

ASSEMBLY BILL

No. 481

Introduced by Assembly Member Gordon

February 15, 2011

An act to amend Section 101 of, and to add Sections 101.5, 336.7, and 357.5 to, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 481, as introduced, Gordon. Petitions: signature gatherers.

Under existing law, an initiative petition must contain specified language advising the public of its right to ask whether the person circulating the petition is a paid signature gatherer or a volunteer.

This bill instead would require an initiative, referendum, or recall petition to reflect, in specified language, whether it is being circulated by a paid circulator or by a volunteer.

This bill would also require an individual who receives compensation to circulate an initiative, referendum, or recall petition to wear a badge stating, in no smaller than 30-point font, that he or she is a "paid" signature gatherer. The bill would require the individual circulating the initiative, referendum, or recall petition to wear the badge on his or her chest in clear view of all individuals signing or asked to sign the petition.

This bill would also define "volunteer" and "paid circulator."

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 101 of the Elections Code is amended to
2 read:

1 101. Notwithstanding any other provision of law, any state or
2 local initiative, *referendum*, or *recall* petition required to be signed
3 by voters shall contain in 12-point type, prior to that portion of the
4 petition for voters’ signatures, printed names, and residence
5 addresses, the following language:

6 (a) *If the petition is circulated by a paid circulator the phrase*
7 *“PAID CIRCULATOR” shall appear in 24-point type above the*
8 *following language which shall appear in 12-point type:*

9
10 “NOTICE TO THE PUBLIC
11
12 ~~THIS PETITION MAY BE IS BEING CIRCULATED BY A PAID~~
13 ~~SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE~~
14 ~~THE RIGHT TO ASK PERSON WHO IS BEING PAID TO~~
15 ~~COLLECT SIGNATURES.”~~

16 (b) *If the petition is being circulated by a volunteer the phrase*
17 *“VOLUNTEER CIRCULATOR” shall appear in 24-point type*
18 *above the following language which shall appear in 12-point type:*

19
20 “NOTICE TO THE PUBLIC
21
22 *THIS PETITION IS BEING CIRCULATED BY A VOLUNTEER.”*

23 SEC. 2. Section 101.5 is added to the Elections Code, to read:

24 101.5. (a) An individual who receives compensation to
25 circulate an initiative, referendum, or recall petition shall identify
26 himself or herself as a paid signature gatherer by wearing a badge
27 stating “PAID SIGNATURE GATHERER.”

28 (b) The individual circulating an initiative, referendum, or recall
29 petition shall wear the badge required by subdivision (a) on his or
30 her chest in clear view of all individuals signing or asked to sign
31 the petition.

32 (c) The print on the badge shall be no smaller than 30-point
33 font.

34 SEC. 3. Section 336.7 is added to the Elections Code, to read:

35 336.7. “Paid circulator,” for the purpose of circulating an
36 initiative, referendum, or recall petition, means any person who is
37 compensated in any manner for collecting petition signatures to
38 qualify a state or local initiative, referendum, or recall measure.

39 SEC. 4. Section 357.5 is added to the Elections Code, to read:

1 357.5. "Volunteer," for the purpose of circulating an initiative,
2 referendum, or recall petition, means a person who is not a paid
3 circulator.

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