

Date of Hearing: June 24, 2014

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING
Paul Fong, Chair
SB 113 (Jackson) – As Amended: June 17, 2014

SENATE VOTE: 24-8

SUBJECT: Elections: voter registration.

SUMMARY: Expands pre-registration by authorizing a 16 year old to pre-register to vote once pre-registration is in effect, provided he or she meets all other eligibility requirements, as specified. Specifically, this bill:

- 1) Lowers the minimum age for submitting an affidavit of registration for purposes of pre-registering to vote from 17 to 16 years of age.
- 2) Requires a county elections official, in lieu of sending a voter notification card required by current law, to send a voter pre-registration notice to a person under 18 years of age who submits an affidavit of registration in accordance with existing law or the provisions of this bill, upon the determination that the affidavit of registration is properly executed and that the person otherwise satisfies all eligibility requirements to vote. Requires the county elections official to send the voter pre-registration notice by nonforwardable, first-class mail, address correction requested.
- 3) Creates a pre-registration voter notification card and requires the card to be sent to a person under 18 years of age who submits an affidavit of registration in accordance with existing law or the provisions of this bill. Requires the pre-registration voter notification card to be in the following form:

VOTER NOTIFICATION

Thank you for registering to vote. You may vote in any election held on or after your 18th birthday.

Your party preference is: (Name of political party)

Before any election in which you are eligible to vote, you will receive a sample ballot and a voter pamphlet by mail.

If information on this card is incorrect, please contact our office or update your registration at the Internet Web site of the Secretary of State (SOS).

- 4) Provides that a county elections official is not required to mail a residency confirmation postcard pursuant to existing law to any person under 18 years of age who has submitted a properly executed affidavit of registration pursuant to the provisions of this bill and who will not be 18 years of age on or before the primary election.
- 5) Makes other corresponding changes.

EXISTING LAW:

- 1) Permits a person who is a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election to register to vote.
- 2) Requires states to implement a statewide voter registration database, as specified, pursuant to the federal Help America Vote Act of 2002 (HAVA).
- 3) Allows a person who is at least 17 years old and otherwise meets all voter eligibility requirements to register to vote. Provides that the registration will be deemed effective as soon as the affiant is 18 years old at the time of the next election. Requires the registrant to provide current information to the county elections official before the registration becomes effective if the information in the current affidavit is incorrect. Provides that these provisions of law shall become operative only if the SOS certifies that the state has a statewide voter registration database that complies with HAVA.
- 4) Requires the local registrar of births and deaths to notify the county elections official monthly of all deceased persons 17 years of age and over whose deaths were registered with him/her or of whose deaths he/she was notified by the state registrar of vital statistics.
- 5) Requires the county elections official, upon receipt of a properly executed affidavit of registration or address correction notice or letter, as specified, to send the voter a voter notification card. Requires the notification card to state the party preference for which the voter has registered in the following format: Party: (Name of political party). Requires the notification card to be in the following form:

VOTER NOTIFICATION

You are registered to vote. The party preference you chose, if any, is on this card. This card is being sent as a notification of:

1. Your recently completed affidavit of registration.

OR,

2. A change to your registration because of an official notice that you have moved. If your residence has not changed or if your move is temporary, please call or write to our office immediately.

OR,

3. Your recent registration with a change in party preference. If this change is not correct, please call or write to our office immediately.

You may vote in any election held 15 or more days after the date on this card.

Your name will appear on the index kept at the polls.

Please contact our office if the information shown on the reverse side of this card is incorrect.

FISCAL EFFECT: According to the Senate Appropriations Committee, unknown, potentially less than \$150,000 in reimbursable mandated costs to county elections officials. (General Fund) Partial offsetting costs from not registering these same voters in later years. (General Fund)

Actual costs vary by county and will depend on whether youth will pre-register to vote by mailing in voter registration cards, or by using the online voter registration process through the SOS's website.

COMMENTS:

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

California has one of the lowest voter registration rates in the nation, and youth aged 18-24 years old stand out as the group that is registering at a far lower rate than any other age group.

Even in the presidential election year of 2012, while nearly 80% of Californians were registered to vote, only 62% of 18-to-24-year-olds were registered.

Studies have shown that the earlier people are introduced to voting, the more likely they are to become life-long participants in democracy.

SB 113 would not change the voting age, which is 18. But it would allow youth to pre-register to vote either online, by mail, or at the DMV, beginning at age 16. Assuming they meet all eligibility requirements, once they turn 18, their registration would become active.

While many voter registration opportunities exist in college, only half of all California adults attend college. When incorporated into high school civics classes, pre-registration provides an opportunity to engage a diverse group of young people preparing to become voters.

2) **VoteCal Status:** The SOS has been in the process of implementing a new statewide voter registration database for several years, as required by the HAVA. After difficulties with the prior vendor and the termination of that contract, the SOS recently announced the selection of a new contractor to develop the new VoteCal statewide voter registration database. The Department of General Services approved the contract on March 6, 2013. The SOS estimates that VoteCal will be fully implemented by 2016. California's existing pre-registration law and the provisions of this bill will not go into effect until the SOS certifies that the VoteCal system is complete.

3) **Notification Provided to Voters:** Existing law requires a county elections official to send a voter a voter notification card upon registration or re-registration, as specified. Existing law requires the notification to be sent by nonforwardable, first-class mail, address correction requested. Additionally, current law prescribes the notification card form and specifically requires the card to state that it is being sent as a notification of 1) a recent completed

affidavit of registration, 2) a change to registration because of an official notice that the voter has moved, as specified, or 3) a recent registration with change in party preference. Additionally, the card states that if any of the information on this card is incorrect to contact the county elections official immediately.

This bill creates a new voter notification card, called a voter pre-registration notice, and requires this notice to be sent to those that are under the age of 18 and have pre-registered to vote, as specified. This bill provides that the voter pre-registration notice will be sent upon the determination that the affidavit of registration is properly executed and that the person otherwise satisfies all eligibility requirements to vote. According to the proponents of the bill, this bill aims to provide clearer notification to individuals who have pre-registered to vote by requiring county elections officials to send individuals that are under the age of 18 and pre-registered to vote a separate pre-registration notice that is different from the general voter notification card sent to voters. The voter notification card currently sent to a voter lists three different reasons why the notice was sent - either the notification was sent because the individual 1) recently completed an affidavit of registration, 2) there was a change to the voter's registration because of an official notice that the voter has moved, as specified, or 3) the voter's recent registration with change in party preference. Sending a separate voter pre-registration notice is important because it is vital that it is clear to the pre-registrant that he or she is pre-registered to vote, but is not able to vote until an election held on or after the registrant's 18th birthday.

While the author's intent to provide clearer notification to pre-registered voters is laudable, it is unclear whether this bill will place an extra burden on county elections officials as it requires them to send out different notifications to pre-registrants.

- 4) Pre-Registration Efforts in Other States and in California: California law permits a person who is at least 17 years old and otherwise meets all voter eligibility requirements to register to vote, as specified. Additionally, according to the National Conference of State Legislatures (NCSL), at least 10 other states allow 17 year olds to pre-register to vote (Alaska, Georgia, Iowa, Louisiana, Maine, Missouri, Nebraska, Oregon, Texas, and West Virginia). Moreover, at least seven other states permit 16 year olds to pre-register to vote (Colorado, Delaware, Florida, Hawaii, Maryland, North Carolina, and Rhode Island, and the District of Columbia). NCSL also reports that other states, including Kansas, Minnesota, Nevada, and Wyoming, do not establish a specific pre-registration age limit.
- 5) Technical Amendment: The author and sponsor of this bill request a minor technical amendment to clarify that a county elections official is required to send a voter pre-registration notice upon the determination that the affidavit of registration is properly executed and that the person meets all eligibility requirements to vote except that he or she is under 18 years of age. If this bill is approved by this committee, the committee may wish to amend the bill as follows:

On page 7, in line 32, after the word "vote," insert the following: *except that he or she is under 18 years of age.*

- 6) Related Legislation. ACA 7 (Mullin), which is on suspense in the Assembly Appropriations Committee, allows a person who is 17 years old and who will be 18 years old at the time of the next general election to register and vote in that general election and in any intervening

primary or special election that occurs after the person registers to vote.

- 7) Previous Legislation: AB 30 (Price), Chapter 364, Statutes of 2009, allows a person who is 17 years of age to pre-register to vote, provided he or she would otherwise meet all eligibility requirements. AB 30 will not go into effect until the SOS certifies that the state has a statewide voter registration database that complies with HAVA.

REGISTERED SUPPORT / OPPOSITION:

Support

Secretary of State Debra Bowen (sponsor)
California Common Cause
California Federation of Teachers
California State Student Association
CALPIRG
League of Women Voters of California
Rock the Vote
University of California Student Association

Opposition

Election Integrity Project, Inc.
One Individual

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