

ASSEMBLY BILL

No. 1170

Introduced by Assembly Member Donnelly

February 22, 2013

An act to amend Section 2226 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1170, as introduced, Donnelly. Voters: registration cancellation.

Existing law requires the county elections official to conduct a preelection residence confirmation procedure by mailing a specified nonforwardable postcard to each registered voter of the county by the 90th day immediately prior to the direct primary election or to contract with a consumer credit reporting agency or its licensees to obtain change-of-address data. Existing law authorizes a county elections official to cancel the voter registration of a voter whose name has been placed on an inactive file of registered voters and who does not offer to vote or vote at any election between the date of a specified address confirmation mailing and 2 federal general elections after the date of that mailing.

This bill would instead require a county elections official to cancel the voter registration of a voter whose name is on the inactive file and does not offer to vote or vote during the above-described period.

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 2226 of the Elections Code is amended
2 to read:
3 2226. (a) Based on change-of-address information received
4 pursuant to Sections 2220 to 2225, inclusive, or change-of-address
5 information provided directly by the voter, the county elections
6 official shall take the following actions as appropriate:
7 (1) If the information indicates the voter has moved to a new
8 address within the same county, the county elections official shall
9 update and correct the voter’s registration.
10 (2) If the information indicates the voter has moved to a new
11 address in another county, if the mailings have been returned as
12 undeliverable, or if the voter fails to confirm his or her address as
13 required by Section 2224, the county elections official may place
14 the voter’s name on the inactive file of registered voters who do
15 not receive election materials and are not included in calculations
16 to determine the number of signatures required for qualification
17 of candidates and measures, precinct size, or other election
18 administration-related processes.
19 (3) If the voter verifies in writing that he or she has moved to
20 a residence address in another county, the county elections official
21 shall cancel the voter registration in the county from which the
22 voter has moved.
23 (b) The voter registration of any voter whose name has been
24 placed on the inactive file of registered voters for failure to respond
25 to an address verification mailing required by Section 2225, and
26 who does not offer to vote or vote at any election between the date
27 of the mailing and two federal general elections after the date of
28 that mailing, ~~may~~ shall be canceled.
29 (c) Any voter whose name has been placed on the inactive file
30 of registered voters and offers to vote at any election between the
31 date of the verification notice, and two federal general elections
32 after the date of notice, or who notifies the elections official of a
33 continued residency, shall be removed from the inactive file and
34 placed on the active voter file.
35 (d) All address corrections, cancellations, and inactive
36 transactions made to the voter registration file pursuant to this

1 section shall be reflected on the voter index as required by Section
2 2191.

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