

ASSEMBLY BILL

No. 554

Introduced by Assembly Member Mullin
(Coauthor: Assembly Member Bonta)
(Coauthors: Senators Allen, Block, and Leno)

February 23, 2015

An act to amend Section 12302 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 554, as introduced, Mullin. Elections: precinct board members.

Existing law requires that each member of a precinct board be a voter of the county, except that an elections official may appoint not more than 5 pupils per precinct to serve under the direct supervision of designated board members, as specified. Among other qualifications, such a pupil must be a United States citizen or be a citizen at the time of the election for which he or she is serving as a member of the precinct board.

This bill would additionally authorize an elections official to appoint a pupil who is lawfully admitted for permanent residence in the United States, as defined in federal law, to serve as a precinct board member.

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

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

1 SECTION 1. Section 12302 of the Elections Code is amended
2 to read:

1 12302. (a) Except as provided in subdivisions (b) and (c), a
2 member of a precinct board shall be a voter of the state. The
3 member may serve only in the precinct for which his or her
4 appointment is received.

5 (b) (1) In order to provide for a greater awareness of the
6 elections process, the rights and responsibilities of voters, and the
7 importance of participating in the electoral process, as well as to
8 provide additional members of precinct boards, an elections official
9 may appoint not more than five pupils per precinct to serve under
10 the direct supervision of precinct board members designated by
11 the elections official. A pupil may be appointed, notwithstanding
12 his or her lack of eligibility to vote, subject to the approval of the
13 governing board of the educational institution in which the pupil
14 is enrolled, if the pupil possesses the following qualifications:

15 (A) Is at least 16 years of age at the time of the election for
16 which he or she is serving as a member of a precinct board.

17 (B) Is a United States citizen~~or~~, will be a citizen at the time of
18 the election for which he or she is serving as a member of a precinct
19 board, *or is lawfully admitted for permanent residence in the*
20 *United States, as defined in Section 101(a)(20) of the federal*
21 *Immigration and Nationality Act (8 U.S.C. Sec. 1101(a)(20)).*

22 (C) Is a pupil in good standing attending a public or private
23 secondary educational institution.

24 (D) Is a pupil who has a grade point average of at least 2.5 on
25 a 4.0 scale.

26 (2) A pupil appointed pursuant to this subdivision may not be
27 used by a precinct board to tally votes.

28 (c) (1) In order to promote civic engagement among residents
29 of the state and to provide additional members of precinct boards,
30 an elections official may appoint not more than five nonvoters per
31 precinct to serve as precinct board members. A nonvoter may be
32 appointed, notwithstanding his or her lack of eligibility to vote, if
33 the nonvoter possesses the following qualifications:

34 (A) Is lawfully admitted for permanent residence in the United
35 States, as defined in Section 101(a)(20) of the federal Immigration
36 and Nationality Act (8 U.S.C. Sec. 1101(a)(20)).

37 (B) Is otherwise eligible to register to vote pursuant to Section
38 2101 except for his or her lack of United States citizenship.

39 (2) A nonvoter appointed to a precinct board pursuant to this
40 subdivision shall not be permitted to do either of the following:

- 1 (A) Serve as, or perform any of the duties of, the inspector of
- 2 a precinct board.
- 3 (B) Tally votes for the precinct board.

O