

Assembly Bill No. 331

CHAPTER 98

An act to amend Sections 10403 and 10418 of the Elections Code, relating to elections.

[Approved by Governor August 13, 2013. Filed with Secretary of State August 13, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 331, Garcia. Consolidation of elections.

Under existing law, whenever two or more elections are called to be held on the same day, in the same territory, or in territory that is in part the same, the elections may be consolidated. If one of the elections to be consolidated is a statewide election or a specified local election, existing law requires the consolidated election to be held and conducted, and all other proceedings incidental to and connected with the election to be regulated and done, in accordance with the provisions of law regulating the statewide or regularly scheduled election.

This bill would additionally specify that whenever an election is consolidated with a special election, the consolidated election shall be held and conducted, and all other proceedings incidental to and connected with the election to be regulated and done, in accordance with the provisions of law regulating the special election.

Under existing law, if an election called by a district, city, or other political subdivision is to be consolidated with a statewide election, as specified, the district, city, or other political subdivision must file with the board of supervisors and the county elections official a resolution of its governing board that, among other things, requests the consolidation.

This bill would require the resolution to acknowledge that the consolidated election will be held and conducted in accordance with the provisions of law regulating the statewide election.

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

SECTION 1. Section 10403 of the Elections Code is amended to read:

10403. (a) Whenever an election called by a district, city, or other political subdivision for the submission of a question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for the statewide election, the district, city, or other political subdivision shall, at least 88 days prior to the date of the election, file with

the board of supervisors, and a copy with the elections official, a resolution of its governing board that does all of the following:

(1) Requests that the district, city, or other political subdivision election be consolidated with the statewide election.

(2) Sets forth the exact form of the question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. The question or proposition to appear on the ballot shall conform to this code governing the wording of propositions submitted to the voters at a statewide election.

(3) Acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418.

(b) The resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election.

(c) The names of the candidates to appear upon the ballot where district, city, or other political subdivision offices are to be filled shall be filed with the county elections official no later than 81 days prior to the election.

SEC. 2. Section 10418 of the Elections Code is amended to read:

10418. (a) Whenever an election is to be held on the same day as a statewide election, a special election, or an election held pursuant to Section 1302 or 1303, the election may be consolidated with the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable. If consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable.

(b) The precincts used at the consolidated election shall be those used for the statewide, special, or regularly scheduled election and, where necessary, the county elections official may adjust precinct lines to coincide with the boundaries of the particular jurisdiction.