

Date of Hearing: June 19, 2012

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING

Paul Fong, Chair

SB 1188 (Elections and Constitutional Amendments Committee) –

As Amended: April 9, 2012

SENATE VOTE: 37-0

SUBJECT: Elections.

SUMMARY: Makes two minor and technical changes to state law governing elections. Specifically, this bill:

- 1) Repeals the requirement that the circulator of a petition provide his or her middle name or initial on the petition in order for it to be certified by an elections official.
- 2) Corrects two obsolete cross-references to the Elections Code contained in the Water Code related to all-mailed ballot elections.

EXISTING LAW:

- 1) Requires any petition or paper that is submitted to the elections official to have a declaration signed by the circulator of the petition or paper attached to each section of the petition or paper. Requires the declaration to have the following in the circulator's own hand:
  - a) The printed name of the circulator;
  - b) The residence address of the circulator, giving street and number, or if no street or number exists, adequate designation of residence so that the location may be readily ascertained; and,
  - c) The dates between which all the signatures to the petition or paper were obtained.
- 2) Requires a petition circulator to certify to the content of the declaration as to its truth and correctness, under penalty of perjury, with the signature of his or her name at length, including given name, middle name or initial, or initial and middle name. Requires the circulator to state the date and the place of execution on the declaration immediately preceding his or her signature.

FISCAL EFFECT: Keyed non-fiscal by Legislative Counsel.

COMMENTS:

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

This bill is one of the Committee's annual omnibus bills that contain minor, technical and clean-up language to the Elections Code.

This bill does two things: it corrects two obsolete Election Code references contained in the Water Code and deletes the requirement that a middle name or initial also be provided by a circulator in order for a petition to be valid.

As currently written, the Elections Code requires petition circulators to print their name and to sign the Declaration of Circulator (DOC) using their complete name, including middle name or initial. Many people do not use a middle name or initial when affixing their signatures to documents. Failure on the part of the circulator to include a middle name or initial on his or her DOC should not invalidate otherwise valid signatures on a petition.

- 2) Omnibus Bill: Each year the Senate Elections and Constitutional Amendments Committee introduces omnibus legislation to make various non-controversial changes to the Elections Code. This bill provides clarifying changes to multiple elections code references and also makes minor technical and conforming changes.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Clerks and Election Officials

Opposition

None on file.

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