

AMENDED IN ASSEMBLY APRIL 13, 2009

AMENDED IN ASSEMBLY MARCH 19, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 306**

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**Introduced by Assembly Member Fuller**

February 17, 2009

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An act to add Section 9094.5 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 306, as amended, Fuller. Elections: voter pamphlets.

Existing law requires the Secretary of State to prepare a state ballot pamphlet and to disseminate the complete contents of the state ballot pamphlet over the Internet. Existing law requires the Secretary of State to mail ballot pamphlets to voters, *but authorizes the mailing of only one ballot pamphlet to 2 or more registered voters having the same postal address.*

This bill would require the Secretary of State to establish a process to allow voters to opt out of receiving the state ballot pamphlet by mail. *The process would only take effect for 2 or more registered voters at the same address if each voter at that address requested to opt out of receiving the ballot by mail. The bill would also require the Secretary of State to establish a process for voters to begin receiving the ballot pamphlet by mail again after opting out.*

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

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

1 SECTION 1. Section 9094.5 is added to the Elections Code,  
2 to read:

3 9094.5. (a) The Secretary of State shall establish a process to  
4 enable a voter to opt out of receiving by mail the state ballot  
5 pamphlet prepared pursuant to Section 9081. This process shall  
6 become effective only after the Secretary of State certifies that the  
7 state has a statewide voter registration database that complies with  
8 the federal Help America Vote Act of 2002 (42 U.S.C. Sec. 15301  
9 et seq.).

10 (b) *The process described in subdivision (a) shall not apply*  
11 *where two or more registered voters have the same postal address*  
12 *unless each voter who shares the same postal address has chosen*  
13 *to discontinue receiving the ballot pamphlet by mail.*

14 (c) *The Secretary of State shall also establish a procedure to*  
15 *permit a voter to begin receiving the ballot pamphlet by mail again*  
16 *after the voter has discontinued receiving it pursuant to subdivision*  
17 (a).