

ASSEMBLY BILL

No. 1458

Introduced by Assembly Member Obernolte

February 27, 2015

An act to amend Section 2227 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1458, as introduced, Obernolte. Voters: residency confirmation.

Existing law requires a county elections official to conduct a preelection residency confirmation procedure and authorizes a county elections official to contract with a consumer credit reporting agency or its licensees to obtain use of change-of-address data in lieu of mailing a residency confirmation postcard pursuant to the preelection residency confirmation procedure. Provisions of existing law require the county elections official to send a forwardable notice, as specified, to a registered voter to enable the voter to verify or correct address information, and provide for the county elections official to take appropriate actions based on the voter's response, as specified.

This bill would make a technical, nonsubstantive change to those 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. Section 2227 of the Elections Code is amended
2 to read:

1 2227. (a) In lieu of mailing a residency confirmation postcard,
2 as prescribed in subdivision (a) of Section 2220, the county
3 elections official may contract with a consumer credit reporting
4 agency or its licensees to obtain use of change-of-address data in
5 accordance with this section.

6 (b) If the county elections official contracts with a consumer
7 credit reporting agency or its licensees pursuant to subdivision (a),
8 all of the following shall occur:

9 (1) For each registered voter in the county, the county elections
10 official shall initiate a search for change-of-address data with the
11 consumer credit reporting agency or its licensees by providing the
12 name and residence address of each registered voter in the county
13 to the consumer credit reporting agency or its licensees.

14 (2) The consumer credit reporting agency or its licensees shall
15 search their databases for each name and address provided by the
16 county elections official and shall report to the county elections
17 official any information indicating that the registered voter changed
18 his or her residence address.

19 (c) (1) Notwithstanding Section 2194 of this code or Section
20 6254.4 of the Government Code, and except as provided in
21 paragraph (2), a county elections official may disclose a registered
22 voter's name and residence address to a consumer credit reporting
23 agency or its licensees pursuant to, and in accordance with, this
24 section.

25 (2) A county elections official shall not disclose to a consumer
26 credit reporting agency or its licensees the name and residence
27 address of a registered voter if that information is deemed
28 confidential pursuant to Section 2166, 2166.5, or 2166.7 of this
29 code, or Chapter 3.1 (commencing with Section 6205) of Division
30 7 of Title 1 of the Government Code.

31 (d) A consumer credit reporting agency or its licensees shall
32 use the information provided by a county elections official only
33 pursuant to paragraph (2) of subdivision (b), and shall not retain
34 any information received from the county elections official
35 pursuant to this section.

36 (e) Based on change-of-address data received from a consumer
37 credit reporting agency or its licensees, the county elections official
38 shall send a forwardable notice, including a postage-paid and
39 preaddressed return form, which may be in the form of a postcard,
40 to the registered voter to enable the voter to verify or correct

1 address information. The forwardable notice shall be in
2 substantially the following form:

3
4 “We have received notification that you have moved to a new
5 residence address in ____ County. You will remain registered to
6 vote at your old address unless you notify our office that the
7 address to which this card was mailed is a change of your
8 permanent residence. Please notify our office in writing by
9 returning the attached postage-paid postcard. If this is not a
10 permanent residence, and you do not wish to change your address
11 for voting purposes, please disregard this notice.”
12

13 (f) The county elections official shall take all of the following
14 actions as appropriate:

15 (1) If a voter responds to the forwardable notice sent pursuant
16 to subdivision (e) or otherwise verifies in a signed writing that he
17 or she has moved to a new residence address within the same
18 county, the county elections official shall verify the signature on
19 the response by comparing it to the signature on file for the voter
20 and, if appropriate, correct the voter’s registration with the new
21 residence address.

22 (2) If a voter responds to the forwardable notice sent pursuant
23 to subdivision (e) or otherwise verifies in a signed writing that he
24 or she has moved to a new residence address in another county,
25 the county elections official shall verify the signature on the
26 response by comparing it to the signature on file for the voter and,
27 if appropriate, cancel the voter’s registration in the county from
28 which the voter has moved.

29 (3) If a voter does not respond to the forwardable notice sent
30 pursuant to subdivision (e) and does not otherwise verify in a
31 signed writing that he or she has moved to a new residence address,
32 the elections official shall not place the voter’s name on the inactive
33 file of registered voters or cancel the ~~voter~~ voter’s registration.

34 (g) For purposes of this section, “consumer credit reporting
35 agency” has the same meaning as set forth in subdivision (d) of
36 Section 1785.3 of the Civil Code.