

Date of Hearing: April 10, 2024

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
AB 2627 (Pellerin) – As Amended March 12, 2024

SUBJECT: Voter registration and outreach programs.

SUMMARY: Creates the Civic Learning, Outreach, and Engagement Fund (Fund), and requires the Secretary of State (SOS) to award grants from the Fund to local elections officials for programs that integrate voter registration and preregistration with civic education and engagement, and to coordinate with local educational agencies to implement these programs, as specified. Specifically, **this bill:**

- 1) Provides it is the intent of the Legislature that voter registration be maintained at the highest possible level. Provides that the SOS, as the chief elections official of the state with the responsibility to promote voter registration and preregistration, is responsible for promoting civic learning and engagement to prepare younger Californians to register to vote and to vote.
- 2) Provides it is the intent of the Legislature that the SOS work in coordination with local elections officials to develop plans for civic education and engagement and that those local plans include coordination with local educational agencies.
- 3) Defines the term “local educational agency,” for purposes of this bill, to mean school districts, county offices of education, and schools.
- 4) Establishes the Fund in the General Fund and provides that moneys in the Fund are available, upon appropriation by the Legislature, for expenditure by the SOS to local elections officials for programs that integrate voter registration and preregistration with civic education and engagement, and to coordinate with local educational agencies to implement these programs, as specified. Requires the SOS to set aside no more than five percent of moneys appropriated from the Fund to employ persons to administer the fund, including making grants and evaluating programs implemented by grant recipients.
- 5) Requires the SOS to award grants from the Fund to local elections officials for programs that integrate voter registration and preregistration with civic education and engagement, and coordinate with local educational agencies to implement these programs.
- 6) Requires the SOS to adopt regulations to implement the Fund, including regulations to administer the grant application process.
- 7) Requires a local elections official applying for a grant to submit to the SOS a plan for administration of the civic education and engagement program that, at a minimum, includes a description of how the elections official will coordinate with a local educational agency to implement the program. Provides that plans containing the following elements, or elements similar to the following, shall be considered:
 - a) Plans that result in the awarding the State Seal of Civic Engagement (SSCE).

- b) Plans to administer mock elections and student government elections at participating school sites.
 - c) Plans that promote media literacy in connection with elections.
 - d) Plans that offer students opportunities to participate in the conduct of an election in the county.
 - e) Plans to develop hands-on curriculum and engagement opportunities.
- 8) Requires a local elections official receiving a grant pursuant to this bill, for each year that the program is conducted, to evaluate the program and report the results of the evaluation to the SOS. Requires the report to include statistics relating to the cost of conducting the civic education and engagement program, student participation on each campus disaggregated by grade level, the number of students who registered or preregistered to vote due to the program, and any other benefits or problems that arose in the conduct of the program. Permits a participating local elections official to partner with a California public postsecondary educational institution to compile this required report. Requires the SOS to submit the report to the Legislature.
- 9) Requires a local elections official who receives a grant to share their program materials with the SOS, and requires the SOS to maintain a repository and make the materials available to other counties.
- 10) Requires the grants to be awarded for a minimum of three years.
- 11) Requires the SOS, in awarding grants, to prioritize those counties with lower voter registration and participation rates. Provides it is the intent of the Legislature that awards of grants reflect a diversity of counties by size, demography, and geography, and may reflect a diverse set of approaches to promoting civic engagement and increasing voter participation.
- 12) Requires the SOS to make grant applications available to local elections officials on or before April 1, 2025, contingent upon the Legislature appropriating funds for the purpose of this bill.

EXISTING LAW:

- 1) Permits a person who is a United States (US) citizen, a resident of California, not imprisoned for the conviction of a felony, and at least 18 years of age at the time of the next election, to register to vote and to vote. (California Constitution, Article II, §2)
- 2) Permits a person who is a US citizen, a resident of California, not imprisoned for the conviction of a felony, and at least 16 years of age, to pre-register to vote. Provides that the person's voter registration will be deemed effective as soon as the person is 18 years of age at the time of the next election. (Elections Code §2101)
- 3) Declares it is the intent of the Legislature that voter registration be maintained at the highest possible level. (Elections Code §2105)

- 4) Requires the SOS to adopt regulations requiring each county to design and implement programs intended to identify qualified electors who are not registered voters, and to register those persons to vote. Requires the SOS to adopt regulations prescribing minimum requirements for those programs. Requires the SOS, if the SOS finds that a county has not designed and implemented a program meeting the minimum requirements, to design a program for that county and to report the violation to the Attorney General. (Elections Code §2105)
- 5) Permits the SOS to provide grants to local elections officials, non-profit corporations, and unincorporated associations for the following purposes:
 - a) To conduct voter outreach and voter education programs, in accordance with the requirements of the federal Help America Vote Act (HAVA), as specified.
 - b) To increase accessibility for eligible voters with disabilities, in accordance with the requirements of HAVA, as specified. (Elections Code §2131)
- 6) Provides that every eligible person be registered or pre-registered to vote when they submit an application for a driver's license (DL) or state identification card, or provides the Department of Motor Vehicles (DMV) with a change of address, unless the person opts out, as specified. (Elections Code §§2260-2270)
- 7) Expresses the intent of the Legislature that every eligible high school and college student receive a meaningful opportunity to apply to register to vote. Requires the SOS to annually provide every high school, community college, and California State University (CSU) and University of California (UC) campus with voter registration forms, as specified. (Elections Code §2146)
- 8) Provides it is the intent of the Legislature to establish a SSCE to encourage, and create pathways for, pupils in elementary and secondary schools to become civically engaged in democratic governmental institutions at the local, state, and national levels. Requires the State Superintendent of Public Instruction (SSPI) to recommend to the State Board of Education (State Board) criteria for awarding a SSCE to pupils who have demonstrated excellence in civics education and participation and have demonstrated an understanding of the US Constitution, the California Constitution, and the democratic system of government, as specified. (Education Code §51470)

FISCAL EFFECT: Unknown

COMMENTS:

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

Youth voters are the least likely age group to participate in elections, even though they will live with the consequences of those elections the longest. Despite 2020's historic turnout, only 47.7% of eligible voters aged 24 and under participated.

The U.S. Department of Education has drawn a clear connection between civic education and voter participation, civic engagement, and participation in

democratic life. Though California's local elections officials do incredible work with their limited funding, the lack of earmarked funding for voter outreach may make them hesitant to try new methods of outreach.

AB 2627 establishes the Civic Learning, Outreach, and Engagement Fund, from which the Secretary of State shall award grants to local elections officials for programs which integrate civic education and engagement with voter registration and preregistration. In order to receive a grant, the local elections official shall submit a plan of how they intend to coordinate with a local educational agency to implement their program. In order to ensure that these grants benefit the whole state, any local elections official who receives a grant from the fund will share their program materials with the Secretary of State, who will maintain a repository and make these materials available to other counties and local elections officials. By providing local elections officials with dedicated funding for youth voter outreach and civic education, AB 2627 will increase their ability to implement creative and engaging programs to promote civic participation in their counties.

- 2) **Secretary of State Outreach Programs:** The SOS has established a variety of programs to engage voters where they live, work, or go to school. Programs geared towards youths include the *California Student Mock Election* program, which provides high school and middle school students with firsthand experience with the electoral process by giving them the opportunity to review election materials and cast a "mock" ballot for the candidates and issues important to them and their families. The SOS's office provides ballots, student voter information guides, and other materials to participating schools. The SOS, along with the SSPI, promote the Student Mock Election prior to statewide general elections. In 2022, 321 schools registered to participate in the mock election program and 35,135 students cast ballots. The next Student Mock Election will take place on October 8, 2024.

Additionally, existing law designates the last two full weeks of April and September as *High School Voter Education Weeks*. In partnership, the SSPI and the SOS encourage high school administrators, staff, and students to host on-campus voter registration drives. Additionally, eligible high school students are encouraged to engage in the election process by serving as poll workers and celebrating civic holidays, such as Poll Worker Recruitment Day. The SOS also hosts the *California Students Vote Project (SVP)*, a statewide nonpartisan program that aims to increase civic engagement and voter participation among California college students. In statewide election years, the SVP conducts the "California University and College Ballot Bowl," which encourages college campuses to engage their students in the democratic process by participating in a friendly competition for the highest number of student body voter registrations. When the program began in 2018, 46 campuses registered to participate in the competition. In 2020, 95 campuses registered, including all 23 CSU campuses, all 10 UC campuses, 51 California Community Colleges (CCC), and 11 Association of Independent California Colleges and Universities (AICCU) campuses. In 2020, 82,634 students registered to vote throughout the duration of the event and college students participated from all 23 CSU and 10 UC campuses, 51 CCC campuses, and 11 AICCU campuses. In 2022, the Ballot Bowl competition resulted in 18,335 college students registered to vote with college students participating from all 116 CCC, 23 CSU, and 10 UC campuses, and 78 out of the 85 AICCU campuses.

- 3) **Pre-Registration and Previous Legislation:** In 2009, the Legislature approved and the Governor signed AB 30 (Price), Chapter 364, Statutes of 2009, which allowed a person who is 17-years of age to pre-register to vote, provided the person otherwise meets all eligibility requirements. In 2014, SB 113 (Jackson), Chapter 619, Statutes of 2014, was signed into law which lowered the pre-registration age to 16-years-old. The implementation of these policies was contingent upon the certification of the statewide voter registration database (VoteCal). In September of 2016, the SOS certified VoteCal thereby rendering these policies effective and allowing 16-and 17-year-olds to pre-register to vote.
- 4) **California New Motor Voter Program and Previous Legislation:** AB 1461 (Gonzalez), Chapter 729, Statutes of 2015, established the "California New Motor Voter Program." AB 1461 provides for every eligible person to be automatically registered to vote when the person submits an application for a DL or state identification card, unless that person opts out, as specified. Additionally, in 2018, the Legislature approved and the Governor signed AB 1407 (McCarty), Chapter 4, Statutes of 2018, which expands upon AB 1461 by automatically pre-registering eligible 16-and 17-year-olds to vote when they apply for a DL or state identification card, unless that person opts out, as specified.
- 5) **Secretary of State's 2022 and 2023 Student Voter Registration Reports:** Data provided in the SOS's Student Voter Registration Reports only include those student voter registrations that are trackable. Student voter registrations that can be tracked include: 1) paper voter registration cards the SOS has provided to schools for which affidavit numbers are directly associated with student registrations, and 2) online voter registration links with unique URLs assigned to schools that make them accessible via college class registration databases. The total number of voter registration applications tracked for students (excluding pre-registration) in 2022 amounted to 91,704. This does not include registrations by students that submitted through external voter registration systems outside of California's online voter registration system. For example, students can also register to vote online using other tools such as Turbo Vote or Democracy Works. Additionally, as mentioned above, voter registration is offered at the DMV and a number of social services agencies throughout the state.

Since pre-registration began in 2016, a total of 1,141,476 students have pre-registered to vote. Of these, 877,917 have since turned 18 and are now registered to vote. While the number of pre-registrants waiting to turn 18 remains fairly consistent from 2018 through 2023, the number of pre-registration forms submitted each year declined by 27% from 2018-2021. Many factors have likely contributed to this decline, such as the implementation of automatic pre-registration through New Motor Voter program at the DMV in 2018 and due to COVID and distance learning and the lack of usual on-campus civic engagement and voter registration events in 2020 and 2021.

- 6) **Youth Voter Registration and Turnout:** According to the Center for Inclusive Democracy's (CID) March 2021 report on the youth (age 18-24) vote during the 2020 general election, the youth eligible turnout was 47.4%, a rate substantially higher than in the previous presidential general election. The 2016 general election saw a 36.6% youth eligible turnout rate. The difference in the eligible turnout rate between youth and the total population (67.4%) stayed about the same in 2020 compared to 2016 – approximately 20 percentage points. The youth share of California's 2020 general election voters increased to 10.2%, up from 8.9%, which was the highest youth share of California voters for a statewide general

election since 2002. Yet, at 10.2%, youth still remained underrepresented at the polls, given their share of the state's eligible voter population at 14.5%, a representation gap of more than 4 percentage points.

- 7) **State Seal of Civic Engagement:** In 2017, the Legislature passed and Governor Brown signed into law AB 24 (Eggman), Chapter 604, Statutes of 2017, which required the SSPI, on or before January 1, 2020, to recommend to the State Board criteria for awarding SSCE to pupils who have demonstrated excellence in civic education and participation and an understanding of the US Constitution, the California Constitution, and the democratic system of government. Additionally, AB 24 requires the SSPI to consider, among other criteria, the successful completion of history, government, and civics courses, including courses that incorporate character education and voluntary participation in community service or extracurricular activities. According to the California Department of Education website, by adopting these criteria, California joined a small but growing number of states that formally recognize and promote student civic engagement with seals to affix to student transcripts, diplomas, or certificates of completion.

This bill allows a local elections official to apply for funding to implement a civic education and engagement plan that results in the awarding of the SSCE. This may help encourage the expansion of the SSCE program.

- 8) **New Youth Initiative:** A collaborative partnership between Yolo County Office of Assessor/Clerk-Recorder/Registrar of Voters, Yolo County Office of Education, CID, and the History Project at UC Davis established the Yolo County Youth Civic Initiative (YCYCI). The goal of YCYCI is to increase youth involvement in the civic process by creating, promoting, and enhancing school and community efforts. With this collaboration, CID created a new high school class unit called The Power of the Youth Vote, which is a non-partisan, eight-lesson unit designed to help high school students understand why voting is important, and how it affects them and their communities. Students receive practical information about how to vote, and how to become engaged members of their communities. Each lesson contains readings, exercises and discussion prompts that can be used together or as stand-alone resources.

This bill allows a local elections official to apply for funding to implement a civic education and engagement plan that develops hands-on curriculum and engagement opportunities, such as the YCYCI described above.

- 9) **Technical Amendment:** After the deadline for pre-committee author's amendments, the author requested to make clarifying technical amendments related to the way that this bill refers to the SSCE. As currently in print, the bill refers to the SSCE as the "State Seal." To avoid creating confusion with the official State Seal, these amendments would replace all references of the "State Seal" in the bill to the "State Civic Seal."

- 10) **Arguments in Support:** In support of this bill, the League of Women Voters of California writes:

Californians aged 18 to 34 have the lowest rates of voter registration in the state, despite making up a third of the state's population. AB 2627 aims to increase civic engagement and voter registration by focusing on young voters. The League

of Women Voters of California supports programs that bring more people into the democratic process, especially young and underrepresented voters.

We do recommend that the legislation be amended to require local elections officials and high schools to work with and provide pass-through funding to culturally-competent community-based organizations to assist in designing and implementing the programs. This would help ensure that the outreach target underrepresented communities that have been historically marginalized and excluded from our electorate.

- 11) **Previous Legislation:** SB 511 (Stern), Chapter 394, Statutes of 2017, requires the SOS to make reasonable efforts to promote voter registration to eligible voters, encourage eligible voters to vote, promote pre-registration to eligible citizens, promote civic learning and engagement to prepare students and new citizens to register to vote and to vote, and prioritize communities that have been historically underrepresented in voter registration or voting.

AB 1036 (Aguiar-Curry) of 2019, would have authorized the Yolo County Elections Office, in partnership with the Yolo County Office of Education, to conduct a mock election pilot program to elect members of the school's student government, as specified, and would have revised existing regulations requiring counties to design and implement voter registration and outreach programs. Governor Newsom vetoed AB 1036 stating, "This bill, which sunsets on January 1, 2027, authorizes the Yolo County Elections Office, in partnership with the Yolo County Office of Education, to conduct a High School Voter Education Pilot Program to increase civic engagement. This bill also makes certain requirements of the Secretary of State related to county voter outreach, registration, and education efforts.

"Yolo County voluntarily held a youth empowerment summit in 2017 and in 2019 that included, among other lessons, how to properly fill out a ballot and provided an opportunity for eligible students to register or pre-register to vote. Students received hands-on experience in the democratic process and had the opportunity to interact directly with their elected representatives. In this case, the goal of increased student civic engagement and participation is being met without specific state funding. Consequently, paying local entities to perform activities that they could and should conduct independently of state reimbursement is not fiscally prudent.

"This bill may also create an election-related reimbursable mandate of potentially significant costs to the state. Additionally, if the Secretary of State opts to provide grants to local jurisdictions for the voter outreach and education programs prescribed by this measure, and it is determined that [HAVA] funding cannot be used for that purpose, this bill may result in General Fund cost pressures."

AB 2576 (Aguiar-Curry) of 2021, was substantially similar to AB 1036 (Aguiar-Curry) of 2019. AB 2576 passed out of this committee on a 6-1 vote and was held on the Assembly Appropriations Committee's suspense file.

- 12) **Double-Referral:** This bill is double-referred to the Assembly Education Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Clerks & Election Officials
California Environmental Voters
League of Women Voters of California
Yolo County Assessor/Clerk-Recorder/Registrar of Voters

Opposition

None on file.

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