

ASSEMBLY BILL

No. 2093

Introduced by Assembly Member Grove

February 20, 2014

An act to amend Section 9030 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2093, as introduced, Grove. Petitions: filings.

Existing law specifies procedures for collecting signatures on a petition for an initiative, referendum, or recall, and for filing the petition and signatures with elections officials.

This bill would make technical, nonsubstantive changes to these provisions.

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 9030 of the Elections Code is amended
2 to read:
3 9030. (a) Each section of the petition shall be filed with the
4 elections official of the county or city and county in which it was
5 circulated, but all sections circulated in any county or city and
6 county shall be filed at the same time. Once filed, ~~no~~ a petition
7 section shall *not* be amended except by *the* order of a court of
8 competent jurisdiction.
9 (b) Within eight days after the filing of the petition, excluding
10 Saturdays, Sundays, and holidays, the elections official shall

1 determine the total number of signatures affixed to the petition
2 and shall transmit this information to the Secretary of State. If the
3 total number of signatures filed with all elections officials is less
4 than 100 percent of the number of qualified voters required to find
5 the petition sufficient, the Secretary of State shall so notify the
6 proponents and the elections officials, and no further action shall
7 be taken with regard to the petition.

8 (c) If the number of signatures filed with all elections officials
9 is 100 percent or more of the number of qualified voters needed
10 to declare the petition sufficient, the Secretary of State shall
11 immediately so notify the elections officials.

12 (d) Within 30 days after this notification, excluding Saturdays,
13 Sundays, and holidays, the elections official shall determine the
14 number of qualified voters who have signed the petition. If more
15 than 500 names have been signed on sections of the petition filed
16 with an elections official, the elections official shall use a random
17 sampling technique for verification of signatures, as determined
18 by the Secretary of State. The random sample of signatures to be
19 verified shall be drawn in such a manner that every signature filed
20 with the elections official shall be given an equal opportunity to
21 be included in the sample. The random sampling shall include an
22 examination of at least 500 or 3 percent of the signatures,
23 whichever is greater. In determining from the records of registration
24 what number of qualified voters have signed the petition, the
25 elections official may use the duplicate file of affidavits of
26 registered voters or the facsimiles of voters' signatures, provided
27 that the method of preparing and displaying the facsimiles complies
28 with law.

29 (e) The elections official, upon the completion of the
30 examination, shall immediately attach to the petition, except the
31 signatures thereto appended, a properly dated certificate, showing
32 the result of the examination, and shall immediately transmit the
33 petition and the certificate to the Secretary of State. A copy of this
34 certificate shall be filed in the elections official's office.

35 (f) If the certificates received from all elections officials by the
36 Secretary of State establish that the number of valid signatures
37 does not equal 95 percent of the number of qualified voters needed
38 to find the petition sufficient, the petition shall be deemed to have
39 failed to qualify, and the Secretary of State shall immediately so
40 notify the proponents and the elections officials.

1 (g) If the certificates received from all elections officials by the
2 Secretary of State total more than 110 percent of the number of
3 qualified voters needed to find the petition sufficient, the petition
4 shall be deemed to qualify as of the date of receipt by the Secretary
5 of State of certificates showing the petition to have reached the
6 110 percent, and the Secretary of State shall immediately so notify
7 the proponents and the elections officials.

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