

**ASSEMBLY BILL**

**No. 2089**

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**Introduced by Assembly Member Quirk**

February 17, 2016

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An act to amend Section 3006 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2089, as introduced, Quirk. Elections: vote by mail ballots.

Existing law requires a vote by mail ballot to be available to any registered voter. Existing law requires a printed application that is to be distributed to a voter for requesting a vote by mail voter's ballot to inform the voter that the application must be received by the elections official not later than 7 days before the date of the election and requires the printed application to contain spaces for the input of specified information.

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 3006 of the Elections Code is amended  
2 to read:  
3 3006. (a) A printed application that is to be distributed to a  
4 voter for requesting a vote by mail voter's ballot shall inform the  
5 voter that the application for the vote by mail voter's ballot must  
6 be received by the elections official ~~not~~ *no* later than seven days

1 ~~prior to~~ *before* the date of the election and shall contain spaces for  
 2 the following:

3 (1) The printed name and residence address of the voter as it  
 4 appears on the affidavit of registration.

5 (2) The address to which the ballot is to be mailed.

6 (3) The voter’s signature.

7 (4) The name and date of the election for which the request is  
 8 to be made.

9 (b) (1) The information required by paragraphs (1) and (4) of  
 10 subdivision (a) may be preprinted on the application. The  
 11 information required by paragraphs (2) and (3) of subdivision (a)  
 12 shall be personally affixed by the voter.

13 (2) An address, as required by paragraph (2) of subdivision (a),  
 14 may not be the address of a political party, a political campaign  
 15 headquarters, or a candidate’s residence. However, a candidate,  
 16 his or her spouse, immediate family members, and any other voter  
 17 who shares the same residence address as the candidate may request  
 18 that a vote by mail ballot be mailed to the candidate’s residence  
 19 address.

20 (3) An application that contains preprinted information shall  
 21 contain a conspicuously printed statement substantially similar to  
 22 the following: “You have the legal right to mail or deliver this  
 23 application directly to the local elections official of the county  
 24 where you reside.”

25 (4) A printed vote by mail application that allows a voter to  
 26 submit the application by mail shall inform the voter of the address  
 27 for the elections official and specify that address as the only  
 28 appropriate destination address for mailing the application. Nothing  
 29 in this subdivision shall be construed to prohibit an individual,  
 30 organization, or group that distributes applications for vote by mail  
 31 voter ballots from collecting or receiving applications from voters,  
 32 as described in Section 3008, by means other than having the  
 33 applications mailed directly to the address of the distributing  
 34 individual, organization, or group.

35 (c) The application shall inform the voter that if he or she has  
 36 declined to disclose a preference for a political party, the voter  
 37 may request a vote by mail ballot for a particular political party  
 38 for the partisan primary election, if that political party has adopted  
 39 a party rule, duly noticed to the Secretary of State, authorizing that  
 40 vote. The application shall contain a toll-free telephone number,

1 established by the Secretary of State, that the voter may call to  
2 access information regarding which political parties have adopted  
3 such a rule. The application shall contain a checkoff box with a  
4 conspicuously printed statement that reads substantially similar to  
5 the following: “I have declined to disclose a preference for a  
6 qualified political party. However, for this primary election only,  
7 I request a vote by mail ballot for the \_\_\_\_\_ Party.” The name  
8 of the political party shall be personally affixed by the voter.

9 (d) The application shall provide the voter with information  
10 concerning the procedure for establishing permanent vote by mail  
11 voter status, and the basis upon which permanent vote by mail  
12 voter status is claimed.

13 (e) The application shall be attested to by the voter as to the  
14 truth and correctness of its content, and shall be signed under  
15 penalty of perjury.