

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1724**

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**Introduced by Assembly Member Fong**

February 16, 2012

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An act to amend Section ~~3001~~ 14224 of, and to repeal Section 19363 of, the Elections Code, relating to ~~elections~~ voting.

LEGISLATIVE COUNSEL'S DIGEST

AB 1724, as amended, Fong. ~~Elections: vote by mail voting. Voting: polling place procedures.~~

*Existing law establishes procedures to be followed at polling places on election day. Existing law provides that a voter may not remain in or occupy a voting booth or compartment longer than is necessary to mark his or her ballot, which may not exceed either 5 or 10 minutes, as specified, but permits a voter to remain for a longer period of time if no other voter would be inconvenienced.*

*This bill would delete the provision permitting a voter to remain for a longer period of time if no other voter would be inconvenienced and would, instead, permit a voter to remain for longer than 10 minutes if the voter informs a precinct board member that the voter requires additional time to mark his or her ballot.*

*This bill would also repeal the provisions that limit a voter to 5 minutes in a voting booth or compartment while marking his or her ballot using a voting machine.*

~~Under existing law, an application for a vote by mail ballot shall be made by a voter to an elections official having jurisdiction over the election between the 29th and 7th days prior to the election.~~

This bill would make nonsubstantive changes to the above-described 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 14224 of the Elections Code is amended  
2 to read:

3 14224. Except as provided in Section 14222, voting booths or  
4 compartments shall not be occupied by more than one person at a  
5 time, unless the voter is eligible under the assisted-voter provisions.  
6 Voters shall not remain in or occupy the booths or compartments  
7 longer than is necessary to mark their ballots, which shall not  
8 exceed 10 minutes. However, ~~where no other voter would be~~  
9 ~~inconvenienced if a voter informs a precinct board member that~~  
10 ~~the voter requires additional time to mark his or her ballot,~~ a longer  
11 period shall be allowed.

12 SEC. 2. Section 19363 of the Elections Code is repealed.

13 ~~19363. Voters shall not remain in or occupy the booths or~~  
14 ~~compartments longer than is necessary to mark their ballots, which~~  
15 ~~shall not exceed five minutes. However, where no other voter~~  
16 ~~would be inconvenienced, a longer period shall be allowed.~~

17 SECTION 1. ~~Section 3001 of the Elections Code is amended~~  
18 ~~to read:~~

19 ~~3001. Except as provided in Chapter 3 (commencing with~~  
20 ~~Section 3200) and Sections 3007.5 and 3007.7, application for a~~  
21 ~~vote by mail voter's ballot shall be made in writing to the elections~~  
22 ~~official having jurisdiction over the election between the 29th and~~  
23 ~~the 7th day prior to the election. The application shall be signed~~  
24 ~~by the applicant and shall show his or her place of residence. Any~~  
25 ~~applications received by the elections official prior to the 29th day~~  
26 ~~prior to the election shall be kept and processed during the~~  
27 ~~application period.~~