

Date of Hearing: April 24, 2024

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
AB 2724 (Reyes) – As Amended April 1, 2024

SUBJECT: High school pupils: voter registration.

SUMMARY: Requires, commencing with the 2026–27 school year, the governing board of a school district and the governing body of a charter school to ensure that pupils receive, at least once before the pupil completes grade 11, information on how to properly preregister to vote. Specifically, **this bill:**

- 1) Requires, commencing with the 2026–27 school year, the governing board of a school district, a county board of education, a state special school, and the governing body of a charter school to ensure that each of its pupils receives, at least once before the pupil completes grade 11, information on how to properly preregister to vote. Provides that the manner in which information is provided is at the discretion of the governing board of the school district, the county board of education, the state special school, or the governing body of the charter school and may include information dissemination through in-class instruction, an existing program, family information sessions, or group or individual sessions with school counselors. Requires the information provided to include, but not necessarily be limited to, material related to all the following:
 - a) Voting eligibility and guidance published by the Secretary of State (SOS).
 - b) Services provided and materials published by the county elections office.
 - c) The opportunity to register to vote, which is optional and may be completed at any time including by visiting the SOS’s mobile-friendly online voter registration tool at <https://registertovote.ca.gov/>.
 - d) The Student Poll Worker program.
- 2) Requires the governing board of a school district, a county board of education, a state special school, and the governing body of a charter school, upon request of a pupil or a pupil’s parent or guardian, to ensure that a paper copy of a voter registration card is provided for that pupil.
- 3) Requires the governing board of a school district, a county board of education, a state special school, and the governing body of a charter school to ensure that any information shared with parents, guardians, and pupils under this bill is handled according to applicable state and federal pupil privacy laws and regulations.
- 4) Permits the governing board of a school district, a county board of education, a state special school, and the governing body of a charter school to contract with a third-party nonprofit organization, with demonstrated experience providing nonpartisan youth civic engagement, to implement these requirements.

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 provide 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, California community college (CCC), and California State University (CSU) and University of California (UC) campus with voter registration forms, as specified. (Elections Code §2146)
- 8) Establishes the Student Voter Registration Act (SVRA) of 2003, and requires the SOS to annually provide every high school, CCC, and CSU and UC campus with voter registration forms. (Elections Code §§2145, 2146)
- 9) Provides it is the intent of the Legislature to establish a State Seal of Civic Engagement (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)

- 10) Establishes the last two full weeks in April and the last two full weeks in September as “high school voter education weeks.” Requires persons authorized by the county elections official, during these weeks, to be allowed to register students and school personnel on any high school campus in areas designated by the administrator of the high school, or their designee, which are reasonably accessible to all students. (Education Code §49040)
- 11) Allows the administrator of a high school, or their designee, to appoint one or more pupils who are enrolled at that high school to be voter outreach coordinators. Permits the coordinators to coordinate voter registration activities on their high school campus, including voter registration drives, mock elections, debates, and other election-related pupil outreach activities. (Education Code §49041)
- 12) Allows students in grades 6-12 to have one excused absence per year to participate in a civic or political event provided that the pupil notifies the school ahead of the absence. (Education Code §48205)

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

COMMENTS:

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

AB 2724 would provide high school students in California the opportunity and resources needed to pre-register to vote by the end of their eleventh grade. Sixteen- and seventeen-year-olds in California have the ability to pre-register to vote and subsequently become registered to vote upon their 18th birthday. However, currently only 11% of sixteen and seventeen-year-olds in California are actually pre-registered to vote. This bill would address the low voter pre-registration rate in California by presenting high school students the opportunity and resources needed to pre-register to vote at their schools.

- 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.

- 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 (NMV) 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) **Tracking Student Voter Registrations:** Data provided in the SOS’s 2023 Student Voter Registration Report only includes 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. 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 NMV 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) **Paper Voter Registration Forms and Previous Legislation:** AB 593 (Ridley-Thomas), Chapter 819, Statutes of 2003, created the SVRA of 2003, which among other things, requires the SOS to provide every high school, CCC, CSU, and UC campus with voter registration forms, and include information regarding eligibility requirements and informing each student that they may return the completed form in person or by mail to the elections official of the county in which the student resides. According to the SOS's 2023 Student Voter Registration report, the SVRA was passed in response to a need for students to be provided with additional opportunities to participate in civic culture. The goal was to ensure that every eligible high school and college student received a voter registration form with their diploma, allowing a meaningful opportunity to register to vote.

SB 854 (Ridley-Thomas), Chapter 481, Statutes 2007, which became effective in 2008, changed the law to reduce the number of forms the SOS was required to provide by limiting their distribution to voting age students only. Additionally, SB 854 permitted CCC and CSU students attending a school that operated an automated class registration system to receive a voter registration form that was pre-printed with personal information relevant for voter registration during the class registration process, which further reduced the number of paper forms the SOS was required to provide to schools. According to the SOS's 2023 report, in 2008, the SOS's office printed and mailed over 2.5 million student voter registration applications to high school and college campuses. Of the over 2.5 million student voter registration applications mailed, less than one percent were completed and returned to the SOS. Consequently, that approach was deemed costly and ineffective.

AB 1446 (Mullin), Chapter 593, Statutes of 2014, updated the SVRA and deleted requirements for the SOS to send every high school, CCC, and CSU voter registration forms that are consistent with the number of students enrolled at each school who are of voting age or will be of voting age by the end of the year. Additionally, AB 1446 updated the SVRA to reflect the advent of online voter registration and deleted provisions of law that permit students, during the class registration, to elect to receive a voter registration form that is preprinted with personal information relevant to voter registration, and instead permits students, during class registration, to apply to register to vote online by submitting an affidavit of voter registration electronically on the SOS's Internet Web site

According to the SOS's 2023 Student Voter Registration Annual Report, in 2023 the SOS contacted 4,256 high schools, and 340 colleges and universities through their Student Voter Registration Project (SVRP). A total of 642 schools responded to the mailing, which represents a 14% response rate. Of the schools that responded, 450 requested paper voter registration forms, representing 10% of the total number of schools contacted.

The report summary states that the percentage of schools that responded to SOS outreach as part of the SVRP during 2023 has increased over 2022, but remains low at 14% of schools contacted despite it being required by law. While the number of paper voter registration forms submitted during 2023 has increased significantly over 2022, the percentage of forms returned remains below 10%. As a result, the SOS will continue to evaluate the costs and benefits of contacting all schools by annual mailings as part of the SVRP.

- 8) **Arguments in Support:** In support of a prior version of this bill, the co-sponsors of this bill wrote:

In California, 16 and 17-year olds are eligible to pre-register to vote. On the day of their 18th birthday, the State of California automatically turns their pre-registration into an active registration.

The Secretary of State's 2023 Annual Report notes that approximately 1.1 million students had pre-registered to vote since the service began in 2016. However, between 2018-2021, the number of pre-registration forms submitted declined by 27% every year. Although this pre-registration service is available, its engagement and usage has not reached its full potential. Only 11% of 16 and 17-year olds are pre-registered to vote in California.

AB 2724 seeks to increase voter registration for young Californians. High School voter registration is a greatly untapped resource that can be used to increase participation in our elections. Every high school student in California deserves the opportunity to register to vote.

- 9) **Double Referred:** The bill was heard in the Assembly Committee on Education on March 20, 2024, where it was approved by a 6-0 vote.

REGISTERED SUPPORT / OPPOSITION:

Support

IE United (co-sponsor) (prior version)
 Inland Coalition for Immigrant Justice (co-sponsor) (prior version)
 Inland Congregations United for Change (co-sponsor) (prior version)
 Inland Empire Labor Council (co-sponsor) (prior version)
 PICO California (co-sponsor) (prior version)
 Power CA Action (co-sponsor) (prior version)
 Alameda County Board of Education
 California Catholic Conference
 California High School Democrats (prior version)
 Californians for Justice (prior version)

CA Partnership for the Future of Learning (prior version)
Center Against Racism and Trauma Inc. (prior version)
Center for Community Action and Environmental Justice (prior version)
Centro Del Inmigrante, Inc. (prior version)
CHORDS Academy of the Arts (prior version)
Congregations Organized for Prophetic Engagement (prior version)
Faith in Action Bay Area (prior version)
Faith in the Valley (prior version)
Generation Up (prior version)
Inland Empire Immigrant Youth Collective
Inland Empire Prism Collective (prior version)
LA Voice (prior version)
Orange County Congregation Community Organization (prior version)
Public Advocates (prior version)
San Bernardino Community Service Center, Inc. (prior version)
True North (prior version)

Opposition

None on file.

Analysis Prepared by: Nichole Becker / ELECTIONS / (916) 319-2094