.

AB 1704, as introduced, Mullin. Elections: all-mailed ballot elections.

[An act to amend Section 4005 of the Elections Code, relating to elections.]

Existing law authorizes counties, on or after specified dates, to conduct any election as an all-mailed ballot election under certain conditions.

This bill would make technical, nonsubstantive changes to these provisions.

AB 1784, as amended, Santiago. Elections: open-source paper ballot voting systems.

[An act to add Chapter 6 (commencing with Section 19500) to Division 19 of the Elections Code, relating to elections.]

Existing law prohibits the use of a voting system unless it has been certified or conditionally approved by the Secretary of State, or approved by the Secretary of State as part of a pilot program, prior to the election at which it is to be used.

This bill, the Secure the VOTE Act, would authorize the Secretary of State to award up to \$16,000,000 in matching funds, upon appropriation by the Legislature, to counties for the development of open-source paper ballot voting systems.

AB 1843, as introduced, Salas. Elections: nomination documents: retention and preservation.

[An act to amend Section 17100 of the Elections Code, relating to elections.]

Existing law requires elections officials to retain all nomination documents and signatures in lieu of filing fee petitions during the term of office for which the documents are filed and for four years after the expiration of the term. Members of the public may view these documents, but are prohibited from copying or distributing documents containing signatures of voters.

This bill, notwithstanding that prohibition, would authorize a candidate or the candidate's designee to view and copy nomination documents and signatures in lieu of filing fee petitions filed by the candidate or on the candidate's behalf, but would prohibit the distribution of documents that contain signatures of voters.

AB 2070, as introduced, Levine. Elections: compulsory voting.

[An act to amend Section 2000 of, and to add Section 2001 to, the Elections Code, relating to elections.]

Existing law authorizes every person who qualifies under the California Constitution and who complies with certain provisions governing the registration of electors to vote at any election held within the territory within which the person resides and the election is held.

This bill would instead require a person who qualifies and is registered to vote to cast a ballot, marked or unmarked in whole or in part, at every election held within the territory within which the person resides and the election is held. The bill would require the Secretary of State to enforce this requirement.

AB 2072, as introduced, Melendez. California New Motor Voter Program: voter registration.

[An act to amend Sections 2263 and 2265 of the Elections Code, relating to elections.]

Existing law requires the Secretary of State and the Department of Motor Vehicles to establish the California New Motor Voter Program. Under the program, the Department of Motor Vehicles is required to provide to the Secretary of State specified information associated with each person who submits an application for a driver's license or identification card, and additionally to report to the Secretary of State that an applicant has attested that the applicant meets the voter preregistration requirements for a person who is at least 16 years of age and otherwise meets all voter eligibility requirements. The prescribed information submitted by the department to the Secretary of State constitutes a completed or submitted affidavit of registration, and the Secretary is required to register or preregister the person to vote, unless the person affirmatively declines to register to vote during a transaction with the department, the department does not represent to the Secretary of State that the person attested that the person meets all voter eligibility requirements, or the Secretary of State determines that the person is ineligible to vote.

This bill would instead require a person to affirmatively agree to become registered or preregistered to vote during a transaction with the department before the Secretary registers or preregisters that person, and it would make other conforming changes.



AB 2140, as introduced, Melendez. Initiative and referendum measures: title and summary.

[An act to amend and repeal Section 9003 of, and to amend, repeal, and add Sections 107, 336, 342, 9001, 9002, 9004, 9005, 9006, 9007, 9008, 9009, 9034, 9035, 9050, 9051, 9053, 9063, 9086, 9087, 13262, 13282, and 18602 of, the Elections Code, and to amend, repeal and add Section 88002 of the Government Code, relating to elections.]

Existing law requires the Attorney General, upon receipt of the text of a proposed initiative or referendum measure, to prepare a circulating title and summary of the chief purposes and points of the proposed measure that includes an estimate of the financial impact of the proposed measure. Existing law requires the Attorney General to prepare a ballot title and summary for each measure that the Secretary of State determines will appear on the ballot at a statewide election.

This bill would instead require the Legislative Analyst to carry out these responsibilities. The bill would make the operation of this requirement contingent upon approval by the voters of ACA ___ of the 2019–20 Regular Session.

AB 2194, as amended, Kiley. United States Senate vacancy.

[An act to amend Sections 10700, 10702, and 10703 of, to amend and renumber the heading of Chapter 3 (commencing with Section 10730) of Part 6 of Division 10 of, and to repeal Chapter 2 (commencing with Section 10720) of Part 6 of Division 10 of, the Elections Code, and to amend Section 1773 of the Government Code, relating to elections.]

Under existing law, when a vacancy occurs in the office of Representative to Congress, or in either house of the Legislature, the Governor is required, within 14 calendar days after the occurrence of the vacancy, to call an election to fill the vacancy, as specified. With regard to a vacancy in the office of United States Senator, however, existing law authorizes the Governor to appoint a person to fill the vacancy, as specified.

This bill would instead require that a vacancy in the office of United States Senator be filled in the same manner as a vacancy in a congressional representative or state legislative office. The bill would make conforming and technical changes.

AB 2207, as introduced, Arambula. Elections: no party preference voters: presidential primary ballots.

[An act to amend Sections 13102 and 13501 of, and to add Chapter 6 (commencing with Section 6870) to Part 1 of Division 6 of, the Elections Code, relating to elections.]

Under existing law, at the time of registering and of transferring registration, an elector may disclose the name of the political party that the elector prefers, or the elector may decline to disclose a political party preference. At partisan primary elections, existing law prescribes that each voter who has declined to disclose a preference for any one of the political parties participating in the election shall be furnished only a nonpartisan ballot containing only the names of all candidates for nonpartisan offices, voter-nominated offices, and measures to be voted for at the primary election, unless 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.

This bill would direct the Secretary of State to create a public presidential primary ballot containing the name of all candidates generally advocated for or recognized throughout the United States or California as actively seeking nomination to the office of President of the United States. This bill would require that a voter who has declined to disclose a party preference be furnished with a public presidential primary ballot, along with the nonpartisan ballot, at a partisan primary election, unless that voter requests a party ballot, as described above. This bill would also permit a voter registered as preferring a political party to request the public presidential primary ballot in lieu of a party ballot. By increasing the duties of the election officials administering an election, this bill would create a state-mandated local program.

This bill would further direct the Secretary of State to compile, file, and publish the returns from the public presidential primary ballot conspicuously on the Secretary's internet website, as specified. This bill would also direct the Secretary to promulgate regulations implementing these provisions, including regulations specifying that a political party need not consider the returns from the public presidential primary ballot.

AB 2286, as introduced, Obernolte. Recall elections: notice of intent: publication.

[An act to amend Section 11022 of the Elections Code, relating to elections.]

Existing law authorizes a registered voter of an electoral jurisdiction to commence proceedings to seek the recall of an officer of that jurisdiction by serving, filing, and publishing or posting a notice of intention to circulate a recall petition. Existing law requires the notice of intention to contain specified information, including the printed name, signature, and residence address of each of the proponents of the recall. Existing law requires that a copy of the notice be published at the proponents' expense in a newspaper of general circulation, or, if publication is not possible, to be posted in at least three public places within the jurisdiction.

This bill would require that the signatures and residence addresses of the proponents be redacted from the copy of the notice that is published or posted pursuant to these provisions.

AB 2427, as introduced, Gipson. Elections: voter registration.

[An act to add Article 3.6 (commencing with Section 2149) to Chapter 2 of Division 2 of, and to repeal and add Section 2212 of, the Elections Code, relating to elections.]

(1) Existing law requires the Secretary of State to coordinate with voter registration agencies in order to facilitate compliance with the federal National Voter Registration Act of 1993 and promote the exercise of the right to vote by eligible voters. The federal act requires a voter registration agency to distribute mail voter registration application forms, assist applicants in completing voter registration application forms, and accept completed voter registration application forms.

This bill would require a county or a city and county that operates a jail facility to allow organizations to conduct in-person voter registration activities, including, but not limited to, the provision of vote-by-mail applications, in each county jail facility. The bill would require a county or city and county to establish policies and criteria governing the admittance of individuals from those organizations into jail facilities, including procedures for notifying an individual of the basis for denial of admittance and the opportunity to appeal a denial of admittance. The bill would require the sheriff of the county or city and county in which a jail facility is located to publish those procedures on the sheriff's internet website, as specified.

(2) Existing law requires the clerk of the superior court of each county to periodically furnish the Secretary of State and county elections official with certain information regarding persons who have been committed to state prison for a felony conviction. Existing law requires the Secretary of State or the county elections official to cancel the affidavit of voter registration of persons who are currently imprisoned or on parole for the conviction of a felony.

This bill would repeal those provisions and instead require the Department of Corrections and Rehabilitation, on a weekly basis, to provide the Secretary of State with specified identifying information for persons imprisoned for the conviction of a felony, persons on parole with the department for the conviction of a felony, and persons released from that imprisonment or parole. The bill would require the Secretary of State to provide county elections officials with that information. The bill would require county elections officials to cancel the affidavits of voter registration of persons who are imprisoned or on parole conviction of a felony, and to notify persons who have been released from imprisonment or parole that their voting rights are restored, that they may register to vote, and of the procedures for registering to vote. By increasing the duties of county and city and county officials, the bill would impose a state-mandated local program.

AB 2438, as introduced, Chau. California Public Records Act: conforming revisions.

[An act to amend Sections 2166.7, 2194, 2194.1, 2227, 2267, 9002, 11301, 13300.7, 13311, 17200, 17400, 18109, 18650, and 23003 of the Elections Code.]

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies.

This bill would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2022. The bill would also specify that any other bill enacted by the Legislature during the 2020 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

AB 2628, as amended, Mayes. Elections: Payment of expenses.

[An act to amend Section 13001 of the Elections Code, relating to elections.]

Existing law requires that all expenses authorized and necessarily incurred to prepare for and conduct an election be paid from the county treasuries, except as otherwise provided.

This bill would require the state to pay expenses authorized and necessarily incurred to prepare for and conduct certain vacancy elections, as specified.

AB 2639, as introduced, Melendez. Vote by mail ballots.

[An act to amend Section 3017 of, and to add Section 3017.5 to, the Elections Code, relating to elections.]

Existing law authorizes a vote by mail voter who is unable to return a vote by mail ballot to designate another person to return the ballot. Existing law prohibits a person designated to return a vote by mail ballot from receiving any form of compensation based on the number of ballots that the person returns.

This bill would expand that prohibition to include any form of compensation related to the return of the ballot, including compensation based on the number of ballots the designated person collects and returns or compensation based on the time spent in the course of employment collecting and returning ballots. The bill would require a person designated to return a vote by mail ballot for a person other than the designated person's spouse, child, parent, grandparent, grandchild, sibling, or a person residing in the same household as the designated person to offer a receipt containing specified identifying information to the person for whom the ballot is being returned.

AB 2643, as amended, Gallagher. Elections: vote by mail ballots.

[An act to amend Section 3017 of the Elections Code, relating to elections.]

Existing law authorizes a vote by mail voter who is unable to return their ballot to designate any other person to return the ballot.

This bill, during a duly proclaimed state of emergency or local emergency due to an epidemic or other contagious disease, would only allow a spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in the same household of the voter to be designated to return a voter's vote by mail ballot, and, except as provided, would prohibit the return of vote by mail ballots by a paid or volunteer worker of a campaign or political party or any other group or organization at whose behest the individual designated to return the ballot is performing a service.



AB 2650, as introduced, Berman. Elections: no party preference voters: partisan primary elections.

[An act to add Section 13206.7 to the Elections Code, relating to elections.]

Existing law generally requires a voter to disclose a preference for a political party in order to participate in the political party's primary election. Existing law permits a voter who has declined to disclose a political party preference to request the ballot of a political party at a partisan primary election if the political party, by party rule duly noticed to the Secretary of State, authorizes a voter who has declined to disclose a political party preference to vote the ballot of the political party at that election. Existing law requires, at a partisan primary election, a member of the precinct board to provide a no party preference voter with a uniform notification informing the voter that the voter may request a political party's ballot, as specified.

This bill would authorize, at a partisan primary election, a nonpartisan ballot to include a statement informing a no party preference voter of the procedure for that voter to obtain a ballot that includes candidates for partisan office. The statement would be required to include an explanation of how the voter may change the voter's party preference and how the voter may request a ballot of one of the political parties that has authorized no party preference voters to vote in its primary election.

AB 2885, as amended, Eduardo Garcia. False campaign speech and online platform disclosures.

[An act to add and repeal Chapter 7 (commencing with Section 20510) of Division 20 of the Elections Code, and to amend Section 84504.6 of the Government Code, relating to political campaigns.]

Existing law, until January 1, 2023, prohibits a person, committee, or other entity, within 60 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.

This bill, until January 1, 2025, would prohibit a committee, within 60 days of an election at which a candidate or measure will appear on the ballot, from distributing, with actual malice, a false material statement of fact relating to the candidate or measure with the intent to deceive a voter into voting for or against the candidate or measure. The bill would authorize a person to seek injunctive or other equitable relief, and general or special damages, and would authorize the court to award a prevailing party reasonable attorney's fees and costs.

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing and activities by the Fair Political Practices Commission. Under the act, political advertisements on online platforms are required to contain certain disclosure statements.

This bill would require an online platform to maintain and make available for online public inspection a description of the audience requested by the committee and the types of personal information, as defined, used by the online platform to target the advertisement, including use by the online platform of characteristics such as age, gender, race, or other protected classifications under law. The online platform's chief executive officer, chief financial officer, chief operating officer, chief privacy officer, or the equivalent position of any of these officers, if applicable, would be required to personally certify, under penalty of perjury, that to their knowledge the online platform has correctly disclosed all activity under this law. By expanding the crime of perjury, the bill would impose a state-mandated local program. In addition, because a violation of the act is subject to criminal penalties, the bill would impose a state-mandated local program by expanding the act's criminal penalties.

AB 2974, as introduced, Cervantes. Ballots.

[An act to amend Section 13260 of the Elections Code, relating to elections.]

Existing law authorizes the Secretary of State to approve the use of ballot cards only under specified conditions, including if the ballot is designed with a section with places for the voter to punch holes to indicate the voter's choices of candidates and votes on measures.

This bill would make technical, nonsubstantive changes to these provisions.

AB 3195, as introduced, Berman. Voting system standards.

[An act to amend Section 19101 of the Elections Code, relating to elections.]

Existing federal law, the Help America Vote Act of 2002, provides payments to states for activities that improve the administration of elections, including, among other things, improving, acquiring, leasing, modifying or replacing voting systems and technology and methods for casting and counting votes. The act establishes the United States Election Assistance Commission and requires the commission to adopt voluntary voting system guidelines that provide specifications and requirements against which voting systems can be tested for their functionality, accessibility, and security capabilities.

Existing law requires the Secretary of State to adopt and publish voting system standards and regulations governing the use of voting systems that meet or exceed federal voluntary voting system guidelines established by the United States Election Assistance Commission. Until those standards are adopted, existing law requires the Secretary of State to use the federal voluntary voting system guidelines described above, as specified.



This bill would delete the requirement that the Secretary of State use the federal voluntary voting system guidelines until state standards and regulations are adopted, and would require the Secretary of State to update state standards and regulations as the federal guidelines are updated or amended.

AB 3250, as introduced, Berman. Elections: ballots.

[An act to add Section 14299.5 to the Elections Code, relating to elections.]

Existing law requires an elections official to deliver to a precinct additional ballots if the precinct board is unable to furnish a ballot to a qualified voter because there is an insufficient number of ballots. Existing law requires the precinct board to provide each voter with the option of casting a vote immediately using an alternative procedure, as specified. Existing law requires, in the case of an election for a state or federal office, for each polling place using a direct recording electronic voting system, the elections official to also provide paper ballots equivalent to specified percentages of voters depending on the type of election and to establish procedures for the use of the paper ballots in the event the direct recording electronic voting system becomes nonfunctional.

This bill would require an elections official to establish an alternative procedure for the use of paper ballots in the event that a ballot marking system, a ballot on demand system, or, except as specified, a voting system becomes nonfunctional. The bill would require the elections official to submit the alternative procedure to the Secretary of State for approval. By increasing the duties of local elections officials, the bill would impose a state-mandated local program.

AB 3304, as introduced, Brough. Elections: ballot designations: veterans.

[An act to amend Section 13107 of the Elections Code, relating to elections.]

Existing law allows candidates for elective office to choose to have their principal profession, vocation, or occupation appear immediately under their name on an election ballot.

This bill would authorize the use of “veteran” as a principal profession, vocation, or occupation ballot designation.

SB 55, as amended, Jackson. California Environmental Quality Act: housing and land use.

[An act to amend Sections 9118, 9215, and 9310 of the Elections Code, to amend Sections 65009 and 66499.37 of the Government Code, and to amend Sections 21000, 21001, 21001.1, 21002, 21092.5, 21167, 21167.1, 21167.4, 21167.6, 21167.8, and 21177 of, to add Sections 21167.1.5 and 21167.8.5 to, to add and repeal Section 21080.51 of, and to repeal Sections 21080.04, 21168.6.5, and 21168.6.6 of, the Public Resources Code, relating to environmental quality.]

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

This bill, until January 1, 2025, would exempt from the requirements of CEQA emergency shelters or supportive housing projects meeting certain requirements. The bill would require an agency that determines that an emergency shelter or supportive housing project is exempt from CEQA pursuant to these provisions to file a notice of exemption with the Office of Planning and Research, as provided. By requiring local agencies to file this notice of exemption, the bill would impose a state-mandated local program.

CEQA establishes public comment periods for the lead agency to receive comments on a draft EIR for a project and requires the lead agency to respond to public comments received.

This bill would authorize the lead agency to post on its internet website, at least 30 days before a public hearing at which it may approve the project, its responses to public comments received. The bill would authorize the lead agency to set a deadline of 10 days before the final public hearing at which it may approve the project for the receipt of written comments and supporting evidence if certain conditions are met.

CEQA requires the courts to give an action or proceeding alleging noncompliance with CEQA preference over all other civil actions. CEQA establishes procedures applicable to an action or proceeding brought to challenge a public agency's action on the grounds of noncompliance with CEQA, including, among other procedures, the requirement that a petitioner bringing the action or proceeding is to request a hearing within 90 days from the date of filing of the petition and the requirement that the respondent public agency, not later than 20 days from the date of service of the petition, is to file with the court a

notice setting forth the time and place at which all parties are to meet and attempt to settle the litigation.

This bill would additionally require the respondent public agency, not later than 20 days from the date of service of the petition, to file and serve a request for the court to schedule a case management conference, as provided. The bill would specify the subjects to be addressed in the case management conference, which include, among other subjects, the potential usefulness of settlement discussions, mediation, or arbitration. The bill would instead require the public agency, not later than 15 days from the date of service of the petition, to file with the court a notice setting forth the time and place at which all parties or their counsel are to meet to discuss various issues, including, among other issues, the potential usefulness of settlement discussions, mediation, or arbitration. The bill would require the public agency, not later than 20 days after the initial case management conference, to file and serve a notice of the time and place of a settlement meeting.

CEQA requires a petitioner, at the time of the filing of an action or proceeding pursuant to CEQA, to file a request that the respondent public agency prepare the record of proceedings related to the subject of the action or proceeding. CEQA provides the petitioner with the authority to elect to prepare the record of proceedings, instead of preparation by the public agency.

This bill would require the petitioner to file with the respondent public agency a notice either requesting the public agency to prepare the record of proceedings or notifying the public agency that it is electing to prepare the record of proceedings. The bill would authorize the public agency or real party in interest, within 10 business days of the service of the notice, to assume responsibility of preparing the record of proceedings, notwithstanding the petitioner's election. The bill would require the lead agency or real party in interest, if it makes this election, to bear the full costs in preparing and certifying the record of proceedings and to waive its rights to recover those costs from petitioner if it prevails in the action.

CEQA requires superior courts in counties with a population of more than 200,000 to designate one or more judges to develop expertise in CEQA and certain related laws so that those judges will be available to hear and quickly resolve actions or proceedings alleging noncompliance with CEQA.

This bill would require the Judicial Council, on or before July 1, 2021, to take certain actions related to the administration of justice under CEQA and to submit a report to the Legislature on its view regarding the administration of justice under CEQA, as provided. The bill would authorize a superior court in a county with a population of 200,000 or less, upon its own motion or upon motion by a party, to either order the transfer of the action or proceeding alleging noncompliance with CEQA to the superior court in a county with a population of more than 200,000 or to order the case be heard by a judge with expertise in CEQA assigned by the Judicial Council.

This bill would repeal various obsolete provisions from CEQA, make conforming changes, and make various clarifying and nonsubstantive changes.

(2) Existing law requires a legislative body of a city or county or a district board, if an initiative petition is signed by a specified number of voters, to either adopt the ordinance set forth in the initiative petition, without alteration, at a regular meeting at which the certification of the petition is presented, or within 10 days after it is presented, or submit the ordinance proposed in the petition, without alteration, to the voters for approval.

This bill would require the legislative body of a city or county or district board to submit the ordinance proposed in an initiative petition to the voters for approval if the legislative body or district board determines that the approval of the proposed ordinance constitutes an approval of a project within the meaning of CEQA, had the proposed ordinance been proposed by the legislative body or district board rather than by initiative petition. By requiring the legislative body of a city or county or district board to submit those ordinances to the voters for approval, this bill would impose a state-mandated local program.

(3) The Planning and Zoning Law requires an action or proceeding against local zoning and planning decisions of a legislative body to be commenced within certain time periods, as specified. The Subdivision Map Act requires an action or proceeding against a decision of a local agency taken pursuant to that act to be commenced within a certain time period, as specified. CEQA requires an action or proceeding challenging a decision of the lead agency on the grounds of noncompliance with CEQA to be commenced within certain time periods, as specified.

This bill would specify that tolling agreements entered into, as provided, are effective to toll the time periods in which an action or proceeding is to be commenced, as required by those 3 acts.

(4) 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.



SB 57, as amended, Bates. California New Motor Voter Program: voter registration.

[An act to amend Sections 2263 and 2265 of the Elections Code, relating to elections.]

Existing law requires the Secretary of State and the Department of Motor Vehicles to establish the California New Motor Voter Program. Under the program, the Department of Motor Vehicles is required to provide to the Secretary of State specified information associated with each person who submits an application for a driver's license or identification card, and additionally to report to the Secretary of State that an applicant has attested that the applicant meets the voter preregistration requirements for a person who is at least 16 years of age and otherwise meets all voter eligibility requirements. The prescribed information submitted by the department to the Secretary of State constitutes a completed or submitted affidavit of registration, and the Secretary is required to register or preregister the person to vote, unless the person affirmatively declines to register to vote during a transaction with the department, the department does not represent to the Secretary of State that the person attested that the person meets all voter eligibility requirements, or the Secretary of State determines that the person is ineligible to vote.

This bill would instead require a person to affirmatively agree to become registered or preregistered to vote during a transaction with the department before the Secretary registers or preregisters that person, and it would make other conforming changes.

SB 149, as introduced, Nielsen. Mail ballot elections.

[An act to amend Section 4105 of the Elections Code, relating to elections.]

Existing law provides for the conduct of mail ballot elections. Under existing law, the ballot at the first general district election conducted solely by mailed ballot must contain a question as to whether all future general district elections shall be so conducted. Existing law applies this requirement only to districts in which an all-mailed ballot election was conducted pursuant to a specified resolution.

This bill would make technical, nonsubstantive changes to that provision.

SB 157, as introduced, Nielsen. Elections: vote by mail ballots.

[An act to amend Section 3001 of the Elections Code, relating to elections.]

Existing law requires that the vote by mail ballot be available to any registered voter and requires an application for a vote by mail voter's ballot to be made in writing to the elections official having jurisdiction over the election between the 29th and the 7th day before the election. Existing law requires any applications received by the elections official before the 29th day to be kept and processed during the application period.

This bill would make technical, nonsubstantive changes to this provision.

SB 178, as introduced, Nielsen. Initiative measures: circulating title and summary.

[An act to amend Section 9004 of the Elections Code, relating to initiatives.]

Existing law requires the Attorney General to prepare a circulating title and summary of the chief purposes and points of a proposed initiative measure.

This bill would make technical, nonsubstantive changes to that provision.

SB 636, as amended, Stern. Elections: ballot label.

[An act to amend Sections 303, 9050, 9051, 9053, and 13282 of the Elections Code, relating to elections.]

Existing law defines the ballot label as the portion of the ballot containing the names of the candidates or a statement of a measure. For statewide measures, existing law requires the Attorney General to prepare a condensed version of the ballot title and summary, including the fiscal impact summary prepared by the Legislative Analyst that is printed in the state voter information guide.

This bill would additionally require the ballot label for statewide measures to include a listing of the signers of ballot arguments printed in the state voter information guide that support and oppose the measure or the signers of the rebuttal arguments to the arguments that support and oppose the measure, as specified. The bill would require the signers of the ballot arguments to submit the lists of supporters and opponents to the Secretary of State and would require the Secretary of State to provide those lists to county elections officials as part of the ballot label. The bill would make conforming changes and related findings and declarations.

SB 684, as amended, Hertzberg. Initiative measures: withdrawal.

[An act to amend Section 9604 of the Elections Code, relating to elections.]

Existing law allows the proponents of a statewide initiative or referendum measure to withdraw the measure after filing the petition with the appropriate elections official at any time before the Secretary of State certifies that the measure has qualified for the ballot. Withdrawal of a statewide initiative or referendum measure is effective upon receipt by the Secretary of State of a written notice of withdrawal, signed by all proponents of the measure.

This bill would prohibit a written notice of withdrawal submitted by the proponents of a statewide initiative or referendum measure from including any conditions that must be satisfied in order for the Secretary of State to deem the withdrawal to be effective, and would require the Secretary of State to reject any notice that purports to impose such a condition on the withdrawal of a measure. The bill would expressly state that these provisions will become operative on January 1, 2021.

SB 732, as amended, Allen. Transactions and use tax: South Coast Air Quality Management District.

[An act to amend Section 317 of, and to add Section 9314.5 to, the Elections Code, to add Article 9 (commencing with Section 40560) to Chapter 5.5 of Part 3 of Division 26 of the Health and Safety Code, and to add Section 7252.3 to the Revenue and Taxation Code, relating to tax.]

(1) Existing law establishes the South Coast Air Quality Management District vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board to govern the district.

This bill would authorize the south coast district board to impose a transactions and use tax within the boundaries of the south coast district, as specified, with the moneys generated from the transactions and use tax to be for certain purposes, as specified. The bill would require the south coast district, within 6 months of the effective date of the transaction and use tax ordinance, to establish an independent taxpayers' oversight committee, consisting of specified members, to annually review the south coast district's expenditure of funds generated by the transactions and use tax, and would require the oversight committee to submit a report to the relevant environmental committees of the Legislature.

This bill would require elections officials of counties that are located entirely and partly within the boundaries of the south coast district to provide certain services for elections seeking voter approval to impose the transactions and use tax, thereby imposing a state-mandated local program. The bill would require the south coast district to reimburse those counties in full for services provided by the elections officials.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the South Coast Air Quality Management District.

(3) 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

SB 809, as amended, Committee on Budget and Fiscal Review. State government.

[An act to amend Section 10149 of the Business and Professions Code, to amend Section 19402 of the Elections Code, and to add Article 5.1 (commencing with Section 8589.71) to Chapter 7 of Division 1 of Title 2 of, and to repeal Chapters 12 (commencing with Section 8870), 12.1 (commencing with Section 8871), and Chapters 14 (commencing with Section 8899.10) of Division 1 of Title 2 of, the Government Code, relating to state government, and making an appropriation therefor, to take effect immediately, bill related to the budget.]

(1) Under existing law, the Alfred E. Alquist Seismic Safety Commission is established as an independent unit within the Business, Consumer Services, and Housing Agency. Existing law provides that the commission is composed of 20 members, with 15 commissioners appointed by the Governor and confirmed by the Senate, and 5 members from specified state agencies.

This bill would instead establish the Alfred E. Alquist Seismic Safety Commission as a separate unit within the Office of Emergency Services. The bill would reduce the number of commissioners from 20 to 15 and would provide that the Governor appoint 10 of the 15 commissioners, with 2 commissioners appointed by the Legislature and 3 commissioners serving as representatives of specified state agencies. The bill would specify the background qualifications for the commissioners. The bill would also expand the number of public entities that provide regular updates to the commission regarding earthquake preparedness and seismic safety activities.

The bill would also make conforming changes and update statutory language.

(2) Existing law requires the Secretary of State to use funds appropriated to the Secretary of State in the Budget Act of 2018 and the Budget Act of 2019 for voting system replacement for counties by awarding reimbursement contracts to counties for voting system replacement using a specified funding allocation. To receive reimbursement, a county is required to provide matching funds that are at least equivalent to 1/4 of the state funds received for the eligible expenditures. Existing law requires the Secretary of State to reimburse the county by matching county funds spent on a 3-to-1 basis, up to the maximum amount of funds allocated for the contract.

This bill would include costs reasonably related to the administration of an election during the COVID-19 pandemic as an eligible expenditure that is reimbursable. For the eligible expenditures made on or after July 1, 2020, and before July 1, 2021, the bill would specify that a county is not required to provide matching funds, and would require the Secretary of State to reimburse the county for eligible expenditures, up to the maximum amount of funds allocated for the contract. By removing a restriction on the expenditure of funds available under an existing appropriation, this bill would make an appropriation.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

SB 950, as amended, Jackson. California Environmental Quality Act: housing and land use.

[An act to amend Section 529.2 of the Code of Civil Procedure, to amend Sections 9118, 9215, and 9310 of the Elections Code, to amend Sections 65009 and 66499.37 of the Government Code, and to amend Sections 21000, 21001, 21001.1, 21002, 21092.5, 21167, 21167.1, 21167.4, 21167.6, 21167.8, and 21177 of, to add Sections 21080.51, 21083.03, 21167.1.5, 21167.7.5, and 21167.8.5 to, and to repeal Sections 21080.04, 21168.6.5, and 21168.6.6 of, the Public Resources Code, relating to environmental quality.]

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

This bill would exempt from the requirements of CEQA emergency shelters, supportive housings, and transitional housings meeting certain requirements.

CEQA requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, proposed guidelines for the implementation of CEQA.

The bill would require the office, by an unspecified date, to prepare and develop, and the secretary to certify and adopt, revisions to the guidelines for the translation of certain notices and documents into non-English languages. By requiring public agencies to translate notices and documents into non-English languages, this bill would impose a state-mandated local program.

CEQA establishes public comment periods for the lead agency to receive comments on a draft EIR for a project and requires the lead agency to respond to public comments received.

This bill would authorize the lead agency to post on its internet website, at least 30 days before a public hearing at which it may approve the project, its responses to public comments received. The bill would authorize the lead agency to set a deadline of 10 days before the final public hearing at which it may approve the project for the receipt of written comments and supporting evidence if certain conditions are met.

CEQA requires the courts to give an action or proceeding alleging noncompliance with CEQA preference over all other civil actions. CEQA establishes procedures applicable to an action or proceeding brought to challenge a public agency's action on the grounds of noncompliance with CEQA, including, among other procedures, the requirement that a petitioner bringing the action or proceeding is to request a hearing within 90 days from the date of filing of the petition and the requirement that the respondent public agency, not later than 20 days from the date of service of the petition, is to file with the court a notice setting forth the time and place at which all parties are to meet and attempt to settle the litigation.

This bill would additionally require the respondent public agency, not later than 20 days from the date of service of the petition, to file and serve a request for the court to schedule a case management conference, as provided. The bill would specify the subjects to be addressed in the case management conference, which include, among other subjects, the potential usefulness of settlement discussions, mediation, or arbitration. The bill would instead require the public agency, not later than 15 days from the date of service of the petition, to file with the court a notice setting forth the time and place at which all parties or their counsel are to meet to discuss various issues, including, among other issues, the potential usefulness of settlement discussions, mediation, or arbitration. The bill would require the public agency, not later than 20 days after the initial case management conference, to file and serve a notice of the time and place of a settlement meeting.

CEQA requires a petitioner, at the time of the filing of an action or proceeding pursuant to CEQA, to file a request that the respondent public agency prepare the record of proceedings related to the subject of the action or proceeding. CEQA provides the petitioner with the authority to elect to prepare the record of proceedings, instead of preparation by the public agency.

This bill would require the petitioner to file with the respondent public agency a notice either requesting the public agency to prepare the record of proceedings or notifying the public agency that it is electing to prepare the record of proceedings. The bill would authorize the public agency or real party in interest, within 5 business days of the service of the notice, to assume responsibility of preparing the record of proceedings, notwithstanding the petitioner's election. The bill would require the lead agency or real party in interest, if it makes this election, to bear the full costs in preparing and certifying the record of proceedings and to waive its rights to recover those costs from petitioner if it prevails in the action. The bill would require the parties to meet and confer regarding the preparation of the record of proceedings, as provided.

CEQA requires a petitioner bringing an action alleging noncompliance with CEQA to furnish a copy of the pleadings to the Attorney General.

This bill would require a petitioner, in the event of settlement of an action or proceeding involving the payment of money directly to a petitioner or petitioner's counsel other than

reasonable attorney's fees and costs, to submit a report to the Attorney General describing the settlement and final disposition of the case within 7 days of the filing of a request for dismissal with the court. The bill would authorize the imposition of sanctions against a petitioner, upon motion by other parties in the action or by the Attorney General, if the petitioner refuses to file the report after being notified of its failure to comply with this requirement or if the petitioner repeatedly fails to comply with this requirement in connection with litigation brought by the petitioner. The bill would authorize the Attorney General to bring an action against the petitioner if the Attorney General determines that the petitioner has filed multiple actions under CEQA resulting in primarily monetary settlements that do not further the purposes of CEQA.

CEQA requires superior courts in counties with a population of more than 200,000 to designate one or more judges to develop expertise in CEQA and certain related laws so that those judges will be available to hear and quickly resolve actions or proceedings alleging noncompliance with CEQA.

This bill would require the Judicial Council, on or before July 1, 2021, to take certain actions related to the administration of justice under CEQA and to submit a report to the Legislature on its view regarding the administration of justice under CEQA, as provided. The bill would authorize a superior court in a county with a population of 200,000 or less, upon its own motion or upon motion by a party, to either order the transfer of the action or proceeding alleging noncompliance with CEQA to the superior court in a county with a population of more than 200,000 or to order the case be heard by a judge with expertise in CEQA assigned by the Judicial Council.

This bill would repeal various obsolete provisions from CEQA, make conforming changes, and make various clarifying and nonsubstantive changes.

(2) Existing law requires a court, upon motion by a party and a determination of certain facts, to order a plaintiff in a civil action, including an action challenging a project on the grounds of noncompliance with CEQA, challenging a housing development project that meets or exceeds requirements of low- or moderate-income housing to file an undertaking in an amount determined by the court.

This bill would instead require a court to require the filing of an undertaking in civil actions that challenge an affordable housing development project, as defined, which includes an emergency shelter.

(3) Existing law requires a legislative body of a city or county or a district board, if an initiative petition is signed by a specified number of voters, to either adopt the ordinance set forth in the initiative petition, without alteration, at a regular meeting at which the certification of the petition is presented, or within 10 days after it is presented, or submit the ordinance proposed in the petition, without alteration, to the voters for approval.

This bill would require the legislative body of a city or county or district board to submit the ordinance proposed in an initiative petition to the voters for approval if the legislative

body or district board determines that the approval of the proposed ordinance constitutes an approval of a project within the meaning of CEQA, had the proposed ordinance been proposed by the legislative body or district board rather than by initiative petition. By requiring the legislative body of a city or county or district board to submit those ordinances to the voters for approval, this bill would impose a state-mandated local program.

(4) The Planning and Zoning Law requires an action or proceeding against local zoning and planning decisions of a legislative body to be commenced within certain time periods, as specified. The Subdivision Map Act requires an action or proceeding against a decision of a local agency taken pursuant to that act to be commenced within a certain time period, as specified. CEQA requires an action or proceeding challenging a decision of the lead agency on the grounds of noncompliance with CEQA to be commenced within certain time periods, as specified.

This bill would specify that tolling agreements entered into, as provided, are effective to toll the time periods in which an action or proceeding is to be commenced, as required by those 3 acts.

(5) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(6) 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

SB 968, as amended, Allen. Elections: Los Angeles County.

[An act to amend Section 4007 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.]

Existing law imposes various requirements on voting locations that qualify as “vote centers,” including the number of locations that must be open and their hours of operation, and the requirements that they provide ballot dropoff boxes, voting machines for persons with disabilities, and conditional voter registration. Existing law authorizes the County of Los Angeles to conduct any election as a vote center election if, among other requirements, every permanent vote by mail voter receives a ballot.

This bill would instead require that for Los Angeles County to conduct an election as a vote center election, every registered voter must receive a vote by mail ballot.

This bill would declare that it is to take effect immediately as an urgency statute.

SB 994, as amended, Bates. Juror selection: information sharing.

[An act to amend Sections 196, 197, 198, and 205 of the Code of Civil Procedure, and to amend Section 2157.2 of, and to add Section 2157.3 to, the Elections Code, relating to jurors.]

Existing law, the Trial Jury Selection and Management Act, requires that persons selected for jury service be selected at random and from sources inclusive of a representative cross section of the population of the area served by the court, including, but not limited to, the list of registered voters. Existing law provides that if a jury commissioner requires a prospective juror to complete a questionnaire the information provided in the questionnaire shall be used solely for qualifying prospective jurors and the management of the jury system. Existing law requires the Secretary of State and county elections officials to post on their internet websites specified information on permissible uses of personal information supplied by a voter when completing a voter registration affidavit.

This bill would require jury commissioners to share with the county elections official of the county information provided in prospective juror questionnaires for the purpose of the county elections official conducting voter roll maintenance activities, such as removing persons from the voter rolls who are deceased, admitted noncitizens, or otherwise ineligible to register to vote. The bill would require county elections officials to share with the jury commissioner of the county the current list of registered voters residing in the county for the jury commissioner’s use in creating source lists for prospective jurors. The bill would make conforming changes to the information on permissible uses of personal information obtained from voter registration required to be posted by the Secretary of State and county elections officials on their internet websites. By expanding the duties of jury commissioners and county elections officials, the bill would impose a state-mandated local program.



SB 1014, as introduced, Allen. Recalls: Political Reform Act of 1974.

[An act to amend Sections 11100, 11301, 11320, 11324, 11325, and 11381 of, to amend, renumber, and add Section 11300 of, to amend the heading of Chapter 4 (commencing with Section 11300) of Division 11 of, and to add Chapter 5 (commencing with Section 11390) to Division 11 of, the Elections Code, and to amend Section 85315 of the Government Code, relating to recalls.]

(1) The California Constitution provides that voters may recall a state officer and, in the same election, elect a successor. The Constitution prohibits an officer who is the subject of a recall election from being a candidate for successor. The Constitution also prohibits a successor candidacy for the office of judge of the Supreme Court or a court of appeal. Existing statutory law implements these constitutional provisions.

This bill would make conforming changes in statute to implement Senate Constitutional Amendment 2 of the 2019–20 Regular Session, to require the name of a state officer, other than a judicial officer, to be placed on the ballot as a successor candidate if the officer does not resign by a specified date, and for the officer to remain in office if the officer receives the highest number of votes.

(2) The Political Reform Act of 1974, with certain exceptions, prohibits a person from making to a candidate for elective office, and prohibits the candidate from accepting from that person, a contribution totaling more than a specified amount per election. The act authorizes an elected officer to create a committee to oppose the qualification of a recall measure and the recall election, without regard to the campaign contribution limits. A violation of the act's provisions is punishable as a misdemeanor.

This bill would require an elected state officer to comply with the contribution limits for contributions to oppose a recall. Because violation of these contribution limits would be a crime, the bill would impose a state-mandated local program by expanding the scope of a crime.

(3) 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.

This bill would provide that no reimbursement is required by this act for a specified reason.

(4) The bill would only become operative if Senate Constitutional Amendment 2 of the 2019–20 Regular Session is approved by the voters.

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

This bill would declare that it furthers the purposes of the act.



SB 1124, as introduced, Borgeas. Elections: vote by mail ballots.

[An act to amend Section 3017 of, and to add Section 3017.5 to, the Elections Code, relating to elections.]

Existing law requires a vote by mail voter to return a voted vote by mail ballot (1) by mail or in person to the elections official, (2) in person to a member of a precinct board at a polling place or vote center, or (3) to a vote by mail ballot dropoff location, as specified. Existing law permits a vote by mail voter who is unable to return the ballot to designate another person to return the ballot. Existing law requires elections officials to establish procedures to track and confirm receipt of a voted vote by mail ballot and to provide that information via online access or a toll-free telephone number.

This bill would require a person who collects and is designated to return vote by mail ballots for persons other than the designated person's spouse, child, parent, grandparent, grandchild, sibling, or a person residing in the same household as the designated person to register with the Secretary of State, as specified. The bill would require that a registered person be a United States citizen and at least 18 years of age. The bill would require the Secretary of State to assign a registration number to each person and to develop and maintain a publically accessible database with specified information about each registered person. The bill would require a registered person to provide each voter designating the person to return the voter's ballot with a receipt containing specified information and would prohibit the registered person from offering a voter any form of compensation in exchange for designating the person to return the voter's ballot. The bill would require a registered person to file a declaration containing specified information and identifying each voter who designated the registered person to return the voter's vote by mail ballot. The bill would make a violation of these provisions an infraction punishable by a fine of not more than \$100 for a first offense and \$200 for a second offense. For a third or subsequent offense, the bill would require the Secretary of State to permanently revoke the registered person's registration. The bill would require the that tracking and confirmation procedures established by elections officials confirm whether a vote by mail ballot was collected and returned by a person required to register pursuant to these provisions. By expanding the scope of the existing crime of perjury, by creating a new crime, and by increasing the duties of local elections officials, this bill would impose a state-mandated local program.

SB 1163, as amended, Nielsen. Elections: vote by mail ballots.

[An act to amend Section 3017 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.]

Existing law authorizes a vote by mail voter who is unable to return their ballot to designate any other person to return the ballot.

This bill, during, or within 6 months of the suspension of, a duly proclaimed state of emergency or local emergency due to an epidemic or other contagious disease, including COVID-19, would only allow a spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in the same household of the voter to be designated to return a voter's vote by mail ballot, and, except as provided, would prohibit the return of vote by mail ballots by a paid or volunteer worker of a campaign or political party or any other group or organization at whose behest the individual designated to return the ballot is performing a service.

This bill would declare that it is to take effect immediately as an urgency statute.

SB 1316, as amended, Moorlach. Voter registration database: interstate exchange of voter registration information.

[An act to add Section 2195 to the Elections Code, relating to voter registration.]

Existing law requires the Secretary of State to establish a statewide system to facilitate removal of duplicate or prior voter registrations, to facilitate the reporting of election results and voter and candidate information, and to otherwise administer and enhance election administration. Existing law also requires that certain affidavit of voter registration information be provided to, among others, any person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the secretary.

This bill would require the Secretary of State, beginning January 1, 2023, to enter into agreements to share information or data in the possession of the secretary or other state agencies, as deemed necessary by the secretary, with other states or groups of states in order to improve the accuracy of the statewide voter registration database, as specified, and would require all state agencies to timely provide the secretary with the requested information or data. The bill would require the Secretary of State to apply for membership with the Electronic Registration Information Center and ensure that any confidential information or data provided by another state or a state agency remains confidential while in the official's possession, and would authorize the secretary to transmit confidential information or data pursuant to those agreements. The bill would also authorize the Secretary of State to adopt regulations necessary to implement these provisions.

SB 1318, as introduced, Lena Gonzalez. District elections: ballot measures: impartial analyses.

[An act to amend Section 9313 of the Elections Code, relating to elections.]

Under existing law, a measure may be placed on the ballot at a district election by a petition signed by the requisite number of voters or by the governing body of the district. Whenever a district measure is submitted to the voters at a district election, existing law requires the county counsel or district attorney of the county to prepare an impartial analysis of the measure showing the effect of the measure on existing law and the operation of the measure.

This bill would make technical, nonsubstantive changes to the latter provision.

SB 1325, as introduced, Borgeas. Vote by mail voting.

[An act to amend Section 3014 of the Elections Code, relating to elections.]

Existing law provides procedures by which any registered voter may apply to receive and vote a ballot by mail. Existing law requires an elections official to send a second vote by mail ballot to a voter if the voter states under penalty of perjury that the voter did not receive, lost, or destroyed the voter's original ballot. Existing law requires the elections official to track and keep records of vote by mail ballots, as specified, for the purpose of verifying that a voter has not attempted to vote twice, thereby rendering both ballots void.

This bill would make technical, nonsubstantive changes to these provisions.

SB 1397, as introduced, Allen. Voting machines: ballot order.

[An act to add Sections 13112.5 and 19305 to the Elections Code, relating to elections.]

Existing law prohibits the use of a voting system in an election unless it has been certified by the Secretary of State and specifies requirements for elections using voting machines. Prior to each election, the Secretary of State must conduct a random drawing of the letters of the alphabet to determine the ballot order of candidates for each office on the ballot.

This bill would require, beginning January 1, 2021, all voting machines to have the capability to randomize the order of candidates for each office on the ballot in order to be certified by the Secretary of State. The bill would require the order of candidates for each office on the ballot to be randomized for all elections using these voting machines.

SB 1440, as introduced, Grove. Voting information materials.

[An act to amend Section 13300.7 of the Elections Code, relating to elections.]

Existing law authorizes county and city elections officials to establish procedures, subject to specified conditions, designed to permit a voter to opt out of receiving voter information guides, notice of polling place, and associated materials by mail, and instead obtain them electronically via email or by accessing them on the city or county's internet website.

This bill would make technical, nonsubstantive changes to this provision.

SB 1450, as introduced, Umberg. Elections: county officers: consolidation with statewide elections.

[An act to amend Sections 1300 and 8140 of, and to add Section 10419 to, the Elections Code, relating to elections.]

(1) Existing law requires a candidate for a nonpartisan office who at a primary election receives votes on a majority of all the ballots cast for candidates for that office to be elected to that office.

This bill would exempt from that requirement candidates for county nonpartisan offices, including a county office in a charter county, but not a charter city and county, and would require the candidates who received the highest and second highest number of votes cast for nomination to that office to be placed on the ballot at the ensuing general election. By imposing new duties on counties, including county elections officials, the bill would impose a state-mandated local program.

(2) Existing law generally requires that a plurality of the votes given at any election constitutes a choice, but that it shall be competent in all charters of cities, counties, or cities and counties framed under the authority of the California Constitution to provide the manner in which their respective elective officers may be elected and to prescribe a higher proportion of the vote therefor. Existing law authorizes, and in some circumstances requires, a political subdivision to consolidate its elections with statewide elections.

This bill would require an election for an office that is determined by the plurality of the votes cast for that office, with no possibility of a runoff, that is consolidated with a statewide election to be consolidated with the statewide general election in November. The bill would require an election for an office that is determined by the plurality of the votes cast for that office, with no possibility of a runoff, that is, as of January 1, 2021, consolidated with the statewide direct primary election, to instead be moved to and consolidated with the November statewide general election. These requirements would not apply to a charter city or charter city and county, but would apply to a charter county. By imposing new duties on local government, including county elections officials, the bill would impose a state-mandated local program.

SB 1468, as introduced, Umberg. Voter registration: party preference.

[An act to amend Section 2151 of the Elections Code, relating to elections.]

Existing law authorizes a person to disclose on the affidavit of voter registration the name of the political party at the time of registering to vote or transferring a registration to vote. Existing law also authorizes the person to decline to disclose a political party preference, and requires the voter registration card to include an option allowing the person to do so.

This bill would require the word "Independent" to be included with "No Party," "None," or similar wording as part of the option that permits the person to decline to disclose a party preference.

Federal Bills

H.R. 8363, Adam Schiff. Protecting Our Democracy Act.

[To amend the United States Code, Impoundment Control Act of 1974, and Statutes of the United States in various sections.]

To protect our democracy by preventing abuses of presidential power, restoring checks and balances and accountability and transparency in government, and defending elections against foreign interference, and for other purposes, which includes four divisions:

- (1) Division A—Preventing Abuses of Presidential Power.
- (2) Division B—Restoring Checks and Balances, Accountability, and Transparency.
- (3) Division C—Defending Elections Against Foreign Interference.
- (4) Division D—Severability.



H.R. 8492, David Price. Count Every Vote Act of 2020.

[To amend title 3, United States Code, to extend the date provided for the meeting of electors of the President and Vice President in the States and the date provided for the joint session of Congress held for the counting of electoral votes, and for other purposes.]

Under current law, states must certify their election results (and the appointment of state electors) by the “safe harbor” date at least six days before the meeting of the Electoral College in mid-December. The bill would move the date for the meeting of state electors who comprise the Electoral College from mid-December (December 14th this year) to January 2nd (or January 3rd, when January 2nd falls on a Sunday) and extend the safe harbor date to three days before the electors meet. At the same time, the legislation ensures the Joint Session of Congress that formally counts the electoral votes (currently required to occur on January 6th) would meet no later than January 8th. Finally, the legislation requires each state to ensure efficient delivery of the electoral votes – including overnight delivery or a secure form of electronic transmission, not just by registered mail.

By making these changes, states would have significantly more time to certify election results—up to twenty-two additional days in this year’s presidential contest—without delaying the transition of power, which must occur by January 20th according to the Constitution. Many of the existing dates governing the Electoral College process were created by Congress in the late 1940s, before the advent of modern communications.

The Count Every Vote Act is informed by lessons of the 2000 and 2004 elections, when there were close results in several states, as well as the current challenges posed by the COVID-19 pandemic. Election officials expect a surge of absentee and vote-by-mail ballots that may take longer to count than in previous elections.

S. 4707, Rick Scott. Verifiable, Orderly, and Timely Election Results Act.

[To amend the Help America Vote Act of 2002.]

A bill to amend the Help America Vote Act of 2002 to provide Federal standards for mail-in ballots and reporting of election results with respect to elections for Federal office.