

AMENDED IN ASSEMBLY APRIL 5, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 481

Introduced by Assembly Member Gordon
(Coauthor: Assembly Member Hueso)

February 15, 2011

An act to amend Section 101 of, and to add Sections 101.5, 101.6, 336.7, and 357.5 to, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 481, as amended, 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~~ *circulates* an initiative, referendum, or recall petition to wear a badge stating, in no smaller than 30-point ~~font~~ *type*, that he or she is *either* a “paid” signature gatherer *or* “volunteer” 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.”~~ *the terms “paid circulator,” “paid signature gatherer,” “volunteer,” and “volunteer signature gatherer” for these purposes.*

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:

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

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

11 “NOTICE TO THE PUBLIC

12 THIS PETITION IS BEING CIRCULATED BY A PERSON
13 WHO IS BEING PAID TO COLLECT SIGNATURES.”
14

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

18 “NOTICE TO THE PUBLIC

19 THIS PETITION IS BEING CIRCULATED BY A
20 VOLUNTEER.”
21

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

23 101.5. (a) An individual who receives compensation to
24 circulate an initiative, referendum, or recall petition shall identify
25 himself or herself as a paid signature gatherer by wearing a badge
26 stating “PAID SIGNATURE GATHERER.”

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

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

33 SEC. 3. Section 101.6 is added to the Elections Code, to read:

1 101.6. (a) *An individual who does not receive compensation*
 2 *to circulate an initiative, referendum, or recall petition shall*
 3 *identify himself or herself as a volunteer signature gatherer by*
 4 *wearing a badge stating: “VOLUNTEER SIGNATURE*
 5 *GATHERER.”*

6 (b) *The individual circulating and initiative, referendum, or*
 7 *recall petition shall wear the badge required by subdivision (a)*
 8 *on his or her chest in clear view of all individuals signing or asked*
 9 *to sign the petition.*

10 (c) *The print on the badge shall be no smaller than 30-point*
 11 *type.*

12 ~~SEC. 3.~~

13 SEC. 4. Section 336.7 is added to the Elections Code, to read:

14 336.7. ~~“Paid circulator,”~~ *circulator*” or *“paid signature*
 15 *gatherer,”* for the purpose of circulating an initiative, referendum,
 16 or recall petition, means any person who is compensated in any
 17 manner for collecting petition signatures to qualify a state or local
 18 initiative, referendum, or recall measure.

19 ~~SEC. 4.~~

20 SEC. 5. Section 357.5 is added to the Elections Code, to read:

21 357.5. ~~“Volunteer,”~~ *Volunteer*” or *“volunteer signature*
 22 *gatherer,”* for the purpose of circulating an initiative, referendum,
 23 or recall petition, means a person who is not a paid circulator.