

Date of Hearing: April 15, 2015

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING

Sebastian Ridley-Thomas, Chair

AB 646 (McCarty) – As Amended March 26, 2015

SUBJECT: Voter registration.

SUMMARY: Conforms the voter registration deadline, for affidavits of registration that have been received by the wrong county, to other voter registration deadlines in existing law. Specifically, **this bill** provides that a voter's registration that has been forwarded to a county elections official by a different county elections official, is effective for all elections occurring 15 or more days, as opposed to 29 or more days, after receipt of the affidavit of registration by the county elections official or his or her deputy to which the affidavit is mailed or delivered by the voter.

EXISTING LAW:

- 1) Permits the county elections official of any county in this state to receive the affidavit of registration of any elector who resides or claims residence in another county in this state. Requires the affidavit be forwarded to the county elections official of the county in which the elector resides.
- 2) Requires the county elections official of the county in which the elector resides to use the affidavit of registration from the other county as his or her permanent record. Provides that registration by this method is effective for all elections occurring 29 or more days after receipt of the affidavit of registration by the county elections official or his or her deputy to which the affidavit is mailed or delivered by the elector.
- 3) Provides that a person may not be registered as a voter except by affidavit of registration. Provides that a properly executed registration is deemed effective upon receipt of the affidavit by the county elections official if received on or before the 15th day prior to an election.

FISCAL EFFECT: Unknown. State-mandated local program; contains reimbursement direction.

COMMENTS:

- 1) **Purpose of the Bill:** According to the author:

This bill is simply a technical conforming change to current law, established under AB 1094 (Hertzberg, Chaptered 2000), which moved the voter registration deadline up from 29 days prior to an election to 15 days prior to an election. At the time, no similar change was made dealing with voter registration affidavits which were received by the wrong county. As a result, there is inconsistency within state law on voter registration deadlines. This bill simply makes the deadline standard, across the state.

- 2) **Voter Registration Deadline:** In 2000, the California Legislature passed AB 1094 (Hertzberg), Chapter 899, Statutes of 2000, which moved up the voter registration deadline

from 29 days prior to an election to 15 days prior to an election. However, this bill did not make the corresponding changes to sections of the law that deal with affidavits of registration that are received by the wrong county, and as a result state voter registration deadlines are inconsistent.

This bill will change the timeframe an affidavit of registration must be received in order to be processed if it was mailed to the wrong county. The timeframe established by this bill is consistent with the voter registration deadline under existing law.

- 3) **Previous Legislation:** AB 1201 (Fong), which is substantially similar to this bill, was approved by the Assembly by a 78-0 vote, but not heard in the Senate Elections and Constitutional Amendments Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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