

Date of Hearing: April 5, 2017

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING

Evan Low, Chair

AB 1004 (Calderon) – As Amended March 22, 2017

**SUBJECT:** Secretary of State: voter information Web site.

**SUMMARY:** Requires the Secretary of State (SOS) to establish an online database of elected federal, state, and local officials. Specifically, **this bill:**

- 1) Requires the database to include each specified elected official's phone number, email address, and office address.
- 2) Requires the database to be searchable based on the voter's home address, and requires a link to the database to be displayed on the SOS's homepage.
- 3) Requires the SOS to fund the website with state and local funds. Requires the SOS to consult with interested stakeholders to determine the most cost-effective method for financing the website.
- 4) Provides that the SOS may contract with an outside vendor to establish the website.
- 5) Requires the SOS to establish the website by January 1, 2020.

**EXISTING LAW:**

- 1) Provides that the SOS is the chief elections officer of the state.
- 2) Requires the SOS to publish and distribute a roster of the State and local public officials of California whenever an appropriation is made by the Legislature for that purpose.

**FISCAL EFFECT:** Unknown.

**COMMENTS:**

- 1) **Author's Amendments:** In order to further clarify the intent of this bill, the author is proposing the following author's amendments to page 2, lines 3-13 of the bill:

- (1) The Secretary of State shall establish an Internet Web site that displays the names and contact information, including the phone number, email address, and office address of, the following elected officials for each voter:
  - (A) United States Senator ~~or~~ **and** Representative in Congress.
  - (B) State officers elected on a statewide basis.
  - (C) ~~Member of the Senate or Assembly~~ **Member of the Senate and Member of the Assembly.**
  - (D) ~~Elective officer of a city, county, school district, or special district~~ **Elective officers of a city, county, school district, and special district.**
  - (E) Judge elected or reelected to a judicial office.

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

AB 1004 requires the Secretary of State to establish an online database of elected federal, state and local officials. The database may be established through a contract with a third party vendor. [A] Registered Californian voter will be able to type in their address and instantly learn who represents them at the aforementioned levels of government. The database will include each elected official's phone number, email address and office address.

There is no existing law requiring the Secretary of State to publish local elected official's names and contact information at the state level by address...

A transparent portal can aid in engaging all Californians but especially those from our youngest generations... [T]he Pew Research Center found young adults under 24 were more likely to engage in political activity through the Internet and social media sites. The Millennial generation, accustomed to quickly having access to information at their fingertips, will benefit from the infusion of technology into democracy.

3) **Civic Engagement in the Digital Age:** In their 2013 report "Civic Engagement in the Digital Age" the Pew Research Center reported that people who are well-educated and from a high socioeconomic status are more likely than others to engage in political activities using online resources. The report is based on the findings of a survey on Americans' use of the Internet and found:

Those who live in higher income households and those with higher levels of education (specifically, those who have attended or graduated from college) are consistently more likely than those with lower income or education levels to take part in many of the online and offline civic behaviors we measured in this study. On the other hand, when it comes to the 60% of American adults who use social networking sites such as Facebook or Twitter, political participation is more balanced between lower and higher income Americans.

Furthermore, the study found that only 34% of American adults have recently engaged with or contacted a government official about an issue that is important to them via online methods.

4) **Voter Information Websites and Civic Engagement:** In accordance with Section 245 of the Help America Vote Act, the US Elections Assistance Commission studied the possible impact new communications or Internet technology systems used in the electoral process could have on voter participation rates, voter education, and public accessibility. In a report titled "Voter Information Websites Study" they reviewed several hundred active voter information websites in the fall of 2005 through 2006, from which 71 sites were identified as voter information websites and selected for in-depth analysis. The report found that websites that provided voters with information on candidates and contests greatly increased usage of their website.

- 5) **Significant Undertaking:** The EAC report cited above also provides guidelines to assist election administrators in developing Voter Information websites that best serve voters. Specifically it says: “Deciding what information to provide and how to provide it is the most important step in developing a voter information website because the information and method of delivery define the implementation process.” AB 1004 proposes making a staggering amount of information available to voters that needs to be updated and tracked, but fails to outline implementation guidelines. For instance, the bill requires the contact information of elected officials of special districts to be publicly searchable based on a voter’s address. Currently there are approximately 3300 special districts which are a part of California’s unique system of local government. Most are governed by boards comprised of five members who serve staggered, four-year terms. The Secretary of State currently does not have a centralized system in place to track these elected officials. Furthermore, while the SOS currently publishes an annual listing of California's public officials, known as *The California Roster*, that listing does not include information about officials elected to special districts.
- 6) **Similar Systems Currently In-Use:** Inyo County has provided a Representative lookup tool for its residents since 2014. According to the county registrar, their website is one of the highest trafficked websites related to elections. The tool is also ADA-compliant, mobile friendly, and does not require the download of a separate application. Similarly, the state of Indiana offers its voters a “Who Are Your Elected Officials” portal that is sponsored by the Indiana Secretary of State and maintained by a private company.
- 7) **Third Party Vendor Stipulation:** This bill includes language that explicitly provides that the SOS "may contract with an outside vendor" to establish the database that is required by this bill. The extent to which such language is necessary is unclear. Committee staff is not aware of other elections-related bills that have included a similar stipulation, nor is committee staff aware of any existing law that would prevent the SOS from contracting with external vendors if needed. The committee should consider whether this language is necessary to achieve the legislative intent of AB 1004.
- 8) **Arguments in Support:** In support of this bill, the American Federation of State, County and Municipal Employees writes:

Several counties in California, including Del Norte, Inyo and Sierra, have successfully modeled such resources by making them ADA-compliant and mobile friendly with no mandatory application download. These programs have largely improved voters’ accessibility to their elected officials. The state should move forward by leading the nation in utilizing state-of-the-art technology to improve democratic participation.

It is in the best interest of the state to make the contact information of elected officials as accessible as possible to Californians. When the public has greater accessibility to their elected officials, they are better informed as a result. Creating a statewide online elected officials guide will not only increase transparency and encourage political participation, but will also contribute to fostering greater government accountability, especially in local government and special districts.

- 9) **Arguments in Opposition:** Secretary of State Alex Padilla, who has an oppose unless amended position on this bill, writes:

I understand that the intent of AB 1004 is to continue to provide voters and citizens with centralized information to help them stay engaged in our democracy. I fully support that intent. Unfortunately, as drafted I cannot support the measure. Specifically, in section 12172.4(b)(2) the bill has language that strongly suggests that we seek an outside vendor to comply with the bill. I am requesting that this language be removed completely.

My office already has full discretion to procure outside services and products. Additionally, I have found success utilizing my staff to develop new online tools and applications. Given that online voter registration and our agency's first smart phone application were developed in-house, it would likely be more efficient to comply with the requirements of AB 1004 utilizing my staff's expertise.

**REGISTERED SUPPORT / OPPOSITION:****Support**

American Federation of State, County and Municipal Employees  
California Clean Money Campaign  
California Teamsters Public Affairs Council  
Inyo County Registrar of Voters

**Opposition**

Secretary of State Alex Padilla (unless amended)

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