

AMENDED IN SENATE SEPTEMBER 2, 2015

AMENDED IN ASSEMBLY JUNE 1, 2015

AMENDED IN ASSEMBLY MAY 14, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1504

Introduced by Assembly Member Alejo
(Coauthors: Assembly Members Cooley, Cooper, and McCarty)
(Coauthors: Senators Monning and Cannella)

February 27, 2015

An act to amend Section 4001 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1504, as amended, Alejo. Elections: all-mailed ballot elections: pilot project.

Until December 31, 2017, existing law, as a pilot program, authorizes elections in San Mateo County and Yolo County, other than statewide primary or general elections, or special elections to fill a vacancy in a state office, the Legislature, or Congress, to be conducted wholly by mail if specified conditions are satisfied. If San Mateo County or Yolo County conducts an all-mailed ballot election, existing law requires the county to report to the Legislature and the Secretary of State, as specified.

This bill would extend this pilot program until January 1, ~~2018, and 2018.~~ *This bill* would also authorize Monterey and Sacramento Counties to conduct all-mailed ballot elections ~~pursuant to these provisions.~~ *as part of this program, subject to a requirement to provide additional polling places.* The bill would also make technical, nonsubstantive changes.

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 4001 of the Elections Code is amended
2 to read:

3 4001. (a) Notwithstanding Section 4000 or any other law, as
4 a pilot program, elections in San Mateo County, Yolo County,
5 Sacramento County, and Monterey County may be conducted
6 wholly by mail if all of the following conditions are satisfied:

7 (1) The governing body of the city, county, or district, by
8 resolution, authorizes the all-mailed ballot election and notifies
9 the Secretary of State of its intent to conduct an all-mailed ballot
10 election at least 88 days before the date of the election.

11 (2) The election does not occur on the same date as a statewide
12 primary or general election or any other election conducted in an
13 overlapping jurisdiction that is not consolidated and conducted
14 wholly by mail pursuant to this section.

15 (3) The election is not a special election to fill a vacancy in a
16 state office, the Legislature, or Congress.

17 (4) (A) At least one ballot drop-off location is provided per city
18 or the ballot drop-off locations are fixed in a manner so that the
19 number of residents for each ballot drop-off location does not
20 exceed 100,000 on the 88th day before the day of election,
21 whichever results in more drop-off locations. A ballot drop-off
22 location shall be open during business hours to receive voted ballots
23 beginning 28 days before the date of the election and until 8 p.m.
24 on the day of the election.

25 ~~(B)~~

26 (B) (i) *For San Mateo County and Yolo County, at least one*
27 *polling place is provided per city.*

28 (ii) *For Monterey County and Sacramento County, at least one*
29 *polling place is provided for every 50,000 registered voters, with*

1 *a minimum of one polling place per city, in a manner so that the*
2 *number of registered voters for each polling place does not exceed*
3 *50,000 on the 88th day before the day of election, whichever results*
4 *in more polling places.*

5 ~~(iii) At least one polling place is provided per city where A~~
6 ~~polling place provided pursuant to this subparagraph shall allow~~
7 ~~voters can to request a ballot between 7 a.m. and 8 p.m. on the day~~
8 ~~of the election if they have not received their ballots in the mail~~
9 ~~or if they need replacement ballots for any other reason.~~

10 (C) Upon the request of the city, county, or district, the elections
11 official, at his or her discretion, may provide additional ballot
12 drop-off locations and polling places.

13 (5) The elections official delivers to each voter all supplies
14 necessary for the use and return of the mail ballot, including an
15 envelope for the return of the voted mail ballot with postage
16 prepaid.

17 (6) The elections official delivers to each voter, with either the
18 sample ballot sent pursuant to Section 13303 or with the voter's
19 ballot, a list of the ballot drop-off locations and polling places
20 provided pursuant to paragraph (4), and also posts that list on the
21 Internet Web site of the county elections office.

22 (7) The return of voted mail ballots is subject to Section 3017.

23 (8) (A) The polling places provided under this section are at
24 an accessible location and are equipped with voting units or
25 systems that are accessible to individuals with disabilities and that
26 provide the same opportunity for access and participation, including
27 the ability to vote privately and independently.

28 (B) A ballot drop-off location provided for under this section
29 shall consist of a locked ballot box located in a secure public
30 building that meets the accessibility requirements for a polling
31 place.

32 (9) Elections in the county conducted pursuant to this section
33 may be held on no more than three different dates.

34 (b) (1) If the county conducts an all-mailed ballot election
35 pursuant to this section, on or before December 31, 2017, the
36 county shall report to the Legislature and to the Secretary of State
37 regarding the success of the election, including, but not limited to,
38 any statistics on the cost to conduct the election; the turnout of
39 different populations, including, but not limited to, to the extent
40 possible, the population categories of race, ethnicity, age, gender,

1 disability, permanent vote by mail status, and political party
2 affiliation; the number of ballots not counted and the reasons they
3 were rejected; voter fraud; and, any other problems that become
4 known to the county during the election or canvass.

5 (2) Whenever possible, using the criteria set forth in paragraph
6 (1), the report of the county shall compare the success of the
7 all-mailed ballot election to similar elections not conducted wholly
8 by mail in the same jurisdiction or comparable jurisdictions.

9 (3) The report of the county shall be submitted to the Legislature
10 pursuant to Section 9795 of the Government Code within six
11 months after the date of the all-mailed ballot election or before the
12 date of any other all-mailed ballot election subject to this section
13 to be conducted in the county, whichever is sooner.

14 (c) This section shall remain in effect only until January 1, 2018,
15 and as of that date is repealed, unless a later enacted statute, that
16 is enacted before January 1, 2018, deletes or extends that date.