

AMENDED IN SENATE JULY 15, 2010
AMENDED IN SENATE JUNE 22, 2010
AMENDED IN SENATE JUNE 29, 2009
AMENDED IN ASSEMBLY MAY 26, 2009
AMENDED IN ASSEMBLY APRIL 23, 2009
AMENDED IN ASSEMBLY APRIL 20, 2009
AMENDED IN ASSEMBLY MARCH 24, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 496

Introduced by Assembly Member Davis

February 24, 2009

An act to amend Section 13001 of the Elections Code, relating to elections, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 496, as amended, Davis. Elections: payment of expenses.

Existing law requires that all expenses authorized and necessarily incurred in the preparation for, and conduct of, elections be paid from the county treasuries, except when an election is called by the governing body of a city.

This bill would additionally provide that expenses incurred for elections proclaimed by the Governor to fill a vacancy in the office of State Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Representative in Congress, are to be paid by the state. Where an election proclaimed by the Governor is

consolidated with a local election, the bill would provide that the state would pay only those additional expenses directly related to the election proclaimed by the Governor. *The bill would provide that the reimbursable expenses incurred by counties will not be reimbursed sooner than the 2011–12 fiscal year.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. 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 13001 of the Elections Code is amended
2 to read:

3 13001. (a) Except as provided in subdivision (b), all expenses
4 authorized and necessarily incurred in the preparation for, and
5 conduct of, elections as provided in this code shall be paid from
6 the county treasuries, except that when an election is called by the
7 governing body of a city the expenses shall be paid from the
8 treasury of the city. All payments shall be made in the same manner
9 as other county or city expenditures are made. The elections
10 official, in providing the materials required by this division, need
11 not utilize the services of the county or city purchasing agent.

12 (b) All expenses authorized and necessarily incurred in the
13 preparation for and conduct of elections proclaimed by the
14 Governor to fill a vacancy in the office of State Senator or
15 Assembly Member, or to fill a vacancy in the office of United
16 States Senator or Representative in the Congress, shall be paid by
17 the state. If an election proclaimed by the Governor to fill a vacancy
18 in an office specified by this subdivision is consolidated with a
19 local election, only those additional expenses directly related to
20 the election proclaimed by the Governor shall be paid by the state.
21 *Counties that incurred expenses that are to be paid by the state*
22 *pursuant to this subdivision for elections occurring in 2010 shall*
23 *be reimbursed not sooner than the 2011–12 fiscal year.*

24 SEC. 2. *This act is an urgency statute necessary for the*
25 *immediate preservation of the public peace, health, or safety within*
26 *the meaning of Article IV of the Constitution and shall go into*
27 *immediate effect. The facts constituting the necessity are:*

1 *In order to provide reimbursement to counties for costs for*
2 *special elections, it is necessary for this bill to take effect as soon*
3 *as possible.*

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