

ASSEMBLY BILL

No. 2479

Introduced by Assembly Member Donnelly

February 24, 2012

An act to repeal Section 2112 of, and to repeal and add Section 2111 of, the Elections Code, relating to voter registration.

LEGISLATIVE COUNSEL'S DIGEST

AB 2479, as introduced, Donnelly. Voter registration: proof of citizenship.

(1) Under the California Constitution, a United States citizen 18 years of age and resident in the state has the right to vote. Existing law establishes procedures regarding the registration of voters. A person may not be registered to vote except by affidavit of registration. A person is allowed to prove his or her citizenship by certification under penalty of perjury on the affidavit of registration.

This bill would instead require a person to prove citizenship by presenting, or submitting a copy of, the person's birth certificate, United States passport, United States naturalization documents, documents or methods of proof established pursuant to the Immigration Reform and Control Act of 1986, or Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number. By increasing the duties of local elections officials regarding the registration of voters, the bill would impose a state-mandated local program.

(2) 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 Section 2111 of the Elections Code is repealed.
2 ~~2111. A person may prove he or she is a citizen by his or her~~
3 ~~certification under penalty of perjury on the affidavit of registration.~~
4 SEC. 2. Section 2111 is added to the Elections Code, to read:
5 2111. (a) A person shall not be registered to vote unless the
6 person submits or presents one of the following as proof of United
7 States citizenship:
8 (1) A birth certificate.
9 (2) A United States passport.
10 (3) United States naturalization documents.
11 (4) Documents or methods of proof established pursuant to the
12 Immigration Reform and Control Act of 1986 (P.L. 99-603).
13 (5) A Bureau of Indian Affairs card number, tribal treaty card
14 number, or tribal enrollment number.
15 (b) A person seeking to register to vote may submit a legible
16 photocopy of a form of proof described in subdivision (a) or present
17 the original to a person designated by the elections official or voter
18 registration agency.
19 (c) This section does not invalidate a voter registration
20 completed before January 1, 2013, or require a registered voter to
21 meet the requirements of this section upon a change of address.
22 SEC. 3. Section 2112 of the Elections Code is repealed.
23 ~~2112. Notwithstanding any other provision of law to the~~
24 ~~contrary, the fact that a person certifies to his or her United States~~
25 ~~citizenship by signing his or her affidavit of registration shall be~~
26 ~~deemed evidence of citizenship for voting purposes only.~~
27 SEC. 4. If the Commission on State Mandates determines that
28 this act contains costs mandated by the state, reimbursement to
29 local agencies and school districts for those costs shall be made
30 pursuant to Part 7 (commencing with Section 17500) of Division
31 4 of Title 2 of the Government Code.

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