

AMENDED IN ASSEMBLY MAY 6, 2009
AMENDED IN ASSEMBLY APRIL 20, 2009
AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 257

Introduced by Assembly Member Adams

February 11, 2009

An act to add Section 16001 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 257, as amended, Adams. Elections: reporting irregularities.

Existing law provides procedures and requirements for contesting the results of an election.

This bill would require the Secretary of State to establish a uniform report that elections officials would use to document election-day incidents and voting irregularities that could be used in contested elections.

Because this bill would change or expand the duties of local elections officials, 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 16001 is added to the Elections Code, to
2 read:
3 16001. (a) The Secretary of State shall establish a uniform
4 reporting format to collect information from county elections
5 officials relating to election-day incidents and irregularities that
6 occur during the casting of ballots in a regularly scheduled
7 statewide election.
8 (b) For purposes of this section, “election-day incidents and
9 irregularities” includes documented complaints or reports of any
10 of the following:
11 (1) Voter fraud.
12 (2) Voter intimidation.
13 (3) The failure, malfunction, or improper usage or operation of
14 either an electronic voting machine or a paper ballot, whether cast
15 by mail or at a polling place.
16 (4) Incidents resulting in voter disenfranchisement.
17 (c) The Secretary of State shall make the reports submitted by
18 county elections officials pursuant to subdivision (a) publicly
19 available on his or her Internet Web site.
20 SEC. 2. If the Commission on State Mandates determines that
21 this act contains costs mandated by the state, reimbursement to
22 local agencies and school districts for those costs shall be made
23 pursuant to Part 7 (commencing with Section 17500) of Division
24 4 of Title 2 of the Government Code.

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