

AMENDED IN ASSEMBLY APRIL 22, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 609**

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**Introduced by Assembly Member Cristina Garcia**

February 24, 2015

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An act to add Section 8020.5 to the Elections Code, ~~and to amend Section 85601 of the Government Code~~, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 609, as amended, Cristina Garcia. Members of the Legislature: residency.

The California Constitution requires that a person reside within the legislative district for which he or she seeks election as a Member of the Legislature for one year immediately preceding the election.

This bill would permit a candidate for Member of the Legislature to file a statement with the Secretary of State in which the candidate voluntarily agrees that, if elected, he or she will continue to reside within the district from which he or she was elected during his or her term of office. ~~This~~ *The* bill would require the Secretary of State to designate in the state ballot pamphlet those candidates who have voluntarily agreed to this continuing residency requirement.

~~The Political Reform Act of 1974 authorizes a candidate for State Senate or Assembly who accepts certain voluntary expenditure limits to purchase the space to place a statement in the voter information portion of the sample ballot that does not exceed 250 words.~~

~~This bill would additionally require a candidate for State Senate or Assembly to file the voluntary statement described above in order to purchase the space to place a statement in the sample ballot.~~

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements:

This bill would declare that it furthers the purposes of the act.

Vote:  $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. The Legislature hereby finds and declares that,  
2 in order to ensure that Members of the Legislature adequately and  
3 effectively represent their constituents, those elected to the  
4 Legislature should continue to reside in the districts that they are  
5 elected to represent during their terms of office.

6 SEC. 2. Section 8020.5 is added to the Elections Code, to read:

7 8020.5. (a) A candidate for Member of the Legislature may  
8 file a statement with the Secretary of State in which the candidate  
9 voluntarily agrees that, if elected, he or she will continue to reside  
10 within the district from which he or she was elected during his or  
11 her term of office. A person does not violate the voluntary  
12 agreement if, after being elected for a term of office, the boundaries  
13 of the district from which he or she was elected are changed during  
14 that term of office so as to exclude his or her residence from the  
15 district.

16 (b) If a candidate for Member of the Legislature elects to file  
17 the voluntary statement of continuing residency pursuant to  
18 subdivision (a), the statement shall be filed with his or her  
19 nomination documents.

20 (c) The Secretary of State shall designate in the state ballot  
21 pamphlet those candidates for Member of the Legislature who  
22 have voluntarily agreed to the continuing residency requirement  
23 set forth in this section.

24 ~~SEC. 3. Section 85601 of the Government Code is amended~~  
25 ~~to read:~~

26 ~~85601. (a) A candidate for statewide elective office, as defined~~  
27 ~~in Section 82053, who accepts the voluntary expenditure limits~~  
28 ~~set forth in Section 85400 may purchase the space to place a~~  
29 ~~statement in the state ballot pamphlet that does not exceed 250~~  
30 ~~words. The statement may not make any reference to any opponent~~

1 of the candidate. The statement shall be submitted in accordance  
2 with timeframes and procedures set forth by the Secretary of State  
3 for the preparation of the state ballot pamphlets.

4 (b) ~~Notwithstanding subdivision (e) of Section 88001 of this~~  
5 ~~code or subdivision (e) of Section 9084 of the Elections Code, the~~  
6 ~~Secretary of State may not include in the state ballot pamphlet a~~  
7 ~~statement from a candidate who has not voluntarily agreed to the~~  
8 ~~expenditure limitations set forth in Section 85400.~~

9 (e) ~~A candidate for State Senate or Assembly who accepts the~~  
10 ~~voluntary expenditure limits set forth in Section 85400 of this code~~  
11 ~~and files the voluntary statement described in Section 8020.5 of~~  
12 ~~the Elections Code may purchase the space to place a statement~~  
13 ~~in the voter information portion of the sample ballot that does not~~  
14 ~~exceed 250 words. The statement may not make any reference to~~  
15 ~~any opponent of the candidate. The statement shall be submitted~~  
16 ~~in accordance with the timeframes and procedures set forth in the~~  
17 ~~Elections Code for the preparation of the voter information portion~~  
18 ~~of the sample ballot.~~

19 SEC. 4. ~~The Legislature finds and declares that this bill furthers~~  
20 ~~the purposes of the Political Reform Act of 1974 within the~~  
21 ~~meaning of subdivision (a) of Section 81012 of the Government~~  
22 ~~Code.~~