

Senate Bill No. 1730

CHAPTER 817

An act to amend Sections 316, 340, 1000, 1001, 1201, 1202, 1500, 6180, and 6952 of the Elections Code, relating to primary elections.

[Approved by Governor September 27, 2004. Filed
with Secretary of State September 27, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1730, Johnson. Primary elections.

Existing law requires that the statewide direct primary election be held on the first Tuesday in March in each even-numbered year. It requires that, in any year evenly divisible by the number 4, the statewide direct primary election be consolidated with the presidential primary held on the first Tuesday in March in those years. Existing law establishes certain dates as established election dates, including the first Tuesday after the first Monday in June of each even-numbered year. Existing law establishes certain dates, including the first Tuesday after the first Monday in June of each even-numbered year, as mailed ballot election dates.

This bill would instead require that the statewide direct primary election be held on the first Tuesday after the first Monday in June of each year. The bill would make the first Tuesday after the first Monday in June of each year an established election date. The bill would also establish the first Tuesday after the first Monday in March of each even-numbered year as an established mail ballot election date. By requiring a higher level of service by local elections officials, this bill would impose a state-mandated local program.

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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide 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 these statutory provisions.



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

SECTION 1. Section 316 of the Elections Code is amended to read:

316. “Direct primary” is the primary election held on the first Tuesday after the first Monday in June in each even-numbered year, to nominate candidates to be voted for at the ensuing general election or to elect members of a party central committee.

SEC. 2. Section 340 of the Elections Code is amended to read:

340. “Presidential primary” is the primary election that is held on the first Tuesday after the first Monday in June in any year which is evenly divisible by the number four, and at which delegations to national party conventions are to be chosen.

SEC. 3. Section 1000 of the Elections Code is amended to read:

1000. The established election dates in each year are as follows:

(a) The second Tuesday of April in each even-numbered year.
(b) The first Tuesday after the first Monday in March of each odd-numbered year.

(c) The first Tuesday after the first Monday in June in each year.

(d) The first Tuesday after the first Monday in November of each year.

SEC. 4. Section 1001 of the Elections Code is amended to read:

1001. Elections held in June and November of each even-numbered year are statewide elections and these dates are statewide election dates.

SEC. 5. Section 1201 of the Elections Code is amended to read:

1201. (a) The statewide direct primary shall be held on the first Tuesday after the first Monday in June of each even-numbered year.

(b) Notwithstanding subdivision (a), in any year which is evenly divisible by the number four, the statewide direct primary shall be held on the first Tuesday after the first Monday in June and shall be consolidated with the presidential primary held in that year.

SEC. 6. Section 1202 of the Elections Code is amended to read:

1202. The presidential primary shall be held on the first Tuesday after the first Monday in June in any year evenly divisible by the number four.

SEC. 7. Section 1500 of the Elections Code is amended to read:

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.

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

SEC. 8. Section 6180 of the Elections Code is amended to read:

6180. At least 68 days before a presidential primary election, the Secretary of State shall transmit to each county elections official a certified list containing the name of each candidate who is entitled to be



voted for on the ballot at the presidential primary, and the name of each chairperson of a steering committee of an uncommitted delegation who is to be voted for on the same ballot.

If no uncommitted delegation has qualified pursuant to Article 4 (commencing with Section 6060), the Secretary of State shall inform the county elections officials to provide for an uncommitted delegate space on the ballot.

The certified list shall be in substantially the following form:

Certified List of Presidential Candidates and Uncommitted Delegations

To the County Elections Official of ____ County:

I, _____, Secretary of State, do hereby certify that the following list contains the name of each person who is entitled to be voted for as a candidate of the Democratic Party at the presidential primary election to be held on the ____ day of June, 20____, and the name of each chairperson of a steering committee of an uncommitted delegation which is entitled to be voted for on the ballot.

List of Presidential Candidates and Uncommitted Delegations

- Linda Adams
- Joseph Black
- John Reardon
- Unpledged delegation
 - Paul Minor,
 - Chairperson

Dated at Sacramento, California, this ____ day of _____, 20____.

(SEAL)

Secretary of State

SEC. 9. Section 6952 of the Elections Code is amended to read: 6952. The certified list required by Section 6951 shall be in substantially the following form:

CERTIFIED LIST OF CANDIDATES FOR PRESIDENTIAL PREFERENCE PRIMARY AND CANDIDATES FOR NATIONAL CONVENTION DELEGATE

To the County Elections Official of ____ County:

I, _____, Secretary of State, do hereby certify that the names of the candidates to appear on the June _____, 20____, Peace and Freedom Party



presidential preference primary ballot, in the order in which they are to appear, are:

_____	_____
_____	_____
etc.	etc.

I further certify that the following list contains the name and post office address of each person who is entitled to be voted for at the June ____, 20__, Peace and Freedom Party presidential primary election as a candidate 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. I further certify that the groups of candidates for delegate each appear under the name of the person for whom the group has expressed a preference as nominee of the Peace and Freedom Party for President, or under the name of the group chairperson in case of a group not expressing a preference, and that the groups are listed in the order in which they are to appear on the national convention delegate portion of the Peace and Freedom Party presidential primary ballot.

LIST OF CANDIDATES FOR NATIONAL CONVENTION
DELEGATE

PEACE AND FREEDOM PARTY

Candidates preferring	

_____	_____
Name	Address

Top of group	
1 _____	_____
2 _____	_____
3 _____	_____
etc.	etc.



Candidates expressing
no preference
(Name of chairperson)

Name	Address
Top of group	
1 _____	_____
2 _____	_____
3 _____	_____
etc.	etc.

Dated at Sacramento, California, this ____ day of _____, 20____.

(SEAL)

Secretary of State

SEC. 10. Notwithstanding Section 17610 of the Government Code, 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. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

