

AMENDED IN ASSEMBLY MARCH 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 945

Introduced by Assembly Member Donnelly

February 18, 2011

An act to ~~add Section 14215.5 to~~ amend Section 3011 of, and to add Sections 3020.5 and 14215.5 to, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 945, as amended, Donnelly. Elections: ~~voter identification~~ voting procedures.

Existing law requires that the identification envelope for returning a vote by mail ballot contain specified information and that a vote by mail ballot be received by the issuing elections official or the precinct board no later than the close of polls on election day.

This bill would additionally require that the identification envelope include a verification panel, concealed during mailing, setting forth the last 4 digits of the voter's California driver's license or identification card number or, if unavailable, the last 4 digits of the voter's social security number and a security flap that would conceal voter's identification information during mailing.

This bill would make an exception from the deadline for returning a vote by mail ballot for specified members of the military stationed outside of the United States, instead requiring that their vote by mail ballot be postmarked on or before election day and received by their elections official not later than 21 days after election day.

Existing law requires that a person desiring to vote announce his or her name and address to the precinct board member at the polling place

and then write the information in the index, except for specified exceptions.

This bill would require a person desiring to vote to produce and show a valid form of state-issued photographic identification to the precinct worker at the polling place.

Because this bill would increase the duties of local elections officials regarding conducting elections, 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.

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

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

1 *SECTION 1. Section 3011 of the Elections Code is amended*
 2 *to read:*

3 3011. (a) The identification envelope shall contain all of the
 4 following:

5 (1) A declaration, under penalty of perjury, stating that the voter
 6 resides within the precinct in which he or she is voting and is the
 7 person whose name appears on the envelope.

8 (2) The signature of the voter *and the last four digits of the*
 9 *voter's California driver's license number or California*
 10 *identification card number, or if the voter has neither, the last four*
 11 *digits of the voter's social security number. The signature and*
 12 *numeric identifying information shall be verified as being*
 13 *consistent with the voter's state or federal records, prior to*
 14 *counting the ballot .*

15 (3) The residence address of the voter as shown on the affidavit
 16 of registration.

17 (4) The date of signing.

18 (5) A notice that the envelope contains an official ballot and is
 19 to be opened only by the canvassing board.

1 (6) A warning plainly stamped or printed on it that voting twice
2 constitutes a crime.

3 (7) A warning plainly stamped or printed on it that the voter
4 must sign the envelope in his or her own handwriting in order for
5 the ballot to be counted.

6 (8) A statement that the voter has neither applied, nor intends
7 to apply, for a vote by mail voter's ballot from any other
8 jurisdiction for the same election.

9 (9) The name of the person authorized by the voter to return the
10 vote by mail ballot pursuant to Section 3017.

11 (10) The relationship to the voter of the person authorized to
12 return the vote by mail ballot.

13 (11) The signature of the person authorized to return the vote
14 by mail ballot.

15 (12) *A security flap or sleeve to conceal the voter's signature*
16 *and identifying information during mailing.*

17 (b) Except at a primary election for partisan office, and
18 notwithstanding any other provision of law, the vote by mail voter's
19 party affiliation may not be stamped or printed on the identification
20 envelope.

21 *SEC. 2. Section 3020.5 is added to the Elections Code, to read:*
22 *3020.5. Notwithstanding Sections 3020, 3311, and 4103, or*
23 *any other provision of law, a vote by mail ballot of a member of*
24 *the Armed Forces of the United States who is an "absent uniformed*
25 *services voter," as defined in subsection (1) of Section 1973ff-6*
26 *of Title 42 of the United States Code, shall be timely cast if*
27 *postmarked or signed and dated on or before election day and*
28 *received by the voter's elections official not later than 21 days*
29 *after election day.*

30 ~~SECTION 1.~~

31 *SEC. 3.* Section 14215.5 is added to the Elections Code, to
32 read:

33 14215.5. A person desiring to vote shall first produce and show
34 to the precinct worker at the polling place a valid, state-issued
35 form of photographic identification.

36 ~~SEC. 2.~~

37 *SEC. 4.* If the Commission on State Mandates determines that
38 this act contains costs mandated by the state, reimbursement to
39 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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