

AMENDED IN SENATE MAY 13, 2013
AMENDED IN SENATE APRIL 25, 2013
AMENDED IN SENATE APRIL 11, 2013

SENATE BILL

No. 637

Introduced by Senator Yee

February 22, 2013

An act to add Chapter 4 (commencing with Section 3300) to Division 3 of the Elections Code, relating to voting, *and declaring the urgency thereof, to take effect immediately.*

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.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: 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 SEC. 2. Chapter 4 (commencing with Section 3300) is added
5 to Division 3 of the Elections Code, to read:

6
7 CHAPTER 4. EARLY VOTING
8

9 3300. For purposes of this chapter, “early voting” means voting
10 a vote by mail ballot in person at the office of the elections official
11 or another location designated by the elections official either before
12 or on the day of the election.

13 3301. (a) For purposes of promoting and expanding the
14 practice of early voting consistent with the authority granted by
15 this division, the Secretary of State shall assist local elections
16 officials in accomplishing all of the following:

17 (1) Establishing multiple locations for early voting, in addition
18 to 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 (3) Ensuring that early voting locations and procedures comply
5 with disability access requirements under federal and state law.

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

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

14 (2) The report required by paragraph (1) shall be submitted in
15 compliance with Section 9795 of the Government Code.

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

18 3302. On a Saturday occurring at least 14 calendar days prior
19 to an election administered by a local elections official, the
20 elections official shall allow voters to vote by means of early voting
21 at a location that is convenient, accessible, and complies with
22 disability access requirements under federal and state law.

23 SEC. 3. If the Commission on State Mandates determines that
24 this act contains costs mandated by the state, reimbursement to
25 local agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code.

28 SEC. 4. *This act is an urgency statute necessary for the*
29 *immediate preservation of the public peace, health, or safety within*
30 *the meaning of Article IV of the Constitution and shall go into*
31 *immediate effect. The facts constituting the necessity are:*

32 *In order for elections officials to provide voters with increased*
33 *opportunities for early voting at the earliest possible election dates,*
34 *it is necessary that this act take effect immediately.*