

AMENDED IN SENATE JUNE 25, 2013

AMENDED IN SENATE JUNE 11, 2013

AMENDED IN ASSEMBLY MAY 20, 2013

AMENDED IN ASSEMBLY MAY 14, 2013

AMENDED IN ASSEMBLY APRIL 29, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

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**ASSEMBLY BILL**

**No. 817**

**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 lawfully admitted for permanent residence in 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 serving as or performing the duties of the inspector of a precinct board, or 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:

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

9 SEC. 2. Section 12302 of the Elections Code is amended to  
10 read:

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

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

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

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

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

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

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

36 (c) (1) In order to promote civic engagement among residents  
37 of the state and to provide additional members of precinct boards,  
38 an elections official may appoint not more than five nonvoters per

1 precinct to serve as precinct board members. A nonvoter may be  
2 appointed, notwithstanding his or her lack of eligibility to vote, if  
3 the nonvoter possesses the following qualifications:

4 (A) Is lawfully admitted for permanent residence in the United  
5 States, as defined in Section 101(a)(20) of the federal Immigration  
6 and Nationality Act (8 U.S.C. Sec. 1101(a)(20)).

7 (B) Is otherwise eligible to register to vote pursuant to Section  
8 2101 except for his or her lack of United States citizenship.

9 (2) A nonvoter appointed to a precinct board pursuant to this  
10 subdivision shall not be permitted to do either of the following:

11 (A) Serve as, or perform any of the duties of, the inspector of,  
12 of a precinct board.

13 (B) Tally votes for the precinct board.