

ASSEMBLY BILL

No. 667

Introduced by Assembly Member Cox

February 22, 2001

An act to amend Section 9030 of the Elections Code, relating to initiative measures.

LEGISLATIVE COUNSEL'S DIGEST

AB 667, as introduced, Cox. Initiative petitions: costs to counties.

Existing law requires that each section of a statewide initiative petition be filed with the elections official of the county or city and county in which it was circulated. Existing law requires elections officials to perform various duties with respect to those petitions, including determining the total number of signatures affixed to the petitions, transmitting that information to the Secretary of State, and performing a random sampling technique for verification of signatures on petitions having more than 500 signatures.

This bill would require the state to reimburse county elections officials for verifying signatures on statewide initiative petitions at a rate of \$.50 per signature if more than 10 statewide initiative petitions are submitted to the county registrar of voters between January 1 of an odd-numbered year and December 31 of the following even-numbered year.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9030 of the Elections Code is amended
2 to read:

3 9030. (a) Each section of the petition shall be filed with the
4 elections official of the county or city and county in which it was
5 circulated, but all sections circulated in any county or city and
6 county shall be filed at the same time. Once filed, no petition
7 section shall be amended except by order of a court of competent
8 jurisdiction.

9 (b) Within eight days after the filing of the petition, excluding
10 Saturdays, Sundays, and holidays, the elections official shall
11 determine the total number of signatures affixed to the petition and
12 shall transmit this information to the Secretary of State. If the total
13 number of signatures filed with all elections officials is less than
14 100 percent of the number of qualified voters required to find the
15 petition sufficient, the Secretary of State shall so notify the
16 proponents and the elections officials, and no further action shall
17 be taken with regard to the petition.

18 (c) If the number of signatures filed with all elections officials
19 is 100 percent or more of the number of qualified voters needed to
20 declare the petition sufficient, the Secretary of State shall
21 immediately so notify the elections officials.

22 (d) Within 30 days after this notification, excluding Saturdays,
23 Sundays, and holidays, the elections official shall determine the
24 number of qualified voters who have signed the petition. If more
25 than 500 names have been signed on sections of the petition filed
26 with an elections official, the elections official shall use a random
27 sampling technique for verification of signatures, as determined
28 by the Secretary of State. The random sample of signatures to be
29 verified shall be drawn in such a manner that every signature filed
30 with the elections official shall be given an equal opportunity to be
31 included in the sample. The random sampling shall include an
32 examination of at least 500 or 3 percent of the signatures,
33 whichever is greater. In determining from the records of
34 registration what number of qualified voters have signed the
35 petition, the elections official may use the duplicate file of
36 affidavits of registered voters or the facsimiles of voters'
37 signatures, provided that the method of preparing and displaying
38 the facsimiles complies with law.



1 (e) The elections official, upon the completion of the
2 examination, shall immediately attach to the petition, except the
3 signatures thereto appended, a properly dated certificate, showing
4 the result of the examination, and shall immediately transmit the
5 petition and the certificate to the Secretary of State. A copy of this
6 certificate shall be filed in the elections official's office.

7 (f) If the certificates received from all elections officials by the
8 Secretary of State establish that the number of valid signatures
9 does not equal 95 percent of the number of qualified voters needed
10 to find the petition sufficient, the petition shall be deemed to have
11 failed to qualify, and the Secretary of State shall immediately so
12 notify the proponents and the elections officials.

13 (g) If the certificates received from all elections officials by the
14 Secretary of State total more than 110 percent of the number of
15 qualified voters needed to find the petition sufficient, the petition
16 shall be deemed to qualify as of the date of receipt by the Secretary
17 of State of certificates showing the petition to have reached the 110
18 percent, and the Secretary of State shall immediately so notify the
19 proponents and the elections officials.

20 (h) *The cost to elections officials of counties or cities and*
21 *counties of verifying signatures on statewide initiative petitions*
22 *pursuant to this section and Section 9031 shall be reimbursed by*
23 *the state at a rate of fifty cents (\$.50) per signature for all state*
24 *initiatives that are submitted to the county registrar of voters*
25 *between January 1 of an odd-numbered year and December 31 of*
26 *the following even-numbered year; except that this reimbursement*
27 *shall not be provided for the first 10 initiatives that are submitted*
28 *to the registrar between January 1 of an odd-numbered year and*
29 *December 31 of the following even-numbered year.*

