

Date of Hearing: April 29, 2015

ASSEMBLY COMMITTEE ON ELECTIONS AND REDISTRICTING  
Sebastian Ridley-Thomas, Chair  
ACA 2 (Mullin) – As Introduced February 24, 2015

**SUBJECT:** Elections: voting age.

**SUMMARY:** Allows a person who is 17 years of age, and who will be 18 years old at the time of the next general election, to vote in any intervening primary or special election that occurs before the next general election.

**EXISTING LAW:**

- 1) Permits a person who is a United States (U.S.) citizen, a resident of California, not in prison or on parole for the conviction of a felony, and is at least 18 years of age at the time of the next election to register to vote in any local, state, or federal election.
- 2) Allows a person who is at least 16 years old and otherwise meets all voter eligibility requirements to register to vote. Provides that the registration will be deemed effective as soon as the affiant is 18 years old at the time of the next election. Provides this option will be operative when the Secretary of State (SOS) certifies that the state has a statewide voter registration database that complies with specified provisions of federal law.

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) **Purpose of the Constitutional Amendment:** According to the author:

California has one of the lowest voter turnout rates in the nation, and young voters in California have the lowest turnout rate of any age demographic. For most young adults, their first contact with the political process is in high school through the mandated government class during their senior year or through volunteering on campaigns for community service credit. This is the time to give them ownership in the process by getting them to vote in primaries while they still have a connection to their school and community. Additionally, studies show that voting is habit forming, meaning that a person's first experience with voting is crucial, as it could affect a person's future voting habits.

This amendment would bring California up to date with the nearly 20 other states (Alaska, Connecticut, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Mississippi, Nebraska, Nevada, North Dakota, Ohio, Oregon, Virginia, Vermont, and Washington) that permit any citizen who turns 18 by the date of the general election to vote in interceding primaries or caucuses.

- 2) **Other States:** The 26th Amendment to the U.S. Constitution prevents states from "denying" suffrage to 18-year-olds, but does not prevent states from establishing a lower voting age.

As stated above, there are 19 states that permit 17-year olds to vote in the primary elections or caucuses if the voter will turn 18 before the general election.

According to the National Conference of State Legislatures (NCSL), in an effort to increase youth engagement in state and local elections, 22 U.S. states allow young people to pre-register to vote sometime before they reach the voting age of 18, provided that they will turn 18 by the next general election. In Hawaii and Rhode Island, it is not necessary that they turn 18 by the next general election. States with pre-registration include: Alaska, California, Colorado, District of Columbia, Delaware, Florida, Georgia, Hawaii, Iowa, Kansas, Louisiana, Maine, Maryland, Minnesota, Missouri, Nebraska, Nevada, Oregon, Rhode Island, Texas, West Virginia and Wyoming.

Furthermore, Takoma Park, Maryland became the first place in the U.S. to lower its voting age to 16, for municipal elections and referendums.

3) **Arguments in Support:** FairVote writes in support:

Currently, 17 year old California residents who will be 18 by the time of a general election cannot vote in the primary associated with that election. Unfortunately, this prevents voters who can cast a vote in a general election from having a say in who will be on the general election ballot. FairVote supports allowing 17-year old residents to vote in primary elections foremost because it is the fair and sensible thing to do. These voters deserve an opportunity to help decide which candidates are on the ballot in the upcoming general elections.

Furthermore, 17-year old primary voting is good policy because of its positive impact on turnout – especially among young voters, who currently vote at the lowest rates. Only 25.1 percent of California voters participated in 2014 primary elections, and a meager 5.2 percent of 18-year olds cast a vote in the corresponding general elections last November. Research shows, however that the earlier in life one casts a vote – even by a few months – the more likely they are to form a lifelong habit of voting. This has played out in states that have adopted the policy. In 2013, Illinois joined nearly 20 states in allowing 17-year olds to vote in primary elections. In the 2014 Chicago primaries, 17-and 18-year-olds turned out at higher rates than voters in their 20s, 30s, and 40s.

Allowing 17-year olds to vote in primary elections is a common sense policy that prepares young voters for the voting experience and engages them in the democratic process before casting a vote in general elections. FairVote encourages the California State Assembly to put voters first and pass ACA 2 to achieve more fair and representative primary elections and increase turnout among young voters.

- 4) **Related Legislation:** AB 554 (Mullin), which is pending in this committee, would authorize an elections official to appoint a pupil who is a lawful permanent United States resident to serve as a precinct board member.
- 5) **Previous Legislation:** AB 30 (Price), Chapter 364, Statutes of 2009, allows a person who is 17 years of age to pre-register to vote, provided he or she would otherwise meet all eligibility requirements. SB 113 (Jackson), Chapter 619, Statutes of 2014, expands pre-registration by

authorizing a 16-year-old to pre-register to vote once pre-registration is in effect, provided he or she meets all other eligibility requirements.

ACA 7 (Mullin) of 2013, was substantially similar to this measure but was held in the Assembly Appropriations Committee.

ACA 2 (Furutani) of 2009, was substantially similar to this measure. No vote was taken on the Assembly Floor and the measure died on the Inactive File.

ACA 17 (Mullin) of 2005 and ACA 25 (Mullin) of 2004, were both substantially similar to this measure. ACA 17 was approved by this committee and the Assembly Appropriations Committee, but no vote was taken on the Assembly Floor and the measure died on the Inactive File. ACA 25 was approved by this committee and the Assembly Appropriations Committee, but failed passage on the Assembly Floor.

- 6) **Approval by Voters:** As a constitutional amendment, this measure requires the approval of the voters to take effect. Legislation making statutory changes necessary to implement this measure would also be required.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Federation of Teachers  
Californians for Electoral Reform  
FairVote

**Opposition**

None on file.

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