

AMENDED IN SENATE APRIL 10, 2014

AMENDED IN SENATE MARCH 28, 2014

SENATE BILL

No. 1061

Introduced by Senator Block

February 18, 2014

An act to amend Sections 105, 300.5, 2026, 2033, 2102, 2119, 2137, 2141, 2142, 2151, 2152, 2156, 2165, 2166, 2166.5, 2166.7, 2167, 2180, 2181, 2183, 2187, 2189, 2190, 2194, 2200, 2202, 2203, 2204, 2205, 2206, 2212, 2221, 3006, 3007.5, 3009, 3011, 3013, 3019, 3021, 3501, 8002.5, 8081, 9094, 12108, 14310, 16442, 16462, 17000, and 17001 of, and to add Sections 2101.5, 2101.6, and 2155.1 to, the Elections Code, to amend Sections 6254.4, 23365, 23374.13, and 57051 of the Government Code, to amend Section 12950.5 of, and to add Section 12500.5 to, the Vehicle Code, and to amend Section 60211 of the Water Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1061, as amended, Block. Elections: voter registration.

Under existing law, a person qualified to vote may only register to vote by completing an affidavit of registration.

This bill would provide that all persons not already registered to vote who are qualified to be registered to vote and who complete an application for a new or renewed California driver's license, instruction permit, junior permit, or identification card with the Department of Motor Vehicles shall be registered to vote if the person provides written consent to be registered to vote, as specified. ~~Persons registered to vote under these provisions would be registered as having no party preference.~~ If the person named on the application ~~or form~~ would not be 18 years of age at the time of the next election but otherwise satisfies

the requirements to be registered to vote, he or she would be automatically registered to vote at the time that he or she will be 18 years of age by the time of the next election if the person provides written consent to be registered to vote on the application ~~or form~~, as specified. The bill would require the Department of Motor Vehicles to send an electronic copy of each of these documents, with any information that is not required to register to vote redacted, to the elections official of the county in which the person named on the document resides, unless the person has not filled out the ~~form application~~ in its entirety, ~~has not supplied sufficient information to indicate that he or she satisfies the requirements to be registered to vote,~~ declines to be registered to vote, or has indicated on the ~~form application~~ that he or she is already registered to vote. The bill would require the Department of Motor Vehicles to keep the information collected confidential, unless the law requires otherwise. The bill would require the elections official to maintain these documents for voters who qualify to be registered to vote under the bill in a manner identical to which the affidavits of registration are maintained.

Under existing law, affidavits of registration are used to verify the residence of a voter, to verify the signature of a voter, and to verify the political affiliation of a voter. Existing law requires a county elections official to maintain the affidavits of registration for voters within the county, to maintain a voter registration index based upon the valid affidavits of registration for voters within the county, to keep voter information listed on the affidavit of registration confidential in certain circumstances, and to cancel the affidavits of registration for persons who are no longer qualified to vote. Existing law permits a county elections official to duplicate uncanceled affidavits of registration for the voters in the county and to store the information contained in the affidavits of registration by way of data processing equipment. Existing law requires the county elections official to maintain canceled affidavits of voter registration, as prescribed.

This bill would require that the completed applications of the Department of Motor Vehicles that cause a voter to become registered to vote be used for verification purposes in the same manner as affidavits of registration, ~~with the exception of political party preference~~. The bill would also require that the completed applications of the Department of Motor Vehicles be maintained in the same manner as affidavits of registration, be included in the preparation of the voter index, be kept confidential in certain circumstances in the same manner as affidavits

of registration, and be canceled in the same manner as affidavits of registration. The bill would permit a county elections official to duplicate completed applications of the Department of Motor Vehicles that cause voters to become registered to vote and to store the information contained in the applications ~~and forms~~ by way of data processing equipment. The bill would require the county elections official to maintain canceled applications and forms that cause voters to be registered to vote.

Because the bill would require elections officials to provide a higher level of service, it 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: yes.

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

1 SECTION 1. Section 105 of the Elections Code is amended to
2 read:

3 105. (a) For purposes of verifying a signature on an initiative,
4 referendum, recall, nomination, or other election petition or paper,
5 the elections official shall determine that the residence address on
6 the petition or paper is the same as the residence address on the
7 affidavit of registration or the document that caused the voter to
8 be registered to vote pursuant to subdivision (a) of Section 2101.5.
9 If the addresses are different, or if the petition or paper does not
10 specify the residence address, or, in the case of an initiative or
11 referendum petition, if the information specified in Section 9020
12 is not contained in the petition, the affected signature shall not be
13 counted as valid.

14 (b) A signature invalidated pursuant to this section shall not
15 affect the validity of another valid signature on the particular
16 petition or paper.

17 SEC. 2. Section 300.5 of the Elections Code is amended to
18 read:

1 300.5. “Affiliated with a political party” as used in reference
2 to a voter or to a candidate for a voter-nominated office means the
3 party preference that the voter or candidate has disclosed on his
4 or her affidavit of registration *or the document that caused the*
5 *voter or candidate to be registered to vote pursuant to subdivision*
6 *(a) of Section 2101.5.*

7 ~~SEC. 2.~~

8 *SEC. 3.* Section 2026 of the Elections Code is amended to read:

9 2026. The domicile of a Member of the Legislature or a
10 Representative in the Congress of the United States shall be
11 conclusively presumed to be at the residence address indicated on
12 that person’s currently filed affidavit of registration or the
13 document that caused the voter to be registered to vote pursuant
14 to subdivision (a) of Section 2101.5.

15 ~~SEC. 3.~~

16 *SEC. 4.* Section 2033 of the Elections Code is amended to read:

17 2033. Whenever the house number or the mailing address of
18 a voter has been changed and the voter’s domicile is the same, the
19 public agency authorizing the change shall notify the county
20 elections official in writing of the change and the county elections
21 official shall make the change on the voter’s registration and a
22 new registration shall not be required.

23 ~~SEC. 4.~~

24 *SEC. 5.* Section 2101.5 is added to the Elections Code, to read:

25 2101.5. (a) A person who is not currently registered to vote
26 and properly completes an application for a new or renewed
27 California driver’s license, instruction permit, junior permit, or
28 identification card and who satisfies the requirements to be
29 registered to vote shall be registered to vote if that person provides
30 written consent to be registered to vote by signing the statement
31 in the application, as provided in paragraph (3) of subdivision (a)
32 of Section 12500.5 of the Vehicle Code. A person who is not
33 currently registered to vote and properly completes an application
34 for a new or renewed California driver’s license, instruction permit,
35 junior permit, or identification card and who will not be 18 years
36 of age at the time of the next election but otherwise satisfies the
37 requirements to be registered to vote shall be automatically
38 registered to vote at the time that he or she will be 18 years of age
39 by the time of the next election if that person provides written
40 consent to be registered to vote by signing the statement in the

1 application, as provided in paragraph (3) of subdivision (a) of
2 Section 12500.5 of the Vehicle Code.

3 (b) A person may register to vote by completing an affidavit of
4 registration as provided for by this chapter.

5 ~~(c) A person who is registered to vote pursuant to subdivision
6 (a) shall be registered as having no party preference. For purposes
7 of this code, a person who is registered pursuant to subdivision (a)
8 shall be treated as if he or she has declined to state a party
9 preference on the affidavit of registration pursuant to Section 2151.~~

10 ~~(d)~~

11 (c) If a person who does not satisfy the requirements to be
12 registered to vote is registered to vote pursuant to subdivision (a),
13 he or she shall not suffer any legal penalty or loss of any benefit
14 to which he or she may otherwise be entitled unless he or she
15 intended to fraudulently register to vote.

16 ~~(e)~~

17 (d) An application that is completed pursuant to subdivision
18 (a), by a person who is currently registered to vote but failed to
19 indicate that fact on the application, shall be construed as updating
20 the person's previous voter registration. ~~However, a person's party
21 preference shall not be updated to reflect a preference of decline
22 to state pursuant to subdivision (c) if the person disclosed a party
23 preference in connection with the previous registration.~~

24 ~~SEC. 5.~~

25 *SEC. 6.* Section 2101.6 is added to the Elections Code, to read:

26 2101.6. (a) Upon receipt of the document from the Department
27 of Motor Vehicles, sent pursuant to Section 12500.5 of the Vehicle
28 Code, the county elections official shall examine the document
29 and determine if the person named on the document has supplied
30 the information required to establish that he or she is qualified to
31 vote. If the person named on the document is not currently
32 registered to vote and the document indicates that the person
33 satisfies the requirements to be registered to vote, the document
34 shall be treated by the county elections official the same as a
35 completed affidavit of registration. If the person named on the
36 document will not be 18 years of age at the time of the next election
37 but otherwise satisfies the requirements to be registered to vote,
38 the person shall be automatically registered to vote at the time that
39 he or she will be 18 years of age by the time of the next election.

1 (b) Registration to vote pursuant to subdivision (a) of Section
2 2101.5 shall be deemed effective if received by the Department
3 of Motor Vehicles on or before the 15th day prior to the election.

4 (c) The document received from the Department of Motor
5 Vehicles that caused a voter to be registered pursuant to subdivision
6 (a) of Section 2101.5 shall be maintained by the county elections
7 official in the same manner that the county elections official
8 maintains an affidavit of registration.

9 (d) For purposes of verifying a signature on a recall, initiative,
10 or referendum petition or a signature on a nomination paper or any
11 other election petition or election paper, a properly executed
12 application for a new or renewed California driver's license,
13 instruction permit, junior permit, or identification card ~~filing form~~
14 that caused a person to be registered to vote pursuant to subdivision
15 (a) of Section 2101.5 shall be deemed effective for verification
16 purposes if both (1) the application ~~or form~~ is signed on the same
17 date or a date prior to the signing of the petition or paper, and (2)
18 the application ~~or form~~ is received by the county elections official
19 on or before the date on which the petition or paper is filed.

20 ~~SEC. 6.~~

21 *SEC. 7.* Section 2102 of the Elections Code, as amended by
22 Section 2 of Chapter 899 of the Statutes of 2000, is amended to
23 read:

24 2102. (a) An affidavit of registration shall be mailed or
25 delivered to the county elections official and shall set forth all of
26 the facts required to be shown by this chapter. A properly executed
27 registration shall be deemed effective upon receipt of the affidavit
28 by the county elections official if received on or before the 15th
29 day prior to an election to be held in the registrant's precinct. A
30 properly executed registration shall also be deemed effective upon
31 receipt of the affidavit by the county elections official if any of
32 the following apply:

33 (1) The affidavit is postmarked on or before the 15th day prior
34 to the election and received by mail by the county elections official.

35 (2) The affidavit is submitted to the Department of Motor
36 Vehicles or accepted by any other public agency designated as a
37 voter registration agency pursuant to the National Voter
38 Registration Act of 1993 (42 U.S.C. Sec. 1973gg) on or before the
39 15th day prior to the election.

1 (3) The affidavit is delivered to the county elections official by
2 means other than those described in paragraph (1) or (2) on or
3 before the 15th day prior to the election.

4 (b) For purposes of verifying a signature on a recall, initiative,
5 or referendum petition or a signature on a nomination paper or any
6 other election petition or election paper, a properly executed
7 affidavit of registration shall be deemed effective for verification
8 purposes if both (1) the affidavit is signed on the same date or a
9 date prior to the signing of the petition or paper, and (2) the
10 affidavit is received by the county elections official on or before
11 the date on which the petition or paper is filed.

12 (c) Notwithstanding any other law to the contrary, the affidavit
13 of registration required under this chapter may not be taken under
14 sworn oath, but the content of the affidavit shall be certified as to
15 its truthfulness and correctness, under penalty of perjury, by the
16 signature of the affiant.

17 ~~SEC. 7.~~

18 *SEC. 8.* Section 2102 of the Elections Code, as amended by
19 Section 2 of Chapter 364 of the Statutes of 2009, is amended to
20 read:

21 2102. (a) An affidavit of registration shall be mailed or
22 delivered to the county elections official and shall set forth all of
23 the facts required to be shown by this chapter. A properly executed
24 registration shall be deemed effective upon receipt of the affidavit
25 by the county elections official if received on or before the 15th
26 day prior to an election to be held in the registrant's precinct. A
27 properly executed registration shall also be deemed effective upon
28 receipt of the affidavit by the county elections official if any of
29 the following apply:

30 (1) The affidavit is postmarked on or before the 15th day prior
31 to the election and received by mail by the county elections official.

32 (2) The affidavit is submitted to the Department of Motor
33 Vehicles or accepted by any other public agency designated as a
34 voter registration agency pursuant to the National Voter
35 Registration Act of 1993 (42 U.S.C. Sec. 1973gg) on or before the
36 15th day prior to the election.

37 (3) The affidavit is delivered to the county elections official by
38 means other than those described in paragraph (1) or (2) on or
39 before the 15th day prior to the election.

1 (b) For purposes of verifying a signature on a recall, initiative,
2 or referendum petition or a signature on a nomination paper or any
3 other election petition or election paper, a properly executed
4 affidavit of registration shall be deemed effective for verification
5 purposes if both of the following conditions are satisfied:

6 (1) The affidavit is signed on the same date or a date prior to
7 the signing of the petition or paper.

8 (2) The affidavit is received by the county elections official on
9 or before the date on which the petition or paper is filed.

10 (c) Notwithstanding any other law to the contrary, the affidavit
11 of registration required under this chapter may not be taken under
12 sworn oath, but the content of the affidavit shall be certified as to
13 its truthfulness and correctness, under penalty of perjury, by the
14 signature of the affiant.

15 (d) A person who is at least 17 years of age and otherwise meets
16 all eligibility requirements to vote may submit his or her affidavit
17 of registration as prescribed by this section. A properly executed
18 registration made pursuant to this subdivision shall be deemed
19 effective as of the date the affiant will be 18 years of age, if the
20 information in the affidavit of registration is still current at that
21 time. If the information provided by the affiant in the affidavit of
22 registration is not current at the time that the registration would
23 otherwise become effective, for his or her registration to become
24 effective, the affiant shall provide the current information to the
25 proper county elections official as prescribed by this chapter.

26 ~~SEC. 8:~~

27 *SEC. 9.* Section 2119 of the Elections Code is amended to read:

28 2119. (a) In lieu of executing a new affidavit of registration
29 for a change of address within the county, the county elections
30 official shall accept a notice or letter of the change of address
31 signed by a voter as he or she is registered.

32 (b) The county elections official shall accept a notification for
33 the forthcoming election and shall change the address on the voter's
34 registration accordingly if the notification is executed on or before
35 the 15th day prior to the election and if any of the following apply:

36 (1) The notification is postmarked on or before the 15th day
37 prior to the election and received by mail by the county elections
38 official.

39 (2) The notification is submitted to the Department of Motor
40 Vehicles or accepted by any other public agency designated as a

1 voter registration agency pursuant to the National Voter
2 Registration Act of 1993 (42 U.S.C. Sec. 1973gg) prior to the
3 election.

4 (3) The notification is delivered to the county elections official
5 by means other than those described in paragraphs (1) and (2) on
6 or before the 14th day prior to the election.

7 ~~SEC. 9.~~

8 *SEC. 10.* Section 2137 of the Elections Code is amended to
9 read:

10 2137. When an elector is registered by completing an affidavit
11 of registration, his or her name, residence, and residence telephone
12 number, if furnished, shall be entered on the stub attached to the
13 original affidavit. If for any cause the affidavit is spoiled in the
14 course of execution or a mistake is made, the affidavit shall not
15 be destroyed, but the name of the elector for whom it was intended,
16 with his or her residence, shall be entered on the stub as in other
17 cases, and the stubs and affidavits each marked with the word
18 “spoiled.”

19 ~~SEC. 10.~~

20 *SEC. 11.* Section 2141 of the Elections Code is amended to
21 read:

22 2141. (a) If the county elections official deems a duplicate file
23 of voter registrations to be necessary for administrative purposes,
24 the county elections official may prepare, upon the receipt in his
25 or her office of the original affidavit of registration or the document
26 that caused the voter to be registered to vote pursuant to subdivision
27 (a) of Section 2101.5, a reproduction thereof in compliance with
28 the following conditions:

29 (1) The document is photographed, microphotographed, or
30 reproduced in a manner approved for permanent records by the
31 National Bureau of Standards.

32 (2) The device used to reproduce the document is one that
33 accurately reproduces the document in all details.

34 (3) The photographs, microphotographs, or other reproductions
35 are placed in conveniently accessible files and provision is made
36 for preserving, examining, and using the same.

37 (b) Wherever in this code “duplicate affidavit” is used it shall
38 be deemed to include the reproduced affidavit authorized by this
39 section.

1 (c) A signature comparison required by this code may be made
2 against a duplicate produced in compliance with this section.

3 ~~SEC. 11.~~

4 *SEC. 12.* Section 2142 of the Elections Code is amended to
5 read:

6 2142. (a) If the county elections official refuses to register a
7 qualified elector in the county, the elector may proceed by action
8 in the superior court to compel his or her registration. In an action
9 under this section, as many persons may join as plaintiffs as have
10 causes of action.

11 (b) If the county elections official has not registered a qualified
12 elector who claims to have registered to vote through the
13 Department of Motor Vehicles or a public agency designated as a
14 voter registration agency pursuant to the National Voter
15 Registration Act of 1993 (42 U.S.C. Sec. 1973gg), the elector may
16 proceed by action in the superior court to compel his or her
17 registration. In an action under this section, as many persons may
18 join as plaintiffs as have causes of action.

19 (c) A fee shall not be charged by the clerk of the court for
20 services rendered in an action under this section.

21 ~~SEC. 12.~~

22 *SEC. 13.* Section 2151 of the Elections Code is amended to
23 read:

24 2151. (a) At the time of completing an affidavit of registration
25 *and the document that caused the voter to be registered to vote*
26 *pursuant to subdivision (a) of Section 2101.5*, and of transferring
27 registration, an elector may disclose the name of the political party
28 that he or she prefers. The name of that political party shall be
29 stated in the affidavit of registration, *the document that caused the*
30 *voter to be registered to vote pursuant to subdivision (a) of Section*
31 *2101.5*, and the index.

32 (b) (1) The voter registration card *and the document that caused*
33 *the voter to be registered to vote pursuant to subdivision (a) of*
34 *Section 2101.5* shall inform the affiant that an elector may decline
35 to disclose a political party preference, but a person shall not be
36 entitled to vote the ballot of a political party at a primary election
37 for President of the United States or for a party committee unless
38 he or she has disclosed the name of the party that he or she prefers
39 or unless he or she has declined to disclose a party preference and
40 the political party, by party rule duly noticed to the Secretary of

1 State, authorizes a person who has declined to disclose a party
2 preference to vote the ballot of that political party. The voter
3 registration card *and the document that caused the voter to be*
4 *registered to vote pursuant to subdivision (a) of Section 2101.5*
5 shall further inform the affiant that a registered voter may vote for
6 any candidate at a primary election for state elective office or
7 congressional office, regardless of the disclosed party preference
8 of the registrant or the candidate seeking that office or the refusal
9 of the registrant or candidate to disclose a party preference.

10 (2) The voter registration card *and the document that caused*
11 *the voter to be registered to vote pursuant to subdivision (a) of*
12 *Section 2101.5* shall include a listing of all qualified political
13 parties. As part of that listing, the voter registration card *and the*
14 *document that caused the voter to be registered to vote pursuant*
15 *to subdivision (a) of Section 2101.5* shall also contain an option
16 that permits the affiant to decline to disclose a party preference.
17 This option shall be placed at the end of the listing of qualified
18 political parties.

19 (c) A person shall not be permitted to vote the ballot of a party
20 or for delegates to the convention of a party other than the party
21 disclosed as preferred in his or her registration, except as provided
22 by Section 2152 or unless he or she has declined to disclose a party
23 preference and the party, by party rule duly noticed to the Secretary
24 of State, authorizes a person who has declined to disclose a party
25 preference to vote the party ballot or for delegates to the party
26 convention.

27 (d) As of the effective date of the statute that added this
28 subdivision, any voter who previously stated a political party
29 affiliation when registering to vote shall be deemed to have
30 disclosed that same party as his or her political party preference
31 unless the voter files a new affidavit of registration *or a new*
32 *document that caused the voter to be registered to vote pursuant*
33 *to subdivision (a) of Section 2101.5* disclosing a different political
34 party preference or no political party preference. Any voter who
35 previously declined to state a party affiliation shall be deemed to
36 have declined to disclose a party preference unless the voter files
37 a new affidavit of registration *or a new document that caused the*
38 *voter to be registered to vote pursuant to subdivision (a) of Section*
39 *2101.5* disclosing a different political party preference.

1 (e) The Secretary of State may continue to supply existing
 2 affidavits of registration prior to printing new or revised forms
 3 that reflect the changes required pursuant to any amendment made
 4 to this section.

5 *SEC. 14. Section 2152 of the Elections Code is amended to*
 6 *read:*

7 2152. Whenever any voter has declined to disclose or has
 8 changed his or her party preference prior to the close of registration
 9 for an election, he or she may either so disclose or have a change
 10 recorded by executing a new affidavit of registration *or a new*
 11 *document that caused the voter to be registered to vote pursuant*
 12 *to subdivision (a) of Section 2101.5 and completing the prior*
 13 *registration portion of the affidavit or document.*

14 ~~SEC. 13.~~

15 *SEC. 15. Section 2155.1 is added to the Elections Code, to*
 16 *read:*

17 2155.1. Upon receipt of the document signed by the voter from
 18 the Department of Motor Vehicles that caused a voter to be
 19 registered pursuant to subdivision (a) of Section 2101.5, the county
 20 elections official shall inspect the voter index to determine whether
 21 the person has been previously registered to vote. If the county
 22 elections official determines that the person has not previously
 23 been registered to vote, the county elections official shall send the
 24 voter a voter notification by nonforwardable, first-class mail,
 25 address correction requested, and a voter registration card.

26 The voter notification shall be substantially in the following
 27 form:

28
 29 VOTER NOTIFICATION
 30

31 You are registered to vote. ~~Because you have not completed an~~
 32 ~~affidavit of voter registration, you are registered as declaring no~~
 33 ~~party preference. The party preference you chose, if any, is shown~~
 34 ~~on the reverse side of this card.~~

35 You may vote in any election held 15 or more days after the date
 36 shown on the reverse side of this card.

37 Your name will appear on the index kept at the polls.

38 Please contact your county elections office if the information
 39 shown on the reverse side of this card is incorrect.

1 ~~SEC. 14.~~

2 *SEC. 16.* Section 2156 of the Elections Code is amended to
3 read:

4 2156. The Secretary of State shall print, or cause to be printed,
5 the blank forms of the voter notification prescribed by Sections
6 2155 and 2155.1. The Secretary of State shall supply the forms to
7 the county elections official in quantities and at times requested
8 by the county elections official. The Secretary of State may
9 continue to supply, and a county elections official may continue
10 to use, existing voter notification forms prior to printing new or
11 revised forms as required by any changes to Section 2155 or
12 2155.1.

13 ~~SEC. 15.~~

14 *SEC. 17.* Section 2165 of the Elections Code is amended to
15 read:

16 2165. Affidavits of registration and the documents that caused
17 voters to be registered to vote pursuant to subdivision (a) of Section
18 2101.5 for the whole of each county shall be filed, as fast as the
19 registration progresses, in any orderly arrangement as prescribed
20 by the county elections official. If the documents are not filed
21 alphabetically without regard to precinct, the county elections
22 official shall, by electronic, electromechanical, or other suitable
23 means, provide, for general use in his or her office, a
24 comprehensive, printed alphabetical index to the surnames of
25 voters on all uncanceled voter registrations for the whole of the
26 county, whereby the affidavit of registration of a voter or the
27 document that caused the voter to be registered to vote pursuant
28 to subdivision (a) of Section 2101.5 may be ascertained and
29 produced. In the case of voters having the same surname, the
30 classification of names appearing on the index shall extend to the
31 given and, where necessary, the middle name or initial.

32 ~~SEC. 16.~~

33 *SEC. 18.* Section 2166 of the Elections Code is amended to
34 read:

35 2166. (a) A person who is filing with the county elections
36 official a new affidavit of registration or reregistration or is
37 registered pursuant to subdivision (a) of Section 2101.5 may have
38 the information relating to his or her residence address, telephone
39 number, and email address appearing on the affidavit or the
40 document that caused the voter to be registered to vote pursuant

1 to subdivision (a) of Section 2101.5, or a list or roster or index
2 prepared therefrom, declared confidential upon order of a superior
3 court issued upon a showing of good cause that a life-threatening
4 circumstance exists to the voter or a member of the voter's
5 household, and naming the county elections official as a party.

6 (b) A person granted confidentiality under subdivision (a) shall:

7 (1) Be considered a vote by mail voter for all subsequent
8 elections or until the county elections official is notified otherwise
9 by the court or in writing by the voter. A voter requesting
10 termination of vote by mail status thereby consents to placement
11 of his or her residence address, telephone number, and email
12 address in the roster of voters.

13 (2) In addition to the required residence address, provide a valid
14 mailing address to be used in place of the residence address for
15 election, scholarly, or political research, and government purposes.
16 The elections official, in producing a list, roster, or index may, at
17 his or her choice, use the valid mailing address or the word
18 "confidential" or some similar designation in place of the residence
19 address.

20 (c) An action in negligence shall not be maintained against a
21 government entity or officer or employee thereof as a result of the
22 disclosure of the information which is the subject of this section
23 unless by a showing of gross negligence or willfulness.

24 ~~SEC. 17.~~

25 *SEC. 19.* Section 2166.5 of the Elections Code is amended to
26 read:

27 2166.5. (a) A person who is filing with the county elections
28 official a new affidavit of registration or reregistration or is
29 registered pursuant to subdivision (a) of Section 2101.5 may have
30 the information relating to his or her residence address, telephone
31 number, and email address appearing on the affidavit or the
32 document that caused the voter to be registered to vote pursuant
33 to subdivision (a) of Section 2101.5, or a list or roster or index
34 prepared therefrom, declared confidential upon presentation of
35 certification that the person is a participant in the Address
36 Confidentiality for Victims of Domestic Violence, Sexual Assault,
37 and Stalking program pursuant to Chapter 3.1 (commencing with
38 Section 6205) of Division 7 of Title 1 of the Government Code or
39 a participant in the Address Confidentiality for Reproductive Health
40 Care Service Providers, Employees, Volunteers, and Patients

1 program pursuant to Chapter 3.2 (commencing with Section 6215)
2 of that division.

3 (b) A person granted confidentiality under subdivision (a) shall:

4 (1) Be considered a vote by mail voter for all subsequent
5 elections or until the county elections official is notified otherwise
6 by the Secretary of State or in writing by the voter. A voter
7 requesting termination of vote by mail status thereby consents to
8 placement of his or her residence address, telephone number, and
9 email address in the roster of voters.

10 (2) In addition to the required residence address, provide a valid
11 mailing address to be used in place of the residence address for
12 election, scholarly, or political research, and government purposes.
13 The elections official, in producing a list, roster, or index may, at
14 his or her choice, use the valid mailing address or the word
15 “confidential” or some similar designation in place of the residence
16 address.

17 (c) An action in negligence shall not be maintained against a
18 government entity or officer or employee thereof as a result of the
19 disclosure of the information that is the subject of this section
20 unless by a showing of gross negligence or willfulness.

21 (d) Subdivisions (a) and (b) shall not apply to any person granted
22 confidentiality upon receipt by the county elections official of a
23 written notice by the address confidentiality program manager of
24 the withdrawal, invalidation, expiration, or termination of the
25 program participant’s certification.

26 ~~SEC. 18:~~

27 *SEC. 20.* Section 2166.7 of the Elections Code is amended to
28 read:

29 2166.7. (a) If authorized by his or her county board of
30 supervisors, a county elections official shall, upon application of
31 a public safety officer, make confidential that officer’s residence
32 address, telephone number, and email address appearing on the
33 affidavit of registration or the document that caused the voter to
34 be registered to vote pursuant to subdivision (a) of Section 2101.5,
35 pursuant to this section.

36 (b) The application by the public safety officer shall contain a
37 statement, signed under penalty of perjury, that the person is a
38 public safety officer as defined in subdivision (f) and that a
39 life-threatening circumstance exists to the officer or a member of
40 the officer’s family. The application shall be a public record.

1 (c) The confidentiality granted pursuant to subdivision (a) shall
2 terminate no more than two years after commencement, as
3 determined by the county elections official. The officer may submit
4 a new application for confidentiality pursuant to subdivision (a),
5 and the new request may be granted for an additional period of
6 not more than two years.

7 (d) A person granted confidentiality under subdivision (a) shall:

8 (1) Be considered a vote by mail voter for all subsequent
9 elections or until the county elections official is notified otherwise
10 by the Secretary of State or in writing by the voter. A voter
11 requesting termination of vote by mail status thereby consents to
12 placement of his or her residence address, telephone number, and
13 email address in the roster of voters.

14 (2) In addition to the required residence address, provide a valid
15 mailing address to be used in place of the residence address for
16 election, scholarly, or political research, and government purposes.
17 The elections official, in producing any list, roster, or index may,
18 at his or her choice, use the valid mailing address or the word
19 “confidential” or some similar designation in place of the residence
20 address.

21 (e) An action in negligence shall not be maintained against a
22 government entity or officer or employee thereof as a result of the
23 disclosure of the information that is the subject of this section
24 unless by a showing of gross negligence or willfulness.

25 (f) “A public safety officer” has the same meaning as a public
26 safety official as defined in subdivision (a), (d), (e), (f), or (j) of
27 Section 6254.24 of the Government Code.

28 ~~SEC. 19.~~

29 *SEC. 21.* Section 2167 of the Elections Code is amended to
30 read:

31 2167. (a) Upon the personal or written application of a person,
32 the county elections official shall, at a fee not to exceed one dollar
33 and fifty cents (\$1.50), provide the applicant with a certified copy
34 of the entries upon the register relating to the applicant.

35 (b) A certified copy of an uncanceled affidavit of registration
36 or a certified copy of an uncanceled document that caused the voter
37 to be registered to vote pursuant to subdivision (a) of Section
38 2101.5 is prima facie evidence that the person named in the entry
39 is a voter of the county.

1 ~~SEC. 20.~~

2 *SEC. 22.* Section 2180 of the Elections Code is amended to
3 read:

4 2180. (a) At least once, and more often if he or she deems it
5 necessary, within each two-year period commencing on the first
6 day of January in each odd-numbered year, the county elections
7 official shall have printed a complete index, by precinct, to the
8 affidavits of registration and the documents that caused voters to
9 be registered to vote pursuant to subdivision (a) of Section 2101.5
10 current at the date of printing.

11 (b) (1) The index shall contain the name, address, residence
12 telephone number if furnished, and political party preference of
13 each voter if furnished, and also a ruled space to the left of each
14 name, within which to write, in figures, the line number designating
15 the position of the name of the voter on the roster of voters.

16 (2) The name shall include the given name and the middle name
17 or initials, if any. At the affiant's option, the given name may be
18 preceded by the designation "Miss," "Ms.," "Mrs.," or "Mr."

19 (c) The index shall be printed in a size no smaller than
20 eight-point roman type on eight-point body and shall be arranged
21 in alphabetical order in accordance with the surnames of the voters.

22 (d) A space of not less than one-quarter inch or one line of
23 printing shall be left between the names of voters beginning with
24 one letter of the alphabet and those starting with the next letter of
25 the alphabet.

26 (e) Supplements of the same content and style may be printed
27 as need for them appears.

28 ~~SEC. 21.~~

29 *SEC. 23.* Section 2181 of the Elections Code is amended to
30 read:

31 2181. In addition to printing a complete index within and for
32 each two-year period, as provided in Section 2180, the county
33 elections official may print and maintain one complete and
34 continuing index, by precinct, to the affidavits of registration and
35 the documents that caused voters to be registered to vote pursuant
36 to subdivision (a) of Section 2101.5 and keep the index current by
37 supplements and deletions as provided in Sections 2180 and 2183,
38 and by reprinting portions of the index by precinct, as the need
39 appears, the reprinted portions to contain the same information

1 concerning each voter and to be in the same style, spacing, and
2 type of print as provided in Section 2180.

3 ~~SEC. 22.~~

4 *SEC. 24.* Section 2183 of the Elections Code is amended to
5 read:

6 2183. (a) The elections official shall supply copies of the index
7 and of supplements to the index, necessary to bring it up to date,
8 for an election to be held within the county. The county elections
9 official shall also supply as many copies of the index and
10 supplements, not to exceed four in number, as may be requested
11 by the elections official of a city, school district, or other body.
12 The name of a voter whose affidavit of registration or registration
13 made pursuant to subdivision (a) of Section 2101.5 has been
14 canceled shall be lined out of the index and supplement. The county
15 elections official may charge an amount that will reimburse the
16 county for the expense incurred in preparing and furnishing a lined
17 out index of registrations and supplements other than for those
18 provided for by Sections 2180 and 2182.

19 (b) In the case of a municipal election, an index provided
20 pursuant to this section shall be supplied to the city elections
21 official not less than 25 days prior to the day of the election for
22 which it is provided. If the index does not contain the names of all
23 people eligible to vote in the election, the county elections official
24 shall supply a supplement to the index, including all voters who
25 registered after the 54th day before the election, not less than seven
26 days prior to the election for which it is provided.

27 ~~SEC. 23.~~

28 *SEC. 25.* Section 2187 of the Elections Code is amended to
29 read:

30 2187. (a) A county elections official shall send to the Secretary
31 of State, in a format described by the Secretary of State, a summary
32 statement of the number of voters in the county. The statement
33 shall show the total number of voters in the county, the number
34 registered as preferring each qualified political party, the number
35 registered in nonqualified parties, and the number who declined
36 to state a party preference, ~~and the number who have been~~
37 ~~registered as having no party affiliation because of registration of~~
38 ~~the voter pursuant to subdivision (a) of Section 2101.5.~~ The
39 statement shall also show the number of voters, by political
40 preference, in each city, supervisorial district, Assembly district,

1 Senate district, and congressional district located in whole or in
2 part within the county.

3 (b) The Secretary of State, on the basis of the statements sent
4 by the county elections officials and within 30 days after receiving
5 those statements, shall compile a statewide list showing the number
6 of voters, by party preference, in the state and in each county, city,
7 supervisorial district, Assembly district, Senate district, and
8 congressional district in the state. A copy of this list shall be made
9 available, upon request, to any elector in this state.

10 (c) Each county that uses data processing equipment to store
11 the information set forth in the affidavit of registration or the
12 document that caused a person to be registered to vote pursuant
13 to subdivision (a) of Section 2101.5 shall send to the Secretary of
14 State one copy of the electronic data file with the information
15 requested by the Secretary of State. Each county that does not use
16 data-processing storage shall send to the Secretary of State one
17 copy of the index setting forth that information.

18 (d) The summary statements and the electronic data file copy
19 or the index shall be sent at the following times:

20 (1) On the 135th day before each presidential primary and before
21 each direct primary, with respect to voters registered on the 154th
22 day before the primary election.

23 (2) Not less than 50 days prior to the primary election, with
24 respect to voters registered on the 60th day before the primary
25 election.

26 (3) Not less than seven days prior to the primary election, with
27 respect to voters registered before the 14th day prior to the primary
28 election.

29 (4) Not less than 102 days prior to each presidential general
30 election, with respect to voters registered before the 123rd day
31 before the presidential general election.

32 (5) Not less than 50 days prior to the general election, with
33 respect to voters registered on the 60th day before the general
34 election.

35 (6) Not less than seven days prior to the general election, with
36 respect to voters registered before the 14th day prior to the general
37 election.

38 (7) On or before March 1 of each odd-numbered year, with
39 respect to voters registered as of February 10.

1 (e) The Secretary of State may adopt regulations prescribing
2 the content and format of the electronic data file or index referred
3 to in subdivision (c) and containing the registered voter
4 information.

5 (f) The Secretary of State may adopt regulations prescribing
6 additional regular reporting times, except that the total number of
7 reporting times in any one calendar year shall not exceed 12.

8 (g) The Secretary of State shall make the information from the
9 electronic data files or the printed indexes available, under
10 conditions prescribed by the Secretary of State, to any candidate
11 for federal, state, or local office, to any committee for or against
12 any proposed ballot measure, to any committee for or against any
13 initiative or referendum measure for which legal publication is
14 made, and to any person for election, scholarly, or political
15 research, or governmental purposes as determined by the Secretary
16 of State.

17 (h) For purposes of this section, “electronic data file” means
18 either a magnetic tape or a data file in an alternative electronic
19 format, at the discretion of the county elections official.

20 ~~SEC. 24.~~

21 *SEC. 26.* Section 2189 of the Elections Code is amended to
22 read:

23 2189. Before the day of an election held throughout the county,
24 the county elections official shall deliver to the precinct board in
25 each precinct three copies of the index to the affidavits of
26 registration and the documents that caused voters to be registered
27 to vote pursuant to subdivision (a) of Section 2101.5 for that
28 precinct, with canceled names lined out and with necessary
29 supplements to bring the index up to date. The index and
30 supplements shall constitute the register to be used at the election.

31 ~~SEC. 25.~~

32 *SEC. 27.* Section 2190 of the Elections Code is amended to
33 read:

34 2190. (a) If the county elections official maintains tabulating
35 cards containing the information set forth in the affidavits of
36 registration of voters and the documents that caused voters to be
37 registered to vote pursuant to subdivision (a) of Section 2101.5,
38 or sets forth that information on electronic data processing tape,
39 he or she shall provide, upon request, not less than 30 days prior
40 to each direct primary election and general election, one set of

1 those cards or a copy of the tape to the county central committee
2 of a party for all voters allowed to participate in the subsequent
3 direct primary election or general election. The county elections
4 official shall also furnish to the county central committee, not less
5 than seven days prior to each direct primary election and general
6 election, one set of those cards or a copy of the tape of those voters
7 who registered after the 54th day before the election. The cards or
8 tape shall be provided without charge, except that the county
9 central committee shall provide a replacement for the tape.

10 (b) In addition to those provided to county central committees,
11 the county elections official shall provide, upon request, a set of
12 cards or a copy of a tape to any candidate or committee specified
13 in Section 2184, provided that the candidate or committee
14 reimburses the county for whatever actual costs are involved in
15 providing this service.

16 ~~SEC. 26.~~

17 *SEC. 28.* Section 2194 of the Elections Code is amended to
18 read:

19 2194. (a) Except as provided in Section 2194.1, the voter
20 registration card information identified in Section 6254.4 of the
21 Government Code:

22 (1) Shall be confidential and shall not appear on any computer
23 terminal, list, affidavit, duplicate affidavit, or other medium
24 routinely available to the public at the county elections official's
25 office.

26 (2) Shall not be used for any personal, private, or commercial
27 purpose, including, but not limited to:

28 (A) The harassment of any voter or voter's household.

29 (B) The advertising, solicitation, sale, or marketing of products
30 or services to any voter or voter's household.

31 (C) Reproduction in print, broadcast visual or audio, or display
32 on the Internet or any computer terminal unless pursuant to
33 paragraph (3).

34 (3) Shall be provided with respect to any voter, subject to the
35 provisions of Sections 2166.5, 2166.7, and 2188, to any candidate
36 for federal, state, or local office, to any committee for or against
37 any initiative or referendum measure for which legal publication
38 is made, and to any person for election, scholarly, journalistic, or
39 political purposes, or for governmental purposes, as determined
40 by the Secretary of State.

1 (b) (1) Notwithstanding any other law, the California driver's
2 license number, the California identification card number, the
3 social security number, and any other unique identifier used by
4 the State of California for purposes of voter identification shown
5 on a voter registration card or the document that caused a person
6 to be registered to vote pursuant to subdivision (a) of Section
7 2101.5 of a registered voter, or added to voter registration records
8 to comply with the requirements of the federal Help America Vote
9 Act of 2002 (42 U.S.C. Sec. 15301 et seq.), are confidential and
10 shall not be disclosed to any person.

11 (2) Notwithstanding any other law, the signature of the voter
12 shown on the voter registration card or the document that caused
13 a person to be registered to vote pursuant to subdivision (a) of
14 Section 2101.5 is confidential and shall not be disclosed to any
15 person, except as provided in subdivision (c).

16 (c) (1) The home address or signature of any voter shall be
17 released whenever the person's vote is challenged pursuant to
18 Sections 15105 to 15108, inclusive, or Article 3 (commencing
19 with Section 14240) of Chapter 3 of Division 14. The address or
20 signature shall be released only to the challenger, to elections
21 officials, and to other persons as necessary to make, defend against,
22 or adjudicate the challenge.

23 (2) An elections official shall permit a person to view the
24 signature of a voter for the purpose of determining whether the
25 signature matches a signature on an affidavit of registration, the
26 document that caused a person to be registered to vote pursuant
27 to subdivision (a) of Section 2101.5, or a petition, but shall not
28 permit a signature to be copied.

29 (d) A governmental entity, or officer or employee thereof, shall
30 not be held civilly liable as a result of disclosure of the information
31 referred to in this section, unless by a showing of gross negligence
32 or willfulness.

33 (e) For the purposes of this section, "voter's household" is
34 defined as the voter's place of residence or mailing address or any
35 persons who reside at the place of residence or use the mailing
36 address as supplied on the affidavit of registration pursuant to
37 paragraphs (3) and (4) of subdivision (a) of Section 2150 or the
38 document that caused a person to be registered to vote pursuant
39 to subdivision (a) of Section 2101.5.

1 ~~SEC. 27.~~

2 *SEC. 29.* Section 2200 of the Elections Code is amended to
3 read:

4 2200. The registration of a voter is permanent for all purposes
5 during his or her life, unless and until the registration is canceled
6 by the county elections official for any of the causes specified in
7 this article.

8 ~~SEC. 28.~~

9 *SEC. 30.* Section 2202 of the Elections Code is amended to
10 read:

11 2202. (a) The county elections official shall preserve all
12 uncanceled affidavits of registration and documents that caused
13 voters to be registered to vote pursuant to subdivision (a) of Section
14 2101.5 in a secure manner that will protect the confidentiality of
15 the voter information consistent with Section 2194.

16 The affidavits of registration and the documents that caused
17 voters to be registered to vote pursuant to subdivision (a) of Section
18 2101.5 shall constitute the register required to be kept by Article
19 5 (commencing with Section 2180) of Chapter 2.

20 (b) In lieu of maintaining uncanceled affidavits of registration
21 and documents that caused voters to be registered to vote pursuant
22 to subdivision (a) of Section 2101.5, the county elections official
23 may, following the first general election after the date of
24 registration, microfilm, record on optical disc, or record on another
25 electronic medium that does not permit an addition, deletion, or
26 change to the original document, the uncanceled affidavits of
27 registration and documents that caused voters to be registered to
28 vote pursuant to subdivision (a) of Section 2101.5. Use of an
29 electronic medium to record uncanceled affidavits of registration
30 and documents that caused voters to be registered to vote pursuant
31 to subdivision (a) of Section 2101.5 shall protect the security and
32 confidentiality of the voter information. The county elections
33 official may dispose of uncanceled affidavits of registration and
34 documents that caused voters to be registered to vote pursuant to
35 subdivision (a) of Section 2101.5 transferred pursuant to this
36 section. The disposal of uncanceled affidavits and documents that
37 caused voters to be registered to vote pursuant to subdivision (a)
38 of Section 2101.5 shall be performed in a manner that does not
39 compromise the security or confidentiality of the voter information
40 contained therein. A medium used by the county elections official

1 shall meet the minimum standards, guidelines, or both, as
2 recommended by the American National Standards Institute or the
3 Association of Information and Image Management. For purposes
4 of this section, a duplicate copy of an affidavit of registration shall
5 be deemed an original.

6 ~~SEC. 29.~~

7 *SEC. 31.* Section 2203 of the Elections Code is amended to
8 read:

9 2203. (a) Cancellation is made by writing or stamping on the
10 affidavit of registration or the document that caused the voter to
11 be registered to vote pursuant to subdivision (a) of Section 2101.5
12 the word “canceled,” the reason the registration was canceled, and
13 the date of cancellation.

14 (b) Whenever a voter transfers his or her registration from one
15 precinct to another precinct in the same county, or reregisters in
16 another precinct in the same county as shown by the new affidavit
17 of registration, the county elections official shall immediately
18 cancel the registration from the precinct in which the voter was
19 first registered, and shall remove the registration from the file of
20 uncanceled registrations.

21 (c) Except as provided in Section 2119, whenever a voter
22 removes from one county to another county and registers in the
23 latter county, the county elections official of the county in which
24 he or she was first registered, upon being informed of his or her
25 removal either by the voter personally or by receipt of a notice of
26 reregistration under Section 2118, shall likewise cancel his or her
27 registration and remove the registration in that county.

28 (d) The county elections official in distributing to each precinct
29 the three indexes of registration, as required by Section 2189, shall
30 cross out of those indexes the name of a voter whose registration
31 from the precinct has been canceled.

32 ~~SEC. 30.~~

33 *SEC. 32.* Section 2204 of the Elections Code is amended to
34 read:

35 2204. Notwithstanding any other law, whenever a voter changes
36 his or her residence within the same precinct, the voter’s
37 registration shall not be canceled. Whenever notified by the voter,
38 the elections official shall change the voter’s affidavit of
39 registration or the document that caused the voter to be registered

1 to vote pursuant to subdivision (a) of Section 2101.5 to reflect the
2 new residence address within the same precinct.

3 ~~SEC. 31.~~

4 *SEC. 33.* Section 2205 of the Elections Code, as enacted by
5 Section 2 of Chapter 920 of the Statutes of 1994, is amended to
6 read:

7 2205. The local registrar of births and deaths shall notify the
8 county elections official not later than the 15th day of each month
9 of all deceased persons 18 years of age and over, whose deaths
10 were registered with him or her or of whose deaths he or she was
11 notified by the State Registrar of Vital Statistics during the
12 preceding month. This notification shall include at least the name,
13 sex, age, birthplace, birth date, place of residence, and date and
14 place of death of each decedent.

15 The county elections official shall cancel the voter registration
16 of each deceased voter.

17 ~~SEC. 32.~~

18 *SEC. 34.* Section 2205 of the Elections Code, as amended by
19 Section 5 of Chapter 364 of the Statutes of 2009, is amended to
20 read:

21 2205. The local registrar of births and deaths shall notify the
22 county elections official not later than the 15th day of each month
23 of all deceased persons 17 years of age and over, whose deaths
24 were registered with him or her or of whose deaths he or she was
25 notified by the State Registrar of Vital Statistics during the
26 preceding month. This notification shall include at least the name,
27 sex, age, birthplace, birth date, place of residence, and date and
28 place of death of each decedent.

29 The county elections official shall cancel the voter registration
30 of the deceased voter.

31 ~~SEC. 33.~~

32 *SEC. 35.* Section 2206 of the Elections Code is amended to
33 read:

34 2206. The Secretary of State shall adopt regulations to facilitate
35 the availability of death statistics from the State Department of
36 Public Health. The data shall be used by county elections officials
37 in canceling the voter registration of deceased persons.

38 ~~SEC. 34.~~

39 *SEC. 36.* Section 2212 of the Elections Code is amended to
40 read:

1 2212. The clerk of the superior court of the county, on the basis
2 of the records of the court, shall furnish to the chief elections
3 official of the county, not less frequently than the first day of April
4 and the first day of September of each year, a statement showing
5 the names, addresses, and dates of birth of all persons who have
6 been convicted of felonies since the clerk's last report. The
7 elections official shall, during the first week of April and the first
8 week of September in each year, cancel the voter registration of
9 those persons who are currently imprisoned or on parole for the
10 conviction of a felony. The clerk shall certify the statement under
11 the seal of the court.

12 ~~SEC. 35.~~

13 *SEC. 37.* Section 2221 of the Elections Code is amended to
14 read:

15 2221. (a) Based on the postal notice on the returned residency
16 confirmation postcard received pursuant to Section 2220, the
17 county elections official shall take the following actions:

18 (1) The voter registration of a person whose residency
19 confirmation postcard is returned by the post office as
20 undeliverable and who has no forwarding address shall be placed
21 in the inactive file pursuant to paragraph (2) of subdivision (a) of
22 Section 2226. This person shall be mailed the confirmation notice
23 described in subdivision (d) of Section 2225.

24 (2) The voter registration of a person for whom a forwarding
25 address within the county is received shall be corrected to reflect
26 the new address provided by the post office.

27 (3) The voter registration of a person for whom a forwarding
28 address outside of the county is received shall be placed in the
29 inactive file pursuant to paragraph (2) of subdivision (a) of Section
30 2226. This person shall be mailed the confirmation notice described
31 in subdivision (c) of Section 2225.

32 (b) A blank affidavit of registration shall immediately be mailed
33 to the address from which a voter registration was canceled or
34 changed pursuant to this section.

35 (c) An address correction or cancellation of a voter registration
36 made pursuant to this section shall be reflected on the voter index
37 as required by Section 2191.

38 ~~SEC. 36.~~

39 *SEC. 38.* Section 3006 of the Elections Code is amended to
40 read:

1 3006. (a) A printed application that is to be distributed to a
2 voter for requesting a vote by mail voter’s ballot shall inform the
3 voter that the application for the vote by mail voter’s ballot must
4 be received by the elections official not later than seven days prior
5 to the date of the election and shall contain spaces for the
6 following:

7 (1) The printed name and residence address of the voter as it
8 appears on the affidavit of registration or the document that caused
9 the voter to be registered to vote pursuant to subdivision (a) of
10 Section 2101.5.

11 (2) The address to which the ballot is to be mailed.

12 (3) The voter’s signature.

13 (4) The name and date of the election for which the request is
14 to be made.

15 (b) (1) The information required by paragraphs (1) and (4) of
16 subdivision (a) may be preprinted on the application. The
17 information required by paragraphs (2) and (3) of subdivision (a)
18 shall be personally affixed by the voter.

19 (2) An address, as required by paragraph (2) of subdivision (a),
20 may not be the address of a political party, a political campaign
21 headquarters, or a candidate’s residence. However, a candidate,
22 his or her spouse, immediate family members, and any other voter
23 who shares the same residence address as the candidate may request
24 that a vote by mail ballot be mailed to the candidate’s residence
25 address.

26 (3) An application that contains preprinted information shall
27 contain a conspicuously printed statement substantially similar to
28 the following: “You have the legal right to mail or deliver this
29 application directly to the local elections official of the county
30 where you reside.”

31 (c) The application shall inform the voter that if he or she has
32 declined to disclose a preference for a political party, the voter
33 may request a vote by mail ballot for a particular political party
34 for the partisan primary election, if that political party has adopted
35 a party rule, duly noticed to the Secretary of State, authorizing that
36 vote. The application shall contain a toll-free telephone number,
37 established by the Secretary of State, that the voter may call to
38 access information regarding which political parties have adopted
39 such a rule. The application shall contain a checkoff box with a
40 conspicuously printed statement that reads substantially similar to

1 the following: “I have declined to disclose a preference for a
2 qualified political party. However, for this primary election only,
3 I request a vote by mail ballot for the _____ Party.” The name
4 of the political party shall be personally affixed by the voter.

5 (d) The application shall provide the voter with information
6 concerning the procedure for establishing permanent vote by mail
7 voter status, and the basis upon which permanent vote by mail
8 voter status is claimed.

9 (e) The application shall be attested to by the voter as to the
10 truth and correctness of its content, and shall be signed under
11 penalty of perjury.

12 ~~SEC. 37.~~

13 *SEC. 39.* Section 3007.5 of the Elections Code is amended to
14 read:

15 3007.5. (a) The Secretary of State shall prepare and distribute
16 to appropriate elections officials a uniform electronic application
17 format for a vote by mail voter’s ballot that conforms to this
18 section.

19 (b) The uniform electronic application shall inform the voter
20 that the application for the vote by mail voter’s ballot must be
21 received by the elections official not later than seven days prior
22 to the date of the election and shall contain spaces for at least the
23 following information:

24 (1) The name and residence address of the registered voter as
25 it appears on the affidavit of registration or the document that
26 caused the voter to be registered to vote pursuant to subdivision
27 (a) of Section 2101.5.

28 (2) The address to which the ballot is to be mailed.

29 (3) The name and date of the election for which the request is
30 made.

31 (4) The date of birth of the registered voter.

32 (c) The uniform electronic application shall inform the voter
33 that if he or she has declined to disclose a preference for a political
34 party, the voter may request a vote by mail ballot for a particular
35 political party for the partisan primary election, if that political
36 party has adopted a party rule, duly noticed to the Secretary of
37 State, authorizing that vote. The application shall contain a toll-free
38 telephone number, established by the Secretary of State, that the
39 voter may call to access information regarding which political
40 parties have adopted such a rule. The application shall list the

1 parties that have notified the Secretary of State of the adoption of
2 such a rule. The application shall contain a checkoff box with a
3 conspicuously printed statement that reads substantially similar to
4 the following: “I have declined to disclose a preference for a
5 qualified political party. However, for this primary election only,
6 I request a vote by mail ballot for the ____ Party.” The name of
7 the political party shall be personally affixed by the voter.

8 (d) The uniform electronic application shall contain a
9 conspicuously printed statement substantially similar to the
10 following: “Only the registered voter himself or herself may apply
11 for a vote by mail ballot. An application for a vote by mail ballot
12 made by a person other than the registered voter is a criminal
13 offense.”

14 (e) The uniform electronic application shall include a statement
15 substantially similar to the following: “A ballot will not be sent to
16 you if this application is incomplete or inaccurate.”

17 (f) The uniform electronic application format shall not permit
18 the form to be electronically submitted unless all of the information
19 required to complete the application is contained in the appropriate
20 fields.

21 ~~SEC. 38.~~

22 *SEC. 40.* Section 3009 of the Elections Code is amended to
23 read:

24 3009. (a) Upon receipt of a vote by mail ballot application
25 signed by the voter that arrives within the proper time, the elections
26 official should determine if the signature and residence address
27 on the ballot application appear to be the same as that on the
28 original affidavit of registration or the document that caused the
29 voter to be registered to vote pursuant to subdivision (a) of Section
30 2101.5. The elections official may make this signature check upon
31 receiving the voted ballot, but the signature must be compared
32 before the vote by mail voter ballot is canvassed.

33 (b) If the elections official deems the applicant entitled to a vote
34 by mail voter’s ballot he or she shall deliver by mail or in person
35 the appropriate ballot. The ballot may be delivered to the applicant,
36 his or her spouse, child, parent, grandparent, grandchild, or sibling,
37 or a person residing in the same household as the vote by mail
38 voter, except that in no case shall the ballot be delivered to an
39 individual under 16 years of age. The elections official shall deliver
40 the vote by mail ballot to the applicant’s spouse, child, parent,

1 grandparent, grandchild, or sibling, or a person residing in the
2 same household as the vote by mail voter only if that person signs
3 a statement attested to under penalty of perjury that provides the
4 name of the applicant and his or her relationship to the applicant,
5 and affirms that he or she is 16 years of age or older, and is
6 authorized by the applicant to deliver the vote by mail ballot.

7 (c) (1) If the elections official determines that an application
8 does not contain all of the information prescribed in Section 3001
9 or 3006, or for any other reason is defective, and the elections
10 official is able to ascertain the voter's address, the elections official
11 shall, within one working day of receiving the application, mail
12 the voter a vote by mail voter's ballot together with a notice. The
13 notice shall inform the voter that the voter's vote by mail voter's
14 ballot shall not be counted unless the applicant provides the
15 elections official with the missing information or corrects the
16 defects prior to, or at the time of, receipt of the voter's executed
17 vote by mail voter's ballot. The notice shall specifically inform
18 the voter of the information that is required or the reason for the
19 defects in the application, and shall state the procedure necessary
20 to remedy the defective application.

21 (2) If the voter substantially complies with the requirements
22 contained in the elections official's notice, the voter's ballot shall
23 be counted.

24 (3) In determining from the records of registration if the
25 signature and residence address on the application appear to be
26 the same as that on the original affidavit of registration or the
27 document that caused the voter to be registered to vote pursuant
28 to subdivision (a) of Section 2101.5, the elections official or
29 registrar of voters may use the duplicate file of registered voters
30 or the facsimiles of voter's signatures, provided that the method
31 of preparing and displaying the facsimiles complies with the law.

32 ~~SEC. 39.~~

33 *SEC. 41.* Section 3011 of the Elections Code is amended to
34 read:

35 3011. (a) The identification envelope shall contain all of the
36 following:

37 (1) A declaration, under penalty of perjury, stating that the voter
38 resides within the precinct in which he or she is voting and is the
39 person whose name appears on the envelope.

40 (2) The signature of the voter.

1 (3) The residence address of the voter as shown on the affidavit
2 of registration or the document that caused the voter to be
3 registered to vote pursuant to subdivision (a) of Section 2101.5.

4 (4) The date of signing.

5 (5) A notice that the envelope contains an official ballot and is
6 to be opened only by the canvassing board.

7 (6) A warning plainly stamped or printed on it that voting twice
8 constitutes a crime.

9 (7) A warning plainly stamped or printed on it that the voter
10 must sign the envelope in his or her own handwriting in order for
11 the ballot to be counted.

12 (8) A statement that the voter has neither applied, nor intends
13 to apply, for a vote by mail voter's ballot from any other
14 jurisdiction for the same election.

15 (9) The name of the person authorized by the voter to return the
16 vote by mail ballot pursuant to Section 3017.

17 (10) The relationship to the voter of the person authorized to
18 return the vote by mail ballot.

19 (11) The signature of the person authorized to return the vote
20 by mail ballot.

21 (b) Except at a primary election for partisan office, and
22 notwithstanding any other provision of law, the vote by mail voter's
23 party affiliation may not be stamped or printed on the identification
24 envelope.

25 ~~SEC. 40.~~

26 *SEC. 42.* Section 3013 of the Elections Code is amended to
27 read:

28 3013. Upon delivering or mailing a vote by mail voter's ballot,
29 the elections official shall enter on the application of the vote by
30 mail voter, or on the affidavit of registration or the document that
31 caused the voter to be registered to vote pursuant to subdivision
32 (a) of Section 2101.5, the type of ballot and the date of delivering
33 or mailing. Before the election the elections official shall send to
34 the inspector of each precinct in his or her county or city a list of
35 the voters in that precinct applying for and receiving ballots under
36 this chapter.

37 ~~SEC. 41.~~

38 *SEC. 43.* Section 3019 of the Elections Code is amended to
39 read:

1 3019. (a) Upon receipt of a vote by mail ballot, the elections
2 official shall compare the signature on the identification envelope
3 with either of the following to determine whether the signatures
4 compare:

5 (1) The signature appearing on the voter's affidavit of
6 registration or any previous affidavit of registration of the voter
7 or the document that caused the voter to be registered to vote
8 pursuant to subdivision (a) of Section 2101.5.

9 (2) The signature appearing on a form issued by an elections
10 official that contains the voter's signature, that is part of the voter's
11 registration record, and that the elections official has determined
12 compares with the signature on the voter's affidavit of registration
13 or any previous affidavit of registration of the voter or the
14 document that caused the voter to be registered to vote pursuant
15 to subdivision (a) of Section 2101.5. The elections official may
16 make this determination by reviewing a series of signatures
17 appearing on official forms in the voter's registration record that
18 have been determined to compare, that demonstrates the
19 progression of the voter's signature, and makes evident that the
20 signature on the identification envelope is that of the voter.

21 (b) In comparing signatures pursuant to subdivision (a), the
22 elections official may use the duplicate file of affidavits of
23 registered voters, the document that caused the voter to be
24 registered to vote pursuant to subdivision (a) of Section 2101.5,
25 or facsimiles of voters' signatures, provided that the method of
26 preparing and displaying the facsimiles complies with the law.

27 (c) (1) If upon conducting the comparison of signatures pursuant
28 to subdivision (a) the elections official determines that the
29 signatures compare, he or she shall deposit the ballot, still in the
30 identification envelope, in a ballot container in his or her office.

31 (2) If upon conducting the comparison of signatures pursuant
32 to subdivision (a) the elections official determines that the
33 signatures do not compare, the identification envelope shall not
34 be opened and the ballot shall not be counted. The cause of the
35 rejection shall be written on the face of the identification envelope.

36 (d) The variation of a signature caused by the substitution of
37 initials for the first or middle name, or both, shall not be grounds
38 for the elections official to determine that the signatures do not
39 compare.

1 (e) A ballot shall not be removed from its identification envelope
2 until the time for processing ballots. A ballot shall not be rejected
3 for cause after the identification envelope has been opened.

4 ~~SEC. 42.~~

5 *SEC. 44.* Section 3021 of the Elections Code is amended to
6 read:

7 3021. (a) After the close of the period for requesting a vote
8 by mail voter ballot by mail a voter unable to go to the polls
9 because of illness or disability resulting in his or her confinement
10 in a hospital, sanatorium, nursing home, or place of residence; or
11 a voter unable because of a physical handicap to go to his or her
12 polling place or because of that handicap is unable to vote at his
13 or her polling place due to an existing architectural barrier at his
14 or her polling place denying him or her physical access to the
15 polling place, voting booth, or voting apparatus or machinery; or
16 a voter unable to go to his or her polling place because of a
17 condition resulting in his or her absence from the precinct on
18 election day may request in a written statement, signed under
19 penalty of perjury, that a ballot be delivered to him or her. This
20 written statement shall not be required if the vote by mail ballot
21 is voted in the office of the elections official as defined by
22 subdivision (b) of Section 3018, at the time of the request. This
23 ballot shall be delivered by the elections official to an authorized
24 representative of the voter who presents this written statement to
25 the elections official.

26 (b) Before delivering the ballot the elections official may
27 compare the signature on the request with the signature on the
28 voter's affidavit of registration or the document that caused the
29 voter to be registered to vote pursuant to subdivision (a) of Section
30 2101.5, but in any event, the signature shall be compared before
31 the vote by mail ballot is canvassed.

32 (c) The voter shall mark the ballot, place it in the identification
33 envelope, fill out and sign the envelope, and return the ballot,
34 personally or through the authorized representative, to either the
35 elections official or a polling place within the jurisdiction.

36 (d) These ballots shall be processed and counted in the same
37 manner as other vote by mail ballots.

38 ~~SEC. 43.~~

39 *SEC. 45.* Section 3501 of the Elections Code is amended to
40 read:

1 3501. A new citizen registering to vote after the close of
2 registration shall provide the county elections official with proof
3 of citizenship prior to voting, and shall declare that he or she has
4 established residency in California. Upon receipt of proof of
5 citizenship and California residency, the county elections official
6 shall instate the affiant as a registered voter and include his or her
7 affidavit of registration in the permanent file of voter registrations.

8 *SEC. 46. Section 8002.5 of the Elections Code is amended to*
9 *read:*

10 8002.5. (a) A candidate for a voter-nominated office shall
11 indicate one of the following upon his or her declaration of
12 candidacy, which shall be consistent with what appears on the
13 candidate's most recent affidavit of registration *or document that*
14 *caused the candidate to be registered to vote pursuant to*
15 *subdivision (a) of Section 2101.5:*

16 (1) "Party Preference: _____ (insert the name of the qualified
17 political party as disclosed upon your affidavit of registration *or*
18 *on the document that caused you to be registered to vote pursuant*
19 *to subdivision (a) of Section 2101.5)."*

20 (2) "Party Preference: None (if you have declined to disclose a
21 preference for a qualified political party upon your affidavit of
22 registration *or on the document that caused you to be registered*
23 *to vote pursuant to subdivision (a) of Section 2101.5)."*

24 (b) The selection made by a candidate pursuant to subdivision
25 (a) shall appear on the primary and general election ballot in
26 conjunction with his or her name, and shall not be changed between
27 the primary and general election.

28 (c) Regardless of the party preference, or lack of party
29 preference, of the candidate or the voter, any qualified voter may
30 vote for any candidate for a voter-nominated office if the voter is
31 otherwise entitled to vote for candidates for the office to be filled.
32 Nothing in Section 2151, 3006, 3007.5, 3205, or 13102 shall be
33 construed to limit the ability of a voter to cast a primary election
34 ballot for any candidate for a voter-nominated office, regardless
35 of the party preference, or lack of party preference, designated by
36 the candidate for inclusion upon the ballot pursuant to this section,
37 provided that the voter is otherwise qualified to cast a ballot for
38 the office at issue.

39 (d) A candidate designating a party preference pursuant to
40 subdivision (a) shall not be deemed to be the official nominee of

1 the party designated as preferred by the candidate. A candidate's
2 designation of party preference shall not be construed as an
3 endorsement of that candidate by the party designated. The party
4 preference designated by the candidate is shown for the information
5 of the voters only and may in no way limit the options available
6 to voters.

7 (e) All references to party preference or affiliation shall be
8 omitted from all forms required to be filed by a voter-nominated
9 candidate pursuant to this division in the same manner that such
10 references are omitted from forms required to be filed by
11 nonpartisan candidates pursuant to Section 8002, except that the
12 declaration of candidacy required by Section 8040 shall include
13 space for the candidate to list the party preference disclosed upon
14 the candidate's most recent affidavit of registration *or document*
15 *that caused the candidate to be registered to vote pursuant to*
16 *subdivision (a) of Section 2101.5*, in accordance with subdivision
17 (a).

18 *SEC. 47. Section 8081 of the Elections Code is amended to*
19 *read:*

20 8081. Before any nomination document is filed in the office
21 of the county elections official or forwarded for filing in the office
22 of the Secretary of State, the county elections official shall verify
23 the signatures and the political preferences, if required, of the
24 signers on the nomination paper with the registration affidavits on
25 file in the office of the county elections official. The county
26 elections official shall mark "not sufficient" any signature that
27 does not appear in the same handwriting as appears on the affidavit
28 of registration *or the document that caused the voter to be*
29 *registered to vote pursuant to subdivision (a) of Section 2101.5* in
30 his or her office, or that is accompanied by a declaration of party
31 preference that is not in accordance with the declaration of party
32 preference in the affidavit of registration *or the document that*
33 *caused the voter to be registered to vote pursuant to subdivision*
34 *(a) of Section 2101.5*. The county elections official may cease to
35 verify signatures once the minimum requisite number of signatures
36 has been verified.

37 ~~SEC. 44.~~

38 *SEC. 48. Section 9094 of the Elections Code is amended to*
39 *read:*

1 9094. (a) The Secretary of State shall mail a ballot pamphlet
2 to a voter, in those instances in which the county elections official
3 uses data processing equipment to store the information set forth
4 in the affidavits of registration and the documents that caused
5 voters to be registered to vote pursuant to subdivision (a) of Section
6 2101.5, before the election at which a measure contained in the
7 ballot pamphlet is to be voted on unless a voter has registered
8 fewer than 29 days before the election. The mailing shall
9 commence not less than 40 days before the election and shall be
10 completed no later than 21 days before the election for those voters
11 who registered on or before the 60th day before the election. The
12 Secretary of State shall mail one copy of the ballot pamphlet to a
13 registered voter at the postal address stated on the voter's affidavit
14 of registration or the document that caused the voter to be
15 registered to vote pursuant to subdivision (a) of Section 2101.5,
16 or the Secretary of State may mail only one ballot pamphlet to two
17 or more registered voters having the same surname and the same
18 postal address.

19 (b) In those instances in which the county elections official does
20 not utilize data processing equipment to store the information set
21 forth in the affidavits of registration and the documents that caused
22 voters to be registered to vote pursuant to subdivision (a) of Section
23 2101.5, the Secretary of State shall furnish ballot pamphlets to the
24 county elections official not less than 45 days before the election
25 at which a measure contained in the ballot pamphlet is to be voted
26 on and the county elections official shall mail a ballot pamphlet
27 to a voter, on the same dates and in the same manner provided by
28 subdivision (a).

29 (c) The Secretary of State shall provide for the mailing of a
30 ballot pamphlet to a voter registering after the 60th day before the
31 election and before the 28th day before the election, by either: (1)
32 mailing in the manner as provided in subdivision (a), or (2)
33 requiring the county elections official to mail a ballot pamphlet to
34 a voter registering in the county after the 60th day before the
35 election and before the 28th day before the election pursuant to
36 this section. The second mailing of ballot pamphlets shall be
37 completed no later than 10 days before the election. The county
38 elections official shall mail a ballot pamphlet to a person requesting
39 a ballot pamphlet. Three copies, to be supplied by the Secretary

1 of State, shall be kept at every polling place, while an election is
2 in progress, so that they may be freely consulted by the voters.

3 *SEC. 49. Section 12108 of the Elections Code is amended to*
4 *read:*

5 12108. In a case in which this chapter requires the posting or
6 distribution of a list of the names of precinct board members, or
7 a portion of the list, the officers charged with the duty of posting
8 shall ascertain the name of the political party, if any, for which
9 each precinct board member has expressed a preference, as shown
10 in the affidavit of registration of that person *or document that*
11 *caused that person to be registered to vote pursuant to subdivision*
12 *(a) of Section 2101.5.* When the list is posted or distributed, there
13 shall be printed the name of the board member's party preference
14 or an abbreviation of the name to the right of the name, or
15 immediately below the name, of each precinct board member. If
16 a precinct board member has not expressed a preference for a
17 political party, the word "None" shall be printed in place of the
18 party name.

19 ~~SEC. 45.~~

20 *SEC. 50.* Section 14310 of the Elections Code, as amended by
21 Section 1 of Chapter 611 of the Statutes of 2009, is amended to
22 read:

23 14310. (a) At all elections, a voter claiming to be properly
24 registered but whose qualification or entitlement to vote cannot
25 be immediately established upon examination of the index of
26 registration for the precinct or upon examination of the records on
27 file with the county elections official, shall be entitled to vote a
28 provisional ballot as follows:

29 (1) An elections official shall advise the voter of the voter's
30 right to cast a provisional ballot.

31 (2) The voter shall be provided a provisional ballot, written
32 instructions regarding the process and procedures for casting the
33 provisional ballot, and a written affirmation regarding the voter's
34 registration and eligibility to vote. The written instructions shall
35 include the information set forth in subdivisions (c) and (d).

36 (3) The voter shall be required to execute, in the presence of an
37 elections official, the written affirmation stating that the voter is
38 eligible to vote and registered in the county where the voter desires
39 to vote.

1 (b) Once voted, the voter's ballot shall be sealed in a provisional
2 ballot envelope, and the ballot in its envelope shall be deposited
3 in the ballot box. All provisional ballots voted shall remain sealed
4 in their envelopes for return to the elections official in accordance
5 with the elections official's instructions. The provisional ballot
6 envelopes specified in this subdivision shall be a color different
7 than the color of, but printed substantially similar to, the envelopes
8 used for vote by mail ballots, and shall be completed in the same
9 manner as vote by mail envelopes.

10 (c) (1) During the official canvass, the elections official shall
11 examine the records with respect to all provisional ballots cast.
12 Using the procedures that apply to the comparison of signatures
13 on vote by mail ballots, the elections official shall compare the
14 signature on each provisional ballot envelope with the signature
15 on the voter's affidavit of registration or the document that caused
16 the voter to be registered to vote pursuant to subdivision (a) of
17 Section 2101.5. If the signatures do not compare or the provisional
18 ballot envelope is not signed, the ballot shall be rejected. A
19 variation of the signature caused by the substitution of initials for
20 the first or middle name, or both, shall not invalidate the ballot.

21 (2) Provisional ballots shall not be included in any semiofficial
22 or official canvass, except upon: (A) the elections official's
23 establishing prior to the completion of the official canvass, from
24 the records in his or her office, the claimant's right to vote; or (B)
25 the order of a superior court in the county of the voter's residence.
26 A voter may seek the court order specified in this paragraph
27 regarding his or her own ballot at any time prior to completion of
28 the official canvass. Any judicial action or appeal shall have
29 priority over all other civil matters. No fee shall be charged to the
30 claimant by the clerk of the court for services rendered in an action
31 under this section.

32 (3) The provisional ballot of a voter who is otherwise entitled
33 to vote shall not be rejected because the voter did not cast his or
34 her ballot in the precinct to which he or she was assigned by the
35 elections official.

36 (A) If the ballot cast by the voter contains the same candidates
37 and measures on which the voter would have been entitled to vote
38 in his or her assigned precinct, the elections official shall count
39 the votes for the entire ballot.

1 (B) If the ballot cast by the voter contains candidates or
2 measures on which the voter would not have been entitled to vote
3 in his or her assigned precinct, the elections official shall count
4 only the votes for the candidates and measures on which the voter
5 was entitled to vote in his or her assigned precinct.

6 (d) The Secretary of State shall establish a free access system
7 that any voter who casts a provisional ballot may access to discover
8 whether the voter’s provisional ballot was counted and, if not, the
9 reason why it was not counted.

10 (e) The Secretary of State may adopt appropriate regulations
11 for purposes of ensuring the uniform application of this section.

12 (f) This section shall apply to any vote by mail voter described
13 by Section 3015 who is unable to surrender his or her unvoted vote
14 by mail voter’s ballot.

15 (g) Any existing supply of envelopes marked “special challenged
16 ballot” may be used until the supply is exhausted.

17 ~~SEC. 46.~~

18 *SEC. 51.* Section 14310 of the Elections Code, as amended by
19 Section 3 of Chapter 497 of the Statutes of 2012, is amended to
20 read:

21 14310. (a) At all elections, a voter claiming to be properly
22 registered, but whose qualification or entitlement to vote cannot
23 be immediately established upon examination of the index of
24 registration for the precinct or upon examination of the records on
25 file with the county elections official, shall be entitled to vote a
26 provisional ballot as follows:

27 (1) An elections official shall advise the voter of the voter’s
28 right to cast a provisional ballot.

29 (2) The voter shall be provided a provisional ballot, written
30 instructions regarding the process and procedures for casting the
31 ballot, and a written affirmation regarding the voter’s registration
32 and eligibility to vote. The written instructions shall include the
33 information set forth in subdivisions (c) and (d).

34 (3) The voter shall be required to execute, in the presence of an
35 elections official, the written affirmation stating that the voter is
36 eligible to vote and registered in the county where the voter desires
37 to vote.

38 (b) Once voted, the voter’s ballot shall be sealed in a provisional
39 ballot envelope, and the ballot in its envelope shall be deposited
40 in the ballot box. All provisional ballots voted shall remain sealed

1 in their envelopes for return to the elections official in accordance
2 with the elections official's instructions. The provisional ballot
3 envelopes specified in this subdivision shall be of a color different
4 than the color of, but printed substantially similar to, the envelopes
5 used for vote by mail ballots, and shall be completed in the same
6 manner as vote by mail envelopes.

7 (c) (1) During the official canvass, the elections official shall
8 examine the records with respect to all provisional ballots cast.
9 Using the procedures that apply to the comparison of signatures
10 on vote by mail ballots, the elections official shall compare the
11 signature on each provisional ballot envelope with the signature
12 on the voter's affidavit of registration or the document that caused
13 the voter to be registered to vote pursuant to subdivision (a) of
14 Section 2101.5. If the signatures do not compare or the provisional
15 ballot envelope is not signed, the ballot shall be rejected. A
16 variation of the signature caused by the substitution of initials for
17 the first or middle name, or both, shall not invalidate the ballot.

18 (2) (A) Provisional ballots shall not be included in any
19 semiofficial or official canvass, except under one or more of the
20 following conditions:

21 (i) The elections official establishes prior to the completion of
22 the official canvass, from the records in his or her office, the
23 claimant's right to vote.

24 (ii) The provisional ballot has been cast and included in the
25 canvass pursuant to Article 4.5 (commencing with Section 2170)
26 of Chapter 2 of Division 2.

27 (iii) Upon the order of a superior court in the county of the
28 voter's residence.

29 (B) A voter may seek the court order specified in this paragraph
30 regarding his or her own ballot at any time prior to completion of
31 the official canvass. Any judicial action or appeal shall have
32 priority over all other civil matters. No fee shall be charged to the
33 claimant by the clerk of the court for services rendered in an action
34 under this section.

35 (3) The provisional ballot of a voter who is otherwise entitled
36 to vote shall not be rejected because the voter did not cast his or
37 her ballot in the precinct to which he or she was assigned by the
38 elections official.

39 (A) If the ballot cast by the voter contains the same candidates
40 and measures on which the voter would have been entitled to vote

1 in his or her assigned precinct, the elections official shall count
2 the votes for the entire ballot.

3 (B) If the ballot cast by the voter contains candidates or
4 measures on which the voter would not have been entitled to vote
5 in his or her assigned precinct, the elections official shall count
6 only the votes for the candidates and measures on which the voter
7 was entitled to vote in his or her assigned precinct.

8 (d) The Secretary of State shall establish a free access system
9 that any voter who casts a provisional ballot may access to discover
10 whether the voter’s provisional ballot was counted and, if not, the
11 reason why it was not counted.

12 (e) The Secretary of State may adopt appropriate regulations
13 for purposes of ensuring the uniform application of this section.

14 (f) This section shall apply to any vote by mail voter described
15 by Section 3015 who is unable to surrender his or her unvoted vote
16 by mail voter’s ballot.

17 (g) Any existing supply of envelopes marked “special challenged
18 ballot” may be used until the supply is exhausted.

19 ~~SEC. 47.~~

20 *SEC. 52.* Section 16442 of the Elections Code is amended to
21 read:

22 16442. After the affidavit is filed with the clerk of the superior
23 court, a copy of the affidavit shall be personally served upon the
24 defendant or sent to him or her by registered mail in a sealed
25 envelope with postage prepaid, addressed to the defendant at the
26 place of residence named in his or her affidavit of registration or
27 the document that caused the voter to be registered to vote pursuant
28 to subdivision (a) of Section 2101.5. The contestant shall make an
29 affidavit of mailing if he or she serves the affidavit by mail, and
30 shall file it on the same day with the county elections official.

31 ~~SEC. 48.~~

32 *SEC. 53.* Section 16462 of the Elections Code is amended to
33 read:

34 16462. No service other than as provided in this section need
35 be made upon the defendant. The affidavit shall be filed in the
36 office of the clerk of the superior court within five days after the
37 completion of the official canvass. Upon the filing of the affidavit,
38 the county elections official shall forthwith post, in a conspicuous
39 place in his or her office, a copy of the affidavit. Upon the filing
40 of the affidavit and its posting, the superior court of the county

1 shall have jurisdiction of the subject matter and of the parties to
2 the contest. The contestant on the date of filing the affidavit shall
3 send by registered mail a copy thereof to the defendant in a sealed
4 envelope, with postage prepaid, addressed to the defendant at the
5 place of residence named in the affidavit of registration of the
6 defendant or the document that caused the defendant to be
7 registered to vote pursuant to subdivision (a) of Section 2101.5,
8 and shall make and file an affidavit of mailing with the county
9 elections official, which shall become a part of the records of the
10 contest.

11 ~~SEC. 49.~~

12 *SEC. 54.* Section 17000 of the Elections Code is amended to
13 read:

14 17000. (a) The elections official shall preserve all canceled
15 original affidavits of registration and the canceled documents that
16 caused voters to be registered to vote pursuant to subdivision (a)
17 of Section 2101.5 for a period of five years, after which they may
18 be destroyed by that officer.

19 (b) In lieu of preserving the canceled original affidavit of
20 registration or the document that caused the voter to be registered
21 to vote pursuant to subdivision (a) of Section 2101.5, the elections
22 official may, by filming or other suitable method, record the
23 canceled affidavit or the document that caused the voter to be
24 registered to vote pursuant to subdivision (a) of Section 2101.5
25 and destroy the affidavit or the document that caused the voter to
26 be registered to vote pursuant to subdivision (a) of Section 2101.5
27 following the first general election after the date of cancellation.

28 ~~SEC. 50.~~

29 *SEC. 55.* Section 17001 of the Elections Code is amended to
30 read:

31 17001. The elections official shall keep a copy of the index to
32 the affidavits of registration and the documents that caused voters
33 to be registered to vote pursuant to subdivision (a) of Section
34 2101.5 described in Section 2180 on file as a public record for
35 election and political research, and governmental purposes, for a
36 period of five years.

37 ~~SEC. 51.~~

38 *SEC. 56.* Section 6254.4 of the Government Code is amended
39 to read:

1 6254.4. (a) The home address, telephone number, email
2 address, precinct number, or other number specified by the
3 Secretary of State for voter registration purposes, and prior
4 registration information shown on the voter registration card or
5 the document that caused the voter to be registered to vote pursuant
6 to subdivision (a) of Section 2101.5 of the Elections Code for a
7 registered voter, is confidential and shall not be disclosed to a
8 person, except pursuant to Section 2194 of the Elections Code.

9 (b) For purposes of this section, “home address” means street
10 address only, and does not include an individual’s city or post
11 office address.

12 (c) The California driver’s license number, the California
13 identification card number, the social security number, and any
14 other unique identifier used by the State of California for purposes
15 of voter identification shown on a voter registration card of a
16 registered voter or the document that caused the voter to be
17 registered to vote pursuant to subdivision (a) of Section 2101.5 of
18 the Elections Code, or added to the voter registration records to
19 comply with the requirements of the Help America Vote Act of
20 2002 (42 U.S.C. Sec. 15301 et seq.), are confidential and shall not
21 be disclosed to any person.

22 (d) The signature of the voter that is shown on the voter
23 registration card or the document that caused the voter to be
24 registered to vote pursuant to subdivision (a) of Section 2101.5 of
25 the Elections Code is confidential and shall not be disclosed to
26 any person.

27 ~~SEC. 52.~~

28 *SEC. 57.* Section 23365 of the Government Code is amended
29 to read:

30 23365. The elections official of the principal county shall
31 furnish to the officers of each precinct the supplies and equipment
32 as provided for in Sections 14105 and 14110 of the Elections Code.
33 The elections official of each other affected county from which
34 territory is proposed to be taken for the proposed county shall
35 provide to the officers of each precinct the indexes of registration
36 for the precincts of the proposed county within their respective
37 county. In addition, the elections official may, with the approval
38 of the board of supervisors, furnish the original books of affidavits
39 of registration and the documents that caused voters to be registered

1 to vote pursuant to subdivision (a) of Section 2101.5 of the
2 Elections Code or other material necessary to verify signatures.

3 ~~SEC. 53.~~

4 *SEC. 58.* Section 23374.13 of the Government Code is amended
5 to read:

6 23374.13. The elections official of the principal county shall
7 furnish to the officers of each precinct in the approved county the
8 supplies and equipment as provided for in Sections 14105 and
9 14110 of the Elections Code. The elections official of each other
10 affected county shall provide to the officers of each precinct the
11 indexes of registration for the precincts of the approved county
12 within their respective county. In addition, the elections official
13 may, with the approval of the board of supervisors, furnish the
14 original books of affidavits of registration and the documents that
15 caused voters to be registered to vote pursuant to subdivision (a)
16 of Section 2101.5 of the Elections Code or other material necessary
17 to verify signatures.

18 ~~SEC. 54.~~

19 *SEC. 59.* Section 57051 of the Government Code is amended
20 to read:

21 57051. (a) At any time prior to the conclusion of the protest
22 hearing in the notice given by the executive officer, but not
23 thereafter, an owner of land or a registered voter within inhabited
24 territory that is the subject of a proposed change of organization
25 or reorganization, or an owner of land within uninhabited territory
26 that is the subject of a proposed change of organization or
27 reorganization, may file a written protest against the change of
28 organization or reorganization. A written protest shall state whether
29 it is made by a landowner or registered voter and shall include the
30 same information that is required in a petition for a change of
31 organization or reorganization, as specified in Section 56704, or
32 the document that caused the voter to be registered to vote pursuant
33 to subdivision (a) of Section 2101.5 of the Elections Code. Protests
34 may be made on behalf of an owner of land by an agent authorized
35 in writing by the owner to act as agent with respect to that land.
36 Protests may be made on behalf of a private corporation which is
37 an owner of land by any officer or employee of the corporation
38 without written authorization by the corporation to act as agent in
39 making that protest.

1 (b) A written protest shall show the date that each signature was
2 affixed to the protest. A signature without a date or bearing a date
3 prior to the date of publication of the notice shall be disregarded
4 for purposes of ascertaining the value of a written protest.

5 ~~SEC. 55.~~

6 *SEC. 60.* Section 12500.5 is added to the Vehicle Code, to
7 read:

8 12500.5. (a) In addition to any other requirements set forth in
9 this division, the application for a new or renewed California
10 driver's license, instruction permit, junior permit, or identification
11 card shall:

12 (1) Request the information to establish whether the applicant
13 satisfies the requirements to be registered to vote pursuant to
14 Section 2101 of the Elections Code.

15 (2) Contain a method by which the applicant shall indicate
16 whether he or she is registered to vote.

17 (3) Contain a statement that, if the applicant satisfies the
18 requirements to vote pursuant to Section 2101 of the Elections
19 Code, and provides written consent by signing the statement, he
20 or she shall be registered to vote.

21 (4) Contain a method by which the applicant may decline to be
22 registered to vote.

23 (5) *Contain a method by which the applicant may indicate a*
24 *party preference.*

25 ~~(5)~~

26 (6) Request any other information required by state or federal
27 law for a person to be registered to vote.

28 (b) The Department of Motor Vehicles shall transmit to the
29 county elections official for the county in which the applicant
30 resides an electronic copy of the completed application for a new
31 or renewed California driver's license, instruction permit, junior
32 permit, or identification card of the applicant, with any information
33 that is not required to register to vote redacted, if all of the
34 following are satisfied:

35 (1) The applicant has completed the application in its entirety.

36 ~~(2) The applicant has supplied sufficient information on the~~
37 ~~application to indicate that he or she satisfies the requirements to~~
38 ~~be registered to vote.~~

39 ~~(3)~~

1 (2) The applicant has not indicated on the application that he
2 or she is already registered to vote.

3 ~~(4)~~

4 (3) The applicant has provided written consent to be registered
5 to vote by signing the statement, as provided in paragraph (3) of
6 subdivision (a).

7 (c) Except where a duty imposed by law requires otherwise, in
8 implementing this section, the Department of Motor Vehicles shall
9 comply with applicable federal and state law relating to privacy
10 and confidentiality of the information collected, shall collect only
11 the information necessary to implement this section, and shall not
12 share the information collected pursuant to this section with another
13 agency or person except for a purpose directly related to voter
14 registration.

15 (d) The Department of Motor Vehicles shall confer with the
16 Secretary of State and shall develop applications for a new or
17 renewed California driver's license, instruction permit, junior
18 permit, and identification card that are in compliance with this
19 section not later than July 1, 2015.

20 (e) The Department of Motor Vehicles and the Secretary of
21 State shall develop a process and the infrastructure to allow the
22 electronic copy of the applicant's completed application for a new
23 or renewed California driver's license, instruction permit, junior
24 permit, or identification card of the applicant, with any information
25 that is not required to register to vote redacted, to be transmitted
26 to the county elections officials.

27 ~~SEC. 56.~~

28 *SEC. 61.* Section 12950.5 of the Vehicle Code is amended to
29 read:

30 12950.5. (a) The department shall require a digitized signature
31 on each California driver's license and on each application for a
32 new or renewed California driver's license, instruction permit,
33 junior permit, or identification card. A digitized signature is an
34 electronic representation of a handwritten signature.

35 (b) The department shall provide to the Secretary of State the
36 digitized signature of a person who registers to vote on the voter
37 registration card provided by the department or who completes an
38 application for a new or renewed California driver's license,
39 instruction permit, junior permit, or identification card and does

1 not decline to be registered to vote or has not indicated that he or
2 she is already registered to vote.

3 (c) The department shall provide the Secretary of State with
4 change-of-address information for a voter who indicates that he
5 or she desires to have his or her address changed for voter
6 registration purposes.

7 ~~SEC. 57.~~

8 *SEC. 62.* Section 60211 of the Water Code is amended to read:

9 60211. A person shall not vote at a district election held under
10 the provisions of this act who is not a voter within the meaning of
11 the Elections Code, residing in the division of the district in which
12 he or she casts his or her vote. For the purpose of registering voters
13 who shall be entitled to vote at district elections, the county
14 elections official is authorized, in a county in which there is a
15 district, to indicate upon the affidavit of registration or the
16 document that caused the voter to be registered to vote pursuant
17 to subdivision (a) of Section 2101.5 of the Elections Code whether
18 the voter is a voter of a district.

19 ~~SEC. 58.~~

20 *SEC. 63.* If the Commission on State Mandates determines
21 that this act contains costs mandated by the state, reimbursement
22 to local agencies and school districts for those costs shall be made
23 pursuant to Part 7 (commencing with Section 17500) of Division
24 4 of Title 2 of the Government Code.

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