



Assembly Committee on
Elections and Redistricting

SUMMARY OF LEGISLATION 2012

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Dear Interested Parties:

This booklet summarizes selected legislation approved by the Assembly Committee on Elections and Redistricting during the 2012 legislative year. Those bills that made it through the legislative process and were subsequently signed or vetoed by the Governor are included. Those bills that failed to reach the Governor's desk are not.

Among the more noteworthy legislation considered and approved by the Committee were measures to allow election day voter registration in California, establish a funding source to upgrade the state's campaign disclosure database, improve disclosure of campaign spending made through independent expenditures, facilitate voting by military and overseas voters, provide voters with greater information about the impacts of proposed ballot measures, and simplify the rules for casting a vote by mail ballot. These are just some of the important reforms approved by the Legislature this session. This booklet has a complete listing of these and other measures.

Most of the bills signed into law will take effect on January 1, 2013. Those bills noted as urgency measures took effect on the day they were signed by the Governor. The full text of legislation summarized in this pamphlet, as well as the committee analysis of those measures, may be viewed on the Internet via the Legislative Counsel's web site (<http://www.leginfo.ca.gov/>).

I hope this publication will be informative and useful as a reference tool. For additional copies or other information concerning Committee activities, please contact us at (916) 319-2094.

Sincerely,

Paul Fong

TABLE OF CONTENTS

◆	LEGISLATIVE HIGHLIGHTS	PAGE 1
◆	LEGISLATIVE SUMMARY	PAGE 2
◆	CHAPTERED BILLS AND RESOLUTIONS	PAGE 30
◆	VETOED BILLS.....	PAGE 31

KEY TO ABBREVIATIONS USED

N/R: Vote Not Relevant

28.8: Bill reported to Senate Floor pursuant to Senate Rule 28.8, which provides that bills referred to the Senate Appropriations Committee that do not have significant state costs shall be reported to the Senate Floor without a hearing by the Appropriations Committee.

29.10: Bill referred to policy committee pursuant to Senate Rule 29.10, which provides that a bill that has been substantially amended since approval by a policy committee may be re-referred to a policy committee.

77.2: Bill referred to policy committee pursuant to Assembly Rule 77.2, which provides that a bill that has been substantially amended since approval by a policy committee may be re-referred to a policy committee.

ASSEMBLY COMMITTEE ON ELECTIONS & REDISTRICTING LEGISLATIVE HIGHLIGHTS

VOTER ACCESS AND PARTICIPATION:

To improve access to the state's electoral process, the Legislature approved and the Governor signed bills to allow for election day voter registration, simplify the rules for voters to return vote by mail ballots, and standardize procedures for public agencies to provide voter registration opportunities under the federal National Voter Registration Act. Other bills approved by the committee sought to minimize the impacts of impending United States Postal Service facility closures by allowing voters to return vote by mail ballots to any polling place in the state and by allowing ballots returned by mail to be counted if they were postmarked by election day.

IMPROVING CAMPAIGN DISCLOSURE:

The committee took important steps to help improve California's already-robust campaign disclosure system. To improve access to campaign finance disclosure reports, the Legislature approved measures to provide a funding source for improving the state's campaign finance disclosure system, and to allow local jurisdictions to move to entirely electronic campaign disclosure systems. Other new laws will improve disclosure of independent expenditures and crack down on misleading slate mailers. The Assembly also approved legislation to require campaign advertisements to include disclaimers identifying the names of the largest contributors to the committees funding those ads.

STREAMLINING ELECTIONS AND COST SAVINGS:

The committee continued its push to streamline the state's election laws and procedures, approving a number of measures that will save money and simplify elections. A bill to facilitate the implementation of the top two primary election system ensured that the first statewide election using that system went smoothly, and helped save millions of dollars in election costs. Other measures approved by the Legislature sought to reduce the costs of political party central committee elections by holding those elections every four years at the same time as Presidential primary elections, instead of every two years, and by eliminating the need for candidates for central committees to file campaign disclosure reports if they have little or no campaign activity.

FACILITATING PARTICIPATION BY MILITARY AND OVERSEAS VOTERS:

In an effort to reduce the hurdles that military and overseas voters face when attempting to participate in elections, the Legislature adopted a national "model law" that is designed to facilitate participation by those voters. The Legislature also approved measures to change the timing of special elections and to provide for overseas and military voters to receive ballots over the Internet, in order to ensure that these voters have sufficient time to mark and return their ballots.

ASSEMBLY COMMITTEE ON ELECTIONS & REDISTRICTING

LEGISLATIVE SUMMARY

AB 41 (HILL)

CHAPTER 626, STATUTES OF 2012

HIGH-SPEED RAIL AUTHORITY: CONFLICTS OF INTEREST: DISQUALIFICATION.
URGENCY.

*[Amends Section 87200 of the Government Code, and
adds Section 185034.5 to the Public Utilities Code]*

Existing law designates certain high-ranking public officials who are subject to the most expansive disclosure requirements under the Political Reform Act (PRA). These officials are commonly referred to as "87200 filers" after the section of state law (Section 87200 of the Government Code) in which the officials subject to those requirements are designated.

However, 87200 filers are not the only public officials that are subject to the PRA's disclosure and conflict of interest rules. Every public official who holds a position that is enumerated in his or her agency's conflict of interest code as a position that involves the making or participation in the making of decisions which may foreseeably have a material effect on the financial interests of that official is required to file periodic Statements of Economic Interests (SEIs) disclosing his or her financial interests. These filers are commonly referred to as "87300 filers" after the section of state law (Section 87300 of the Government Code) that requires governmental agencies to adopt conflict of interest codes. Additionally, existing state law prohibits any public official, whether that official is an 87200 filer, an 87300 filer, or neither an 87200 nor an 87300 filer, from making or participating in the making of any governmental decision in which he or she has a financial interest.

This bill adds members of the High Speed Rail Authority (HSRA) to the statutorily-established list of 87200 filers. Currently, members of the HSRA are enumerated in the HSRA's conflict of interest code, and thus are 87300 filers. This change has two primary effects on the members of the HSRA.

First, members of the HSRA board are subject to somewhat broader disclosure when they file their SEIs; as 87300 filers, board members had to disclose only those interests that fall within one of the disclosure categories listed in the HSRA's conflict of interest code, but as 87200 filers, board members are required to disclose all investments, interests in real property, and income, with certain limited exceptions.

Legislative History

Assembly Elections.....7-0
Assembly Appropriations16-0
Assembly Floor.....60-0
Assembly Concurrence.....74-2

Senate Elections.....5-0
Senate Appropriations(28.8)
Senate Floor.....36-0

Second, adding members of the HSRA board to the list of 87200 filers means that if a member of the board had a conflict of interest in a matter before the board, that member must publicly identify the financial interest and leave the room until after the discussion of that matter has finished.

Additionally, this bill requires each individual who is selected by the HSRA to serve in a peer review capacity to the HSRA to be deemed to be a designated employee of the HSRA, thereby requiring such employees to file SEIs.

AB 145 (PAN)

VETOED

VOTER REGISTRATION: PAID REGISTRATION ACTIVITIES.

[Amends Sections 2159.5 and 18108.5 of, and adds Section 2159.7 to, the Elections Code]

While some voter registration drives pay employees on an hourly or salaried basis, other voter registration drives pay workers a specified amount of money for each completed voter registration card. In some cases, voter registration drives that pay workers on a per-registration basis only pay workers for voters who register with a specific political party, or pay the workers a larger amount of money for voters who register with a specific political party. While these per-registration payments may create incentives to register voters with a particular political party, they also may create financial incentives for the individuals who are registering voters to commit fraud.

Legislative History

Assembly Transportation	N/R
Assembly Appropriations	N/R
Assembly Floor	N/R
Assembly Elections (77.2)	5-2
Assembly Concurrence.....	47-30
Senate Trans. & Housing	N/R
Senate Floor	25-13

In each of the last four election cycles, complaints have been filed by voters who said they were misled into changing their party affiliations. According to media reports of these complaints, the voter registration workers who were accused of misleading these voters were paid as much as \$15 for each new voter that the worker registered with a particular political party.

This bill would have prohibited a person from paying another person to register voters, or to receive payment for registering voters, if that payment was on a per-affidavit basis.

This bill was vetoed by Governor Brown on September 30, 2012. In his veto message, the Governor stated that "[w]ithout more convincing evidence that per-card incentives hurt the democratic process, [he is] not prepared to ban them."

AB 216 (SWANSON)
CHAPTER 495, STATUTES OF 2012
VOTERS: RESIDENCY CONFIRMATION.

[Amends Sections 2223, 2224, 2225, and 2226 of, and adds Section 2227 to, the Elections Code]

Elections officials use a number of methods to keep the state's voter registration records up to date. For instance, voter registration lists are regularly updated with information from death records from the Department of Health Services and from county registrars of births and deaths, lists of individuals convicted of felonies and sentenced to prison from the Department of Corrections and Rehabilitation and from federal courts, change-of-address information and other voter information from the Department of Motor Vehicles and other state and federal agencies, notifications from other jurisdictions that a voter has reregistered in a new location, receipt of official mailings returned by the United States Postal Service (USPS) as undeliverable, and direct notification from individual voters that they have moved to another jurisdiction or otherwise changed their registration information.

Legislative History

Assembly Higher Education.....N/R
Assembly AppropriationsN/R
Assembly FloorN/R
Assembly Elections (77.2)5-2
Assembly Concurrence.....51-28

Senate EducationN/R
Senate Elections.....3-2
Senate Floor25-12

In addition to these methods for updating voter registration records, existing law requires each county elections official to conduct a pre-election residency confirmation procedure, as specified, prior to each statewide primary election. Generally, county elections officials comply with this requirement by mailing nonforwardable residency confirmation postcards to registered voters, or by contracting with the USPS to obtain change-of-address information. State law also allows the residency confirmation through the mailing of sample ballots, under specified circumstances. However, because large numbers of individuals do not file change-of-address orders with the USPS when they move, the pre-election residency confirmation process can miss individuals who have moved.

Orange County recently ran an experiment in which it contracted with a consumer credit reporting bureau to obtain information about voters who may have moved, but for whom the USPS did not have a record of a new address. The county then attempted to contact these voters at the addresses that it obtained from the consumer credit reporting bureau. In situations where the voters responded to that mailing, the County was able to update those voters' registration records. Through this procedure, the County was able to update the voter registration records for more than 18,000 voters for which the USPS did not have a current address.

This bill permits county elections officials to use change-of-address information from consumer credit reporting agencies, instead of using change-of-address information from the USPS, for the purpose of conducting a pre-election residency confirmation process as

required under existing law. Under this procedure, a voter's registration will be updated based on information received from a consumer credit reporting bureau only if the voter responds to the elections official and confirms the accuracy of that information.

AB 481 (GORDON)
CHAPTER 496, STATUTES OF 2012
POLITICAL REFORM ACT OF 1974: CAMPAIGN DISCLOSURE.

[Amends Sections 82036, 82036.5, 84102, 84104, 84213, and 84506 of, and amends, renumbers, and adds Section 82047.6 of, the Government Code]

In 2000, the Legislature passed and the Governor signed SB 1223 (Burton), Chapter 102, Statutes of 2000, which became Proposition 34 on the November 2000 general election ballot. The proposition, which passed with 60 percent of the vote, made numerous substantive changes to the Political Reform Act, including enacting new campaign disclosure requirements and establishing new campaign contribution limits, limiting the amount that individuals could contribute to state campaigns (ranging from \$3,000 to \$20,000 per election at the time, depending on the office).

Legislative History

Assembly Elections.....	N/R
Assembly Floor	N/R
Assembly Elections (77.2)	5-0
Assembly Concurrence.....	64-11
Senate Elections.....	N/R
Senate Elections.....	5-0
Senate Appropriations	7-0
Senate Floor	38-0

A study done by this committee in 2006 and a subsequent report by the Fair Political Practices Commission found that since campaign contribution limits went into effect in California with the passage of Proposition 34 at the November 2000 statewide general election, the amount of campaign spending done through independent expenditures (IEs) increased by more than 6,000 percent in Legislative elections, and more than 5,500 percent in statewide elections. In hotly contested campaigns for seats in the Legislature, it is not uncommon for spending through IEs to exceed the total amount of spending by all candidates in the race. On the other hand, prior to the enactment of contribution limits as a part of Proposition 34, IEs were relatively rare. In the March 2000 and November 2000 elections, the last two elections that were not subject to the Proposition 34 campaign contribution limits, the total amount of money spent on IEs for all legislative races was less than \$500,000.

In response to this dramatic growth in the use of IEs, this bill makes a number of substantive changes to improve disclosure of spending on IEs and to facilitate better enforcement of laws governing spending made through IEs. Specifically, this bill requires all IEs of \$1,000 or more that are made within 90 days of an election to be reported within 24 hours, and expands an existing law that requires the largest donors to a committee that is funding an IE to be disclosed on advertisements that are paid for by IEs, making that requirement applicable regardless of the medium of communication (under existing law, this requirement applies only to advertisements that are broadcast or

mass mailing advertisements, and does not apply to things like billboards or newspaper ads). Additionally, to improve enforcement of existing laws governing IEs, this bill makes the principal officers of committees that fund IEs liable for violations committed by their committees, and requires committees that are making IEs to verify that the committee has not received unreported contributions or reimbursements for making the IE.

AB 1200 (MA)
CHAPTER 8, STATUTES OF 2012
ELECTIONS: CENTRAL COMMITTEES. URGENCY.

[Amends Sections 7200, 7204, 7210, 7403, 7408, 7444, 7655, 7680, 8145, and 15401 of, adds Sections 7201.1 and 7201.2 to, and repeals Sections 7681, 7782, and 7837 of, the Elections Code]

In Eu v. San Francisco County Democratic Central Committee (1989), 489 U.S. 214, the United States Supreme Court examined the right of a state to impose laws relating to the internal affairs of political parties. The Court found that laws burdening the associational rights of political parties and their members must serve a compelling state interest. Therefore, because a state has a compelling interest in preserving the integrity of its election process, it may properly enact laws that interfere with a political party's internal affairs when necessary to ensure that elections are fair and honest. (For example, a state may properly impose certain eligibility requirements for voters in the general election, even though they limit the ability of political parties to garner support and members, where such requirements are necessary to ensure that elections are fair and honest.) However, a state cannot justify regulating a party's internal affairs without showing that such regulation is necessary to ensure an orderly and fair election.

Legislative History

Assembly Env. Safety.....	N/R
Assembly Appropriations	N/R
Assembly Floor.....	N/R
Assembly Elections (77.2)	6-0
Assembly Concurrence.....	73-0
Senate Elections.....	5-0
Senate Floor.....	31-1

In Eu, the Court reiterated that a political party's determination of the structure which best allows it to pursue its political goals is protected by the Federal Constitution (Tashjian v. Republican Party of Connecticut (1986), 479 U.S. 208 at 224) and further held that freedom of association also encompasses a political party's decisions about the identity of, and the process for electing, its leaders. Thus, unless the state can show that the particular internal party structure would interfere with the integrity of the electoral process or some other compelling state interest, the political parties have a constitutional right to be free from state regulations in the matter of their internal affairs.

In light of the constitutionally protected rights of political parties, the Legislature frequently has changed provisions of the Elections Code at the request of political parties to reflect those parties' desired methods of electing members to party central committees.

This bill changes the allocation of seats and the method by which members are elected to the Democratic county central committees in Alameda, Sacramento, and San Francisco, and to the Republican county central committee in San Francisco, at the request of those political parties.

Additionally, state law required specified numbers of members to be elected from Assembly Districts 12 and 13 to the county central committee for the Democratic and Republican Parties in San Francisco. However, because district boundaries were recently redrawn by the Citizens Redistricting Commission, Assembly Districts 12 and 13 no longer include the City and County of San Francisco. This bill updates provisions of state law governing central committee elections in San Francisco so that those provisions do not refer to specific Assembly district numbers.

Finally, this bill makes a number of changes to provisions of law governing central committee elections in order to ease the administrative challenges that those elections pose for county elections officials. First, this bill eliminates the requirement for elections officials to produce certificates of election for candidates who are elected to central committees. These are ceremonial documents not required for the political parties to conduct their business. Second, this bill clarifies that political party officers have the power to swear-in the members of their central committees. Third, this bill eliminates a provision that places special responsibilities on county elections officials to organize the first meetings of the American Independent Party after an election at which central committee members are elected.

AB 1413 (FONG)
CHAPTER 3, STATUTES OF 2012
ELECTIONS. URGENCY.

[Amends Sections 13, 334, 359.5, 2151, 2154, 2155, 3006, 3007.5, 3205, 7100, 8002.5, 8025, 8040, 8041, 8062, 8068, 8106, 8121, 8124, 8141.5, 8142, 8148, 8300, 8600, 8606, 8803, 8805, 8807, 9083.5, 10704, 10706, 12108, 13105, 13107, 13206, 13207, 13212, 13230, 13300, 13302, 15340, 15402, and 19301 of, adds Section 13206.5 to, and repeals Sections 325 and 9084.5 of, the Elections Code, and amends Sections 85312 and 85703 of the Government Code]

In February 2009, the Legislature approved SCA 4 (Maldonado), Res. Chapter 2, Statutes of 2009, which was enacted by the voters as Proposition 14 on the June 2010 statewide primary election ballot. Proposition 14 implemented a "top two" primary election system in California for most elective state and federal offices. At primary elections, voters are able to vote for any candidate, regardless of party, and the two candidates who receive the most votes, regardless of party, advance to the general election.

Legislative History

Assembly Elections.....	N/R
Assembly Appropriations	N/R
Assembly Floor	N/R
Assembly Elections (77.2)	7-0
Assembly Concurrence.....	71-0
Senate Elections.....	N/R
Senate Elections.....	5-0
Senate Appropriations	(28.8)
Senate Floor	36-0

At the same time that it passed SCA 4, the Legislature also approved and the Governor signed SB 6 (Maldonado), Chapter 1, Statutes of 2009. SB 6 made various changes to state statute that became effective upon the approval of Proposition 14 by the voters. While many of the changes to state law made by SB 6 were merely conforming changes to provide for a "top two" primary system, some of the changes were more substantive. For instance, for offices that are subject to the top two primary, SB 6 prohibited write-in votes from being counted at the November general election. Additionally, SB 6 required the state voter registration form to be redesigned and required certain new information to be printed on the ballot at elections for state and federal office.

In March 2010, this committee held an oversight hearing on the impacts of the top two primary and SB 6 on election costs and administration. Among other testimony, the committee heard from elections officials who indicated that certain aspects of SB 6 could significantly increase the length of ballots at primary elections, thus increasing election costs.

This bill makes numerous technical and substantive changes to the Elections Code to improve the implementation of the top two primary election system. This bill modifies the language that will appear on the ballot to address formatting concerns, shortens the format in which a candidate's party preference is displayed on the ballot, shortens and clarifies the instructions that appear on the ballot, and eliminates certain type size and typeface requirements to give county elections officials greater flexibility to format ballots.

Additionally, this bill provides that when a candidate for voter nominated office dies, the name of that candidate nonetheless remains on the ballot. Finally, this bill makes various other substantive and technical changes to the top two primary law.

AB 1436 (FEUER)
CHAPTER 497, STATUTES OF 2012
VOTER REGISTRATION.

[Amends Sections 2107, 14310, and 18001 of, and adds Article 4.5 (commencing with Section 2170) to Chapter 2 of Division 2 of, the Elections Code]

Under the California Constitution and existing law, in order to be eligible to vote, an individual must be a United State citizen, a resident of California, not in prison or on parole for the conviction of a felony, not deemed mentally incompetent, and at least 18 years of age at the time of the next election. Furthermore, a person who is eligible to vote is required to be registered to vote by the 15th day prior to an election.

Legislative History

Assembly Elections.....	4-2
Assembly Appropriations	11-6
Assembly Floor	47-26
Assembly Concurrence.....	50-29
Senate Elections.....	3-2
Senate Public Safety	5-1
Senate Appropriations	5-2
Senate Floor	23-13

This bill allows a person to conditionally register to vote after the 15th day prior to an election and cast a provisional ballot at the office of the county elections official at any time, including on election day, if certain requirements are met. The provisions of this bill will be operative on January 1st of the year following the year in which the Secretary of State certifies that the state has a statewide voter registration database that complies with the requirements of the federal Help America Vote Act of 2002. Additionally, this bill increases the penalties for felony convictions of certain election crimes, including voter fraud.

AB 1509 (HAYASHI)
CHAPTER 498, STATUTES OF 2012
POLITICAL REFORM ACT OF 1974: STATEMENT OF ECONOMIC INTERESTS.

[Adds Section 87505 to the Government Code]

Existing law requires candidates for, and current holders of, specified elected or appointed state and local offices, and designated employees of state and local agencies, to file statements of economic interests (SEIs) disclosing their financial interests, including investments, real property interests, and income (including gifts).

This bill requires a notification to be posted on Internet Web sites maintained by a city clerk or county clerk identifying the elected officers who are required to file SEIs with that city or county clerk. Each clerk who maintains an Internet Web site is required to post a notification including all of the following: a list of elected officers who are required to file SEIs; an electronic link to the Fair Political Practices Commission's (FPPC) Internet Web site including a statement that SEIs for state and local agency officers may be available in electronic format by visiting the FPPC's Internet Web site; a statement that informs the public that they can obtain copies of SEIs for certain filers in person at either the FPPC's office or at the office of the city clerk or county clerk where the SEI is filed; and the physical address where the public can go in person to obtain copies of an SEI.

Legislative History

Assembly Elections.....	6-0
Assembly Local Government	9-0
Assembly Appropriations	17-0
Assembly Floor	75-0
Senate Elections.....	5-0
Senate Gov. and Finance	9-0
Senate Appropriations	(28.8)
Senate Floor	36-0

AB 1626 (YAMADA)
CHAPTER 191, STATUTES OF 2012
ELECTION MATERIALS: PUBLIC EXAMINATION: WRIT OF MANDATE: ELECTIONS
OFFICIAL.

[Amends Sections 9380 and 9509 of the Elections Code]

Existing law requires the elections official administering a county, municipal, district, or school district election, immediately following the filing deadline for submission of specified election materials and for a period of 10-calendar days thereafter, to make a copy of those materials available for public examination. During the 10-calendar day public examination period for county or municipal elections, any voter of the jurisdiction in which the election is being held, or the elections official, himself or herself, may seek a writ of mandate or an injunction requiring any material to be amended or deleted on the grounds that the material in question is false, misleading, or otherwise inconsistent with state law. Similarly, a voter may seek a writ of mandate or injunction to amend or delete materials prepared for a district or school district election; however, existing law does not explicitly permit an elections official to initiate the legal action when the materials relate to a district or school district election.

Legislative History

Assembly Elections.....	7-0
Assembly Floor	73-0
Senate Elections.....	3-2
Senate Floor	24-14

This bill authorizes the elections official to seek a writ of mandate or injunction to amend or delete election materials for district and school district elections, similar to the authorization that elections officials already have for county and municipal elections.

AB 1724 (FONG)
CHAPTER 238, STATUTES OF 2012
VOTING: POLLING PLACE PROCEDURES.

[Amends Section 14224 of, and repeals Section 19363 of, the Elections Code]

Existing law contains two conflicting provisions that set a limit on the amount of time that a voter can remain in a voting booth or compartment. Elections Code Section 14224 sets a 10 minute limit on the amount of time a voter can remain in a voting booth or compartment to cast his or her ballot, while Elections Code Section 19363 sets a five minute limit. Elections Code Section 19363 is located in a part of the code dealing with lever voting machines—machines that are no longer used in this state.

Legislative History

Assembly Elections.....	5-1
Assembly Floor	72-3
Senate Elections.....	4-0
Senate Floor	36-0

To resolve this conflict, this bill repeals the provision of law pertaining to lever voting machines, and retains the 10 minute time limit that exists in Section 14224 of the Elections Code. Additionally, this bill permits a voter to be allowed more than 10 minutes to mark his or her ballot if the voter informs precinct board members that he or she needs more time.

AB 1805 (HUFFMAN)
CHAPTER 744, STATUTES OF 2012
MILITARY OR OVERSEAS VOTERS.

[Amends Sections 300 and 321 of, amends the heading of Chapter 2 (commencing with Section 3100) of Division 3 of, adds Sections 3114, 3116, 3117, 3118, 3119, 3120, 3121, 3122, and 3123 to, repeals Section 3104 of, repeals Chapter 4 (commencing with Section 3300) of Division 3 of, amends and renumbers Sections 3100, 3102, 3103, 3103.5, 3106, 3107, 3108, 3109, 3110, 3111, and 3112 of, and amends, renumbers, and adds Section 3101 of, the Elections Code]

In 2009, President Obama signed into law the Military and Overseas Voting Empowerment (MOVE) Act to expand the 1986 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), which was established to protect the rights of service members to vote in federal elections regardless of where they are stationed. The MOVE Act provides greater protections for service members, their families, and other overseas citizens. California law is compliant with all provisions of the MOVE Act and in some cases exceeds the provisions of the MOVE Act to help facilitate voting by military members and other California residents who are outside of the US.

Legislative History

Assembly Elections.....	4-0
Assembly Veterans Affairs.....	6-0
Assembly Appropriations	12-5
Assembly Floor	55-20
Assembly Concurrence.....	53-22
Senate Elections.....	3-2
Senate Appropriations	5-2
Senate Floor	26-11

This bill furthers the efforts of the MOVE Act and UOCAVA by establishing new voting procedures for military and overseas voters to facilitate participation by those voters in state and local elections. This bill expands the universe of people who are eligible to use special voting procedures established for military or overseas voters by allowing an individual who is not a resident of California to vote in California elections if the person was not previously registered to vote in any other state and was either a resident of California when he or she was last living within the US, or if he or she was born outside of the US, his or her parent or guardian was a resident of California when last living within the US. Additionally, this bill expands the use of the Federal Write-in Absentee Ballot (FWAB), which is currently used by military and overseas voters in federal elections, by allowing the FWAB to be used for state and local elections.

AB 1851 (ALLEN)
CHAPTER 240, STATUTES OF 2012
COUNTY, CITY, AND DISTRICT INITIATIVE PETITIONS.

[Amends Sections 9304, 9305, and 9306 of, and adds Sections 9103.5, 9202.5, and 9304.5 to, the Elections Code]

Existing law requires the proponents of a local initiative measure to file various materials with the local elections official before circulating the initiative petition. Those materials may include the notice of intention to circulate the initiative, the written text of the initiative, the request for a ballot title and summary, the written statement setting forth reasons for the proposed measure, and the affidavit of publication or posting of the measure. Aside from the ballot title and summary, existing law does not explicitly require an elections official to provide public access to the other initiative measure materials.

Legislative History

Assembly Elections.....7-0
 Assembly Appropriations17-0
 Assembly Floor73-0
 Assembly Concurrence.....74-0

Senate Elections.....5-0
 Senate Appropriations(28.8)
 Senate Floor36-0

This bill explicitly requires elections officials to allow public access to local initiative measure materials filed with the elections official. In addition, this measure permits elections officials to charge a fee to any person obtaining copies of the election materials filed, with the fee not to exceed the actual cost incurred by the elections official providing the copies.

AB 1929 (GORELL)
CHAPTER 694, STATUTES OF 2012
ELECTIONS: CASTING BALLOTS. URGENCY.

[Amends Sections 362, 19100, and 19103 of, adds Section 303.3 to, and adds Chapter 3.5 (commencing with Section 19260) to Division 19 of, the Elections Code]

Existing law prohibits a voting system or part of a voting system from being connected to the Internet at any time and prohibits a voting system, in whole or in part, from being used unless it has received the approval of the Secretary of State prior to any election at which it is to be used.

This measure helps facilitate voting for military and overseas voters, also known as special absentee voters, by allowing those voters to use new technology to mark their ballot. This bill defines a ballot marking system as any

Legislative History

Assembly Elections.....6-0
 Assembly Appropriations17-0
 Assembly Floor74-0
 Assembly Concurrence.....79-0

Senate Elections.....5-0
 Senate Appropriations7-0
 Senate Floor35-0

mechanical, electromechanical, or electronic system and its software that is used for the sole purpose of marking a ballot for a special absentee voter and is not connected at any time to a voting system. Additionally, this bill establishes processes and procedures for the review and approval of ballot marking systems for use in California elections.

AB 1986 (DAVIS)
CHAPTER 318, STATUTES OF 2012
REDISTRICTING.

[Amends Section 21003 of the Elections Code]

In 2011, the Legislature approved and the Governor signed AB 420 (Davis), Chapter 548, Statutes of 2011, which requests the Citizens Redistricting Commission (CRC), when adjusting district boundaries for state Legislature, Congress, and the Board of Equalization, to deem an incarcerated person as residing at his or her last known residence, rather than the institution of his or her incarceration. AB 420 was intended to end the practice whereby incarcerated individuals are counted, for redistricting purposes, as residing at the prison in which they are incarcerated, instead of at the locations where they last resided prior to incarceration. Critics of that practice argue that it artificially inflates the political influence of districts where prisons are located, at the expense of other voters.

Legislative History

Assembly Elections.....	5-2
Assembly Appropriations	12-5
Assembly Floor	41-31
Senate Elections.....	3-2
Senate Appropriations	(28.8)
Senate Floor	22-14

This bill makes a number of changes to the provisions of AB 420 in an attempt to allow for that bill to be more effectively implemented. Specifically, this bill requires the California Department of Corrections and Rehabilitation (CDCR) to provide residence information for inmates by census blocks, instead of by ZIP Codes, since census blocks are the unit of geography that typically are used to draw district lines. Additionally, this bill provides greater guidance to the CRC about how to deal with inmates for whom reliable residence information is not available, and ensures that information provided to the CRC by the CDCR is not considered a public record.

AB 2054 (FONG)
VETOED
ELECTIONS: VOTE BY MAIL BALLOTS.

[Amends Sections 3017 and 15320 of the Elections Code]

Existing law allows a voter to return his or her vote by mail (VBM) ballot on election day to any polling place within the jurisdiction of the elections official who issued the ballot (for statewide elections, ballots are issued by the counties, so VBM voters may return their ballots to any polling place within the county).

On March 13, 2012, this committee and the Senate Committee on Elections and Constitutional Amendments held a joint oversight hearing to examine the potential impacts that United States Postal Service (USPS) facility closures could have on elections in California, as well as steps that could be taken to mitigate the impacts of those closures.

This bill would have allowed a voter to return his or her VBM ballot on election day to any polling place in the state in an attempt to mitigate the impacts on elections that may result from USPS facility closures. Elections officials would have been required to forward VBM ballots received at the polling place to the elections official who issued the ballot.

Governor Brown vetoed this measure on September 29, 2012. In his veto message, the Governor stated that "allowing voters to return their vote-by-mail ballot at any polling location in the state will add complexity to the voting and election process without commensurate benefit."

Legislative History

Assembly Elections.....	4-2
Assembly Appropriations	12-4
Assembly Floor	47-27
Assembly Concurrence.....	52-28
Senate Elections.....	3-2
Senate Appropriations	(28.8)
Senate Floor	26-13

AB 2062 (DAVIS)
 CHAPTER 500, STATUTES OF 2012
 POLITICAL REFORM ACT OF 1974: STATEMENTS OF ECONOMIC INTERESTS:
 ELECTRONIC FILING. URGENCY.

[Adds Section 87500.2 to the Government Code]

AB 2607 (Davis), Chapter 498, Statutes of 2008, and related subsequent legislation established a pilot program permitting Los Angeles, Merced, Orange, Santa Clara, Stanislaus, and Ventura Counties and the City of Long Beach to permit the electronic filing of a Statement of Economic Interests (SEI) in accordance with regulations adopted by the Fair Political Practices Commission (FPPC). Participants in the pilot program were required to submit a report to the FPPC no later than July 1, 2011, which in turn was required to forward the reports to the Legislative Analyst's Office (LAO) along with any comments that the FPPC had on those reports or the pilot project. The LAO was required to submit a report to the Legislature evaluating the pilot project in February 2012.

Legislative History

Assembly Elections.....	7-0
Assembly Appropriations	12-0
Assembly Floor	70-0
Assembly Concurrence.....	80-0
Senate Elections.....	5-0
Senate Appropriations	7-0
Senate Floor	37-0

According to the LAO report, after implementing the electronic filing system, participating entities found that the electronic filing resulted in operational efficiencies through reduced personnel due to the significant reduction in the number of errors in the filers' SEI and other operational costs. Additionally, it was reported to the LAO that none of the governmental entities reported any security issues with the electronic filing systems and found that most of the public officials and employees who filed using the electronic filing system considered it to be useful and an easy process.

This bill allows an agency to permanently allow SEIs to be filed electronically. In addition, this measure requires an agency that intends to permit electronic filing of SEIs to submit a proposal the FPPC for approval and certification of the filing system along with a \$1,000 fee to offset the costs of the FPPC approving and reviewing the system, with certain limited exceptions.

AB 2080 (GORDON)
CHAPTER 501, STATUTES OF 2012
VOTE BY MAIL BALLOTS.

[Amends Section 3017 of the Elections Code]

Under existing law, a voter generally can designate an immediate family member or a person who lives in the same household as that voter to pick-up or return a vote by mail (VBM) ballot on that voter's behalf. However, existing law permits a voter to designate another person to return his or her VBM ballot only if the voter is unable to personally return the ballot because the voter is ill or physically disabled. No such restriction applies when an immediate family member or person living in the same household as a voter picks-up a VBM ballot for the voter.

Legislative History

Assembly Elections.....	N/R
Assembly Appropriations	N/R
Assembly Floor	N/R
Assembly Elections (77.2)	5-1
Assembly Concurrence.....	52-28
Senate Elections.....	3-2
Senate Floor	22-14

In light of these restrictions, existing law allows a person to pick-up a ballot for his or her spouse regardless of whether that spouse is ill or disabled, but prohibits that person from returning his or her spouse's completed VBM ballot unless the spouse is ill or physically disabled. Elections officials indicate that this requirement is unenforceable, since they have no way of verifying whether a voter is ill or disabled.

This bill deletes the requirement that a voter must be ill or disabled in order to have a family member or a person in the same household return a VBM ballot for that voter.

AB 2146 (COOK)
CHAPTER 169, STATUTES OF 2012
POLITICAL REFORM ACT OF 1974: LOCAL CAMPAIGN REFORM: COUNTY OF
SAN BERNARDINO.

[Adds and repeals Section 83123.5 of the Government Code]

Under existing law, local government agencies have the ability to adopt campaign ordinances that apply to elections within their jurisdictions, though the Political Reform Act (PRA) imposes certain limited restrictions on those local ordinances. Some cities and counties have adopted campaign finance ordinances that extensively regulate campaign spending and reporting. In some cases, those ordinances include campaign contribution limits, reporting

Legislative History

Assembly Local Government	8-0
Assembly Elections.....	7-0
Assembly Appropriations	17-0
Assembly Floor	70-0
Senate Elections.....	5-0
Senate Appropriations	7-0
Senate Floor	36-0

and disclosure requirements that supplement the requirements of the PRA, temporal restrictions on when campaign funds may be raised, and voluntary public financing of local campaigns, among other provisions. In many cases, local campaign finance ordinances are enforced by the district attorney of the county or by the city attorney; in at least a few cases, however, local jurisdictions have set up independent boards or commissions to enforce the local campaign finance laws.

The County of San Bernardino, which has been the subject of several high-profile corruption cases, is in the process of developing a new campaign finance ordinance. Rather than appointing an ethics commission to enforce the ordinance, the County sought to contract with the Fair Political Practices Commission (FPPC) to enforce its ordinance, believing that such an arrangement would be cheaper and would provide for greater public confidence that the ordinance will be enforced in an impartial manner.

This bill permits San Bernardino County and the FPPC to enter into an agreement that provides for the FPPC to enforce a local campaign finance ordinance enacted by the County. Any such agreement may not extend beyond January 1, 2018, and if the County and the FPPC enter in to such an agreement, the FPPC is required to report to the Legislature by January 1, 2017 on the operation of the program.

AB 2162 (PORTANTINO)

VETOED

POLITICAL REFORM ACT OF 1974: ECONOMIC INTEREST DISCLOSURE.

[Amends Sections 87206 and 87207 of the Government Code]

In 1974, California voters passed Proposition 9, the Political Reform Act (PRA), which created the Fair Political Practices Commission and codified significant restrictions and prohibitions on candidates, officeholders, and lobbyists.

One of the stated purposes of the PRA is to prevent conflicts of interest by state and local public officials. Toward that end, existing law identifies certain elected and other high level state and local officials who must file a

Statement of Economic Interests (SEI). Additionally, other state and local public officials and employees are required to file SEIs if the position they hold is designated in an agency's conflict of interest code. A position is designated in an agency's conflict of interest code when the position entails the making of or participation in the making of governmental decisions that may foreseeably have a material financial effect on the decision maker's financial interests. As a result, individuals holding these positions must file periodic SEIs that disclose their financial interests, including investments, real property interests, and income.

Legislative History

Assembly Elections.....	7-0
Assembly Appropriations	16-0
Assembly Floor	72-0
Senate Elections.....	5-0
Senate Appropriations	(28.8)
Senate Floor	37-0

This bill would have revised the dollar thresholds that are used to report the value of those investments, real property interests, and income, when a public official files a SEI, providing greater specificity about the value of those investments, property interests, and income.

Governor Brown vetoed this measure on September 30, 2012. In his veto message, the Governor argued that "[t]he law already requires public officials to disclose their income and investments with enough particularity so that conflicts of interest can be identified," and indicated that he was "not convinced that this bill will provide more useful information to the public."

AB 2191 (NORBY)
CHAPTER 502, STATUTES OF 2012
POLITICAL REFORM ACT OF 1974: COUNTY CENTRAL COMMITTEES.

[Amends Section 85703 of, and adds Section 84207 to, the Government Code]

Under the Political Reform Act (PRA), elected officers, candidates for elective office, and campaign committees generally must file periodic campaign disclosure reports, which disclose contributions received and expenditures made by those officers, candidates, and committees, among other information. For the purposes of these requirements, the office of a member of a

county central committee of a political party is considered an elective office. As a result, candidates for the county central committee of a political party generally are required to file campaign disclosure reports pursuant to the PRA.

Legislative History

Assembly Elections.....	7-0
Assembly Floor	71-2
Assembly Concurrence.....	72-4
Senate Elections.....	5-0
Senate Floor	37-0

Although elections for political party central committees are publicly conducted elections, state courts have held that the elective offices of political parties are not public offices, because those offices do not involve the exercise of the sovereign functions of government. Rather, county central committees of political parties generally are charged with conducting those parties' political campaigns under the direction of the state central committees.

The campaign disclosure requirements of the PRA are designed to ensure that public officials perform their official duties in an impartial manner and to protect against disproportionate influence over governmental decisions by large contributors to election campaigns. Because central committee members do not make governmental decisions, however, these purposes do not appear to be served by requiring candidates for central committee to comply with the campaign disclosure provisions of the PRA.

On the other hand, there is reason to believe that, in some cases, candidates for county central committee are using their campaigns to help raise their profiles for subsequent

campaigns for public office. In such situations, there may be a rationale for requiring candidates for central committee to comply with the disclosure requirements in the PRA, since people may be making contributions to candidates for central committee with the intention of helping those candidates get elected to public office at a subsequent election.

This bill provides that candidates for political party central committees who receive contributions and make expenditures of less than \$1,000 in a calendar year are not required to file campaign disclosure reports, thereby removing potentially burdensome reporting requirements for candidates for central committee who have little or no campaign activity, while ensuring that candidates who have more than a minimal amount of campaign activity continue to publicly report their campaign contributions and expenditures.

AB 2220 (GATTO)

VETOED

ELECTIONS: STATEWIDE BALLOT PAMPHLET.

[Amends Section 9085 of the Elections Code, and amends Section 88002.5 of the Government Code]

Existing law requires the state ballot pamphlet to contain a section that provides a concise summary of the general meaning and effect of each measure. These summary statements are prepared by the Legislative Analyst (Analyst).

This bill would have provided voters with greater information about the potential fiscal impacts of ballot measures by requiring a specified disclaimer to be included in the summary statement prepared by the Analyst for a proposed initiative measure when the Analyst determined that the measure will provide for an increase in revenues to fund new or existing programs and if the measure creates a new fund, or creates or changes a funding formula for one or more specified programs.

Governor Brown vetoed this measure on September 30, 2012. In his veto message, the Governor stated that "the Legislative Analyst already prepares a detailed fiscal summary about each measure, and [he is] not convinced that adding one of these rote disclaimers will provide more clarity for voters."

Legislative History

Assembly Elections.....	4-2
Assembly Appropriations	12-5
Assembly Floor	48-25
Assembly Concurrence.....	56-24

Senate Elections.....	4-1
Senate Appropriations	(28.8)
Senate Floor	32-5

AB 2410 (FUENTES)
CHAPTER 160, STATUTES OF 2012
ELECTIVE OFFICE: FELONY CONVICTION.

[Adds Section 20 to the Elections Code]

The California Constitution and existing law provide that a person who is convicted of certain crimes, including bribery, perjury, forgery, malfeasance in office, or other high crimes, is disqualified from holding public office in California.

This bill expands existing law by prohibiting a person from ever running for or holding a state or local elective office after the conviction of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes.

Legislative History

Assembly Elections.....	7-0
Assembly Floor.....	70-0
Assembly Concurrence.....	74-1
Senate Elections.....	5-0
Senate Floor.....	38-0

AB 2452 (AMMIANO)
CHAPTER 126, STATUTES OF 2012
POLITICAL REFORM ACT OF 1974: ONLINE DISCLOSURE.

[Adds Section 84615 to the Government Code]

Under existing state law, certain candidates, committees, and slate mailer organizations are required to file campaign disclosure reports online or electronically. These requirements generally apply only to candidates for elective state office, and to committees and slate mailer organizations that are active in state elections (i.e., elections for state office and elections on state ballot measures) or that are active in local elections in more than one county.

Legislative History

Assembly Elections.....	7-0
Assembly Floor.....	77-0
Senate Elections.....	5-0
Senate Floor.....	38-0

Many local clerks and elections officials have implemented their own online or electronic campaign disclosure systems, and in some cases, the local jurisdictions require certain candidates and committees to file disclosure reports online or electronically pursuant to a local campaign ordinance. Even in circumstances where local candidates and committees are required to file reports online or electronically, however, state law still generally requires paper copies of those reports to be filed with the local clerk or elections official. As a result, even in circumstances where local jurisdictions have taken steps to make campaign disclosure reports more broadly available by moving to an electronic reporting system, the local jurisdictions still must maintain paper versions of those reports. That paper reporting requirement can be burdensome for local clerks and elections officials,

who must track, file, and store the paper copies of reports that are available electronically.

This bill permits local government agencies to require elected officials, candidates, and campaign committees to file campaign disclosure reports online or electronically, and provides that agencies that enact such requirements are not required to maintain paper copies of campaign reports if certain specified conditions are met.

AB 2572 (FURUTANI)
CHAPTER 754, STATUTES OF 2012
LOS ANGELES COMMUNITY COLLEGE DISTRICT: GOVERNING BOARD
ELECTIONS.

[Amends Section 72031 of the Education Code]

Existing law requires members of the governing board of the Los Angeles Community College District (LACCD) to be elected at-large to four-year terms. Existing law also provides that primary elections are held the first Tuesday in April of every odd-numbered year, and that a general election is held the last Tuesday in May for any seat where no candidate received more than 50% of the total votes cast in the primary election.

Legislative History

Assembly Elections.....	5-2
Assembly Appropriations	12-4
Assembly Floor	46-25
Assembly Concurrence.....	51-27
Senate Elections.....	3-2
Senate Floor	24-12

This bill authorizes the governing board of the LACCD to adopt a resolution authorizing the elimination of the requirement to conduct a run-off election for a seat on the district's governing board if no candidate for that seat received more than 50% of the total votes cast in the primary election, commencing with the 2013 election.

AB 2691 (ELECTIONS & REDISTRICTING COMMITTEE)
CHAPTER 503, STATUTES OF 2012
POLITICAL REFORM ACT OF 1974: ONLINE AND ELECTRONIC FILING.

*[Amends Section 84602 of, and repeals Sections 84604,
84609, and 84610 of, the Government Code]*

SB 49 (Karnette), Chapter 866, Statutes of 1997, enacted the Online Disclosure Act, requiring the Secretary of State to develop a process whereby campaign and lobbying reports and statements required to be filed pursuant to the Political Reform Act (PRA) could be filed online or electronically and viewed by the public online. Among other

Legislative History

Assembly Elections.....	7-0
Assembly Floor	73-0
Senate Elections.....	5-0
Senate Floor	35-0

provisions, SB 49 established specific electronic reporting requirements for the November 1998 and March 2000 statewide elections, and established specific electronic reporting requirements for lobbyists, lobbying firms, and lobbyist employers for part of the 2000 calendar year. Because those provisions were effective only for specific time periods, those provisions of the PRA are now obsolete; the ongoing requirements for campaign and lobbying reports to be filed electronically are located elsewhere in the PRA.

Additionally, SB 49 added a provision to the PRA that appropriated \$1.1 million for the development of the online and electronic disclosure system. Because the online and electronic disclosure system has already been built and this money has been spent, this provision of law is also obsolete.

This bill repeals these obsolete provisions of the PRA. Additionally, this bill makes corresponding changes by deleting cross references to one of those obsolete sections in another section of the PRA.

AB 2692 (ELECTIONS & REDISTRICTING COMMITTEE)
CHAPTER 504, STATUTES OF 2012
ELECTORAL DISTRICTS AND PRECINCTS.

[Amends Sections 12222 and 21000 of, adds Sections 21141 and 21305 to, and repeals Chapter 3 (commencing with Section 21200) of, and Chapter 5 (commencing with Section 21400) of, Division 21 of, the Elections Code]

With the approval of Propositions 11 (2008) and 20 (2010), the authority for establishing the boundaries for Assembly, Senate, congressional, and Board of Equalization (BOE) districts was transferred from the Legislature and the Governor to the newly-established Citizens Redistricting Commission (CRC). Because the CRC establishes districts by adopting a resolution, and not through the enactment of a statute, the legal descriptions of the 2001 districts that were established by the Legislature remain in the Elections Code (see generally Elections Code Sections 21100-21140 for Senate districts, Sections 21200-21280 for Assembly districts, Sections 21300-21304 for BOE districts, and Sections 21400-21453 for congressional districts).

Legislative History

Assembly Elections.....	7-0
Assembly Floor	73-0
Senate Elections.....	5-0
Senate Floor	36-0

This bill repeals the legal descriptions of the 2001 Assembly and congressional districts effective January 1, 2013. Additionally, this bill repeals the legal descriptions of Senate and BOE districts effective January 1, 2015. The Senate and BOE district boundaries remain in statute until 2015 because members of those bodies elected in 2010 will continue to represent those district boundaries until their terms expire in late 2014 (in the case of the Senate) or early 2015 (in the case of the BOE). Additionally, the Senate district boundaries remain in the code until 2015 because any special election held to fill

out the remainder of a term of a Senator who was elected in 2010 will be conducted using these 2001 district lines.

Existing law requires elections officials, when they are creating precinct boundaries, to avoid crossing census tract lines to the extent possible. Additionally, when elections officials compile and report precinct-level information and statistics that are used for redistricting purposes, the officials are required to identify each precinct by census tract. While census data is vital to the redistricting process, census tracts are no longer used in describing district boundaries. As a result, the requirements in existing law that precincts be identified by census tract needlessly add additional cost and complexity for elections officials when creating precincts and reporting election information.

This bill removes references to census tracts in the process of creating precincts and reporting election data.

SB 35 (PADILLA)
CHAPTER 505, STATUTES OF 2012
VOTER REGISTRATION AGENCIES.

[Adds Section 2197 to, and adds Chapter 6 (commencing with Section 2400) to Division 2 of, the Elections Code]

In 1993, Congress enacted the National Voter Registration Act (NVRA), also known as the "Motor Voter Act," which was intended to enhance and increase opportunities for eligible voters to register to vote and maintain their registration. The NVRA requires states, among other provisions, to provide the opportunity to register to vote at motor vehicle agencies, offices that provide public assistance or state-funded programs primarily engaged in providing services to persons with disabilities, and Armed Forces recruitment offices. In addition to the agencies and offices mentioned above, the NVRA also requires a state to designate other state and local offices within the state as voter registration agencies. According to the US Department of Justice NVRA guidelines, a state is free to determine which other agencies or offices should be designated, according to its needs and preferences.

Legislative History

Senate Energy.....	N/R
Senate Appropriations	N/R
Senate Floor	N/R
Senate Elections (29.10).....	3-2
Senate Concurrence.....	21-14

Assembly Natural Resources...	N/R
Assembly Elections.....	5-1
Assembly Appropriations	12-5
Assembly Floor	52-27

This bill adds the California Health Benefit Exchange to the list of public assistance agencies required by the NVRA to provide voter registration opportunities and codifies many existing best practices and guidelines to ensure compliance of all NVRA designated agencies in the state.

According to information provided by the author, the intent of this bill is to increase California's compliance with the NVRA and provide access to voter registration services, consequently increasing the number of registered voters in the state.

SB 488 (CORREA)
CHAPTER 865, STATUTES OF 2012
POLITICAL REFORM ACT OF 1974: SLATE MAILERS.

[Adds Section 84305.7 to the Government Code]

Existing law defines a "slate mailer" as a mass mailing that supports or opposes a total of four or more candidates or ballot measures. Existing law generally requires slate mailers to include various disclosures and disclaimers, including the name, street address, and city of the slate mailer organization or committee that sends the slate mailer and an asterisk (*) to designate each candidate and each ballot measure that has paid to appear in the slate mailer.

Legislative History

Senate Elections.....	3-2
Senate Appropriations	(28.8)
Senate Floor	28-7
Senate Conference Report	27-8
Assembly Elections.....	6-0
Assembly Appropriations	9-4
Assembly Floor	65-12
Assembly Conf. Report.....	59-18

This bill requires a slate mailer that represents the position of a public safety organization, as specified, to include a disclosure of the total number of members in the organization identified in the slate mailer. Additionally, this bill prohibits the use of a logo of a governmental organization or of non-governmental public safety organizations, as specified, in a slate mailer without the written consent of the organization.

SB 1001 (YEE)
CHAPTER 506, STATUTES OF 2012
POLITICAL REFORM ACT OF 1974: LOBBYISTS AND COMMITTEES: FEES.

[Amends Section 86102 of, and adds Sections 84101.5 and 84613 to, the Government Code]

Created in 1999, Cal-Access is a database and filing system the Secretary of State (SOS) has used to make lobbying and campaign finance reports available online at no cost to users. In November 2011, the Cal-Access system went down, and the system was unavailable for most of the month of December. According to information from the SOS, the age and outdated components of the Cal-Access system present a number of challenges to maintaining the existing disclosure system and to replacing that system with a new (and more robust) campaign and lobbying disclosure database.

Legislative History

Senate Elections.....	3-2
Senate Appropriations	6-0
Senate Floor	28-9
Senate Concurrence.....	32-5
Assembly Elections.....	4-1
Assembly Appropriations	12-5
Assembly Floor	60-16

This bill seeks to raise additional funds to be used on the maintenance, repair, and improvement of the Cal-Access disclosure system by imposing a \$50 annual fee on specified committees that are required to file disclosure reports pursuant to the Political Reform Act and by increasing fees on lobbying firms and lobbyist employers from \$25 annually to \$50 annually. The new fee revenue derived pursuant to this bill would be available only for the maintenance, repair, and improvement of the online or electronic disclosure program implemented by the SOS pursuant to existing law, and for related costs involved in implementing and collecting the fees.

**SB 1096 (ELECTIONS & CONSTITUTIONAL AMENDMENTS COMMITTEE)
CHAPTER 271, STATUTES OF 2012
CITIZENS REDISTRICTING COMMISSION.**

[Amends Sections 8251, 8252, 8252.5, 8253, and 8253.6 of the Government Code]

Proposition 11, which was approved by the voters at the 2008 statewide general election, created the Citizens Redistricting Commission (CRC), and gave it the responsibility for establishing district lines for the Assembly, Senate, and Board of Equalization. Proposition 11 also modified the criteria to be used when drawing district lines. Proposition 20, which was approved by the voters at the 2010 statewide general election, gave the CRC the responsibility for establishing lines for California's congressional districts, and made other changes to the procedures and criteria to be used by the CRC.

Legislative History

Senate Elections.....	5-0
Senate Appropriations	(28.8)
Senate Floor	37-0
Assembly Elections.....	5-0
Assembly Appropriations	17-0
Assembly Floor	79-0

Proposition 11 placed the general structure of the CRC and the criteria to be used by the CRC when drawing district boundaries in the California Constitution, but put most of the specifics about the formation and operation of the CRC into statute. As a general rule, statutory provisions of initiative measures can be amended only by another statute that becomes effective only when approved by the electors, unless the initiative statute permits amendment without voter approval. Proposition 11 allows the statutory provisions of that measure to be amended without voter approval provided that certain specified conditions are met, including a requirement that any amendments enacted without voter approval must be recommended by the CRC.

This bill makes various substantive and technical changes to provisions of state law that govern the operations of the CRC, all of which were recommended by the CRC. Most notably, this bill moves up the deadline by four and one-half months for each of the steps involved in accepting and reviewing applications from individuals who are interested in serving on the CRC, and in establishing the CRC from the pool of qualified applicants, in order to give future commissions more time to hire staff and consultants in an open, public process.

SB 1188 (ELECTIONS & CONSTITUTIONAL AMENDMENTS COMMITTEE)
CHAPTER 132, STATUTES OF 2012
ELECTIONS.

*[Amends Sections 104 and 9022 of the Elections Code, and
amends Sections 50707 and 55310.2 of the Water Code]*

Existing law requires petition circulators to print their name and to sign the Declaration of Circulator on the petition using their complete name, including middle name or initial. Because many people do not use a middle name or initial when affixing their signatures to documents, this provision of law could result in otherwise valid signatures on a petition being invalidated, even if there was no question about the legitimacy of the signatures.

Legislative History

Senate Elections.....	5-0
Senate Floor	37-0
Assembly Elections.....	7-0
Assembly Floor	77-0

This bill repeals the requirement that the circulator of a petition must provide his or her middle name or initial on the petition in order for it to be certified by an elections official.

Additionally, this bill corrects two obsolete Election Code references contained in the Water Code.

SB 1233 (PADILLA)
VETOED
BALLOT MEASURE PETITIONS: TRANSLATIONS.

*[Amends Sections 9001, 9002, 9004, and 9006 of, and adds
Sections 9006.5, 9023, and 11042.5 to, the Elections Code]*

Existing state law requires the proponents of a state initiative or referendum to submit a draft of the measure to the Attorney General (AG) so that the AG may prepare a title and summary of the chief purposes and points of the measure to be included on the petition for circulation. In addition, existing law requires the proponents of a recall of a state officer to submit a draft of the recall petition to the Secretary of State (SOS) for approval of the petition for circulation.

Legislative History

Senate Elections.....	3-2
Senate Appropriations	5-2
Senate Floor	24-14
Senate Concurrence.....	24-14
Assembly Elections.....	5-2
Assembly Appropriations	12-5
Assembly Floor	51-25

The federal Voting Rights Act and related state laws require certain jurisdictions with significant populations of voting-age citizens who belong to a language minority community to provide voting materials in languages other than English. Consequently,

the SOS translates the titles and summaries of all qualified state measures for the state voter pamphlet. This requirement does not currently extend to initiative or referendum materials prior to qualification for the ballot.

This bill would have required the AG, if a proposed initiative or referendum petition is circulated in a county that is required under federal law to translate election materials into languages other than English, to translate the title and summary of the proposed initiative or referendum into the applicable languages covered in that county. Additionally, this measure would have required the SOS, if a recall petition of a state officer is circulated in a county that is required under federal law to translate election materials into languages other than English, to translate the petition into the applicable languages in that county.

Furthermore, this measure would have required the circulators of the proposed initiative, referendum, or recall petition to attach a copy of the applicable translation to the petition, make the translation available to each person whom the circulator solicits in that language to sign the petition, and provide a copy of the applicable translation of the petition to any person upon request.

On September 30, 2012, Governor Brown vetoed this measure, contending that while the provisions of this measure are well intended, they "add substantial burdens to the petition process without commensurate benefit."

SB 1272 (KEHOE)
CHAPTER 507, STATUTES OF 2012
POLITICAL PARTY ORGANIZATION: COUNTY CENTRAL COMMITTEES.

[Amends Sections 7206, 7225, 7226, 7228, 7242, 7404, 7420, 7421, 7423, 7443, 7643, 7652, 7670, 7671, 7673, 7680, 7692, 7750, 7751, 7770, 7771, 7772, 7772.1, 7780, 7800, 7840, 7850, 7857, 7882, 8001, and 8020 of, and adds Sections 7230, 7425, 7675, and 7784 to, the Elections Code]

Existing law specifies various procedures for conducting county central committee elections for the Democratic Party of California, the California Republican Party, the American Independent Party of California, and the Peace and Freedom Party of California. For example, existing law allows political party county central committee elections to be placed on the ballot every two years at the statewide direct primary election. This measure changes the county central committee election process and provides that elections for those offices be held every four years instead of every two years. Alternately, this bill permits a county central committee to select its members at any time by holding a caucus, convention, or by using any other method of selection approved by the committee. In addition, this measure eliminates the ability for a political

Legislative History

Senate Elections.....	5-0
Senate Appropriations	(28.8)
Senate Floor	30-4
Senate Concurrence.....	26-9
Assembly Elections.....	7-0
Assembly Appropriations	17-0
Assembly Floor	79-0

party central committee to have write-in spaces on the ballot if the number of candidates for central committee is insufficient to fill all open seats on the central committee, and makes other party-specific changes.

According to information provided by the author's office, the intent of this bill is to significantly reduce county election expenses while preserving and increasing statutory protections for political party central committee operations.

SB 1275 (LIEU)
CHAPTER 685, STATUTES OF 2012
VACANCIES IN OFFICE: SPECIAL ELECTIONS.

[Amends Sections 10703 and 10704 of the Elections Code]

Under existing law, a special general election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly, typically must be conducted on a Tuesday that is at least 112 days, but not more than 126 days, following the issuance of a proclamation by the Governor calling that special election, with certain limited exceptions. The special primary election is held either eight weeks or nine weeks prior to the special general election.

Legislative History

Senate Elections.....5-0
 Senate Appropriations(28.8)
 Senate Floor.....37-0

Assembly Elections.....7-0
 Assembly Appropriations17-0
 Assembly Floor.....79-0

In 2009, President Obama signed the Military and Overseas Voter Empowerment (MOVE) Act, which requires ballots to be sent to certain overseas and military voters at least 45 days before a federal election. However, the existing timeline for scheduling a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly, did not provide enough time to ensure that ballots could be mailed out at least 45 days before the election.

To ensure that elections officials have enough time to prepare and send ballots in accordance with the requirements of the MOVE Act, this bill changes the timeline for scheduling a special election to fill a vacancy in one of the aforementioned offices. Specifically, this bill requires that the special general election to fill a vacancy must occur at least 126 days, but not more than 140 days, after the issuance of the election proclamation, with certain limited exceptions. In addition, this bill requires the special primary election to be held either nine or 10 weeks prior to the date of the special general election, as specified. It also revises the deadlines relating to the filing of nomination papers for a candidate in a special primary election. Lastly, it requires that an application for a vote by mail ballot in a special election be made in the same manner as for a regular election.

SB 1331 (KEHOE)
CHAPTER 508, STATUTES OF 2012
COUNTY OF SAN DIEGO INDEPENDENT REDISTRICTING COMMISSION.

[Adds Chapter 6.5 (commencing with Section 21550) to Division 21 of the Elections Code]

The California Constitution establishes a procedure for a county to adopt a charter, which gives the county a greater level of authority over certain county affairs. The state Constitution explicitly provides, however, that "[c]harter counties are subject to statutes that relate to apportioning population of governing body districts." In light of this provision of the state Constitution, charter counties are unable to provide for the creation of a redistricting commission through an amendment to the county charter unless statutory authority is provided to allow a county to have such a commission.

Legislative History

Senate Elections.....	5-0
Senate Appropriations	(28.8)
Senate Floor	32-3
Assembly Elections.....	5-1
Assembly Appropriations	12-5
Assembly Floor	53-21

The San Diego County Board of Supervisors sought to create a redistricting commission comprised of retired judges to conduct future redistricting efforts. This bill establishes such a redistricting commission in San Diego County, and charges it with adjusting the boundaries of supervisorial districts after each decennial federal census.

SJR 29 (YEE)
RESOLUTION CHAPTER 125, STATUTES OF 2012
VOTING: DISENFRANCHISEMENT.

This resolution proclaims the Legislature's support for the investigation by the federal Department of Justice into whether state legislatures are discriminating against and suppressing the vote of minorities, senior citizens, young adults, or those with physical disabilities or limited economic means, and denounces any law that disenfranchises society's most disadvantaged eligible voters.

Legislative History

Senate Floor	22-12
Senate Concurrence.....	22-13
Assembly Elections.....	5-0
Assembly Floor	53-27

CHAPTERED BILLS & RESOLUTIONS

<u>BILL NUMBER</u>	<u>AUTHOR</u>	<u>CHAPTER NUMBER</u>	<u>PAGE</u>
AB 41	HILL	626	2
AB 216	SWANSON	495	4
AB 481	GORDON	496	5
AB 1200	MA	8	6
AB 1413	FONG	3	7
AB 1436	FEUER	497	8
AB 1509	HAYASHI	498	9
AB 1626	YAMADA	191	10
AB 1724	FONG	238	10
AB 1805	HUFFMAN	744	11
AB 1851	ALLEN	240	12
AB 1929	GORRELL	694	12
AB 1986	DAVIS	318	13
AB 2062	DAVIS	500	15
AB 2080	GORDON	501	16
AB 2146	COOK	169	16
AB 2191	NORBY	502	18
AB 2410	FUENTES	160	20
AB 2452	AMMIANO	126	20
AB 2572	FURUTANI	754	21
AB 2691	ELECTIONS & REDISTRICTING	503	21
AB 2692	ELECTIONS & REDISTRICTING	504	22
SB 35	PADILLA	505	23
SB 488	CORREA	865	24
SB 1001	YEE	506	24
SB 1096	ELECTIONS & CONSTITUTIONAL AMENDMENTS	271	25
SB 1188	ELECTIONS & CONSTITUTIONAL AMENDMENTS	132	26
SB 1272	KEHOE	507	27
SB 1275	LIEU	685	28
SB 1331	KEHOE	508	29
SJR 29	YEE	RES. CHAP. 125	29

VETOED BILLS

<u>BILL NUMBER</u>	<u>AUTHOR</u>	<u>PAGE</u>
AB 145	PAN	3
AB 2054	FONG	14
AB 2162	PORTANTINO	17
AB 2220	GATTO	19
SB 1233	PADILLA	26