

Assembly Bill No. 1717

CHAPTER 119

An act to add Section 13300.7 to the Elections Code, relating to elections.

[Approved by Governor July 19, 2010. Filed with
Secretary of State July 19, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1717, De Leon. Ballot materials: electronic access.

Existing law requires elections officials to provide a registered voter with a sample ballot, voter pamphlet, directions to the nearest polling place, and other ballot materials by mail within designated timeframes before a primary or general election.

This bill would authorize county and city elections officials, if specified conditions and deadlines are met, to establish procedures to allow a voter to opt out of receiving his or her sample ballot and other ballot materials by mail and instead obtain them via electronic means such as e-mail or accessing them from a county's or city's Internet Web site.

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

SECTION 1. Section 13300.7 is added to the Elections Code, to read:

13300.7. Notwithstanding any other provision of law, county and city elections officials may establish procedures designed to permit a voter to opt out of receiving his or her sample ballot, voter pamphlet, notice of polling place, and associated materials by mail, and instead obtain them electronically via e-mail or by accessing them on the county's or city's Internet Web site, provided that all of the following conditions are met:

(a) The procedures establish a method of providing notice of and an opportunity by which a voter can notify elections officials of his or her desire to obtain ballot materials electronically in lieu of receiving them by mail.

(b) The voter e-mail address or any other information provided by the voter under this section remains confidential pursuant to Section 6254.4 of the Government Code and Section 2194 of this code.

(c) The procedures provide notice and opportunity for a voter who has opted out of receiving a sample ballot and other materials by mail to opt back into receiving them by mail.

(d) The procedures establish a process by which a voter can apply electronically to become a vote by mail voter.

(e) A voter may only opt out of, or opt back into, receiving his or her sample ballot and other ballot materials by mail if the elections official

receives the request and can process it prior to the statutory deadline for the mailing of those materials for the next election, pursuant to Section 13303. If a voter misses this deadline, the request shall take effect the following election.

(f) The procedures must include a verification process to confirm the voter's identity, either in writing with a signature card that can be matched to the one on file with elections officials, or if the request is submitted electronically, it shall contain the voter's California driver's license number, California identification number, or a partial social security number.