

AMENDED IN ASSEMBLY MAY 14, 2013

AMENDED IN ASSEMBLY APRIL 29, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 817**

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**Introduced by Assembly Member Bonta**

February 21, 2013

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An act to amend Sections 12300 and 12302 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 817, as amended, Bonta. Elections officials.

Existing law authorizes an elections official to appoint any voter to serve as a precinct board member, as specified.

This bill would additionally authorize an elections official to appoint a person who is a lawful permanent resident of the United States, *as specified*, and who is otherwise eligible to register to vote, except for his or her lack of United States citizenship, to serve as a precinct board member. *The bill would provide that a nonvoter appointed to serve as a precinct board member is prohibited from being used by the precinct board to tally votes.*

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 12300 of the Elections Code is amended
- 2 to read:

1 12300. Any voter, or any individual who possesses the  
2 qualifications set forth in subdivision (c) of Section 12302, may  
3 file an application with the elections official for the position of  
4 precinct board member. The elections official may require the  
5 application be made on specific forms supplied by the elections  
6 official.

7 SEC. 2. Section 12302 of the Elections Code is amended to  
8 read:

9 12302. (a) Except as provided in subdivisions (b) and (c), a  
10 member of a precinct board shall be a voter of the state. The  
11 member may serve only in the precinct for which his or her  
12 appointment is received.

13 (b) (1) In order to provide for a greater awareness of the  
14 elections process, the rights and responsibilities of voters, and the  
15 importance of participating in the electoral process, as well as to  
16 provide additional members of precinct boards, an elections official  
17 may appoint not more than five pupils per precinct to serve under  
18 the direct supervision of precinct board members designated by  
19 the elections official. A pupil may be appointed, notwithstanding  
20 his or her lack of eligibility to vote, subject to the approval of the  
21 governing board of the educational institution in which the pupil  
22 is enrolled, if the pupil possesses the following qualifications:

23 (A) Is at least 16 years of age at the time of the election for  
24 which he or she is serving as a member of a precinct board.

25 (B) Is a United States citizen or will be a citizen at the time of  
26 the election for which he or she is serving as a member of a precinct  
27 board.

28 (C) Is a pupil in good standing attending a public or private  
29 secondary educational institution.

30 (D) Is a pupil who has a grade point average of at least 2.5 on  
31 a 4.0 scale.

32 (2) A pupil appointed pursuant to this subdivision may not be  
33 used by a precinct board to tally votes.

34 (c) (1) In order to promote civic engagement among residents  
35 of the state and to provide additional members of precinct boards,  
36 an elections official may appoint not more than five nonvoters per  
37 precinct to serve as precinct board members. A nonvoter may be  
38 appointed, notwithstanding his or her lack of eligibility to vote, if  
39 the nonvoter possesses the following qualifications:

40 (1)

1 (A) Is a lawful permanent resident of the United States in  
2 accordance with the provisions of Section 245A of the federal  
3 Immigration and Nationality Act (8 U.S.C. Sec. 1255a).

4 ~~(2)~~

5 (B) Is otherwise eligible to register to vote pursuant to Section  
6 2101 except for his or her lack of United States citizenship.

7 (2) A nonvoter appointed to a precinct board pursuant to this  
8 subdivision shall not be used by the precinct board to tally votes.

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