

**ASSEMBLY BILL**

**No. 809**

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**Introduced by Assembly Member Obernolte**

February 26, 2015

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An act to amend Section 1405 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 809, as introduced, Obernolte. Election dates.

Existing law generally requires that an election for a county, municipal, or district initiative measure that qualifies for the local ballot pursuant to specified procedures be held not less than 88 nor more than 103 days after the date of the order of election, except as specified.

This bill would make technical, nonsubstantive changes to this provision.

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 1405 of the Elections Code is amended  
2 to read:

3 1405. (a) Except as provided below, the election for a county,  
4 municipal, or district initiative that qualifies pursuant to Section  
5 9116, 9214, or 9310 shall be held not less than 88 nor more than  
6 103 days after the date of the order of election.

7 (1) When it is legally possible to hold a special election on an  
8 initiative measure that has qualified pursuant to Section 9116,  
9 9214, or 9310 within 180 days prior to a regular or special election

1 ~~occurring~~ *that occurs* wholly or partially within the same territory,  
2 the election on the initiative measure may be held on the same date  
3 as, and be consolidated with, that regular or special election.

4 (2) When it is legally possible to hold a special election on an  
5 initiative measure that has qualified pursuant to Section 9116,  
6 9214, or 9310 during the period between a regularly scheduled  
7 statewide direct primary election and a regularly scheduled  
8 statewide general election in the same year, the election on the  
9 initiative measure may be held on the same date as, and be  
10 consolidated with, the statewide general election.

11 (3) To avoid holding more than one special election within any  
12 180-day period, the date for holding the special election on an  
13 initiative measure that has qualified pursuant to Section 9116,  
14 9214, or 9310, may be fixed later than 103 days but ~~at-as-early~~ a  
15 date as *early as* practicable after the expiration of 180 days from  
16 the last special election.

17 (4) Not more than one special election for an initiative measure  
18 that qualifies pursuant to Section 9116, 9214, or 9310 may be held  
19 by a jurisdiction during any period of 180 days.

20 (b) The election for a county initiative that qualifies pursuant  
21 to Section 9118 shall be held at the next statewide election  
22 occurring not less than 88 days after the date of the order of  
23 election. The election for a municipal or district initiative that  
24 qualifies pursuant to Section 9215 or 9311 shall be held at the  
25 jurisdiction's next regular election occurring not less than 88 days  
26 after the date of the order of election.