

AMENDED IN ASSEMBLY MAY 23, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2369**

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**Introduced by Assembly Member Hagman**

February 21, 2014

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An act to amend Section 15624 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2369, as amended, Hagman. Elections: voter-requested recounts.

Existing law establishes procedures by which a voter may request a recount of the votes cast in an election following completion of the official canvass. Under existing law, the voter seeking the recount is required, before the recount is commenced and at the beginning of each subsequent day, to deposit with the elections official the amount of money required by the elections official to cover the cost of the recount for that day.

This bill would modify and apply these provisions to the candidate-controlled campaign committee *or primarily formed committee, as defined*, that is represented by the voter filing the request to seek a recount. The bill would also specify that the money deposited with the elections official be from the voter's own personal funds, ~~or from the funds of the candidate-controlled campaign committee of the candidate on whose behalf the recount is being requested, or funds of a primarily formed committee.~~

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 15624 of the Elections Code is amended  
2 to read:  
3 15624. The voter or the candidate-controlled campaign  
4 committee *or primarily formed committee, as defined in Section*  
5 *82047.5 of the Government Code*, represented by the voter filing  
6 the request seeking the recount shall, before the recount is  
7 commenced and at the beginning of each day following, deposit  
8 with the elections official a sum as required by the elections official  
9 to cover the cost of the recount for that day. The money deposited  
10 shall be from the voter’s own personal funds, ~~or from~~ funds of the  
11 candidate-controlled campaign committee of the candidate on  
12 whose behalf the recount is being requested, *or funds of a primarily*  
13 *formed committee*. The money deposited shall be returned to the  
14 depositor if, upon completion of the recount, the candidate, slate  
15 of presidential electors, or the position on the measure (affirmative  
16 or negative) for which the declaration is filed is found to have  
17 received the plurality of votes cast which it had not received  
18 according to the official canvass or, in an election where there are  
19 two or more candidates, the recount results in the candidate for  
20 whom the recount was requested appearing on the ballot in a  
21 subsequent runoff election or general election who would not have  
22 so appeared in the absence of the recount. The depositor shall be  
23 entitled to the return of any money deposited in excess of the cost  
24 of the recount if the candidate, slate, or position on the measure  
25 has not received the plurality of the votes cast or, in an election  
26 where there are two or more candidates, the recount does not result  
27 in the candidate for whom the recount was requested appearing  
28 on the ballot in a subsequent runoff or general election as a result  
29 of the recount. Money not required to be refunded shall be  
30 deposited in the appropriate public treasury.

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