

Date of Hearing: April 24, 2024

ASSEMBLY COMMITTEE ON ELECTIONS

Gail Pellerin, Chair

AB 3284 (Committee on Elections) – As Introduced March 13, 2024

**SUBJECT:** Elections omnibus bill.

**SUMMARY:** Makes various minor and technical changes to the Elections Code. Specifically, **this bill:**

- 1) Adds cross-references in various sections of the Elections Code to a voter registration confidentiality program for election workers that was created in 2022.
- 2) Repeals inoperative and obsolete provisions of the Elections Code.
- 3) Corrects erroneous and outdated cross-references in the Elections Code.

**EXISTING LAW:**

- 1) Provides that the home address, telephone number, e-mail address, precinct number, or other number specified by the Secretary of State (SOS) for voter registration purposes, and prior registration information shown on the voter registration affidavit for all registered voters, are confidential, and shall not be disclosed to any person, except that such information shall be provided with respect to any voter to any candidate for federal, state, or local office, to any committee for or against any initiative or referendum measure for which legal publication is made, and to any person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the SOS, as specified. (Elections Code §2194)
- 2) Allows a voter, pursuant to various existing programs outlined in the Elections Code, to have the voter's residence address, telephone number, and e-mail address from the voter registration card declared confidential. (Elections Code §§2166, 2166.5, 2166.7, 2166.8, and 2188)
- 3) Contains provisions governing the signers of nomination papers for candidates for the San Francisco Democratic County Central Committee that applied only for the June 5, 2012, statewide primary election. (Elections Code §7204(c))
- 4) Contains provisions that allowed a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly to be conducted by means of an all-mailed ballot election pursuant to provisions of law that were repealed as of January 1, 2021. (Elections Code §10703(c))
- 5) Specifies that a specific chapter in Division 20 of the Elections Code shall not be construed to impose any reporting obligations or to apply to the expenditure of campaign funds in conjunction with pending litigation. (Elections Code §20301)

**FISCAL EFFECT:** None. This bill is keyed non-fiscal by the Legislative Counsel.

**COMMENTS:**

- 1) **Purpose of the Bill:** This is an Assembly Elections Committee omnibus bill, containing various minor and technical changes to the Elections Code. All of the changes proposed in this bill are issues identified by committee staff.
- 2) **Voter Registration Confidentiality:** As detailed above, existing law requires certain information from a voter's registration records to be made available for specified election, scholarly, journalistic, political, or governmental purposes. There are a number of programs in existing law, however, that provide a greater level of confidentiality to a voter's registration records, including programs for victims of domestic violence and for public safety officers who face life threatening circumstances because of their status as public safety officers. In 2022, the Legislature approved and Governor Newsom signed SB 1131 (Newman), Chapter 554, Statutes of 2022, which created a similar new program for election workers who face life threatening circumstances. Various provisions of the Elections Code, however, still need to be updated to include cross-references to this newly created program.

This bill adds cross-references to the new voter registration confidentiality program for election workers in various sections of the Elections Code. This proposal was identified by Assembly Elections Committee staff, and the corresponding changes are found in Sections 2, 3, 4, and 6 of this bill.

- 3) **Inoperative Sections of the Elections Code:** Section 7204 of the Elections Code establishes rules governing the election of county central committee members for the Democratic Party in the City and County of San Francisco. Subdivision (c) of that section established a special procedure that was in effect only for the June 2012 statewide primary election. Since that primary election has occurred, subdivision (c) of section 7204 is inoperative. This bill repeals that inoperative language. This proposal was identified by Assembly Elections Committee staff, and the repeal of the inoperative language is found in Section 5 of this bill.

Section 10703 of the Elections Code establishes the timing for conducting an election to fill a vacancy for the office of Representative in Congress, State Senator, or Member of the Assembly. Subdivision (c) of that section allowed these special elections to be conducted as all-mailed ballot elections pursuant to either of two different pilot projects that ended on January 1, 2021. Because those pilot projects have ended and are no longer a part of the Elections Code, subdivision (c) of Section 10703 of the Elections Code is obsolete. This bill repeals that obsolete language. This proposal was identified by Assembly Elections Committee staff, and the repeal of that obsolete language is found in Section 8 of this bill.

Until 1996, the Elections Code included provisions that limited the use of surplus campaign funds. Those provisions, however, were repealed by the voters through the passage of Proposition 208 at the November 5, 1996, statewide general election. Another provision of law that remains in the Elections Code—Section 20301—specifies that the repealed provisions related to the use of surplus campaign funds shall not be construed to impose reporting obligations or to apply to the expenditure of campaign funds in conjunction with

pending litigation. That provision is obsolete in light of the fact that the section of law to which it refers has been repealed. This bill repeals that obsolete language. This proposal was identified by Assembly Elections Committee staff, and the repeal of that obsolete language is found in Section 9 of this bill.

- 4) **Outdated and Erroneous Cross-References:** Various provisions of the Elections Code contain erroneous or outdated cross-references to other provisions of state law. This bill corrects those cross-references. This proposal was identified by Assembly Elections Committee staff, and the changes to those cross-references are found in Sections 1, 7, and 10 of this bill.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

None on file.

**Opposition**

None on file.

**Analysis Prepared by:** Ethan Jones / ELECTIONS / (916) 319-2094