

AMENDED IN SENATE APRIL 25, 2013

AMENDED IN SENATE APRIL 11, 2013

**SENATE BILL**

**No. 637**

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**Introduced by Senator Yee**

February 22, 2013

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An act to add Chapter 4 (commencing with Section 3300) to Division 3 of the Elections Code, relating to voting.

LEGISLATIVE COUNSEL'S DIGEST

SB 637, as amended, Yee. Early voting.

Existing law establishes procedures for voters to apply for a vote by mail ballot and use the ballot to vote in an election. Existing law allows a jurisdiction in which vote by mail ballots are cast to begin processing vote by mail ballots 29 days before the election.

This bill would require the Secretary of State to assist local elections officials in *performing specified tasks for the purpose of promoting and expanding the practice of early voting*, as defined, consistent with specified statutory authority. The bill would define "early voting" to mean voting a vote by mail ballot in person at the office of the elections official or another location designated by the elections official either before or on the day of the election. The bill would require the Secretary of State to report to the Legislature by January 1, 2015, regarding the assistance provided to local elections officials pursuant to the bill and the results achieved by local elections officials in promoting and expanding the practice of early voting. This reporting requirement would become inoperative on January 1, 2018.

*The bill would require a local elections official, on a Saturday occurring at least 14 calendar days prior to an election administered by the elections official, to allow voters to vote by means of early voting*

at a location that is convenient, accessible, and complies with disability access requirements under federal and state law.

By requiring local elections officials to perform additional duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1     SECTION 1. *It is the intent of the Legislature in enacting this*  
 2 *act to make voting more convenient and accessible in order to*  
 3 *increase voter turnout at elections.*

4     ~~SECTION 1.~~

5     SEC. 2. Chapter 4 (commencing with Section 3300) is added  
 6 to Division 3 of the Elections Code, to read:

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 8  
 9

CHAPTER 4. EARLY VOTING.

10     3300. For purposes of this chapter, “early voting” means voting  
 11 a vote by mail ballot in person at the office of the elections official  
 12 or another location designated by the elections official either before  
 13 or on the day of the election.

14     3301. (a) ~~The Secretary of State shall assist local elections~~  
 15 ~~officials in~~ *For purposes of promoting and expanding the practice*  
 16 *of early voting consistent with the authority granted by this*  
 17 *division. In providing assistance to local elections officials pursuant*  
 18 ~~to this section,~~ *the Secretary of State shall consider assist local*  
 19 *elections officials in accomplishing all of the following:*

20     (1) ~~The feasibility of establishing~~ *Establishing multiple locations*  
 21 *for early voting, in addition to county registrar’s offices for early*  
 22 ~~voting~~ *the offices of local elections officials.*

1 (2) *Notifying voters of early voting locations in all ballot*  
2 *materials sent to voters and through the use of other promotional*  
3 *materials and methods.*

4 ~~(2) Practices used in other states to provide for voting before~~  
5 ~~the day of the election.~~

6 (3) Ensuring that early voting locations and procedures comply  
7 with disability access requirements under federal and state law.

8 (b) *In assisting local elections officials pursuant to subdivision*  
9 *(a), the Secretary of State shall consider practices used in other*  
10 *states to provide for voting before the day of the election.*

11 ~~(b)~~

12 (c) (1) The Secretary of State shall report to the Legislature  
13 by January 1, 2015, regarding the assistance provided to local  
14 elections officials pursuant to this section and the results achieved  
15 by local elections officials in promoting and expanding the practice  
16 of early voting.

17 ~~(1)~~

18 (2) The report required by ~~this subdivision~~ *paragraph (1)* shall  
19 be submitted in compliance with Section 9795 of the Government  
20 Code.

21 ~~(2)~~

22 (3) Pursuant to Section 10231.5 of the Government Code, this  
23 subdivision shall become inoperative on January 1, 2018.

24 3302. *On a Saturday occurring at least 14 calendar days prior*  
25 *to an election administered by a local elections official, the*  
26 *elections official shall allow voters to vote by means of early voting*  
27 *at a location that is convenient, accessible, and complies with*  
28 *disability access requirements under federal and state law.*

29 SEC. 3. *If the Commission on State Mandates determines that*  
30 *this act contains costs mandated by the state, reimbursement to*  
31 *local agencies and school districts for those costs shall be made*  
32 *pursuant to Part 7 (commencing with Section 17500) of Division*  
33 *4 of Title 2 of the Government Code.*