

AMENDED IN ASSEMBLY APRIL 17, 2008

AMENDED IN ASSEMBLY APRIL 2, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2371**

---

---

**Introduced by Assembly Member Coto**

February 21, 2008

---

---

An act to amend Sections 105, 2026, 2033, 2102, 2119, 2137, 2141, 2142, 2151, 2156, 2165, 2166, 2166.5, 2166.7, 2167, 2180, 2181, 2183, 2187, 2189, 2190, 2194, 2200, 2202, 2203, 2204, 2205, 2206, 2212, 2221, 3006, 3007.5, 3009, 3011, 3013, 3019, 3021, 3305, 3501, 9094, 14310, 16442, 16462, 17000, and 17001 of, and to add Sections 2101.5, 2101.6, and 2155.1 to, the Elections Code, to amend Sections 6254.4, 23365, 23374.13, and 57051 of the Government Code, to add Section 19584.5 to the Revenue and Taxation Code, to amend Section 12950.5 of, and to add Section 12500.5 to, the Vehicle Code, and to amend Section 60211 of the Water Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2371, as amended, Coto. Elections: voter registration.

Under existing law, a person qualified to vote may only register to vote by completing an affidavit of registration.

This bill would provide that all persons not already registered to vote who are qualified to be registered to vote who complete an application for a new or renewed California driver's license, instruction permit, junior permit, or identification card with the Department of Motor Vehicles or who file a Personal Income Tax form with the Franchise Tax Board be registered to vote, unless the person declines to be registered to vote. Persons registered to vote under these provisions

would be registered as having no party affiliation. If the person named on the application or form would not be 18 years of age at the time of the next election but otherwise satisfies the requirements to be registered to vote, he or she would be automatically registered to vote at the time that he or she will be 18 years of age by the time of the next election, unless the person declines to be registered to vote on the application or form. The bill would require the Department of Motor Vehicles and the Franchise Tax Board to send a duplicate of each of these documents to the elections official of the county in which the person named on the document resides, unless the person *has not filled out the form in its entirety, has not supplied sufficient information to indicate that he or she satisfies the requirements to be registered to vote, declines to be registered to vote, or has indicated on the form that he or she is already registered to vote.* The bill would require the Department of Motor Vehicles and Franchise Tax Board to keep the information collected confidential, unless the law requires otherwise. The bill would require the elections official to maintain these documents for voters who qualify to be registered to vote under the bill in a manner identical to which the affidavits of registration are maintained.

Under existing law, affidavits of registration are used to verify the residence of a voter, to verify the signature of a voter, and to verify the political affiliation of a voter. Existing law requires a county elections official to maintain the affidavits of registration for voters within the county, to maintain a voter registration index based upon the valid affidavits of registration for voters within the county, to keep voter information listed on the affidavit of registration confidential in certain circumstances, and to cancel the affidavits of registration for persons who are no longer qualified to vote. Existing law permits a county elections official to duplicate uncanceled affidavits of registration for the voters in the county and to store the information contained in the affidavits of registration by way of data processing equipment. Existing law requires the county elections official to maintain canceled affidavits of voter registration, as prescribed.

This bill would require that the completed applications of the Department of Motor Vehicles and the completed forms of the Franchise Tax Board that cause a voter to become registered to vote be used for verification purposes in the same manner as affidavits of registration, with the exception of political party affiliation. The bill would also require that the completed applications of the Department of Motor Vehicles and the completed forms of the Franchise Tax Board be

maintained in the same manner as affidavits of registration, be included in the preparation of the voter index, be kept confidential in certain circumstances in the same manner as affidavits of registration, and be canceled in the same manner as affidavits of registration. The bill would permit a county elections official to duplicate completed applications of the Department of Motor Vehicles and completed forms of the Franchise Tax Board that cause ~~a person~~ voters to become registered to vote and to store the information contained in the applications and forms by way of data processing equipment. The bill would require the county elections official to maintain canceled applications and forms that cause ~~a person~~ voters to be registered to vote.

Because the bill would require elections officials to provide a higher level of service, it 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.

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.

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

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

1 SECTION 1. Section 105 of the Elections Code is amended to  
2 read:  
3 105. (a) For purposes of verifying a signature on an initiative,  
4 referendum, recall, nomination, or other election petition or paper,  
5 the elections official shall determine that the residence address on  
6 the petition or paper is the same as the residence address on the  
7 affidavit of registration or the duplicate of the document that caused  
8 the voter to be registered to vote pursuant to subdivision (a) or (b)  
9 of Section 2101.5. If the addresses are different, or if the petition  
10 or paper does not specify the residence address, or, in the case of  
11 an initiative or referendum petition, if the information specified  
12 in Section 9020 is not contained in the petition, the affected  
13 signature shall not be counted as valid.

1 (b) A signature invalidated pursuant to this section shall not  
2 affect the validity of another valid signature on the particular  
3 petition or paper.

4 SEC. 2. Section 2026 of the Elections Code is amended to read:

5 2026. The domicile of a Member of the Legislature or a  
6 Representative in the Congress of the United States shall be  
7 conclusively presumed to be at the residence address indicated on  
8 that person’s currently filed affidavit of registration or the duplicate  
9 of the document that caused the voter to be registered to vote  
10 pursuant to subdivision (a) or (b) of Section 2101.5.

11 SEC. 3. Section 2033 of the Elections Code is amended to read:

12 2033. Whenever the house number or the mailing address of  
13 a voter has been changed and the voter’s domicile is the same, the  
14 public agency authorizing the change shall notify the county  
15 elections official in writing of the change and the county elections  
16 official shall make the change on the voter’s registration and a  
17 new registration shall not be required.

18 SEC. 4. Section 2101.5 is added to the Elections Code, to read:

19 2101.5. (a) A person who is not registered to vote and properly  
20 completes an application for a new or renewed California driver’s  
21 license, instruction permit, junior permit, or identification card  
22 who satisfies the requirements to be registered to vote shall be  
23 registered to vote, unless that person declines to be registered to  
24 vote on the application. A person who is not currently registered  
25 to vote and properly completes an application for a new or renewed  
26 California driver’s license, instruction permit, junior permit, or  
27 identification card who will not be 18 years of age at the time of  
28 the next election but otherwise satisfies the requirements to be  
29 registered to vote shall be automatically registered to vote at the  
30 time that he or she will be 18 years of age by the time of the next  
31 election, unless that person declines to be registered to vote on the  
32 application.

33 (b) A person who is not registered to vote and files a Personal  
34 Income Tax filing form with the Franchise Tax Board pursuant to  
35 Part 10.2 (commencing with Section 18401) of Division 2 of the  
36 Revenue and Taxation Code who satisfies the requirements to  
37 register to vote shall be registered to vote, unless that person  
38 declines to be registered to vote on the form. A person who is not  
39 registered to vote and files a Personal Income Tax filing form with  
40 the Franchise Tax Board pursuant to Part 10.2 (commencing with

1 Section 18401) of Division 2 of the Revenue and Taxation Code  
2 who will not be 18 years of age at the time of the next election but  
3 otherwise satisfies the requirements to be registered to vote shall  
4 be automatically registered to vote at the time that he or she will  
5 be 18 years of age by the time of the next election, unless that  
6 person declines to be registered to vote on the form.

7 (c) A person may register to vote by completing an affidavit of  
8 registration as provided for by this chapter.

9 (d) A person who is registered to vote pursuant to subdivision  
10 (a) or (b) shall be registered as having no party affiliation. For  
11 purposes of this code, a person who is registered pursuant to  
12 subdivision (a) or (b) shall be treated as if he or she has declined  
13 to state a party affiliation on the affidavit of registration pursuant  
14 to Section 2151.

15 (e) *If a person who does not satisfy the requirements to be*  
16 *registered to vote is registered to vote pursuant to subdivision (a)*  
17 *or (b), he or she shall not suffer any legal penalty or loss of any*  
18 *benefit to which he or she may otherwise be entitled unless he or*  
19 *she intended to fraudulently register to vote.*

20 SEC. 5. Section 2101.6 is added to the Elections Code, to read:

21 2101.6. (a) Upon receipt of the duplicate of the document from  
22 the Department of Motor Vehicles, sent pursuant to Section  
23 12500.5 of the Vehicle Code, or the Franchise Tax Board, sent  
24 pursuant to Section 19584.5 of the Revenue and Taxation Code,  
25 the county elections official shall examine the document and  
26 determine if the person named on the document has supplied the  
27 information required to establish that the he or she is qualified to  
28 vote. If the person named on the document is not currently  
29 registered to vote and the document indicates that the person  
30 satisfies the requirements to be registered to vote, the document  
31 shall be treated by the county elections official the same as a  
32 completed affidavit of registration. If the person named on the  
33 duplicate document will not be 18 years of age at the time of the  
34 next election but otherwise satisfies the requirements to be  
35 registered to vote, the person shall be automatically registered to  
36 vote at the time that he or she will be 18 years of age by the time  
37 of the next election.

38 (b) Registration to vote pursuant to subdivision (a) of Section  
39 2101.5 shall be deemed effective if received by the Department  
40 of Motor Vehicles on or before the 15th day prior to the election.

1 Registration to vote pursuant to subdivision (b) of Section 2101.5  
 2 shall be deemed effective if received by the Franchise Tax Board  
 3 on or before the 15th day prior to the election.

4 (c) The document received from the Department of Motor  
 5 Vehicles or the Franchise Tax Board that caused a voter to be  
 6 registered pursuant to subdivision (a) or (b) of Section 2101.5 shall  
 7 be maintained by the county elections official in the same manner  
 8 that the county elections official maintains an affidavit of  
 9 registration.

10 (d) For purposes of verifying a signature on a recall, initiative,  
 11 or referendum petition or a signature on a nomination paper or any  
 12 other election petition or election paper, a properly executed  
 13 application for a new or renewed California driver’s license,  
 14 instruction permit, junior permit, or identification card or Personal  
 15 Income Tax filing form that caused a person to be registered to  
 16 vote pursuant to subdivision (a) or (b) of Section 2101.5 shall be  
 17 deemed effective for verification purposes if both (1) the  
 18 application or form is signed on the same date or a date prior to  
 19 the signing of the petition or paper, and (2) the application or form  
 20 is received by the county elections official on or before the date  
 21 on which the petition or paper is filed.

22 SEC. 6. Section 2102 of the Elections Code is amended to read:

23 2102. (a) An affidavit of registration shall be mailed or  
 24 delivered to the county elections official and shall set forth the  
 25 facts required to be shown by this chapter. A properly executed  
 26 registration shall be deemed effective upon receipt of the affidavit  
 27 by the county elections official if received on or before the 15th  
 28 day prior to an election to be held in the registrant’s precinct. A  
 29 properly executed registration shall also be deemed effective upon  
 30 receipt of the affidavit by the county elections official if any of  
 31 the following apply:

32 (1) The affidavit is postmarked on or before the 15th day prior  
 33 to the election and received by mail by the county elections official.

34 (2) The affidavit is submitted to the Department of Motor  
 35 Vehicles or accepted by any other public agency designated as a  
 36 voter registration agency pursuant to the National Voter  
 37 Registration Act of 1993 (42 U.S.C. Sec. 1973gg) on or before the  
 38 15th day prior to the election.

1 (3) The affidavit is delivered to the county elections official by  
2 means other than those described in paragraph (1) or (2) on or  
3 before the 15th day prior to the election.

4 (b) For purposes of verifying a signature on a recall, initiative,  
5 or referendum petition or a signature on a nomination paper or any  
6 other election petition or election paper, a properly executed  
7 affidavit of registration shall be deemed effective for verification  
8 purposes if both (1) the affidavit is signed on the same date or a  
9 date prior to the signing of the petition or paper, and (2) the  
10 affidavit is received by the county elections official on or before  
11 the date on which the petition or paper is filed.

12 (c) Notwithstanding any other provision of law to the contrary,  
13 the affidavit of registration required under this chapter may not be  
14 taken under sworn oath, but the content of the affidavit shall be  
15 certified as to its truthfulness and correctness, under penalty of  
16 perjury, by the signature of the affiant.

17 SEC. 7. Section 2119 of the Elections Code is amended to read:

18 2119. (a) In lieu of executing a new affidavit of registration  
19 for a change of address within the county, the county elections  
20 official shall accept a notice or letter of the change of address  
21 signed by a voter as he or she is registered.

22 (b) The county elections official shall accept a notification for  
23 the forthcoming election and shall change the address on the voter's  
24 registration accordingly if the notification is executed on or before  
25 the 15th day prior to the election and if any of the following apply:

26 (1) The notification is postmarked on or before the 15th day  
27 prior to the election and received by mail by the county elections  
28 official.

29 (2) The notification is submitted to the Department of Motor  
30 Vehicles or accepted by any other public agency designated as a  
31 voter registration agency pursuant to the National Voter  
32 Registration Act of 1993 (42 U.S.C. Sec. 1973gg) prior to the  
33 election.

34 (3) The notification is delivered to the county elections official  
35 by means other than those described in paragraphs (1) and (2) on  
36 or before the 14th day prior to the election.

37 SEC. 8. Section 2137 of the Elections Code is amended to read:

38 2137. When an elector is registered by completing an affidavit  
39 of registration, his or her name, residence, and residence telephone  
40 number, if furnished, shall be entered on the stub attached to the

1 original affidavit. If for any cause the affidavit is spoiled in the  
2 course of execution or a mistake is made, the affidavit shall not  
3 be destroyed, but the name of the elector for whom it was intended,  
4 with his or her residence, shall be entered on the stub as in other  
5 cases, and the stubs and affidavits each marked with the word  
6 “spoiled.”

7 SEC. 9. Section 2141 of the Elections Code is amended to read:

8 2141. (a) If the county elections official deems a duplicate file  
9 of voter registrations to be necessary for administrative purposes,  
10 the county elections official may prepare, upon the receipt in his  
11 or her office of the original affidavit of registration or the duplicate  
12 of the document that caused the voter to be registered to vote  
13 pursuant to subdivision (a) or (b) of Section 2101.5, a reproduction  
14 thereof in compliance with the following conditions:

15 (1) The document is photographed, microphotographed, or  
16 reproduced in a manner approved for permanent records by the  
17 National Bureau of Standards.

18 (2) The device used to reproduce the document is one that  
19 accurately reproduces the document in all details.

20 (3) The photographs, microphotographs, or other reproductions  
21 are placed in conveniently accessible files and provision is made  
22 for preserving, examining, and using the same.

23 (b) Wherever in this code “duplicate affidavit” is used it shall  
24 be deemed to include the reproduced affidavit authorized by this  
25 section.

26 (c) A signature comparison required by this code may be made  
27 against a duplicate produced in compliance with this section.

28 SEC. 10. Section 2142 of the Elections Code is amended to  
29 read:

30 2142. (a) If the county elections official refuses to register a  
31 qualified elector in the county, the elector may proceed by action  
32 in the superior court to compel his or her registration. In an action  
33 under this section, as many persons may join as plaintiffs as have  
34 causes of action.

35 (b) If the county elections official has not registered a qualified  
36 elector who claims to have registered to vote through the  
37 Department of Motor Vehicles, the Franchise Tax Board, or a  
38 public agency designated as a voter registration agency pursuant  
39 to the National Voter Registration Act of 1993 (42 U.S.C. Sec.  
40 1973gg), the elector may proceed by action in the superior court

1 to compel his or her registration. In an action under this section,  
2 as many persons may join as plaintiffs as have causes of action.

3 (c) No fee shall be charged by the clerk of the court for services  
4 rendered in an action under this section.

5 SEC. 11. Section 2151 of the Elections Code is amended to  
6 read:

7 2151. (a) At the time of completing an affidavit of registration  
8 and of transferring registration, each elector may declare the name  
9 of the political party with which he or she intends to affiliate at  
10 the ensuing primary election. The name of that political party shall  
11 be stated in the affidavit of registration and the index.

12 (b) The voter registration card shall inform the affiant that an  
13 elector may decline to state a political affiliation, but a person shall  
14 not be entitled to vote the ballot of a political party at a primary  
15 election unless he or she has stated the name of the party with  
16 which he or she intends to affiliate or unless he or she has declined  
17 to state a party affiliation and the political party, by party rule duly  
18 noticed to the Secretary of State, authorizes a person who has  
19 declined to state a party affiliation to vote the ballot of that political  
20 party. The voter registration card shall include a listing of all  
21 qualified political parties.

22 (c) A person shall not be permitted to vote the ballot of a party  
23 or for delegates to the convention of a party other than the party  
24 designated in his or her registration, except as provided by Section  
25 2152 or unless he or she has declined to state a party affiliation  
26 and the party, by party rule duly noticed to the Secretary of State,  
27 authorizes a person who has declined to state a party affiliation to  
28 vote the party ballot or for delegates to the party convention.

29 SEC. 12. Section 2155.1 is added to the Elections Code, to  
30 read:

31 2155.1. Upon receipt of the duplicate of the document signed  
32 by the voter from the Department of Motor Vehicles or the  
33 Franchise Tax Board that caused a voter to be registered pursuant  
34 to subdivision (a) or (b) of Section 2101.5, the county elections  
35 official shall inspect the voter index to determine whether the  
36 person has been previously registered to vote. If the county  
37 elections official determines that the person has not previously  
38 been registered to vote, the county elections official shall send the  
39 voter a voter notification by nonforwardable, first-class mail,  
40 address correction requested and a voter registration card.

1 The voter notification shall be substantially in the following  
2 form:

3  
4 VOTER NOTIFICATION  
5

6 You are registered to vote. Because you have not completed an  
7 affidavit of voter registration, you are registered as declaring no  
8 party affiliation.

9 You may vote in any election held 15 or more days after the date  
10 shown on the reverse side of this card.

11 Your name will appear on the index kept at the polls.

12 Please contact your county elections office if the information  
13 shown on the reverse side of this card is incorrect.

14 SEC. 13. Section 2156 of the Elections Code is amended to  
15 read:

16 2156. The Secretary of State shall print, or cause to be printed,  
17 the blank forms of the voter notification prescribed by Sections  
18 2155 and 2155.1. The Secretary of State shall supply the forms to  
19 the county elections official in quantities and at times requested  
20 by the county elections official. The Secretary of State may  
21 continue to supply, and a county elections official may continue  
22 to use, existing voter notification forms prior to printing new or  
23 revised forms as required by any changes to Section 2155 or  
24 2155.1.

25 SEC. 14. Section 2165 of the Elections Code is amended to  
26 read:

27 2165. Affidavits of registration and the duplicates of the  
28 documents that caused voters to be registered to vote pursuant to  
29 subdivision (a) or (b) of Section 2101.5 for the whole of each  
30 county shall be filed, as fast as the registration progresses, in any  
31 orderly arrangement as prescribed by the county elections official.  
32 If the documents are not filed alphabetically without regard to  
33 precinct, the county elections official shall, by electronic,  
34 electromechanical, or other suitable means, provide, for general  
35 use in his or her office, a comprehensive, printed alphabetical index  
36 to the surnames of voters on all uncanceled voter registrations for  
37 the whole of the county, whereby the affidavit of registration or  
38 duplicate of the document that caused the voter to be registered to  
39 vote pursuant to subdivision (a) or (b) of Section 2101.5 of a voter  
40 may be ascertained and produced. In the case of voters having the

1 same surname, the classification of names appearing on the index  
2 shall extend to the given and, where necessary, the middle name  
3 or initial.

4 SEC. 15. Section 2166 of the Elections Code is amended to  
5 read:

6 2166. (a) A person filing with the county elections official a  
7 new affidavit of registration or reregistration or is registered  
8 pursuant to subdivision (a) or (b) of Section 2101.5 may have the  
9 information relating to his or her residence address, telephone  
10 number, and e-mail address appearing on the affidavit or the  
11 duplicate of the document that caused the voter to be registered to  
12 vote pursuant to subdivision (a) or (b) of Section 2101.5, or a list  
13 or roster or index prepared therefrom, declared confidential upon  
14 order of a superior court issued upon a showing of good cause that  
15 a life-threatening circumstance exists to the voter or a member of  
16 the voter's household, and naming the county elections official as  
17 a party.

18 (b) A person granted confidentiality under subdivision (a) shall:

19 (1) Be considered a vote by mail voter for all subsequent  
20 elections or until the county elections official is notified otherwise  
21 by the court or in writing by the voter. A voter requesting  
22 termination of vote by mail status thereby consents to placement  
23 of his or her residence address, telephone number, and e-mail  
24 address in the roster of voters.

25 (2) In addition to the required residence address, provide a valid  
26 mailing address to be used in place of the residence address for  
27 election, scholarly, or political research, and government purposes.  
28 The elections official, in producing a list, roster, or index may, at  
29 his or her choice, use the valid mailing address or the word  
30 "confidential" or some similar designation in place of the residence  
31 address.

32 (c) An action in negligence may not be maintained against a  
33 government entity or officer or employee thereof as a result of the  
34 disclosure of the information which is the subject of this section  
35 unless by a showing of gross negligence or willfulness.

36 SEC. 16. Section 2166.5 of the Elections Code is amended to  
37 read:

38 2166.5. (a) A person filing with the county elections official  
39 a new affidavit of registration or reregistration or is registered  
40 pursuant to subdivision (a) or (b) of Section 2101.5 may have the

1 information relating to his or her residence address, telephone  
2 number, and e-mail address appearing on the affidavit or the  
3 duplicate of the document that caused the voter to be registered to  
4 vote pursuant to subdivision (a) or (b) of Section 2101.5, or a list  
5 or roster or index prepared therefrom, declared confidential upon  
6 presentation of certification that the person is a participant in the  
7 Address Confidentiality for Victims of Domestic Violence, Sexual  
8 Assault, and Stalking program pursuant to Chapter 3.1  
9 (commencing with Section 6205) of Division 7 of Title 1 of the  
10 Government Code or a participant in the Address Confidentiality  
11 for Reproductive Health Care Service Providers, Employees,  
12 Volunteers, and Patients program pursuant to Chapter 3.2  
13 (commencing with Section 6215) of that division.

14 (b) A person granted confidentiality under subdivision (a) shall:

15 (1) Be considered a vote by mail voter for all subsequent  
16 elections or until the county elections official is notified otherwise  
17 by the Secretary of State or in writing by the voter. A voter  
18 requesting termination of vote by mail status thereby consents to  
19 placement of his or her residence address, telephone number, and  
20 e-mail address in the roster of voters.

21 (2) In addition to the required residence address, provide a valid  
22 mailing address to be used in place of the residence address for  
23 election, scholarly, or political research, and government purposes.  
24 The elections official, in producing a list, roster, or index may, at  
25 his or her choice, use the valid mailing address or the word  
26 “confidential” or some similar designation in place of the residence  
27 address.

28 (c) An action in negligence may not be maintained against a  
29 government entity or officer or employee thereof as a result of the  
30 disclosure of the information that is the subject of this section  
31 unless by a showing of gross negligence or willfulness.

32 (d) Subdivisions (a) and (b) shall not apply to a person granted  
33 confidentiality upon receipt by the county elections official of a  
34 written notice by the address confidentiality program manager of  
35 the withdrawal, invalidation, expiration, or termination of the  
36 program participant’s certification.

37 (e) This section shall remain in effect only until January 1, 2013,  
38 and as of that date is repealed, unless a later enacted statute, that  
39 is enacted before January 1, 2013, deletes or extends that date.

1 SEC. 17. Section 2166.7 of the Elections Code is amended to  
2 read:

3 2166.7. (a) If authorized by his or her county board of  
4 supervisors, a county elections official shall, upon application of  
5 a public safety officer, make confidential that officer's residence  
6 address, telephone number, and e-mail address appearing on the  
7 affidavit of registration or the duplicate of the document that caused  
8 the voter to be registered to vote pursuant to subdivision (a) or (b)  
9 of Section 2101.5, in accordance with this section.

10 (b) The application by the public safety officer shall contain a  
11 statement, signed under penalty of perjury, that the person is a  
12 public safety officer as defined in subdivision (f) and that a  
13 life-threatening circumstance exists to the officer or a member of  
14 the officer's family. The application shall be a public record.

15 (c) The confidentiality granted pursuant to subdivision (a) shall  
16 terminate no more than two years after commencement, as  
17 determined by the county elections official. The officer may submit  
18 a new application for confidentiality pursuant to subdivision (a),  
19 and the new request may be granted for an additional period of  
20 not more than two years.

21 (d) A person granted confidentiality under subdivision (a) shall:

22 (1) Be considered a vote by mail voter for all subsequent  
23 elections or until the county elections official is notified otherwise  
24 by the Secretary of State or in writing by the voter. A voter  
25 requesting termination of vote by mail status thereby consents to  
26 placement of his or her residence address, telephone number, and  
27 e-mail address in the roster of voters.

28 (2) In addition to the required residence address, provide a valid  
29 mailing address to be used in place of the residence address for  
30 election, scholarly, or political research, and government purposes.  
31 The elections official, in producing any list, roster, or index may,  
32 at his or her choice, use the valid mailing address or the word  
33 "confidential" or some similar designation in place of the residence  
34 address.

35 (e) An action in negligence may not be maintained against a  
36 government entity or officer or employee thereof as a result of the  
37 disclosure of the information that is the subject of this section  
38 unless by a showing of gross negligence or willfulness.

1 (f) “A public safety officer” has the same meaning as a public  
2 safety official as defined in subdivision (a), (d), (e), (f), or (j) of  
3 Section 6254.24 of the Government Code.

4 SEC. 18. Section 2167 of the Elections Code is amended to  
5 read:

6 2167. (a) Upon the personal or written application of a person,  
7 the county elections official shall, at a fee not to exceed one dollar  
8 and fifty cents (\$1.50), provide the applicant with a certified copy  
9 of the entries upon the register relating to the applicant.

10 (b) A certified copy of an uncanceled affidavit of registration  
11 or a certified copy of an uncanceled document that caused the voter  
12 to be registered to vote pursuant to subdivision (a) or (b) of Section  
13 2101.5 is prima facie evidence that the person named in the entry  
14 is a voter of the county.

15 SEC. 19. Section 2180 of the Elections Code is amended to  
16 read:

17 2180. (a) At least once, and more often if he or she deems it  
18 necessary, within each two-year period commencing on the first  
19 day of January in each odd-numbered year, the county elections  
20 official shall have printed a complete index, by precinct, to the  
21 affidavits of registration and the duplicates of the documents that  
22 caused voters to be registered to vote pursuant to subdivision (a)  
23 or (b) of Section 2101.5 current at the date of printing.

24 (b) (1) The index shall contain the name, address, residence  
25 telephone number if furnished, and political affiliation of each  
26 voter if furnished, and also a ruled space to the left of each name,  
27 within which to write, in figures, the line number designating the  
28 position of the name of the voter on the roster of voters.

29 (2) The name shall include the given name and the middle name  
30 or initials, if any. At the affiant’s option, the given name may be  
31 preceded by the designation “Miss,” “Ms.,” “Mrs.,” or “Mr.”

32 (c) The index shall be printed in a size no smaller than  
33 eight-point roman type on eight-point body and shall be arranged  
34 in alphabetical order in accordance with the surnames of the voters.

35 (d) A space of not less than one-quarter inch or one line of  
36 printing shall be left between the names of voters beginning with  
37 one letter of the alphabet and those starting with the next letter of  
38 the alphabet.

39 (e) Supplements of the same content and style may be printed  
40 as need for them appears.

1 SEC. 20. Section 2181 of the Elections Code is amended to  
2 read:

3 2181. In addition to printing a complete index within and for  
4 each two-year period, as provided in Section 2180, the county  
5 elections official may print and maintain one complete and  
6 continuing index, by precinct, to the affidavits of registration and  
7 the duplicates of the documents that caused voters to be registered  
8 to vote pursuant to subdivision (a) or (b) of Section 2101.5 and  
9 keep the index current by supplements and deletions as provided  
10 in Sections 2180 and 2183, and by reprinting portions of the index  
11 by precinct, as the need appears, the reprinted portions to contain  
12 the same information concerning each voter and to be in the same  
13 style, spacing, and type of print as provided in Section 2180.

14 SEC. 21. Section 2183 of the Elections Code is amended to  
15 read:

16 2183. (a) The elections official shall supply copies of the index  
17 and of supplements to the index, necessary to bring it up to date,  
18 for an election to be held within the county. The county elections  
19 official shall also supply as many copies of the index and  
20 supplements, not to exceed four in number, as may be requested  
21 by the elections official of a city, school district, or other body.  
22 The name of a voter whose affidavit of registration or registration  
23 made pursuant to subdivision (a) or (b) of Section 2101.5 has been  
24 canceled shall be lined out of the index and supplement. The county  
25 elections official may charge an amount that will reimburse the  
26 county for the expense incurred in preparing and furnishing a lined  
27 out index of registrations and supplements other than for those  
28 provided for by Sections 2180 and 2182.

29 (b) In the case of a municipal election, an index provided  
30 pursuant to this section shall be supplied to the city elections  
31 official not less than 25 days prior to the day of the election for  
32 which it is provided. If the index does not contain the names of all  
33 people eligible to vote in the election, the county elections official  
34 shall supply a supplement to the index, including all voters who  
35 registered after the 54th day before the election, not less than seven  
36 days prior to the election for which it is provided.

37 SEC. 22. Section 2187 of the Elections Code is amended to  
38 read:

39 2187. (a) A county elections official shall send to the Secretary  
40 of State, in a format described by the Secretary of State, a summary

1 statement of the number of voters in the county. The statement  
2 shall show the total number of voters in the county, the number  
3 registered as affiliated with each qualified political party, the  
4 number registered in nonqualified parties, the number who declined  
5 to state a party affiliation, and the number who have been registered  
6 as ~~declining to state~~ *having no* party affiliation because of  
7 registration of the voter pursuant to subdivision (a) or (b) of Section  
8 2101.5. The statement shall also show the number of voters, by  
9 political affiliations, in each city, supervisorial district, Assembly  
10 district, Senate district, and congressional district located in whole  
11 or in part within the county.

12 (b) The Secretary of State, on the basis of the statements sent  
13 by the county elections officials and within 30 days after receiving  
14 those statements, shall compile a statewide list showing the number  
15 of voters, by party affiliations, in the state and in each county, city,  
16 supervisorial district, Assembly district, Senate district, and  
17 congressional district in the state. A copy of this list shall be made  
18 available, upon request, to any elector in this state.

19 (c) A county that uses data processing equipment to store the  
20 information set forth in the affidavit of registration or the duplicate  
21 of the document that caused the voter to be registered to vote  
22 pursuant to subdivision (a) or (b) of Section 2101.5 shall send to  
23 the Secretary of State one copy of the magnetic tape file with the  
24 information requested by the Secretary of State. A county that does  
25 not use data processing storage shall send to the Secretary of State  
26 one copy of the index setting forth that information.

27 (d) The summary statement and the magnetic tape file copy or  
28 the index shall be sent at the following times:

29 (1) On the 135th day before each presidential primary and before  
30 each direct primary, with respect to voters registered on the 154th  
31 day before the primary election.

32 (2) Not less than 50 days prior to the primary election, with  
33 respect to voters registered on the 60th day before the primary  
34 election.

35 (3) Not less than 7 days prior to the primary election, with  
36 respect to voters registered before the 14th day prior to the primary  
37 election.

38 (4) Not less than 50 days prior to the general election, with  
39 respect to voters registered on the 60th day before the general  
40 election.

1 (5) Not less than 7 days prior to the general election, with respect  
2 to voters registered before the 14th day prior to the general election.

3 (6) On or before March 1 of each odd-numbered year, with  
4 respect to voters registered as of February 10.

5 (e) The Secretary of State may adopt regulations prescribing  
6 the content and format of the magnetic tape file or index referred  
7 to in subdivision (c) and containing the registered voter  
8 information.

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

12 (g) The Secretary of State shall make the information from the  
13 magnetic tape files or the printed indexes available, under  
14 conditions prescribed by the Secretary of State, to a candidate for  
15 federal, state, or local office, to a committee for or against a  
16 proposed ballot measure, to a committee for or against an initiative  
17 or referendum measure for which legal publication is made, and  
18 to a person for election, scholarly, or political research, or a  
19 governmental purpose as determined by the Secretary of State.

20 SEC. 23. Section 2189 of the Elections Code is amended to  
21 read:

22 2189. Before the day of an election held throughout the county,  
23 the county elections official shall deliver to the precinct board in  
24 each precinct three copies of the index to the affidavits of  
25 registration and the duplicates of the documents that caused voters  
26 to be registered to vote pursuant to subdivision (a) or (b) of Section  
27 2101.5 for that precinct, with canceled names lined out and with  
28 necessary supplements to bring the index up to date. The index  
29 and supplements shall constitute the register to be used at the  
30 election.

31 SEC. 24. Section 2190 of the Elections Code is amended to  
32 read:

33 2190. (a) If the county elections official maintains tabulating  
34 cards containing the information set forth in the affidavits of  
35 registration of voters and the duplicates of the documents that  
36 caused voters to be registered to vote pursuant to subdivision (a)  
37 or (b) of Section 2101.5, or sets forth that information on electronic  
38 data processing tape, he or she shall provide, upon request, not  
39 less than 30 days prior to each direct primary election and general  
40 election, one set of those cards or a copy of the tape to the county

1 central committee of a party for all voters allowed to participate  
2 in the subsequent direct primary election or general election. The  
3 county elections official shall also furnish to the county central  
4 committee, not less than seven days prior to each direct primary  
5 election and general election, one set of those cards or a copy of  
6 the tape of those voters who registered after the 54th day before  
7 the election. The cards or tape shall be provided without charge,  
8 except that the county central committee shall provide a  
9 replacement for the tape.

10 (b) In addition to those provided to county central committees,  
11 the county elections official shall provide, upon request, a set of  
12 cards or a copy of a tape to any candidate or committee specified  
13 in Section 2184, provided that the candidate or committee  
14 reimburses the county for whatever actual costs are involved in  
15 providing this service.

16 SEC. 25. Section 2194 of the Elections Code is amended to  
17 read:

18 2194. (a) The voter registration information identified in  
19 subdivision (a) of Section 6254.4 of the Government Code:

20 (1) Shall be confidential and shall not appear on a computer  
21 terminal, list, affidavit, duplicate affidavit, or other medium  
22 routinely available to the public at the county elections official's  
23 office.

24 (2) Shall not be used for a personal, private, or commercial  
25 purpose, including, but not limited to:

26 (A) The harassment of a voter or voter's household.

27 (B) The advertising, solicitation, sale, or marketing of a product  
28 or service to a voter or voter's household.

29 (C) Reproduction in print, broadcast visual or audio, or display  
30 on the Internet or a computer terminal unless pursuant to paragraph  
31 (3).

32 (3) Shall be provided with respect to a voter, subject to the  
33 provisions of Sections 2166.5, 2166.7, and 2188, to a candidate  
34 for federal, state, or local office, to a committee for or against an  
35 initiative or referendum measure for which legal publication is  
36 made, and to a person for election, scholarly, journalistic, or  
37 political purposes, or for governmental purposes, as determined  
38 by the Secretary of State.

39 (b) (1) Notwithstanding any other provision of law, the  
40 California driver's license number, the California identification

1 card number, the social security number, and any other unique  
2 identifier used by the State of California for purposes of voter  
3 identification shown on a voter registration card or the duplicate  
4 of the document that caused the voter to be registered to vote  
5 pursuant to subdivision (a) or (b) of Section 2101.5 of a registered  
6 voter, or added to voter registration records to comply with the  
7 requirements of the Help America Vote Act of 2002 (42 U.S.C.  
8 Sec. 15301 et seq.), are confidential and shall not be disclosed to  
9 any person.

10 (2) Notwithstanding any other provision of law, the signature  
11 of the voter shown on the voter registration card or the duplicate  
12 of the document that caused the voter to be registered to vote  
13 pursuant to subdivision (a) or (b) of Section 2101.5 is confidential  
14 and shall not be disclosed to any person, except as provided in  
15 subdivision (c).

16 (c) (1) The home address or signature of a voter shall be  
17 released whenever the person's vote is challenged pursuant to  
18 Sections 15105 to 15108, inclusive, or Article 3 (commencing  
19 with Section 14240) of Chapter 3 of Division 14. The address or  
20 signature shall be released only to the challenger, to an elections  
21 official, and to other persons as necessary to make, defend against,  
22 or adjudicate the challenge.

23 (2) An elections official shall permit a person to view the  
24 signature of a voter for the purpose of determining whether the  
25 signature matches a signature on an affidavit of registration, the  
26 duplicate of the document that caused the voter to be registered to  
27 vote pursuant to subdivision (a) or (b) of Section 2101.5, or a  
28 petition, but shall not permit a signature to be copied.

29 (d) A governmental entity, or officer or employee thereof, shall  
30 not be held civilly liable as a result of disclosure of the information  
31 referred to in this section, unless by a showing of gross negligence  
32 or willfulness.

33 (e) For the purposes of this section, "voter's household" is  
34 defined as the voter's place of residence or mailing address or a  
35 person who resides at the place of residence or uses the mailing  
36 address as supplied on the affidavit of registration pursuant to  
37 paragraphs (3) and (4) of subdivision (a) of Section 2150 or the  
38 duplicate of the document that caused the voter to be registered to  
39 vote pursuant to subdivision (a) or (b) of Section 2101.5.

1 SEC. 26. Section 2200 of the Elections Code is amended to  
2 read:

3 2200. The registration of a voter is permanent for all purposes  
4 during his or her life, unless and until the registration is canceled  
5 by the county elections official for any of the causes specified in  
6 this article.

7 SEC. 27. Section 2202 of the Elections Code is amended to  
8 read:

9 2202. (a) The county elections official shall preserve all  
10 uncanceled affidavits of registration and duplicates of the  
11 documents that caused voters to be registered to vote pursuant to  
12 subdivision (a) or (b) of Section 2101.5 in a secure manner that  
13 will protect the confidentiality of the voter information consistent  
14 with Section 2194.

15 The affidavits of registration and duplicates of the documents  
16 that caused voters to be registered to vote pursuant to subdivision  
17 (a) or (b) of Section 2101.5 shall constitute the register required  
18 to be kept by Article 5 (commencing with Section 2180) of Chapter  
19 2.

20 (b) In lieu of maintaining uncanceled affidavits of registration  
21 and the duplicates of the documents that caused voters to be  
22 registered to vote pursuant to subdivision (a) or (b) of Section  
23 2101.5, the county elections official may, following the first general  
24 election after the date of registration, microfilm, record on optical  
25 disc, or record on another electronic medium that does not permit  
26 an addition, deletion, or change to the original document, the  
27 uncanceled affidavits of registration and the duplicates of the  
28 documents that caused voters to be registered to vote pursuant to  
29 subdivision (a) or (b) of Section 2101.5. Use of an electronic  
30 medium to record uncanceled affidavits of registration and the  
31 duplicates of the documents that caused voters to be registered to  
32 vote pursuant to subdivision (a) or (b) of Section 2101.5 shall  
33 protect the security and confidentiality of the voter information.  
34 The county elections official may dispose of uncanceled affidavits  
35 of registration and the duplicates of the documents that caused  
36 voters to be registered to vote pursuant to subdivision (a) or (b) of  
37 Section 2101.5 transferred pursuant to this section. The disposal  
38 of uncanceled affidavits and the duplicates of the documents that  
39 caused voters to be registered to vote pursuant to subdivision (a)  
40 or (b) of Section 2101.5 shall be performed in a manner that does

1 not compromise the security or confidentiality of the voter  
2 information contained therein. A medium utilized by the county  
3 elections official shall meet the minimum standards, guidelines,  
4 or both, as recommended by the American National Standards  
5 Institute or the Association of Information and Image Management.  
6 For purposes of this section, a duplicate copy of an affidavit of  
7 registration shall be deemed an original.

8 SEC. 28. Section 2203 of the Elections Code is amended to  
9 read:

10 2203. (a) Cancellation is made by writing or stamping on the  
11 affidavit of registration or the duplicate of the document that caused  
12 the voter to be registered to vote pursuant to subdivision (a) or (b)  
13 of Section 2101.5 the word “canceled,” the reason the registration  
14 was canceled, and the date of cancellation.

15 (b) Whenever a voter transfers his or her registration from one  
16 precinct to another precinct in the same county, or reregisters in  
17 another precinct in the same county as shown by the new affidavit  
18 of registration, the county elections official shall immediately  
19 cancel the registration from the precinct in which the voter was  
20 first registered, and shall remove the registration from the file of  
21 uncanceled registrations.

22 (c) Except as provided in Section 2119, whenever a voter  
23 removes from one county to another county and registers in the  
24 latter county, the county elections official of the county in which  
25 he or she was first registered, upon being informed of his or her  
26 removal either by the voter personally or by receipt of a notice of  
27 reregistration under Section 2118, shall likewise cancel his or her  
28 registration and remove the registration in that county.

29 (d) The county elections official in distributing to each precinct  
30 the three indexes of registration, as required by Section 2189, shall  
31 cross out of those indexes the names of a voter whose registration  
32 from the precinct has been canceled.

33 SEC. 29. Section 2204 of the Elections Code is amended to  
34 read:

35 2204. Notwithstanding any other provision of law, whenever  
36 a voter changes his or her residence within the same precinct, the  
37 voter’s registration shall not be canceled. Whenever notified by  
38 the voter, the elections official shall change the voter’s affidavit  
39 of registration or the duplicate of the document that caused the  
40 voter to be registered to vote pursuant to subdivision (a) or (b) of

1 Section 2101.5 to reflect the new residence address within the  
2 same precinct.

3 SEC. 30. Section 2205 of the Elections Code is amended to  
4 read:

5 2205. (a) The local registrar of births and deaths shall notify  
6 the county elections official not later than the 15th day of each  
7 month of all deceased persons 18 years of age and over, whose  
8 deaths were registered with him or her or of whose deaths he or  
9 she was notified by the state registrar of vital statistics during the  
10 preceding month. This notification shall include at least the name,  
11 sex, age, birthplace, birthdate, place of residence, and date and  
12 place of death of each decedent.

13 (b) The county elections official shall cancel the voter  
14 registration of each deceased voter.

15 SEC. 31. Section 2206 of the Elections Code is amended to  
16 read:

17 2206. The Secretary of State shall adopt regulations to facilitate  
18 the availability of death statistics from the State Department of  
19 Public Health. The data shall be used by county elections officials  
20 in canceling the voter registration of deceased persons.

21 SEC. 32. Section 2212 of the Elections Code is amended to  
22 read:

23 2212. The clerk of the superior court of the county, on the basis  
24 of the records of the court, shall furnish to the chief elections  
25 official of the county, not less frequently than the first day of April  
26 and the first day of September of each year, a statement showing  
27 the names, addresses, and dates of birth of all persons who have  
28 been convicted of felonies since the clerk’s last report. The  
29 elections official shall, during the first week of April and the first  
30 week of September in each year, cancel the voter registration of  
31 those persons who are currently imprisoned or on parole for the  
32 conviction of a felony. The clerk shall certify the statement under  
33 the seal of the court.

34 SEC. 33. Section 2221 of the Elections Code is amended to  
35 read:

36 2221. (a) Based on the postal notice on the returned residency  
37 confirmation postcard received pursuant to Section 2220, the  
38 county elections official shall take the following actions:

39 (1) The voter registration of a person whose residency  
40 confirmation postcard is returned by the post office as

1 undeliverable and who has no forwarding address shall be placed  
2 in the inactive file pursuant to paragraph (2) of subdivision (a) of  
3 Section 2226. This person shall be mailed the confirmation notice  
4 described in subdivision (d) of Section 2225.

5 (2) The voter registration of a person for whom a forwarding  
6 address within the county is received shall be corrected to reflect  
7 the new address provided by the post office.

8 (3) The voter registration of a person for whom a forwarding  
9 address outside of the county is received shall be placed in the  
10 inactive file pursuant to paragraph (2) of subdivision (a) of Section  
11 2226. This person shall be mailed the confirmation notice described  
12 in subdivision (c) of Section 2225.

13 (b) A blank affidavit of registration shall immediately be mailed  
14 to the address from which a voter registration was canceled or  
15 changed pursuant to this section.

16 (c) An address correction or cancellation of a voter registration  
17 made pursuant to this section shall be reflected on the voter index  
18 as required by Section 2191.

19 SEC. 34. Section 3006 of the Elections Code is amended to  
20 read:

21 3006. (a) A printed application that is to be distributed to a  
22 voter for requesting a vote by mail ballot shall contain spaces for  
23 the following:

24 (1) The printed name and residence address of the voter as it  
25 appears on the affidavit of registration or the duplicate of the  
26 document that caused the voter to be registered to vote pursuant  
27 to subdivision (a) or (b) of Section 2101.5.

28 (2) The address to which the ballot is to be mailed.

29 (3) The voter's signature.

30 (4) The name and date of the election for which the request is  
31 to be made.

32 (5) The date the application must be received by the elections  
33 official.

34 (b) (1) The information required by paragraphs (1), (4), and  
35 (5) of subdivision (a) may be preprinted on the application. The  
36 information required by paragraphs (2) and (3) of subdivision (a)  
37 shall be personally affixed by the voter.

38 (2) An address, as required by paragraph (2) of subdivision (a),  
39 may not be the address of a political party, a political campaign  
40 headquarters, or a candidate's residence. However, a candidate,

1 his or her spouse, an immediate family member of the candidate,  
2 and any other voter who shares the same residence address as the  
3 candidate may request that a vote by mail ballot be mailed to the  
4 candidate's residence address.

5 (3) An application that contains preprinted information shall  
6 contain a conspicuously printed statement, as follows: "You have  
7 the legal right to mail or deliver this application directly to the  
8 local elections official of the county where you reside."

9 (c) The application shall inform the voter that if he or she is not  
10 affiliated with a political party, the voter may request a vote by  
11 mail ballot for a particular political party for the primary election,  
12 if that political party has adopted a party rule, duly noticed to the  
13 Secretary of State, authorizing that vote. The application shall  
14 contain a toll-free telephone number, established by the Secretary  
15 of State, that the voter may call to access information regarding  
16 which political parties have adopted such a rule. The application  
17 shall contain a checkoff box with a conspicuously printed statement  
18 that reads, as follows: "I am not presently affiliated with any  
19 political party. However, for this primary election only, I request  
20 a vote by mail ballot for the \_\_\_\_ Party." The name of the political  
21 party shall be personally affixed by the voter.

22 (d) The application shall provide the voter with information  
23 concerning the procedure for establishing permanent vote by mail  
24 voter status, and the basis upon which permanent vote by mail  
25 voter status is claimed.

26 (e) The application shall be attested to by the voter as to the  
27 truth and correctness of its content, and shall be signed under  
28 penalty of perjury.

29 SEC. 35. Section 3007.5 of the Elections Code is amended to  
30 read:

31 3007.5. (a) The Secretary of State shall prepare and distribute  
32 to the appropriate elections official a uniform electronic application  
33 format for a vote by mail voter's ballot that conforms to this  
34 section.

35 (b) The uniform electronic application shall contain spaces for  
36 at least the following information:

37 (1) The name and residence address of the registered voter as  
38 it appears on the affidavit of registration or the duplicate of the  
39 document that caused the voter to be registered to vote pursuant  
40 to subdivision (a) or (b) of Section 2101.5.

1 (2) The address to which the ballot is to be mailed.

2 (3) The name and date of the election for which the request is  
3 made.

4 (4) The date the application must be received by the elections  
5 official.

6 (5) The date of birth of the registered voter.

7 (c) The uniform electronic application shall inform the voter  
8 that if he or she is not affiliated with a political party, the voter  
9 may request a vote by mail ballot for a particular political party  
10 for the primary election, if that political party has adopted a party  
11 rule, duly noticed to the Secretary of State, authorizing that vote.  
12 The application shall contain a toll-free telephone number,  
13 established by the Secretary of State, that the voter may call to  
14 access information regarding which political parties have adopted  
15 such a rule. The application shall list the parties that have notified  
16 the Secretary of State of the adoption of such a rule. The  
17 application shall contain a checkoff box with a conspicuously  
18 printed statement that reads, as follows: “I am not presently  
19 affiliated with any political party. However, for this primary  
20 election only, I request a vote by mail ballot for the \_\_\_\_ Party.”  
21 The name of the political party shall be personally affixed by the  
22 voter.

23 (d) The uniform electronic application shall contain a  
24 conspicuously printed statement, as follows: “Only the registered  
25 voter himself or herself may apply for a vote by mail ballot. An  
26 application for a vote by mail ballot made by a person other than  
27 the registered voter is a criminal offense.”

28 (e) The uniform electronic application shall include the  
29 following statement: “A ballot will not be sent to you if this  
30 application is incomplete or inaccurate.”

31 (f) The uniform electronic application format shall not permit  
32 the form to be electronically submitted unless all of the information  
33 required to complete the application is contained in the appropriate  
34 fields.

35 SEC. 36. Section 3009 of the Elections Code is amended to  
36 read:

37 3009. (a) Upon receipt of a vote by mail ballot application  
38 signed by the voter that arrives within the proper time, the elections  
39 official should determine if the signature and residence address  
40 on the ballot application appear to be the same as that on the

1 original affidavit of registration or the duplicate of the document  
2 that caused the voter to be registered to vote pursuant to subdivision  
3 (a) or (b) of Section 2101.5. The elections official may make this  
4 signature check upon receiving the voted ballot, but the signature  
5 must be compared before the vote by mail voter ballot is canvassed.

6 (b) If the elections official deems the applicant entitled to a vote  
7 by mail voter's ballot he or she shall deliver by mail or in person  
8 the appropriate ballot. The ballot may be delivered to the applicant,  
9 his or her spouse, child, parent, grandparent, grandchild, or sibling,  
10 or a person residing in the same household as the vote by mail  
11 voter, except that in no case shall the ballot be delivered to an  
12 individual under 16 years of age. The elections official shall deliver  
13 the vote by mail ballot to the applicant's spouse, child, parent,  
14 grandparent, grandchild, or sibling, or a person residing in the  
15 same household as the vote by mail voter only if that person signs  
16 a statement attested to under penalty of perjury that provides the  
17 name of the applicant and his or her relationship to the applicant,  
18 and affirms that he or she is 16 years of age or older, and is  
19 authorized by the applicant to deliver the vote by mail ballot.

20 (c) (1) If the elections official determines that an application  
21 does not contain all of the information prescribed in Section 3001  
22 or 3006, or for any other reason is defective, and the elections  
23 official is able to ascertain the voter's address, the elections official  
24 shall, within one working day of receiving the application, mail  
25 the voter a vote by mail voter's ballot together with a notice. The  
26 notice shall inform the voter that the voter's vote by mail voter's  
27 ballot shall not be counted unless the applicant provides the  
28 elections official with the missing information or corrects the  
29 defects prior to, or at the time of, receipt of the voter's executed  
30 vote by mail voter's ballot. The notice shall specifically inform  
31 the voter of the information that is required or the reason for the  
32 defects in the application, and shall state the procedure necessary  
33 to remedy the defective application.

34 ¶

35 (2) *If* the voter substantially complies with the requirements  
36 contained in the elections official's notice, the voter's ballot shall  
37 be counted.

38 ¶

39 (3) *In* determining from the records of registration if the  
40 signature and residence address on the application appear to be

1 the same as that on the original affidavit of registration or the  
2 duplicate of the document that caused the voter to be registered to  
3 vote pursuant to subdivision (a) or (b) of Section 2101.5, the  
4 elections official or registrar of voters may use the duplicate file  
5 of registered voters or the facsimiles of voter's signatures, provided  
6 that the method of preparing and displaying the facsimiles complies  
7 with *the* law.

8 SEC. 37. Section 3011 of the Elections Code is amended to  
9 read:

10 3011. (a) The identification envelope shall contain the  
11 following:

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

15 (2) The signature of the voter.

16 (3) The residence address of the voter as shown on the affidavit  
17 of registration or the duplicate of the document that caused the  
18 voter to be registered to vote pursuant to subdivision (a) or (b) of  
19 Section 2101.5.

20 (4) The date of signing.

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

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

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

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

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

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

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

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

1 SEC. 38. Section 3013 of the Elections Code is amended to  
2 read:

3 3013. Upon delivering or mailing a vote by mail voter’s ballot,  
4 the elections official shall enter on the application of the vote by  
5 mail voter, or on the affidavit of registration or the duplicate of  
6 the document that caused the voter to be registered to vote pursuant  
7 to subdivision (a) or (b) of Section 2101.5, the type of ballot and  
8 the date of delivering or mailing. Before the election the elections  
9 official shall send to the inspector of each precinct in his or her  
10 county or city a list of the voters in that precinct applying for and  
11 receiving ballots under this chapter.

12 SEC. 39. Section 3019 of the Elections Code is amended to  
13 read:

14 3019. (a) Upon receipt of the vote by mail ballot the elections  
15 official shall compare the signature on the envelope with that  
16 appearing on the affidavit of registration or the duplicate of the  
17 document that caused the voter to be registered to vote pursuant  
18 to subdivision (a) or (b) of Section 2101.5. If the signatures  
19 compare, the elections official shall deposit the ballot, still in the  
20 identification envelope, in a ballot container in his or her office.  
21 A variation of the signature caused by the substitution of initials  
22 for the first or middle name, or both, shall not invalidate the ballot.  
23 If the ballot is rejected because the signatures do not compare, the  
24 envelope shall not be opened and the ballot shall not be counted.  
25 The cause of the rejection shall be written on the face of the  
26 identification envelope.

27 (b) If the elections official has compared the signature of the  
28 voter’s application with the registration document pursuant to  
29 Section 3009, the application may be used rather than the  
30 registration document to make the signature check required by this  
31 section.

32 (c) No ballot shall be removed from its identification envelope  
33 until the time for processing. No ballot shall be rejected for cause  
34 after the envelope has been opened.

35 (d) In determining from the records of registration if the  
36 signature and residence address on the identification envelope  
37 appear to be the same as that on the affidavit of registration or the  
38 duplicate of the document that caused the voter to be registered to  
39 vote pursuant to subdivision (a) or (b) of Section 2101.5, the  
40 elections official or registrar of voters may use the duplicate file

1 of registered voters or the facsimiles of voters' signatures, provided  
2 that the method of preparing and displaying the facsimiles complies  
3 with the law.

4 SEC. 40. Section 3021 of the Elections Code is amended to  
5 read:

6 3021. (a) After the close of the period for requesting a vote  
7 by mail voter ballot by mail a voter unable to go to the polls  
8 because of illness or disability resulting in his or her confinement  
9 in a hospital, sanatorium, nursing home, or place of residence;; or  
10 a voter unable because of a physical handicap to go to his or her  
11 polling place or because of that handicap is unable to vote at his  
12 or her polling place due to an existing architectural barrier at his  
13 or her polling place denying him or her physical access to the  
14 polling place, voting booth, or voting apparatus or machinery;; or  
15 a voter unable to go to his or her polling place because of a  
16 condition resulting in his or her absence from the precinct on  
17 election day may request in a written statement, signed under  
18 penalty of perjury, that a ballot be delivered to him or her. This  
19 written statement shall not be required if the vote by mail ballot  
20 is voted in the office of the elections official as defined by  
21 subdivision (b) of Section 3018, at the time of the request. This  
22 ballot shall be delivered by the elections official to an authorized  
23 representative of the voter who presents this written statement to  
24 the elections official.

25 (b) Before delivering the ballot the elections official may  
26 compare the signature on the request with the signature on the  
27 voter's affidavit of registration or the duplicate of the document  
28 that caused the voter to be registered to vote pursuant to subdivision  
29 (a) or (b) of Section 2101.5, but in any event, the signature shall  
30 be compared before the vote by mail ballot is canvassed.

31 (c) The voter shall mark the ballot, place it in the identification  
32 envelope, fill out and sign the envelope, and return the ballot,  
33 personally or through the authorized representative, to either the  
34 elections official or a polling place within the jurisdiction.

35 (d) These ballots shall be processed and counted in the same  
36 manner as other vote by mail ballots.

37 SEC. 41. Section 3305 of the Elections Code is amended to  
38 read:

1 3305. Upon receipt of an application for registration and a vote  
2 by mail ballot by a person who meets the requirements of Section  
3 3302, the county elections official shall determine the following:

4 (a) That the last domicile of the applicant in the United States  
5 was in the county to which the person has applied. If the last  
6 domicile of the applicant in the United States was in another  
7 county, the elections official shall forward the application to that  
8 county.

9 (b) That the applicant is not currently registered. If the applicant  
10 is registered as a resident of the county, the elections official shall  
11 cancel the voter's registration.

12 SEC. 42. Section 3501 of the Elections Code is amended to  
13 read:

14 3501. A new citizen registering to vote after the close of  
15 registration shall provide the county elections official with proof  
16 of citizenship prior to voting, and shall declare that he or she has  
17 established residency in California. Upon receipt of proof of  
18 citizenship and California residency, the county elections official  
19 shall instate the affiant as a registered voter and include his or her  
20 affidavit of registration in the permanent file of voter registrations.

21 SEC. 43. Section 9094 of the Elections Code is amended to  
22 read:

23 9094. (a) The Secretary of State shall mail a ballot pamphlet  
24 to a voter, in those instances in which the county elections official  
25 uses data processing equipment to store the information set forth  
26 in the affidavits of registration and the duplicates of the documents  
27 that caused voters to be registered to vote pursuant to subdivision  
28 (a) or (b) of Section 2101.5, before the election at which a measure  
29 contained in the ballot pamphlet is to be voted on unless a voter  
30 has registered fewer than 29 days before the election. The mailing  
31 shall commence not less than 40 days before the election and shall  
32 be completed no later than 21 days before the election for those  
33 voters who registered on or before the 60th day before the election.  
34 The Secretary of State shall mail one copy of the ballot pamphlet  
35 to a registered voter at the postal address stated on the voter's  
36 affidavit of registration or the duplicate of the document that caused  
37 the voter to be registered to vote pursuant to subdivision (a) or (b)  
38 of Section 2101.5, or the Secretary of State may mail only one  
39 ballot pamphlet to two or more registered voters having the same  
40 surname and the same postal address.

1 (b) In those instances in which the county elections official does  
2 not utilize data processing equipment to store the information set  
3 forth in the affidavits of registration and the duplicates of the  
4 documents that caused voters to be registered to vote pursuant to  
5 subdivision (a) or (b) of Section 2101.5, the Secretary of State  
6 shall furnish ballot pamphlets to the county elections official not  
7 less than 45 days before the election at which a measure contained  
8 in the ballot pamphlet is to be voted on and the county elections  
9 official shall mail a ballot pamphlet to a voter, on the same dates  
10 and in the same manner provided by subdivision (a).

11 (c) The Secretary of State shall provide for the mailing of a  
12 ballot pamphlet to a voter registering after the 60th day before the  
13 election and before the 28th day before the election, by either: (1)  
14 mailing in the manner as provided in subdivision (a), or (2)  
15 requiring the county elections official to mail a ballot pamphlet to  
16 a voter registering in the county after the 60th day before the  
17 election and before the 28th day before the election pursuant to  
18 this section. The second mailing of ballot pamphlets shall be  
19 completed no later than 10 days before the election. The county  
20 elections official shall mail a ballot pamphlet to a person requesting  
21 a ballot pamphlet. Three copies, to be supplied by the Secretary  
22 of State, shall be kept at every polling place, while an election is  
23 in progress, so that they may be freely consulted by the voters.

24 SEC. 44. Section 14310 of the Elections Code is amended to  
25 read:

26 14310. (a) At an election, a voter claiming to be properly  
27 registered but whose qualification or entitlement to vote cannot  
28 be immediately established upon examination of the index of  
29 registration for the precinct or upon examination of the records on  
30 file with the county elections official, shall be entitled to vote a  
31 provisional ballot as follows:

32 (1) An elections official shall advise the voter of the voter's  
33 right to cast a provisional ballot.

34 (2) The voter shall be provided a provisional ballot, written  
35 instructions regarding the process and procedures for casting the  
36 provisional ballot, and a written affirmation regarding the voter's  
37 registration and eligibility to vote. The written instructions shall  
38 include the information set forth in subdivisions (c) and (d).

39 (3) The voter shall be required to execute, in the presence of an  
40 elections official, the written affirmation stating that the voter is

1 eligible to vote and registered in the county where the voter desires  
2 to vote.

3 (b) Once voted, the voter's ballot shall be sealed in a provisional  
4 ballot envelope, and the ballot in its envelope shall be deposited  
5 in the ballot box. All provisional ballots voted shall remain sealed  
6 in their envelopes for return to the elections official in accordance  
7 with the elections official's instructions. The provisional ballot  
8 envelopes specified in this subdivision shall be a color different  
9 than the color of, but printed substantially similar to, the envelopes  
10 used for vote by mail ballots, and shall be completed in the same  
11 manner as vote by mail envelopes.

12 (c) (1) During the official canvass, the elections official shall  
13 examine the records with respect to all provisional ballots cast.  
14 Using the procedures that apply to the comparison of signatures  
15 on vote by mail ballots, the elections official shall compare the  
16 signature on each provisional ballot envelope with the signature  
17 on the voter's affidavit of registration or the duplicate of the  
18 document that caused the voter to be registered to vote pursuant  
19 to subdivision (a) or (b) of Section 2101.5. If the signatures do not  
20 compare, the ballot shall be rejected. A variation of the signature  
21 caused by the substitution of initials for the first or middle name,  
22 or both, shall not invalidate the ballot.

23 (2) A provisional ballot shall not be included in a semiofficial  
24 or official canvass, except upon: (A) the elections official's  
25 establishing prior to the completion of the official canvass, from  
26 the records in his or her office, the claimant's right to vote; or (B)  
27 the order of a superior court in the county of the voter's residence.  
28 A voter may seek the court order specified in this paragraph  
29 regarding his or her own ballot at any time prior to completion of  
30 the official canvass. A judicial action or appeal shall have priority  
31 over all other civil matters. No fee shall be charged to the claimant  
32 by the clerk of the court for services rendered in an action under  
33 this section.

34 (3) The provisional ballot of a voter who is otherwise entitled  
35 to vote shall not be rejected because the voter did not cast his or  
36 her ballot in the precinct to which he or she was assigned by the  
37 elections official.

38 (A) If the ballot cast by the voter contains the same candidates  
39 and measures on which the voter would have been entitled to vote

1 in his or her assigned precinct, the elections official shall count  
2 the votes for the entire ballot.

3 (B) If the ballot cast by the voter contains candidates or  
4 measures on which the voter would not have been entitled to vote  
5 in his or her assigned precinct, the elections official shall count  
6 only the votes for the candidates and measures on which the voter  
7 was entitled to vote in his or her assigned precinct.

8 (d) The Secretary of State shall establish a free access system  
9 that a voter who casts a provisional ballot may access to discover  
10 whether the voter's provisional ballot was counted and, if not, the  
11 reason why it was not counted.

12 (e) The Secretary of State may adopt appropriate regulations  
13 for purposes of ensuring the uniform application of this section.

14 (f) This section shall apply to a vote by mail voter described by  
15 Section 3015 who is unable to surrender his or her unvoted vote  
16 by mail voter's ballot.

17 (g) An existing supply of envelopes marked "special challenged  
18 ballot" may be used until the supply is exhausted.

19 SEC. 45. Section 16442 of the Elections Code is amended to  
20 read:

21 16442. After the affidavit is filed with the clerk of the superior  
22 court, a copy of the affidavit shall be personally served upon the  
23 defendant or sent to him or her by registered mail in a sealed  
24 envelope with postage prepaid, addressed to the defendant at the  
25 place of residence named in his or her affidavit of registration or  
26 the duplicate of the document that caused the voter to be registered  
27 to vote pursuant to subdivision (a) or (b) of Section 2101.5. The  
28 contestant shall make an affidavit of mailing if he or she serves  
29 the affidavit by mail, and *shall* file it on the same day with the  
30 county elections official.

31 SEC. 46. Section 16462 of the Elections Code is amended to  
32 read:

33 16462. No service other than as provided in this section need  
34 be made upon the defendant. The affidavit shall be filed in the  
35 office of the clerk of the superior court within five days after the  
36 completion of the official canvass. Upon the filing of the affidavit,  
37 the county elections official shall forthwith post, in a conspicuous  
38 place in his or her office, a copy of the affidavit. Upon the filing  
39 of the affidavit and its posting, the superior court of the county  
40 shall have jurisdiction of the subject matter and of the parties to

1 the contest. The contestant on the date of filing the affidavit shall  
2 send by registered mail a copy thereof to the defendant in a sealed  
3 envelope, with postage prepaid, addressed to the defendant at the  
4 place of residence named in the affidavit of registration of the  
5 defendant or the duplicate of the document that caused the ~~voter~~  
6 *defendant* to be registered to vote pursuant to subdivision (a) or  
7 (b) of Section 2101.5, and shall make and file an affidavit of  
8 mailing with the county elections official, which shall become a  
9 part of the records of the contest.

10 SEC. 47. Section 17000 of the Elections Code is amended to  
11 read:

12 17000. (a) The elections official shall preserve all canceled  
13 original affidavits of registration and the canceled duplicates of  
14 the documents that caused voters to be registered to vote pursuant  
15 to subdivision (a) or (b) of Section 2101.5 for a period of five  
16 years, after which they may be destroyed by that officer.

17 (b) In lieu of preserving the canceled original affidavit of  
18 registration or the duplicate of the document that caused the voter  
19 to be registered to vote pursuant to subdivision (a) or (b) of Section  
20 2101.5, the elections official may, by filming or other suitable  
21 method, record the canceled affidavit or the duplicate of the  
22 document that caused the voter to be registered to vote pursuant  
23 to subdivision (a) or (b) of Section 2101.5 and destroy the affidavit  
24 or the duplicate of the document that caused the voter to be  
25 registered to vote pursuant to subdivision (a) or (b) of Section  
26 2101.5 following the first general election after the date of  
27 cancellation.

28 SEC. 48. Section 17001 of the Elections Code is amended to  
29 read:

30 17001. The elections official shall keep a copy of the index to  
31 the affidavits of registration and the duplicates of the documents  
32 that caused voters to be registered to vote pursuant to subdivision  
33 (a) or (b) of Section 2101.5 described in Section 2180 on file as a  
34 public record for election and political research, and governmental  
35 purposes, for a period of five years.

36 SEC. 49. Section 6254.4 of the Government Code is amended  
37 to read:

38 6254.4. (a) The home address, telephone number, e-mail  
39 address, precinct number, or other number specified by the  
40 Secretary of State for voter registration purposes, and prior

1 registration information shown on the voter registration card or  
2 the duplicate of the document that caused the voter to be registered  
3 to vote pursuant to subdivision (a) or (b) of Section 2101.5 for a  
4 registered voter, is confidential and shall not be disclosed to a  
5 person, except pursuant to Section 2194 of the Elections Code.

6 (b) For purposes of this section, “home address” means street  
7 address only, and does not include an individual’s city or post  
8 office address.

9 (c) The California driver’s license number, the California  
10 identification card number, the social security number, and any  
11 other unique identifier used by the State of California for purposes  
12 of voter identification shown on a voter registration card of a  
13 registered voter or the duplicate of the document that caused the  
14 voter to be registered to vote pursuant to subdivision (a) or (b) of  
15 Section 2101.5, or added to the voter registration records to comply  
16 with the requirements of the Help America Vote Act of 2002 (42  
17 U.S.C. Sec. 15301 et seq.), are confidential and shall not be  
18 disclosed to any person.

19 (d) The signature of the voter that is shown on the voter  
20 registration card or the duplicate of the document that caused the  
21 voter to be registered to vote pursuant to subdivision (a) or (b) of  
22 Section 2101.5 is confidential and shall not be disclosed to any  
23 person.

24 SEC. 50. Section 23365 of the Government Code is amended  
25 to read:

26 23365. The elections official of the principal county shall  
27 furnish to the officers of each precinct the supplies and equipment  
28 as provided for in Sections 14105 and 14110 of the Elections Code.  
29 The elections official of each other affected county from which  
30 territory is proposed to be taken for the proposed county shall  
31 provide to the officers of each precinct the indexes of registration  
32 for the precincts of the proposed county within their respective  
33 county. In addition, the elections official may, with the approval  
34 of the board of supervisors, furnish the original books of affidavits  
35 of registration and the duplicates of the documents that caused  
36 voters to be registered to vote pursuant to subdivision (a) or (b) of  
37 Section 2101.5 or other material necessary to verify signatures.

38 SEC. 51. Section 23374.13 of the Government Code is amended  
39 to read:

1 23374.13. The elections official of the principal county shall  
2 furnish to the officers of each precinct in the approved county the  
3 supplies and equipment as provided for in Sections 14105 and  
4 14110 of the Elections Code. The elections official of each other  
5 affected county shall provide to the officers of each precinct the  
6 indexes of registration for the precincts of the approved county  
7 within their respective county. In addition, the elections official  
8 may, with the approval of the board of supervisors, furnish the  
9 original books of affidavits of registration and the duplicates of  
10 the documents that caused voters to be registered to vote pursuant  
11 to subdivision (a) or (b) of Section 2101.5 or other material  
12 necessary to verify signatures.

13 SEC. 52. Section 57051 of the Government Code is amended  
14 to read:

15 57051. (a) At any time prior to the conclusion of the protest  
16 hearing in the notice given by the executive officer, but not  
17 thereafter, an owner of land or a registered voter within inhabited  
18 territory that is the subject of a proposed change of organization  
19 or reorganization, or an owner of land within uninhabited territory  
20 that is the subject of a proposed change of organization or  
21 reorganization, may file a written protest against the change of  
22 organization or reorganization. A written protest shall state whether  
23 it is made by a landowner or registered voter and the name and  
24 address of the owner of the land affected and the street address or  
25 other description sufficient to identify the location of the land or  
26 the name and address of the registered voter as it appears on the  
27 affidavit of registration or the duplicate of the document that caused  
28 the voter to be registered to vote pursuant to subdivision (a) or (b)  
29 of Section 2101.5. A protest may be made on behalf of an owner  
30 of land by an agent authorized in writing by the owner to act as  
31 agent with respect to that land. A protest may be made on behalf  
32 of a private corporation which is an owner of land by an officer  
33 or employee of the corporation without written authorization by  
34 the corporation to act as agent in making that protest.

35 (b) A written protest shall show the date that each signature was  
36 affixed to the protest. A signature without a date or bearing a date  
37 prior to the date of publication of the notice shall be disregarded  
38 for purposes of ascertaining the value of a written protest.

39 SEC. 53. Section 19584.5 is added to the Revenue and Taxation  
40 Code, to read:

1 19584.5. (a) In addition to any other requirements set forth in  
2 this part, the Personal Income Tax filing form prepared by the  
3 Franchise Tax Board shall:

4 (1) Request the information to establish whether the taxpayer  
5 satisfies the requirements to be registered to vote pursuant to  
6 Section 2101 of the Elections Code.

7 (2) Contain a method by which the taxpayer shall indicate  
8 whether he or she is registered to vote.

9 (3) Contain a statement that, if the taxpayer satisfies the  
10 requirements to vote pursuant to Section 2101 of the Elections  
11 Code, he or she shall be registered to vote, unless he or she declines  
12 to be registered to vote or has indicated that he or she is already  
13 registered to vote.

14 (4) Contain a method by which the taxpayer may decline to be  
15 registered to vote.

16 (5) Request any other information required by state or federal  
17 law for a person to be registered to vote.

18 (b) The Franchise Tax Board shall transmit to the county  
19 elections official for the county in which the taxpayer resides a  
20 duplicate of the completed Personal Income Tax filing form, ~~unless~~  
21 ~~the taxpayer has declined to register to vote or has indicated that~~  
22 ~~he or she is already registered to vote.~~ *of the taxpayer if all of the*  
23 *following are satisfied:*

24 (1) *The taxpayer has completed the form in its entirety.*

25 (2) *The taxpayer has supplied sufficient information on the form*  
26 *to indicate that he or she satisfies the requirements to be registered*  
27 *to vote.*

28 (3) *The taxpayer has not indicated on the form that he or she*  
29 *is already registered to vote.*

30 (4) *The taxpayer has not declined to be registered to vote on*  
31 *the form.*

32 (c) *Except where a duty imposed by law requires otherwise, in*  
33 *implementing this section, the Franchise Tax Board shall comply*  
34 *with applicable federal and state law relating to privacy and*  
35 *confidentiality of the information collected, shall collect only the*  
36 *information necessary to implement this section, and shall not*  
37 *share the information collected pursuant to this section with*  
38 *another agency or person except for a purpose directly related to*  
39 *voter registration.*

40 (e)

1 (d) The Franchise Tax Board shall confer with the Secretary of  
2 State and shall develop a Personal Income Tax filing form in  
3 compliance with this section not later than July 1, 2009.

4 SEC. 54. Section 12500.5 is added to the Vehicle Code, to  
5 read:

6 12500.5. (a) In addition to any other requirements set forth in  
7 this division, the application for a new or renewed California  
8 driver's license, instruction permit, junior permit, or identification  
9 card shall:

10 (1) Request the information to establish whether the applicant  
11 satisfies the requirements to be registered to vote pursuant to  
12 Section 2101 of the Elections Code.

13 (2) Contain a method by which the applicant shall indicate  
14 whether he or she is registered to vote.

15 (3) Contain a statement that, if the applicant satisfies the  
16 requirements to vote pursuant to Section 2101 of the Elections  
17 Code, he or she shall be registered to vote, unless he or she declines  
18 to be registered to vote or has indicated that he or she is already  
19 registered to vote.

20 (4) Contain a method by which the applicant may decline to be  
21 registered to vote.

22 (5) Request any other information required by state or federal  
23 law for a person to be registered to vote.

24 (b) The Department of Motor Vehicles shall transmit to the  
25 county elections official for the county in which the applicant  
26 resides a duplicate of the completed application for a new or  
27 renewed California driver's license, instruction permit, junior  
28 permit, or identification card, ~~unless the applicant has declined to~~  
29 ~~register to vote or has indicated that he or she is already registered~~  
30 ~~to vote.~~ *of the applicant if all of the following are satisfied:*

31 (1) *The applicant has completed the application in its entirety.*

32 (2) *The applicant has supplied sufficient information on the*  
33 *application to indicate that he or she satisfies the requirements to*  
34 *be registered to vote.*

35 (3) *The applicant has not indicated on the application that he*  
36 *or she is already registered to vote.*

37 (4) *The applicant has not declined to be registered to vote on*  
38 *the application.*

39 (c) *Except where a duty imposed by law requires otherwise, in*  
40 *implementing this section, the Department of Motor Vehicles shall*

1 *comply with applicable federal and state law relating to privacy*  
2 *and confidentiality of the information collected, shall collect only*  
3 *the information necessary to implement this section, and shall not*  
4 *share the information collected pursuant to this section with*  
5 *another agency or person except for a purpose directly related to*  
6 *voter registration.*

7 (e)

8 (d) The Department of Motor Vehicles shall confer with the  
9 Secretary of State and shall develop applications for a new or  
10 renewed California driver's license, instruction permit, junior  
11 permit, and identification card that are in compliance with this  
12 section not later than July 1, 2009.

13 SEC. 55. Section 12950.5 of the Vehicle Code is amended to  
14 read:

15 12950.5. (a) The department shall require a digitized signature  
16 on each driver's license. A digitized signature is an electronic  
17 representation of a handwritten signature.

18 (b) The department shall provide to the Secretary of State the  
19 digitized signature of a person who registers to vote on the voter  
20 registration card provided by the department or who completes an  
21 application for a new or renewed California driver's license,  
22 instruction permit, junior permit, or identification card and does  
23 not decline to be registered to vote or has *not* indicated that he or  
24 she is already registered to vote.

25 (c) The department shall provide the Secretary of State with  
26 change-of-address information for a voter who indicates that he  
27 or she desires to have his or her address changed for voter  
28 registration purposes.

29 SEC. 56. Section 60211 of the Water Code is amended to read:

30 60211. A person shall not vote at a district election held under  
31 the provisions of this act who is not a voter within the meaning of  
32 the Elections Code, residing in the division of the district in which  
33 he or she casts his or her vote. For the purpose of registering voters  
34 who shall be entitled to vote at district elections, the county  
35 elections official is authorized, in a county in which there is a  
36 district, to indicate upon the affidavit of registration or the duplicate  
37 of the document that caused the voter to be registered to vote  
38 pursuant to subdivision (a) or (b) of Section 2101.5 whether the  
39 voter is a voter of a district.

1     SEC. 57. If the Commission on State Mandates determines  
2 that this act contains costs mandated by the state, reimbursement  
3 to local agencies and school districts for those costs shall be made  
4 pursuant to Part 7 (commencing with Section 17500) of Division  
5 4 of Title 2 of the Government Code.

O