

AMENDED IN SENATE JUNE 21, 2010

AMENDED IN ASSEMBLY APRIL 15, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2467

Introduced by Assembly Member Monning

February 19, 2010

An act to amend ~~Section~~ *Sections 3006 and 3007.5* of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2467, as amended, Monning. Elections: vote by mail.

~~Existing~~ *Existing* law permits a voter to apply to his or her elections official for a vote by mail ballot between the 29th and the 7th day prior to an election. Existing law requires the Secretary of State to prepare and distribute to appropriate elections officials a uniform electronic application for a vote by mail ballot. Existing law requires *a printed application for a vote by mail ballot that is to be distributed to voters and the uniform electronic application prepared by the Secretary of State* to contain space to provide specified information, including the date on which the application must be received by the elections official prior to the election. Existing law also requires *a printed application and the uniform electronic application* to contain specified statements related to voting.

This bill would delete the requirement that *a printed application and the uniform electronic application* contain space to include the date on which the application is due and would instead ~~provide~~ *require* that ~~the uniform electronic an~~ application state that the application is due 7 days

prior to the election. The bill would provide that the specified statements related to voting be substantially similar to those statements currently found in these provisions.

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

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

1 SECTION 1. Section 3006 of the Elections Code is amended
 2 to read:
 3 3006. (a) ~~Any~~A printed application that is to be distributed to
 4 ~~voters~~ a voter for requesting a vote by mail ~~ballots~~ voter's ballot
 5 shall inform the voter that the application for the vote by mail
 6 voter's ballot must be received by the elections official not later
 7 than seven days prior to the date of the election and shall contain
 8 spaces for the following:
 9 (1) The printed name and residence address of the voter as it
 10 appears on the affidavit of registration.
 11 (2) The address to which the ballot is to be mailed.
 12 (3) The voter's signature.
 13 (4) The name and date of the election for which the request is
 14 to be made.
 15 ~~(5) The date the application must be received by the elections~~
 16 ~~official.~~
 17 (b) (1) The information required by paragraphs (1); *and* (4);
 18 ~~and (5)~~ of subdivision (a) may be preprinted on the application.
 19 The information required by paragraphs (2) and (3) of subdivision
 20 (a) shall be personally affixed by the voter.
 21 (2) An address, as required by paragraph (2) of subdivision (a),
 22 may not be the address of ~~any~~ a political party, a political campaign
 23 headquarters, or a candidate's residence. However, a candidate,
 24 his or her spouse, immediate family members, and any other voter
 25 who shares the same residence address as the candidate may request
 26 that a vote by mail ballot be mailed to the candidate's residence
 27 address.
 28 (3) ~~Any~~An application that contains preprinted information
 29 shall contain a conspicuously printed statement, ~~as follows~~
 30 *substantially similar to the following*: "You have the legal right
 31 to mail or deliver this application directly to the local elections
 32 official of the county where you reside."

1 (c) The application shall inform the voter that if he or she is not
2 affiliated with a political party, the voter may request a vote by
3 mail ballot for a particular political party for the primary election,
4 if that political party has adopted a party rule, duly noticed to the
5 Secretary of State, authorizing that vote. The application shall
6 contain a toll-free telephone number, established by the Secretary
7 of State, that the voter may call to access information regarding
8 which political parties have adopted such a rule. The application
9 shall contain a checkoff box with a conspicuously printed statement
10 that reads, ~~as follows~~ *substantially similar to the following*: “I am
11 not presently affiliated with any political party. However, for this
12 primary election only, I request a vote by mail ballot for the
13 _____ Party.” The name of the political party shall be
14 personally affixed by the voter.

15 (d) The application shall provide the voters with information
16 concerning the procedure for establishing permanent vote by mail
17 voter status, and the basis upon which permanent vote by mail
18 voter status is claimed.

19 (e) The application shall be attested to by the voter as to the
20 truth and correctness of its content, and shall be signed under
21 penalty of perjury.

22 ~~SECTION 1.~~

23 *SEC. 2.* Section 3007.5 of the Elections Code is amended to
24 read:

25 3007.5. (a) The Secretary of State shall prepare and distribute
26 to appropriate elections officials a uniform electronic application
27 format for a vote by mail voter’s ballot that conforms to this
28 section.

29 (b) The uniform electronic application shall inform the voter
30 that the application for the vote by mail voter’s ballot must be
31 received by the elections official not later than seven days prior
32 to the date of the election and shall contain spaces for at least the
33 following information:

34 (1) The name and residence address of the registered voter as
35 it appears on the affidavit of registration.

36 (2) The address to which the ballot is to be mailed.

37 (3) The name and date of the election for which the request is
38 made.

39 (4) The date of birth of the registered voter.

1 (c) The uniform electronic application shall inform the voter
2 that if he or she is not affiliated with a political party, the voter
3 may request a vote by mail ballot for a particular political party
4 for the primary election, if that political party has adopted a party
5 rule, duly noticed to the Secretary of State, authorizing that vote.
6 The application shall contain a toll-free telephone number,
7 established by the Secretary of State, that the voter may call to
8 access information regarding which political parties have adopted
9 such a rule. The application shall list the parties that have notified
10 the Secretary of State of the adoption of such a rule. The
11 application shall contain a checkoff box with a conspicuously
12 printed statement that reads substantially similar to the following:
13 “I am not presently affiliated with any political party. However,
14 for this primary election only, I request a vote by mail ballot for
15 the ____ Party.” The name of the political party shall be personally
16 affixed by the voter.

17 (d) The uniform electronic application shall contain a
18 conspicuously printed statement substantially similar to the
19 following: “Only the registered voter himself or herself may apply
20 for a vote by mail ballot. An application for a vote by mail ballot
21 made by a person other than the registered voter is a criminal
22 offense.”

23 (e) The uniform electronic application shall include a statement
24 substantially similar to the following: “A ballot will not be sent to
25 you if this application is incomplete or inaccurate.”

26 (f) The uniform electronic application format shall not permit
27 the form to be electronically submitted unless all of the information
28 required to complete the application is contained in the appropriate
29 fields.