

AMENDED IN ASSEMBLY MARCH 25, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1769

Introduced by Assembly Member Tran

February 9, 2010

~~An act relating to elections, making an appropriation therefor, and An act to amend, repeal, and add Section 13001 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1769, as amended, Tran. Elections: ~~County of Orange~~. *payment of expenses.*

Existing law provides that all expenses authorized and necessarily incurred in the preparation for and conduct of elections are to be paid from the county treasuries.

This bill would require that expenses incurred on or after October 1, 2009, and before February 1, 2010, for elections proclaimed by the Governor to fill a vacancy in the office of Senator or Member of the Assembly, or to fill a vacancy in the office of United States Senator or Representative in the Congress of the United States, be paid by the state.

~~The Budget Act of 2009 appropriated specified amounts from the General Fund for support of election-related costs.~~

~~This bill would appropriate \$1,639,000 from the General Fund to the Controller to reimburse the County of Orange for the special election costs incurred by the county to fill a vacancy in the 72nd Assembly District.~~

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

Vote: 2/3. Appropriation: ~~yes~~-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. ~~All~~(a) Except as provided in subdivision (b), all
4 expenses authorized and necessarily incurred in the preparation
5 for, and conduct of, elections as provided in this code shall be paid
6 from the county treasuries, except that when an election is called
7 by the governing body of a city the expenses shall be paid from
8 the treasury of the city. All payments shall be made in the same
9 manner 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 on or after
13 October 1, 2009, and before February 1, 2010, in the preparation
14 for and conduct of elections proclaimed by the Governor to fill a
15 vacancy in the office of Senator or Member of the Assembly, or to
16 fill a vacancy in the office of United States Senator or
17 Representative in the Congress of the United States, shall be paid
18 by the state.

19 (c) This section shall remain in effect only until January 1, 2011,
20 and as of that date is repealed, unless a later enacted statute, that
21 is enacted before January 1, 2011, deletes or extends that date.

22 SEC. 2. Section 13001 is added to the Elections Code, to read:

23 13001. (a) All expenses authorized and necessarily incurred
24 in the preparation for, and conduct of, elections as provided in
25 this code shall be paid from the county treasuries, except that when
26 an election is called by the governing body of a city the expenses
27 shall be paid from the treasury of the city. All payments shall be
28 made in the same manner as other county or city expenditures are
29 made. The elections official, in providing the materials required
30 by this division, need not utilize the services of the county or city
31 purchasing agent.

32 (b) This section shall become operative on January 1, 2011.

1 SEC. 3. This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or safety within
3 the meaning of Article IV of the Constitution and shall go into
4 immediate effect. The facts constituting the necessity are:

5 In order to relieve counties of responsibility for expenses
6 incurred in for the preparation and conduct of certain elections
7 proclaimed by the Governor for specified purposes, it is necessary
8 that this bill go into immediate effect.

9 SECTION 1. ~~The sum of one million six hundred thirty-nine~~
10 ~~thousand dollars (\$1,639,000) is hereby appropriated from the~~
11 ~~General Fund to the Controller to reimburse the County of Orange~~
12 ~~for the special election costs incurred by the county to fill a vacancy~~
13 ~~in the 72nd Assembly District, in accordance with the following~~
14 ~~schedule:~~

15		
16	(1) November 17, 2009, Special Primary Election	804,000
17	(2) January 12, 2010, Special General Election	835,000
18		

19 ~~SEC. 2. This act is an urgency statute necessary for the~~
20 ~~immediate preservation of the public peace, health, or safety within~~
21 ~~the meaning of Article IV of the Constitution and shall go into~~
22 ~~immediate effect. The facts constituting the necessity are:~~

23 ~~The budget for the County of Orange contains funding authority~~
24 ~~to support one statewide election per fiscal year. In order to~~
25 ~~reimburse the County of Orange as soon as possible for the costs~~
26 ~~incurred in conducting the special primary election and special~~
27 ~~general election to fill the vacancy in the 72nd Assembly District,~~
28 ~~and thereby enable the county to conduct the regularly scheduled~~
29 ~~statewide primary election on June 8, 2010, it is necessary that~~
30 ~~this act take effect immediately.~~