

Assembly Bill No. 813

CHAPTER 112

An act to amend Sections 15372 and 15501 of the Elections Code, relating to elections.

[Approved by Governor August 16, 2013. Filed with
Secretary of State August 16, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 813, Melendez. Election results.

Existing law requires each local elections official to prepare a certified statement of the results of each election, and requires the Secretary of State to compile election results and prepare, certify, and file a statement of the vote from the compiled results.

This bill would require the certified statement of the results of the election and the certified statement of the vote to be posted on the Internet Web sites of each local elections official and the Secretary of State in a downloadable spreadsheet format, as specified, for a period of at least 10 years. By imposing new duties on local elections officials, 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.

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

SECTION 1. Section 15372 of the Elections Code is amended to read:

15372. (a) The elections official shall prepare a certified statement of the results of the election and submit it to the governing body within 28 days of the election or, in the case of school district, community college district, county board of education, or special district elections conducted on the first Tuesday after the first Monday in November of odd-numbered years, no later than the last Monday before the last Friday of that month.

(b) The elections official shall post the certified statement of the results of the election on his or her Internet Web site in a downloadable spreadsheet format that may include, but is not limited to, a comma-separated values file or a tab-separated values file and that is compatible with a spreadsheet software application that is widely used at the time of the posting. The certified statement of the election results shall be posted and maintained on

the elections official's Internet Web site for a period of at least 10 years following the election. This subdivision shall apply only to an elections official who uses a computer system that has the capability of producing the election results in a downloadable spreadsheet format without requiring modification of the computer system.

SEC. 2. Section 15501 of the Elections Code is amended to read:

15501. (a) Except as to presidential electors, the Secretary of State shall compile the results for all of the following:

- (1) All candidates for statewide office.
- (2) All candidates for Assembly, State Senate, Congress, State Board of Equalization, Supreme Court, and Courts of Appeal.
- (3) All statewide measures.

(b) The Secretary of State shall prepare, certify, and file a statement of the vote from the compiled results no later than the 38th day after the election. The Secretary of State shall post the certified statement of the vote on his or her Internet Web site in a downloadable spreadsheet format that may include, but is not limited to, a comma-separated values file or a tab-separated values file and that is compatible with a spreadsheet software application that is widely used at the time of the posting. The certified statement of the vote shall be posted and maintained on the Secretary of State's Internet Web site for a period of at least 10 years following the election.

(c) The Secretary of State may gather returns for local elections, including, but not limited to, the following:

- (1) Candidates for county office.
- (2) Candidates for city office.
- (3) Candidates for school and district office.
- (4) County ballot measures.
- (5) City ballot measures.
- (6) School and district ballot measures.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.