

Assembly Bill No. 193

CHAPTER 137

An act to add Section 12287.5 to the Elections Code, relating to elections.

[Approved by Governor July 27, 2011. Filed with
Secretary of State July 27, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 193, Knight. Polling place designation.

Existing law provides requirements for local elections officials to designate public and private properties and facilities for use as polling places.

This bill would prohibit a polling place from being designated at a single-family residence where a registered sex offender resides, and would require elections officials to consult the Megan's Law sex offenders' database maintained by the Department of Justice not more than 60 days prior to designating a single-family residence as a polling place.

Because this bill would impose additional duties on local elections officials in designating a polling place, 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.

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

SECTION 1. Section 12287.5 is added to the Elections Code, to read:

12287.5. A single-family residence shall not be designated as a polling place if elections officials determine that it has the registered address of a person who is required to register pursuant to the Sex Offender Registration Act. Elections officials shall, not more than 60 days prior to designating a single-family residence as a polling place, use the Megan's Law Internet Web site maintained by the Department of Justice to determine if the residence has the registered address of a sex offender. In accordance with subdivision (k) of Section 290.46 of the Penal Code, an elections official who is required to register as a sex offender shall be prohibited from accessing the Megan's Law public Internet Web site.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and

school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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