

# 2020 NEW ELECTION LAWS



**New California and  
federal election laws**



**ORANGE COUNTY  
REGISTRAR OF VOTERS**

**Chaptered, Vetoed, & Dead Bills**  
**2019-2020 Legislative Session**  
**Updated 11/21/2019**

**Chaptered Bills**

**1. AB 17, Salas. Elections: vote by mail ballots. (CHAPTER 223)**

*[An act to amend Section 14002 of, and add Sections 14004 and 18503 to, the Elections Code, relating to elections. Signed by Governor and chaptered on September 5, 2019.]*

Existing law requires a vote by mail ballot to be available to any registered voter. Existing law requires employers, as specified, to allow voters to take up to two hours off of work, without loss of pay, to vote.

This bill would prohibit an employer from requiring or requesting that an employee bring the employee's vote by mail ballot to work or vote the employee's vote by mail ballot at work. The bill makes a violation of this prohibition subject to a civil fine of up to \$10,000 per election.

**2. AB 49, Cervantes. California Voter Protection Act of 2019. (CHAPTER 553)**

*[An act to amend Sections 3001 and 4005 of the Elections Code, relating to elections. Signed by Governor and chaptered on October 8, 2019.]*

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

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

This bill, the California Voter Protection Act of 2019, would require the elections official to begin mailing vote by mail ballots no later than 29 days before an election and would require that the mailing be complete within 5 days. The bill would prohibit the county elections official from discriminating against any region or precinct in the county in choosing which ballots to mail first within the prescribed 5-day mailing period.

This bill would incorporate additional changes to Section 4005 of the Elections Code proposed by AB 59 to be operative only if this bill and AB 59 are enacted and this bill is enacted last.

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

This bill would impose the requirements described in (1) above to the mailing of vote by mail ballots in elections that are not all-mailed ballot elections, thereby requiring the elections official to begin mailing vote by mail ballots no later than 29 days before an election. By imposing new duties on local elections officials, the bill would impose a state-mandated local program.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

### **3. AB 57, Low. Elections: names of candidates. (CHAPTER 82)**

*[An act to add Section 13211.7 to the Elections Code, relating to elections. Signed by Governor and chaptered on July 12, 2019.]*

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

This bill would require that, if a jurisdiction provides a translation of the candidates' alphabet-based names into a character-based language, such as Chinese, Japanese, or Korean, phonetic transliterations of the alphabet-based names of candidates be provided. The bill would also require, if a candidate's name is to appear on the ballot in more than one jurisdiction in an election, all of those jurisdictions providing translated ballots and ballot materials to use the same phonetic transliteration or character-based translation of the name.

This bill would provide an exception for a candidate who has a character-based name by birth or has verifiably been known by a character-based name for at least 2 years to permit the candidate to use that name on the ballot instead of a phonetic transliteration.

This bill would require that, if a jurisdiction provides separate ballots containing translations of the candidates' names in different languages, both the alphabet-based names and the translations of the candidates' names appear on the translated ballot.

This bill would also require a county to purchase voting equipment that permits compliance with this section as a part of any new purchase of voting equipment. Because the bill would impose additional duties on local elections officials, it would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**4. AB 59, Kalra. Elections: polling places: college and university campuses.  
(CHAPTER 554)**

*[An act to amend Sections 4005 and 12283 of the Elections Code, relating to elections. Signed by Governor and chaptered on October 8, 2019.]*

AB 59, Kalra. Elections: polling places: college and university campuses.

Existing law requires the Secretary of State to annually provide every high school, community college, and California State University and University of California campus with voter registration forms. Existing law also expresses the intent of the Legislature that every eligible high school and college student receive a meaningful opportunity to register to vote.

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

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

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

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

Because this bill would impose additional duties on local officials, it would impose a state-mandated local program.

This bill would incorporate additional changes to Section 4005 of the Elections Code proposed by AB 49 to be operative only if this bill and AB 49 are enacted and this bill is enacted last.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made

**5. AB 299, Salas. Vote by mail ballot tracking. (CHAPTER 224)**

*[An act to amend Section 3019.5 of the Elections Code, relating to elections. Signed by Governor and chaptered on September 5, 2019.]*

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

This bill would require a county elections official, when the elections official updates the county's election management system or voter look-up tool on the county's internet website with new voter information, to provide the updated information to the Secretary of State to update the information the Secretary of State provides to the public. By imposing new duties on local elections officials, the bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**6. AB 334, Obernolte. California Republican Party: county central committees. (CHAPTER 6)**

*[An act to amend Section 7441 of the Elections Code, relating to the California Republican Party. Signed by Governor and chaptered on May 23, 2019.]*

Existing law establishes the political party organization of the California Republican Party. Existing law authorizes a county central committee of the party to elect a member to the committee to replace a member whose term is expiring at every presidential primary election. Existing law authorizes a county central committee of the party, in accordance with its rules and regulations, to determine the number, the district allocation, and the manner of election of its members at any time by holding a caucus or convention, or by using any other method approved by the committee. Existing law requires the members of a county central committee of the party to assume office and hold their first meeting during the month of December or January following a general election, and provides that a member shall hold office for a 2-year term commencing with that first meeting. Existing law provides that a member of a county central

committee of the party may serve after the expiration date of the member's term until the election or selection of the member's replacement.

This bill would delete the provisions described above relating to the date on which a committee member assumes office, the date on which a committee is required to hold its first meeting, and the length of a committee member's term of office.

## **7. AB 504, Berman. Voter registration: residency confirmation. (CHAPTER 262)**

*[An act to amend Sections 2220, 2221, 2222, 2225, and 2227 of, to amend and repeal Section 2224 of, and to amend, repeal, and add Section 2226 of, the Elections Code, relating to elections. Signed by Governor and chaptered on September 6, 2019.]*

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

This bill would authorize a county elections official to exclude from this residency confirmation procedure a voter who has confirmed the voter's voter registration record on the internet website of the Secretary of State within the year preceding the start of the confirmation procedure. This provision would become operative on the date that the Secretary of State certifies that the state's statewide voter registration database has been modified to notify county elections officials when a voter confirms the voter's registration record on the internet website of the Secretary of State.

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

This bill would extend this contracting authority to the Secretary of State, and would require the Secretary of State to share this data with county elections officials through the statewide voter registration database.

Based on the change-of-address data received from the United States Postal Service or its licensees, existing law requires a county elections official to send a forwardable notice to enable a voter to verify or correct address information. If the change-of-address data indicates that the voter has moved to a new address in California, the forwardable notice must notify the voter that the voter will be registered to vote at the new address unless the voter notifies the county elections official's office within 15 days that the new address is not the voter's permanent residence. If postal service change-of-address data received from a nonforwardable mailing indicates that a voter has

moved and left no forwarding address, the forwardable notice must be sent, in substantially the form prescribed, to attempt to verify that the voter has moved and left no forwarding address. Existing law does not require the county elections official to mail a forwardable notice to a voter if the official receives a notification through the National Change of Address System (NCOA) or Operation Mail that the voter has moved and has given no forwarding address.

This bill would change that 15-day response time for a voter to notify the county elections official's office to 15 days prior to the date of the next election and would revise the form of the forwardable notice. The bill would require that the form of forwardable notice sent to a voter who has moved and left no forwarding address be in substantially the same format prescribed by federal law. The bill would expand the latter forwardable notice requirement to include a voter who has moved out of the state. The bill would delete the exception described above and, instead, would require the county elections official to send a forwardable notice, in substantially the same format prescribed by federal law, to a voter for whom a notification was received through NCOA or Operation Mail indicating that the voter has moved and has given no forwarding address or has moved out of the state. By imposing new duties on county elections officials, the bill would impose a state-mandated local program.

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

This bill would make the former provision inoperative on January 1, 2020, and would repeal it as of January 1, 2029. The bill would require the county elections official to send a forwardable address verification mailing to a voter whose registration status is inactive based on the voter's failure to confirm the voter's address as required by the alternate residency confirmation postcard. The bill would require the cancellation of the voter registration record of a voter who fails to respond to the address verification mailing and who does not offer to vote or vote at an election between the date of the mailing and two federal general elections after that date. By imposing new duties on county elections officials, the bill would impose a state-mandated local program.

The bill would make other clarifying and nonsubstantive changes. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**8. AB 566, Berman. Elections: official canvass period. (CHAPTER 91)**

*[An act to add Section 15305 to the Elections Code, relating to elections. Signed by Governor and chaptered on July 12, 2019.]*

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

This bill would require an elections official, on the 2nd day after an election, to send to the Secretary of State an initial report containing the estimated number of outstanding unprocessed ballots, as defined. Commencing on the 6th day after the election, the elections official would be required to send a report on the estimated number of outstanding unprocessed ballots whenever the elections official publicly releases updated election results during the official canvass period. By requiring new duties of local government officials, this bill would impose a state-mandated local program.

**9. AB 571, Mullin. Political Reform Act of 1974: contribution limits. (CHAPTER 556)**

*[An act to amend and repeal Sections 10003 and 10202 of the Elections Code, and to amend Section 85301 of, to amend, repeal, and add Sections 85305, 85306, 85307, 85315, 85316, 85317, and 85318 of, and to add Section 85702.5 to, the Government Code, relating to the Political Reform Act of 1974. Signed by Governor and chaptered on October 8, 2019.]*

The Political Reform Act of 1974 prohibits a person, other than a small contributor committee or political party committee, from making to a candidate for elective state office, for statewide elective office, or for the office of Governor, and prohibits those candidates from accepting from a person, a contribution totaling more than a specified amount per election. For a candidate for elective state office other than a candidate for statewide elective office, the limitation on contributions is \$3,000 per election, as that amount is adjusted by the Fair Political Practices Commission in January of every odd-numbered year.

Existing law authorizes a county, city, or district to limit campaign contributions in local elections. Existing law authorizes the governing board of a school district or of a community college district to limit campaign expenditures or contributions in elections to district offices. The act specifies that it does not prevent the Legislature or any other state or local agency from imposing additional requirements on a person if the requirements do not prevent the person from complying with the act, and that the act does not nullify contribution limitations or prohibitions by any local jurisdiction that apply to elections for local elective office, as specified.



This bill, commencing January 1, 2021, instead would prohibit a person from making to a candidate for elective county or city office, and would prohibit a candidate for elective county or city office from accepting from a person, a contribution totaling more than the amount set forth in the act for limitations on contributions to a candidate for elective state office. This bill would also authorize a county or city to impose a limitation that is different from the limitation imposed by this bill. This bill would make specified provisions of the act relating to contribution limitations applicable to a candidate for a elective county or city office, except as specified.

The act makes a violation of its provisions punishable as a misdemeanor and subject to specified penalties.

This bill would add the contribution limitation imposed by the bill to the act's provisions, thereby making a violation of the limitation punishable as a misdemeanor and subject to specified penalties. However, the bill would specify that a violation of a limitation imposed by a local government is not subject to the act's enforcement provisions. The bill would authorize a local government that imposes a limitation that is different from the limitation imposed by this bill to adopt enforcement standards for a violation of the limitation imposed by the local government agency, including administrative, civil, or criminal penalties. By expanding the scope of an existing crime with regard to a violation of a contribution limitation imposed by the bill, the bill would impose a state-mandated local program. This bill would provide that no reimbursement is required by this act for a specified reason. 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.

**10.AB 623, Berman. Elections: printing requirements and ballot design.  
(CHAPTER 863)**

*[An act to amend Sections 13105, 13118, 13119, 13120, 13202, 13203, 13204, 13205, 13206, 13206.5, 13208, 13209, 13210, 13211, 13212, 13213, 13214, 13215, 13216, 13216.5, 13217, 13219, 13231, and 13315 of, and to add Section 13218 to, the Elections Code, relating to elections. Signed by Governor and chaptered on October 13, 2019.]*

Existing law imposes ballot layout specifications, including specific requirements relating to the size and font of text. Existing law also prescribes the format that must be used for county voter information guides. Existing law specifically requires that a notice regarding vote by mail applications be made in heavy-faced gothic type, not smaller than 12-point.

The bill would delete various provisions requiring certain text be printed in a particular font and make other ballot-related changes allowing more flexibility. The bill would delete the requirement that the notice be in gothic type.

The bill would require the Secretary of State to establish a ballot design advisory committee to assist the Secretary of State in promulgating regulations that prescribe ballot design and format.

This bill would incorporate additional changes to Section 13119 of the Elections Code proposed by SB 268 to be operative only if this bill and SB 268 are enacted and this bill.

**11.AB 679, Gonzalez. Voter qualifications: residence and domicile. (CHAPTER 63)**

*[An act to amend Section 2028 of the Elections Code, relating to elections. Signed by Governor and chaptered on July 9, 2019.]*

Existing law describes the domicile of a person for voting purposes as that place in which the person's habitation is fixed, wherein the person has the intention of remaining, and to which, whenever the person is absent, the person has the intention of returning. Existing law provides that the place where a person's family is domiciled is the person's domicile, except as specified. Existing law provides that if a person has a family fixed in one place, and the person does business in another place, the former is the person's place of domicile. However, if the person having a family fixed in one place has taken up an abode in another place with the intention of remaining and the person's family does not so reside with the person, that other abode is the person's domicile.

This bill would clarify that, for purposes of these provisions, a person may take up an abode at the same place at which the person does business.

**12.AB 693, Berman. Conditional voter registration: voting. (CHAPTERED 99)**

*[An act to amend Section 2170 of the Elections Code, relating to elections Signed by Governor and chaptered on July 12, 2019.]*

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

This bill would authorize an elections official to offer a nonprovisional ballot to a conditional voter registrant if the official uses the statewide voter registration database developed in compliance with the requirements of the federal Help America Vote Act of 2002 to make certain verifications before issuing the nonprovisional ballot and, if the registrant has been included on a roster for that election in that county, the official updates that roster to indicate that the voter has voted and shall not be issued another nonprovisional ballot for that election.

**13.AB 698, Obernolte. Elections: initiative and referendum petitions: signature verification. (CHAPTER 14)**

*[An act to amend Sections 9030, 9031, 9114, 9115, 9308, and 9309 of, the Elections Code, relating to elections. Signed by Governor and chaptered July 12, 2019.]*

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

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

**14.AB 730, Berman. Elections: deceptive audio or visual media. (CHAPTER 493)**

*[An act to amend, repeal, and add Section 35 of the Code of Civil Procedure, and to amend, add, and repeal Section 20010 of the Elections Code, relating to elections. Signed by the Governor and chaptered October 3, 2019.]*

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

This bill would, until January 1, 2023, instead prohibit 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. The bill would restore the existing provisions described above on January 1, 2023. The bill would define "materially deceptive audio or visual media" to mean an image or audio or video recording of a candidate's appearance, speech, or conduct that has been intentionally manipulated in a manner such that the image or audio or video recording would falsely appear to a reasonable person to be authentic and would cause a reasonable person to have a fundamentally different understanding or impression of the expressive content of the image or audio or video recording than that person would have if the person were hearing or seeing the unaltered, original version of the image or audio or video recording.

The bill would authorize, until January 1, 2023, a candidate for elective office whose voice or likeness appears in audio or visual media distributed in violation of this section

to seek injunctive or other equitable relief prohibiting the distribution of the deceptive audio or visual media. It would also authorize a candidate whose voice or likeness appears in the deceptive audio or visual media to bring an action for general or special damages against the person, committee, or other entity that distributed the media, and would authorize the court to award a prevailing party reasonable attorney's fees and costs.

The bill would provide exemptions for all of the following: (1) a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, when it is paid to broadcast materially deceptive audio or visual media, (2) materially deceptive audio or visual media that constitutes satire or parody, (3) a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, that broadcasts materially deceptive audio or visual media as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage of bona fide news events, if the broadcast clearly acknowledges through content or a disclosure that there are questions about the authenticity of the materially deceptive audio or visual media, and (4) an internet website, or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes the materially deceptive audio or visual media, if the publication clearly states that the materially deceptive audio or visual media does not accurately represent the speech or conduct of the candidate.

#### **15.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. Signed by the Governor and chaptered October 8, 2019.]*

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. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**16.AB 963, Petrie-Norris. Public postsecondary education: Student Civic and Voter Empowerment Act. (CHAPTER 559)**

*[An act to add Chapter 10.5 (commencing with Section 66850) to Part 40 of Division 5 of Title 3 of the Education Code, and to add Section 2148.5 to the Elections Code, relating to public postsecondary education. Signed by Governor and chaptered October 8, 2019.]*

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

This bill would establish the Student Civic and Voter Empowerment Program to be conducted by the Secretary of State, in partnership with the California Community Colleges, the California State University, and the University of California. The bill would require each campus of the California Community Colleges and the California State University, and request each campus of the University of California, (1) to distribute, in consultation with the Secretary of State, campuswide emails to all students with specified voting- and election-related dates and information, and to include specified dates on all print and online academic calendars, (2) to post on social media reminders to students of specified voter-related dates and information, and (3) to designate one person per campus as the Civic and Voter Empowerment Coordinator with specified responsibilities, including developing a Civic and Voter Empowerment Action Plan. The bill would require the Secretary of State to evaluate the program each year, and to report to the Legislature the results of the evaluation on or before January 1, 2021, and annually thereafter. The bill would require the Secretary of State to develop a Students Vote Project to implement these requirements. By imposing additional duties on community college districts, the bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**17.AB 991, Gallagher. Maintenance of the codes. (CHAPTER 497)**

*[An act to amend Sections 3019.5, 6768, 8106.5, 10010, 13102, 14201, and 21003 of the Elections Code. Signed by the Governor and chaptered October 3, 2019.]*

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.

**SEC. 102.**

Section 3019.5 of the Elections Code is amended to read:

**3019.5.**

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

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

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

**SEC. 103.**

Section 6768 of the Elections Code is amended to read:

**6768.**

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

Declaration of Candidate for Delegate

State of California

County of

}

ss.

I, \_\_\_\_\_, reside and am a registered voter at

\_\_\_\_\_ (street address) \_\_\_\_\_ ,

in the (city or town) of ,

in the County of \_\_\_\_\_, State of California.

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

I personally prefer \_\_\_\_\_ as the nominee of the Peace and Freedom Party for President of the United States, and hereby declare to the voters of the Peace and Freedom Party in the State of California that if elected as delegate to the national party convention, I shall to the best of my judgment and ability, support \_\_\_\_\_ as the nominee of the Peace and Freedom Party for President of the United States. (This statement of preference shall be omitted where the candidate for delegate is part of a group not expressing a preference for a particular presidential candidate.)

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

Executed at \_\_\_\_\_, California, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_ (Signed)

*SEC. 104.*

Section 8106.5 of the Elections Code is amended to read:

*8106.5.*

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

(1) If the nomination period for the special election is 12 days or more, the in-lieu-filing-fee petitions shall be filed at least nine days before the close of the nomination period. Within three days after receipt of a petition, the elections official shall notify the

candidate of any deficiency. The candidate shall then, at the time of obtaining nomination forms, pay a pro rata portion of the filing fee to cover the deficiency.

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

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

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

#### *SEC. 105.*

Section 10010 of the Elections Code is amended to read:

#### *10010.*

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

(1) Before drawing a draft map or maps of the proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than 30 days, at which the public is invited to provide input regarding the composition of the districts. Before these hearings, the political subdivision may conduct outreach to the public, including to non-English-speaking communities, to explain the districting process and to encourage public participation.

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



a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven days before being adopted.

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

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

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

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

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

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

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

(2) A prospective plaintiff shall not commence an action to enforce Sections 14027 and 14028 within 45 days of the political subdivision's receipt of the written notice described in paragraph (1).

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

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

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

next regular election to select governing board members. However, in a political subdivision that holds a primary election as part of its process for selecting governing board members, the written agreement shall include a requirement that district boundaries be established no later than six months before the political subdivision's next regular primary election.

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

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

(2) If more than one prospective plaintiff is entitled to reimbursement, the political subdivision shall reimburse the prospective plaintiffs in the order in which they sent a written notice pursuant to paragraph (1) of subdivision (e), and the 45-day time period described in paragraph (1) shall apply only to reimbursement of the first prospective plaintiff who sent a written notice. The cumulative amount of reimbursements to all prospective plaintiffs shall not exceed the cap described in paragraph (3).

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

#### *SEC. 106.*

Section 13102 of the Elections Code is amended to read:

#### *13102.*

(a) All voting shall be by ballot. There shall be provided, at each polling place, at each election at which public officers are to be voted for, but one form of ballot for all

candidates for public office, except that, for partisan primary elections, one form of ballot shall be provided for each qualified political party as well as one form of nonpartisan ballot, in accordance with subdivision (b).

(b) At partisan primary elections, each voter not registered disclosing a preference for any one of the political parties participating in the election shall be furnished only a nonpartisan ballot, 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. The nonpartisan ballot shall contain only the names of all candidates for nonpartisan offices, voter-nominated offices, and measures to be voted for at the primary election. Each voter registered as preferring a political party participating in the election shall be furnished only a ballot for which the voter disclosed a party preference in accordance with Section 2151 or 2152 and the nonpartisan ballot, both of which shall be printed together as one ballot in the form prescribed by Section 13207.

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

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

#### *SEC. 107.*

Section 14201 of the Elections Code is amended to read:

#### *14201.*

(a) In counties and precincts where the Secretary of State has determined that it is appropriate, the county elections official shall provide facsimile copies of the ballot, as described in subdivision (b), with the ballot measures and ballot instructions printed in Spanish, one of which shall be posted in a conspicuous location in the polling place and at least one of which shall be made available for voters at the polling place to use as a reference when casting a private ballot. Facsimile ballots shall also be printed in other languages and provided in the same manner if a significant and substantial need is found by the Secretary of State. A facsimile copy of the ballot available for voters to use

in casting a private ballot shall be sufficiently distinct in appearance from a regular ballot to prevent voters from attempting to vote on the facsimile copy.

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

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

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

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

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

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

(e) The county elections official shall include text in the county voter information guide that refers voters with language needs to the portion of the county elections internet

website containing the information specified in subdivision (d). The text shall be in all languages in which the county provides facsimile copies of the ballot.

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

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

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

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

*SEC. 108.*

Section 21003 of the Elections Code is amended to read:

*21003.*

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

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

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

(B) Any information maintained by the Department of Corrections and Rehabilitation about the residential address or addresses at which the inmate was domiciled before the inmate's most current term of incarceration, including any available information

about the date on which each address was added to records maintained by the department. If the Department of Corrections and Rehabilitation does not have any residential address information for an inmate, the information furnished by the department shall state that fact.

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

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

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

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

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

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

(d) Consistent with Section 2025, the Legislature hereby requests the Citizens Redistricting Commission to deem each incarcerated person as residing at that person's last known place of residence, rather than at the institution of that person's incarceration, and to use the information furnished to it pursuant to subdivision (a) in carrying out its redistricting responsibilities under Article XXI of the California Constitution. The Legislature also requests the Citizens Redistricting Commission to do all of the following when it uses information regarding inmates that is furnished pursuant to this section:

(1) Deem an inmate incarcerated in a state correctional facility for whom the last known place of residence is either outside California or cannot be determined, or an inmate in federal custody in a facility within California, to reside at an unknown geographical

location in the state and exclude the inmate from the population count for any district, ward, or precinct.

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

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

#### **18.AB 1044, Irwin. Elections: Secretary of State. (CHAPTER 106)**

*[An act to amend Section 2188.2 of the Elections Code, and to amend Section 12172.5 of the Government Code, relating to elections. Signed by Governor and chaptered July 12, 2019.]*

Existing law requires that an application for voter registration information available pursuant to law and maintained by the Secretary of State or by the elections official of any county be made pursuant to specified requirements. Existing law requires a person or entity who has received voter registration information pursuant to these provisions, following discovery or notification of a breach in the security of the storage of the information, to disclose the breach in security to the Secretary of State. Existing law requires the Secretary of State to adopt regulations describing best practices for storage and security of voter registration information received by an applicant. Existing law authorizes the Secretary of State to require elections officers to make reports concerning elections in their jurisdictions.

This bill would authorize the Secretary of State to require an applicant to take a training course regarding data security as a condition for the receipt of voter registration information if that course is made available to the applicant at no cost to the applicant. This bill would clarify that this reporting requirement may include information about the identity of, and contact information for, the elections official who is responsible for conducting elections in the jurisdiction.

**19.AB 1707, Berman. Polling places: handheld devices. (CHAPTER 561)**

*[An act to add Section 2302 to the Elections Code, relating to elections. Signed by Governor and chaptered October 8, 2019.]*

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

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

**20.AB 1829, Committee on Elections and Redistricting. Elections. (CHAPTER 562)**

*[An act to amend Sections 1000, 8020, 8061, 8106, 8406, 9030, 10512, 10703, and 15620 of the Elections Code, relating to elections. Signed by Governor and chaptered October 8, 2019.]*

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

This bill would make clarifying and nonsubstantive changes in these provisions.

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

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

(3) In order to appear on a ballot, existing law requires a candidate for public office to submit a declaration of candidacy, nomination papers signed by registered voters, and a filing fee with the Secretary of State or a county elections official, depending on the office sought. Existing law authorizes a candidate to submit a petition containing a specified number of signatures of registered voters in lieu of a filing fee.

This bill would specifically authorize a person authorized by the candidate to submit an in-lieu-filing-fee petition.



If a candidate submits an in-lieu-filing fee petition pursuant to existing law, any or all signatures on the petition are required to be counted towards the number of voters required to sign a nomination paper. If the petition contains the requisite number of valid signatures, the candidate is not required to file nomination papers and may request the elections official to accept the petition instead.

This bill would remove the requirement that the candidate request the elections official to accept the petition.

(4) Existing law requires public officers to take and subscribe the oath or affirmation set forth in the California Constitution before entering on the duties of office. Candidates for district elections must also take this oath when filing the declaration of candidacy. Existing law requires the county elections official or district secretary, or a person designated by the county elections official or district secretary, to administer the oath to candidates for district elections.

This bill would additionally authorize the county elections official or district secretary, or a person designated by the county elections official or district secretary, to administer the oath or affirmation to the candidate elected to office.

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

This bill would extend the operation of this provision to January 1, 2021, and make other conforming changes.

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

This bill would require that the request be made not later than 5 p.m. on the 5th day.

(7) This bill would incorporate additional changes to Section 9030 of the Elections Code proposed by AB 698 and AB 1451 to be operative only if this bill and either or both of those bills are enacted and this bill is enacted last.

(8) This bill would incorporate additional changes to Section 10703 of the Elections Code proposed by SB 641 to be operative only if this bill and SB 641 are enacted and this bill is enacted last.

**21. SB 27, McGuire. Primary elections: ballot access: tax returns. (CHAPTER 121)**

*[An act to add Chapter 7 (commencing with Section 6880) to Part 1 of Division 6 of, and to add Part 5 (commencing with Section 8900) to Division 8 of, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and chaptered July 30, 2019.]*

Existing law establishes processes for printing on presidential primary ballots the names of candidates for President of the United States who are considered to be generally recognized candidates or who are selected by a sufficient number of registered voters. Existing law, applicable to non-presidential direct primary elections, requires the Secretary of State to transmit to each county elections official a certified list of candidates who are eligible to be voted for in the official's county at a direct primary election.

This bill would enact the Presidential Tax Transparency and Accountability Act, which would require a candidate for President, in order to have the candidate's name placed upon a primary election ballot, to file the candidate's income tax returns for the 5 most recent taxable years with the Secretary of State, as specified. The act would require the Secretary of State, within 5 days of receiving the returns, to make redacted versions of the returns available to the public on the Secretary of State's internet website. This bill would impose the same requirements on candidates for Governor. This bill would declare that it is to take effect immediately as an urgency statute.

The California Supreme Court rejected this bill in a ruling on November 21, 2019. All seven justices voted unanimously against the legislation.

As stated in the opinion of the court by Justice Cantil-Sakauye, "Upon careful consideration of the parties' briefing and arguments... we conclude that petitioners are entitled to a writ of mandate. We direct the Secretary of State to refrain from enforcing Elections Code sections 6883 and 6884, the relevant provisions of the Act, insofar as enforcement of these sections would keep the name of a 'recognized candidate[] throughout the nation or throughout California for the office of President of the United States' from being printed on the ballot of a political party that has qualified to participate in the primary election."

**22. SB 47, Allen. Initiative, referendum, and recall petitions: disclosures. (CHAPTER 563)**

*[An act to amend Sections 101, 104, 9008, 9105, 9203, and 18600 of, and to add Sections 107 and 108 to, the Elections Code, relating to elections. Signed by Governor and chaptered October 8, 2019.]*

The California Constitution and existing statutory law provide for the electors to propose statutes or amendments to the Constitution by initiative. Existing law authorizes a

person who is a voter or who is qualified to register to vote in California to circulate an initiative or referendum petition within the state.

The California Constitution enables electors to initiate a recall of state or local officers by gathering sufficient signatures within a specified time period. Existing statutory law requires that the proponents of a recall be registered voters of the electoral jurisdiction of the officer they seek to recall.

Existing law requires that an initiative petition contain specified language advising the public of its right to determine whether the person circulating the petition is a paid signature gatherer or a volunteer. Existing law prescribes other requirements regarding the form, content, and presentation of initiative and referendum petitions.

This bill would require, for a state or local initiative, referendum, or recall petition that requires voter signatures and for which the circulation is paid for by a committee, as specified, that an Official Top Funders disclosure be made, either on the petition or on a separate sheet, that identifies the name of the committee, any top contributors, as defined, and the month and year during which the Official Top Funders disclosure is valid, among other things. The bill would require the committee to create an Official Top Funders sheet meeting certain requirements and would authorize the committee to create a page on an internet website that includes a link to the most recent Official Top Funders sheet and a link to the full text of the measure. The bill would require the committee to submit the Official Top Funders sheet and any updates to the Secretary of State, who would be required to post that statement on the Secretary of State's internet website along with the previous versions the committee submitted.

The bill would amend existing provisions to make certain misrepresentations with regard to the Official Top Funders disclosures a crime. By expanding the scope of an existing crime, the bill would impose a state-mandated local program. The bill would require the circulator to certify under the penalty of perjury that the circulator showed each signer a valid and unfalsified Official Top Funders sheet if the petition does not include a specified disclosure statement. By expanding the crime of perjury, the bill would impose a state-mandated local program.

The bill would authorize the pages of a petition to be bound together by any reasonable method, including the use of staples.

By expanding the duties of local elections officials, the bill would impose a state-mandated local program. This bill would provide that with regard to certain mandates 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.

**23.SB 72, Umberg. Conditional voter registration: provisional ballots. (CHAPTER 565)**

*[An act to amend Section 2170 of the Elections Code, relating to elections. Signed by Governor and chaptered October 8, 2019.]*

Existing law authorizes an elector who is otherwise qualified to register to vote to complete a conditional voter registration and cast a provisional ballot during the 14 days immediately preceding an election or on election day, as prescribed. A county elections official is required to offer conditional voter registration and provisional voting at all permanent offices of the county elections official in the county in accordance with specified procedures. Existing law also permits the county elections official to offer conditional voter registration and provisional voting at satellite offices of the county elections office.

This bill would specifically require, rather than permit, the county elections official to offer conditional voter registration and provisional voting at all satellite offices of the county elections official and all polling places in the county. If the elections official is able to determine a conditionally registered voter's precinct, and the ballot for that precinct is available, the bill would require the elections official to provide the voter with a ballot for the voter's precinct. If the elections official is unable to determine the conditionally registered voter's precinct, or a ballot for the precinct is unavailable, the bill would require the elections official to provide the voter with a ballot and inform the voter that only the votes for the candidates and measures on which the voter would be entitled to vote in the voter's assigned precinct may be counted. By requiring county elections officials to offer conditional voter registration and provisional voting at all satellite offices and all polling places, and by imposing additional duties on elections officials with respect to provisional ballots, this bill would create a state-mandated local program.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would incorporate additional changes to Section 2170 of the Elections Code proposed by AB 693 to be operative only if this bill and AB 693 are enacted and this bill is enacted last.

**24. SB 82, Committee on Budget and Fiscal Review. State Government.  
(CHAPTER 29)**

*[An act to amend Sections 9084, 9086, 19400, 19402, 21550, and 21552 of the Elections Code. Signed by Governor and chaptered June 27, 2019.]*

Budget trailer bill.

SEC. 76.

Section 9084 of the Elections Code is amended to read:

9084.

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

- (a) A complete copy of each state measure.
- (b) (1) Except as provided in paragraph (2), before each state measure, a conspicuous notice that identifies the location on the Secretary of State's internet website of the specific constitutional or statutory provision that the state measure would repeal or revise.
- (2) The text of a measure relating to debts and liabilities, including a bond measure, shall be printed in the state voter information guide as required by Section 1 of Article XVI of the California Constitution.
- (c) A copy of the arguments and rebuttals for and against each state measure.
- (d) A copy of the analysis of each state measure.
- (e) Tables of contents, indexes, art work, graphics, and other materials that the Secretary of State determines will make the state voter information guide easier to understand or more useful for the average voter.
- (f) A notice, conspicuously printed on the cover of the state voter information guide, indicating that additional copies of the state voter information guide will be mailed by the county elections official upon request.
- (g) A written explanation of the judicial retention procedure as required by Section 9083.
- (h) The Voter Bill of Rights pursuant to Section 2300.
- (i) If the ballot contains an election for the office of United States Senator, information on candidates for United States Senator. A candidate for United States Senator may purchase the space to place a statement in the state voter information guide that does not exceed 250 words. The statement shall not make any reference to any opponent of the candidate. The statement shall be submitted in accordance with timeframes and procedures set forth by the Secretary of State for the preparation of the state voter information guide.

(j) If the ballot contains a question on the confirmation or retention of a justice of the Supreme Court, information on justices of the Supreme Court who are subject to confirmation or retention.

(k) If the ballot contains an election for the offices of President and Vice President of the United States, a notice that refers voters to the Secretary of State's internet website for information about candidates for the offices of President and Vice President of the United States.

(l) A written explanation of the appropriate election procedures for party-nominated, voter-nominated, and nonpartisan offices as required by Section 9083.5.

(m) A written explanation of the top 10 contributor lists required by Section 84223 of the Government Code, including a description of the internet websites where those lists are available to the public.

#### *SEC. 77.*

Section 9086 of the Elections Code is amended to read:

#### *9086.*

The state voter information guide shall contain as to each state measure to be voted upon, the following, in the order set forth in this section:

(a) (1) Upon the top portion of the first page, and not exceeding one-third of the page, shall appear:

(A) Identification of the measure by number and title.

(B) The official summary prepared by the Attorney General.

(C) The total number of votes cast for and against the measure in both the State Senate and Assembly, if the measure was passed by the Legislature.

(2) The space in the title and summary that is used for an explanatory table prepared pursuant to paragraph (2) of subdivision (e) of Section 9087 and Section 88003 of the Government Code shall not be included when measuring the amount of space the information described in paragraph (1) has taken for purposes of determining compliance with the restriction prohibiting the information described in paragraph (1) from exceeding one-third of the page.

(b) Beginning at the top of the right page shall appear the analysis prepared by the Legislative Analyst if the analysis fits on a single page. If it does not fit on a single page, the analysis shall begin on the lower portion of the first left page and shall continue on subsequent pages until it is completed.

(c) Immediately below the analysis prepared by the Legislative Analyst shall appear a printed statement that refers voters to the Secretary of State's internet website for a list

of committees primarily formed to support or oppose a ballot measure, and information on how to access the committee's top 10 contributors.

(d) Arguments for and against the measure shall be placed on the next left and right pages, respectively, following the final page of the analysis of the Legislative Analyst. The rebuttals shall be placed immediately below the arguments.

(e) If an argument against the measure has not been submitted, the argument for the measure shall appear on the right page facing the analysis.

(f) Before each state measure, a conspicuous notice identifying the location on the Secretary of State's internet website of the complete text of the state measure. The Secretary of State's internet website shall contain the provisions of the proposed measure and the existing laws repealed or revised by the measure. The provisions of the proposed measure differing from the existing laws affected shall be distinguished in print, so as to facilitate comparison. There shall be printed immediately below each state measure, except for a measure relating to debts and liabilities under Section 1 of Article XVI of the California Constitution, including a bond measure, in no less than 10-point bold type, a legend substantially as follows: "If you desire a copy of the full text of the state measure, please call the Secretary of State at (insert toll-free telephone number) and a copy will be mailed at no cost to you."

(g) The following statement shall be printed at the bottom of each page where arguments appear: "Arguments printed on this page are the opinions of the authors, and have not been checked for accuracy by any official agency."

#### *SEC. 78.*

Section 19400 of the Elections Code is amended to read:

#### *19400.*

For purposes of this chapter, the following definitions apply:

(a) "Ballot on demand system" means a ballot manufacturing system, as defined in Section 303.4, that is subject to Sections 13004 and 13004.5.

(b) "Election management system" means a system that is used by a county in the state to track voter registration or voter preferences, including, for example, a voter's vote by mail status.

(c) "Electronic poll book" means an electronic list of registered voters that may be transported to the polling location or vote center pursuant to Section 2550.

(d) "Remote accessible vote by mail system" means a system, as defined in Section 303.3, that is certified pursuant to Chapter 3.5 (commencing with Section 19280) of Division 19.

(e) "Vote by mail ballot drop box" means a secure receptacle established by a county or city and county elections official whereby a voted vote by mail ballot may be returned to the elections official from whom it was obtained pursuant to Section 3025.

(f) "Voting system" means any voting machine, voting device, or vote tabulating device that does not use prescored punch card ballots.

*SEC. 79.*

Section 19402 of the Elections Code is amended to read:

*19402.*

(a) (1) The Secretary of State shall use the 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 the funding allocation described in subdivision (b). To receive reimbursement, a county shall provide matching funds that are at least equivalent to one-quarter of the state funds received for the eligible expenditures described in subdivision (d).

(2) Notwithstanding paragraph (1), counties that operated 50 or fewer precincts in the November 8, 2016, statewide general election are not required to provide matching funds to receive an allocation from the state.

(b) The Secretary of State shall allocate funding for a contract described in subdivision (a) based on the size of the county, the number of voters registered in the county, and the Secretary of State's estimate of need for county voting equipment.

(c) A contract described in subdivision (a) shall permit a county to apply to the Secretary of State for reimbursement costs incurred in connection with the activities described in subdivision (d) in a manner consistent with all of the following:

(1) The county may seek reimbursement for payments made pursuant to a purchase agreement, lease agreement, or other contract made after April 29, 2015.

(2) The funded activities described in subparagraph (A) of paragraph (1) of subdivision (d) shall be for new voting systems that have been certified pursuant to the California Voting System Standards.

(3) The county shall provide the Secretary of State with documentation of the payment for which reimbursement is sought, and of the purchase agreement, lease agreement, or other contract pursuant to which the reimbursed payment was made.

(4) The Secretary of State shall verify that payment for which reimbursement is sought meets the criteria set forth in the contract described in subdivision (a) before reimbursing the county.



(5) (A) The Secretary of State shall reimburse the county by matching county funds spent on voting system replacement activities described in subdivision (d) on a three-to-one basis, up to the maximum amount of funds allocated for the contract pursuant to subdivision (b).

(B) Notwithstanding subparagraph (A), the Secretary of State shall reimburse counties that operated 50 or fewer precincts in the November 8, 2016, statewide general election without requiring those counties to provide matching funds.

(d) For purposes of this chapter, reimbursable voting system replacement activities include all of the following:

(1) The purchase or lease of any of the following:

(A) A voting system certified or conditionally approved by the Secretary of State that does not use prescored punch card ballots.

(B) Electronic poll books certified by the Secretary of State.

(C) Ballot on demand systems certified by the Secretary of State.

(D) Vote by mail ballot drop boxes that comply with any applicable regulations adopted by the Secretary of State pursuant to subdivision (b) of Section 3025.

(E) Remote accessible vote by mail systems certified or conditionally approved by the Secretary of State.

(F) Telecommunication technologies to facilitate electronic connection, for the purpose of voter registration, between polling places, vote centers, and the office of the county elections official or the Secretary of State's office.

(G) Vote by mail ballot sorting and processing equipment.

(H) An election management system.

(2) Research and development of a new voting system that has not been certified or conditionally approved by the Secretary of State, but that would result in a voting system certified by the Secretary of State to comply with the California Voting System Standards. A voting system developed pursuant to this paragraph shall use only nonproprietary software and firmware with disclosed source code, except that it may use unmodified commercial off-the-shelf software and firmware, as defined in paragraph (1) of subdivision (a) of Section 19209.

(3) (A) Manufacture of the minimum number of voting system units reasonably necessary for either of the following purposes:

(i) Testing and seeking certification or conditional approval for the voting system pursuant to Sections 19210 to 19214, inclusive.

(ii) Testing and demonstrating the capabilities of the voting system in a pilot program pursuant to paragraph (2) of subdivision (b) and subdivision (c) of Section 19209.

(B) For purposes of this paragraph, “voting system” includes a part of a voting system.

(4) If a county uses funding provided to it for the activities described in paragraph (2) or (3), and those activities do not result in a voting system certified by the Secretary of State to comply with the California Voting System Standards by July 1, 2023, the county shall return the state funding provided for those activities to the State. If the county does not return the funding by June 30, 2024, the State Controller shall withhold any payment to the county in an equivalent amount, as directed by the Department of Finance.

(e) A voting system purchased or leased by a county for which the county seeks reimbursement from the Secretary of State pursuant to this section and that does not require a voter to directly mark on the ballot must produce, at the time the voter votes the voter’s ballot or at the time the polls are closed, a paper version or representation of the voted ballot or of all of the ballots cast on a unit of the voting system. The paper version shall not be provided to the voter but shall be retained by elections officials for use during the 1 percent manual tally described in Section 15360, or any recount, audit, or contest.

#### *SEC. 80.*

Section 21550 of the Elections Code is amended to read:

#### *21550.*

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

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

(2) “Clerk of the Board of Supervisors” means the Clerk of the Board of Supervisors of the County of San Diego.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) (A) At a regularly scheduled meeting of the board, the Clerk of the Board of Supervisors shall conduct a random drawing to select one commissioner from each of the five subpools established by the clerk.

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

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

(2) The six appointees shall be chosen based on relevant experience, analytical skills, and ability to be impartial, and to ensure that the commission reflects the county's diversity, including racial, ethnic, geographic, and gender diversity. However, formulas or specific ratios shall not be applied for this purpose. The eight commissioners shall also consider political party preference, selecting applicants so that the political party preference of the members of the commission complies with subdivision (c).

#### *SEC. 81.*

Section 21552 of the Elections Code is amended to read:

#### *21552.*

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

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

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

(3) Districts shall be geographically contiguous.

(4) The geographic integrity of any city, local neighborhood, or local community of interest shall be respected in a manner that minimizes its division to the extent possible without violating the requirements of paragraphs (1) to (3), inclusive. A community of interest is a contiguous population that shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

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

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

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

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

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

(A) Post the map for public comment on the internet website of the County of San Diego.

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

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

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

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

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

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

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

(B) Coordinating with community organizations.

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

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

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

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

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

(2) The plan shall be effective 30 days after it is filed with the Clerk of the Board of Supervisors.

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

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

**25.SB 151, Umberg. Elections. (CHAPTER 566)**

*[An act to amend Sections 11320, 13300, and 13303 of the Elections Code, relating to elections. Signed by Governor and chaptered October 8, 2019.]*

(1) Existing law specifies the procedures for recall elections of state and local officers. Existing law specifies the information required to be included on ballots for recall elections and the format of that information.

This bill would authorize an officer in a voter-nominated office who is subject to a recall election to have the officer's party preference identified on the ballot. The bill would specify the format and appearance of the statement of party preference. By increasing the duties of local officials relative to the information to be displayed on a recall election ballot, the bill would impose a state-mandated local program.

(2) Existing law requires the county elections official to mail a county voter information guide for a political party or a nonpartisan county voter information guide, as specified, to each voter no more than 40 days nor less than 10 days before a primary election. Existing law requires a county elections official to send, not more than 40 days nor less than 21 days before an election, a copy of a substantial facsimile of the official ballot used in the election to each voter who is registered at least 29 days before the election.

This bill would delete the prohibition against sending these materials to voters earlier than 40 days before a primary election or election. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**26.SB 359, Moorlach. Elections: referendum. (CHAPTER 567)**

*[An act to amend Section 9238 of the Elections Code, relating to elections. Signed by Governor and chaptered October 8, 2019.]*

Existing law provides procedures for the circulation of referendum petitions in municipal elections and requires, among other things, that each section of the referendum petition contain the text of the ordinance or the portion of the ordinance that is the subject of the referendum.

This bill would permit each section of the referendum petition to contain an impartial summary of the referendum instead of the text of the ordinance or the portion of the ordinance that is the subject of the referendum. The summary would be drafted by the

proponents of the referendum, filed with the local elections official, and approved by the city attorney, as specified.

By creating new duties for local elections officials and city attorneys, this bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

## **27.SB 505, Umberg. Presidential primary elections. (CHAPTER 149)**

*[An act to amend Sections 6041, 6101, 6122, 6340, 6360, 6382, 6520, 6581, 6591, 6721, 6722, 6781, 6791, 6851.5, 6852, and 6854.5 of, to amend and renumber Sections 6000a and 6001 of, and to add Sections 6000.1, 6000.2, and 6857.2 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and chaptered July 30, 2019]*

Existing law provides for specific procedures by which the Democratic Party, the Republican Party, the American Independent Party, the Peace and Freedom Party, and the Green Party participate in the presidential primary election. Existing law requires the Secretary of State to place the name of a candidate seeking the nomination of one of those parties for the office of President of the United States on the presidential primary ballot when the Secretary of State determines that the candidate is generally advocated for or recognized throughout the United States as actively seeking the nomination of the party, and to announce and distribute to the news media a list of the candidates the Secretary of State intends to place on the ballot a specified number of days before the presidential primary election. Existing law requires the Secretary of State to send a letter to specified officials in the Green Party of California and the Peace and Freedom Party of California soliciting additional information regarding the placement of candidates from those parties on the ballot on or before the 150th day before the election.

This bill would define the phrases “generally advocated for or recognized candidate” or “recognized candidate” for these purposes to mean an individual who has an authorized campaign committee registered with the Federal Election Commission for the office of President of the United States and who meets specified criteria. The bill would require a candidate to complete and submit to the Secretary of State a form that substantiates the criteria met by the candidate. The bill would extend the deadline by which the Secretary of State is required to announce and distribute the names of candidates to be placed on the ballot to the 88th day before the date of the presidential primary election. The bill would extend the deadline for the Secretary of State to send the letter described above to the 120th day before the primary election.



Existing law requires an unselected candidate or uncommitted delegation seeking the nomination of a party that desires to be placed on the presidential primary ballot to have nomination papers circulated for signature on behalf of the candidacy. Existing law authorizes a circulator of those nomination papers to obtain signatures during a specified period before the presidential primary election, and requires the nomination papers to be prepared, circulated, signed, verified, and left for examination with the county elections official of the county in which the papers are circulated a specified number of days before the presidential primary election.

This bill would change the period during which a circulator may obtain signatures to a nomination paper to the period between 120 days and 81 days, inclusive, before the primary election, and require all nomination papers to be left for examination by the county elections official at least 81 days before the primary election. The bill would make other conforming and technical, nonsubstantive changes.

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

## **28.SB 523, McGuire. Elections: vote by mail ballots. (CHAPTER 568)**

*[An act to amend Sections 2194 and 3019 of the Elections Code, relating to elections. Signed by Governor and chaptered October 8, 2019.]*

Existing law requires an elections official, upon receiving a vote by mail ballot, to compare the signature on the identification envelope of the ballot to specified records of the voter's signature. If the signature does not compare, existing law requires the elections official, at least 8 days before the certification of the election, to provide the voter with notice of an opportunity to verify the voter's signature by signing and delivering a signature verification statement to the elections official, as specified. If the elections official determines that the voter has not signed the ballot identification envelope, existing law prohibits the elections official from rejecting the vote by mail ballot if the voter either signs the ballot identification envelope at the office of the elections official during regular business hours, or completes and submits an unsigned ballot statement, as specified, before 5 p.m. on the 8th day after the election.

This bill would, in the case of a voter whose signatures do not match, require the elections official to notify the voter, at least 8 days before the certification of the election, of an opportunity to verify the voter's signature. It would extend the deadline for a voter who did not sign the ballot identification envelope to sign the envelope, or sign and deliver an unsigned ballot statement, to no later than 5 p.m. 2 days before the certification of the election.

Existing law provides that certain information on a voter's affidavit of registration, including the voter's home address and signature, is confidential and prohibits disclosure of the information except in specified circumstances.

This bill would require information regarding voters who did not sign a vote by mail ballot identification envelope, or whose signature on the vote by mail ballot identification envelope did not match the voter's signature on file, to also be treated as confidential and would prohibit disclosure of the information except in specified circumstances. The bill would require any disclosure of the information to be accompanied by a specified notice relating to misuse of the information.

Because the bill would impose additional duties on a local elections official, the bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

### **29. SB 641, Allen. Special elections. (CHAPTER 328)**

*[An act to amend Section 10703 of the Elections Code, relating to elections. Signed by Governor and chaptered September 20, 2019.]*

Existing law requires the Governor to call a statewide special election by proclamation. Existing law generally requires the Governor to issue this proclamation within 14 calendar days of a vacancy in a congressional or legislative office, and it permits that election to be conducted within 180 days following the proclamation, as specified, in order to consolidate the election with a regularly scheduled election.

This bill would change the period of time in which a special election may be conducted for consolidation purposes to within 200 days following the proclamation.

Existing law authorizes, until January 1, 2020, conducting a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly as an all-mailed ballot election.

This bill would extend this authority to January 1, 2021, and make other technical changes.

### **30. SB 681, Stern. Local referenda and charter amendments: withdrawal. (CHAPTER 569)**

*[An act to add Sections 9144.5, 9237.2, 9266.5, and 9341.5 to the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Signed by Governor and chaptered October 8, 2019.]*

Existing law authorizes the proponent of a county, municipal, or district initiative to withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

This bill would authorize the proponent of a county, municipal, or district referendum to withdraw the referendum at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official. The bill would grant the same authority to withdraw to the proponent of an amendment of a city or county charter. Because the exercise of this authority would impose associated duties on local elections officials, this bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

## Vetoed Bills

### **1. AB 681, Gonzalez. Elections: voter registration: partisan primary elections.**

*[An act to amend Sections 2152, 3203, 3205, 4100, 13102, 13502, and 18402 of, to add Sections 2119.5, 12100, and 13503 to, to add Chapter 0.5 (commencing with Section 3000) to Division 3 of, and to repeal Section 3000 of, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately. Vetoed by Governor October 13, 2019.]*

This bill would require a county elections official, between the 130th and 102nd day before a presidential primary election, to send each registered voter in the county a notice containing specified information, including the voter's current political party preference, the type of ballot the voter will be able to cast at the presidential primary election, and instructions on how the voter may change the voter's political party preference. The bill would require a county elections official, between the 99th and 71st day before a presidential primary election, to send each registered voter within the county who has declined to disclose a political party preference, and who has not requested the ballot of a political party, a second similar notice that also allows the voter to request a vote by mail ballot for a specified political party by signing and returning the notice. This bill would revise and clarify how a voter who has declined to disclose a political party preference may request the ballot of a political party. The bill would require a county elections official to accept from a vote by mail voter who has declined to disclose a political party preference a request submitted by telephone, email, or facsimile transmission, as specified. The bill would permit an unvoted nonpartisan ballot to be returned in exchange for the ballot of a political party at any time before the close of the polls on election day. The bill would make other nonsubstantive conforming changes. 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 the registration of the voter to be immediately updated.

By imposing additional duties on local elections officials and expanding the scope of crimes, this bill would impose a state-mandated local program. This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason. This bill would declare that it is to take effect immediately as an urgency statute.

## Governor's Veto Message

To the Members of the California State Assembly:

I am returning Assembly Bill 681 without my signature.

This bill requires county elections officials to send a notice to each registered voter in the county with specified voting information before every presidential primary election. This bill also requires a local elections official to accept a change of address form, or a change in party preference form, from a registered voter from the 14th day before an election through the close of polls on election day instead of executing a new affidavit of registration.

While I share the Legislature's intent to reduce voter confusion, this bill may create a state-reimbursable mandate with likely significant ongoing General Fund costs to the state, thus it should be considered in the annual budget process.

Sincerely, Gavin Newsom

### **2. AB 1036, Aguiar-Curry. Elections: civic outreach and voter engagement.**

*[An act to amend Sections 2105 and 2131 of, and to add Chapter 5 (commencing with Section 370) to Division 0.5 of, the Elections Code, relating to elections. Vetoed by Governor October 13, 2019.]*

This bill would create the High School Voter Education Pilot Program to be conducted in Yolo County. Under the pilot program, the Yolo County Elections Office and Yolo County Office of Education would be authorized to conduct mock student government elections on designated high school campuses, using, to the extent possible, the same standards, processes, and voting equipment used in the county for regularly-conducted elections. This bill would require the administering agencies to provide voter registration and preregistration opportunities for eligible students in conjunction with the program, and would require the administering agencies to report to the Legislature regarding the outcome of the program, as specified. The bill would repeal these provisions on January 1, 2027. This bill would require the Secretary of State, in adopting those regulations, to require each county to periodically update its programs. This bill would also require the Secretary of State to periodically update the Secretary's own regulations promulgated pursuant to this provision. By imposing a new statutory duty on each county, this bill would impose a state-mandated local program. This bill would broaden the purposes of the voter outreach grant program described above, and it would permit the Secretary of State to provide grant funding pursuant to that provision. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

## **5. AB 1391, Bonta. Elections: voter language preference.**

*[An act to amend Sections 2155, 3006, 3007.5, 3007.7, 3022, and 3201 of the Elections Code, relating to elections. Vetoed by Governor October 13, 2019.]*

This bill would require the application materials described above to allow the applicant to specify the preferred language in which the applicant would like to receive future election materials. The bill would require the voter notification described above to include a statement of the voter's language preference. The bill would require the county elections official to send with the voter notification information regarding the languages in which a voter in the county may receive election materials and instructions on how the voter may change the voter's language preference. By increasing the duties of county elections officials, the bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

## **6. AB 1451, Low. Petition circulators.**

*[An act to amend Sections 101, 9030, and 9031 of, and to add Sections 102.5, 9009.5, 9022.5, 9036, and 9037 to, the Elections Code, relating to elections. Vetoed by Governor October 7, 2019.]*

This bill would provide that a person or organization who pays a person money or any other thing of value based on the number of signatures obtained on a state or local initiative, referendum, or recall petition is guilty of a misdemeanor punishable by a specified fine, imprisonment, or both that fine and imprisonment. By creating a new crime, the bill would impose a state-mandated local program. This bill would require a person who solicits signatures for a proposed initiative measure and does not receive money or other valuable consideration for the specific purpose of soliciting signatures of electors to make additional declarations, as specified. This bill would extend the time a local elections official is required to determine the total number of signatures affixed to a petition to 10 days, and would extend the time a local elections official is required to determine the number of qualified voters who signed the petition to 35 days after receiving notice from the Secretary of State that the petition has received the signatures needed to declare the petition sufficient.

This bill would require at least 10% of the signatures that are required to qualify an initiative measure to be solicited by a person who does not receive money or other valuable consideration for the specific purpose of soliciting signatures of electors. The bill would require an elections official who determines the total number of signatures affixed to a petition and verifies those signatures to also determine the total number of signatures submitted by persons who do not receive money or other valuable consideration for the specific purpose of soliciting signatures of electors and verify those

signatures. This bill, with regard to an initiative petition for which the statistical sampling shows that the number of valid signatures for all signatures submitted is more than 110% of the number of qualified voters needed to find the petition sufficient, but the number of valid signatures submitted for purposes of the 10% requirement described above is within 95 to 110% of the number of signatures needed to satisfy that requirement, would require the Secretary of State to only order an examination and verification of each signature filed to satisfy the 10% requirement. This bill would provide that its provisions do not apply to any initiative petition for which the Attorney General issued a circulating title and summary before July 1, 2020. The bill would additionally require a petition for a proposed initiative measure that is circulated by persons who do not receive money or other valuable consideration for the purpose of obtaining signatures of electors to be printed on green paper in a contrasting color ink. The bill also would require a petition for a proposed initiative measure that is circulated by persons who do receive money or other valuable consideration for the purpose of obtaining signatures of electors to be printed on white paper in a contrasting color ink. This bill would, for statewide initiative or referendum measures, instead require an initiative petition to include a disclosure, as specified, notifying the public that the petition circulator is receiving money or other valuable consideration for the specific purpose of soliciting signatures of electors, or is a volunteer or employee of a nonprofit organization. This bill would require that an initiative petition section be deemed invalid, and would prohibit use of the petition section for the purpose of determining whether the initiative measure qualifies for the ballot, if the signatures are solicited and submitted by a person who engages in fraud, misrepresentation, or any of the specified conduct for which the person may be found guilty of a misdemeanor. The bill would authorize specified persons to enforce this provision by a civil action upon a showing of clear and convincing evidence. This bill would provide that with regard to certain mandates 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.

(9) This bill would incorporate additional changes to Section 101 of the Elections Code proposed by SB 47 to be operative only if this bill and SB 47 are enacted and this bill is enacted last.

This bill would incorporate additional changes to Section 9030 of the Elections Code proposed by AB 698 and AB 1829 to be operative only if this bill and those bills are enacted and this bill is enacted last.

This bill would incorporate additional changes to Section 9031 of the Elections Code proposed by AB 698 to be operative only if this bill and AB 698 are enacted and this bill is enacted last.

## Governor's Veto Message

To the Members of the California State Assembly:

I am returning Assembly Bill 1451 without my signature.

This bill makes it a misdemeanor to pay signature gatherers based on the number of signatures they collect on a state or local initiative, referendum or recall petition, and requires that at least 10% of signatures on a state initiative petition be collected by unpaid circulators.

While I appreciate the intent of this legislation to incentivize grassroots support for the initiative process, I believe this measure could make the qualification of many initiatives cost-prohibitive, thereby having the opposite effect. I am a strong supporter of California's system of direct democracy and am reluctant to sign any bill that erects barriers to citizen participation in the electoral process.

For this reason, I cannot sign this bill.

Sincerely, Gavin Newsom



## Dead Bills

### **AB 225, as introduced, Brough. Political Reform Act of 1974: campaign funds: childcare costs.**

*[An act to amend Section 89513 of the Government Code, relating to the Political Reform Act of 1974.]*

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, including the use of campaign funds for specific expenditures.

This bill would provide that campaign funds may be used to pay for child care provided for a candidate's dependent child if the costs are incurred as a direct result of campaign activity.

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.

### **AB 359, as introduced, Melendez. Political Reform Act of 1974: postgovernment employment.**

*[An act to amend Section 87406 of the Government Code, relating to the Political Reform Act of 1974.]*

The Political Reform Act of 1974 prohibits a Member of the Legislature, for a period of one year after leaving office, from acting as a compensated agent or attorney for, or otherwise representing, any other person by making appearances before, or communications with, the Legislature or its committees, Members, or officers or employees, if the appearance or communication is made for the purpose of influencing legislative action. If the Member resigns from office, this prohibition applies from the effective date of the resignation until one year after the adjournment sine die of the session in which the resignation occurred.

This bill would extend the time periods for these prohibitions for a Member of the Legislature to 5 years.

Because a violation of the act is punishable as a misdemeanor, this bill would impose a state-mandated local program.

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.

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.

**AB 460, as introduced, 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 the United States Senate, 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 United States Senate 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 564, as introduced, Gallagher. Mail ballot elections: vacancies: congressional or legislative offices.**

*[An act to amend Section 4001.5 of the Elections Code, relating to elections.]*

Existing law, until January 1, 2021, authorizes a county, as a pilot program, to conduct an all-mailed ballot special election or special consolidated election to fill a vacancy in a congressional or legislative office. If a county conducts an all-mailed ballot election pursuant to this pilot program, existing law requires the county to report to the Legislature and the Secretary of State regarding the success of the election, and requires the report to be posted on the internet website of the county elections official.

This bill would require the report to also be posted on the internet website of the Secretary of State.

**AB 1141, as amended, Melendez. Political Reform Act of 1974: misuse of funds.**

*[An act to add Section 85300.5 the Government Code, relating to the Political Reform Act of 1974.]*

Existing law prohibits the use of public resources for a campaign activity or personal or other purposes that are not authorized by law. Existing law subjects a person who intentionally or negligently violates this prohibition to a civil penalty not to exceed \$1,000 for each day on which a violation occurs, plus 3 times the value of the unlawful use of public resources.

The Political Reform Act of 1974 establishes the Fair Political Practices Commission (FPPC) as the agency responsible for enforcing the act. The act generally prohibits a public officer from expending, and a candidate from accepting, public moneys for the purpose of seeking elective office. The act authorizes the Commission to seek and impose administrative and civil penalties against persons who violate the act, as prescribed.

This bill would amend the Political Reform Act of 1974 to prohibit any elected state or local officer, including any state or local appointee, employee, consultant, or agency, from using or permitting others to use public resources for a campaign activity. The bill would authorize the FPPC to impose an administrative or civil penalty against a person for a misuse of public resources for campaign activity, not to exceed \$1,000 for each day on which a violation occurs, plus 3 times the value of the unlawful use of public resources.

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.

**AB 1245, as amended, Low. Political Reform Act of 1974: contribution prohibitions.**

*[An act to add Section 85322 to, the Government Code, relating to the Political Reform Act of 1974.]*

The Political Reform Act of 1974 imposes various limitations on contributions that may be made to, or accepted by, candidates for elective office, statewide elective office, and Governor. The act generally prohibits a person from making to any committee, and a committee from accepting, any contribution totaling more than \$5,000 per calendar year for the purpose of making contributions to candidates for elective state office. A violation of the act's provisions is punishable as a misdemeanor and subject to specified penalties.

This bill would prohibit a business entity from making, and a candidate for elective state office from receiving, a contribution to a candidate for elective state office. By expanding the scope of existing crimes with regard to contribution limitations, this bill would impose a state-mandated local program.

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.

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.

**AB 1302, as amended, Weber. San Diego Unified School District: elections.**

*[An act to add Section 5232 to the Education Code, relating to school district elections.]*

Existing law prescribes the procedures for the election of governing board members in a school district. Existing law requires a unified school district that is coterminous with or includes within its boundaries a charter city to be governed by the board of education provided for in the city charter, except as provided.

This bill would require a member of the Board of Education of the San Diego Unified School District to be elected by the voters in the election district the member would represent rather than at large by all voters in the San Diego Unified School District. By imposing additional duties on local elections officials, the bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the San Diego Unified School District.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**AB 1425, as introduced, Gallagher. Residency: displacement by natural disaster.**

*[An act to amend Section 2021 of the Elections Code, relating to elections.]*

Existing law defines “residence” for voting purposes as a person’s domicile. Existing law describes the domicile of a person for voting purposes as that place in which their habitation is fixed, wherein the person has the intention of remaining, and to which, whenever they are absent, the person has the intention of returning. Existing law describes the residence of a person as that place in which the person’s habitation is fixed for some period of time, but wherein they do not have the intention of remaining. Existing law provides that a person may have only one domicile at a given time, but may have more than one residence. Existing law guarantees that a person who leaves their home to go into another state or precinct in this state for temporary purposes merely, with the intention of returning, does not lose their domicile.

This bill would specifically guarantee that a person who leaves the person’s home for temporary purposes because of a natural disaster, who has the intention of returning to the home or to another address within the same jurisdiction, does not lose the person’s domicile at that home. The bill would specifically authorize the person to provide a temporary address for mailing purposes without losing their domicile.

**AB 1724, as introduced, Salas. Elections: general law city and county redistricting.**

*[An act to amend Section 23000 of, to amend the heading of Chapter 9 (commencing with Section 23000) of Division 21 of, and to add Chapter 10 (commencing with Section 24000) to Division 21 of, the Elections Code, relating to elections.]*

Existing law authorizes a county, general law city, school district, community college district, or special district to establish an independent redistricting commission, an advisory redistricting commission or a hybrid redistricting commission, as defined, to change the district boundaries for the legislative body of each of those entities or to recommend changes to those district boundaries to the legislative body. Existing constitutional provisions require the establishment of the Citizens Redistricting Commission, and requires that commission to adjust the boundary lines of the congressional, State Senatorial, Assembly, and Board of Equalization districts in the state, as specified.

This bill would declare the intent of the Legislature to require each general law city and county to establish an independent redistricting commission that is modeled after the Citizens Redistricting Commission. The bill would require each of those local jurisdictions to establish an independent redistricting commission for the purpose of adjusting the boundary lines of districts for the legislative body of the local jurisdiction after each federal decennial census. The bill would require the auditor of each local jurisdiction to implement an application process for members to the commission, as

specified. By increasing the duties of these local jurisdictions, the bill would impose a state-mandated local program.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**SB 401, as introduced, Bates. Political Reform Act of 1974: contribution limitations.**

*[An act to amend Section 85305 of, and to add Sections 85301.7 and 85305.1 to, the Government Code, relating to the Political Reform Act of 1974.]*

Existing law, the Political Reform Act of 1974, provides for the comprehensive regulation of campaign financing, including requiring the reporting of campaign contributions. The act imposes a contribution limit of \$3,000 on contributions made to, and received by, candidates for elective state offices that are not statewide elective offices. The act does not limit the amount of contributions that a person may make to a committee that is primarily formed to support or oppose one or more ballot measures. The act prohibits a candidate for elective state office or a committee controlled by that candidate from making a contribution to another candidate for elective state office in excess of the contribution limit for elective state offices.

This bill would prohibit a person from making to a committee controlled by a candidate for elective office that is primarily formed to support or oppose one or more ballot measures, and prohibit such a committee from receiving, a contribution in excess of the contribution limit for elective state offices, as specified. The bill would prohibit a candidate for any elective office, or the candidate's controlled committees, from making a contribution to another candidate for elective office or a committee controlled by a candidate that is primarily formed to support or oppose one or more ballot measures in excess of the contribution limit established for candidates for elective state office.

This bill would prohibit a committee controlled by a candidate for elective office that is primarily formed to support or oppose one or more ballot measures from expending campaign funds to make a contribution or other transfer of campaign funds to a committee for a purpose other than supporting or opposing a ballot measure that the controlled committee was primarily formed to support or oppose.

A violation of the act's provisions is punishable as a misdemeanor. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

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.

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 511, as introduced, Moorlach. California New Motor Voter Program: implementation.**

*[An act to amend Section 2270 of the Elections Code, relating to voter registration.]*

Under the California New Motor Voter 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. The person's motor vehicle records then constitute a completed affidavit of registration and the person is registered 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 they meet all voter eligibility requirements, or the Secretary of State determines that the person is ineligible to vote. Existing law requires the Secretary of State to adopt regulations to implement the program, as specified.

This bill would also require the establishment of a committee including representatives of the Secretary of State's office, the Department of Motor Vehicles, and counties, for the purpose of facilitating the sharing of information necessary to implement the program. This bill would further require the Department of Motor Vehicles to train its employees on voter registration practices implementing the program.

**SB 727, as amended, Stern. Elections: voter registration.**

*[An act to amend Sections 2000, 2101, 2102, 2106, 2150, and 2205 of the Elections Code, relating to elections.]*

Existing law authorizes a person who is at least 16 years of age and otherwise meets all voter eligibility requirements to preregister to vote by submitting an affidavit of registration. The affidavit of registration is deemed effective as of the date the affiant will be 18 years of age.

This bill would lower the minimum age for voter preregistration to 15 years of age. The bill also would make conforming changes to existing law.

By increasing the duties of local elections officials in processing voter registrations and related duties, the bill would create a state-mandated local program.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.



## Federal Bills

### **H.R.163, Brian K. Fitzpatrick. Citizen Legislature Anti-Corruption Reform of Elections Act or the CLEAN Elections Act.**

*[An act to require the use of independent nonpartisan commissions to carry out congressional redistricting and to require States to hold open primaries for elections for Federal office. Introduced.]*

This bill establishes requirements for nonpartisan redistricting and open primary elections.

States must (1) conduct congressional redistricting using a plan developed by a nonpartisan independent redistricting commission, beginning with the 2020 census; and (2) hold open primaries for federal elections.

A state may not use federal funds provided for election administration purposes unless it certifies to the Election Assistance Commission that it (1) conducts redistricting for its state legislative districts using a plan developed by a nonpartisan independent redistricting commission, and (2) holds open primaries for elections for state and local office.

### **H.R. 172, Mary Scanlon. Providing for consideration of the bill (H.R. 1) to expand Americans' access to the ballot box, reduce the influence of big money in politics, and strengthen ethics rules for public servants, and for other purposes, and providing for consideration of motions to suspend the rules.**

This resolution sets forth the rule for consideration of H.R. 1 (For the People Act of 2019). The resolution makes it in order at any time on the legislative day of March 7, 2019, or March 8, 2019, for the Speaker of the House to suspend the rules.

### **H.R. 460, James P. McGovern. Providing for consideration of the bill (H.R. 2722) to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of the bill (H.R. 3351) making appropriations for financial services and general government for the fiscal year ending September 30, 2020, and for other purposes.**

Sets forth the rule for consideration of the bill (H.R. 2722) to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes; waiving a requirement of clause 6(a) of

rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of the bill (H.R. 3351) making appropriations for financial services and general government for the fiscal year ending September 30, 2020.

**H.R. 650, Alcee L. Hastings. Providing for consideration of the bill (H.R. 4617) to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes.**

This resolution sets forth the rule for consideration of H.R. 4617 (Stopping Harmful Interference in Elections for a Lasting Democracy Act or the SHIELD Act).

**H.R.1623, Katie Porter. Help America Run Act.**

*[An act to amend the Federal Election Campaign Act of 1971 to provide for the treatment of payments for child care and other personal use services as an authorized campaign expenditure, and for other purposes. Passed House.]*

This bill allows an authorized committee of a candidate who is not a federal officeholder to pay for certain personal use services, including child care and health insurance, if the services are necessary to enable the candidate to participate in campaign-connected activities. The amount such a committee may pay a candidate as salary is reduced by the amount paid for personal services.

**H.R. 4617, Zoe Lofgren. Stopping Harmful Interference in Elections for a Lasting Democracy Act or the SHIELD Act.**

*[An act to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes. Passed House.]*

This bill establishes a duty to report election interference from foreign entities, applies existing campaign advertising requirements to online advertisements, and generally limits political spending and election interference by foreign entities.

Specifically, a political committee must report certain foreign contacts involving an offer of unlawful election assistance to the Federal Bureau of Investigation and the Federal Election Commission. The bill establishes criminal penalties for violations of these requirements.

Existing requirements for political advertisements and electioneering communications apply to internet and digital advertisements, including requirements related to

disclosures and contributions. Additionally, large online platforms must maintain a public database of certain political advertisements.

The bill places limitations on political spending by foreign entities. Specifically, foreign entities may not (1) contribute to campaigns related to ballot initiatives and referenda, or (2) make disbursements for certain internet activity referring to a candidate or a political issue.

A candidate is prohibited from offering to share nonpublic campaign information with certain foreign entities.

### **S. 330, James Lankford. The Free Speech Fairness Act.**

This bill permits a tax-exempt organization to make certain statements related to a political campaign without losing its tax-exempt status. An organization may not lose its tax-exempt status under section 501(c)(3) of the Internal Revenue Code or be deemed to have participated in, or intervened in any political campaign on behalf of (or in opposition to) any candidate for public office, solely because of the content of any statement that (1) is made in the ordinary course of the organization's regular and customary activities in carrying out its exempt purpose, and (2) results in the organization incurring not more than de minimis incremental expenses.

### **S. 1321, Richard Blumenthal. Defending the Integrity of Voting Systems Act.**

*[To amend title 18, United States Code, to prohibit interference with voting systems under the Computer Fraud and Abuse Act. Passed Senate.]*

This bill broadens the definition of "protected computer," for purposes of computer fraud and abuse offenses, to include a computer that is part of a voting system and is used for a federal election.