

AMENDED IN ASSEMBLY MAY 24, 2013
AMENDED IN ASSEMBLY APRIL 10, 2013
AMENDED IN ASSEMBLY MARCH 19, 2013
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 149

Introduced by Assembly Member Weber

January 18, 2013

An act to add Section 2105.5 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 149, as amended, Weber. Voting rights: ~~inmates and persons formerly incarcerated.~~ *county probation departments.*

Existing law provides that in order to be entitled to register to vote a person must be a United States citizen, a resident of California, 18 years of age, and not be incarcerated or on parole for a felony conviction.

This bill would require ~~the Department of Corrections and Rehabilitation, county jails, and county probation departments to provide specified voting rights information to persons under their jurisdictions~~ *each county probation department to either establish and maintain on the county probation department's Internet Web site a hyperlink to the Secretary of State's voting rights guide for incarcerated persons or post a notice with the Internet Web site address that contains the Secretary of State's voting rights guide for incarcerated persons in each probation office where probationers are seen.* By imposing new duties on ~~county jails and~~ county probation departments, the bill 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. The Legislature finds and declares that many~~
2 ~~people with criminal convictions, whether they are presently~~
3 ~~servng a sentence or have completed a sentence, are unaware that~~
4 ~~they may be eligible to vote. It is the intent of the Legislature to~~
5 ~~encourage the Department of Corrections and Rehabilitation,~~
6 ~~county jails, and county probation departments to provide voter~~
7 ~~eligibility information and affidavits of registration to eligible~~
8 ~~voters consistent with this act.~~

9 ~~SEC. 2. Section 2105.5 is added to the Elections Code, to read:~~

10 ~~2105.5. (a) The Department of Corrections and Rehabilitation~~
11 ~~shall do all of the following with respect to each parolee under the~~
12 ~~jurisdiction of the department upon the completion of his or her~~
13 ~~parole:~~

14 ~~(1) Provide the parolee the most recent version of the Secretary~~
15 ~~of State’s voting rights guide for incarcerated persons.~~

16 ~~(2) Inform the parolee, at the time the parolee is provided the~~
17 ~~guide described in paragraph (1), that he or she may be eligible to~~
18 ~~vote.~~

19 ~~(3) Provide the parolee an affidavit of registration.~~

20 ~~(b) Each county jail shall do all of the following with respect~~
21 ~~to each inmate of the jail:~~

22 ~~(1) Provide the inmate the most recent version of the Secretary~~
23 ~~of State’s voting rights guide for incarcerated persons.~~

24 ~~(2) Provide the inmate, upon the inmate’s request, an affidavit~~
25 ~~of registration if the inmate is eligible to register to vote.~~

26 ~~(c) Each county probation department shall do all of the~~
27 ~~following with respect to each person under the department’s~~
28 ~~supervision:~~

1 ~~(1) Provide the person the most recent version of the Secretary~~
2 ~~of State’s voting rights guide for incarcerated persons.~~

3 ~~(2) Inform the person, at the time the person is provided the~~
4 ~~guide described in paragraph (1), that he or she may be eligible to~~
5 ~~vote.~~

6 ~~(3) Provide the person, upon the person’s request, an affidavit~~
7 ~~of registration if the person is eligible to register to vote.~~

8 ~~(d) The Department of Corrections and Rehabilitation, county~~
9 ~~jails, and county probation departments shall obtain affidavits of~~
10 ~~registration from county elections officials and the voting rights~~
11 ~~guide from the Secretary of State.~~

12 *SECTION 1. Section 2105.5 is added to the Elections Code,*
13 *to read:*

14 *2105.5. Each county probation department shall do one of the*
15 *following:*

16 *(a) Establish and maintain on the county probation department’s*
17 *Internet Web site a hyperlink to the Internet Web site at which the*
18 *Secretary of State’s voting rights guide for incarcerated persons*
19 *may be found.*

20 *(b) Post, in each probation office where probationers are seen,*
21 *a notice that contains the Internet Web site address at which the*
22 *Secretary of State’s voting rights guide for incarcerated persons*
23 *may be found.*

24 ~~SEC. 3.~~

25 *SEC. 2. If the Commission on State Mandates determines that*
26 *this act contains costs mandated by the state, reimbursement to*
27 *local agencies and school districts for those costs shall be made*
28 *pursuant to Part 7 (commencing with Section 17500) of Division*
29 *4 of Title 2 of the Government Code.*