

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 887**

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**Introduced by Assembly Member Ting**

February 26, 2015

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An act to ~~amend Section 8204 of the~~ *add Chapter 1.5 (commencing with Section 3050) to Division 3 of the Elections Code*, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 887, as amended, Ting. ~~Primary election nominations: judicial officers.~~ *Electronic ballot transmission.*

*Existing law requires that a vote by mail ballot be available to any registered voter. Under existing law, a voter may: (1) return the vote by mail ballot by mail or in person to the elections official from whom it came; (2) return the vote by mail ballot in person to a member of a precinct board at a polling place within the jurisdiction, or (3), if unable to return the vote by mail ballot, designate his or her spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in the same household as the vote by mail voter to return the ballot to the elections official from whom it came or to the precinct board at a polling place within the jurisdiction.*

*This bill would authorize an elections official to send a voter a ballot by secure electronic transmission for an election conducted wholly within the county. This bill would also require a voter who receives a ballot in this manner to print the ballot for return to the elections official.*

~~Existing law establishes the procedures by which candidates for judicial office are nominated. For a candidate's name to be included on~~

the ballot at a direct primary election, existing law requires the candidate to deliver to the county elections official a declaration of candidacy and nomination papers not later than 5 p.m. on the 88th day prior to the primary election. However, existing law provides an additional 5 days to file nomination papers for a judicial office if the incumbent of the office dies on or before the last day prescribed for the filing of nomination papers, or files a declaration of intention but fails to file his or her nomination papers by the last day prescribed for the filing of the papers.

This bill would make a technical, nonsubstantive change to these provisions:

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. Chapter 1.5 (commencing with Section 3050) is  
2 added to Division 3 of the Elections Code, to read:

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4 CHAPTER 1.5. ELECTRONIC BALLOT TRANSMISSION

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6 3050. (a) An elections official may send a voter a ballot by  
7 secure electronic transmission if the election is conducted wholly  
8 within the county.

9 SECTION 1. Section 8204 of the Elections Code is amended  
10 to read:

11 8204. (a) If an incumbent of a judicial office dies on or before  
12 the last day prescribed for the filing of nomination papers, or files  
13 a declaration of intention but for any reason fails to file his or her  
14 nomination papers by the last day prescribed for the filing of the  
15 papers, an additional five days shall be allowed for the filing of  
16 nomination papers for the office.

17 (b) A person other than the person who was the incumbent, if  
18 otherwise qualified, may file nomination papers for the office  
19 during the extended period, notwithstanding that he or she has not  
20 filed a written and signed declaration of intention to become a  
21 candidate for the office as provided in Sections 8023 and 8201.

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