

AMENDED IN ASSEMBLY MAY 10, 2012
AMENDED IN ASSEMBLY MARCH 29, 2012
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1724

Introduced by Assembly Member Fong

February 16, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1724, as amended, Fong. 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. *However, if the precinct board member determines that the voter is attempting to interfere with the conduct of the election and does not require additional time to mark his or her ballot, this bill would permit the precinct board member to contact the elections official, who would be authorized to order that the voter not be provided with 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.

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. (a) Except as provided in Section 14222, a voting
4 ~~booths~~ *booth* or ~~compartments~~ *compartment* shall not be occupied
5 by more than one person at a time, unless the voter is eligible under
6 the assisted-voter provisions. ~~Voters~~

7 (b) (1) *Except as provided in paragraph (2), a voter shall not*
8 *remain in or occupy* ~~the booths or compartments~~ *a voting booth*
9 *or compartment* longer than is necessary to mark ~~their ballots~~ *his*
10 *or her ballot*, which shall not exceed 10 minutes. ~~However, if~~

11 (2) *If a voter informs a precinct board member that the voter*
12 *requires additional time to mark his or her ballot, a longer period*
13 *shall be allowed. However, if the precinct board member*
14 *determines that the voter is attempting to interfere with the conduct*
15 *of the election and does not require additional time to mark his or*
16 *her ballot, the precinct board member may contact the elections*
17 *official, who may order that the voter not be provided with*
18 *additional time to mark his or her ballot.*

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 Section 19363 of the Elections Code is repealed.