

AMENDED IN ASSEMBLY APRIL 13, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2371**

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**Introduced by Assembly Member Anderson**

February 19, 2010

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An act to add Section 12172.8 to the Government Code, relating to the Secretary of State.

LEGISLATIVE COUNSEL'S DIGEST

AB 2371, as amended, Anderson. Secretary of State: voter registration fraud.

Existing law makes the Secretary of State the chief elections officer of the state and requires the Secretary of State to see that state election laws are enforced. Under existing law, if the Secretary of State concludes that the state election laws are not being enforced, the Secretary of State must call the violation to the attention of the district attorney or the Attorney General.

This bill would ~~impose additional duties on the Secretary of State~~ *require the Secretary of State to acknowledge the receipt of a complaint within a specified amount of time* when a county registrar makes a written complaint alleging voter registration fraud to the Secretary of State.

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 12172.8 is added to the Government
- 2 Code, to read:

1 12172.8. If a county registrar of voters makes a written  
2 complaint alleging that voter registration fraud has occurred within  
3 his or her county to the Secretary of State, the Secretary of State  
4 shall ~~do both of the following~~:

5 (a) ~~Acknowledge~~ *acknowledge* in writing receipt of the  
6 complaint to the county registrar of voters who made the complaint,  
7 within ~~five~~ 21 days of its receipt.

8 (b) ~~Determine whether the relevant provision of the Elections~~  
9 ~~Code or other law alleged to be violated is being enforced. If the~~  
10 ~~Secretary of State determines that the provision is not being~~  
11 ~~enforced, the Secretary of State, within 60 calendar days of receipt~~  
12 ~~of the written complaint, shall bring the alleged violation to the~~  
13 ~~attention of the district attorney of the county or the Attorney~~  
14 ~~General, and shall notify the county registrar of voters who made~~  
15 ~~the complaint that the alleged violation has been forwarded to the~~  
16 ~~appropriate prosecuting authority.~~