

Introduced by Senator Padilla

February 20, 2013

An act to add Section 19006 to, the Elections Code, relating to voting.

LEGISLATIVE COUNSEL'S DIGEST

SB 362, as introduced, Padilla. Voting procedures: natural disasters.

Existing law designates the Secretary of State as the chief elections officer of the state and requires him or her to study and adopt regulations governing the use of voting machines, voting devices, vote tabulating devices, and ballot marking systems. Existing law also establishes procedures for the marking and counting of ballots in the case of electrical failure or other emergency.

This bill would make legislative findings relating to natural disasters and their effect on a state resident's ability to vote. The bill would require the Governor and the Secretary of State to establish voting procedures and guidelines for voters affected by natural disasters.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Natural disasters within California, the United States, or
- 4 other parts of the world can affect a state resident's ability to vote.
- 5 Earthquakes, hurricanes, and other disasters can destroy or damage
- 6 election infrastructure, including the electrical and
- 7 telecommunications grid and polling places, disrupt the delivery

1 of vote-by-mail ballots by the United States Postal Service, and
2 displace election officials and interrupt their duties.

3 (b) California residents volunteer to help victims of natural
4 disasters, including their family members. California voters, such
5 as firefighters, police officers, National Guardsmen, utility workers,
6 and average citizens travel to areas affected by disasters for
7 extended periods of time to help with recovery efforts that can
8 include other states and countries. Disasters and volunteer efforts
9 can occur close to an election and affect a volunteer’s ability to
10 vote.

11 (c) Currently, neither the Governor, the Secretary of State, nor
12 county elections official has the authority to establish procedures
13 and guidelines to specifically allow residents affected by a disaster
14 to vote.

15 SEC. 2. Section 19006 is added to the Elections Code, to read:
16 19006. The Governor and the Secretary of State shall establish
17 voting procedures and guidelines for voters affected by natural
18 disasters.