

2018 LEGISLATIVE GUIDE TO CALIFORNIA ELECTION LAWS



SUMMARY OF ELECTION RELATED LEGISLATION

California Association of Clerks and Election Officials

LEGISLATIVE GUIDE TO ELECTION LAWS

2018

Summary of Election Related Legislation



**CALIFORNIA ASSOCIATION OF CLERKS AND
ELECTION OFFICIALS**

How to Use This Manual

This Legislative Guide to Election Laws has been prepared to provide you with a summary of election related legislation chaptered or vetoed in 2018. Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~. In addition to summaries of legislation and California code language, the manual also contains the Assembly or Senate Bill number, chapter number assigned by the Secretary of State, Governor's veto letters, and a table of code sections affected by chaptered legislation. A copy of each bill listed in its full text can be obtained from the Legislative Counsel of California at www.leginfo.legislature.ca.gov.

Disclaimer

It is not the intent of the authors of this publication to provide any legal analysis or opinion relating to the bills listed herein. Please note that anyone using this guide must bear full responsibility to make their own determinations as to all legal standards, duties and factual material contained therein.

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Section One**BILL LISTING**

	<u>BILL NO.</u>	<u>CHAPTER NO.</u>
ASSEMBLY	216	120
	306	203
	666	160
	807	60
	1013	906
	1407	4
	1678	96
	1824	38
	2095	210
	2123	277
	2125	913
	2155	777
	2172	232
	2188	754
	2218	432
	2449	146
	2540	343
	2592	652
	2665	282
	2707	920
	2835	57
	2880	394
	3075	241
	3258	269
	3259	58
SENATE	25	927

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	<u>BILL NO.</u>	<u>CHAPTER NO.</u>
	759	446
	869	451
	1018	462
	1153	155
	1171	113
	1239	662
	1250	911
TOTAL COUNT:	33	

Section Two**SECTIONS AFFECTED**

Am = Amended, Add = Added, R = Repealed, Rn = Renumbered

<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
EDUCATION	1007	146	Am
	1009	146	Am
	5017	146	Am
	72027	146	Am
ELECTIONS	10	652	Am
	10.5	241	Add
	301	57	Am
	305.5	57	Am
	321	113	Am
	1500	58	Am
	2026	911	Am
	2155	58	Am
	2160	113	Add
	2162	113	Am
	2187	269	Am
	2188.2	96	Add
	2188.3	96	Add
	2262	4	Am
	2263	4	Am
	2265	4	Am
	2266	4	Am
	2267	4	Am
	2268	4	Am
	2269	4	Am
	2270	4	Am
	3010	120	Am
	3011	203	Am
	3016.5	906	Add
	3017	203	Am
	3019	446	Am
	3019.7	432	Add
	3116.5	906	Add
	6321	58	Am
	6405	58	Am
	6541	58	Am
	6567	58	Am

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<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
ELECTIONS (Continued)	6598	58	Am
	6768	58	Am
	8083	58	Am
	8106.5	269	Am
	9088.5	652	Add
	9094	269	Am
	9118.5	155	Add
	9210	58	Am
	9215.5	155	Add
	9311	155	Add
	10010	277	Am
	10602	58	Am
	10703	210	Am
	11222	58	Am
	11325	269	Am
	12102	58	Am
	12104	58	Am
	12283	343	Am
	12284	343	Am
	13107	57	Am
	13109.7	927	Add
	13109.8	927	Add
	13109.9	927	Add
	13119	57	Am
	13207	57	Am
	13208	57	Am
	13213	57	Am
	13241	57	Am
	13305	269	Am
	13307.7	160	Add
	15101	282	Am
	Article 5.5 (commencing with Section 15365) to Chapter 4 of Division 15	913	Add
	15560	913	R
	18302	96	Am
	Chapter 5 (commencing with Section 19400) to Division 19	38	Add
	21003	232	Am
	23000	462	Am

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<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
	23001	462	Am
	23002	462	Am
	23003	462	Am
	23004	462	Add
GOVERNMENT	6808	60	Add
	Chapter 11 (commencing with Section 11898) to Part 1 of Division 3 of Title 2	920	Add
	12172.6	652	Add
	23725	451	R and Add (Repeal Section 46 of Chapter 53 of the Statutes of 2018, relating to elections)
	81004	662	Am
	81007	662	Am
	81007.5	662	Am
	81008	662	Am
	81009	662	Am
	81010	662	Am
	82006	662	Am
	83123.6	394	R and Add
	83123.7	394	R
	84101	662	Am
	84101.5	662	Am
	84102	662	Am
	84103	662	Am
	84108	662	Am
	84200.8	662	Am
	84203	662	Am
	84204	662	Am
	84204.5	662	Am
	84211	662	Am
	84213	662	Am
	84215	662	Am
	84217	662	R

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<u>CODE</u>	<u>SECTION</u>	<u>CHAPTER</u>	<u>EFFECT</u>
GOVERNMENT (Continued)	84219	662	Am
	84223	662	Am
	84501	777	Am
	84501.1	777	Add
	84502	777	Am
	84503.5	754	Add
	84504.1	777	Am
	84504.2	777	Am
	84504.2	662	Am
	84504.3	777	Am
	84504.3	754	Am
	84504.4	754	Am
	84504.5	777	Am
	84504.6	754	Add
	84510	754	Am
	84602	662	Am
	84605	662	Am
	84606	662	Am
	84612	662	Am
	84615	662	Am
	85200	662	Am
	86100	662	Am
	86103	662	Am
	86104	662	Am
	86105	662	Am
	86107	662	Am
	86108	662	Am
	86109	662	R
	86109.5	662	Am
	86114	662	Am
86116	662	Am	
86118	662	Am	

Section Three

2018 CHAPTERED LEGISLATION

VOTE BY MAIL BALLOTS: IDENTIFICATION ENVELOPES: PREPAID POSTAGE

Assembly Bill 216 Chapter 120

CURRENT PROVISIONS

Existing law provides for the procedures by which a voter may apply for and receive a vote by mail ballot.

Existing law requires the elections official to deliver to each qualified applicant the ballot for the precinct in which the applicant resides and all supplies necessary for the use and return of the ballot.

Existing law prescribes the contents of an identification envelope and requires a voter to return his or her vote by mail ballot in the identification envelope, as specified.

NEW PROVISIONS

Clarifies that the elections official is required to deliver to each qualified applicant an identification envelope for the return of the vote by mail ballot and would require the identification envelope to have prepaid postage.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 3010.

(a) The elections official shall deliver all of the following to each qualified applicant:

(1) The ballot for the precinct in which ~~he or she~~ the voter resides. In primary ~~elections~~ elections, this shall also be accompanied by the ballot for the central committee of the party for which the voter has disclosed a preference, if any.

(2) All supplies necessary for the use and return of the ~~ballot~~. ballot, including an identification envelope with prepaid postage for the return of the vote by mail ballot.

~~No~~ (b) An officer of this state ~~may~~ shall not make ~~any~~ a charge for services

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rendered to ~~any~~ a voter under this chapter.

SEC. 2.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

VOTE BY MAIL BALLOTS

Assembly Bill 306 Chapter 203

CURRENT PROVISIONS

Existing law requires a vote by mail voter to return his or her voted vote by mail ballot (1) by mail or in person to the elections official, (2) in person to a member of a precinct board at a polling place or vote center, or (3) to a vote by mail ballot dropoff location, as specified.

Existing law permits a vote by mail voter who is unable to return his or her ballot to designate another person to return the ballot.

Existing law requires that the identification envelope of a vote by mail ballot contain, among other things, the name of the person authorized to return it, the relationship of that person to the voter, and that person's signature.

Existing law requires that all vote by mail ballots be received before the close of the polls on election day and prohibits a ballot from being counted if not received before that time.

NEW PROVISIONS

Requires a person designated to return a voter's vote by mail ballot to return the ballot or put it in the mail no later than three days after receiving it from the voter or before the close of the polls on election day, whichever time period is shorter.

Prohibits disqualifying a ballot from being counted solely because it was returned or mailed more than three days after the designated person received it from the voter, provided that the ballot is returned by the designated person before the close of polls on election day.

Prohibits disqualifying a ballot solely because the person returning it did not provide on the identification envelope his or her name, relationship to the voter, or signature.

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SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 3011.**

(a) The identification envelope shall contain all of the following:

(1) A declaration, under penalty of perjury, stating that the voter resides within the precinct in which he or she is voting and is the person whose name appears on the envelope.

(2) The signature of the voter.

(3) The residence address of the voter as shown on the affidavit of registration.

(4) The date of signing.

(5) A notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

(6) A warning plainly stamped or printed on it that voting twice constitutes a crime.

(7) A warning plainly stamped or printed on it that the voter must sign the envelope in his or her own handwriting in order for the ballot to be counted.

(8) A statement that the voter has neither applied, nor intends to apply, for a vote by mail voter's ballot from any other jurisdiction for the same election.

(9) The name of the person authorized by the voter to return the vote by mail ballot pursuant to Section 3017.

(10) The relationship to the voter of the person authorized to return the vote by mail ballot.

(11) The signature of the person authorized to return the vote by mail ballot.

(b) Except at a primary election for partisan office, and notwithstanding any other provision of law, the vote by mail voter's party preference may not be stamped or printed on the identification envelope.

(c) Notwithstanding paragraphs (9) to (11), inclusive, of subdivision (a), a ballot shall not be disqualified solely because the person authorized to return it did not provide on the identification envelope his or her name, relationship to the voter, or signature.

SECTION 2.**Amends Elections Code 3017.**

(a) (1) All vote by mail ballots cast under this division shall be voted on or before the day of the election. After marking the ballot, the vote by mail voter shall do any of the following: ~~(1) return~~

(A) Return the ballot by mail or in person to the elections official who issued the ~~ballot,~~ ballot, ~~(2) return~~ ballot.

(B) Return the ballot in person to a member of a precinct board at a polling place or vote center within the ~~state,~~ state. ~~or (3) return~~

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(C) Return the ballot to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. ~~However, a~~

(2) A vote by mail voter who is unable to return the ballot may designate ~~any~~ another person to return the ballot to the elections official who issued the ballot, to the precinct board at a polling place or vote center within the state, or to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. The person designated shall return the ballot in person, or put the ballot in the mail, no later than three days after receiving it from the voter or before the close of the polls on election day, whichever time period is shorter. Notwithstanding subdivision (d), a ballot shall not be disqualified from being counted solely because it was returned or mailed more than three days after the designated person received it from the voter, provided that the ballot is returned by the designated person before the close of polls on election day.

(3) The ballot ~~must, however,~~ must be received by the elections official who issued the ballot, the precinct board, or the vote by mail ballot dropoff location before the close of the polls on election day. If a vote by mail ballot is returned to a precinct board at a polling place or vote center, or to a vote by mail ballot dropoff location, that is located in a county that is not the county of the elections official who issued the ballot, the elections official for the county in which the vote by mail ballot is returned shall forward the ballot to the elections official who issued the ballot no later than eight days after receipt.

(b) The elections official shall establish procedures to ensure the secrecy of a ballot returned to a polling place and the security, confidentiality, and integrity of any personal information collected, stored, or otherwise used pursuant to this section.

(c) On or before March 1, 2008, the elections official shall establish procedures to track and confirm the receipt of voted vote by mail ballots and to make this information available by means of online access using the county's elections division Internet Web site. If the county does not have an elections division Internet Web site, the elections official shall establish a toll-free telephone number that may be used to confirm the date a voted vote by mail ballot was received.

(d) The provisions of this section are mandatory, not directory, and a ballot shall not be counted if it is not delivered in compliance with this section.

(e) (1) A person designated to return a vote by mail ballot shall not receive any form of compensation based on the number of ballots that the person ~~has returned~~ returns and an individual, group, or organization shall not provide compensation on this basis.

(2) For purposes of this paragraph, "compensation" means any form of monetary payment, goods, services, benefits, promises or offers of employment, or any other form of consideration offered to another person in exchange for returning another voter's vote by mail ballot.

(3) ~~Any~~ A person in charge of a vote by mail ballot and who knowingly and willingly engages in criminal acts related to that ballot as described in Division

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18 (commencing with Section 18000), including, but not limited to, fraud, bribery, intimidation, and tampering with or failing to deliver the ballot in a timely fashion, is subject to the appropriate punishment specified in that division.

ELECTIONS: VOTER INFORMATION GUIDES: CANDIDATE STATEMENTS

Assembly Bill 666 Chapter 160

CURRENT PROVISIONS

Under existing law, a candidate for State Senate or Assembly who accepts specified voluntary expenditure limits may purchase the space to place a statement in the voter information portion of the county voter information guide that does not exceed 250 words.

Existing law requires that statement to be submitted in accordance with certain timeframes and procedures for the preparation of the voter information portion of the county voter information guide.

NEW PROVISIONS

Requires an elections official who posts a form on his or her Internet Web site for a candidate for State Senate or Assembly to use to submit his or her statement, as described above, to accept that form by electronic submission if it is submitted in accordance with certain timeframes and procedures for the preparation of the voter information portion of the county voter information guide.

Requires the elections official of each county to accept the form from a candidate's county of residence if the candidate is running in a multicounty district.

Prohibits an elections official from requiring a candidate to submit any additional forms as a means of correcting Internet Web site posting errors made by the elections official, except as provided.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 13307.7.

(a) If the elections official posts the form to be used by a candidate to submit a candidate statement pursuant to Section 13307, Section 13307.5, or subdivision (c) of Section 85601 of the Government Code, on the elections official's Internet Web site, the elections official shall accept the electronic submission of that form if it is submitted in accordance with the times and procedures set forth in this code for the preparation of the voter information portion of the county

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voter information guide. If the candidate is running in a multicounty district, the elections official of each county shall accept the form from the candidate's county of residence; however, the candidate shall provide a hard copy of the candidate statement form and payment of the requisite fee to each county. The elections official shall not require the candidate to submit any additional forms as a means of correcting Internet Web site posting errors made by the elections official.

(b) Notwithstanding subdivision (a), an elections official may require a candidate to provide additional information that the official needs to comply with state law and county voter information guide requirements.

DAYLIGHT SAVING TIME

Assembly Bill 807 Chapter 60

CURRENT PROVISIONS

Existing federal law establishes the standard time of the United States for each of 9 zones and advances the standard time of each zone by one hour during the period commencing at 2 a.m. on the 2nd Sunday of March of each year and ending at 2 a.m. on the first Sunday of November of each year.

Existing state law, the Daylight Saving Time Act, which was adopted as an initiative measure by the voters at the November 8, 1949, special election, provides that the standard time within the state is that which is known, described, and designated by federal law as United States Standard Pacific Time.

The act also requires, from 1 a.m. on the last Sunday of April, until 2 a.m. on the last Sunday of October, the standard time within the state to be one hour in advance of United States Standard Pacific Time.

The California Constitution authorizes the Legislature to amend or repeal an initiative statute by another statute that becomes effective when approved by the electors.

NEW PROVISIONS

Repeals the Daylight Saving Time Act and would require the standard time within the state to be that of the 5th zone designated by federal law as Pacific standard time.

Requires the advancement of this time by one hour during the daylight saving time period commencing at 2 a.m. on the 2nd Sunday of March of each year and ending at 2 a.m. on the first Sunday of November of each year.

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Authorizes the Legislature to amend these provisions by a $\frac{2}{3}$ vote to change the dates and times of the daylight saving time period, consistent with federal law.

Authorizes the Legislature to amend these provisions by a $\frac{2}{3}$ vote to provide for the application of year-round daylight saving time when authorized by federal law.

Becomes effective only upon approval of the voters.

Provides for submission of this measure to the voters for approval at the next statewide general election.

SECTIONS AFFECTED:**SECTION 1.**

If federal law authorizes the state to provide for the year-round application of daylight saving time and the Legislature considers the adoption of this application, it is the intent of the this act to encourage the Legislature to consider the potential impacts of year-round daylight saving time on communities along the border between California and other states and between California and Mexico.

SEC. 2.**Adds Government Code 6808.**

(a) The standard time within the state is that of the fifth zone designated by federal law as Pacific standard time (15 U.S.C. Secs. 261 and 263).

(b) The standard time within the state shall advance by one hour during the daylight saving time period commencing at 2 a.m. on the second Sunday of March of each year and ending at 2 a.m. on the first Sunday of November of each year.

(c) Notwithstanding subdivision (b), the Legislature may amend this section by a two-thirds vote to change the dates and times of the daylight saving time period, consistent with federal law, and, if federal law authorizes the state to provide for the year-round application of daylight saving time, the Legislature may amend this section by a two-thirds vote to provide for that application.

SEC. 3.**Repeals Section 1 of the Daylight Saving Time Act.****SEC. 4.****Repeals Section 2 of the Daylight Saving Time Act.****SEC. 5.****Repeals Section 3 of the Daylight Saving Time Act.**

SEC. 6.**Repeals Section 4 of the Daylight Saving Time Act.****SEC. 7.****Repeals Section 5 of the Daylight Saving Time Act.****SEC. 8.**

Sections 4 ~~2~~ to 6~~7~~, 7, inclusive, of this act amend the Daylight Saving Time Act, Proposition 12, an initiative statute approved by the voters at the November 8, 1949, special election, and shall become effective only when this act is submitted to and approved by the voters. The Secretary of State shall submit Sections 1 to 6~~7~~, 7, inclusive, of this act to the voters at a statewide election in accordance with Section 9040 of the Elections Code.

REMOTE ACCESSIBLE VOTE BY MAIL SYSTEM

Assembly Bill 1013**Chapter 906****CURRENT PROVISIONS**

Existing law permits a person, corporation, or public agency to apply to the Secretary of State for certification or conditional approval of a remote accessible vote by mail system.

Existing law requires the Secretary of State to examine and certify remote accessible vote by mail systems, as specified.

Existing law permits a voter, including a voter with a disability or a military or overseas voter, to apply for and receive a vote by mail ballot from his or her county elections official.

Existing law authorizes specified counties to conduct an election as an all-mailed ballot election if specified requirements are satisfied, including requirements relating to accessibility by voters with disabilities.

NEW PROVISIONS

Requires a county elections official to permit a voter with a disability, or a military or overseas voter, to cast his or her ballot using a certified remote accessible vote by mail system. This requirement applies to a county when conducting an all-mailed ballot election, as specified.

Becomes operative on January 1, 2020, or one year after the date on which the Secretary of State certifies a remote accessible vote by mail system pursuant to

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existing provisions of law, whichever is later.

SECTIONS AFFECTED:

SECTION 1.

The Legislature recognizes that some individuals with disabilities are not able to vote privately and independently using vote by mail ballots. In order to ensure that more individuals with disabilities have the opportunity to vote by mail privately and independently, it is the intent of the Legislature that certified remote accessible vote by mail systems be available for use by individuals with disabilities in all counties that are not conducting an election pursuant to Section 4005 of the Elections Code. An election held pursuant to Section 4005 of the Elections Code is currently required to have an accessible vote by mail system that is available for use by individuals with disabilities. Ensuring access to voting for all citizens is a priority for the Legislature.

SEC. 2.

Adds Elections Code 3016.5.

(a) A county elections official shall permit a voter with a disability to cast his or her ballot using a certified remote accessible vote by mail system.

(b) This section does not apply to a county when conducting an all-mailed ballot election pursuant to Section 4005.

(c) This section shall become operative on January 1, 2020, or one year after the date on which the Secretary of State certifies a remote accessible vote by mail system pursuant to Chapter 3.5 (commencing with Section 19280) of Division 19, whichever is later.

SEC. 3.

Adds Elections Code 3116.5.

(a) A county elections official shall permit a military or overseas voter to cast his or her ballot using a certified remote accessible vote by mail system.

(b) This section does not apply to a county when conducting an all-mailed ballot election pursuant to Section 4005.

(c) This section shall become operative on January 1, 2020, or one year after the date on which the Secretary of State certifies a remote accessible vote by mail system pursuant to Chapter 3.5 (commencing with Section 19280) of Division 19, whichever is later.

SEC. 4.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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CALIFORNIA NEW MOTOR VOTER PROGRAM: VOTER REGISTRATION**Assembly Bill 1407****Chapter 4****CURRENT PROVISIONS**

Under existing law, a person may not be registered to vote except by affidavit of registration.

Existing law authorizes a person who is at least 16 years of age and otherwise meets all eligibility requirements to vote to submit his or her affidavit of registration, which, if properly executed, will be deemed effective as of the date the affiant will be 18 years of age.

Existing law requires the Secretary of State and the Department of Motor Vehicles to establish the California New Motor Voter Program. Under the program, the Department of Motor Vehicles is required to provide to the Secretary of State specified information associated with each person who submits an application for a driver's license or identification card. The person's motor vehicle records then constitute a completed affidavit of registration and the person is registered to vote, unless the person affirmatively declines to register to vote during a transaction with the department, the department does not represent to the Secretary of State that the person attested that he or she meets all voter eligibility requirements, or the Secretary of State determines that the person is ineligible to vote.

NEW PROVISIONS

Requires the Department of Motor Vehicles to additionally report to the Secretary of State that an applicant has attested that he or she meets the voter preregistration requirements for a person who is at least 16 years of age and otherwise meets all voter eligibility requirements.

Provides that the prescribed information submitted by the department to the Secretary of State constitutes a completed or submitted affidavit of registration and the Secretary would be required to register or preregister the person to vote, except as specified.

The bill also makes conforming changes.

SECTIONS AFFECTED:

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SECTION 1.**Amends Elections Code 2262.**

(a) The Secretary of State and the Department of Motor Vehicles shall establish the California New Motor Voter Program for the purpose of increasing opportunities for voter registration by any person who is qualified to be a voter under Section 2 of Article II of the California Constitution.

(b) This chapter shall not be construed as requiring the Department of Motor Vehicles to determine eligibility for voter registration and voting. The Secretary of State is solely responsible for determining eligibility for voter registration, voter preregistration, and voting.

SEC. 2.**Amends Elections Code 2263.**

(a) The Department of Motor Vehicles, in consultation with the Secretary of State, shall establish a schedule and method for the department to electronically provide to the Secretary of State the records specified in this section.

(b) (1) The department shall provide to the Secretary of State, in a manner and method to be determined by the department in consultation with the Secretary of State, the following information associated with each person who submits an application for a driver's license or identification card pursuant to Section 12800, 12815, or 13000 of the Vehicle Code, or who notifies the department of a change of address pursuant to Section 14600 of the Vehicle Code:

(A) Name.

(B) Date of birth.

(C) Either or both of the following, as contained in the department's records:

(i) Residence address.

(ii) Mailing address.

(D) Digitized signature, as described in Section 12950.5 of the Vehicle Code.

(E) Telephone number, if available.

(F) Email address, if available.

(G) Language preference.

(H) Political party preference.

(I) Whether the person chooses to become a permanent vote by mail voter.

(J) Whether the person affirmatively declined to become registered or preregistered to vote during a transaction with the department.

(K) A notation that the applicant has attested that he or she meets all voter eligibility requirements, including United States citizenship, specified in Section ~~2101~~ 2101 and, as applicable, the preregistration eligibility requirements in subdivision (d) of Section 2102.

(L) Other information specified in regulations implementing this chapter.

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(2) (A) The department may provide the records described in paragraph (1) to the Secretary of State before the Secretary of State certifies that all of the conditions set forth in subdivision (e) of this section have been satisfied. Records provided pursuant to this paragraph shall only be used for purposes of outreach and education to eligible voters conducted by the Secretary of State.

(B) The Secretary shall provide materials created for purposes of outreach and education as described in this paragraph in languages other than English, as required by the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

(c) The Secretary of State shall not sell, transfer, or allow any third party access to the information acquired from the Department of Motor Vehicles pursuant to this chapter without approval of the department, except as permitted by this chapter and Section 2194.

(d) The department shall not electronically provide records of a person who applies for or is issued a driver's license pursuant to Section 12801.9 of the Vehicle Code because he or she is unable to submit satisfactory proof that his or her presence in the United States is authorized under federal law.

(e) The Department of Motor Vehicles shall commence implementation of this section no later than one year after the Secretary of State certifies all of the following:

(1) The State has a statewide voter registration database that complies with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).

(2) The Legislature has appropriated the funds necessary for the Secretary of State and the Department of Motor Vehicles to implement and maintain the California New Motor Voter Program.

(3) The regulations required by Section 2270 have been adopted.

(f) The Department of Motor Vehicles shall not electronically provide records pursuant to this section that contain a home address designated as confidential pursuant to Section 1808.2, 1808.4, or 1808.6 of the Vehicle Code.

SEC. 3.

Amends Elections Code 2265.

(a) The records of a person designated in paragraph (1) of subdivision (b) of Section 2263 shall constitute a completed affidavit of registration and the Secretary of State shall register the person to vote, or, as applicable, preregister the person to vote. unless any of the following conditions is satisfied:

(1) The person's records, as described in Section 2263, reflect that he or she affirmatively declined to become registered or preregistered to vote during a transaction with the Department of Motor Vehicles.

(2) The person's records, as described in Section 2263, do not reflect that he or she has attested to meeting all voter eligibility requirements specified in Section ~~2101~~ 2101 or, as applicable, all preregistration eligibility requirements in subdivision (d) of Section 2102.

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(3) The Secretary of State determines that the person is ineligible to ~~vote.~~ *vote or, as applicable, will be ineligible to vote when he or she reaches 18 years of age.*

(b) If a person who is registered *or preregistered* to vote pursuant to this chapter does not provide a party preference, his or her party preference shall be designated as “Unknown” on a voter registration index under Article 5 (commencing with Section ~~2180~~) *2183* of Chapter 2, and he or she shall otherwise be treated as a “No Party Preference” voter.

(c) If the Secretary of State receives from the Department of Motor Vehicles pursuant to paragraph (1) of subdivision (b) of Section 2263 the records of a person who is currently registered to vote, the Secretary of State shall use the information in the records to update the voter’s registration information. If the Secretary of State does not receive information for the voter pursuant to paragraph (1) of subdivision (b) of Section 2263 for which space is provided on the affidavit of registration, but that information was provided in the voter’s previous affidavit of registration, the information from the voter’s previous affidavit of registration shall remain part of the voter’s record.

SEC. 4.

Amends Elections Code 2266.

A person registered *or preregistered* to vote under this chapter may cancel his or her voter registration *or preregistration* at any time by any method available to any other registered *or preregistered* voter.

SEC. 5.

Amends Elections Code 2267.

This chapter does not affect the confidentiality of a person’s voter registration *or preregistration* information, which remains confidential pursuant to Section 2194 of this code and Section 6254.4 of the Government Code and for all of the following persons:

(a) A victim of domestic violence, sexual assault, or stalking pursuant to Section 2166.5.

(b) A reproductive health care service provider, employee, volunteer, or patient pursuant to Section 2166.5.

(c) A public safety officer pursuant to Section 2166.7.

(d) A person with a life-threatening circumstance upon court order pursuant to Section 2166.

SEC. 6.

Amends Elections Code 2268.

If a person who is ineligible to vote becomes registered *or preregistered* to vote pursuant to this chapter in the absence of a violation by that person of Section 18100, that person’s registration *or preregistration* shall be presumed to have

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been effected with official authorization and not the fault of that person.

SEC. 7.

Amends Elections Code 2269.

If a person who is ineligible to vote becomes registered or preregistered to vote pursuant to this chapter and votes or attempts to vote in an election held after the effective date of the person's ~~registration~~, registration or preregistration, that person shall be presumed to have acted with official authorization and shall not be guilty of fraudulently voting or attempting to vote pursuant to Section 18560, unless that person willfully votes or attempts to vote knowing that he or she is not entitled to vote.

SEC. 8.

Amends Elections Code 2270.

The Secretary of State shall adopt regulations to implement this chapter, including regulations addressing both of the following:

(a) A process for canceling the registration or preregistration of a person who is ineligible to vote, but became registered or preregistered under the California New Motor Voter Program in the absence of any violation by that person of Section 18100.

(b) An education and outreach campaign informing voters about the California New Motor Voter Program that the Secretary of State will conduct to implement this chapter. The Secretary of State may use any public and private funds available for this and shall provide materials created for this outreach and education campaign in languages other than English, as required by the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

**ELECTIONS: VOTER REGISTRATION INFORMATION: SECURITY
CAMPAIGN LITERATURE AND COMMUNICATIONS**

Assembly Bill 1678

Chapter 96

CURRENT PROVISIONS

Existing law makes an affidavit of voter registration confidential, and prohibits the use of an affidavit for a personal, private, or commercial purpose, except as specified.

Existing law requires that an affidavit of voter registration with respect to a voter be provided to a candidate for federal, state, or local office, to a committee for or against an initiative or referendum measure for which publication is made, and to a person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the Secretary of State.

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Existing law requires the release of the home address or signature of a voter whenever the person's vote is challenged, as specified.

Existing law makes it a misdemeanor for a person to knowingly cause to be mailed or distributed, or knowingly mail or distribute, literature to a voter that includes a designation of the voter's precinct polling place other than the precinct polling place listed for that voter in an official precinct polling list.

NEW PROVISIONS

Requires the Secretary of State to adopt regulations describing best practices for storage and security of voter registration information received by an applicant.

Requires a person or entity who has received voter registration information pursuant to an application to disclose a breach in the security of the storage of the information to the Secretary of State, as specified.

Makes it a misdemeanor for a person, with actual knowledge and intent to deceive, to cause to be distributed or to distribute literature or any other form of communication to a voter that the person knows to include voting information that is incorrect, false, or misleading, as specified.

Specifies that distribution for this purpose includes distribution by mail, radio or television broadcast, telephone call, text message, email, or any other electronic means, including over the Internet.

Effective immediately as an urgency statute.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 2188.2.

The Secretary of State shall adopt regulations that describe the best practices for storage and security of voter registration information received by an applicant pursuant to Section 2188.

SEC. 2.

Adds Elections Code 2188.3.

A person or entity who has received voter registration information pursuant to an application made under Section 2188 shall, following discovery or notification of a breach in the security of the storage of the information, disclose the breach in security to the Secretary of State. The disclosure shall be made in the most expedient time possible and without unreasonable delay.

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SEC. 3.**Amends Elections Code 18302.**

Every ~~(a)~~ A person is guilty of a misdemeanor who knowingly causes to be mailed or distributed, or knowingly mails or distributes, literature to ~~any~~ a voter that includes a designation of the voter's precinct polling place other than a precinct polling place listed for that voter in an official precinct polling list that constituted the latest official precinct polling list at sometime not more than 30 days prior to the mailing or distribution.

(b) A person is guilty of a misdemeanor who, with actual knowledge and intent to deceive, causes to be distributed or distributes, including distribution by mail, radio or television broadcast, telephone call, text message, email, or any other electronic means, including over the Internet, literature or any other form of communication to a voter that includes any of the following:

(1) The incorrect location of a vote center, office of an elections official, satellite office of an elections official where voting is permitted, vote by mail ballot drop box, or vote by mail ballot drop-off location.

(2) False or misleading information regarding the qualifications to vote or to register to vote.

(3) False or misleading information regarding the date of an election or the days, dates, or times voting may occur at a place described in paragraph (1).

SEC. 4.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 5.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that voters' personal information is protected, to ensure that a breach in the security of voter registration information is promptly reported, and to prohibit the intentional distribution of false information related to the time, place, and manner of voting before the November 6, 2018, statewide general election, it is necessary that this bill take effect immediately.

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STATE GOVERNMENT**Assembly Bill 1824****Chapter 38****CURRENT PROVISIONS**

The Voting Modernization Bond Act of 2002 authorizes a county to apply to the Voting Modernization Board for money from the proceeds of the sale of bonds (1) to pay for or purchase new voting systems that are certified or conditionally approved by the Secretary of State, (2) to research and develop new voting systems, or (3) to manufacture the minimum number of voting system units reasonably necessary to test and seek certification or conditional approval of the voting system, or test and demonstrate the capabilities of a voting system in a pilot program.

NEW PROVISIONS

Requires the Secretary of State to use funds appropriated to him or her in the Budget Act of 2018 for voting system replacement to award contracts to counties that would reimburse the counties for funds spent by the counties on activities similar to those described above, as specified.

Requires the Secretary of State to allocate funds for those contracts based on specified criteria, and would require that the reimbursement match funds spent by a county on a dollar-for-dollar basis, up to the allocated amount.

SECTIONS AFFECTED:**SECTION 1.****CHAPTER 5. Voting System Replacement Contracts****Adds Elections Code 19400.**

For purposes of this chapter, the following definitions apply:

(a) "Ballot on demand system" means a ballot manufacturing system, as defined in Section 303.4, that is subject to Sections 13004 and 13004.5.

(b) "Electronic poll book" means an electronic list of registered voters that may be transported to the polling location or vote center pursuant to Section 2550.

(c) "Remote accessible vote by mail system" means a system, as defined in Section 303.3, that is certified pursuant to Chapter 3.5 (commencing with Section 19280) of Division 19.

(d) "Vote by mail ballot drop box" means a secure receptacle established by a county or city and county elections official whereby a voted vote by mail ballot may be returned to the elections official from whom it was obtained pursuant to Section 3025.

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(e) "Voting system" means any voting machine, voting device, or vote tabulating device that does not use prescored punch card ballots.

Adds Elections Code 19402.

(a) The Secretary of State shall use the funds appropriated to him or her in the Budget Act of 2018 for voting system replacement for counties by awarding reimbursement contracts to counties for voting system replacement using the funding allocation described in subdivision (b). To receive reimbursement, a county shall provide matching funds that are at least equivalent to state funds received for the eligible expenditures described in subdivision (d).

(b) The Secretary of State shall allocate funding for a contract described in subdivision (a) based on the size of the county, the number of voters registered in the county, and the Secretary of State's estimate of need for county voting equipment.

(c) A contract described in subdivision (a) shall permit a county to apply to the Secretary of State for reimbursement costs incurred in connection with the activities described in subdivision (d) in a manner consistent with all of the following:

(1) The county may seek reimbursement for payments made pursuant to a purchase agreement, lease agreement, or other contract made after April 29, 2015.

(2) The funded activities described in subparagraph (A) of paragraph (1) of subdivision (d) shall be for new voting systems that have been certified pursuant to the California Voting System Standards.

(3) The county shall provide the Secretary of State with documentation of the payment for which reimbursement is sought, and of the purchase agreement, lease agreement, or other contract pursuant to which the reimbursed payment was made.

(4) The Secretary of State shall verify that payment for which reimbursement is sought meets the criteria set forth in the contract described in subdivision (a) before reimbursing the county.

(5) The Secretary of State shall reimburse the county by matching county funds spent on voting system replacement activities described in subdivision (d) on a dollar-for-dollar basis, up to the maximum amount of funds allocated for the contract pursuant to subdivision (b).

(d) For purposes of this chapter, reimbursable voting system replacement activities include all of the following:

(1) The purchase or lease of any of the following:

(A) A voting system certified or conditionally approved by the Secretary of State that does not use prescored punch card ballots.

(B) Electronic poll books certified by the Secretary of State.

(C) Ballot on demand systems certified by the Secretary of State.

(D) Vote by mail ballot drop boxes that comply with any applicable

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regulations adopted by the Secretary of State pursuant to subdivision (b) of Section 3025.

(E) Remote accessible vote by mail systems certified or conditionally approved by the Secretary of State.

(F) Telecommunication technologies to facilitate electronic connection, for the purpose of voter registration, between polling places, vote centers, and the office of the county elections official or the Secretary of State's office.

(G) Vote by mail ballot sorting and processing equipment.

(2) Research and development of a new voting system that has not been certified or conditionally approved by the Secretary of State, but that would result in a voting system certified by the Secretary of State to comply with the California Voting System Standards. A voting system developed pursuant to this paragraph shall use only nonproprietary software and firmware with disclosed source code, except that it may use unmodified commercial off-the-shelf software and firmware, as defined in paragraph (1) of subdivision (a) of Section 19209.

(3) (A) Manufacture of the minimum number of voting system units reasonably necessary for either of the following purposes:

(i) Testing and seeking certification or conditional approval for the voting system pursuant to Sections 19210 to 19214, inclusive.

(ii) Testing and demonstrating the capabilities of the voting system in a pilot program pursuant to paragraph (2) of subdivision (b) and subdivision (c) of Section 19209.

(B) For purposes of this paragraph, "voting system" includes a part of a voting system.

(4) If a county uses funding provided to it for the activities described in paragraph (2) or (3), and those activities do not result in a voting system certified by the Secretary of State to comply with the California Voting System Standards by July 1, 2023, the county shall return the state funding provided for those activities to the State. If the county does not return the funding by June 30, 2024, the State Controller shall withhold any payment to the county in an equivalent amount, as directed by the Department of Finance.

(e) A voting system purchased or leased by a county for which the county seeks reimbursement from the Secretary of State pursuant to this section and that does not require a voter to directly mark on the ballot must produce, at the time the voter votes his or her ballot or at the time the polls are closed, a paper version or representation of the voted ballot or of all of the ballots cast on a unit of the voting system. The paper version shall not be provided to the voter but shall be retained by elections officials for use during the 1 percent manual tally described in Section 15360, or any recount, audit, or contest.

CONGRESSIONAL AND LEGISLATIVE VACANCIES

Assembly Bill 2095

Chapter 210

CURRENT PROVISIONS

Under existing law, when a vacancy occurs in the office of Representative to Congress, or in either house of the Legislature, the Governor is required, within 14 days, to issue a proclamation calling a special election to fill the vacancy, as specified.

Existing law requires that such an election be conducted on a Tuesday at least 126 days, but not more than 140 days, following the issuance of the proclamation.

Existing law provides that the special election may be consolidated with the next regularly scheduled election, if it is within 180 days of the issuance of the proclamation.

NEW PROVISIONS

Provides that a special election to fill a vacancy in the above-listed offices may be consolidated with any regularly scheduled election that is within 180 days of the issuance of the proclamation.

Makes other technical changes.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 10703.

(a) ~~★ (1) Except as provided in paragraph (2), a~~ special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly shall be conducted on a Tuesday at least 126 days, but not more than 140 days, following the issuance of an election proclamation by the Governor pursuant to Section 1773 of the Government Code, ~~except that the special~~ Code.

(2) A special election to fill a vacancy in an office listed in paragraph (1) may be conducted within 180 days following the proclamation in order that to consolidate the election or the primary election may be consolidated with the next a regularly scheduled statewide election or local election occurring wholly or partially within the same territory in which the vacancy exists, provided that the voters eligible to vote in the local election comprise at least 50 percent of all the voters eligible to vote on the vacancy.

(b) Except as provided in Chapter 3 (commencing with Section 10730),

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a special election or a primary election may not be conducted on the day after a state holiday.

(c) (1) A special election described in this section may be conducted as an all-mailed ballot election pursuant to Section 4000.5.

(2) This subdivision shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

DISTRICT- BASED ELECTIONS

Assembly Bill 2123 Chapter 277

CURRENT PROVISIONS

The California Voting Rights Act of 2001 (CVRA) prohibits the use of an at-large election in a political subdivision if it would impair the ability of a protected class, as defined, to elect candidates of its choice or otherwise influence the outcome of an election.

The CVRA permits a voter who is a member of a protected class to bring an action in superior court to enforce the provisions of the CVRA.

Before commencing an action, existing law requires a prospective plaintiff to send a written notice to the political subdivision asserting that the political subdivision's method of conducting elections may violate the CVRA.

If the political subdivision passes a resolution outlining its intention to transition to district-based elections within a specified time, existing law prohibits the prospective plaintiff from commencing an action within 90 days of the resolution's passage.

NEW PROVISIONS

Permits a political subdivision and a prospective plaintiff to enter into a written agreement to extend the time period during which a prospective plaintiff is prohibited from commencing an action for up to an additional 90 days in order to provide additional time to conduct public outreach, encourage public participation, and receive public input.

Requires the written agreement to include a requirement that the district boundaries be established no later than 6 months before the political subdivision's next regular election to select governing board members, except as specified.

Requires a political subdivision that enters into a written agreement, no later than

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10 days after entering into the agreement, to prepare and make available on its Internet Web site a tentative schedule of the public outreach events and the public hearings to be held.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 10010.

(a) A political subdivision that changes from an at-large method of election to a district-based election, or that establishes district-based elections, shall do all of the following before a public hearing at which the governing body of the political subdivision votes to approve or defeat an ordinance establishing district-based elections:

(1) Before drawing a draft map or maps of the proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than 30 days, at which the public is invited to provide input regarding the composition of the districts. Before these hearings, the political subdivision may conduct outreach to the public, including to non-English-speaking communities, to explain the districting process and to encourage public participation.

(2) After all draft maps are drawn, the political subdivision shall publish and make available for release at least one draft map and, if members of the governing body of the political subdivision will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections. The political subdivision shall also hold at least two additional hearings over a period of no more than 45 days, at which the public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. The first version of a draft map shall be published at least seven days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven days before being adopted.

(b) In determining the final sequence of the district elections conducted in a political subdivision in which members of the governing body will be elected at different times to provide for staggered terms of office, the governing body shall give special consideration to the purposes of the California Voting Rights Act of 2001, and it shall take into account the preferences expressed by members of the districts.

(c) This section applies to, but is not limited to, a proposal that is required due to a court-imposed change from an at-large method of election to a district-based election.

(d) For purposes of this section, the following terms have the following meanings:

(1) "At-large method of election" has the same meaning as set forth in subdivision (a) of Section 14026.

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(2) “District-based election” has the same meaning as set forth in subdivision (b) of Section 14026.

(3) “Political subdivision” has the same meaning as set forth in subdivision (c) of Section 14026.

(e) (1) Before commencing an action to enforce Sections 14027 and 14028, a prospective plaintiff shall send by certified mail a written notice to the clerk of the political subdivision against which the action would be brought asserting that the political subdivision’s method of conducting elections may violate the California Voting Rights Act of 2001.

(2) A prospective plaintiff shall not commence an action to enforce Sections 14027 and 14028 within 45 days of the political subdivision’s receipt of the written notice described in paragraph (1).

(3) (A) Before receiving a written notice described in paragraph (1), or within 45 days of receipt of a notice, a political subdivision may pass a resolution outlining its intention to transition from at-large to district-based elections, specific steps it will undertake to facilitate this transition, and an estimated time frame for doing so.

(B) If a political subdivision passes a resolution pursuant to subparagraph (A), a prospective plaintiff shall not commence an action to enforce Sections 14027 and 14028 within 90 days of the resolution’s passage.

(C) (i) A political subdivision and the prospective plaintiff who first sends a notice pursuant to paragraph (1) may enter into a written agreement to extend the time period described in subparagraph (B) for up to an additional 90 days in order to provide additional time to conduct public outreach, encourage public participation, and receive public input. The written agreement shall include a requirement that the district boundaries be established no later than six months before the political subdivision’s next regular election to select governing board members. However, in a political subdivision that holds a primary election as part of its process for selecting governing board members, the written agreement shall include a requirement that district boundaries be established no later than six months before the political subdivision’s next regular primary election.

(ii) No later than 10 days after a political subdivision enters into a written agreement pursuant to clause (i), the political subdivision shall prepare and make available on its Internet Web site a tentative schedule of the public outreach events and the public hearings held pursuant to this section. If a political subdivision does not maintain an Internet Web site, the political subdivision shall make the tentative schedule available to the public upon request.

(f) (1) If a political subdivision adopts an ordinance establishing district-based elections pursuant to subdivision (a), a prospective plaintiff who sent a written notice pursuant to paragraph (1) of subdivision (e) before the political subdivision passed its resolution of intention may, within 30 days of the ordinance’s adoption, demand reimbursement for the cost of the work product generated to support the notice. A prospective plaintiff shall make the demand in writing and

shall substantiate the demand with financial documentation, such as a detailed invoice for demography services. A political subdivision may request additional documentation if the provided documentation is insufficient to corroborate the claimed costs. A political subdivision shall reimburse a prospective plaintiff for reasonable costs claimed, or in an amount to which the parties mutually agree, within 45 days of receiving the written demand, except as provided in paragraph (2). In all cases, the amount of the reimbursement shall not exceed the cap described in paragraph (3).

(2) If more than one prospective plaintiff is entitled to reimbursement, the political subdivision shall reimburse the prospective plaintiffs in the order in which they sent a written notice pursuant to paragraph (1) of subdivision (e), and the 45-day time period described in paragraph (1) shall apply only to reimbursement of the first prospective plaintiff who sent a written notice. The cumulative amount of reimbursements to all prospective plaintiffs shall not exceed the cap described in paragraph (3).

(3) The amount of reimbursement required by this section is capped at \$30,000, as adjusted annually to the Consumer Price Index for All Urban Consumers, United States city average, as published by the United States Department of Labor.

ELECTION RESULTS: RISK LIMITING AUDITS

Assembly Bill 2125 Chapter 913

CURRENT PROVISIONS

Existing law requires an elections official, during the official canvass of an election in which a voting system is used, to conduct a public manual tally of the ballots cast in 1% of the precincts chosen at random by the elections official, as specified.

Existing law also authorizes the Secretary of State to establish a post canvass risk-limiting audit pilot program.

NEW PROVISIONS

Authorizes the use of risk-limiting audits in lieu of the 1% manual tally beginning with the March 3, 2020, statewide primary election.

Requires the Secretary of State to adopt regulations to implement and administer risk-limiting audits.

Repeals these provisions on January 1, 2021.

Repeals the existing post canvass risk-limiting audit pilot program.

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SECTIONS AFFECTED:

SECTION 1.

The Legislature finds and declares all of the following:

(a) Transparent, publicly observable auditing of election results is necessary to ensure effective election administration and justifiable public confidence in elections.

(b) Risk-limiting audits provide efficient and cost-effective scientific verification of election results when elections officials have adequate resources and education to conduct such an audit.

(c) By definition, a risk-limiting audit strictly limits the probability that an incorrect electoral outcome will pass the audit without being corrected.

(d) Further education is necessary for the implementation of risk-limiting audits in statewide contests and jurisdictions that lack resources for performing full manual recounts in close elections within the certification requirements required by state and federal law.

SEC. 2.

Article 5.5. Risk-Limiting Audits Pilot Program

Adds Elections Code 15365.

The purpose of this article is to provide elections officials with a method to conduct a comprehensive verification of election outcomes through the post-election audit process. This article shall remain in effect only until January 1, 2021, and as of that date is repealed.

Adds Elections Code 15366.

As used in this article, the following terms have the following meanings:

(a) "Ballot" means original, voter-verifiable paper ballots, including voter-marked paper ballots whether marked manually or via a ballot marking device or system, and, where direct recording electronic (DRE) voting systems are used, the voter-verifiable paper audit trail (VVPAT). It does not mean electronic versions of ballots, digital images of ballots, or paper printouts of ballot images or digital cast vote records.

(b) "Ballot-level comparison audit" means a type of risk-limiting audit that involves both of the following steps:

(1) The elections official uses an independent system to verify that the cast vote records created by the voting system or ballots created independent from the tally or ballot marking system yield the same election results as those reported by the voting system.

(2) The elections official compares some or all of those cast vote records to a hand-to-eye, human interpretation of voter markings from the corresponding ballot marked by the voter or the voter verified paper audit trail, as defined by

Section 19271.

(c) "Ballot polling audit" means a type of risk-limiting audit in which elections officials examine voter markings on randomly selected ballots seeking strong evidence that the reported tabulation outcome is correct.

(d) "Cast vote record" means an auditable document or electronic record that purports to reflect the selections a voter made on a ballot. It lists the contests on the ballot and the voter's selections in each of those contests.

(e) "Cross-jurisdictional contest" means an election contest in which ballots were cast in more than one county.

(f) "Electoral outcome" means the winner or winners of an election contest or whether a measure passed. It does not mean the numerical vote totals.

(g) (1) "Partial risk-limiting audit" of a cross-jurisdictional contest in a given county means any procedure that has at least a 95 percent chance of leading to a full manual tally of the votes in that contest on the ballots cast in that county if the electoral outcome is incorrect in part in that county. If a partial risk-limiting audit leads to such a full manual tally, the vote totals according to that manual tally shall replace the originally reported vote totals for that contest in that county.

(2) An electoral outcome of a cross-jurisdictional contest is incorrect in part in a given county if the tabulation error for that contest in the county, extrapolated in proportion to the number of ballots in the contest cast in that county compared to the total number of ballots cast in the entire contest, would alter the overall electoral outcome of the contest.

(3) The tabulation error of a contest in a county is the difference between the reported vote tally for the contest in that county and what a tally based on manual tally of the votes cast in that county would show, if the manual tally ascertains voter intent by eye, directly from the voter-verifiable paper records.

(h) "Risk-limiting audit" means a post-election process that involves hand-to-eye, human inspection of ballots in such a manner that if a full manual tally of all the ballots cast in the contest would show different outcomes than the results reported by the voting system, there is at most a five percent chance that the post-election process will not lead to such a full manual tally. If this post-election process does lead to a full manual tally, the winner or winners according to that full manual tally replace the winner or winners as reported by the voting system if they differ.

Adds Elections Code 15367.

(a) (1) Commencing with the statewide primary election held on March 3, 2020, the elections official conducting an election may conduct a risk-limiting audit in place of the one percent manual tally required by Section 15360 during the official canvass of any election in accordance with the requirements of this article.

(2) Participating counties shall conduct a risk-limiting audit on each contest fully contained within the county's borders, and partial risk-limiting audits for each cross-jurisdictional contest. Commencement of the audit and selection of

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ballots for the audit shall not occur before the reporting of the results to which the contests are being audited. The Secretary of State shall define in regulations how all ballots, including provisional ballots and vote by mail ballots whose status has not yet been resolved, shall be taken into account in the audit to ensure that if a full manual tally of the votes on all validly cast ballots would show an electoral outcome that differs from the reported outcome, there is at most a five percent chance that the audit will not require such a tally.

(3) An elections official is in compliance with this section if the elections official conducts a ballot-level comparison audit, or ballot polling audit, with a five percent risk limit or a risk-limiting audit with a five percent risk limit using another method for conducting risk-limiting audits as approved by the Secretary of State.

(b) (1) The Secretary of State, in consultation with recognized statistical experts, election verification and integrity stakeholders, voting system manufacturers, and local elections officials, shall adopt regulations to implement and administer this article.

(2) The regulations shall do all of the following:

(A) Require elections officials to establish appropriate audit boards and procedures to conduct the risk-limiting audits.

(B) Establish criteria for public education on risk-limiting audits.

(C) Establish procedures to ensure the security of the ballots, the selection of ballots to be inspected during each audit, and the rules governing cast vote records and other data involved in risk-limiting audits.

(D) Establish the calculations and other methods to be used in the audit to determine whether or when the audit of any contest is required to include the examination of more ballots, and to establish calculations and methods to be used in such an escalation, and to determine whether and when the audit of each contest is complete.

(E) Establish procedures and requirements for testing and disclosing the algorithms and source code of any software used by the Secretary of State for the selection of ballots to be included when elections officials conduct risk-limiting audits under this article.

(F) Establish requirements for the content of the risk-limiting audit report required by subdivision (d).

(G) Establish procedures and requirements to ensure the audit process is observable and verifiable by the public, including disclosing the methods used to select samples and to calculate the risk, providing public opportunity to verify that the correct ballots were inspected during the audit, and providing public opportunity to observe the inspection of the voters' marks on the ballots during the audit.

(c) The risk-limiting audit shall be a public and observable process, with the elections official providing at least a five-day public notice of the time and place of both the risk-limiting audit and the selection of the ballots to be used when conducting the risk-limiting audit.

(d) The elections official conducting the risk-limiting audit shall publish a

report on the results of the risk-limiting audit in the certification of the official canvass of the vote.

SEC. 3.

Repeals Section 15560 of the Elections Code.

CAMPAIGN DISCLOSURES

Assembly Bills 2155

Chapter 777

CURRENT PROVISIONS

Existing law, the Political Reform Act of 1974, provides for the comprehensive regulation of campaign financing and activities.

Existing law under the act requires advertisements to include prescribed disclosure statements, and defines an advertisement for these purposes.

Existing law excludes a number of communications from the definition of advertisement, including electronic media communications for which the inclusion of specified disclosures regarding the funding of the communication is impractical or incompatible with the technology used.

Existing law also defines “top contributors” for these purposes to mean the persons from whom a committee paying for an advertisement has received its three highest cumulative contributions of \$50,000 or more, and provides that if two or more contributors of identical amounts qualify as top contributors, the most recent contributor shall be listed in disclosures of top contributors for advertisements paid for by committees.

Existing law specifies the formatting of disclosures for advertisements that are disseminated as a video, print advertisements, and electronic media advertisements.

Existing law defines an “expenditure” for purposes of the act to include any monetary or non-monetary payment made by specified persons that is used for communications that expressly advocate the nomination, election, or defeat of a candidate or candidates, or the qualification, passage, or defeat of a clearly identified ballot measure.

Existing law prohibits a candidate, candidate controlled committee, established for an elective office for the controlling candidate, or political party committee from sending a mass mailing or a mass electronic mailing unless it discloses specified information, and defines “mass electronic mailing” to mean sending more than 200

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substantially similar pieces of electronic mail within a calendar month.

Existing law prohibits a candidate, candidate controlled committee, or slate mailer organization from expending campaign funds to pay for certain telephone calls that are similar in nature and aggregate 500 or more in number unless specified disclosures are made to the recipient of the call.

Existing law prohibits a person from making a contribution to a committee or candidate that is earmarked for a contribution to any other particular committee, ballot measure, or candidate unless the contribution is fully disclosed, as specified.

Existing law under the act requires certain advertisements paid for by committees to disclose that it is paid for by the committee, by including in the advertisement the words "Paid for by," followed by the name of the committee, as specified.

NEW PROVISIONS

Excludes additional types of communication from the definition of advertisement, including certain electronic media communications.

Makes changes to the formatting requirements for certain disclosures.

Excludes email messages from the disclosure and disclosure formatting requirements.

Prohibits the Commission from interpreting or construing these provisions to establish any threshold in quantity or amount.

Requires advertisements to use the words ad paid for by followed the name of the committee.

SECTIONS AFFECTED:

SEC. 1.

Amends Government Code 84501.

For purposes of this article, the following definitions apply:

(a) (1) "Advertisement" means any general or public communication that is authorized and paid for by a committee for the purpose of supporting or opposing a candidate or candidates for elective office or a ballot measure or ballot measures.

(2) "Advertisement" does not include any of the following:

(A) A communication from an organization, other than a political party, to its members.

(B) An electronic media communication addressed to recipients, such as

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email messages or text messages, from an organization to persons who have opted in or asked to receive messages from the organization.

(C) Any communication that was solicited by the recipient, including, but not limited to, acknowledgments for contributions or information that the recipient communicated to the organization.

(D) A campaign button smaller than 10 inches in diameter; a bumper sticker smaller than 60 square inches; or a small tangible promotional item, such as a pen, pin, or key chain, upon which the disclosure required cannot be conveniently printed or displayed.

(E) Wearing apparel.

(F) Sky writing.

(G) Any other ~~communication~~ type of communication, as determined by regulations of the ~~Commission~~. Commission, for which inclusion of the disclosures required by Sections 84502 to 84509, inclusive, is impracticable or would severely interfere with the committee's ability to convey the intended message due to the nature of the technology used to make the communication.

(b) "Cumulative contributions" means the cumulative amount of contributions received by a committee beginning 12 months before the date of the expenditure and ending seven days before the time the advertisement is sent to the printer or broadcaster.

(c) (1) "Top contributors" means the persons from whom the committee paying for an advertisement has received its three highest cumulative contributions of fifty thousand dollars (\$50,000) or more.

(2) If two or more contributors of identical amounts qualify as top contributors, the most recent contributor of that amount shall be listed as the top contributor in any disclosure required by Section 84503. A tie between two or more contributors qualifying as top contributors shall be resolved by determining the contributor who made the most recent contribution to the committee, in which case the most recent contributor shall be listed before any other contributor of the same amount.

(3) If a committee primarily formed to support or oppose a state candidate or ballot measure contributes funds to another committee primarily formed to support or oppose the same state candidate or ballot measure and the funds used for the contribution were earmarked to support or oppose that candidate or ballot measure, the committee receiving the earmarked contribution shall disclose the contributors who earmarked their funds as the top contributor or contributors on the advertisement if the definition of top contributor provided for in paragraph (1) is otherwise met. If the committee receiving the earmarked contribution contributes any portion of the contribution to another committee primarily formed to support or oppose the specifically identified ballot measure or candidate, that committee shall disclose the true source of the contribution to the new committee receiving the earmarked funds. The new committee shall disclose the contributor on the new committee's advertisements if the definition of top contributor provided for in

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paragraph (1) is otherwise met.

(A) The primarily formed committee making the earmarked contribution shall provide the primarily formed committee receiving the earmarked contribution with the name and address of the contributor or contributors who earmarked their funds and the amount of the earmarked contribution from each contributor at the time the contribution is made. If the committee making the contribution received earmarked contributions that exceed the amount contributed or received contributions that were not earmarked, the committee making the contribution shall use a reasonable accounting method to determine which top contributors to identify pursuant to this subparagraph, but in no case shall the same contribution be disclosed more than one time to avoid disclosure of additional contributors who earmarked their funds.

(B) The committee receiving the earmarked contribution may rely on the information provided pursuant to subparagraph (A) for purposes of complying with the disclosure required by Section 84503 and shall be considered in compliance with Section 84503 if the information provided pursuant to subparagraph (A) is disclosed as otherwise required.

(C) For purposes of this paragraph, funds are considered “earmarked” if any of the circumstances described in subdivision (b) of Section 85704 apply.

(4) If an advertisement paid for by a committee supports or opposes a candidate, the determination of top contributors pursuant to paragraphs (1) and (2) shall not include any nonprofit organization exempt from federal income taxation pursuant to Section 501(c)(3) of the United States Internal Revenue Code or any person who has prohibited in writing the use of his or her contributions to support or oppose candidates if the committee does not use such contributions to support or oppose candidates.

SEC. 2.

Adds Government Code 84501.1.

The Commission shall not, by regulation, policy, opinion, or advice letter, construe or interpret any of Sections 82025, 84305, 84310, 84501 through 84511, inclusive, or Section 85704 as allowing the Commission to establish or maintain any thresholds in quantity or amount that are not specified in those sections. Unless otherwise specified in this title, those sections apply regardless of quantity or amount.

SEC. 3.

Amends Government Code 84502.

(a) (1) Any advertisement paid for by a committee pursuant to subdivision (a) of Section 82013, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the words “Paid Ad paid for by” followed by the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101.

(2) Any advertisement paid for by a committee pursuant to subdivision (a) of Section 82013 that is a political party committee or a candidate controlled committee established for an elective office of the controlling candidate shall include the words ~~“Paid~~ “Ad paid for by” followed by the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101 if the advertisement is any of the following:

- (A) Paid for by an independent expenditure.
- (B) An advertisement supporting or opposing a ballot measure.
- (C) A radio or television advertisement.

(b) Any advertisement paid for by a committee pursuant to subdivision (b) or (c) of Section 82013 shall include the words ~~“Paid~~ “Ad paid for by” followed by the name that the filer is required to use on campaign statements pursuant to subdivision (o) of Section 84211.

(c) Notwithstanding subdivisions (a) and (b), if an advertisement is a printed letter, Internet Web site, or email message, the text described in subdivisions (a) and (b) may include the words “Paid for by” instead of “Ad paid for by.”

SEC. 4.

Amends Government Code 84504.1.

(a) An advertisement paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, that is disseminated as a video, including advertisements on television and videos disseminated over the Internet, shall include the disclosures required by Sections 84502 and 84503 at the beginning or end of the advertisement.

(b) The disclosure required by subdivision (a) shall be written and displayed for at least five seconds of a broadcast of 30 seconds or less or for at least 10 seconds of a broadcast that lasts longer than 30 seconds.

(1) The written disclosure required by subdivision (a) shall appear on a solid black background on the entire bottom one-third of the television or video display screen, or bottom one-fourth of the screen if the committee does not have or is otherwise not required to list top contributors, and shall be in a contrasting color in Arial equivalent type, and the type size for the smallest letters in the written disclosure shall be 4 percent of the height of the television or video display screen. The top contributors, if any, shall each be disclosed on a separate horizontal ~~line~~, line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions on the first line. ~~The name of each of the top contributors~~ All disclosure text shall be centered ~~horizontally~~. horizontally in the disclosure area. If there are any top contributors, the written disclosures shall be underlined in a manner clearly visible to the average viewer, except for the names of the top contributors, if any.

(2) The name of the top contributor shall not have its type condensed or have the spacing between characters reduced to be narrower than a normal non-

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condensed Arial equivalent type, unless doing so is necessary to keep the name of the top contributor from exceeding the width of the screen.

(c) An advertisement that is an independent expenditure supporting or opposing a candidate shall include the appropriate statement from Section 84506.5 in the solid black background described in paragraph (1) of subdivision (b) below all other text required to appear in that area in a contrasting color and in Arial equivalent type no less than 2.5 percent of the height of the television or video display screen. If including this statement causes the disclosures to exceed one-third of the television or video display screen, then it may instead be printed immediately above the background with sufficient contrast that is easily readable by the average viewer.

SEC. 5.

Amends Government Code 84504.2.

(a) A print advertisement paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the disclosures required by Sections 84502, 84503, and 84506.5, displayed as follows:

(1) The disclosure area shall have a solid white background and shall be in a printed or drawn box on the bottom of at least one page that is set apart from any other printed matter. All text in the disclosure area shall be in contrasting color: and centered horizontally in the disclosure area.

(2) The text shall be in an Arial equivalent type with a type size of at least 10-point for printed advertisements designed to be individually distributed, including, but not limited to, mailers, flyers, and door hangers.

(3) The top of the disclosure area shall include the disclosure required by Sections 84502 and 84503. The text of the disclosure shall be underlined if there are any top contributors.

(4) The top contributors, if any, shall each be disclosed on a separate horizontal line, line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions on the first line. The name of each of the top contributors shall be centered horizontally in the disclosure area: area and shall not be underlined. The names of the top contributors shall not be printed in a type that is condensed to be narrower than a normal non-condensed Arial equivalent type.

(5) A committee subject to Section 84506.5 shall include the disclosure required by Section 84506.5, which shall be underlined and on a separate line below any of the top contributors.

(6) Immediately below the text described in paragraph (3), committees A committee subject to Section 84223 shall next include the text "Funding Details At [insert Commission Internet Web site]." The text shall be in an Arial equivalent type with a type size of at least 10-point for printed advertisements designed to be individually distributed, including, but not limited to, mailers, flyers, and door

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hangers: site].” which shall be underlined and printed on a line separate from any other text.

(b) Notwithstanding paragraphs (2) and (4) of subdivision (a), the disclosures required by Sections 84502, 84503, and 84506.5 on a printed advertisement that is larger than those designed to be individually distributed, including, but not limited to, yard signs or billboards, shall be in Arial equivalent type with a total height of at least ~~five~~ 5 percent of the height of the advertisement, and printed on a solid background with sufficient contrast that is easily readable by the average viewer. The text may be adjusted so it does not appear on separate horizontal lines, with the top contributors separated by a comma.

(c) Notwithstanding the definition of “top contributors” in paragraph (1) of subdivision (c) of Section 84501, newspaper, magazine, or other public print advertisements that are 20 square inches or less shall be required to disclose only the single top contributor of fifty thousand dollars (\$50,000) or more.

SEC. 5.5.

Amends Government Code 84504.2.

(a) A print advertisement paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the disclosures required by Sections 84502, 84503, and 84506.5, displayed as follows:

(1) The disclosure area shall have a solid white background and shall be in a printed or drawn box on the bottom of at least one page that is set apart from any other printed matter. All text in the disclosure area shall be in contrasting ~~color~~ color and centered horizontally in the disclosure area.

(2) The text shall be in an Arial equivalent type with a type size of at least 10-point for printed advertisements designed to be individually distributed, including, but not limited to, mailers, flyers, and door hangers.

(3) The top of the disclosure area shall include the disclosure required by Sections 84502 and 84503. The text of the disclosure shall be underlined if there are any top contributors.

(4) The top contributors, if any, shall each be disclosed on a separate horizontal line, line separate from any other text, in descending order, beginning with the top contributor who made the largest cumulative contributions on the first line. The name of each of the top contributors shall be centered horizontally in the disclosure area. area and shall not be underlined. The names of the top contributors shall not be printed in a type that is condensed to be narrower than a normal non-condensed Arial equivalent type.

(5) A committee subject to Section 84506.5 shall include the disclosure required by Section 84506.5, which shall be underlined and on a separate line below any of the top contributors.

(6) Immediately below the text described in paragraph (3), committees A committee subject to Section 84223 shall next include the text “Funding Details

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At [~~insert Commission Internet Web site~~].” ~~The text shall be in an Arial equivalent type with a type size of at least 10 point for printed advertisements designed to be individually distributed, including, but not limited to, mailers, flyers, and door hangers.~~ link to Secretary of State Internet Web site page with top 10 contributor lists.” which shall be underlined and printed on a line separate from any other text.

(b) Notwithstanding paragraphs (2) and (4) of subdivision (a), the disclosures required by Sections 84502, 84503, and 84506.5 on a printed advertisement that is larger than those designed to be individually distributed, including, but not limited to, yard signs or billboards, shall be in an Arial equivalent type with a total height of at least ~~five~~ 5 percent of the height of the advertisement, and printed on a solid background with sufficient contrast that is easily readable by the average viewer. The text may be adjusted so it does not appear on separate horizontal lines, with the top contributors separated by a comma.

(c) Notwithstanding the definition of “top contributors” in paragraph (1) of subdivision (c) of Section 84501, newspaper, magazine, or other public print advertisements that are 20 square inches or less shall be required to disclose only the single top contributor of fifty thousand dollars (\$50,000) or more.

SEC. 6.

Amends Government Code 84504.3.

(a) An electronic media advertisement, other than an email message or Internet Web site, paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall comply with both of the following:

(1) Include the text “Who funded this ad?” in a contrasting color and a font size that is easily readable by the average viewer.

(2) Such text shall be a hyperlink to an Internet Web site containing the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color and in no less than ~~8-point~~ 8-point font.

(b) Notwithstanding subdivision (a), the text required by paragraph (1) of subdivision (a) is not required if including the language would be impracticable. In such circumstances the advertisement need only include a hyperlink to an Internet Web site containing the disclosures required by Sections 84502, 84503, and 84506.5.

(c) Notwithstanding subdivisions (a) and (b), an email message or Internet Web site paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the disclosures required by Sections 84502, 84503, and ~~84506.5~~ 84506.5, printed clearly and legibly in a contrasting color and in no less than ~~8-point~~ 8-point font: font at the top or bottom of the email message and every publicly accessible page of the Internet Web site.

(d) An Internet Web site that is hyperlinked as provided for in paragraph (2) of subdivision (a) shall remain online and available to the public until 30 days

after the date of the election in which the candidate or ballot measure supported or opposed by the advertisement was voted upon.

(e) An advertisement made via a form of electronic media that is audio only and therefore cannot include either of the disclaimers in subdivision (a) shall comply with the disclaimer requirements for radio advertisements in Section 84504.

(f) An advertisement made via a form of electronic media that allows users to engage in discourse and post content, or any other type of social media, shall only be required to include the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color and in no less than ~~8-point~~ 8-point font on the committee's profile, landing page, or similar location and shall not be required to include the disclaimer required by subdivision (a) on each individual post, comment, or other similar communication.

(g) The disclaimer required by this section does not apply to advertisements made via social media for which the only expense or cost of the communication is compensated staff time unless the social media account where the content is posted was created only for the purpose of advertisements governed by this title.

SEC. 6.5.

Amends Government Code 84504.3.

(a) An electronic media ~~advertisement, other than an Internet Web site,~~ advertisement that is a graphic, image, animated graphic, or animated image that the online platform hosting the advertisement allows to link to an Internet Web site, paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall comply with both of the following:

(1) Include the text "~~Who funded this ad?"~~ ad?," "Paid for by," or "Ad Paid for by" in a contrasting color and a font size that is easily readable by the average ~~viewer.~~ viewer for the duration of the advertisement.

(2) ~~Such~~ The text shall be ~~a hyperlink~~ included or displayed as a hyperlink, icon, button, or tab to an Internet Web site containing the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color and in no less than ~~8 point~~ 8-point font.

(b) Notwithstanding subdivision (a), the text required by paragraph (1) of subdivision (a) is not required if including the language would ~~be impracticable.~~ take up more than one-third of the graphic or image. In ~~such circumstances~~ those circumstances, the advertisement need only include a hyperlink to an Internet Web site containing the disclosures required by Sections 84502, 84503, and 84506.5.

(c) Notwithstanding subdivisions (a) and (b), an ~~Internet Web site~~ email message, or Internet Web site, paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the disclosures required by Sections 84502, 84503, and 84506.5 printed clearly and legibly in a contrasting color and in no less than ~~8-point font.~~ 8-point font at the top or bottom of the email message.

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or at the top or bottom of every publicly accessible page of the Internet Web site, as applicable.

(d) An Internet Web site that is ~~hyperlinked~~ linked as provided for in paragraph (2) of subdivision (a) shall remain online and available to the public until 30 days after the date of the election in which the candidate or ballot measure supported or opposed by the advertisement was voted upon.

(e) An advertisement made via a form of electronic media that is audio only and therefore cannot include either of the ~~disclaimers~~ disclosures in subdivision (a) shall comply with the ~~disclaimer~~ disclosure requirements for radio advertisements in Section 84504.

(f) An electronic media advertisement that is disseminated as a video shall comply with the disclosure requirements of Sections 84504.1, 84504.4, and 84504.5, depending on the type of committee that paid for it. If the video is longer than 30 seconds, the disclosures required by Sections 84504.1, 84504.4, and 84504.5 shall be made at the beginning of the advertisement.

(g) (1) An advertisement made via a form of electronic media that allows users to engage in discourse and post content, or any other type of social media, shall only be required to include the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color and in no less than 8 point font on that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee's profile, landing page, or similar location and shall not be required to include the ~~disclaimer~~ disclosure required by subdivision (a) on each individual post, comment, or other similar communication. The disclosures specified in this subdivision shall be fully visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media.

(2) Notwithstanding paragraph (1), if making the disclosures specified in paragraph (1) fully visible on a commonly used electronic device would be impracticable, the cover or header photo of the profile, landing page, or similar location need only include a hyperlink, icon, button, or tab to an Internet Web site containing the disclosures specified in paragraph (1).

(h) The ~~disclaimer~~ disclosures required by this section ~~does do~~ not apply to advertisements made via social media for which the only expense or cost of the communication is compensated staff time unless the social media account where the content is posted was created only for the purpose of advertisements governed by this title.

SEC. 7.

Amends Government Code 84504.5.

An advertisement that is an independent expenditure and paid for by a political party or a candidate controlled committee established for an elective office of the controlling candidate shall include the disclosures required by Sections 84502 and 84506.5. An advertisement that supports or opposes a ballot measure and is

paid for by a political party or a candidate controlled committee established for an elective office of the controlling candidate shall include the disclosure required by Section 84502. A disclosure that is included in an advertisement pursuant to this section is subject to the following requirements:

(a) A radio or telephone advertisement shall include the required disclosures at the beginning or end of the advertisement and be read in a clearly spoken manner and in a pitch and tone substantially similar to the rest of the advertisement, and shall last no less than three seconds.

(b) A video advertisement, including television and videos disseminated over the Internet, shall include the required disclosures in writing at the beginning or end of the advertisement in a text that is of sufficient size to be readily legible to an average viewer and in a color that has a reasonable degree of contrast with the background of the advertisement for at least four seconds. The required disclosure must also be spoken during the advertisement if the written disclosure appears for less than five seconds of a broadcast of ~~thirty~~ 30 seconds or less or for ~~less than ten seconds of a broadcast of sixty seconds or more.~~ at least 10 seconds of a broadcast that lasts longer than 30 seconds.

(c) (1) A print advertisement shall include the required disclosures in no less than ~~40-point~~ 10-point font and in a color that has a reasonable degree of contrast with the background of the advertisement.

(2) Notwithstanding paragraph (1), the required disclosures on a print advertisement that is larger than those designed to be individually distributed, such as a yard sign or billboard, shall in total constitute no less than ~~five~~ 5 percent of the total height of the advertisement and shall appear in a color that has a reasonable degree of contrast with the background of the advertisement.

(d) An electronic media advertisement shall include the disclosures required by Section 84504.3.

SEC. 8.

Section 5.5 of this bill incorporates amendments to Section 84504.2 of the Government Code proposed by both this bill and Senate Bill 1239. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, but this bill becomes operative first, (2) each bill amends Section 84504.2 of the Government Code, and (3) this bill is enacted after Senate Bill 1239, in which case Section 84504.2 of the Government Code, as amended by Section 5 of this bill, shall remain operative only until the operative date of Senate Bill 1239, at which time Section 5.5 of this bill shall become operative.

SEC. 9.

Section 6.5 of this bill incorporates amendments to Section 84504.3 of the Government Code proposed by both this bill and Assembly Bill 2188. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, but this bill becomes operative first. (2) each bill

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amends Section 84504.3 of the Government Code, and (3) this bill is enacted after Assembly Bill 2188, in which case Section 84504.3 of the Government Code, as amended by Section 6 of this bill, shall remain operative only until the operative date of Assembly Bill 2188, at which time Section 6.5 of this bill shall become operative.

SEC. 10.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 11.

The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

REDISTRICTING: INMATES

**Assembly Bill 2172
Chapter 232**

CURRENT PROVISIONS

The California Constitution establishes the Citizens Redistricting Commission and charges it with various responsibilities in connection with redistricting Assembly, Senate, State Board of Equalization, and congressional districts.

Existing law requires the Department of Corrections and Rehabilitation to furnish to the Citizens Redistricting Commission specified information regarding the last known place of residence of each inmate incarcerated in a state adult correctional facility on April 1, 2020, and on each decennial Census Day thereafter, except an inmate in federal custody or whose last known place of residence is outside of California or unknown.

Existing law requires the information furnished by the Department of Corrections and Rehabilitation to be sufficiently specific, or as specific as feasible, depending on whether the department's Statewide Offender Management System is fully operational on or before April 1, 2020.

Existing law requests that the Citizens Redistricting Commission use the

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information furnished by the Department of Corrections and Rehabilitation in carrying out its redistricting responsibilities, and that the Commission deem each incarcerated person as residing at his or her last known place of residence rather than the institution of his or her incarceration.

NEW PROVISIONS

Requires the Department of Corrections and Rehabilitation to furnish both the Legislature and the Citizens Redistricting Commission residential address and other information, as specified, for each inmate incarcerated in a facility under the Department's control on the dates specified above, including an inmate whose last place of residence is outside of California or unknown, but excluding an inmate who has been transferred to a facility outside of California.

Deletes the provision described above that is contingent upon the Statewide Offender Management System being fully operational on or before April 1, 2020.

Directs the Legislature to ensure that the information furnished by the Department of Corrections and Rehabilitation is included in a specified computerized database, but would prohibit publishing information regarding specific inmates.

Provides that an inmate's "last known place of residence" means the most recent residential address that is sufficiently specific to be assigned a census block or, if the address information is not sufficiently specific, a randomly-determined census block located within the smallest geographical area that can be identified based on the information provided by the Department of Corrections and Rehabilitation.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 21003.

(a) (1) Not sooner than April 1, 2020, and not later than July 1, 2020, the Department of Corrections and Rehabilitation shall furnish to the Legislature and the Citizens Redistricting Commission ~~Commission~~, in the form of a single electronic file for each database maintained by the Department, information regarding ~~the last known place of residence of each inmate incarcerated in a state adult correctional facility, facility on~~ except an inmate whose last known place of residence is outside of California. April 1, 2020. For purposes of this section, a "state correctional facility" means a facility under the control of the Department of Corrections and Rehabilitation.

(2) The information furnished by the Department of Corrections and Rehabilitation pursuant to paragraph (1) shall include the following for each inmate:

(A) A unique identifier, other than the inmate's name or Department of Corrections and Rehabilitation number.

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~~(B) If the Statewide Offender Management System is fully operational on or before April 1, 2020, last known place of residence information that is sufficiently specific to determine the congressional, State Senatorial, State Assembly, or State Board of Equalization district in which the inmate's last known place of residence is located. This information may include, but not be limited to, census block information or street address information from which a census block can be derived. Any information maintained by the Department of Corrections and Rehabilitation about the residential address or addresses at which the inmate was domiciled before the inmate's most current term of incarceration, including any available information about the date on which each address was added to records maintained by the Department. If the Department of Corrections and Rehabilitation does not have any residential address information for an inmate, the information furnished by the Department shall state that fact.~~

~~(C) If the Statewide Offender Management System is not fully operational on or before April 1, 2020, last known place of residence information that is as specific as feasible under the Department of Corrections and Rehabilitation's database system and from which census block information can be derived.~~

~~(C) The inmate's ethnicity, as identified by the inmate, and the inmate's race, to the extent such information is maintained by the Department of Corrections and Rehabilitation.~~

~~(D) The address of the state correctional facility where the inmate is incarcerated on the decennial Census Day.~~

(3) In 2030 and in each year ending in the number zero thereafter, the Department of Corrections and Rehabilitation shall ~~furnish~~ furnish, in the form of a single electronic file for each database maintained by the Department, the information specified in paragraphs (1) and (2) for each inmate incarcerated in a state correctional facility on the decennial Census Day to the Legislature and the Citizens Redistricting Commission not sooner than the decennial Census Day and not later than 90 days thereafter.

~~(4) For purposes of this subdivision, "inmate incarcerated in a state adult correctional facility" includes an inmate who, as of April 1, 2020, has been transferred to a facility outside of California to complete his or her term of incarceration.~~

~~(4) The Department of Corrections and Rehabilitation shall exclude all inmates in state custody for whom a last known place of residence within California cannot be determined and all inmates in federal custody in a facility within California from the information furnished pursuant to this section.~~

~~(b) In order to comply with its obligation to ensure that a complete and accurate computerized database is available for redistricting in accordance with subdivision (b) of Section 8253 of the Government Code, the Legislature, in coordination with the Citizens Redistricting Commission, shall ensure that the information provided by the Department of Corrections and Rehabilitation pursuant to subdivision (a) is included in that computerized database.~~

(c) Notwithstanding subdivision (b), and regardless of the form in which the information is furnished by the Department of Corrections and Rehabilitation, the Legislature or the Citizens Redistricting Commission shall not publish information regarding the race, ethnicity, or prior residential addresses of specific inmates.

(d) Consistent with Section 2025, the Legislature hereby requests the Citizens Redistricting Commission to deem each incarcerated person as residing at his or her last known place of residence, rather than at the institution of his or her incarceration, and to ~~utilize~~ use the information furnished to it pursuant to subdivision (a) in carrying out its redistricting responsibilities under Article XXI of the California Constitution. The Legislature also requests the ~~commission~~ Citizens Redistricting Commission to do all of the following when it uses information regarding inmates that is furnished pursuant to this section:

(1) Deem an inmate ~~in state custody in a facility within California~~ incarcerated in a state correctional facility for whom the last known place of residence is either outside California or cannot be determined, or an inmate in federal custody in a facility within California, to reside at an unknown geographical location in the state and exclude the inmate from the population count for any district, ward, or precinct.

(2) Adjust race and ethnicity data in districts, wards, and precincts that contain prisons in a manner that reflects reductions in the local population as inmates are included in the population count of the district, ward, or precinct of their last known place of residence. ~~residence and, to the extent practicable, those deemed to reside at an unknown geographic location.~~

(e) For purposes of this section, “last known place of residence” means ~~the address at which the inmate was last domiciled before prior to his or her current term of incarceration, as determined from the court records of the county in which the inmate was sentenced to his or her current term of incarceration.~~ most recent residential address of an inmate before the inmate’s most current term of incarceration that is sufficiently specific to be assigned to a census block, as determined from information furnished by the Department of Corrections and Rehabilitation in accordance with this section. In the case of an inmate for whom residential address information is available but is not sufficiently specific to allow the address to be assigned to a census block, the “last known place of residence” means a randomly-determined census block located within the smallest geographical area that can be identified based on the residential address information furnished by the Department of Corrections and Rehabilitation.

CAMPAIGN DISCLOSURES: ADVERTISEMENTS

Assembly Bill 2188

Chapter 754

CURRENT PROVISIONS

Existing law, the Political Reform Act of 1974, requires specified disclosures in advertisements regarding the source of the advertisement.

The act defines “advertisement” for this purpose as a general or public communication that is authorized and paid for by a committee for the purpose of supporting or opposing a candidate or candidates for elective office or a ballot measure or ballot measures.

The act requires an electronic media advertisement, other than an Internet Web site, paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, to include the text “Who funded this ad?,” unless including the text would be impracticable, and a hyperlink to an Internet Web site containing specified disclosures regarding who paid for the advertisement.

For an Internet Web site paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, the act requires the Internet Web site to include only specified disclosures regarding who paid for the advertisement, without exception.

The act requires that an advertisement made via a form of electronic media that allows users to engage in discourse and post content, or any other type of social media, only include specified disclosures in a contrasting color and in no less than 8 point font on the committee’s profile, landing page, or similar location, and not on each individual post, comment, or other similar communication.

The act requires a radio or television advertisement that is paid for by a political party or a candidate controlled committee established for an elective office of the controlling candidate, and that does not support or oppose a ballot measure and is not paid for by an independent expenditure, to include a specified disclosure regarding who paid for the advertisement.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act’s purposes upon a $\frac{2}{3}$ vote of each house of the Legislature and compliance with specified procedural requirements.

NEW PROVISIONS

Modifies the disclosures required for electronic media advertisements.

Requires an electronic media advertisement that is a graphic, image, animated graphic, or animated image that the online platform, as defined, hosting the advertisement allows to link to an Internet website, paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, to meet the Who Funded This Ad? disclosure.

Becomes operative on January 1, 2020.

SECTIONS AFFECTED:**SECTION 1.****Adds Government Code 84503.5.**

The disclosures described in Sections 84504 to 84504.6, inclusive, supersede the disclosures described in Sections 84502, 84503, and 84506.5, to the extent they conflict.

SECTION 2.**Amends Government Code 84504.3.**

(a) An electronic media ~~advertisement, other than an Internet Web site, advertisement that is a graphic, image, animated graphic, or animated image that the online platform hosting the advertisement allows to link to an Internet Web site,~~ paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall comply with both of the following:

(1) Include the text “Who funded this ~~ad?~~ ad?.” “Paid for by.” or “Ad Paid for by” in a contrasting color and a font size that is easily readable by the average viewer for the duration of the advertisement.

(2) ~~Such~~ The text shall be included or displayed as a hyperlink hyperlink, icon, button, or tab to an Internet Web site containing the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color and in no less than ~~8 point~~ 8-point font.

(b) Notwithstanding subdivision (a), the text required by paragraph (1) of subdivision (a) is not required if including the language would ~~be impracticable.~~ take up more than one-third of the graphic or image. In ~~such circumstances~~ those circumstances, the advertisement need only include a hyperlink to an Internet Web site containing the disclosures required by Sections 84502, 84503, and 84506.5.

(c) Notwithstanding subdivisions (a) and (b), an email message, or Internet Web ~~site~~ site, paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the disclosures required by Sections 84502, 84503, and

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84506.5 printed clearly and legibly in a contrasting color and in no less than ~~8 point~~ 8-point font; font at the top or bottom of the email message, or at the top or bottom of every publicly accessible page of the Internet Web site, as applicable.

(d) An Internet Web site that is ~~hyperlinked~~ linked as provided for in paragraph (2) of subdivision (a) shall remain online and available to the public until 30 days after the date of the election in which the candidate or ballot measure supported or opposed by the advertisement was voted upon.

(e) An advertisement made via a form of electronic media that is audio only and therefore cannot include either of the ~~disclaimers~~ disclosures in subdivision (a) shall comply with the ~~disclaimer~~ disclosure requirements for radio advertisements in Section 84504.

(f) An electronic media advertisement that is disseminated as a video shall comply with the disclosure requirements of Sections 84504.1, 84504.4, and 84504.5, depending on the type of committee that paid for it. If the video is longer than 30 seconds, the disclosures required by Sections 84504.1, 84504.4, and 84504.5 shall be made at the beginning of the advertisement.

(g) (1) An advertisement made via a form of electronic media that allows users to engage in discourse and post content, or any other type of social media, shall only be required to include the disclosures required by Sections 84502, 84503, and 84506.5 in a contrasting color that is easily readable by the average viewer and in no less than ~~8-point~~ 10-point font on the cover or header photo of the committee's profile, landing page, or similar location and shall not be required to include the ~~disclaimer~~ disclosure required by subdivision (a) on each individual post, comment, or other similar communication. The disclosures specified in this subdivision shall be fully visible on the cover or header photo when the profile, landing page, or similar location is viewed from any electronic device that is commonly used to view this form of electronic media.

(2) Notwithstanding paragraph (1), if making the disclosures specified in paragraph (1) fully visible on a commonly used electronic device would be impracticable, the cover or header photo of the profile, landing page, or similar location need only include a hyperlink, icon, button, or tab to an Internet Web site containing the disclosures specified in paragraph (1).

(h) The ~~disclaimer~~ disclosures required by this section ~~does~~ do not apply to advertisements made via social media for which the only expense or cost of the communication is compensated staff time unless the social media account where the content is posted was created only for the purpose of advertisements governed by this title.

SEC. 3.

Amends Government Code 84504.4.

(a) A radio or television advertisement that is paid for by a political party or a candidate controlled committee established for an elective office of the controlling candidate, and that does not support or oppose a ballot measure and is

not paid for by an independent expenditure, shall include the disclosure required by Section 84502 subject to the following requirements:

(1) In a radio advertisement, the words shall be included at the beginning or end of the advertisement and read in a clearly spoken manner and in a pitch and tone substantially similar to the rest of the advertisement.

(2) In a television advertisement, the words shall appear in writing for at least four seconds with letters in a type size that is greater than or equal to 4 percent of the height of the screen.

(b) ~~An electronic media advertisement, other than a mass electronic mailing as defined in Section 84305, advertisement that is made via a form of electronic media that allows users to engage in discourse and post content, or any other type of social media, that is paid for by a political party or a candidate controlled committee established for an elective office of the controlling candidate, and that does not support or oppose a ballot measure and is not paid for by an independent expenditure, shall include the disclosure required by subdivision (f) of Section 84504.3 in the advertisement. Section 84502 in accordance with subdivision (f) of Section 84504.3.~~

SEC. 4.

Adds Government Code 84504.6.

(a) A committee that disseminates an online platform disclosed advertisement shall do all of the following:

(1) Upon requesting the dissemination, expressly notify the online platform through which the advertisement would be disseminated that the advertisement is an advertisement as defined in Section 84501.

(2) (A) Provide the online platform with the disclosure name of the committee.

(B) For purposes of this section, "disclosure name" means the text required by Section 84503, followed by a colon, followed by, surrounded in quotation marks, the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101. If no disclosure text is required by Section 84503, "disclosure name" means the name of the committee as it appears on the most recent Statement of Organization filed pursuant to Section 84101.

(C) If the disclosure name changes due to a change in the top contributors or the name of the committee, the committee shall provide the online platform with an updated disclosure name within five business days.

(3) Provide the online platform with the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, as applicable, or number or letter of the ballot measure and the jurisdiction to which the advertisement refers.

(4) Provide the online platform with the name and identification number of the committee that paid for the advertisement.

(b) An online platform that disseminates a committee's online platform

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disclosed advertisement shall do one of the following:

(1) Display “Paid for by” or “Ad Paid for by” followed by the disclosure name provided by the committee, easily readable to the average viewer, located adjacent to any text stating that the advertisement is an advertisement or is promoted or sponsored. The online platform may display only one hundred or more characters of the disclosure name if it is followed by a “...” that is clearly clickable and that links to a page as described in paragraph (3).

(2) The online platform may instead display a hyperlink, icon, button, or tab with the text “Who funded this ad?,” “Paid for by,” or “Ad Paid for by” that is clearly clickable in the same or similar font and in at least the same font size as the online platform’s text, and easily readable to the average viewer, stating that the advertisement is an advertisement or is promoted or sponsored, that links to a page as described in paragraph (3).

(3) Hyperlinks, icons, buttons, or tabs used for the purposes described in paragraphs (1) and (2) shall be linked to the profile or landing page of the committee that paid for the advertisement; to another page to which the average viewer would normally navigate to view additional information about a committee containing the disclosure name in a manner that is easily seen and readable by the average viewer; or to an Internet Web site containing the disclosure required by subdivision (c) of Section 84504.3.

(c) An online platform that disseminates committees’ online platform disclosed advertisements shall meet all of the following requirements:

(1) Maintain, and make available for online public inspection in a machine readable format, a record of any advertisement disseminated on the online platform by a committee that purchased five hundred dollars (\$500) or more in advertisements on the online platform during the preceding 12 months. Each record shall contain all of the following:

(A) A digital copy of the advertisement.

(B) The approximate number of impressions generated from the advertisement and the date and time that the advertisement was first displayed and last displayed.

(C) Information regarding the range charged or the total amount spent on the advertisement.

(D) The name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, as applicable, or number or letter of the ballot measure and the jurisdiction to which the advertisement refers.

(E) The name and identification number of the committee that paid for the advertisement.

(2) The information required under this subdivision shall be made available as soon as practicable and shall be retained by the online platform for no less than four years.

(3) (A) Display a prominent button, icon, tab, or hyperlink with the text “View Ads” or similar text in one of the following locations: (i) near the top of a profile.

landing page, or similar location of a committee that paid for an advertisement in a position that the average viewer will readily see it upon viewing that page: (ii) on a page that displays the committee's profile information or biographical information; (iii) or on a page on which the average viewer would normally navigate to view additional information about a committee.

(B) The button, icon, tab, or hyperlink shall link to a page clearly showing all of the advertisement records required by paragraph (1).

(d) An online platform that creates a mechanism for a committee requesting dissemination of an online platform disclosed advertisement to expressly notify the online platform whether the advertisement is an advertisement as defined in Section 84501 and to provide all information necessary for the online platform to comply with the requirements of this section may rely in good faith on the information provided by the committee to the online platform to satisfy the online platform's obligations under subdivisions (b) and (c).

(e) For purposes of this article, the following terms have the following meanings:

(1) "Online platform" means a public-facing Internet Web site, web application, or digital application, including a social network, ad network, or search engine, that sells advertisements directly to advertisers. A public-facing Internet Web site, web application, or digital application is not an online platform for purposes of this article to the extent that it displays advertisements that are sold directly to advertisers through another online platform.

(2) "Online platform disclosed advertisement" means an electronic media advertisement on an online platform that is not any of the following:

(A) A graphic, image, animated graphic, or animated image that the online platform hosting the advertisement allows to hyperlink to an Internet Web site.

(B) A video, audio, or email.

SEC. 5.

Amends Government Code 84510.

(a) (1) In addition to the remedies provided for in Chapter 11 (commencing with Section ~~91000~~ of this title, ~~any~~ 91000), a person who violates Section 84503 or 84506.5 is liable in a civil or administrative action brought by the Commission or any person for a fine up to three times the cost of the advertisement, including placement costs.

(2) Notwithstanding paragraph (1), ~~any~~ a person who intentionally violates ~~any~~ a provision of Sections 84504 to 84504.3, inclusive, or Section ~~84504.5, 84504.5 or 84504.6~~, for the purpose of avoiding disclosure is liable in a civil or administrative action brought by the Commission or any person for a fine up to three times the cost of the advertisement, including placement costs.

(b) The remedies provided in subdivision (a) shall also apply to any person who purposely causes any other person to violate any of the sections described

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in paragraph (1) or (2) of subdivision (a) or who aids and abets any other person in a violation.

(c) If a judgment is entered against the defendant or defendants in an action brought under this section, the plaintiff shall receive 50 percent of the amount recovered. The remaining 50 percent shall be deposited in the General Fund of the state. In an action brought by a local civil prosecutor, 50 percent shall be deposited in the account of the agency bringing the action and 50 percent shall be paid to the General Fund of the state.

SEC. 6.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 7.

This act shall become operative on January 1, 2020.

SEC. 8.

The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

VOTE MY MAIL BALLOT TRACKING

Assembly Bill 2218

Chapter 432

CURRENT PROVISIONS

Existing law requires that the vote by mail ballot be made available to any registered voter.

Existing law requires a county elections official to establish a free access system that allows a vote by mail voter to learn if his or her vote by mail ballot was counted and, if not, the reason why the ballot was not counted.

Existing federal law, the Help America Vote Act of 2002 (HAVA), provides federal funding for states to carry out specified activities, such as improving voting systems and technology and methods for casting and counting votes.

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NEW PROVISIONS

Requires the Secretary of State to establish a system that a county elections official may use to allow a vote by mail voter to track and receive information about his or her vote by mail ballot through the mail system and as the vote by mail ballot is processed by the county elections official.

Requires the Secretary of State to make the system available for use by each county and would authorize a county to use the system to satisfy the requirement to establish the existing free access system, as described.

Requires the Secretary of State to use federal funds provided to the state pursuant to HAVA to develop the system, and would require the Secretary of State to implement these provisions only to the extent that these funds are available.

SECTIONS AFFECTED:**SECTION 1.****Adds Elections Code 3019.7.**

(a) Not later than January 1, 2020, the Secretary of State shall establish a system that a county elections official may use to allow a vote by mail voter to track his or her vote by mail ballot through the mail system and as the vote by mail ballot is processed by the county elections official. The system established pursuant to this section shall, at a minimum, allow a voter to register to receive information via email or text message from the county elections official about the status of his or her vote by mail ballot, including all of the following information:

(1) A notification when the ballot has been delivered by the county elections official to the United States Postal Service.

(2) A notification of the date, based on information from the United States Postal Service, that the voter's ballot is expected to be delivered to the voter.

(3) A notification if the voter's ballot is returned as undeliverable to the county elections official by the United States Postal Service.

(4) A notification when the voter's completed ballot has been received by the county elections official.

(5) A notification that the voter's completed ballot has been counted, or, if the ballot cannot be counted, a notification of the reason why the ballot could not be counted and instructions of any steps that the voter can take in order to have the ballot counted.

(6) A reminder of the deadline for the voter to return his or her ballot if the county elections official has not received a voter's completed ballot by specified dates as determined by the county elections official.

(b) The Secretary of State shall make the system established pursuant to subdivision (a) available for use by each county. A county elections official may use the system for the purpose of complying with Section 3019.5.

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(c) The Secretary of State shall use funds provided to the state pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.) to develop the system described in this section. The Secretary of State shall implement this section only to the extent that these funds are available.

**SCHOOL DISTRICTS, COUNTY OFFICES OF EDUCATION, AND
COMMUNITY COLLEGE DISTRICTS: GOVERNING BOARDS: ELECTIONS**

**Assembly Bill 2449
Chapter 146**

CURRENT PROVISIONS

Under existing law relating to the election of members of governing boards of school districts and governing boards of community college districts, the terms of office of certain board members commences on the first Friday in December.

Under existing law relating to the election of members of county boards of education, the terms of office of certain board members commences on the last Friday in November.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

NEW PROVISIONS

Provides for the commencement of those terms of office on the 2nd Friday in December.

Imposes additional duties on school districts, county offices of education, and community college districts.

Imposes a state-mandated local program.

Provides that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

SECTIONS AFFECTED:

SECTION 1.

Amends Education Code 1007.

(a) Members of the county board of education shall be elected on the date and in the manner prescribed for the election of members of governing boards

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of school districts, provided the elections are held throughout the county on the same date; otherwise the election shall be consolidated with the direct primary election. Once established, no subsequent change of circumstances shall require that the time of holding the election be changed. Where the elections for governing board members are held on the same date, then the provisions of Section 5303 shall apply to the election of members of the county board of education. Elections held pursuant to this article shall be conducted by the county board of education. Members elected at the time of the direct primary shall take office on the first day of July, and members elected at the date on which members of school district governing boards are elected shall take office on the ~~last~~ second Friday in ~~November~~ December subsequent to their election. The county committee on school district organization shall determine the manner in which the county board of education first elected shall effect a staggering of terms.

(b) This section shall govern the election and term of office of members of a county board of education except as provided under ~~Section 5000.5~~: Sections 1302 and 10404.5 of the Elections Code.

SEC. 2.

Amends Education Code 1009.

The county board of education shall organize at a meeting held in each year by electing one of their number president of the board. The meeting at which the organization is conducted shall be either the first meeting on or after the ~~last~~ second Friday in ~~November~~, December, or the first meeting on or after the first day in July, depending upon whether, pursuant to Section 1007, the terms of office of board members commence on the ~~last~~ second Friday in ~~November~~ December or the first day in July.

SEC. 3.

Amends Education Code 5017.

Each person elected at a regular biennial governing board member election shall hold office for a term of four years commencing on the ~~first~~ second Friday in December next succeeding his or her election. Any member of the governing board of a school district or community college district whose term has expired shall continue to discharge the duties of the office until his or her successor has qualified. The term of the successor shall begin upon the expiration of the term of his or her predecessor.

SEC. 4.

Amends Education Code 72027.

(a) Upon the formation of a community college district the county superintendent of schools having jurisdiction shall call and set the date of an election for the purpose of electing the governing board of the district. The call shall be issued not later than 30 days after the formation of the district. The election

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shall be called, held, and conducted as are elections for members of governing boards of elementary school districts.

(b) The first members of the governing board shall take office on the third Monday following their election. The term of office of subsequent members of the board shall begin on the ~~first~~ second Friday in December following their election.

(c) Notwithstanding subdivision (a), the county superintendent of schools having jurisdiction may call and set the date for an election for the purpose of electing the governing board of the district on the same date that the election is held for the formation of the community college district. The call for both elections shall be issued at the same time. The election shall be called, held, and conducted the same as elections for members of the governing boards of elementary school districts.

(d) The majority of the members of the first elected board of any newly formed community college district, the members of which majority received the highest number of votes, shall serve until the ~~first~~ second Friday in December of the second succeeding odd-numbered year. The terms of the other members shall expire on the ~~first~~ second Friday in December of the first succeeding odd-numbered year. Those members shall continue in office until their successors are elected and qualified.

SEC. 5.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

STATE FACILITIES AND PUBLIC BUILDINGS: VOTE CENTERS AND POLLING PLACES

Assembly Bill 2540 Chapter 343

CURRENT PROVISIONS

Existing law, the California Voter's Choice Act, authorizes certain counties to conduct any election, after a specified date, as an all-mailed ballot election if certain conditions are satisfied, including conditions related to ballot dropoff locations, vote centers, and plans for the administration of all-mailed ballot elections.

Existing law requires, with certain exceptions, that state-owned buildings, parking lots, and other facilities be made available free of charge for use as polling places. Existing law authorizes the governing body with jurisdiction over school buildings or other public buildings to allow its buildings to be used for polling places on any election day, or to store voting machines and other vote-tabulating devices.

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NEW PROVISIONS

Extends existing requirements to vote centers.

Authorizes school buildings or other public buildings to also be used as vote centers beginning up to ten days before the election and continuing through election day.

Requires an elections official requesting the use of a public building to include a list of the buildings from which the use of a building for polling places or vote centers is needed, and requires that request to be made sufficiently before election day for the governing body to adequately plan for the public building's use as a polling place or vote center.

Defines "public building" as a building owned or controlled by a city, county, or other local governmental agency.

SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 12283.**

(a) For purposes of this section, "public building" means a building owned or controlled by a city, county, or other local governmental agency.

(b) The governing body having jurisdiction over school buildings or other public buildings may authorize the use of its buildings for polling places, or for vote centers, as described in Section 4005, beginning up to ten days before the election and continuing through election day, and it may also authorize the use of its buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county elections official specifically requests the use of a school building or public building for polling places, or vote centers beginning up to ten days before the election and continuing through election day, as well as during key dates necessary for drop-off, set-up, and pick-up of election materials, as determined by the elections official, the governing body having jurisdiction over the particular school building or public building shall allow its use for the purpose requested. When allowing use of a school building for polling places, places or vote centers, the governing body may, but is not required to, do any of the following:

(1) Continue school in session, provided that if the governing body shall identify identifies to the elections official making the request the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places, places or vote centers.

(2) Designate the day for staff training and development.

(3) Close the school to students and nonclassified employees. Classified employees are those so defined by Section 41401 of the Education Code. certificated employees.

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(c) (1) An elections official ~~making a request for~~ requesting the use of a school building pursuant to subdivision ~~(a)~~ (b) shall include in his or her request a list of the schools from which the use of a building for polling places or vote centers is needed. Requests must be made within sufficient time in advance of the school year for the governing body to determine, on a school-by-school or districtwide basis, whether to keep the affected schools in session, designate the schoolday for staff training and development, or close the school to students and nonclassified employees before school calendars are printed and distributed to parents.

(2) An elections official requesting the use of a public building pursuant to subdivision (b) shall include in his or her request a list of the buildings from which the use of a building for polling places or vote centers is needed. Requests shall be made sufficiently before election day for the governing body of the city, county, or other local governmental agency to adequately plan for the public building's use as a polling place or vote center.

(d) Once a governing body has approved the use of a school building or public building as a polling ~~place,~~ place or vote center, the governing body shall instruct the school district or other public administrator to provide the elections official a site with an adequate amount of space that will allow the precinct board or vote center to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and to make ~~a telephone line for~~ Internet access available for use by local elections officials, ~~if requested by those officials.~~ requested. Beginning ten days before the election and continuing through election day, if requested by the elections official, the district administrator shall make building parking available at no charge to the precinct or vote center board and voters.

(e) A public building, including, but not limited to, a building operated by a school district, that is used as a polling place or vote center shall comply with applicable accessibility requirements described in this article, the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

SEC. 2.

Amends Elections Code 12284.

Upon request of the elections official, state-owned buildings, parking lots, and other facilities shall be made available free of charge for use as polling places and vote centers, except that the Department of General Services may exclude from use as polling places or vote centers state facilities at which access to confidential materials cannot be reasonably safeguarded, which are inaccessible to the public, the use of which would disrupt state business, or which are otherwise impractical for use as polling places.

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SECRETARY OF STATE: CENSUS OUTREACH AND EDUCATION**Assembly Bill 2592****Chapter 652****CURRENT PROVISIONS**

Existing law provides that the Secretary of State is the chief elections officer of the state, and requires the Secretary of State to make reasonable efforts to promote voter registration to eligible voters.

Existing law requires the Secretary of State to prepare the state voter information guide.

NEW PROVISIONS

Requires the Secretary of State, beginning in the year before the federal decennial census and continuing through the completion of enumeration activities for that census, to incorporate messages into public election materials produced by the Secretary of State that promote awareness of, and encourage participation in, the census, as specified.

Requires the Secretary of State to include this information in the state voter information guide for any statewide election that is held less than one year before the census and on the Secretary of State's Internet Web site.

SECTIONS AFFECTED:**SECTION 1.**

(a) The Legislature finds and declares all of the following:

(1) Section 2 of Article 1 of the United States Constitution requires an enumeration of the population of the United States every 10 years, which is known as the federal decennial census.

(2) The federal decennial census is important because census figures affect congressional representation, state redistricting, federal formula grant allocations, state funding to local governments, local programs, and planning activities for the next 10 years.

(3) A complete and accurate count of all California residents in the 2020 federal decennial census is vital to ensure fair political representation and distribution of funding in California.

(4) Historically, it has been more difficult to reach and enumerate certain groups as part of the federal decennial census, including lower income individuals, homeless persons, children, and immigrants.

(5) California is home to 10 of the nation's 50 hardest-to-count counties.

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including Los Angeles County, the single hardest-to-count county in the nation.

(b) It is the intent of the legislature, in enacting this chapter, to use existing governmental outreach and education efforts to facilitate a complete count of California residents for each federal decennial census.

SEC. 2.

Amends Elections Code 10.

(a) The Secretary of State is the chief elections officer of the state, and has the powers and duties specified in this code and Section 12172.5 of the Government Code.

(b) (1) The Secretary of State shall make reasonable efforts to do all of the following:

(A) Promote voter registration to eligible voters.

(B) Encourage eligible voters to vote.

(C) Promote ~~pre-registration~~ preregistration to eligible citizens.

(D) Promote civic learning and engagement to prepare students and new citizens to register to vote and to vote.

(2) In undertaking these efforts, the Secretary of State shall prioritize communities that have been historically underrepresented in voter registration or voting.

(c) Beginning in the year before the federal decennial census and continuing through the completion of the enumeration activities for that census, the Secretary of State shall incorporate messages into public election materials produced by the Secretary of State that promote awareness of, and encourage participation in, the census. In undertaking this effort, the Secretary of State shall prioritize messages that are designed to overcome significant challenges to a complete and accurate enumeration of the state, including messages targeted at overcoming barriers to participation by historically hard-to-count communities based on response rate data from the United States Census Bureau.

SEC. 3.

Adds Elections Code 9088.5.

For any statewide election that is held less than one year before the federal decennial census, the state voter information guide shall contain information that promotes awareness of, and participation in, the federal decennial census.

SEC. 4.

Adds Government Code 12172.6.

Beginning in the year before the federal decennial census and continuing through the completion of the enumeration activities for that census, the Secretary of State shall include on the secretary's Internet Web site information designed to educate the public regarding, and encourage participation in, the federal decennial census.

ABSENTEE BALLOTS: PROCESSING

Assembly Bill 2665

Chapter 282

CURRENT PROVISIONS

Existing law authorizes any jurisdiction having the necessary computer capability to start to process vote by mail ballots on the 10th business day before the election.

Processing vote by mail ballots includes opening vote by mail ballot return envelopes, removing ballots, duplicating any damaged ballots, and preparing the ballots to be machine read, or machine reading them.

NEW PROVISIONS

Specifies that machine reading of vote by mail ballots for these purposes includes processing write-in votes so that they can be tallied by the machine.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 15101.

(a) Any jurisdiction in which vote by mail ballots are cast may begin to process vote by mail ballot return envelopes beginning 29 days before the election. Processing vote by mail ballot return envelopes may include verifying the voter's signature on the vote by mail ballot return envelope pursuant to Section 3019 and updating voter history records.

(b) Any jurisdiction having the necessary computer capability may start to process vote by mail ballots on the 10th business day before the election. Processing vote by mail ballots includes opening vote by mail ballot return envelopes, removing ballots, duplicating any damaged ballots, and preparing the ballots to be machine read, or machine reading them, including processing write-in votes so that they can be tallied by the machine, but under no circumstances may a vote count be accessed or released until 8 p.m. on the day of the election. All other jurisdictions shall start to process vote by mail ballots at 5 p.m. on the day before the election.

(c) Results of any vote by mail ballot tabulation or count shall not be released before the close of the polls on the day of the election.

VOTER INFORMATION INTERNET WEB SITE**Assembly Bill 2707****Chapter 920****CURRENT PROVISIONS**

Requires the Secretary of State to compile, 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.

NEW PROVISIONS

Requires the Secretary of State to request proposals to establish an Internet Web site that displays the names and contact information, including the office phone number, email address, and office address, of each voter's specified local, state, and federal elected officials, which would be displayed upon a voter submitting his or her address information on the Internet Web site.

Specifies criteria for the Internet Web site, including limits on the cost to establish and update it.

Authorizes the Secretary to elect not to establish the Internet Web site if he or she does not receive qualifying proposals that meet those criteria.

Requires the Secretary to establish the Internet Web site if he or she determines that the Internet Web site can be established using existing personnel at a lower cost than any qualified proposal.

SECTIONS AFFECTED:**SECTION 1.****CHAPTER 11****Adds Government Code 11898.**

(a) No later than July 1, 2019, the Secretary of State shall request proposals to establish a voter information Internet Web site for the purpose of providing a voter with information regarding the voter's elected officials.

(b) The Secretary's request for proposals shall specify the following criteria for the Internet Web site:

(1) Upon a voter submitting his or her address information, the Internet Web site shall display the names and contact information, including the office telephone number, email address, and office address, of the following elected officials for the voter:

(A) United States Senators and Representative in Congress.

(B) State officers elected on a statewide basis.

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(C) Member of the Senate and Member of the Assembly.

(D) Elective officers of a city, county, school district, and special district.

(2) The Internet Web site shall be accessible to voters in multiple languages, including, but not limited to, Spanish, Chinese, Korean, Vietnamese, Tagalog, and Japanese.

(3) The cost to establish the Internet Web site shall not exceed two hundred fifty thousand dollars (\$250,000) and the cost to update the Internet Web site shall not exceed one hundred fifty thousand dollars (\$150,000) per year.

(c) If the Secretary of State receives one or more qualifying proposals to his or her request pursuant to subdivision (a) that meet the criteria specified in subdivision (b), the Secretary shall, consistent with any method permitted by current law, including, but not limited to, the Public Contract Code, select a qualifying proposal and award a contract to establish the Internet Web site no later than July 1, 2020. If the Secretary of State does not receive qualifying proposals that meet the criteria specified in subdivision (b), the Secretary may decide to not establish the Internet Web site, in which case the Secretary shall publish the decision on the home page of the Secretary's Internet Web site no later than December 1, 2019.

(d) Notwithstanding subdivision (c), if the Secretary of State determines after receiving proposals that he or she can use existing personnel to internally develop and establish the Internet Web site at a cost lower than any qualified proposal that meets the criteria specified in subdivision (b), the Secretary shall establish the Internet Web site no later than July 1, 2020, and shall reject the proposals that he or she has received. If applicable, the Secretary shall publish the decision to internally develop the Internet Web site on the home page of the Secretary's Internet Web site no later than December 1, 2019.

ELECTIONS: BALLOTS

Assembly Bill 2835

Chapter 57

CURRENT PROVISIONS

Existing law defines a "ballot" for election law purposes to include an electronic touchscreen upon which appears the names of candidates and ballot titles of measures to be voted on by touching the designated area of the screen for systems that do not contain a paper ballot.

Existing law prohibits a paper cast vote record, as defined, from being considered a ballot.

Existing law imposes ballot layout specifications, including specific requirements relating to the size and spacing of text.

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NEW PROVISIONS

Expands the electronic touchscreen systems that qualify as ballots by eliminating the requirement that the systems not contain paper ballots if the votes are tabulated manually or by optical scanning equipment.

Allows a paper cast vote record to be considered a ballot, but only if the paper cast vote record is generated on a voting device or machine that complies with ballot layout requirements and is tabulated by a separate device from the device that created the paper cast vote record.

Makes various changes to these specifications, which allow more flexibility in ballot layout. The changes include allowing the use of objects other than squares for voters to make selections.

SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 301.**

A “ballot” means any of the following:

(a) The combination of a card with number positions that is marked by the voter and the accompanying reference page or pages containing the names of candidates and the ballot titles of measures to be voted on with numbered positions corresponding to the numbers on the card.

(b) One or more cards upon which are printed the names of the candidates and the ballot titles of measures to be voted on by punching or marking in the designated area.

(c) One or more sheets of paper upon which are printed the names of candidates and the ballot titles of measures to be voted on by marking the designated area and that are tabulated manually or by optical scanning equipment.

(d) (1) An electronic touchscreen upon which appears the names of candidates and ballot titles of measures to be voted on by touching the designated area on the screen for systems that do not contain a paper ballot.

(2) An electronic touchscreen may qualify as a ballot even for systems that contain paper ballots if the votes are tabulated manually or by optical scanning equipment.

SEC. 2.**Amends Elections Code 305.5.**

(a) “Paper cast vote record” means an auditable document that corresponds to the selection made on the voter’s ballot and lists the contests on the ballot and the voter’s selections for those contests. ~~A paper cast vote record is not a ballot.~~

(b) A paper cast vote record is a ballot only if the paper cast vote record

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is generated on a voting device or machine that complies with ballot layout requirements and is tabulated by a separate device from the device that created the paper cast vote record.

SEC. 3.

Amends Elections Code 13107.

(a) With the exception of candidates for Justice of the State Supreme Court or court of appeal, immediately under the name of each candidate, and not separated from the name by any line, unless the designation made by the candidate pursuant to Section 8002.5 must be listed immediately below the name of the candidate pursuant to Section 13105, and in that case immediately under the designation, may appear at the option of the candidate only one of the following designations:

(1) Words designating the elective city, county, district, state, or federal office which the candidate holds at the time of filing the nomination documents to which he or she was elected by vote of the people.

(2) The word “incumbent” if the candidate is a candidate for the same office which he or she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people.

(3) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

(4) The phrase “appointed incumbent” if the candidate holds an office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word “appointed” and the title of the office. In either instance, the candidate may not use the unmodified word “incumbent” or any words designating the office unmodified by the word “appointed.” However, the phrase “appointed incumbent” shall not be required of a candidate who seeks reelection to an office which he or she holds and to which he or she was appointed, as a nominated candidate, in lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of this code.

(b) (1) Except as specified in paragraph (2), for candidates for judicial office, immediately under the name of each candidate, and not separated from the name by any line, only one of the following designations may appear at the option of the candidate:

(A) Words designating the city, county, district, state, or federal office held by the candidate at the time of filing the nomination documents.

(B) The word “incumbent” if the candidate is a candidate for the same office that he or she holds at the time of filing the nomination papers.

(C) No more than three words designating either the current principal professions, vocations, or occupations of the candidate, or the principal professions,

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vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents.

(2) For a candidate for judicial office who is an active member of the State Bar employed by a city, county, district, state, or by the United States, the designation shall appear as one of the following:

(A) Words designating the actual job title, as defined by statute, charter, or other governing instrument.

(B) One of the following ballot designations: “Attorney,” “Attorney at Law,” “Lawyer,” or “Counselor at Law.” The designations “Attorney” and “Lawyer” may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(3) A designation made pursuant to subparagraph (A) of paragraph (1) or paragraph (2) shall also contain relevant qualifiers, as follows:

(A) If the candidate is an official or employee of a city, the name of the city shall appear preceded by the words “City of.”

(B) If the candidate is an official or employee of a county, the name of the county shall appear preceded by the words “County of.”

(C) If the candidate is an official or employee of a city and county, the name of the city and county shall appear preceded by the words “City and County.”

(D) If the candidate performs quasi-judicial functions for a governmental agency, the full name of the agency shall be included.

(c) A candidate for superior court judge who is an active member of the State Bar and practices law as one of his or her principal professions shall use one of the following ballot designations as his or her ballot designation: “Attorney,” “Attorney at Law,” “Lawyer,” or “Counselor at Law.” The designations “Attorney” and “Lawyer” may be used in combination with one other current principal profession, vocation, or occupation of the candidate, or the principal profession, vocation, or occupation of the candidate during the calendar year immediately preceding the filing of nomination documents.

(d) For purposes of this section, all California geographical names shall be considered to be one word. Hyphenated words that appear in any generally available standard reference dictionary, published in the United States at any time within the 10 calendar years immediately preceding the election for which the words are counted, shall be considered as one word. Each part of all other hyphenated words shall be counted as a separate word.

(e) The Secretary of State and any other elections official shall not accept a designation of which any of the following would be true:

(1) It would mislead the voter.

(2) It would suggest an evaluation of a candidate, such as outstanding, leading, expert, virtuous, or eminent.

(3) It abbreviates the word “retired” or places it following any word or

words which it modifies.

(4) It uses a word or prefix, such as “former” or “ex-,” which means a prior status. The only exception is the use of the word “retired.”

(5) It uses the name of any political party, whether or not it has qualified for the ballot.

(6) It uses a word or words referring to a racial, religious, or ethnic group.

(7) It refers to any activity prohibited by law.

(f) If, upon checking the nomination documents and the ballot designation worksheet described in Section 13107.3, the elections official finds the designation to be in violation of any of the restrictions set forth in this section, the elections official shall notify the candidate by registered or certified mail return receipt requested, addressed to the mailing address provided on the candidate’s ballot designation worksheet.

(1) The candidate shall, within three days, excluding Saturday, Sunday, and state holidays, from the date he or she receives notice by registered or certified mail, or from the date the candidate receives actual notice of the violation, whichever occurs first, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide a designation that complies with subdivision (a) or (b).

(2) If a candidate fails to provide a designation that complies with subdivision (a) or (b) within the three-day period specified in paragraph (1), a designation shall not appear after the candidate’s name.

(g) A designation given by a candidate shall not be changed by the candidate after the final date for filing nomination documents, except as specifically requested by the elections official as specified in subdivision (f) or as provided in subdivision (h). The elections official shall maintain a copy of the ballot designation worksheet for each candidate that appears on the ballot in the county for the same period of time as applied to nomination documents pursuant to Section 17100.

(h) The designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days before the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request.

(i) In all cases, the words so used shall be printed in ~~8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict~~ a manner consistent with the space requirements of Sections 13207 and ~~13211, the elections official shall use a type size for the designation for each candidate for that office sufficiently smaller to meet these requirements.~~ 13211.

(j) If a foreign language translation of a candidate’s designation is required under the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), as amended, to appear on the ballot in addition to the English language version, it shall be as short as possible, as consistent as is practicable with this section, and shall employ abbreviations and initials wherever possible in order to avoid undue

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length.

SEC. 4.

Amends Elections Code 13119.

(a) The ballots used when voting upon a measure proposed by a local governing body or submitted to the voters as an initiative or referendum measure pursuant to Division 9 (commencing with Section 9000), including a measure authorizing the issuance of bonds or the incurrence of debt, shall have printed on them the words "Shall the measure (stating the nature thereof) be adopted?" ~~Opposite~~ To the right or below the statement of the measure to be voted on, ~~and to its right,~~ on, the words "Yes" and "No" shall be printed on separate lines, with voting ~~squares.~~ targets. If a voter stamps a cross (+) in the voting ~~square~~ target after the printed word "Yes," his or her vote shall be counted in favor of the adoption of the measure. If he or she stamps a cross (+) in the voting ~~square~~ target after the printed word "No," his or her vote shall be counted against its adoption.

(b) If the proposed measure imposes a tax or raises the rate of a tax, the ballot shall include in the statement of the measure to be voted on the amount of money to be raised annually and the rate and duration of the tax to be levied.

(c) The statement of the measure shall be a true and impartial synopsis of the purpose of the proposed measure, and shall be in language that is neither argumentative nor likely to create prejudice for or against the measure.

(d) For purposes of this section, ~~local~~ the following terms have the following meanings:

(1) "Local governing body" means the governing body of a city, county, city and county, including a charter city or charter county, or district, including a school district.

(2) "Target" means an object designated as the aim for a voter to make a vote selection.

SEC. 5.

Amends Elections Code 13207.

(a) There shall be printed on the ballot in parallel columns all of the following:

(1) The respective offices.

(2) The names of candidates with sufficient blank spaces to allow the voters to write in names not printed on the ballot, except that no spaces shall be printed for voter-nominated offices at a general election.

(3) Whatever measures have been submitted to the voters.

(b) In the case of a ballot which is intended for use in a party primary and which carries partisan offices, voter-nominated offices, and nonpartisan offices, a vertical solid black line shall divide the columns containing partisan offices, on the left, from the columns containing nonpartisan offices and voter-nominated offices,

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on the right.

(c) The standard width of columns containing partisan offices, nonpartisan offices, and voter-nominated offices, shall be three inches except that an elections official may vary the width of these columns by up to ~~three-tenths of an~~ one inch. The column containing presidential and vice presidential candidates may be as wide as four inches.

(d) A measure that is to be submitted to the voters shall be printed in one or more parallel columns to the right of the columns containing the names of candidates and shall be of sufficient width to contain the title and summary of the measure. To the right of or below the title and summary shall be printed, on separate lines, the words “Yes” and “No.”

SEC. 6.

Amends Elections Code 13208.

(a) In the right-hand margin of each column light vertical lines shall be printed in such a way as to create a voting ~~square~~ target after the name of each candidate for partisan office, voter-nominated office, nonpartisan office (except for Justice of the Supreme Court or justice of a court of appeal), or for chairperson of a group of candidates for delegate to a national convention who express no preference for a presidential candidate. In the case of Supreme Court or appellate justices and in the case of measures submitted to the voters, the lines shall be printed so as to create voting ~~squares~~ targets to the right of the words “Yes” and “No.” The voting ~~squares~~ targets shall be used by the voters to express their choices as provided for in the instruction to voters.

(b) The standard voting ~~square~~ target shall be at least three-eighths of an inch may be up to one-half ~~square~~ wide Voting ~~squares~~ targets for measures may be required by the space occupied by the title and summary.

(c) As used in this section, “target” means an object designated as the aim for a voter to make a vote selection.

SEC. 7.

Amends Elections Code 13213.

Each group of names of candidates for a particular office shall be separated from the succeeding group by a three-point rule. Each series of groups shall be headed by the caption “President of the United States,” “President and Vice President,” “State,” “United States Senator,” “United States Representative,” “State Senator,” “Member of the State Assembly,” “County,” or “City” or other proper general classification, as the case may be, printed in boldfaced gothic capital ~~type, not smaller than 12-point.~~ type. Each caption shall be separated from the names of the candidates beneath by a two-point line.

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SEC. 8.

Section 13241 of the Elections Code is amended to read:

The names of the candidates and the respective offices shall be printed on the ballot in parallel columns at least ~~2 1/2~~ 2 inches wide.

LOCAL ENFORCEMENT

Assembly Bill 2880
Chapter 394

CURRENT PROVISIONS

Existing law authorizes the Fair Political Practices Commission, upon mutual agreement between the Commission and the Board of Supervisors of the County of San Bernardino, to have primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance reform ordinance of the County of San Bernardino, as specified.

Existing law also authorizes the Fair Political Practices Commission to enter into such agreements with the City Council of the City of Stockton and the City Council of the City of Sacramento, respectively.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house of the Legislature and compliance with specified procedural requirements.

NEW PROVISIONS

Repeals the provisions governing agreements with the Cities of Stockton and Sacramento and generally authorizes the governing body of a local government agency to contract with the Commission for the administration, implementation, and enforcement of a local campaign finance or government ethics law.

Clarifies that any agreement with the City of Stockton or the City of Sacramento that was in effect on December 31, 2018, is deemed to comply with this provision, and that this bill does not apply to the County of San Bernardino.

SECTIONS AFFECTED:**SECTION 1.**

Repeals Government Code 83123.6.

SEC. 2.

Amends Government Code 83123.6.

(a) (1) Upon mutual agreement between the Commission and the

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governing body of a local government agency, the Commission may assume primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance or government ethics law passed by the local government agency.

(2) (A) Upon approval of an agreement pursuant to paragraph (1), the Commission shall be the civil prosecutor responsible for the civil enforcement of the local campaign finance or government ethics law of the local government agency in accordance with this title.

(B) As the civil prosecutor, the Commission may do all of the following with respect to the local campaign finance or government ethics law:

(i) Provide advice.

(ii) Investigate possible violations.

(iii) Bring administrative actions in accordance with this title and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2.

(iv) Bring civil actions.

(C) The Commission shall not be required to obtain authorization from the local government agency to bring an administrative or civil action pursuant to subparagraph (B).

(b) A local campaign finance or government ethics law of the local government agency enforced by the Commission pursuant to this section shall comply with this title.

(c) The governing body of the local government agency shall consult with the Commission before adopting and amending any local campaign finance or government ethics law that is subsequently enforced by the Commission pursuant to this section.

(d) (1) The governing body of the local government agency and the Commission ~~may~~ shall enter into any agreements necessary and appropriate to carry out the provisions of ~~this section~~, paragraph (1) of subdivision (a), including agreements pertaining to any necessary local reimbursement of ~~state costs with local funds for~~ direct and indirect costs incurred by the Commission in administering, implementing, or enforcing a local campaign finance or government ethics law pursuant to this section. Before approving an agreement for local reimbursement, the Commission shall submit the proposed agreement to the Department of General Services for review. The Commission may approve the agreement 90 days after submitting it to the Department of General Services or after receiving the department's written review of the agreement, whichever occurs first. The Commission shall submit an approved agreement, along with any review received, to the Department of Finance.

(2) An agreement entered into pursuant to this subdivision shall not contain a cancellation fee, a liquidated damages provision, or other financial disincentive to terminate the agreement pursuant to subdivision (e), except that, if the local government agency terminates the agreement, the Commission may require the governing body of the local government agency to pay the Commission

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for services rendered and any other expenditures reasonably made by the Commission in anticipation of services to be rendered pursuant to the agreement.

(e) The governing body of the local government agency or the Commission may, at any time, by ordinance or resolution, terminate an agreement made pursuant to this section for the Commission to administer, implement, or enforce a local campaign finance ordinance or any provision thereof. The termination shall be effective 90 days after the enactment of the ordinance or resolution unless an agreement between the local government and the Commission requires a longer period.

(f) The Commission shall conspicuously post on its Internet Web site a list of every local government agency that it has entered into agreement with pursuant to this section.

(g) An agreement for the enforcement of a local campaign finance or government ethics law between the Commission and ~~the County of San Bernardino,~~ the City of Stockton, or the City of Sacramento that was in effect on December 31, 2018, shall be deemed to comply with this section.

(h) If an agreement is entered into pursuant to this section, the Commission shall report to the Legislature regarding the performance of that agreement on or before January 1, 2025, and shall submit that report in compliance with Section 9795. The Commission shall develop the report in consultation with the governing body of the local government agency. The report shall include, but not be limited to, all of the following:

(1) The status of the agreement.

(2) The estimated annual cost savings, if any, for the local government agency.

(3) A summary of relevant annual performance metrics, including measures of use, enforcement, and customer satisfaction.

(4) Public comments submitted to the Commission or the local government agency relative to the operation of the agreement.

(5) Legislative recommendations.

(i) This section does not apply to a jurisdiction with a population of 3,000,000 or more or to the County of San Bernardino.

(j) This section shall remain in effect only until January 1, 2026, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2026, deletes or extends that date.

SEC. 3.

Repeals Government Code 83123.7.

SEC. 4.

The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

OFFICE OF ELECTIONS CYBERSECURITY**Assembly Bill 3075****Chapter 241****CURRENT PROVISIONS**

Existing law establishes the Secretary of State as the chief elections officer of the state.

NEW PROVISIONS

Creates within the Secretary of State the Office of Elections Cybersecurity to coordinate efforts between the Secretary of State and local elections officials to reduce the likelihood and severity of cyber incidents that could interfere with the security or integrity of elections in the state, and to monitor and counteract false or misleading information regarding the electoral process that is published online or on other platforms and that may suppress voter participation or cause confusion and disruption of the orderly and secure administration of elections.

SECTIONS AFFECTED:**SECTION 1.****Adds Elections Code 10.5.**

(a) There is established within the Secretary of State the Office of Elections Cybersecurity.

(b) The primary missions of the Office of Elections Cybersecurity are both of the following:

(1) To coordinate efforts between the Secretary of State and local elections officials to reduce the likelihood and severity of cyber incidents that could interfere with the security or integrity of elections in the state.

(2) To monitor and counteract false or misleading information regarding the electoral process that is published online or on other platforms and that may suppress voter participation or cause confusion and disruption of the orderly and secure administration of elections.

(c) The Office of Elections Cybersecurity shall do all of the following:

(1) Coordinate with federal, state, and local agencies the sharing of information on threats to election cybersecurity, risk assessment, and threat mitigation in a timely manner and in a manner that protects sensitive information.

(2) In consultation with federal, state, and local agencies and private organizations, develop best practices for protecting against threats to election cybersecurity.

(3) In consultation with state and local agencies, develop and include best practices for cyber incident responses in emergency preparedness plans for

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elections.

(4) Identify resources, such as protective security tools, training, and other resources available to state and county elections officials.

(5) Advise the Secretary of State on issues related to election cybersecurity, and make recommendations for changes to state laws, regulations, and policies to further protect election infrastructure.

(6) Serve as a liaison between the Secretary of State, other state agencies, federal agencies, and local elections officials on election cybersecurity issues.

(7) Coordinate efforts within the Secretary of State to protect the security of Internet-connected elections-related resources, including all of the following:

(i) The state's online voter registration system established pursuant to Section 2196.

(ii) The statewide voter registration database developed in compliance with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).

(iii) The Secretary of State's election night results Internet Web site.

(iv) The online campaign and lobbying filing and disclosure system developed by the Secretary of State pursuant to Chapter 4.6 (commencing with Section 84600) of Title 9 of the Government Code.

(v) Other parts of the Secretary of State's Internet Web site.

(8) Assess the false or misleading information regarding the electoral process described in paragraph (2) of subdivision (b), mitigate the false or misleading information, and educate voters, especially new and unregistered voters, with valid information from elections officials such as a county elections official or the Secretary of State.

ELECTIONS

Assembly Bill 3258 Chapter 269

CURRENT PROVISIONS

Existing law requires a county elections official to prepare specified information regarding registered voters in the county, including the total number of voters and the number of voters registered as preferring each qualified political party.

Existing law requires a county elections official, on specified days before an election, to prepare this information and to notify the Secretary of State that the information is available with respect to voters registered on certain dates before the election, including not less than 102 days before each presidential general election with respect to voters registered before the 123rd day before the presidential general election.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.
*Full text can be obtained from www.leginfo.ca.gov

Existing law authorizes a candidate seeking elective office to submit a petition containing signatures of registered voters in lieu of a filing fee, as specified.

Existing law requires those in-lieu-filing-fee petitions to be filed at least 30 days before the close of the nomination period, and requires the candidate to pay a pro rata portion of the filing fee to cover any deficiency in the number of signatures required for the in-lieu-filing fee petition for the office.

Existing law requires the Secretary of State, in those instances in which the county elections official uses data processing equipment to store voter registration information, to mail state voter information guides to voters who have registered on or before the 60th day before the election at which measures contained in the state voter information guide are to be voted on, unless a voter has registered fewer than 29 days before the election.

For voters who registered after the 60th day before the election, existing law requires the Secretary of State to provide for the mailing of state voter information guides by either mailing the guide to those voters or requiring the county elections official to mail the guide. In those instances in which the county elections official does not use data processing equipment to store voter registration information

Existing law requires the Secretary of State to furnish state voter information guides to the county elections official for mailing to voters.

Existing law requires the Secretary of State to prepare and mail to voters the state voter information guide, as specified.

Existing law requires each appropriate elections official to prepare and mail to voters the county voter information guide, as specified.

Existing law authorizes a county elections official to elect not to mail a county voter information guide to a permanent vote by mail voter or a voter in a specified mail ballot election if, among other things, the county elections official prepares and mails to the voter a state voter information guide that includes all of the information required to be included in the county voter information guide.

NEW PROVISIONS

Clarifies that on each of the specified days before an election for which a county elections official must prepare information, and give notice to the Secretary of State, that the notice applies with respect to all voters who are registered on the applicable day before the election.

Establishes different deadlines for filing in lieu filing fee petitions if the last day to

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*Full text can be obtained from www.leginfo.ca.gov

file occurs before the vacancy begins.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 2187.

(a) Each county elections official shall provide notice to the Secretary of State that the following information is available:

- (1) The total number of voters in the county.
- (2) The number registered as preferring each qualified political party.
- (3) The number registered as preferring nonqualified parties.
- (4) The number registered without choosing a political party preference.
- (5) The number of voters by political party preferences in each of the

following political subdivisions, located in whole or in part within the county:

- (A) A supervisory district.
- (B) Congressional district.
- (C) Senate district.
- (D) Assembly district.
- (E) Board of Equalization district.
- (F) Cities and unincorporated areas.

(b) The Secretary of State, within 30 days after receiving the information specified in subdivision (a), shall compile a statewide list showing the number of voters, by party preferences, in the state and in each county, city, supervisory district, Assembly district, Senate district, and congressional district in the state. A copy of this list shall be made available, upon request, to any elector in this state.

(c) The county elections officials shall prepare the information referenced in subdivision (a) and provide notice to the Secretary of State at the following times:

(1) On the 135th day before each presidential primary and before each direct primary, with respect to ~~voters registered~~ all voters who are registered voters on the 154th day before the primary election.

(2) Not less than 50 days ~~prior to~~ before the primary election, with respect to ~~voters registered~~ all voters who are registered voters on the 60th day before the primary election.

(3) Not less than seven days ~~prior to~~ before the primary election, with respect to ~~voters registered before the 14th day prior to~~ all voters who are registered voters on the 15th day before the primary election.

(4) Not less than 102 days ~~prior to~~ before each presidential general election, with respect to ~~voters registered before~~ all voters who are registered voters on the 123rd day before the presidential general election.

(5) Not less than 50 days ~~prior to~~ before the general election, with respect to ~~voters registered~~ all voters who are registered voters on the 60th day before the general election.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

(6) Not less than seven days ~~prior to~~ before the general election, with respect to ~~voters registered before the 14th day prior to~~ all voters who are registered voters on the 15th day before the general election.

(7) On or before March 1 of each odd-numbered year, with respect to ~~voters registered as of~~ all voters who are registered voters on February 10.

(d) The Secretary of State may adopt regulations prescribing additional regular reporting times, except that the total number of reporting times in any one calendar year shall not exceed 12.

SEC. 2.

Amends Elections Code 8106.5.

(a) ~~If~~ Notwithstanding paragraph (3) of subdivision (b) of Section 8106, if the last day to file in-lieu-filing-fee petitions pursuant to that paragraph for a special election to fill a vacancy occurs before the vacancy begins, or before the Governor calls the special election by issuing a proclamation pursuant to Section 10700, the following apply:

(1) If the nomination period for the special election is 12 days or more, the in-lieu-filing-fee petitions shall be filed at least 9 days before the close of the nomination period. Within 3 days after receipt of a petition, the elections official shall notify the candidate of any deficiency. The candidate shall then, at the time of obtaining nomination forms, pay a pro rata portion of the filing fee to cover the deficiency.

(2) If the nomination period for the special election is 11 days or less, the Secretary of State shall set the time for filing in-lieu-filing-fee petitions and the time by which the elections official shall notify the candidate of any deficiency. If there is a deficiency, the candidate shall, at the time of obtaining nomination forms, pay a pro rata portion of the filing fee to cover the deficiency.

~~(b) If the number of days for a candidate to collect signatures on a petition in lieu of a filing fee for a special election that is held to fill a vacancy is less than the number of days that a candidate would have to collect signatures on a petition for a regular election for the same office, the elections official shall reduce the required number of signatures for the petition, as specified in subdivision (a) of Section 8106, by the same proportion as the reduction in time for the candidate to collect signatures. In determining the proportion of time by which the period for a candidate to collect signatures has been reduced, the elections official shall exclude any days allotted for filing a supplemental petition pursuant to paragraph (3) of subdivision (b) of Section 8106.~~

~~(c) Notwithstanding subdivision (a),~~ (b), the number of signatures required on an in-lieu-filing-fee petition for a special election held to fill a vacancy in the office of Representative in Congress, state Senator, or Member of the Assembly shall be not less than 100.

SEC. 3.**Amends Elections Code 9094.**

(a) The Secretary of State shall mail state voter information guides to ~~voters, in those instances in which the county elections official uses data processing equipment to store the information set forth in the affidavits of registration,~~ voters before the election at which measures contained in the state voter information guide are to be voted on unless a voter has registered fewer than 29 days before the election. The mailing shall commence not less than 40 days before the election and shall be completed no later than 21 days before the election for those voters who registered on or before the 60th day before the ~~election.~~ election, and shall be completed no later than 10 days before the election for those voters who registered after the 60th day before the election and before the 28th day before the election. The Secretary of State shall mail one copy of the state voter information guide to each registered voter at the postal address stated on the voter's affidavit of registration, or the Secretary of State may mail only one state voter information guide to two or more registered voters having the same postal address.

(b) The county elections official shall mail a state voter information guide to any person requesting a state voter information guide. Three copies, to be supplied by the Secretary of State, shall be kept at every polling place, while an election is in progress, so that they may be freely consulted by the voters.

SEC. 4.**Amends Elections Code 11325.**

(a) With the voter information guide there shall be ~~mailed~~ mailed, for each officer whose recall is sought, a printed copy of the following:

(1) The statement of reasons for recall that appeared on the notice of intent to recall that was filed by the proponents of the recall with the elections ~~official,~~ official or, in the case of a state officer, with the Secretary of State.

(2) The answer to the statement of reasons for recall that was filed by the officer whose recall is sought with the elections official or, in the case of a state officer, with the Secretary of State, if an answer was filed.

(b) The printed copies of the statement and the answer to that statement shall be mailed with the ~~sample ballot~~ voter information guide either in a document separate from the ~~sample ballot or in the same document in which the sample ballot appears.~~ voter information guide or as part of the voter information guide. Both the statement and answer shall be printed on the same page, or on facing pages of the document, and shall be of equal prominence.

(c) If the recall of more than one officer is sought, the statement and answer for each officer shall be printed together and shall be clearly distinguished from those of any other officer.

SEC. 5.**Amends Elections Code 13305.**

(a) Notwithstanding Sections ~~13300 and 13303~~, 3022, 13300, 13303, and 13315, a county elections official may elect not to mail a county voter information guide to a voter if all of the following are satisfied:

(1) The voter is one of the following:

(A) A permanent vote by mail voter pursuant to Chapter 3 (commencing with Section 3200) of Division 3.

(B) A voter in a mail ballot election conducted pursuant to Division 4 (commencing with Section 4000).

(C) A voter in a precinct in which an election is conducted pursuant to Section 3005.

(2) The county elections official prepares and mails to each voter a ~~state voter information guide. The state voter information guide shall include~~ document that includes all of the information required to be included in, and shall be accompanied by all the election materials required to accompany, the county voter information guide, except for both of the following:

(A) An application for a vote by mail ballot.

(B) A notice that a vote by mail ballot application is enclosed.

(3) The voter is furnished with an official ballot pursuant to Section 3005 or 3010.

(b) Notwithstanding subdivision (a) of Section 13303, for each voter to whom the elections official elects not to mail a county voter information guide pursuant to subdivision (a), the elections official may cause to be printed one less copy of the county voter information guide.

(c) If a county elections official elects not to mail a county voter information guide to a voter pursuant to this section, the elections official shall use any savings achieved to offset the costs associated with establishing a free access system for vote by mail ballots pursuant to Section 3019.5 before the savings may be used for any other purpose.

ELECTIONS
Assembly Bill 3259**Chapter 58****CURRENT PROVISIONS**

Existing law contains various election-related forms, some of which contain obsolete date blocks that begin with "19__".

Existing law requires a county elections official, upon receipt of a properly executed affidavit of registration or address correction notice or letter for a voter, to send the voter a voter notification, address correction requested.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

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Existing law specifies a form of voter notification that county elections officials are required to use that includes a voter signature line.

Existing law specifies procedures for collecting signatures on a petition for an initiative, referendum, or recall, and for filing the petition and signatures with elections officials.

Existing law requires elections officials for local recall and municipal initiative measure petitions to determine, prima facie, the total number of signatures affixed to the petition to determine whether or not the petition is accepted for filing.

Existing law requires that recall and municipal initiative measure petitions not accepted for filing be returned to the proponents.

Existing law authorizes a local, special, or consolidated election to be conducted wholly by mail if specified conditions are satisfied.

Existing law establishes specified dates in March, May, and August for conducting an all-mailed ballot election.

NEW PROVISIONS

Updates the date block of these forms to “20__”.

Removes the voter signature line from the voter notification.

Repeals this requirement to return the petitions to the proponents and instead require that further action not be taken.

Delete the date in March from the established dates for conducting an all-mailed ballot election.

SECTIONS AFFECTED:

SECTION 1.

Amends Elections Code 1500.

The established mailed ballot election dates are as follows:

(a) The first Tuesday after the first Monday in May of each year.

~~(b) The first Tuesday after the first Monday in March of each even-numbered year.~~

(b) The last Tuesday in August of each year.

Changes in or additions to text are shown by *underlined italics*, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

SEC. 2.**Amends Elections Code 2155.**

Upon receipt of a properly executed affidavit of registration or address correction notice or letter pursuant to Section 2119, Article 2 (commencing with Section 2220), or the federal National Voter Registration Act of 1993 (52 U.S.C. Sec. 20501 et seq.), the county elections official shall send the voter a voter notification by nonforwardable, first-class mail, address correction requested. The voter notification shall state the party preference for which the voter has registered in the following format:

Party: (Name of political party)

The voter notification shall be substantially in the following form:

VOTER NOTIFICATION

You are registered to vote. The party preference you chose, if any, is on this card.

This card is being sent as a notification of:

1. Your recently completed affidavit of registration.

OR,

2. A change to your registration because of an official notice that you have moved. If your residence address has not changed or if your move is temporary, please call or write to our office immediately.

OR,

3. Your recent registration with a change in party preference. If this change is not correct, please call or write to our office immediately.

You may vote in any election held 15 or more days after the date on this card.

Your name will appear on the roster kept at the polls.

Please contact our office if the information shown on the reverse side of this card is incorrect.

~~(Signature of Voter)~~

SEC. 3.**Amends Elections Code 6321.**

The notification of the number of delegates shall be in substantially the following form:

STATEMENT OF NUMBER OF DELEGATES TO THE
REPUBLICAN PARTY NATIONAL CONVENTION

To the Secretary of State

Sacramento, California

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

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You are hereby notified that the number of delegates to represent the State of California in the next national convention of the Republican Party is _____.

Dated this _____ day of _____, ~~19~~ 20_____.

Chairperson of the State Central Committee
of the Republican Party.

SEC. 4.**Amends Elections Code 6405.**

The county elections official's certificate to nomination papers of a candidate shall be in substantially the following form:

COUNTY ELECTION OFFICIAL'S CERTIFICATE TO NOMINATION
PAPERS OF A CANDIDATE

To the Secretary of State:

I, County Elections Official of the County of _____, hereby certify that I have examined the nomination papers, to which this certificate is attached, of the candidate for the ensuing presidential primary, and that the number of names which I have not marked "not sufficient" is _____.

The candidate named in the nomination papers is _____.

Dated this _____ day of _____, ~~19~~ 20_____.

_____, County Elections Official

By _____, Deputy

SEC. 5.**Amends Elections Code 6541.**

The notification of the number of delegates shall be in substantially the following form:

STATEMENT OF NUMBER OF DELEGATES TO AMERICAN INDEPENDENT
PARTY NATIONAL CONVENTION

To the Secretary of State

Sacramento, California

You are hereby notified that the number of delegates to represent the State of California in the next national convention of the American Independent Party is _____.

Dated this _____ day of _____, ~~19~~ 20_____.

Chairperson of the State Central Committee of
the American Independent Party.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

SEC. 6.**Amends Elections Code 6567.**

Each candidate for delegate to the American Independent Party convention shall file with the Secretary of State, before the circulation of nomination papers of the group of candidates of which he or she is a member, an affidavit which shall be in substantially the following form:

AFFIDAVIT OF CANDIDATE FOR DELEGATE

State of California } ss.
County of }

I, _____, reside at No. _____ Street, in the City (or Town) of _____, in the County of _____ in the _____ Congressional District, State of California; my election precinct is _____ and I reside and am a voter therein, my post office address is _____, County of _____.

I desire to be a candidate, at the presidential primary to be held on the _____ day of _____, ~~49~~ 20, for delegate to the next national convention of the American Independent Party, and if elected as delegate I will qualify.

I personally prefer _____ as nominee of the American Independent Party for President of the United States, and hereby declare to the voters of my party in the State of California that if elected as delegate to their national party convention, I shall to the best of my judgment and ability, support _____ as nominee of the American Independent Party for president of the United States. (This statement of preference shall be omitted where the candidate for delegate is part of a group not expressing a preference for a particular candidate.)

I express no preference for a particular candidate. The chairman of my group is _____. (This statement shall be omitted where the candidate for delegate is part of a group expressing a preference for a particular candidate.)

I declare under penalty of perjury that the foregoing is true and correct.

(Signed)

SEC. 7.**Amends Elections Code 6598.**

The certificate of the elections official to nomination papers of a candidate or group of candidates shall be in substantially the following form:

Certificate of County Elections Official to Nomination
Papers of Candidate or Group of Candidates

To the Secretary of State:

I, County Elections Official of the County of _____, hereby certify that I have examined

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

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the nomination papers, to which this certificate is attached, of the candidate or group of candidates for election at the ensuing presidential primary, and that the number of names which I have not marked "not sufficient" is _____.

The candidate or group of candidates named in the nomination papers comprise the following (state names of candidates):

etc.

etc.

etc.

Dated this _____ day of _____, ~~19~~ 20.

(SEAL)

County Elections Official
By Deputy

SEC. 8.

Amends Elections Code 6768.

The declaration of a candidate for delegate shall be in substantially the following form:

_____ (Signed)

Declaration of Candidate for Delegate

State of California
County of _____ } ss.

I, _____, reside and am a registered voter at

_____ (street address) _____,

in the (city or town) of ,

in the County of _____, State of California.

I desire to be a candidate, at the presidential primary to be held on the ____ day of _____, ~~June 19~~ 20, for delegate to the next national convention of the ____ Party with which the Peace and Freedom Party of California is affiliated on the national level and I will qualify as a delegate if elected.

I personally prefer ____ as the nominee of the Peace and Freedom Party for President of the United States, and hereby declare to the voters of the Peace and Freedom Party in the State of California that if elected as delegate to the national party convention, I shall to the best of my judgment and ability, support ____ as the nominee of the Peace and Freedom Party for President of the United States. (This statement of preference shall be omitted where the

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candidate for delegate is part of a group not expressing a preference for a particular presidential candidate.)

I declare under penalty of perjury that the foregoing is true and correct.

Executed at _____, California, this ____ day of _____,
~~19~~ 20 .

_____ (Signed)

SEC. 9.**Amends Elections Code 8083.**

The county elections official's statement to the Secretary of State of the number of signers shall be in substantially the following form:

statement of county elections official of number of signers

I, County Elections Official of the County of _____, hereby certify that I have examined the _____ hereto attached filed on behalf of _____, candidate for nomination to the office of _____ at the primary election to be held on the ____ day of _____, ~~19~~ 20, and that the total number of signatures which I have not marked "not sufficient" is _____.

Dated this ____ day of _____, ~~19~~ 20 .

__ County Elections Official

(seal)By _____ Deputy

SEC. 10.**Amends Elections Code 9210.**

The petition shall be filed by the proponents or by ~~any~~ a person or persons authorized in writing by the proponents. All sections of the petition shall be filed at one time. Once filed, ~~no~~ a petition section shall not be amended except by order of a court of competent jurisdiction.

When the petition is presented for filing, the elections official shall do all of the following:

(a) Ascertain the number of registered voters of the city last reported by the county elections official to the Secretary of State pursuant to Section 2187 effective at the time the notice specified in Section 9202 was published.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

*Full text can be obtained from www.leginfo.ca.gov

(b) Determine the total number of signatures affixed to the petition. If, from this examination, the elections official determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, he or she shall accept the petition for filing. The petition shall be deemed as filed on that date. ~~Any petition not accepted for filing shall be returned to the proponents.~~ If, from this examination, the elections official determines that the number of signatures, prima facie, does not equal or exceed the minimum number of signatures required, the official shall not take further action.

SEC. 11.

Amends Elections Code 10602.

(a) The forms for declaration of candidacy for governing board elections shall be in substantially the following form:

“I, _____, do hereby declare myself as a candidate for election to the governing board of _____ District, of the County of _____; I am a registered voter; if elected I will qualify and serve to the best of my ability; and I request my name be placed

on the official ballots of the district, for the election to be held on the ____ day of _____, ~~19~~ 20_____.

Residence address: ”

(b) In an election held under Section 5018 of the Education Code to elect additional governing board members, all candidates for member of the governing board shall also indicate on their declaration of candidacy whether they are candidates for the existing office or for the new offices.

SEC. 12.

Amends Elections Code 11222.

(a) The petition shall be filed by the proponents, or by any person or persons authorized, in writing, by a proponent. All sections of the petition shall be filed at the same time.

(b) When the petition is presented for filing, the elections official shall determine the total number of signatures affixed to the petition. If, from this examination, the elections official determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, the elections official shall accept the petition for filing. The petition shall be deemed as filed on that date. ~~Any sections~~ A section of the petition not so filed ~~shall be~~ is void for all purposes. If, from the elections official’s examination, the elections official

determines that the number of signatures, prima facie, does not equal or exceed the minimum number of signatures required, ~~the petition shall not be filed. Any petition not accepted for filing shall be returned to the proponents.~~ the official shall not take further action.

SEC. 13.**Amends Elections Code 12102.**

The notice of the municipal election shall be substantially in the following form:

Notice is hereby given that a ____ (general or special) municipal election will be held in the ____ of ____ on ____, the ____ day of ____, ~~19 20~~, for the following officers: (name them).

The polls will be open between the hours of __ m. and __ m.

City Elections Official

Dated, _____, ____.

SEC. 14.**Amends Elections Code 12104.**

(a) A notice designating the offices for which candidates are to be nominated shall be in substantially the following form:

NOTICE BY SECRETARY OF STATE OF OFFICES FOR WHICH CANDIDATES
ARE TO BE NOMINATED AT THE DIRECT PRIMARY

Secretary of State

Sacramento, __. ~~19 2018~~ .

To the County Elections Official of the County of _____:

Notice is hereby given that the offices for which candidates are to be nominated at the primary election to be held on the ____ day of ____, ~~19 20~~, together with the names of the political parties qualified to participate in the election, are as follows:

STATE AND DISTRICT OFFICES

CONGRESSIONAL OFFICES

LEGISLATIVE OFFICES

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.
*Full text can be obtained from www.leginfo.legislature.ca.gov

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Notice is also hereby given that at the primary election, candidates are to be nominated for the following office:

SUPERINTENDENT OF PUBLIC INSTRUCTION

Notice is also hereby given that at the primary election, in the county first above mentioned, candidates are to be nominated for any county offices or judicial offices to which candidates are to be elected at the ensuing general election;

And notice is also hereby given that at the primary election there shall be elected in each county a county central committee for each political party above named pursuant to Division 7 (commencing with Section 7000) of the Elections Code.

(seal) _____ Secretary of State

(b) The notice designating the political parties qualified to participate in this election for nomination of candidates shall be in substantially the following form:

NOTICE BY SECRETARY OF STATE OF POLITICAL PARTIES QUALIFIED TO
PARTICIPATE IN THE DIRECT PRIMARY ELECTION
Secretary of State

Sacramento, . ~~19~~ 20 .

To the County Elections Official of the County of _____:

Notice is hereby given that the political parties qualified to participate in this election for nomination of candidates to partisan offices are as follows:

(seal) _____ Secretary of State

ELECTIONS: ALTERNATE BALLOT ORDER: LOS ANGELES COUNTY PILOT PROGRAM

**Senate Bill 25
Chapter 927**

CURRENT PROVISIONS

Existing law specifies the order of precedence of offices on the ballot, beginning with nominees for President and Vice President to be listed under the heading, PRESIDENT AND VICE PRESIDENT, and ending with directors or trustees for each district to be listed under the heading, DISTRICT. Measures submitted to the voters appear after district directors or trustees.

Existing law authorizes a county elections official to vary the order for certain offices and measures submitted to the voters, in order to allow for the most efficient use of space on the ballot in counties that use a voting system, as defined.

Existing law requires that the office of Superintendent of Public Instruction precede any school, county, or city office and that state measures precede local measures.

NEW PROVISIONS

Requires the county elections official for the County of Los Angeles to conduct elections using a specified alternate ballot order for elections conducted during a specified time period.

Requires that official to prepare a report regarding the effect of using the alternate ballot order, as specified, and to post such report on their website before a specified date.

SECTIONS AFFECTED:

SECTION 1.

Adds Elections Code 13109.7.

(a) Notwithstanding Section 13109, for a period of three years commencing with the date that the county elections official for the County of Los Angeles declares that the voting system modernization project underway in 2018 is complete and ready for operation, the county elections official for the County of Los Angeles shall conduct elections using the alternate ballot order described in Section 13109.8.

(b) The county elections official shall prepare a report regarding the effect of using the alternate ballot order for elections conducted during the time period described in subdivision (a). The report shall include, but not be limited to, the

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following information:

(1) Statistics and information on the cost of transitioning to the use of the alternate ballot order.

(2) The overall turnout of voters in the jurisdiction for each election conducted using the alternate ballot order.

(3) For different contests listed on the ballot, including, but not limited to, local offices and local ballot measures, state offices and state ballot measures, and federal offices, the following information:

(A) The turnout of voters for each contest.

(B) The number of overvotes and undervotes for each contest.

(C) The dropoff rates for each contest.

(4) Legislative recommendations.

(c) The report described in subdivision (b) shall, whenever possible, compare an election conducted pursuant to this section and using the alternate ballot order described in Section 13109.8 to similar elections conducted using the ballot order described in Section 13109 in the same jurisdiction or in a comparable jurisdiction.

(d) Three years after the declaration date described in subdivision (a), the county elections official shall submit the report described in subdivision (b) to the Secretary of State and to the Legislature in accordance with Section 9795 of the Government Code. The county elections official shall also post a publicly accessible copy of the report on the Internet Web site of the county elections official.

(e) Notwithstanding any other law, the county elections official may adjust ballot instructions to the extent necessary to comply with this section.

(f) Immediately after making the declaration described in subdivision (a), the county elections official shall post the declaration on his or her Internet Web site and send the declaration to the Secretary of State, the Secretary of the Senate, the Chief Clerk of the Assembly, and the Legislative Counsel.

(g) This section shall remain in effect only until the first January 1 that occurs at least four years after the declaration date described in subdivision (a), and as of that date is repealed.

SEC. 2.

Adds Elections Code 13109.8.

For the purposes of Sections 13109.7 and 13109.9, the order of precedence of offices on the ballot shall be as listed below for those offices and measures that apply to the election for which the ballot is provided. Beginning in the column to the left:

(a) Under the heading, CITY/LOCAL:

(1) Mayor.

(2) Member, City Council.

(3) Unified School District Board Members.

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(4) High School District Board Members.

(5) Elementary School District Board Members.

(6) College District Governing Board Members.

(7) Other offices in alphabetical order by the title of the office.

(8) Candidates or nominees to the State Senate.

(9) Candidates or nominees to the State Assembly.

(10) Candidates or nominees to the House of Representatives of the United States.

(11) City local initiatives and ballot measures.

(12) Local school district initiatives and ballot measures.

(b) Under the heading, DISTRICT:

(1) Directors or trustees for each district in alphabetical order according to the name of the district.

(2) District initiatives and ballot measures.

(c) Under the heading, COUNTY:

(1) County Supervisor.

(2) Sheriff.

(3) Assessor.

(4) County Superintendent of Schools.

(5) County Board of Education.

(6) Other offices in alphabetical order by the title of the office.

(7) Judge of the Superior Court.

(8) County Marshall.

(9) Members of the County Central Committee.

(10) County initiatives and ballot measures.

(d) Under the heading, STATE:

(1) Governor.

(2) Lieutenant Governor.

(3) Secretary of State.

(4) Controller.

(5) Treasurer.

(6) Attorney General.

(7) Insurance Commissioner.

(8) Member, State Board of Equalization.

(9) Superintendent of Public Instruction.

(10) Statewide initiatives and ballot measures.

(e) Under the heading, STATE JUDICIAL:

(1) Chief Justice of California.

(2) Associate Justice of the Supreme Court.

(3) Presiding Judge, Court of Appeal.

(4) Associate Justice, Court of Appeal.

(f) Under the heading, NATIONAL ELECTION:

(1) Under the subheading, PRESIDENT and VICE PRESIDENT:

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(A) Nominees of the qualified political parties and independent nominees for President and Vice President.

(B) Names of the presidential candidates to whom the delegates are pledged.

(C) Names of the chairperson of unpledged delegations.

(2) Candidates or nominees to the United States Senate.

SEC. 3.

Adds Elections Code 13109.9.

Notwithstanding Section 13109, the county elections official for the County of Los Angeles may use the alternate ballot order described in Section 13109.8 for elections conducted after the completion of the pilot project described in Section 13109.7. Notwithstanding any other law, the county elections official may adjust ballot instructions to the extent necessary to conform to the alternate ballot order.

SEC. 4.

The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique ability of the County of Los Angeles to collect and report data on the feasibility and effectiveness of an alternative ballot order.

SEC. 5.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

ELECTIONS: VOTE BY MAIL BALLOTS

Senate Bill 759

Chapter 446

CURRENT PROVISIONS

Existing law requires an elections official, upon receipt of a vote by mail ballot, to compare the signature on the identification envelope with either the signature appearing on the voter's affidavit of registration, or the signature appearing on a form issued by an elections official that contains the voter's signature and that is part of the voter's registration record.

Existing law prohibits, if the elections official determines that the signatures do not compare, the elections official from opening the identification envelope and counting the ballot.

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NEW PROVISIONS

Eliminates the prohibition on counting the ballot and would instead require the elections official to follow specified procedures to notify the voter and allow the voter an opportunity to verify his or her signature before certification of the election.

Makes technical, nonsubstantive changes to these provisions.

Effective immediately as an urgency statute.

SECTIONS AFFECTED:**SECTION 1.**

It is the intent of the Legislature that the procedures in Section 3019 of the Elections Code apply only to signatures that do not compare because of a mismatched signature submitted by the voter himself or herself.

SEC. 2.**Amends Elections Code 3019.**

(a) (1) Upon receiving a vote by mail ballot, the elections official shall compare the signature on the identification envelope with either of the following to determine if the signatures compare:

(A) The signature appearing on the voter's affidavit of registration or any previous affidavit of registration of the voter.

(B) The signature appearing on a form issued by an elections official that contains the voter's signature and that is part of the voter's registration record.

(2) In comparing signatures pursuant to ~~subdivision (a)~~, this section, the elections official may use facsimiles of voters' signatures, provided that the method of preparing and displaying the facsimiles complies with the law.

(3) In comparing signatures pursuant to this section, an elections official may use signature verification technology. If signature verification technology determines that the signatures do not compare, the elections official shall visually examine the signatures and verify that the signatures do not compare.

(4) The variation of a signature caused by the substitution of initials for the first or middle name, or both, is not grounds for the elections official to determine that the signatures do not compare.

(b) (1) If upon conducting the comparison of signatures pursuant to subdivision (a) the elections official determines that the signatures compare, he or she shall deposit the ballot, still in the identification envelope, in a ballot container in his or her office.

(c) (A) If upon conducting the comparison of signatures pursuant to subdivision (a) the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ~~ballot shall not be counted. The cause of the rejection shall be written on the face of the identification~~

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~~envelope. ballot shall not be counted. The elections official shall write the cause of the rejection on the face of the identification envelope only after completing the procedures described in subdivision (d).~~

(d) (1) A minimum of eight days prior to the certification of the election, the elections official shall provide notice to all voters identified pursuant to subdivision (c) of the opportunity to verify their signatures no later than 5 p.m. two days prior to the certification of the election.

(2) The notice and instructions shall be in substantially the following form:

“READ THESE INSTRUCTIONS CAREFULLY. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR VOTE BY MAIL BALLOT NOT TO COUNT.

1. We have determined that the signature you provided on your vote by mail ballot does not match the signature(s) on file in your voter record. In order to ensure that your vote by mail ballot will be counted, the signature verification statement must be completed and returned as soon as possible.

2. The signature verification statement must be received by the elections official of the county where you are registered to vote no later than 5 p.m. two days prior to certification of the election.

3. You must sign your name where specified on the signature verification statement (Voter’s Signature).

4. Place the signature verification statement into a mailing envelope addressed to your local elections official. Mail, deliver, or have the completed statement delivered to the elections official. Be sure there is sufficient postage if mailed and that the address of the elections official is correct.

5. If you do not wish to send the signature verification statement by mail or have it delivered, you may submit your completed statement by email or facsimile transmission to your local elections official using the information provided.”

(3) The elections official shall not reject a vote by mail ballot identified pursuant to subdivision (c) if each of the following conditions is satisfied:

(A) The voter delivers, in person, by mail, by fax, or by email, a signature verification statement signed by the voter and the elections official receives the statement no later than 5 p.m. two days prior to the certification of the election, or the voter, before the close of the polls on election day, completes and submits a signature verification statement to a polling place within the county or a ballot dropoff box.

(B) Upon receipt of the signature verification statement, the elections official shall compare the signature on the statement with the signature on file in the voter’s record.

(i) If upon conducting the comparison of signatures the elections official determines that the signatures compare, he or she shall deposit the ballot, still in

the identification envelope, in a ballot container in his or her office.

(ii) If upon conducting the comparison of the signatures the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted. The elections official shall write the cause of the rejection on the face of the identification envelope.

(4) The signature verification statement shall be in substantially the following form and may be included on the same page as the notice and instructions specified in paragraph (2):

“SIGNATURE VERIFICATION STATEMENT

I, am a registered voter of _____ County.

State of California. I declare under penalty of perjury that I requested and returned a vote by mail ballot. I am a resident of the precinct in which I have voted, and I am the person whose name appears on the vote by mail ballot envelope. I understand that if I commit or attempt any fraud in connection with voting, or if I aid or abet fraud or attempt to aid or abet fraud in connection with voting, I may be convicted of a felony punishable by imprisonment for 16 months or two or three years. I understand that my failure to sign this statement means that my vote by mail ballot will be invalidated.

Voter’s Signature

Address”

(5) An elections official shall include the vote by mail ballot signature verification statement and instructions provided in this subdivision on his or her Internet Web site, and shall provide the election official’s mailing address, email address, and facsimile transmission number on the Internet Web page containing the statement and instructions.

(6) If the elections official determines that the signatures compare, the official shall use the signature in the signature verification statement, even if returned untimely, to update the voter’s signature for future elections.

(e) (1) (A) Notwithstanding any other law, if an elections official determines that a voter has failed to sign the identification envelope, the elections official shall not reject the vote by mail ballot if the voter does any of the following:

(i) Signs the identification envelope at the office of the elections official during regular business hours before 5 p.m. on the eighth day after the election.

(ii) Before 5 p.m. on the eighth day after the election, completes and submits an unsigned ballot statement in substantially the following form:

“UNSIGNED BALLOT STATEMENT

I,, am a registered voter of _____ County,

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State of California. I declare under penalty of perjury that I requested and returned a vote by mail ballot and that I have not and will not vote more than one ballot in this election. I am a resident of the precinct in which I have voted, and I am the person whose name appears on the vote by mail ballot envelope. I understand that if I commit or attempt any fraud in connection with voting, or if I aid or abet fraud or attempt to aid or abet fraud in connection with voting, I may be convicted of a felony punishable by imprisonment for 16 months or two or three years. I understand that my failure to sign this statement means that my vote by mail ballot will be invalidated.

Voter's Signature

Address"

(iii) Before the close of the polls on election day, completes and submits an unsigned ballot statement, in the form described in clause (ii), to a polling place within the county or a ballot dropoff box.

(B) If timely submitted, the elections official shall accept any completed unsigned ballot statement. Upon receipt of the unsigned ballot statement, the elections official shall compare the voter's signature on the statement in the manner provided by this section.

(i) If the elections official determines that the signatures compare, he or she shall attach the unsigned ballot statement to the identification envelope and deposit the ballot, still in the identification envelope, in a ballot container in his or her office.

(ii) If the elections official determines that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted.

(C) An elections official may use methods other than those described in subparagraph (A) to obtain a voter's signature on an unsigned identification envelope.

(2) Instructions shall accompany the unsigned ballot statement in substantially the following form:

"READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
STATEMENT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
BALLOT NOT TO COUNT.

1. In order to ensure that your vote by mail ballot will be counted, your statement should be completed and returned as soon as possible so that it can reach the elections official of the county in which your precinct is located no later than 5 p.m. on the eighth day after the election.

2. You must sign your name on the line above (Voter's Signature).

3. Place the statement into a mailing envelope addressed to your local elections official. Mail, deliver, or have delivered the completed statement to the elections official. Be sure there is sufficient postage if mailed and that the address of the elections official is correct.

4. If you do not wish to send the statement by mail or have it delivered, you may submit your completed statement by facsimile or email transmission to your local elections official, or submit your completed statement to a polling place within the county or a ballot dropoff box before the close of the polls on election day."

(3) An elections official shall include the unsigned ballot statement and instructions described in this subdivision on his or her Internet Web site, and shall provide the elections official's mailing address, email address, and facsimile transmission number on the Internet Web page containing the statement and instructions.

(f) A ballot shall not be removed from its identification envelope until the time for processing ballots. A ballot shall not be rejected for cause after the identification envelope has been opened.

SEC. 3.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 4.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To ensure that votes cast in the November 6, 2018, statewide general election are properly counted, it is necessary that this bill take effect immediately.

COUNTY OF SAN DIEGO: LOCAL ELECTIONS

Senate Bill 869

Chapter 451

CURRENT PROVISIONS

Existing law requires that an amendment to the charter of the County of San Diego to require that candidates for county office be elected at the general election be made by a proposal submitted by the governing body or by a petition signed by 10% of the qualified electors of the county, computed upon the total number of

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votes cast in the county for all candidates for Governor at the last general election at which a Governor was elected, as specified.

Existing law applies these provision retroactively, commencing January 1, 2018, and requires the elections official to examine or reexamine whether the number of valid signatures filed by the proponents is sufficient to qualify a measure for the ballot pursuant to these provisions, to the extent that petition signatures for an initiative measure proposing an amendment to the charter of the County of San Diego have been submitted prior to the effective date of this act.

SB 869

NEW PROVISIONS

Amends the charter of the County of San Diego.

Requires that candidates for county office be elected at the general election.

Makes conforming changes to election procedures to implement the charter amendment.

Requires that a certain percentage of qualified electors in the county to be computed upon the total number of votes cast in the county for all candidates for Governor at the last general election at which a Governor was elected.

SECTIONS AFFECTED:**SECTION 1.**

The Legislature finds and declares all of the following:

(a) Assembly Bill 901 of the 2017–18 Regular Session (Chapter 28 of the Statutes of 2017), which took effect on October 12, 2017, authorized an amendment to the charter of the County of San Diego, subject to approval by county voters, to require that candidates for specified county offices be elected at the general election. Assembly Bill 901 contained a legislative drafting error that created confusion about the number of signatures required to qualify an initiative charter amendment that was authorized by the bill.

(b) Senate Bill 866 of the 2017–18 Regular Session (Chapter 53 of the Statutes of 2018), which took effect on June 27, 2018, is a bill providing for appropriations related to the budget bill. Among other statutory changes, Senate Bill 866 revised Section 23725 of the Government Code to clarify that the number of signatures required to qualify an initiative charter amendment authorized by Assembly Bill 901 was the same as for other charter amendments.

(c) On July 18, 2018, Luis Vargas and Tony Krvaric filed an Emergency Petition for Writ of Mandate and Writ of Prohibition, and Complaint for Declaratory and Injunctive Relief in the San Diego Superior Court asking the court to restrain the San Diego County Registrar of Voters from enforcing or applying the provisions

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of Senate Bill 866, and asserting that the bill violates the single subject rule in Section 9 of Article IV of the California Constitution which states “[a] statute shall embrace but one subject, which shall be expressed in its title.”

(d) To eliminate any question as to whether the changes made by Senate Bill 866 were enacted in violation of the single subject rule, it is the intent of the Legislature to repeal those provisions relating to charter amendments and to reenact them in this act, which embraces only the subject of elections, and to make other changes to Section 23725 necessary to effectuate the Legislature’s intent in passing Assembly Bill 901.

SEC. 2.

The Legislature finds and declares that the changes made to Section 23725 of the Government Code as added by Section 4 of this act shall apply retroactively to any initiative charter amendment authorized by that section for which proponents submitted petition signatures to the county elections official on or after January 1, 2018. To the extent petition signatures for an initiative measure proposing an amendment to the charter of the County of San Diego pursuant to Section 23725 of the Government Code are submitted to the county elections official before this act becomes law, the elections official shall examine or reexamine whether the number of valid signatures filed by the proponents is sufficient to qualify the measure for the ballot pursuant to this act.

SEC. 3.

Repeals Government Code 23725.

SEC. 4.

Adds Government Code 23725.

(a) (1) Notwithstanding any other provision of law, the charter of the County of San Diego may be amended as provided in Section 23720 to require that candidates for county office be elected at the general election and to make conforming changes to election procedures to implement the charter amendment, including allowing the County of San Diego to establish rules governing qualification and filing dates for write-in candidates. Only the candidates who receive the highest or second highest number of votes cast at the primary election shall appear on the ballot as candidates for county office at the ensuing general election. In the event there are two or less candidates for county office, the names of the candidates shall not appear on the primary election ballot and the candidate for county office with the highest number of votes cast shall be elected at the general election.

(b) Notwithstanding Section 23722, when an elections official has determined that a petition for an initiative charter amendment authorized by this section has been signed by 10 percent of the qualified electors of the county, computed upon the total number of votes cast in the county for all candidates for Governor at the last general election at which a Governor was elected, the

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elections official shall submit the measure to the voters of the county at the next general election occurring not less than 88 days from the date of the elections official's determination. The elections official may set forth a public examination period that is less than 10 calendar days if the elections official determines that an abbreviated examination period is necessary, or that time does not permit a public examination period, to ensure the timely printing of ballots or is otherwise necessary for the efficient administration of elections.

(c) For purposes of this section, "county office" means any of the following offices:

(1) County supervisor.

(2) District attorney.

(3) Sheriff.

(4) Assessor, recorder, and county clerk.

(5) Treasurer and tax collector.

(6) Member of the county board of education.

(d) The amendments made by the act adding this section shall be effective on and after January 1, 2018.

SEC. 5.

Repeals Section 46 of Chapter 53 of the Statutes of 2018.

SEC. 6.

The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique issues facing the County of San Diego due to its size and the complexity of its government.

SEC. 7.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 8.

One million dollars (\$1,000,000) is hereby appropriated from the Federal Trust Fund to the Secretary of State to secure and improve county election systems. This appropriation may be adjusted upon receipt of a request to increase related Federal Trust Fund expenditure authority from the Secretary of State, and subsequent approval by the Director of Finance. The Secretary of State shall submit the request by June 30, 2019.

SEC. 9.

This act is a bill providing for appropriations related to the Budget Bill within the

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meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

ELECTIONS: STATE AND LOCAL REAPPORTIONMENT

Senate Bill 1018 Chapter 462

CURRENT PROVISIONS

Existing law authorizes a local jurisdiction, defined as a county or general law city, to establish by resolution or ordinance a commission composed of residents of the local jurisdiction to either change the boundaries of the districts of the local jurisdiction's legislative body or recommend to the governing body changes to the boundaries of the districts.

Existing law defines a "legislative body" for these purposes to mean either a city council of a general law city or a county board of supervisors.

For a commission that recommends changes to district boundaries, defined as an advisory redistricting commission, existing law prohibits a person who is an elected official of the local jurisdiction or a family member, staff member, or paid campaign staff of an elected official of the local jurisdiction from being appointed to serve on the commission, and requires the commission to submit a report to the legislative body of its findings on the need for changes to the boundaries and its recommended changes, within a specified time after the federal decennial census, as specified.

For a commission empowered to change district boundaries, defined as an independent redistricting commission, existing law authorizes the local jurisdiction to prescribe the manner in which members are appointed to the commission, provided that the jurisdiction uses an application process open to all eligible residents.

Existing law disqualifies a person or a family member of a person from being appointed to the commission if he or she has engaged in specified activities during the 8 years preceding his or her appointment.

Existing law also prohibits a commission member from engaging in specified activities, such as accepting an appointment to an office of the local jurisdiction for 4 years after the date of his or her appointment, or from being a candidate for elective office of the local jurisdiction for 10 years after the date of his or her appointment.

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Existing law authorizes an independent redistricting commission to impose additional qualifications or restrictions on members of the commission in excess of these provisions.

Existing law requires a commission to adopt new boundaries within a specified period of time after the federal decennial census.

Existing law prohibits a commission from drawing districts for the purpose of favoring or discriminating against an incumbent or political candidate.

NEW PROVISIONS

Amends existing law relating to Redistricting Commission members. Authorizes a local jurisdiction to establish a Commission by charter amendment.

Authorizes a local Advisory Redistricting Commission to impose additional qualifications and restrictions on the commission members of the commission, or applicants to the commission.

Decreases the number of years for prohibited specified activities for Independent Redistricting Commission members.

SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 23000.**

For purposes of this chapter, the following terms have the following meanings:

(a) "Advisory redistricting commission" means a body that recommends to a legislative body placement of the district boundaries for that legislative body.

(b) "Family member" means a spouse, ~~registered domestic partner,~~ parent, sibling, child, or in-law.

(c) "Hybrid redistricting commission" means a body that recommends to a legislative body two or more maps for the placement of the district boundaries for that legislative body, where the legislative body must adopt one of those maps without modification, except as may be required to comply with state or federal law.

(d) "Independent redistricting commission" means a body, other than a legislative body, that is empowered to adopt the district boundaries of a legislative body.

~~(e) "Legislative body" means either a city council of a general law city or a county board of supervisors.~~ a county board of supervisors, a city council of a general law city, a governing board of a school district, a governing board of a community college district, or an elected governing board of a special district.

~~(f) "Local jurisdiction" means either a general law city or a county.~~ a county, general law city, school district, community college district, or special district.

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(g) "Redistricting" means either districting or redistricting.

(h) "Spouse" means a spouse or registered domestic partner.

SEC. 2.

Amends Elections Code 23001.

A local jurisdiction may establish by ~~resolution or ordinance~~ resolution, ordinance, or charter amendment an independent redistricting ~~commission~~ commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the local jurisdiction to change the legislative body's district boundaries or to recommend to the legislative body changes to those district boundaries.

SEC. 3.

(a) This section applies to advisory redistricting commissions.

(b) Notwithstanding any other law, the local jurisdiction may prescribe the manner in which members are appointed to the commission.

(c) A person who is an elected official of the local jurisdiction, or a family member, staff member, or paid campaign staff of an elected official of the local jurisdiction, shall not be appointed to serve on the commission.

(d) A local jurisdiction may impose additional requirements or restrictions on the commission, members of the commission, or applicants to the commission in excess of those prescribed by this section.

SEC. 4.

Amends Elections Code 23003.

(a) This section applies to hyrid redistricting commissions and independent redistricting commissions

(b) Notwithstanding any other law, the local jurisdiction may prescribe the manner in which members are appointed to the commission, provided that the jurisdiction uses an application process open to all ~~residents~~. ~~A local jurisdiction may also impose additional qualifications and restrictions on members of the commission in excess of those prescribed by this section.~~ residents and provided that the commissioners are not directly appointed by the legislative body or an elected official of the local jurisdiction.

(c) ~~A person, or the family member of a person, who has done any of the following in the preceding eight years, person shall not be appointed to serve on a commission:~~ the commission if the person or any family member of the person has been elected or appointed to, or been a candidate for, an elective office of the local jurisdiction in the eight years preceding the person's application.

~~(1) Been elected or appointed to, or been a candidate for, an elective office of the local jurisdiction.~~

(d) A person shall not be appointed to serve on the commission if either

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of the following applies:

(1) The person or his or her spouse has done any of the following in the eight years preceding the person's application:

(A) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the local jurisdiction.

(B) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.

(C) Served as a staff member ~~of~~, or a consultant to, or who has contracted with, a currently serving elected officer of the local jurisdiction.

(D) Been registered to lobby the local jurisdiction.

(E) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The local jurisdiction may adjust this amount by the cumulative change in the California Consumer Price Index, or its successor, in every year ending in zero.

(2) A family member of the person, other than his or her spouse, has done any of the following in the four years preceding the person's application:

(A) Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office of the local jurisdiction.

(B) Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee.

(C) Served as a staff member of or consultant to, or has contracted with, a currently serving elected officer of the local jurisdiction.

(D) Been registered to lobby the local jurisdiction.

(E) Contributed five hundred dollars (\$500) or more in a year to any candidate for an elective office of the local jurisdiction. The local jurisdiction may adjust this amount by the cumulative change in the California Consumer Price Index, or its successor, in every year ending in zero.

(e) A member of the commission shall not do any of the following:

(1) While serving on the commission, endorse, work for, volunteer for, or make a campaign contribution to, a candidate for an elective office of the local jurisdiction.

(2) Be a candidate for an elective office of the local jurisdiction ~~for 40 years commencing with the date of his or her appointment to the commission.~~ if any of the following is true:

(A) Less than five years has elapsed since the date of the member's appointment to the commission.

(B) The election for that office will be conducted using district boundaries that were adopted by the commission on which the member served, and those district boundaries have not been subsequently readopted by a commission after the end of the member's term on the commission.

(C) The election for that office will be conducted using district boundaries that were adopted by a legislative body pursuant to a recommendation by the commission on which the member served, and those district boundaries have not

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been subsequently readopted by a legislative body pursuant to a recommendation by a commission after the end of the member's term on the commission.

(3) For four years commencing with the date of his or her appointment to the commission:

~~(A) Accept an appointment to an office of the local jurisdiction.~~

(A) Accept employment as a staff member of, or consultant to, an elected official or candidate for elective office of the local jurisdiction.

(B) Receive a noncompetitively bid contract with the local jurisdiction.

(C) Register as a lobbyist for the local jurisdiction.

(4) For two years commencing with the date of his or her appointment to the commission, accept an appointment to an office of the local jurisdiction.

~~(f) A commission established pursuant to this section~~ The commission shall not be comprised entirely of members who are registered to vote with the same political party preference.

(g) Each member of the commission shall be a designated employee in the conflict of interest code for the commission pursuant to Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 of the Government Code.

(h) The commission is subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) and the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

~~(i) The commission shall adopt new boundaries within six months after the final population figures determined in each federal decennial census have been released, but in any event not later than November 1 of the year following the year in which the census is taken. A~~ be subject to the same redistricting deadlines, requirements, and restrictions that would otherwise apply to a legislative body. A local jurisdiction may also impose additional requirements and restrictions on the commission, on members of the commission, or on applicants to the commission in excess of those prescribed by this section.

~~(j) The commission shall publish a map of the proposed new district boundaries shall be published and made~~ and make that map available to the public for at least seven days before being adopted. ~~Before adopting new boundaries, the~~ that map may be adopted. The commission shall hold at least three public hearings preceding the hearing at which the new boundaries are adopted.

(k) The commission shall not draw districts for the purpose of favoring or discriminating against a political party or an incumbent or political candidate.

(l) District boundaries adopted by an independent redistricting commission or adopted by a legislative body from recommendations provided by a hybrid redistricting commission, shall not be altered by the legislative body or the commission until after the next federal decennial census occurs, unless those boundaries have been invalidated by a final judgment or order of a court of competent jurisdiction.

(m) For the purposes of subdivisions (c) and (d), "local jurisdiction" does

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not include a local jurisdiction that contracts with a county independent redistricting commission pursuant to Section 23004.

SEC. 5.

Adds Elections Code 23004.

A local jurisdiction, except for a county, may contract with a county in which the local jurisdiction is partially or wholly located that has established an independent redistricting commission to have that commission adopt the local jurisdiction's election district boundaries. The county independent redistricting commission shall hold at least three public hearings in the local jurisdiction before adopting those boundaries.

LOCAL INITIATIVES: REVIEW

**Senate Bill 1153
Chapter 155**

CURRENT PROVISIONS

Existing law authorizes a proposed ordinance to be submitted to a county board of supervisors, a legislative body of a city, or the governing board of a district by filing an initiative petition with the appropriate elections official, signed by not less than a specified number of voters.

Existing law requires the election for the initiative, if it qualifies, to be held at the next election occurring not less than 88 days after the date of the order of election.

NEW PROVISIONS

Authorizes the proponent of a county, municipal, or district initiative to withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SECTION 1.

Adds Elections Code 9118.5.

The proponent of an initiative may withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 2.

Adds Elections Code 9215.5.

The proponent of an initiative may withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

SEC. 3.**Adds Elections Code 9311.**

The proponent of an initiative may withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official.

ELECTORS: CONDITIONAL VOTER REGISTRATION

Senate Bill 1171**Chapter 113****CURRENT PROVISIONS**

Existing law authorizes an elector who complies with specified provisions governing the registration of electors to vote at an election held within the territory within which he or she resides and the election is held.

Existing law defines “elector” to mean a person who is a United States citizen 18 years of age or older and, except as specified, is a resident of an election precinct at least 15 days before an election.

Existing law prohibits an elector from being registered as a voter except by affidavit of registration received by the county elections official on or before the 15th day before an election.

Existing law authorizes a person who is otherwise qualified to register to vote to complete a conditional voter registration and cast a provisional ballot during the 14 days immediately preceding an election or on election day.

Existing law establishes the procedures for determining whether a conditional voter registration is deemed effective.

Existing law requires that a voted provisional ballot be sealed in a provisional ballot envelope, which is substantially similar to, and completed in the same manner as, an envelope used for a vote by mail ballot.

NEW PROVISIONS

Revises the definition of “elector” by deleting the 15-day requirement, thereby including a person who is eligible to complete a conditional voter registration within the definition of “elector.”

Authorizes a county elections official to use a provisional ballot envelope as an affidavit of registration, as specified.

SECTIONS AFFECTED:**SECTION 1.****Amends Elections Code 321**

(a) "Elector" means ~~any~~ a person who is a United States citizen 18 years of age or older and, except as specified in subdivision (b), is a resident of an election precinct ~~at least 15 days prior to an election.~~ in this state on or before the day of an election.

(b) "Elector" also means ~~any~~ a person described in paragraph (2) of subdivision (b) of Section 300, who, except for the residence requirement specified in subdivision (a), is eligible to vote in this state and meets ~~any~~ either of the following conditions:

(1) He or she was a resident of this state when he or she was last living within the territorial limits of the United States or the District of Columbia.

(2) He or she was born outside of the United States or the District of Columbia, his or her parent or legal guardian was a resident of this state when the parent or legal guardian was last living within the territorial limits of the United States or the District of Columbia, and he or she has not previously registered to vote in any other state.

(c) Each person qualifying as an elector under subdivision (b) shall be deemed to be a resident of this state for purposes of this code and Section 2 of Article II of the California Constitution.

SEC. 2.**Adds Elections Code 2160.**

(a) A county elections official may use a provisional ballot envelope as an affidavit of registration.

(b) A county elections official who intends to use a provisional ballot envelope as an affidavit of registration shall do all of the following:

(1) Provide a provisional ballot envelope that sets forth facts necessary to establish the voter as an elector and that contains all of the information required by Sections 2150 and 2151.

(2) Print an affidavit number on the provisional ballot envelope.

(3) Provide notice to the Secretary of State no later than the 15th day before any election that provisional ballot envelopes will be used as affidavits of registration in that election.

SEC. 3.**Amends Elections Code 2162.**

(a) No affidavits of registration other than those provided by the Secretary of State to the county elections ~~officials~~ officials, provisional ballot envelopes that comply with Section 2160, or the national voter registration forms authorized pursuant to the federal National Voter Registration Act of 1993 (52 U.S.C. Sec.

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20501 et seq.) shall be used for the registration of voters.

(b) A voter registration card shall not be altered, defaced, or changed in any way, other than by the insertion of a mailing address and the affixing of postage, if mailed, or as otherwise specifically authorized by the Secretary of State, before distribution of the cards.

(c) The affidavit portion of a voter registration card shall not be marked, stamped, or partially or fully completed by a person other than an elector attempting to register to vote or by a person assisting the elector in completing the affidavit at the request of the elector.

CAMPAIGN DISCLOSURES

Senate Bill 1239

Chapter 662

CURRENT PROVISIONS

The Political Reform Act of 1974 generally requires elected officials, candidates for elective office, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other entities, to file periodic campaign statements and certain reports concerning campaign finances and related matters.

The act generally provides for the filing of campaign statements and reports by various means, including personal delivery, guaranteed overnight delivery, facsimile transmission, and online transmission.

The act requires the Secretary of State, in consultation with the Fair Political Practices Commission, to develop online and electronic filing processes for persons and entities that are required to file statements and reports with the Secretary of State's office. T

The act requires certain persons and entities to file online or electronically with the Secretary of State if their political contributions, expenditures, or loans reach specified monetary thresholds.

The act requires each committee that is required to file a statement of organization to pay the Secretary of State a fee of \$50 by January 15 of each year until the committee is terminated.

The act subjects a committee that fails to pay the fee on time to a penalty equal to three times the amount of the fee.

Existing law requires print advertisements paid for by certain committees to disclose, among other things, the top contributors to the committee and a statement

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that funding details for the advertisement are published on the Internet Web site of the Fair Political Practices Commission.

A violation of the act is punishable as a misdemeanor, and reports and statements filed under the act are required to be signed under the penalty of perjury.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house of the Legislature and compliance with specified procedural requirements.

NEW PROVISIONS

Recasts certain provisions governing the processing of campaign reports and statements to provide for the filing, verification, delivery, amendment, retention, and inspection of those documents online or electronically, as prescribed.

Repeals the above-mentioned monetary thresholds, thereby making the online and electronic filing requirements applicable to all specified filers.

Repeals various obsolete or extraneous provisions of the act, and makes conforming and other technical, nonsubstantive changes.

Changes the deadline for payment of the annual fee to April 30 of each year.

Deletes obsolete provisions and would make other technical, nonsubstantive changes.

Requires the funding details statement to direct a reader to the lists of top contributors published on the Internet Web site of the Secretary of State.

SECTIONS AFFECTED:

SECTION 1.

Amends Government Code 81004.

(a) All reports and statements filed under this title shall be signed under penalty of perjury and verified by the ~~filer~~. *filer in compliance with this section and Section 84213, as applicable.* The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of ~~his~~ *the filer's* knowledge it is true and complete

(b) A report or statement filed by a committee which qualifies under subdivision (a) of Section 82013 shall be signed and verified by the treasurer, and a report or statement filed by any other person shall be signed and verified by the filer. If the filer is an entity other than an individual, the report or statement shall be signed and verified by a responsible officer of the entity or by an attorney

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or a certified public accountant acting as agent for the entity. Every person who signs and verifies any report or statement required to be filed under this title which contains material matter which he or she knows to be false is guilty of perjury.

(c) A report or statement filed online or electronically shall include a secure electronic signature that is submitted under penalty of perjury and that conforms to subdivision (a) of this section and subdivision (b) of Section 1633.11 of the Civil Code.

(d) A filing made on behalf of a filer by a vendor or service provider authorized by the filer to make such filings is presumed filed under penalty of perjury by the filer.

SEC. 2.

Amends Government Code 81007.

When a report or statement or copies thereof required to be filed in paper format with any officer under this title ~~have~~ has been sent by first-class mail or by any other guaranteed overnight delivery service addressed to the officer, it shall for purposes of any deadline be deemed to have been received by ~~him or her~~ the officer on the date of the deposit in the mail or of receipt by that delivery service. It shall be presumed until the contrary is established that any date stamped by the post office on the envelope or contained on the delivery service receipt containing the report or statement is the date it was deposited in the mail or received by the delivery service. Mail ~~which~~ that is not received by the filing officer shall be presumed not to have been sent unless the filer possesses a post office or delivery service receipt establishing the date of deposit and the name and address of the addressee.

SEC. 3.

Amends Government Code 81007.5.

(a) Any report or statement or copies thereof required to be filed with any official under Chapter 4 (commencing with Section 84100) or Chapter 7 (commencing with Section ~~87100~~ 87100), other than a report or statement that is required to be filed online or electronically with the Secretary of State in accordance with this title or with a local government agency in accordance with an ordinance adopted by the agency pursuant to Section 84615, may be emailed or faxed by the applicable deadline, provided that the required originals or paper copies are sent by first-class mail or by any other personal delivery or guaranteed overnight delivery service within 24 hours of the applicable deadline and provided that the total number of pages of each report or statement emailed or faxed is no more than 30 pages.

(b) ~~A~~ An emailed or faxed report or statement shall not be ~~deemed~~ considered filed if the emailed or faxed report or statement is not a true and correct copy of the ~~original or copy of the report or statement personally delivered or sent by first-class mail or guaranteed overnight delivery service~~

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pursuant to subdivision (a): original.

(c) A filing officer who receives a an emailed or faxed report or statement shall make the report or statement available to the public in the same manner as provided in Section 81008. ~~If the faxed report or statement is requested prior to the receipt of the original or copy of the report or statement by the filing officer, the filing officer shall inform the requester that the faxed report or statement will not be considered a filed report or statement if the requirements of subdivision (b) have not been met by the filer.~~

SEC. 4.

Amends Government Code 81008.

Every A report ~~and~~ or statement filed pursuant to this title is a public record open for public inspection and reproduction during the filing officer's regular business hours, commencing as soon as practicable, ~~but in any event not~~ and ~~no~~ later than the second business day ~~following~~ after the day ~~on which~~ it was received. ~~No conditions whatsoever shall~~ A filing officer shall make electronically filed data publicly available on the Internet as soon as possible after it is received in compliance with Sections 84602 and 84615. Conditions shall not be imposed upon persons ~~desiring~~ asking to inspect or reproduce reports and statements filed under this title, ~~nor shall any~~ and information or identification ~~shall not~~ be required from these persons. Copies shall be provided at a charge not to exceed ten cents (\$0.10) per page. In addition, the filing officer may charge a retrieval fee not to exceed five dollars (\$5) per request for copies of reports and statements which are five or more years old. A request for more than one report or statement or report and statement at the same time shall be considered a single request.

SEC. 5.

Amends Government Code 81009.

(a) Statements of organization, registration statements, and original campaign statements of persons holding elective state office, candidates for any such office, committees supporting any such officeholder or candidate, and committees supporting or opposing statewide measures, shall be retained by filing officers indefinitely.

(b) Original campaign statements of mayors, city council members, county supervisors, candidates for any of these offices, and committees supporting any officeholder or candidate shall be retained indefinitely, except that original campaign statements of candidates not elected to these offices and of committees supporting candidates not elected to these offices shall be retained by filing officers for a period of ~~not less than~~ at least five years.

(c) Original campaign statements of all other persons shall be retained by filing officers for ~~a period of not less than~~ at least seven years.

(d) Original statements of economic interests of persons holding statewide

elective office shall be retained by filing officers indefinitely.

(e) Original reports and statements not specified above in this section shall be retained by filing officers for ~~a period of not less than~~ at least seven years.

(f) Copies of reports or statements shall be retained by the officer with whom they are filed for ~~a period of not less than~~ at least four years, provided, however, that a filing officer is not required to retain more than one copy of a report or statement.

(g) After an original report or statement or a copy filed in a paper format has been on file for at least two years, the officer with whom it is filed may comply with this section by retaining an electronic copy ~~on microfilm or other space-saving materials~~ available for public inspection instead of the original report or statement or copy. Upon request, the officer shall provide copies of such statements pursuant to Section 81008. Reports and statements filed online or electronically under this title shall be retained and archived pursuant to this section and Section 84602 or 84615.

SEC. 6.

Amends Government Code 81010.

~~With respect to~~ For reports and statements filed with ~~him~~ a filing officer pursuant to this title, the filing officer ~~shall:~~ shall do all of the following:

(a) Supply the necessary forms and manuals prescribed by the ~~Commission;~~ Commission.

(b) Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of this ~~title;~~ title.

(c) Notify promptly all persons and known committees who have failed to file a report or statement in the form and at the time required by this ~~title;~~ title.

(d) Report apparent violations of this title to the appropriate ~~agencies;~~ and agencies.

(e) Compile and maintain a current list of all reports and statements filed with this office.

SEC. 7.

Amends Government Code 82006.

“Campaign statement” means an itemized report ~~which~~ that is prepared on a form or in a manner prescribed by the Commission and ~~which~~ that provides the information required by ~~Chapter~~ Chapters 4 and 5 of this title.

SEC. 8.

Amends Government Code 84101.

(a) A committee that is a committee by virtue of subdivision (a) of Section 82013 shall file a statement of organization. The committee shall file the original of the statement of organization online or electronically with the Secretary of State and shall also file a copy of the statement of organization with the local

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filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215. The original and copy of the statement of organization shall be filed within 10 days after the committee has qualified as a committee. The Secretary of State shall assign a number to each committee that files a statement of organization and shall notify the committee of the number. The Secretary of State shall email or send a copy of statements filed pursuant to this section to the county elections official of each county that he or she deems appropriate. A county elections official who receives a copy of a statement of organization from the Secretary of State pursuant to this section shall email or send a copy of the statement to the clerk of each city in the county that he or she deems appropriate.

(b) In addition to filing the statement of organization as required by subdivision (a), if a committee qualifies as a committee under subdivision (a) of Section 82013 within 16 days before the date of an election in connection with which the committee is required to file preelection statements, ~~but after the closing date of the last campaign statement required to be filed before the election pursuant to Section 84200.8 or 84200.9;~~ the committee shall file, ~~by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery~~ within 24 hours of qualifying as a committee, ~~the information required to be reported in the statement of organization. The information required by this subdivision shall be filed~~ the original of its statement of organization online or electronically with the Secretary of State, and a copy with the local filing officer officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section ~~84215.~~ 84215 by email, fax, online transmission, guaranteed overnight delivery, or personal delivery.

(c) If an independent expenditure committee qualifies as a committee pursuant to subdivision (a) of Section 82013 during the time period described in Section 82036.5 and makes independent expenditures of one thousand dollars (\$1,000) or more to support or oppose a candidate or candidates for office, the committee shall file, ~~by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery~~ within 24 hours of qualifying as a committee, ~~the information required to be reported in the statement of organization. The information required by this section shall be filed~~ the original of its statement of organization online or electronically with the Secretary of State. The committee shall also file a copy of its statement with the filing officer with whom the committee is required to file the original of its campaign reports pursuant to Section 84215, and ~~shall be filed~~ at all locations required for the candidate or candidates supported or opposed by the independent ~~expenditures.~~ expenditures, by email, facsimile transmission, guaranteed overnight delivery, or personal delivery. The filings required by this section are in addition to filings that may be required by Section 84204.

(d) For purposes of this section, in calculating whether two thousand dollars (\$2,000) in contributions has been received, payments for a filing fee or for

a statement of qualifications to appear in a sample ballot shall not be included if these payments have been made from the candidate's personal funds.

SEC. 9.

Amends Government Code 84101.5.

(a) Notwithstanding Section 81006, the Secretary of State shall charge each committee that is required to file a statement of organization pursuant to subdivision (a) of Section 84101, and each committee that is required to file a statement of organization pursuant to subdivision (a) of Section 84101 shall pay, a fee of fifty dollars (\$50) per year until the committee is terminated pursuant to Section 84214.

(b) A committee shall pay the fee prescribed in subdivision (a) no later than 15 days after filing its statement of organization.

(c) (1) A committee annually shall pay the fee prescribed in subdivision (a) no later than ~~January 15~~ April 30 of each year.

(2) A committee that is created and pays the initial fee pursuant to subdivision (b) in ~~the final three months~~ October, November, or December of a calendar year is not subject to the annual fee pursuant to paragraph (1) for the following calendar year.

~~(3) A committee that existed prior to January 1, 2013, shall pay the fee prescribed in subdivision (a) no later than February 15, 2013, and in accordance with paragraph (1) in each year thereafter. A committee that terminates pursuant to Section 84214 prior to January 31, 2013, is not required to pay a fee pursuant to this paragraph.~~

(d) (1) A committee that fails to timely pay a fee required by this section is subject to a penalty equal to three times the amount of the fee.

(2) The Commission shall enforce the requirements of this section.

SEC. 10.

Amends Government Code 84102.

The statement of organization required by Section 84101 shall include all of the following:

(a) The name, street address, email address, and telephone number, if any, of the committee. In the case of a sponsored committee, the name of the committee shall include the name of its sponsor. If a committee has more than one sponsor, and the sponsors are members of an industry or other identifiable group, a term identifying that industry or group shall be included in the name of the committee.

(b) In the case of a sponsored committee, the name, street address, and telephone number of each sponsor.

(c) The full name, street address, email address, and telephone number, if ~~any~~, of the treasurer and any other principal officers.

(1) A committee with more than one principal officer shall identify its

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principal officers as follows:

(A) A committee with three or fewer principal officers shall identify all principal officers.

(B) A committee with more than three principal officers shall identify no fewer than three principal officers.

(2) If no individual other than the treasurer is a principal officer, the treasurer shall be identified as both the treasurer and the principal officer.

(d) The full name and office sought by a candidate, and the title and ballot number, if any, of any measure, that the committee supports or opposes as its primary activity. A committee that does not support or oppose one or more candidates or ballot measures as its primary activity shall provide a brief description of its political activities, including whether it supports or opposes candidates or measures and whether such candidates or measures have common characteristics, such as a political party preference.

(e) A statement whether the committee is independent or controlled and, if it is controlled, the name of each candidate or state measure proponent by which it is controlled, or the name of any controlled committee with which it acts jointly. If a committee is controlled by a candidate for partisan or voter-nominated office, the controlled committee shall indicate the political party, if any, for which the candidate has disclosed a preference.

(f) For a committee that is a committee by virtue of subdivision (a) or (b) of Section 82013, the name and address of the financial institution in which the committee has established an account and the account number.

(g) Other information as shall be required by the rules or regulations of the Commission consistent with the purposes and provisions of this chapter.

SEC. 11.

Amends Government Code 84103.

(a) If there is a change in any of the information contained in a statement of organization, an amendment shall be filed within 10 days to reflect the change. The committee shall file the original of the amendment online or electronically with the Secretary of State and shall also file a copy of the amendment with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(b) In addition to filing an amendment to a statement of organization as required by subdivision (a), a committee as defined in subdivision (a) of Section 82013 ~~shall, by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery~~ shall file an amendment to its statement of organization within 24 ~~hours, notify the filing officer with whom it is required to file the originals of its campaign reports pursuant to Section 84215~~ hours if the change requiring the amendment occurs within 16 days before the date of the election in connection with which the committee is required to file a preelection ~~statement, but after the closing date of the last preelection statement required to be filed for~~

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~~the election pursuant to Section 84200.8, statement, and if any of the following information is changed:~~

- (1) The name of the committee.
- (2) The name of the treasurer or other principal officers.
- (3) The name of any candidate or committee by which the committee is controlled or with which it acts jointly.

The ~~notification~~ amendment shall include the changed information, the date of the change, ~~the name of the person providing the notification,~~ and the committee's name and identification number.

~~A committee may file a notification online only if the appropriate filing officer is capable of receiving the notification in that manner.~~

The committee shall file the original of the amendment online or electronically with the Secretary of State and a copy with the local filing officer, if any, with whom the committee is required to file the original of its campaign reports, by email, fax, on-line transmission, guaranteed overnight delivery, or personal delivery.

SEC. 12.

Amends Government Code 84108.

(a) Every slate mailer organization shall comply with the requirements of Sections 84100, 84101, 84103, and 84104.

(b) The statement of organization of a slate mailer organization shall include:

(1) The name, street address, email address, and telephone number of the organization. In the case of an individual or business entity that qualifies as a slate mailer organization, the name of the slate mailer organization shall include the name by which the individual or entity is identified for legal purposes. Whenever identification of a slate mailer organization is required by this title, the identification shall include the full name of the slate mailer organization as contained in its statement of organization.

(2) The full name, street address, email address, and telephone number of the treasurer and other principal officers.

(3) The full name, street address, email address, and telephone number of each person with final decisionmaking authority as to which candidates or measures will be supported or opposed in the organization's slate mailers.

(c) The statement of organization shall be filed online or electronically with the Secretary of State within 10 days after the slate mailer organization receives or is promised five hundred dollars (\$500) or more for producing one or more slate mailers. However, if an entity qualifies as a slate mailer organization within 16 days before the date of an election in which it is required to file preelection statements, ~~but after the closing date of the last campaign statement required to be filed before the election pursuant to Section 84218,~~ the slate mailer organization shall file the statement of organization online or electronically with the Secretary of State, ~~by facsimile transmission, guaranteed overnight delivery, or personal~~

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~~delivery~~ State within 24 hours of qualifying as a slate mailer ~~organization, the information required to be reported in the statement of organization.~~

SEC. 13.

Amends Government Code 84200.8.

Preelection statements shall be filed under this section as follows:

(a) For the period ending 45 days before the election, the statement shall be filed no later than 40 days before the election.

(b) For the period ending 17 days before the election, the statement shall be filed no later than 12 days before the election. ~~All candidates being voted upon in the election in connection with which the statement is filed, their controlled committees, and committees formed primarily to support or oppose a candidate or measure being voted upon in that election shall file this statement by guaranteed overnight delivery service or by personal delivery.~~

(c) For runoff elections held within 60 days of the qualifying election, an additional preelection statement for the period ending 17 days before the runoff election shall be filed no later than 12 days before the election.

(d) All candidates being voted upon on in the election in connection with which the statement is filed, their controlled committees, and committees formed primarily to support or oppose a candidate or measure being voted ~~upon on~~ in that election shall file ~~this~~ the statement due 12 days before the election in subdivisions (b) and (c) online or electronically, if required or, for a city or county committee filing in paper format, by guaranteed overnight delivery service or personal delivery.

SEC. 14.

Amends Government Code 84203.

(a) Each candidate or committee that makes or receives a late contribution, as defined in Section 82036, shall report the late contribution to each office with which the candidate or committee is required to file its next campaign statement pursuant to Section 84215.

(1) The candidate or committee that makes the late contribution shall report his or her full name and street address and the full name and street address of the person to whom the late contribution has been made, the office sought if the recipient is a candidate, or the ballot measure number or letter if the recipient is a committee primarily formed to support or oppose a ballot measure, and the date and amount of the late contribution.

(2) The recipient of the late contribution shall report his or her full name and street address, the date and amount of the late contribution, ~~and whether the contribution was made in the form of a loan.~~ a monetary contribution, in-kind contribution of goods or services, or a loan, the cumulative amount of contributions, and whether the contribution was for the primary, general, or other election, if required. The recipient shall also report the full name of the contributor, his or her street address, occupation, and the name of his or her employer, or if self-

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employed, the name of the business.

(b) A late contribution shall be reported ~~by facsimile transmission, guaranteed overnight delivery, or personal delivery~~ within 24 hours of the time it is made in the case of the candidate or committee that makes the contribution and within 24 hours of the time it is received in the case of the recipient. A late contribution shall be reported online or electronically, if required, or for a city or county committee filing in paper format, by email, fax, guaranteed overnight delivery, or personal delivery. If a late contribution is required to be reported to the Secretary of State, the report to the Secretary of State shall be by online or electronic transmission only. A late contribution shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section.

(c) A late contribution need not be reported nor shall it be deemed accepted if it is not cashed, negotiated, or deposited and is returned to the contributor within 24 hours of its receipt.

(d) A report filed pursuant to this section shall be in addition to any other campaign statement required to be filed by this chapter.

(e) The report required pursuant to this section is not required to be filed by a candidate or committee that has disclosed the late contribution pursuant to subdivision (a) or (b) of Section 85309.

SEC. 15.

Amends Government Code 84204.

(a) A committee that makes a late independent expenditure, as defined in Section 82036.5, shall report the late independent expenditure ~~by facsimile transmission, within 24 hours of the time it is made. A late independent expenditure shall be reported online or electronically, if required, or if filing in a paper format, by email, fax, guaranteed overnight delivery, or personal delivery within 24 hours of the time it is made. delivery.~~ within 24 hours of the time it is made. A late independent expenditure shall be reported online or electronically, if required, or if filing in a paper format, by email, fax, guaranteed overnight delivery, or personal delivery. If a late independent expenditure is required to be reported to the Secretary of State, the report to the Secretary of State shall be by online or electronic transmission only. A late independent expenditure shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section.

(b) A committee that makes a late independent expenditure shall report its full name and street address, as well as the name, office, and district of the candidate if the report is related to a candidate, or if the report is related to a measure, the number or letter of the measure, whether the expenditure was made to support or oppose the candidate or ballot measure, the jurisdiction in which the measure is to be voted upon, and the amount and the date, as well as a description of goods or services for which the late independent expenditure was made. In addition to the information required by this subdivision, a committee that makes a late independent expenditure shall include with its late independent expenditure report the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211, covering the period from the day after the closing date of the

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last campaign report filed to the date of the late independent expenditure, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the late independent expenditure. ~~No information~~ Information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 that is required to be reported with a late independent expenditure report by this subdivision is not required to be reported on more than one late independent expenditure report.

(c) A committee that makes a late independent expenditure shall file a late independent expenditure report in the places where it would be required to file campaign statements under this article as if it were formed or existing primarily to support or oppose the candidate or measure for or against which it is making the late independent expenditure.

(d) A report filed pursuant to this section shall be in addition to any other campaign statement required to be filed by this article.

(e) Expenditures that have been disclosed by candidates and committees pursuant to Section 85500 are not required to be disclosed pursuant to this section.

SEC. 16.

Amends Government Code 84204.5.

(a) In addition to any other report required by this title, a committee pursuant to subdivision (a) of Section 82013 that is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State each time it makes contributions totaling five thousand dollars (\$5,000) or more or each time it makes independent expenditures totaling five thousand dollars (\$5,000) or more to support or oppose the qualification or passage of a single state ballot measure. The report shall be filed within 10 business days of making the contributions or independent expenditures and shall contain all of the following:

(1) The full name, street address, and identification number of the committee.

(2) The number or letter of the measure if the measure has qualified for the ballot and has been assigned a number or letter; the title of the measure if the measure has not been assigned a number or letter but has been issued a title by the Attorney General; or the subject of the measure if the measure has not been assigned a number or letter and has not been issued a title by the Attorney General.

(3) In the case of a contribution, the date and amount of the contribution and the name, address, and identification number of the committee to whom the contribution was made. In addition, the report shall include the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211, regarding contributions or loans received from a person described in that subdivision, covering the period from the day after the closing date of the last campaign report filed to the date of the contribution requiring a report under this section, or if the committee has not previously filed a campaign statement, covering the period

from the previous January 1 to the date of the contribution requiring a report under this section. ~~No information~~ The information described in paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 that is required to be reported pursuant to this subdivision is not required to be reported in more than one report provided for in this subdivision for each contribution or loan received from a person described in subdivision (f) of Section 84211.

(4) In the case of an independent expenditure, the date, amount, and a description of the goods or services for which the expenditure was made. In addition, the report shall include the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 regarding contributions or loans received from a person described in that subdivision, covering the period from the day after the closing date of the last campaign report filed to the date of the expenditure, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the expenditure. ~~No information~~ The information described in paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 that is required to be reported pursuant to this subdivision is not required to be reported in more than one report provided for in this subdivision for each contribution or loan received from a person described in subdivision (f) of Section 84211.

(b) In addition to any other report required by this title, a committee pursuant to subdivision (a) of Section 82013 shall file a report each time it makes contributions totaling five thousand dollars (\$5,000) or more or independent expenditures aggregating five thousand dollars (\$5,000) or more to support or oppose the qualification of a single local initiative or referendum ballot measure. A committee that is required to file a report under this subdivision shall file the report in the places where it would be required to file campaign statements under this article as if it were formed or existing primarily to support or oppose the local initiative or referendum ballot measure. The report shall be filed within 10 business days of reaching the aggregate dollar threshold and shall contain all of the following:

(1) The full name, street address, and identification number of the committee.

(2) The name or subject of the measure.

(3) In the case of an independent expenditure, the date, amount, and a description of the goods or services for which the expenditure was made. In the case of a contribution, the date and amount of the contribution and the name, address, and identification number of the committee to which the contribution was made. In addition, the report shall include the information required by paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211 regarding contributions or loans received from a person described in that subdivision, covering the period from the day after the closing date of the last campaign report filed to the date of the contribution or expenditure, or if the committee has not previously filed a campaign statement, covering the period from the previous January 1 to the date of the contribution or expenditure. The information described in paragraphs (1) to

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(5), inclusive, of subdivision (f) of Section 84211 that is required to be reported pursuant to this subdivision is not required to be reported in more than one report provided for in this subdivision for each contribution or loan received from a person described in subdivision (f) of Section 84211.

(c) Reports required by this section are not required to be filed by a committee primarily formed to support or oppose the qualification or passage of a state ballot measure or the qualification of a local initiative or referendum ballot measure for expenditures made on behalf of the ballot measure or measures for which it is formed.

(d) Independent expenditures that have been disclosed by a committee pursuant to Section 84204 or 85500 are not required to be disclosed pursuant to this section.

SEC. 17.

Amends Government Code 84211.

Each campaign statement required by this article shall contain all of the following information:

(a) The total amount of contributions received during the period covered by the campaign statement and the total cumulative amount of contributions received.

(b) The total amount of expenditures made during the period covered by the campaign statement and the total cumulative amount of expenditures made.

(c) The total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of one hundred dollars (\$100) or more.

(d) The total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of less than one hundred dollars (\$100).

(e) The balance of cash and cash equivalents on hand at the beginning and the end of the period covered by the campaign statement.

(f) If the cumulative amount of contributions (including loans) received from a person is one hundred dollars (\$100) or more and a contribution or loan has been received from that person during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The date and amount received for each contribution received during the period covered by the campaign statement and if *whether* the contribution ~~is a loan, the interest rate for the loan.~~ was made in the form of a monetary contribution, in-kind contribution of goods or services, or a loan.

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(6) The cumulative amount of contributions.

(g) If the cumulative amount of loans received from or made to a person is one hundred dollars (\$100) or more, and a loan has been received from or made to a person during the period covered by the campaign statement, or is outstanding during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The original date and amount of each loan.

(6) The due date and interest rate of the loan.

(7) The cumulative payment made or received to date at the end of the reporting period.

(8) The balance outstanding at the end of the reporting period.

(9) The cumulative amount of contributions.

(h) For each person, other than the filer, who is directly, indirectly, or contingently liable for repayment of a loan received or outstanding during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) His or her occupation.

(4) The name of his or her employer, or if self-employed, the name of the business.

(5) The amount of his or her maximum liability outstanding.

(i) The total amount of expenditures made during the period covered by the campaign statement to persons who have received one hundred dollars (\$100) or more.

(j) The total amount of expenditures made during the period covered by the campaign statement to persons who have received less than one hundred dollars (\$100).

(k) For each person to whom an expenditure of one hundred dollars (\$100) or more has been made during the period covered by the campaign statement, all of the following:

(1) His or her full name.

(2) His or her street address.

(3) The date and amount of each expenditure.

(4) A brief description of the consideration for which each expenditure was made.

(5) In the case of an expenditure which is a contribution to a candidate, elected officer, or committee or an independent expenditure to support or oppose a candidate or measure, in addition to the information required in paragraphs (1) to ~~(4) above,~~ (4), inclusive, the date of the contribution or independent expenditure,

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the cumulative amount of contributions made to a candidate, elected officer, or committee, or the cumulative amount of independent expenditures made relative to a candidate or measure; the full name of the candidate, and the office and district for which he or she seeks nomination or election, or the number or letter of the measure; and the jurisdiction in which the measure or candidate is voted upon.

(6) The information required in paragraphs (1) to (4), inclusive, for each person, if different from the payee, who has provided consideration for an expenditure of five hundred dollars (\$500) or more during the period covered by the campaign statement.

For purposes of subdivisions (i), (j), and (k) only, the terms “expenditure” or “expenditures” mean any individual payment or accrued expense, unless it is clear from surrounding circumstances that a series of payments or accrued expenses are for a single service or product.

(l) In the case of a controlled committee, an official committee of a political party, or an organization formed or existing primarily for political purposes, the amount and source of any miscellaneous receipt.

(m) If a committee is listed pursuant to subdivision (f), (g), (h), (k), (l), or ~~(q)~~, (p), the number assigned to the committee by the Secretary of State shall be listed, or if ~~no~~ a number has not been assigned, the full name and street address of the treasurer of the committee.

(n) In a campaign statement filed by a candidate who is a candidate in both a state primary and general election, his or her controlled committee, or a committee primarily formed to support or oppose such a candidate, the total amount of contributions received and the total amount of expenditures made for the period of January 1 through June 30 and the total amount of contributions received and expenditures made for the period of July 1 through December 31.

(o) The full name, residential or business address, email address, and telephone number of the filer, or in the case of a campaign statement filed by a committee defined by subdivision (a) of Section 82013, the name, street address, email address, and telephone number of the committee and of the committee treasurer. In the case of a committee defined by subdivision (b) or (c) of Section 82013, the name that the filer uses on campaign statements shall be the name by which the filer is identified for other legal purposes or any name by which the filer is commonly known to the public.

(p) If the campaign statement is filed by a candidate, the name, street address, and treasurer of any committee of which he or she has knowledge which has received contributions or made expenditures on behalf of his or her candidacy and whether the committee is controlled by the candidate.

(q) A contribution need not be reported nor shall it be deemed accepted if it is not cashed, negotiated, or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported.

(r) If a committee primarily formed for the qualification or support of, or

opposition to, an initiative or ballot measure is required to report an expenditure to a business entity pursuant to subdivision (k) and 50 percent or more of the business entity is owned by a candidate or person controlling the committee, by an officer or employee of the committee, or by a spouse of any of these individuals, the committee's campaign statement shall also contain, in addition to the information required by subdivision (k), that person's name, the relationship of that person to the committee, and a description of that person's ownership interest or position with the business entity.

(s) If a committee primarily formed for the qualification or support of, or opposition to, an initiative or ballot measure is required to report an expenditure to a business entity pursuant to subdivision (k), and a candidate or person controlling the committee, an officer or employee of the committee, or a spouse of any of these individuals is an officer, partner, consultant, or employee of the business entity, the committee's campaign statement shall also contain, in addition to the information required by subdivision (k), that person's name, the relationship of that person to the committee, and a description of that person's ownership interest or position with the business entity.

(t) If the campaign statement is filed by a committee, as defined in subdivision (b) or (c) of Section 82013, information sufficient to identify the nature and interests of the filer, including:

(1) If the filer is an individual, the name and address of the filer's employer, if any, or his or her principal place of business if the filer is self-employed, and a description of the business activity in which the filer or his or her employer is engaged.

(2) If the filer is a business entity, a description of the business activity in which it is engaged.

(3) If the filer is an industry, trade, or professional association, a description of the industry, trade, or profession which it represents, including a specific description of any portion or faction of the industry, trade, or profession which the association exclusively or primarily represents.

(4) If the filer is not an individual, business entity, or industry, trade, or professional association, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest which the person principally represents or from which its membership or financial support is principally derived.

SEC. 18.

Amends Government Code 84213.

(a) A candidate and state measure proponent shall verify his or her campaign statement and the campaign statement of each committee subject to his or her control. The verification shall be in accordance with the provisions of Section 81004 except that it shall state that to the best of his or her knowledge the treasurer of each controlled committee used all reasonable diligence in the

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preparation of the committee's statement. This section does not relieve the treasurer of any committee from the obligation to verify each campaign statement filed by the committee pursuant to Section 81004.

(b) If a committee is required to file a campaign statement or report disclosing an independent expenditure pursuant to this title, a principal officer of the committee or, in the case of a controlled committee, the candidate or state measure proponent or opponent who controls the committee shall ~~sign a verification on a report prescribed by the Commission. Notwithstanding any other provision of this title, the report containing the verification required by this subdivision shall be filed only with the Commission. The verification shall read~~ sign a verification on the campaign statement or report that reads as follows:

~~I~~ I have not received any unreported contributions or reimbursements to make these independent expenditures. I have not coordinated any expenditure made during this reporting period with the candidate or the opponent of the candidate who is the subject of the expenditure, with the proponent or the opponent of the state measure that is the subject of the expenditure, or with the agents of the candidate or the opponent of the candidate or the state measure proponent or ~~opponent.~~ opponent."

SEC. 19.

Amends Government Code 84215.

~~All candidates and elected officers and their controlled committees, except as provided in subdivisions (d) and (e), shall file one copy of the campaign statements required by Section 84200 with the elections official of the county in which the candidate or elected official is domiciled, as defined in subdivision (b) of Section 349 of the Elections Code. In addition, campaign~~ Campaign statements shall be filed at the following places:

(a) Statewide elected officers, including members of the State Board of Equalization; Members of the Legislature; Supreme Court justices, court of appeal justices, and superior court judges; candidates for those offices and their controlled committees; committees formed or existing primarily to support or oppose these candidates, elected officers, justices and judges, or statewide measures, or the qualification of state ballot measures; and all state general purpose committees and filers not specified in subdivisions (b) to (e), inclusive, shall file a campaign statement with the Secretary of State by online or electronic means, as specified in Section 84605.

(b) Elected officers in jurisdictions other than legislative districts, State Board of Equalization districts, or appellate court districts that contain parts of two or more counties, candidates for these offices, their controlled committees, and committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one of these jurisdictions shall file the original ~~and~~ and, if the filing is in paper format, one copy with the elections official of the county with the largest number of registered voters in the jurisdiction. Elected

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officers, candidates for these offices, and their controlled committees shall also file a copy of their campaign statements with the elections official of the county in which the elected officer or candidate is domiciled, as defined in subdivision (b) of Section 349 of the Elections Code.

(c) County elected officers, candidates for these offices, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in any number of jurisdictions within one county, other than those specified in subdivision (d), and county general purpose committees shall file the original ~~and~~ and, if the filing is in paper format, one copy with the elections official of the county.

(d) City elected officers, candidates for city office, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one city, and city general purpose committees shall file the original ~~and~~ and, if the filing is in paper format, one copy with the clerk of the city ~~and are not required to file with the local elections official of the county in which they are domiciled.~~ city.

(e) Elected members of the Board of Administration of the Public Employees' Retirement System, elected members of the Teachers' Retirement Board, candidates for these offices, their controlled committees, and committees formed or existing primarily to support or oppose these candidates or elected members shall file the original ~~and one copy~~ with the Secretary of State, and a copy shall be filed at the relevant board's office in Sacramento. ~~These elected officers, candidates, and committees need not file with the elections official of the county in which they are domiciled.~~

(f) Notwithstanding any other provision of this section, a committee, candidate, or elected officer is not required to file more than the original and one copy, or one copy, of a campaign statement with any one county elections official or city clerk or with the Secretary of State.

(g) If a committee is required to file campaign statements required by Section 84200 or 84200.5 in places designated in subdivisions (a) to (d), inclusive, it shall continue to file these statements in those places, in addition to any other places required by this title, until the end of the calendar year.

SEC. 20.

Repeals Government Code 84217.

SEC. 21.

Amends Government Code 84219.

Whenever a slate mailer organization is required to file campaign reports pursuant to Section 84218, the campaign report shall include the following information:

(a) The total amount of receipts during the period covered by the campaign statement and the total cumulative amount of receipts. For purposes of this section only, "receipts" means payments received by a slate mailer organization for

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production and distribution of slate mailers.

(b) The total amount of disbursements made during the period covered by the campaign statement and the total cumulative amount of disbursements. For purposes of this section only, “disbursements” means payment made by a slate mailer organization for the production or distribution of slate mailers.

(c) For each candidate or committee that is a source of receipts totaling one hundred dollars (\$100) or more during the period covered by the campaign statement:

(1) The name of the candidate or committee, identification of the jurisdiction and the office sought or ballot measure number or letter, and if the source is a committee, the committee’s identification number, street address, and the name of the candidate or measure on whose behalf or in opposition to which the payment is made.

(2) The date and amount received for each receipt totaling one hundred dollars (\$100) or more during the period covered by the campaign statement.

(3) The cumulative amount of receipts on behalf of or in opposition to the candidate or measure.

(d) For each person other than a candidate or committee who is a source of receipts totaling one hundred dollars (\$100) or more during the period covered by the campaign statement:

(1) Identification of the jurisdiction, office or ballot measure, and name of the candidate or measure on whose behalf or in opposition to which the payment was made.

(2) Full name, street address, name of employer, or, if self-employed, name of business of the source of receipts.

(3) The date and amount received for each receipt totaling one hundred dollars (\$100) or more during the period covered by the campaign statement.

(4) The cumulative amount of receipts on behalf of or in opposition to the candidate or measure.

(e) For each candidate or ballot measure not reported pursuant to subdivision (c) or (d), but who was supported or opposed in a slate mailer sent by the slate mailer organization during the period covered by the report, identification of jurisdiction, office or ballot measure, and name of the candidate or measure who was supported or opposed.

(f) The total amount of disbursements made during the period covered by the campaign statement to persons who have received one hundred dollars (\$100) or more.

(g) The total amount of disbursements made during the period covered by the campaign statement to persons who have received less than one hundred dollars (\$100).

(h) For each person to whom a disbursement of one hundred dollars (\$100) or more has been made during the period covered by the campaign statement:

(1) His or her full name.

(2) His or her street address.

(3) The date and amount of each disbursement.

(4) A brief description of the consideration for which each disbursement was made.

(5) The information required in paragraphs (1) to (4), inclusive, for each person, if different from the payee, who has provided consideration for a disbursement of five hundred dollars (\$500) or more during the period covered by the campaign statement.

(i) Cumulative disbursements, totaling one thousand dollars (\$1,000) or more, made directly or indirectly to any person listed in the slate mailer organization's statement of organization. For purposes of this subdivision, a disbursement is made indirectly to a person if it is intended for the benefit of or use by that person or a member of the person's immediate family, or if it is made to a business entity in which the person or member of the person's immediate family is a partner, shareholder, owner, director, trustee, officer, employee, consultant, or holds any position of management or in which the person or member of the person's immediate family has an investment of one thousand dollars (\$1,000) or more. This subdivision shall not apply to any disbursement made to a business entity whose securities are publicly traded.

(j) The full name, street address, email address, and telephone number of the slate mailer organization and of the treasurer.

(k) Whenever a slate mailer organization also qualifies as a general purpose committee pursuant to Section 82027.5, the campaign report shall include, in addition to the information required by this section, the information required by Section 84211.

SEC. 22.

Amends Government Code 84223.

(a) ~~A~~ For a committee primarily formed to support or oppose a state ballot measure or state candidate that raises one million dollars (\$1,000,000) or more for an ~~election~~ election, the Secretary of State shall maintain an accurate list of the committee's top 10 contributors, as specified by Commission regulations. The list shall be based on the filer's campaign statements and reports. A current list of the top 10 contributors shall be ~~provided to the Commission for disclosure on the Commission's~~ posted on the Secretary of State's Internet Web site, as provided in subdivision (c).

(b) (1) Except as provided in paragraph (4), the list of top 10 contributors shall identify the names of the 10 persons who have made the largest cumulative contributions to the committee, the total amount of each person's contributions, the city and state of the person, the person's committee identification number, if any, and any other information deemed necessary by the Commission. If any of the top 10 contributors identified on the list are committees pursuant to subdivision

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(a) of Section 82013, the Commission may require, by regulation, that the list also identify the top 10 contributors to those contributing committees.

(2) (A) ~~A *For a* committee primarily formed to support or oppose a state ballot measure measure, shall count~~ the cumulative amount of contributions received by the committee from a person for the period beginning 12 months prior to the date the committee made its first expenditure to qualify, support, or oppose the measure and ending with the current ~~date~~. date shall be counted.

(B) ~~A *For a* committee primarily formed to support or oppose a state candidate shall count~~ candidate, the cumulative amount of contributions received by the committee from a person for the primary and general elections ~~combined~~. combined shall be counted.

(3) The aggregation rules of Section 85311 and any implementing regulations adopted by the Commission shall apply in identifying the persons who have made the top 10 cumulative contributions to a committee.

(4) A person who makes contributions to a committee in a cumulative amount of less than ten thousand dollars (\$10,000) shall not be identified or disclosed as a top 10 contributor to a committee pursuant to this section.

(c) (1) The Commission shall adopt regulations to govern the manner in which the ~~Commission~~ Secretary of State shall display top 10 contributor lists ~~provided by~~ maintained for a committee that is subject to this section, and the ~~Commission~~ Secretary of State shall post the top 10 contributor lists on its Internet Web site in the manner prescribed by those regulations. ~~The Commission shall provide the top 10 contributor lists to the Secretary of State, upon the request of the Secretary of State, for the purpose of additionally posting the contributor lists on the Secretary of State's Internet Web site.~~

(2) ~~A committee shall provide an updated~~ committee's top 10 contributor list to the ~~Commission~~ shall be updated when any of the following occurs:

(A) A new person qualifies as a top 10 contributor to the committee.

(B) A person who is an existing top 10 contributor makes additional contributions to the committee.

(C) A change occurs that alters the relative ranking order of the top 10 contributors.

(3) The 10 persons who have made the largest cumulative contributions to a committee shall be listed in order from largest contribution amount to smallest amount. If two or more contributors of identical amounts meet the threshold for inclusion in the list of top 10 contributors, the order of disclosure shall be made beginning with the most recent contributor of that amount.

(4) The ~~Commission~~ Secretary of State shall post or update a top 10 contributor list within five business days or, during the 16 days before the election, within 48 hours of receiving data of a contributor qualifying for the list or of any change to the list.

~~(d) In listing the top 10 contributors, reasonable efforts shall be made to identify and state the actual individuals or corporations that are the true sources of~~

~~the contributions made to the committee from other persons or committees.~~

(d) In addition to any other lists that the ~~Commission~~ Secretary of State is required to post on its Internet Web site, the ~~Commission~~ Secretary of State shall compile, maintain, and display on its Internet Web site a current list of the top 10 contributors supporting and opposing each state ballot measure, as prescribed by Commission regulations.

SEC. 23.

Amends Government Code 84504.2.

(a) A print advertisement paid for by a committee, other than a political party committee or a candidate controlled committee established for an elective office of the controlling candidate, shall include the disclosures required by Sections 84502, 84503, and 84506.5, displayed as follows:

(1) The disclosure area shall have a solid white background and shall be in a printed or drawn box on the bottom of at least one page that is set apart from any other printed matter. All text in the disclosure area shall be in contrasting color.

(2) The text shall be in an Arial equivalent type with a type size of at least 10-point for printed advertisements designed to be individually distributed, including, but not limited to, mailers, flyers, and door hangers.

(3) The top contributors, if any, shall each be disclosed on a separate horizontal line, in descending order, beginning with the top contributor who made the largest cumulative contributions on the first line. The name of each of the top contributors shall be centered horizontally in the disclosure area.

(4) Immediately below the text described in paragraph (3), committees subject to Section 84223 shall include the text “Funding Details At ~~insert Commission Internet Web site.~~” [insert link to Secretary of State Internet Web site page with top 10 contributor lists].” The text shall be in an Arial equivalent type with a type size of at least 10-point for printed advertisements designed to be individually distributed, including, but not limited to, mailers, flyers, and door hangers.

(b) Notwithstanding paragraphs (2) and (4) of subdivision (a), the disclosures required by Sections 84502, 84503, and 84506.5 on a printed advertisement that is larger than those designed to be individually distributed, including, but not limited to, yard signs or billboards, shall be in Arial equivalent type with a total height of at least five percent of the height of the advertisement, and printed on a solid background with sufficient contrast that is easily readable by the average viewer. The text may be adjusted so it does not appear on separate horizontal lines, with the top contributors separated by a comma.

(c) Notwithstanding the definition of “top contributors” in paragraph (1) of subdivision (c) of Section 84501, newspaper, magazine, or other public print advertisements that are 20 square inches or less shall be required to disclose only the single top contributor of fifty thousand dollars (\$50,000) or more.

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SEC. 24.**Amends Government Code 84602.**

(a) To implement the Legislature's intent, the Secretary of State, in consultation with the Commission, notwithstanding any other provision of this code, shall do all of the following:

(1) Develop online and electronic filing processes for use by persons and entities specified in Section 84605 that are required to file statements and reports with the Secretary of State's office pursuant to Chapter 4 (commencing with Section ~~84100~~ 84100), *Chapter 5 (commencing with Section 85100)*, and Chapter 6 (commencing with Section 86100). Those processes shall each enable a user to comply with all of the disclosure requirements of this title and shall include, at a minimum, both of the following:

(A) A means or method whereby filers subject to this chapter may submit required filings free of charge. Any means or method developed pursuant to this subparagraph shall not provide any additional or enhanced functions or services that exceed the minimum requirements necessary to fulfill the disclosure provisions of this title. At least one means or method shall be made available no later than December 31, 2002.

(B) The definition of a nonproprietary standardized record format or formats using industry standards for the transmission of the data that is required of those persons and entities specified in Section 84605 and that conforms with the disclosure requirements of this title. The Secretary of State shall hold public hearings before development of the record format or formats as a means to ensure that affected entities have an opportunity to provide input into the development process. The format or formats shall be made public no later than July 1, 1999, to ensure sufficient time to comply with this chapter.

(2) Accept test files from software vendors and others wishing to file reports electronically, for the purpose of determining whether the file format is in compliance with the standardized record format developed pursuant to paragraph (1) and is compatible with the Secretary of State's system for receiving the data. A list of the software and service providers who have submitted acceptable test files shall be published by the Secretary of State and made available to the public. Acceptably formatted files shall be submitted by a filer in order to meet the requirements of this chapter.

(3) Develop a system that provides for the online or electronic transfer of the data specified in this section using telecommunications technology that ensures the integrity of the data transmitted and that creates safeguards against efforts to tamper with or subvert the data.

(4) Make all the data filed available on the Internet in an easily understood format that provides the greatest public access. The data shall be made available free of charge and as soon as possible after receipt. All late contribution and late independent expenditure reports, as defined by Sections 84203 and 84204, respectively, shall be made available on the Internet within 24 hours of receipt. The

data made available on the Internet shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed pursuant to this title.

(5) Develop a procedure for filers to comply with the requirement that they sign under penalty of perjury pursuant to Section 81004.

(6) Maintain all filed data online for 10 years after the date it is filed, and then archive the information in a secure format.

(7) Provide assistance to those seeking public access to the information.

(8) Implement sufficient technology to seek to prevent unauthorized alteration or manipulation of the data.

(9) Provide the Commission with necessary information to enable it to assist agencies, public officials, and others with the compliance with, and administration of, this title.

(10) Report to the Legislature on the implementation and development of the online and electronic filing and disclosure requirements of this chapter. The report shall include an examination of system security, private security issues, software availability, compliance costs to filers, use of the filing system and software provided by the Secretary of State, and other issues relating to this chapter, and shall recommend appropriate changes if necessary. In preparing the report, the Commission may present to the Secretary of State and the Legislature its comments regarding this chapter as it relates to the duties of the Commission and suggest appropriate changes if necessary. There shall be one report due before the system is operational as set forth in Section 84603, one report due no later than June 1, 2002, and one report due no later than January 31, 2003.

(11) Review the current filing and disclosure requirements of this chapter and report to the Legislature, no later than June 1, 2005, recommendations on revising these requirements so as to promote greater reliance on electronic and online submissions.

(b) (1) To implement the Legislature's intent, as described in Section 84601, the Secretary of State, in consultation with the Commission, shall develop an online filing and disclosure system for use by persons and entities specified in Section 84605 that are required to file statements and reports with the Secretary of State's office pursuant to Chapter 4 (commencing with Section ~~84100~~ 84100), Chapter 5 (commencing with Section 85100), and Chapter 6 (commencing with Section 86100). The system shall enable a user to comply with all of the disclosure requirements of this title and shall include, at minimum, all of the following:

(A) A data-driven means or method that allows filers subject to this chapter to submit required filings free of charge in a manner that facilitates public searches of the data and does all of the following:

(i) Enables a filer to comply with all of the disclosure requirements of this title, including by entering or uploading requisite data or by indicating that the filer had no reportable activity during a particular reporting period.

(ii) Retains previously submitted data so that a filer can access that data

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to amend disclosures or prepare future disclosures. The system shall permit a filer to enter a contribution or independent expenditure transaction once and have the transaction appear on both a transactional report required by Section 84203, 84204, 84204.5, 84309, or 85500, as well as a periodic campaign statement required by this title.

(iii) Ensures the security of data entered and stored in the system.

(iv) To the extent feasible, is compatible with potential future capability to accept statements from filers specified in subdivisions (b) to (e), inclusive, of Section 84215.

(B) The definition of a nonproprietary standardized record format or formats using industry standards for the transmission of the data that is required of those persons and entities specified in Section 84605 and that conforms with the disclosure requirements of this title.

(2) The Secretary of State shall do all of the following with respect to the online filing and disclosure system developed pursuant to this subdivision:

(A) Accept test files from software vendors and others wishing to file reports electronically for the purpose of determining whether the file format is in compliance with the standardized record format developed pursuant to this subdivision and is compatible with the Secretary of State's system for receiving the data. The Secretary of State shall publish and make available to the public a list of the software and service providers who have submitted acceptable test files. A filer shall submit acceptably formatted files in order to meet the requirements of this chapter.

(B) Make the data filed available on the Internet as follows:

(i) In a user-friendly, easily understandable format that provides the greatest public access, including online searches and machine-readable downloads of all data contained in the system, except as specified in clause (iii).

(ii) Free of charge and as soon as possible after receipt, or, in the case of late contribution, late in-kind contribution, and late independent expenditure reports, as defined by Sections 84203, 84203.3, and 84204, respectively, within 24 hours of receipt.

(iii) Not containing the street name or building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed pursuant to this ~~title~~ title, except that a nonresidential address of a committee under Section 82013 may be made available on the Internet.

(iv) In a manner that allows the public to track and aggregate contributions from the same contributor across filers using a permanent unique identifier assigned by the Secretary of State for this purpose. The Secretary of State shall assign this identifier to, at minimum, each contributor who makes contributions totaling ten thousand dollars (\$10,000) or more in a calendar year to, or at the behest of, candidates or committees that file electronically with the Secretary of State pursuant to subdivision (a) of Section 84215 or who files with the Secretary

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of State as a major donor committee under subdivision (c) of Section 82013.

(C) Develop a procedure for filers to comply electronically with the requirement to sign under penalty of perjury pursuant to Section 81004. The electronic signature procedure shall allow the filer to file with the Secretary of State and shall not require an original signature to be filed.

(D) Maintain all filed data online for at least 20 years after the date it is filed, and then archive the information in a secure format.

(E) Provide assistance to those seeking public access to the information.

(F) Implement sufficient technology to seek to prevent unauthorized alteration or manipulation of the data.

(G) Provide the Commission with necessary information to enable it to assist agencies, public officials, and others in complying with and administering this title.

(3) The Secretary of State shall do all of the following with respect to developing the online filing and disclosure system and record format pursuant to this subdivision:

(A) Consult with the Assembly Committee on Elections and Redistricting, the Senate Committee on Elections and Constitutional Amendments, the Commission, users, filers, and other stakeholders, as appropriate, about functions of the online filing and disclosure system.

(B) In consultation with the Commission, and no later than July 31, 2017, hold at least one public hearing to receive input about developing the online filing and disclosure system and record format.

(C) No later than December 31, 2017, submit a report to the Assembly Committee on Elections and Redistricting and the Senate Committee on Elections and Constitutional Amendments that includes a plan for the online filing and disclosure system, describes how members of the public will be able to query and retrieve data from the system, and includes a plan for integrating statements as specified in clause (iv) of subparagraph (A) of paragraph (1).

(4) The Secretary of State shall make the online filing and disclosure system developed pursuant to this subdivision available for use no later than February 1, 2019. The Secretary of State may extend this date to a date no later than December 31, 2019, after consulting with the Assembly Committee on Elections and Redistricting and the Senate Committee on Elections and Constitutional Amendments and providing to those committees a report that explains the need for the extension and includes a plan for completion.

(5) The Secretary of State may accept any funds, services, equipment, or grants to further this subdivision, provided that the Secretary of State shall notify the Assembly Committee on Elections and Redistricting and the Senate Committee on Elections and Constitutional Amendments upon accepting any amount valued at one hundred thousand dollars (\$100,000) or more.

(6) Because the provisions of this chapter need to be implemented as expeditiously as possible, the information technology procurement requirements

described in Chapter 5.6 (commencing with Section 11545) of Part 1 of Division 3 of Title 2 of this code, and in Section 12100 of the Public Contract Code, do not apply to development of the online filing and disclosure system pursuant to this subdivision. The Secretary of State shall consult with the Department of Technology, as appropriate, in developing the online filing and disclosure system, in order to maximize project success, minimize lifecycle costs, and ensure the security of the system and its data.

(7) (A) Before making the system developed pursuant to this subdivision available for public use, the Secretary of State, in consultation with the Commission, shall test the system to ensure its functionality and then certify that the system meets all the requirements of this subdivision. The Secretary of State may consult with the Department of Technology as needed to fulfill his or her duties under this paragraph.

(B) After the system developed pursuant to this subdivision is certified, the system described in subdivision (a) shall no longer accept reports and filings, unless otherwise directed by the Secretary of State and the Commission. The system described in subdivision (a) shall continue to allow public access to past disclosures unless the Secretary of State migrates that data into the system described in this subdivision. To facilitate data conversion during migration, the Secretary of State may make minor technical modifications or corrections to the migrated data.

(c) On or before December 31, 2017, and on or before every April 15, July 15, October 15, and January 15 thereafter, the Secretary of State shall submit to the chairs of the Joint Legislative Budget Committee and the fiscal committees of the Legislature a quarterly report on the progress of the Cal-Access Project. Specifically, the Secretary of State shall certify whether he or she (1) anticipates making or has made any changes to the project's scope, schedule, or budget and (2) considers any problems to be a risk to the project's completion according to the approved project schedule and budget. This reporting requirement shall end upon the completion or termination of the Cal-Access Project.

SEC. 25.

Amends Government Code 84605.

(a) The following persons shall file online or electronically with the Secretary of State:

(1) Any candidate, including superior court, appellate court, and Supreme Court candidates and officeholders, committee, or other persons who are required, pursuant to Chapter 4 (commencing with Section ~~84100~~), 84100 and Chapter 5 (commencing with Section 85100), to file statements, reports, or other documents in connection with a state elective office or state measure, ~~provided that the total cumulative reportable amount of contributions received, expenditures made, loans made, or loans received is twenty-five thousand dollars (\$25,000) or more.~~ ~~In determining the cumulative reportable amount, all controlled committees, as~~

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defined by ~~Section 82016~~, shall be included. For a committee subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that is first subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title. A committee, as defined in subdivision (c) of Section 82013, shall file online or electronically if it makes contributions of twenty-five thousand dollars (\$25,000) or more in a calendar year. measure.

(2) Any state general purpose committees, as defined in Section 82027.5, including the general purpose committees of political parties, as defined in Section 85205, and small contributor committees, as defined in Section ~~85203~~; that cumulatively receive contributions or make expenditures totaling twenty-five thousand dollars (\$25,000) or more to support or oppose candidates for any elective state office or state measure. For a committee subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title. 85203.

(3) Any slate mailer organization with cumulative reportable payments received or made for the purposes of producing slate mailers of twenty-five thousand dollars (\$25,000) or more. For a slate mailer organization subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a slate mailer organization that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the organization is first subject to this title. that produces one or more slate mailers supporting or opposing candidates or measures voted on in a state election or in more than one county.

(4) Any lobbyist, lobbying firm, lobbyist employer, or other persons required, pursuant to Chapter 6 (commencing with Section 86100), to file statements, reports, or other documents, provided that the total amount of any category of reportable payments, expenses, contributions, gifts, or other items is two thousand five hundred dollars (\$2,500) or more in a calendar quarter. documents.

(b) The Secretary of State shall also disclose on the Internet any late contribution or late independent expenditure report, as defined by Sections 84203 and 84204, respectively, not covered by paragraph (1), (2), or (3) of subdivision (a) or any other provision of law.

(c) It shall be presumed that online or electronic filers file under penalty of perjury.

(d) The Secretary of State shall maintain at all times a secured, official version of all original online and electronically filed statements and reports required by this chapter, which shall be the official version for audit and other legal purposes.

(e) Except for statements related to a local elective office or a local ballot measure filed by a candidate for local elective office who is also a candidate for elective state office, a copy of a statement, report, or other document filed by

online or electronic means with the Secretary of State shall not be filed with a local filing officer.

SEC. 26.

Amends Government Code 84606.

~~The Secretary of State shall determine and publicly disclose when the online and electronic disclosure systems are operating effectively. In making this determination, the Secretary of State shall consult with the commission, the Department of Information Technology, and any other appropriate public or private entity. The online or electronic disclosure system shall not become operative until the Department of Information Technology approves the system. Upon this determination, filers required by this chapter to file online or electronically will no longer be required to file with local filing officers. Furthermore, the *The* date that a filer transmits an online or electronic report shall be the date the filed report is received by the Secretary of State.~~

SEC. 27.

Amends Government Code 84612.

If the Secretary of State rejects a filing made under this chapter, the Secretary of State shall immediately notify the filer, by ~~electronic mail~~, email, of the reason or reasons for rejection using plain, straightforward language, avoiding technical terms as much as possible, and using a coherent and easily readable style. The notice shall be written or displayed so that the meaning will be easily understood by those persons directly affected by it. *The Cal-Access Replacement System may contain required fields in which information must be entered in order to submit a report or statement, as determined by the Secretary of State and the Commission.*

SEC. 28.

Amends Government Code 84615.

A local government agency may require an elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Chapter 4 (commencing with Section 84100), except an elected officer, candidate, committee, or other person who receives contributions totaling less than ~~one~~ two thousand dollars ~~(\$1,000)~~, ~~(\$2,000)~~, and makes expenditures totaling less than ~~one thousand dollars (\$1,000)~~, two thousand dollars (\$2,000) in a calendar year, to file those statements, reports, or other documents online or electronically with a local filing officer. A local government agency that requires online or electronic filing pursuant to this section shall comply with all of the following:

(a) The legislative body for the local government agency shall adopt an ordinance approving the use of online or electronic filing, which shall include a legislative finding that the online or electronic filing system will operate securely and effectively and would not unduly burden filers. The ordinance adopted by the

legislative body for the local government agency may, at the discretion of that legislative body, specify that the electronic or online filing requirements apply only to specifically identified types of filings or are triggered only by identified monetary thresholds. In any instance in which the original statement, report, or other document is required to be filed with the Secretary of State and a copy of that statement, report, or other document is required to be filed with the local government agency, the ordinance may permit, but shall not require, that the copy be filed online or electronically.

(b) The online or electronic filing system shall ~~only~~ accept a filing in the standardized record format that ~~is~~ was developed by the Secretary of State pursuant to paragraph (2) of subdivision (a) of Section ~~84602~~ 84602, or the local government agency may transition to the Cal-Access Replacement System format, and then the system shall accept a filing in the new standardized record format developed by the Secretary of State pursuant to subdivision (b) of Section 84602, and that is compatible with the Secretary of State's system for receiving an online or electronic filing.

(c) The online or electronic filing system shall ensure the integrity of the data transmitted and shall include safeguards against efforts to tamper with, manipulate, alter, or subvert the data.

(d) (1) The local filing officer shall issue to a person who files a statement, report, or other document online or electronically an electronic confirmation that notifies the filer that the statement, report, or other document was received. The confirmation shall include the date and the time that the statement, report, or other document was received by the filing officer and the method by which the filer may view and print the data received by the filing officer.

(2) A copy retained by the filer of a statement, report, or other document that was filed online or electronically and the confirmation issued pursuant to paragraph (1) that shows the filer timely filed the statement, report, or other document shall create a rebuttable presumption that the filer timely filed the statement, report, or other document.

(e) The date of filing for a statement, report, or other document that is filed online or electronically shall be the day that it is received by the local filing officer.

(f) The local filing officer shall make all the data filed available on the Internet in an easily understood format that provides the greatest public access. The data shall be made available free of charge and as soon as possible after receipt. The data made available on the Internet shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed by the filer. The local filing officer shall make a complete, unredacted copy of any statement, report, or other document filed pursuant to this section, including any street names, building numbers, and bank account numbers disclosed by the filer, available to any person upon request.

(g) The online or electronic filing system shall include a procedure for

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filers to comply with the requirement that they sign statements and reports under penalty of perjury pursuant to Section 81004.

(h) The local government agency shall enable filers to complete and submit filings free of charge.

(i) The local filing officer shall maintain, for a period of at least 10 years commencing from the date filed, a secured, official version of each online or electronic statement, report, or other document filed pursuant to this section, which shall serve as the official version of that record for purpose of audits and any other legal purpose. Data that has been maintained for at least 10 years may then be archived in a secure format.

(j) Notwithstanding any other provision of law, any statement, report, or other document filed online or electronically pursuant to this section shall not be required to be filed with the local filing officer in paper format.

SEC. 29.**Amends Government Code 85200.**

Prior to the solicitation or receipt of any contribution or loan, an individual who intends to be a candidate for an elective state office, as that term is defined by Section 82024, shall file online or electronically with the Secretary of State an original statement, signed under penalty of perjury, of intention to be a candidate for a specific office.

An individual who intends to be a candidate for any other elective office shall file the statement of intention with the same filing officer and in the same location as the individual would file an original campaign statement pursuant to subdivisions (b), (c), and (d) of Section 84215.

For purposes of this section, “contribution” and “loan” do not include any payments from the candidate’s personal funds for a candidate filing fee or a candidate statement of qualifications fee.

SEC. 30.**Amends Government Code 86100.**

(a) Individual lobbyists shall prepare lobbyist certifications pursuant to Section 86103 for filing with the Secretary of State as part of the registration of the lobbying firm in which the lobbyist is a partner, owner, officer, or employee or as part of the registration of the lobbyist employer by which the lobbyist is employed.

(b) Lobbying firms shall register with the Secretary of State.

(c) Lobbyist employers as defined in subdivision (a) of Section 82039.5 shall register with the Secretary of State.

(d) Lobbyist employers as defined in subdivision (b) of Section 82039.5 and persons described in subdivision (b) of Section 86115 are not required to register with the Secretary of State but shall file statements pursuant to this article.

(e) A registration statement shall be filed ~~both~~ by online or electronic means and physically, ~~submitting the original statement and one copy, in paper format.~~

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means.

SEC. 31.

Amends Government Code 86103.

A lobbyist certification shall include all of the following:

(a) A recent photograph of the lobbyist, ~~the~~ in a size of which shall be prescribed by the Secretary of State.

(b) The lobbyist's full name, business address, email address, and telephone ~~number of the lobbyist.~~ number.

(c) A statement that the lobbyist has read and understands the prohibitions contained in Sections 86203 and 86205.

(d) A statement regarding the lobbyist's completion of the ethics course described in subdivision (b) of Section 8956 as follows:

(1) ~~In the case of~~ For a lobbyist who filed a completed lobbyist certification in connection with the last regular session of the Legislature, ~~a statement~~ either of the following statements: that

(A) That the lobbyist has ~~completed,~~ completed the ethics course within the previous 12 ~~months or~~ months. ~~will~~

(B) That the lobbyist will complete the ethics course no later than June 30 of the following year, ~~the course described in subdivision (b) of Section 8956.~~ ~~If the lobbyist certification states that the lobbyist will complete the course no later than June 30 of the following year,~~ year, in which case the certification shall be accepted on a conditional basis. ~~Thereafter, if the lobbyist completes the course no later than June 30 of the following year, the lobbyist shall file a new lobbyist certification with the Secretary of State which shall replace the conditional lobbyist certification previously filed. If the lobbyist certification states that the lobbyist will complete the course no later than June 30 of the following year and the lobbyist fails to do so, the conditional lobbyist certification shall be void and the individual shall not act as a lobbyist pursuant to this title until he or she has completed the course and filed with the Secretary of State a lobbyist certification stating that he or she has completed the course and the date of completion. It shall be a violation of this section for any individual to act as a lobbyist pursuant to this title once his or her conditional certification is void.~~

(2) ~~If, in~~ In the case of a new lobbyist certification, ~~if~~ if the lobbyist has not completed the course within the previous 12 months, the lobbyist certification shall include a statement that the lobbyist will complete ~~a scheduled~~ the course within 12 ~~months, and the~~ months. ~~The~~ lobbyist certification shall be accepted on a conditional basis. ~~Following the lobbyist's completion of the ethics course, the lobbyist shall file~~

(3) If a lobbyist certification is accepted on a conditional basis, the lobbyist shall timely complete the ethics course and file a new lobbyist certification ~~with the Secretary of State which shall~~ to replace the conditional lobbyist certification previously filed. ~~certification.~~ ~~If the new lobbyist certification states that the lobbyist~~

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~~will complete the course within 12 months and the lobbyist fails to do so, *fails to timely complete the ethics course*, the conditional lobbyist certification shall be void and the individual shall not act as a lobbyist pursuant to under this title until he or she has completed *the individual completes* the course and ~~filed with the Secretary of State~~ *files* a lobbyist certification stating he or she has completed the course and the date of completion. It ~~shall be~~ *is* a violation of this section for any individual to act as a lobbyist pursuant to under this title once his or her conditional certification is void.~~

~~*(4) The date and confirmation that an individual has completed the ethics course may be transmitted to the Secretary of State by the legislative ethics committee.*~~

(e) Any other information required by the commission consistent with the purposes and provisions of this chapter.

~~*(f) Registration fees required by Section 86102 shall be paid online at the time a lobbyist certification is submitted for registration to be active.*~~

SEC. 32.

Amends Government Code 86104.

The registration of a lobbying firm shall include:

(a) The full name, business address, *email address*, and telephone number of the lobbying firm.

(b) A list of the lobbyists who are partners, owners, officers, or employees of the lobbying firm.

(c) The lobbyist certification of each lobbyist in the lobbying firm.

(d) ~~For~~ *The following information regarding* each person with whom the lobbying firm contracts to provide ~~the following~~ lobbying services:

(1) The full name, business address, *email address*, and telephone number of the person.

(2) ~~A written authorization signed~~ *An authorization electronically confirmed* by the person.

(3) The time period of the contract.

(4) Information sufficient to identify the nature and interests of the person including:

(A) ~~If the person is~~ *For* an individual, the name and address of his or her employer, if any, or *if self-employed*, his or her principal place of ~~business if the person is self-employed,~~ *business*, and a description of the business activity in which the person or his or her employer is engaged.

(B) ~~If the person is~~ *For* a business entity, a description of the business activity in which it is engaged.

(C) ~~If the person is~~ *For* an industry, trade, or professional association, a description of the industry, trade, or profession ~~which it represents~~ *represents*, including a specific description of any ~~portion part~~ or faction of the industry, trade, or profession ~~which~~ the association exclusively or primarily represents and, if the

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association has ~~not more than 50~~ or fewer members, the names of the members.

(D) ~~If the person is not an individual, business entity, or industry, trade, or professional association,~~ For other persons, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest ~~which~~ that the person principally represents or from which its membership or financial support is principally derived.

(5) The lobbying interests of the person.

(6) A list of the state agencies whose legislative or administrative actions the lobbying firm will attempt to influence for the person.

(e) The name and title of a partner, owner, or officer of the lobbying firm who is responsible for filing statements and reports and keeping records required by this chapter on behalf of the lobbying firm, and a statement signed by the designated responsible person that he or she has read and understands the prohibitions contained in Sections 86203 and 86205.

(f) Any other information required by the commission consistent with the purposes and provisions of this chapter.

SEC. 33.

Amends Government Code 86105.

The registration of a lobbyist employer shall include:

(a) The full name, business address, email address, and telephone number of the lobbyist employer.

(b) A list of the lobbyists who are employed by the lobbyist employer.

(c) The lobbyist certification of each lobbyist employed by the lobbyist employer. employer, included by electronic link.

(d) Information sufficient to identify the nature and interests of the filer, including:

(1) ~~If the filer is~~ For an individual, the name and address of the filer's employer, if any, ~~or if self-employed,~~ his or her principal place of ~~business if the filer is self-employed,~~ business, and a description of the business activity in which the filer or his or her employer is engaged.

(2) ~~If the filer is~~ For a business entity, a description of the business activity in which it is engaged.

(3) ~~If the filer is~~ For an industry, trade, or professional association, a description of the industry, trade, or profession ~~which~~ it represents including a specific description of any ~~portion~~ part or faction of the industry, trade, or profession ~~which~~ that the association exclusively or primarily represents and, if the association has ~~not more than 50~~ or fewer members, the names of the members.

(4) ~~If the filer is not an individual, business entity, or industry, trade, or professional association,~~ For other persons, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest ~~which~~ that the person principally represents or from which its membership or financial support is principally derived.

Changes in or additions to text are shown by underlined italics, deletions by ~~strikeouts~~.

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(e) The lobbying interests of the lobbyist employer, and a list of the state agencies whose legislative or administrative actions the lobbyist employer will attempt to influence.

(f) Any other information required by the commission consistent with the purposes and provisions of this chapter.

SEC. 34.**Amends Government Code 86107.**

(a) If any ~~change occurs in any of the~~ information contained in a registration ~~statement,~~ statement changes, an appropriate amendment shall be filed ~~both by online or electronic means and physically, submitting the original one copy of the amendment, in paper format,~~ electronically with the Secretary of State within 20 days after the change. However, if the change includes the name of a person by whom a lobbying firm is retained, the registration statement of the lobbying firm shall be amended and filed to show that change prior to the lobbying firm's attempting to influence any legislative or administrative action on behalf of that person. Lobbying firms and lobbyist employers that, during a regular session of the Legislature, cease all activity that required registration shall file a notice of termination within 20 days after the cessation. Lobbying firms and lobbyist employers that, at the close of a regular session of the Legislature, cease all activity that required registration are not required to file a notice of termination.

(b) If any ~~change occurs in any of the~~ information contained in a lobbyist certification changes, or if a lobbyist terminates all activity that required the certification, the lobbyist shall submit an amended certification or notice of termination to his or her lobbying firm or lobbyist employer for filing with the Secretary of State within the time limits specified in subdivision (a). A lobbyist who, at the close of a regular session of the Legislature, ceases all activity that required certification is not required to file a notice of termination.

(c) Lobbyists and lobbying firms are subject to the gift limits in Section 86203 for the earlier of six months after ~~filing~~ either of the following:

- (1) The filing of a notice of ~~termination or six months after~~ termination, the
- (2) The close of a regular session of the Legislature ~~at the close of~~ which ~~if~~ the lobbyist or lobbying firm ceased all activity that required certification or ~~registration.~~ registration when the session closed.

SEC. 35.**Amends Government Code 86108.**

~~All~~ The Secretary of State shall make all information listed on any registration statement and on any amendment, renewal, or notice of termination ~~shall be printed by the Secretary of State and made public within 30 days after filing.~~ publicly available on the Internet as soon as possible after receipt.

SEC. 36.**Repeals Government Code 86109.****SEC. 37.****Amends Government Code 86109.5.**

(a) The Secretary of State shall establish and maintain on the Internet an online ~~version of the Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers.~~ listing of lobbyists, lobbying firms, and lobbyist employers. The Secretary of State shall update the ~~directory weekly.~~ listing as soon as possible when new information is received.

(b) Notwithstanding any other provision of this title, the lobbying data made available on the Internet shall include the street name and building number of the persons or entity representatives listed on all the documents submitted to the Secretary of State pursuant to Chapter 6 (commencing with Section 86100).

SEC. 38.**Amends Government Code 86114.**

(a) Lobbying firms shall file periodic reports containing all of the following:

(1) The full name, address, email address, and telephone number of the lobbying firm.

(2) The full name, business address, and telephone number of each person who contracted with the lobbying firm for lobbying services, a description of the specific lobbying interests of the person, and the total payments, including fees and the reimbursement of expenses, received from the person for lobbying services during the reporting period.

(3) The total amount of payments received for lobbying services during the period.

(4) A periodic report completed and verified by each lobbyist in the lobbying firm pursuant to Section 86113.

(5) Each activity expense incurred by the lobbying firm including those reimbursed by a person who contracts with the lobbying firm for lobbying services. A total of all activity expenses of the lobbying firm and all of its lobbyists shall be included.

(6) If the lobbying firm subcontracts with another lobbying firm for lobbying services:

(A) The full name, address, email address, and telephone number of the subcontractor.

(B) The name of the person for whom the subcontractor was retained to lobby.

(C) The total amount of all payments made to the subcontractor.

(7) The date, amount, and the name of the recipient of any contribution of one hundred dollars (\$100) or more made by the filer to an elected state officer,

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a state candidate, a committee controlled by an elected state officer or state candidate, or a committee primarily formed to support ~~such~~ or oppose those officers or candidates. If this contribution is reported by the lobbying firm or by a committee sponsored by the lobbying firm in a campaign statement filed pursuant to Chapter 4 which is required to be filed with the Secretary of State, the filer may report only the name of the committee and the identification number of the committee.

(8) Any other information required by the commission consistent with the purposes and provisions of this chapter.

(b) In addition to the information required by subdivision (a), lobbying firms which qualify pursuant to paragraph (2) of subdivision (a) of Section 82038.5 shall also report the name and title of each partner, owner, officer, and employee of the lobbying firm who, on at least five separate occasions during the reporting period, engaged in direct communication with any elective state official, legislative official, or agency official, for the purpose of influencing legislative or administrative action on behalf of a person who contracts with the lobbying firm for lobbying services. This does not include individuals whose actions were purely clerical.

SEC. 39.

Amends Government Code 86116.

Every person described in Section 86115 shall file periodic reports containing the following information:

(a) The name, business address, email address, and telephone number of the lobbyist employer or other person filing the report.

(b) The total amount of payments to each lobbying firm.

(c) The total amount of all payments to lobbyists employed by the filer.

(d) A description of the specific lobbying interests of the filer.

(e) A periodic report completed and verified by each lobbyist employed by a lobbyist employer pursuant to Section 86113.

(f) Each activity expense of the filer. A total of all activity expenses of the filer shall be included.

(g) The date, amount, and the name of the recipient of any contribution of one hundred dollars (\$100) or more made by the filer to an elected state officer, a state candidate, or a committee controlled by an elected state officer or state candidate, or a committee primarily formed to support or oppose the officer or candidate. If this contribution is reported by the filer or by a committee sponsored by the filer in a campaign statement filed pursuant to Chapter 4 which is required to be filed with the Secretary of State, the filer may report only the name of the committee, and the identification number of the committee.

(h) (1) Except as set forth in paragraph (2), the total of all other payments to influence legislative or administrative action including overhead expenses and all payments to employees who spend 10 percent or more of their compensated time in any one month in activities related to influencing legislative or administrative action.

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(2) A filer that makes payments to influence a ratemaking or quasi-legislative proceeding before the Public Utilities Commission, as defined in subdivision (b) or (c), respectively, of Section 82002, may, in lieu of reporting those payments pursuant to paragraph (1), report only the portion of those payments made to or for the filer's attorneys for time spent appearing as counsel and preparing to appear as counsel, or to or for the filer's witnesses for time spent testifying and preparing to testify, in this type of Public Utilities Commission proceeding. This alternative reporting of these payments made during a calendar month is not required to include payments made to an attorney or witness who is an employee of the filer if less than 10 percent of his or her compensated time in that month was spent in appearing, testifying, or preparing to appear or testify before the Public Utilities Commission in a ratemaking or quasi-legislative proceeding. For the purposes of this paragraph, time spent preparing to appear or preparing to testify does not include time spent preparing written testimony.

(i) Any other information required by the commission consistent with the purposes and provisions of this chapter.

SEC. 40.

Amends Government Code 86118.

~~The original and one copy of each report *Reports* required by Sections 86114 and 86116 shall be filed *online or electronically* with the Secretary of State, unless filing in paper format is no longer required by Sections 84605 and 84606. *State.*~~

SEC. 41.

Section 23.5 of this bill incorporates amendments to Section 84504.2 of the Government Code proposed by this bill and Assembly Bill 2155. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019. (2) each bill amends Section 84504.2 of the Government Code, and (3) this bill is enacted after Assembly Bill 2155, in which case Section 84504.2 of the Government Code, as amended by Assembly Bill 2155, shall remain operative only until the operative date of this bill, at which time Section 23.5 of this bill shall become operative, and Section 23 of this bill shall not become operative.

SEC. 42.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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SEC. 43.

The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

SEC. 44.

This act shall not become operative until the Secretary of State certifies an online filing and disclosure system pursuant to paragraph (7) of subdivision (b) of Section 84602 of the Government Code.

VOTING: DOMICILE
**Senate Bill 1250
Chapter 911**
CURRENT PROVISIONS

Existing law defines “residence” for voting purposes as a person’s domicile.

Existing law describes the domicile of a person as that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning.

Existing law describes the residence of a person as that place in which the person’s habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining.

Existing law provides that a person may have only one domicile at a given time, but may have more than one residence.

Existing law also provides that, for purposes of determining the domicile of a Member of the Legislature or a Representative in the Congress of the United States, the residence address indicated on that person’s currently filed affidavit of voter registration is conclusively presumed to be that person’s domicile.

NEW PROVISIONS

Provide that this presumption applies as long as the address listed is one of the member or representative’s residences, notwithstanding that the member or representative may have another residence at which any of certain conditions apply.

SECTIONS AFFECTED:

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SECTION 1.**Amends Elections Code 2026.**

The domicile of a Member of the Legislature or a Representative in the Congress of the United States shall be conclusively presumed to be at the residence address indicated on that person's currently filed affidavit of ~~registration~~: registration, as long as the address is a residence under subdivision (c) of Section 349, notwithstanding that the member or representative may have another residence at which any of the following apply:

(a) A child for whom the member or representative is a parent, step-parent, foster parent, guardian, or caretaker is enrolled in school.

(b) The spouse, domestic partner, or intimate partner of the member or representative is located for employment.

(c) The member or representative receives mail or other postal or parcel deliveries.

(d) The member or representative owns, leases, or rents a dwelling.

(e) The member or representative claims a homeowner's exemption or any other similar claim for tax purposes.

(f) The member or representative maintains accounts or pays for utilities, cable or satellite television, Internet service, home security service, home or landscape maintenance, or other similar services.

(g) The member or representative registers a vehicle or boat.

(h) The member or representative maintains policies of insurance.

(i) The member or representative has items of personal property.

Section Four**VETOED BILLS**

<u>BILL NO.</u>	<u>AUTHOR</u>	<u>SUBJECT</u>	<u>DATE</u>
AB 664	Steinorth	Campaign Fund Expenditures	08/27/18
AB 1947	Low	Petitions: Compensation for Signatures	09/18/18
AB 2245	Berman	Voter Registration	09/18/18
AB 2352	Low	Elections: Reportable Events	09/29/18
AB 2552	Berman	Elections: Ballot Contents	09/07/18
AB 2689	Gray	Contribution and Gift Ban: Senate or Assembly Confirmation	09/30/18

Total Count: 6

Section Four

VETOED MESSAGES

BILL NUMBER: California Assembly Bill No. 664

VETOED DATE: August 27, 2018

To the Members of the California State Assembly:

I am returning Assembly Bill 664 without my signature.

This bill prohibits a candidate-controlled committee from paying an amount greater than fair market value for goods and services.

This proposed new authority for the Fair Political Practices Commission concerns me.

Will the Commission now examine campaigns to determine whether they pay the right amount to their staffers and consultants? Would this require salary surveys?

This strikes me as a personnel decision more properly left to the candidate and the campaign manager, and not fodder for accusations made in the heat of a campaign.

Many have said that I pay far below “fair market value.” I say everyone else pays too much. Whoever is right, this decision is not one for the Fair Political Practices Commission.

For these reasons, I cannot sign this bill.

Sincerely,

Edmund G. Brown Jr.

BILL NUMBER: California Assembly Bill No. 1947

VETOED DATE: September 18, 2018

To the Members of the California State Assembly:

I am returning Assembly Bill 1947 without my signature. This bill prohibits paying circulators to collect signatures on an initiative, referendum, or recall petition on a per-signature basis.

As I stated in my veto message to an almost identical bill --SB 168 of 2011-- "per-signature payment is often the most cost-effective method for collecting the hundreds of thousands of signatures needed to qualify a ballot measure. Eliminating this option will drive up the cost of circulating ballot measures, thereby further favoring the wealthiest interests."

While I understand the potential abuses of the current per-signature payment system, my perspective has not changed since 2011.

I cannot sign this bill.

Sincerely,

Edmund G. Brown Jr.

BILL NUMBER: California Assembly Bill No. 2245

VETOED DATE: September 18, 2018

To the Members of the California State Assembly:

I am returning Assembly Bill 2245 without my signature.

This bill requires county elections officials to provide the Secretary of State with information on persons who have pre-registered to vote, prohibits the information from being disclosed to any person, and requires the Secretary of State to compile a statewide list by various political subdivisions.

The Secretary of State already provides pre-registered voter data by county and nothing prohibits the breakdown of the data into further political subdivisions. Moreover, it is common practice for county election officials to keep pre-registered voter data confidential. Therefore, this bill is unnecessary.

Sincerely,

Edmund G. Brown Jr.

BILL NUMBER: California Assembly Bill No. 2352

VETOED DATE: September 29, 2018

To the Members of the California State Assembly:

I am returning AB 2352 without my signature.

This bill requires county election officials to document reportable events and submit information regarding those events to the Secretary of State for review and guidance.

Each election approximately 400 reportable events are referred to the Secretary of State, for guidance and review. Given the current workload, I don't think the state should mandate the additional reporting called for in this bill.

Sincerely,

Edmund G. Brown Jr.

BILL NUMBER: California Assembly Bill No. 2552

VETOED DATE: September 7, 2018

To the Members of the California State Assembly:

I am returning Assembly Bill 2552 without my signature

This bill requires certain ballot instructions and the Secretary of State to establish a ballot design advisory committee.

In recent years, California's ballot and ballot pamphlet have become a hodgepodge of confusing, excessive and often redundant words and explanations. The Secretary of State -- with or without a committee -- should fix this festering problem. A bill is not necessary.

Sincerely,

Edmund G Brown Jr.

BILL NUMBER: California Assembly Bill No. 2689

VETOED DATE: September 30, 2018

To the Members of the California State Assembly:

I am returning Assembly Bill 2689 without my signature.

This bill prohibits a Governor's appointee, who is subject to confirmation, from making certain campaign contributions.

The prohibitions in this bill may make sense, but so would many others-including banning contributions from anyone who seeks to influence legislation.

There is no question that the current system is flawed, but this piece-meal approach is not the answer. My point is, before the Legislature starts down this road, they should consider where it leads.

Sincerely,

Edmund G. Brown Jr.

Section Five**2017 STATUTES INDEX**

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