

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1399

Introduced by Assembly Member Anderson

February 27, 2009

~~An act relating to citizenship education. An act to add Section 14218.3 to the Elections Code, relating to elections.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1399, as amended, Anderson. ~~Citizenship education: School/Law Enforcement Partnership.~~ *Elections: voting identification.*

Existing law requires a person desiring to vote to announce his or her name and address to a precinct board member and to write them on the roster of voters.

This bill would require a voter, in addition, to present proof of his or her identity and residency to a member of the precinct board before receiving a ballot. It would specify the documents that may be used for this purpose and would authorize any other form of identification that the Secretary of State determines to be appropriate. It would permit a voter who is unable to present proof of identity or residency to cast a provisional ballot.

Because the bill would require county elections official to develop procedures to implement this bill and to perform additional duties, 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.

~~Existing law establishes the School/Law Enforcement Partnership for the purpose of, among other things, the administration of safe school programs. The partnership is required to sponsor at least 2 regional conferences for school districts, county offices of education, agencies serving youth, allied agencies, community-based organizations, and law enforcement agencies to identify exemplary programs and techniques that have been effectively used to reduce school crime. These conferences are authorized to include information on specified topics, including citizenship education.~~

~~This bill would state the intent of the Legislature to enact legislation relating to the presentation of information on citizenship education at these regional conferences.~~

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

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

- 1 SECTION 1. Section 14218.3 is added to the Elections Code,
- 2 to read:
- 3 14218.3. (a) A voter shall present proof of his or her identity
- 4 and residency to a member of the precinct board before receiving
- 5 a ballot.
- 6 (1) Proof of identity may be established by presenting any of
- 7 the following documents:
- 8 (A) A California driver’s license.
- 9 (B) A California identification card.
- 10 (C) A valid voter registration card.
- 11 (D) A sample ballot pamphlet for the election with the voter’s
- 12 name and address printed thereon by the county elections official.
- 13 (E) A military identification card.
- 14 (F) A Certification of Citizenship issued by the Bureau of
- 15 Citizenship and Immigration Services.
- 16 (G) A copy of a birth certificate.
- 17 (H) Any other form of identification that the Secretary of State
- 18 determines to be appropriate.

1 (2) *Proof of residency may be established by presenting any of*
2 *the following documents:*

- 3 (A) *A California driver's license.*
- 4 (B) *A California identification card.*
- 5 (C) *A valid voter registration card.*
- 6 (D) *A sample ballot pamphlet for the election with the voter's*
7 *name and address printed thereon by the county elections official.*
- 8 (E) *A current utility or telephone bill or stub showing the correct*
9 *name and address.*
- 10 (F) *Any other form of identification that the Secretary of State*
11 *determines to be appropriate.*

12 (b) *The county elections official shall develop procedures to*
13 *implement this section in a manner that imposes the least*
14 *burdensome requirements upon voters.*

15 (c) *A voter who is unable to present proof of his or her identity*
16 *or residency as required by this section shall be entitled to vote a*
17 *provisional ballot, as provided in Section 14310.*

18 SEC. 2. (a) *The Legislature finds that the procedure under*
19 *current law requiring a voter to announce his or her name to a*
20 *precinct board member before receiving a ballot and allowing a*
21 *precinct board member to challenge a potential voter on specified*
22 *grounds is insufficient to ensure against voting fraud because the*
23 *potential for, and consequences of, abuse are too great.*

24 (b) *The Legislature has investigated many other methods to*
25 *eliminate voting fraud, and finds that each of the other methods*
26 *is more drastic than the method proposed by this act. Because the*
27 *current law is ineffective to ensure against voting fraud, the*
28 *Legislature finds that the method proposed by this act is the least*
29 *drastic means available.*

30 (c) *The Legislature finds that Section 1 of this act is necessary*
31 *to protect the integrity of the voting process, and by establishing*
32 *additional procedures to reduce voting fraud, this act serves a*
33 *compelling state interest and its provisions are narrowly tailored*
34 *to achieving these objectives.*

35 SEC. 3. *If the Commission on State Mandates determines that*
36 *this act contains costs mandated by the state, reimbursement to*
37 *local agencies and school districts for those costs shall be made*
38 *pursuant to Part 7 (commencing with Section 17500) of Division*
39 *4 of Title 2 of the Government Code.*

1 ~~SECTION 1.—It is the intent of the Legislature to enact~~
2 ~~legislation relating to the presentation of information on citizenship~~
3 ~~education at the regional conferences sponsored by the School/Law~~
4 ~~Enforcement Partnership.~~

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