

AMENDED IN ASSEMBLY MAY 14, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1817**

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**Introduced by Assembly Member Gomez**

February 18, 2014

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An act to add *and repeal* Section 49041 ~~to~~ of the Education Code, and to amend Sections 2103 and 2109 of the Elections Code, relating to voter registration.

LEGISLATIVE COUNSEL'S DIGEST

AB 1817, as amended, Gomez. Voter registration: ~~deputy registrars of voters:~~ high school pupils.

~~Under existing law, a person who is a registered voter qualifies for appointment as a deputy registrar of voters. Existing law states that it is the intent of the Legislature that county elections officials, in order to promote and encourage voter registration, shall enlist the support and cooperation of interested citizens and organizations, and shall deputize as registrars qualified citizens. Existing law permits a person deputized as a registrar by the county elections official to register voters. Existing law permits the governing board of a county, city, city and county, district, or other public agency to authorize and assign an officer or employee to become a deputy registrar of voters and register qualified citizens on any premise or facility owned or controlled by the agency.~~

*Under existing law, a person may not be registered as a voter except by affidavit of registration. A person is entitled to register to vote if he or she is a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election. Existing law requires a properly executed affidavit of registration to be deemed effective upon receipt of the*

affidavit by the county elections official, if received on or before the 15th day prior to an election, or as otherwise specified.

Existing law, operative when the Secretary of State certifies that the state has a statewide voter registration database that complies with the requirements of the federal Help America Vote Act of 2002, authorizes a person who is at least 17 years of age and otherwise meets all voter eligibility requirements to submit his or her affidavit of registration. The affidavit of registration is deemed effective as of the date the affiant will be 18 years of age.

This bill would permit the governing board of a school district to authorize a high school pupil 16 years of age or older to ~~become a deputy registrar of voters and to registrar to vote qualified pupils~~ register to vote on his or her high school campus ~~any person who is qualified to register to vote.~~ This bill, operative when the Secretary of State certifies that the state has a statewide voter registration database that complies with the requirements of the federal Help America Vote Act of 2002, would also permit a pupil to register to vote ~~any person who is 17 years of age or older and otherwise meets all voter eligibility requirements.~~

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 49041 is added to the Education Code,
- 2 to read:
- 3 49041. (a) The governing board of a school district may
- 4 authorize a high school pupil 16 years of age or older to register
- 5 to vote any person who is entitled to register pursuant to Section
- 6 2101 of the Elections Code. A pupil authorized pursuant to this
- 7 section shall conduct voter registration on his or her high school
- 8 campus only during high school voter weeks, as described in
- 9 Section 49040, or at any other time deemed appropriate by the
- 10 governing board.
- 11 (b) This section shall remain in effect only until the Secretary
- 12 of State certifies that the state has a statewide voter registration
- 13 database that complies with the requirements of the federal Help
- 14 America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.) and as
- 15 of that date is repealed.
- 16 SEC. 2. Section 49041 is added to the Education Code, to read:

1 49041. (a) *The governing board of a school district may*  
2 *authorize a high school pupil 16 years of age or older to register*  
3 *to vote any person who is entitled to register pursuant to Section*  
4 *2101 of the Elections Code, or who is 17 years of age or older and*  
5 *otherwise meets all voter eligibility requirements as specified in*  
6 *subdivision (d) of Section 2102 of the Elections Code. A pupil*  
7 *authorized pursuant to this section shall conduct voter registration*  
8 *on his or her high school campus only during high school voter*  
9 *weeks, as described in Section 49040, or at any other time deemed*  
10 *appropriate by the governing board.*

11 (b) *This section shall become operative when the Secretary of*  
12 *State certifies that the state has a statewide voter registration*  
13 *database that complies with the requirements of the federal Help*  
14 *America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.).*

15 SECTION 1. Section 49041 is added to the Education Code,  
16 to read:

17 49041. The governing board of a school district may authorize  
18 a high school pupil 16 years of age or older to become a deputy  
19 registrar of voters, and to register to vote qualified pupils on his  
20 or her high school campus, pursuant to Section 2103 of the  
21 Elections Code.

22 SEC. 2. Section 2103 of the Elections Code is amended to read:

23 2103. (a) It is the intent of the Legislature that the election  
24 board of each county, in order to promote and encourage voter  
25 registrations, shall establish a sufficient number of registration  
26 places throughout the county, and outside the county courthouse,  
27 for the convenience of persons desiring to register, to the end that  
28 registration may be maintained at a high level.

29 (b) It is also the intent of the Legislature that county elections  
30 officials, in order to promote and encourage voter registrations,  
31 shall enlist the support and cooperation of interested citizens and  
32 organizations, and shall deputize as registrars qualified citizens in  
33 such a way as to reach most effectively every resident of the  
34 county. The persons so deputized shall be permitted to register  
35 voters anywhere within the county, including at the places of  
36 residence of the persons to be registered, and the county elections  
37 official shall not deny deputy registrars the right to register voters  
38 anywhere in the county.

39 (c) It is also the intent of the Legislature that  
40 non-English-speaking citizens, like all other citizens, should be

1 encouraged to vote. Therefore, appropriate efforts should be made  
2 to minimize obstacles to registration by citizens who lack sufficient  
3 skill in English to register without assistance.

4 ~~(d) If the county elections official finds that citizens described~~  
5 ~~in subdivision (c) approximate three percent or more of the voting~~  
6 ~~age residents of a precinct, or if interested citizens or organizations~~  
7 ~~provide information that the county elections official believes~~  
8 ~~indicates a need for registration assistance for qualified citizens~~  
9 ~~described in subdivision (c), the county elections official shall~~  
10 ~~make reasonable efforts to recruit deputy registrars who are fluent~~  
11 ~~in a language used by citizens described in subdivision (c) and in~~  
12 ~~English. That recruitment shall be conducted through the~~  
13 ~~cooperation of interested citizens and organizations and through~~  
14 ~~voluntarily donated public service notices in the media, including~~  
15 ~~newspapers, radio, and television, particularly those media that~~  
16 ~~serve the non-English-speaking citizens described in subdivision~~  
17 ~~(c). Deputy registrars so appointed shall facilitate registration in~~  
18 ~~the particular precincts concerned and shall have the right to~~  
19 ~~register voters anywhere in the county.~~

20 ~~(e) In furtherance of the purposes of this section, the governing~~  
21 ~~board of a county, city, city and county, district, or other public~~  
22 ~~agency may authorize and assign any of its officers or employees~~  
23 ~~to become deputy registrars of voters and to register qualified~~  
24 ~~citizens on any premises and facilities owned or controlled by~~  
25 ~~those public agencies during the regular working hours of the~~  
26 ~~officers or employees. With the exception of firefighters, any~~  
27 ~~compensation to which the officer or employee may be entitled in~~  
28 ~~payment for the services of the officer or employee as a deputy~~  
29 ~~registrar may be paid by the authority that appointed the officer~~  
30 ~~or employee as a deputy registrar to the public agency that regularly~~  
31 ~~employs the officer or employee.~~

32 ~~(f) In furtherance of the purposes of this section, the governing~~  
33 ~~board of a school district may authorize a high school pupil 16~~  
34 ~~years of age or older to become a deputy registrar of voters and to~~  
35 ~~registrar to vote qualified pupils on his or her high school campus.~~

36 ~~(g) It is the intent of the Legislature that no limitation be~~  
37 ~~imposed on the number of persons appointed to act as deputy~~  
38 ~~registrars of voters.~~

39 ~~(h) It is the intent of the Legislature that county elections~~  
40 ~~officials be permitted to distribute affidavits of registration and~~

1 voter registration cards, in all languages required by Section 203  
2 (42 U.S.C. Sec. 1973aa-1a) or Section 4(f)(4) (42 U.S.C. Sec.  
3 1973b(f)(4)) of the federal Voting Rights Act of 1965, by using  
4 the county's Internet Web site.

5 SEC. 3. Section 2109 of the Elections Code is amended to read:

6 2109. A person qualifies for appointment as a deputy registrar  
7 of voters if he or she is a registered voter or is a person described  
8 in subdivision (f) of Section 2103.

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