

AMENDED IN ASSEMBLY APRIL 20, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2686

Introduced by Assembly Member ~~Members~~ Mullin and Gonzalez

February 19, 2016

An act to amend ~~Sections 4000.5 and 4001~~ Section 4000.5 of, and to add Section ~~4002 to~~ 4001.5 to, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2686, as amended, Mullin. Elections: all-mailed ballot elections.

Existing law *generally does not allow special elections to fill vacancies in state offices, the Legislature, or Congress to be conducted wholly by mail.* Existing law authorizes, until January 1, 2021, San Diego County to conduct, as a pilot program, an all-mailed ballot special election or special consolidated election (1) to fill a congressional or legislative vacancy. Existing law provides that a special election to fill a vacancy in a congressional or legislative office may be conducted as an all-mailed ballot election if, among other requirements, the Board of Supervisors of San Diego County, by resolution, authorizes the use of mailed ballots for the election and *vacancy if the congressional or legislative district lies wholly within San Diego County.* County, (2) to fill a vacancy in the legislative body or governing body, and (3) for certain local initiative and referendum measures.

This bill would authorize a special election to fill a vacancy in a state office, the Legislature, or Congress to be conducted wholly by mail if, among other requirements, the legislative body or the governing body of the eligible entity, by resolution, authorizes the all-mailed ballot election and notifies the Secretary of State of its intent to conduct an

~~all-mailed ballot election at least 88 days before the date of the election. The bill would make conforming changes.~~

This bill would extend the operation of that pilot program in San Diego County until January 1, 2023. The bill would authorize San Diego County to additionally conduct such an all-mailed ballot special election (1) to fill a congressional or legislative vacancy if the congressional or legislative district lies partially within San Diego County, and (2) for the recall of a local officer.

This bill would also authorize, until January 1, 2023, any county to conduct, as a pilot program, an all-mailed ballot special election or special consolidated election to fill a congressional or legislative vacancy only if 50 percent or more of the total number of voters within the county are permanent vote by mail voters and the county board of supervisors adopts a resolution approving the county’s participation in the pilot program. The bill would impose specific requirements for an all-mailed ballot special election or special consolidation election to be conducted under the pilot program. If a county conducts an all-mailed ballot special election or special consolidation election pursuant to these provisions, the bill would require the county to submit a report to the Legislature and the Secretary of State that includes certain information regarding the success of the election, including any statistics on the cost to conduct the election.

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 4000.5 of the Elections Code is amended
- 2 to read:
- 3 4000.5. (a) Notwithstanding Section 4000 or any other law,
- 4 as a pilot program, an all-mailed ballot special election or special
- 5 consolidated election in San Diego County may be conducted by
- 6 an eligible entity if the special election or special consolidated
- 7 election is any of the following:
- 8 (1) A special election to fill a vacancy in a congressional or
- 9 legislative office.
- 10 (1)
- 11 (2) A special election to fill a vacancy in the legislative body
- 12 or governing body.
- 13 (2)

1 (3) A special election conducted pursuant to Chapter 2
2 (commencing with Section 9100), Chapter 3 (commencing with
3 Section 9200), Chapter 4 (commencing with Section 9300), Chapter
4 5 (commencing with Section 9400), ~~or~~ Chapter 6 (commencing
5 with Section 9500) of Division ~~9: 9~~, *or Chapter 3 (commencing*
6 *with Section 11200) of Division 11.*

7 (b) A special election or special consolidated election described
8 in paragraphs (1) ~~and (2) to (3), inclusive~~, of subdivision (a), may
9 be conducted wholly as an all-mailed ballot election if ~~both~~ *all* of
10 the following apply:

11 ~~(1) The legislative body or governing body of the eligible entity,~~
12 ~~by resolution, authorizes the use of mailed ballots for the election.~~

13 *(1) (A) For a special election to fill a vacancy in a*
14 *congressional or legislative office, the Board of Supervisors of*
15 *San Diego County, by resolution, authorizes the use of mailed*
16 *ballots for the election and the congressional or legislative district*
17 *lies wholly or partially within San Diego County.*

18 *(B) For all other special elections, the legislative body or*
19 *governing body of the eligible entity, by resolution, authorizes the*
20 *use of mailed ballots for the election.*

21 (2) The election does not occur on the same date as a statewide
22 direct primary election, statewide general election, or any other
23 election conducted in an overlapping jurisdiction that is not
24 consolidated and conducted wholly by mail.

25 (3) (A) If the boundaries of the jurisdiction of the eligible entity
26 overlap with the boundaries of a city, at least one ballot dropoff
27 location is provided per city that is open during business hours to
28 receive voted ballots beginning not less than seven days before
29 the date of the election.

30 (B) The number of dropoff locations in unincorporated areas
31 shall be based on the number of unincorporated registered voters
32 divided by 100,000 (rounded to the next whole number) with no
33 less than one location to be selected.

34 (C) A ballot dropoff location provided for under this section
35 shall consist of a locked ballot box located in a secure public
36 building that meets the accessibility requirements for a polling
37 place.

38 (4) On at least one Saturday and Sunday on or after the date the
39 elections official first delivers ballots to voters, the elections official
40 allows any voter to vote the ballot at a satellite location within the

1 jurisdiction of the eligible entity pursuant to Section 3018. The
2 elections official shall determine the hours of operation for each
3 Saturday and Sunday, provided that the satellite location is open
4 to voters for a minimum of six hours on each designated Saturday
5 and Sunday.

6 (5) (A) At least one polling place is provided per eligible entity
7 or the polling places are fixed in a manner so that there is one
8 polling place for every 10,000 registered voters within the
9 jurisdiction of the eligible entity, as determined on the 88th day
10 before the day of the election, whichever results in more polling
11 places. A polling place shall allow a voter to request and vote a
12 ballot between 7 a.m. and 8 p.m. on the day of the election.

13 (B) The polling places provided under this section shall be
14 established in accordance with the accessibility requirements
15 described in Article 5 (commencing with Section 12280) of Chapter
16 3 of Division 12, the federal Americans with Disabilities Act of
17 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Help America
18 Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal
19 Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), and
20 shall, to the extent possible, ensure that access is evenly distributed
21 throughout the jurisdiction of the eligible entity.

22 (C) The polling places provided under this section shall be
23 established at accessible locations and shall be equipped with
24 voting units or systems that are accessible to individuals with
25 disabilities and that provide the same opportunity for access and
26 participation as is provided to voters who are not disabled,
27 including the ability to vote privately and independently in
28 accordance with Sections 12280 and 19240.

29 (D) If a polling place consolidates one or more precincts for
30 which the elections official is required to recruit precinct board
31 members who are fluent in a language in addition to English
32 pursuant to the federal Voting Rights Act of 1965 (52 U.S.C. Sec.
33 10101 et seq.), the elections official shall ensure that the polling
34 place is staffed by precinct board members who speak that
35 language.

36 (E) If a polling place consolidates one or more precincts for
37 which the elections official is required to recruit precinct board
38 members who are fluent in a language in addition to English
39 pursuant to subdivision (c) of Section 12303, the elections official

1 shall make reasonable efforts to ensure that the polling place is
2 staffed by precinct board members who speak that language.

3 (6) (A) The elections official delivers to each voter all supplies
4 necessary for the use and return of the mail ballot, including an
5 envelope for the return of the voted mail ballot with postage
6 prepaid.

7 (B) The elections official delivers to each voter, with either the
8 sample ballot sent pursuant to Section 13303 or with the voter's
9 ballot, all of the following:

10 (i) A notice, translated in all languages required under
11 subdivision (c) of Section 14201 and Section 203 of the federal
12 Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), that
13 informs voters of all of the following:

14 (I) An all-mailed ballot election is being conducted and each
15 eligible voter will receive a ballot by mail.

16 (II) The voter may cast a ballot in person at a satellite location
17 provided for under paragraph (4) or at a polling place on election
18 day.

19 (III) The voter may request the elections official to send a vote
20 by mail ballot in a language other than English pursuant to Section
21 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101
22 et seq.) or a facsimile copy of the ballot printed in a language other
23 than English pursuant to Section 14201.

24 (ii) A list of the ballot dropoff locations, satellite locations, and
25 polling places established pursuant to this section. The list shall
26 also be posted on the Internet Web site of the elections official.

27 (iii) A postage-paid postcard that the voter may return to the
28 elections official for the purpose of requesting a vote by mail ballot
29 in a language other than English.

30 (7) (A) The elections official submits to the Secretary of State
31 a voter education and outreach plan to be implemented by the
32 eligible entity for any election conducted pursuant to this section.
33 The voter education and outreach plan shall include, but shall not
34 be limited to, all of the following:

35 (i) One education and outreach meeting that includes
36 representatives, advocates, and other stakeholders representing
37 each community for which the eligible entity is required to provide
38 voting materials and assistance in a language other than English
39 under subdivision (c) of Section 14201 and the federal Voting
40 Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

1 (ii) One education and outreach meeting that includes
2 representatives from community organizations and individuals
3 that advocate on behalf of, or provide services to, individuals with
4 disabilities.

5 (iii) At least one in-person bilingual voter education workshop
6 for each language in which the eligible entity is required to provide
7 voting materials and assistance under subdivision (c) of Section
8 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec.
9 10101 et seq.).

10 (iv) At least one in-person voter education workshop to increase
11 accessibility for participation of eligible voters with disabilities.

12 (v) A toll-free voter assistance hotline maintained by the
13 elections official that is operational no later than the date that vote
14 by mail ballots are mailed to voters until 5 p.m. on the day after
15 the special election. The toll-free voter assistance hotline shall
16 provide assistance to voters in all languages in which the eligible
17 entity is required to provide voting materials and assistance under
18 subdivision (c) of Section 14201 and the federal Voting Rights
19 Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

20 (vi) At least one public service announcement in the media,
21 including newspapers, radio, and television, that serve
22 English-speaking citizens for purposes of informing voters of the
23 upcoming election and promoting the toll-free voter assistance
24 hotline.

25 (vii) At least one public service announcement in the media,
26 including newspapers, radio, and television, that ~~serve~~ *serves*
27 non-English-speaking citizens for each language in which the
28 eligible entity is required to provide voting materials and assistance
29 under subdivision (c) of Section 14201 and the federal Voting
30 Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) for purposes of
31 informing voters of the upcoming election and promoting the
32 toll-free voter assistance hotline.

33 (viii) A voter education social media strategy that is developed
34 in partnership with community organizations and individuals that
35 advocate on behalf of, or provide services to, non-English-speaking
36 individuals and individuals with disabilities.

37 (B) The voter education and outreach plan shall be posted on
38 the Internet Web site of the Secretary of State and on the Internet
39 Web site of the elections official.

1 (c) Except as otherwise provided in this section, the election
2 day procedures shall be conducted in accordance with Division
3 14 (commencing with Section 14000).

4 (d) The elections official may provide, at his or her discretion,
5 additional ballot dropoff locations and polling places for purposes
6 of this section.

7 (e) The return of voted mail ballots is subject to Sections 3017
8 and 3020.

9 (f) (1) If the eligible entity conducts a special election pursuant
10 to this section, it may process vote by mail ballot return envelopes
11 beginning 29 days before the election. Processing vote by mail
12 ballot return envelopes may include verifying the voter's signature
13 on the vote by mail ballot return envelope and updating voter
14 history records.

15 (2) If the eligible entity conducts a special election pursuant to
16 this section, it may start to process vote by mail ballots on the 10th
17 business day before the election. Processing vote by mail ballots
18 includes opening vote by mail ballot return envelopes, removing
19 ballots, duplicating any damaged ballots, and preparing the ballots
20 to be machine read, or machine reading them, but under no
21 circumstances shall a vote count be accessed or released until 8
22 p.m. on the day of the election.

23 (g) Results of any vote by mail ballot tabulation or count shall
24 not be released before the close of the polls on the day of the
25 election.

26 (h) For the sole purpose of reporting the results of an election
27 conducted pursuant to this section, upon completion of the ballot
28 count, the elections official shall divide the jurisdiction into
29 precincts pursuant to Article 2 (commencing with Section 12220)
30 of Chapter 3 of Division 12 and shall prepare a statement of the
31 results of the election in accordance with Sections 15373 and
32 15374.

33 (i) The elections official shall compile an index, list, or file of
34 all persons who voted in an election conducted pursuant to this
35 section. If the elections official uses data-processing equipment
36 to compile the index, list, or file, he or she shall retain an accurate
37 copy of that index, list, or file in electronic format for a period of
38 10 years.

39 (j) (1) If an election is conducted pursuant to this section, the
40 eligible entity shall report to the Legislature and to the Secretary

1 of State regarding the success of the election, including, but not
 2 limited to, all of the following:

3 (A) Any statistics on the cost to conduct the election.
 4 (B) The turnout of different populations, including, but not
 5 limited to, and to the extent possible, the population categories of
 6 race, ethnicity, language preference, age, gender, disability,
 7 permanent vote by mail status, and political party preference.
 8 (C) The number of ballots that were not counted and the reasons
 9 they were rejected.
 10 (D) Voter fraud.
 11 (E) Any other problems that become known to the eligible entity
 12 during the election or canvass.

13 (2) Whenever possible, using the criteria set forth in paragraph
 14 (1), the report shall compare the election conducted pursuant to
 15 this section to similar elections not conducted pursuant to this
 16 section in the same jurisdiction or comparable jurisdictions.

17 (3) Within six months after the date of the election or before
 18 the date of a subsequent election conducted pursuant to this section,
 19 whichever is sooner, the eligible entity shall do all of the following
 20 with respect to the report required by this subdivision:

21 (A) Submit the report to the Legislature in compliance with
 22 Section 9795 of the Government Code.
 23 (B) Submit the report to the Secretary of State.
 24 (C) Post the report on the Internet Web site of the elections
 25 official.

26 (k) For purposes of this section, “eligible entity” means both of
 27 the following:

28 (1) San Diego County.
 29 (2) A city, school district, community college district, special
 30 district, or other district or political subdivision organized pursuant
 31 to state law, whose boundaries are located wholly within San Diego
 32 County.

33 *(l) An election conducted pursuant to this section is not subject*
 34 *to Section 4001.5.*
 35 ~~(t)~~
 36 *(m) This section shall remain in effect only until January 1,*
 37 *2021, 2023, and as of that date is repealed, unless a later enacted*
 38 *statute, that is enacted before January 1, 2021, 2023, deletes or*
 39 *extends that date.*
 40 ~~SEC. 2. Section 4001 of the Elections Code is amended to read:~~

1 ~~4001. (a) Notwithstanding Section 4000 or any other law, as~~
2 ~~a pilot program, elections in San Mateo County, Yolo County,~~
3 ~~Sacramento County, and Monterey County may be conducted~~
4 ~~wholly by mail if all of the following conditions are satisfied:~~
5 ~~(1) The governing body of the city, county, or district, by~~
6 ~~resolution, authorizes the all-mailed ballot election and notifies~~
7 ~~the Secretary of State of its intent to conduct an all-mailed ballot~~
8 ~~election at least 88 days before the date of the election.~~
9 ~~(2) The election does not occur on the same date as a statewide~~
10 ~~primary or general election or any other election conducted in an~~
11 ~~overlapping jurisdiction that is not consolidated and conducted~~
12 ~~wholly by mail pursuant to this section.~~
13 ~~(3) (A) At least one ballot drop-off location is provided per city~~
14 ~~or the ballot drop-off locations are fixed in a manner so that the~~
15 ~~number of residents for each ballot drop-off location does not~~
16 ~~exceed 100,000 on the 88th day before the day of election,~~
17 ~~whichever results in more drop-off locations. A ballot drop-off~~
18 ~~location shall be open during business hours to receive voted ballots~~
19 ~~beginning 28 days before the date of the election and until 8 p.m.~~
20 ~~on the day of the election.~~
21 ~~(B) (i) For San Mateo County and Yolo County, at least one~~
22 ~~polling place is provided per city.~~
23 ~~(ii) For Monterey County and Sacramento County, at least one~~
24 ~~polling place is provided for every 50,000 registered voters, with~~
25 ~~a minimum of one polling place per city, in a manner so that the~~
26 ~~number of registered voters for each polling place does not exceed~~
27 ~~50,000 on the 88th day before the day of election, whichever results~~
28 ~~in more polling places.~~
29 ~~(iii) A polling place provided pursuant to this subparagraph~~
30 ~~shall allow voters to request a ballot between 7 a.m. and 8 p.m. on~~
31 ~~the day of the election if they have not received their ballots in the~~
32 ~~mail or if they need replacement ballots for any other reason.~~
33 ~~(C) Upon the request of the city, county, or district, the elections~~
34 ~~official, at his or her discretion, may provide additional ballot~~
35 ~~drop-off locations and polling places.~~
36 ~~(5) The elections official delivers to each voter all supplies~~
37 ~~necessary for the use and return of the mail ballot, including an~~
38 ~~envelope for the return of the voted mail ballot with postage~~
39 ~~prepaid.~~

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

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

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

12 ~~(B) A ballot drop-off location provided for under this section~~
13 ~~shall consist of a locked ballot box located in a secure public~~
14 ~~building that meets the accessibility requirements for a polling~~
15 ~~place.~~

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

18 ~~(b) (1) If the county conducts an all-mailed ballot election~~
19 ~~pursuant to this section, on or before December 31, 2017, the~~
20 ~~county shall report to the Legislature and to the Secretary of State~~
21 ~~regarding the success of the election, including, but not limited to,~~
22 ~~any statistics on the cost to conduct the election; the turnout of~~
23 ~~different populations, including, but not limited to, to the extent~~
24 ~~possible, the population categories of race, ethnicity, age, gender,~~
25 ~~disability, permanent vote by mail status, and political party~~
26 ~~affiliation; the number of ballots not counted and the reasons they~~
27 ~~were rejected; voter fraud; and, any other problems that become~~
28 ~~known to the county during the election or canvass.~~

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

33 ~~(3) The report of the county shall be submitted to the Legislature~~
34 ~~pursuant to Section 9795 of the Government Code within six~~
35 ~~months after the date of the all-mailed ballot election or before the~~
36 ~~date of any other all-mailed ballot election subject to this section~~
37 ~~to be conducted in the county, whichever is sooner.~~

38 ~~(e) This section shall remain in effect only until January 1, 2018,~~
39 ~~and as of that date is repealed, unless a later enacted statute, that~~
40 ~~is enacted before January 1, 2018, deletes or extends that date.~~

1 ~~SEC. 3.— Section 4002 is added to the Elections Code, to read:~~
2 ~~4002. (a) Notwithstanding Section 4000 or any other law, a~~
3 ~~special election to fill a vacancy in a state office, the Legislature,~~
4 ~~or Congress may be conducted wholly by mail if all of the~~
5 ~~following conditions are satisfied:~~

6 ~~(1) The legislative body as the governing body of the eligible~~
7 ~~entity, by resolution, authorizes the all-mailed ballot election and~~
8 ~~notifies the Secretary of State of its intent to conduct an all-mailed~~
9 ~~ballot election at least 88 days before the date of the election.~~

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

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

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

23 ~~(5) The return of voted mail ballots is subject to Section 3017.~~

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

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

32 ~~(7) Elections conducted pursuant to this section may be held on~~
33 ~~no more than three different dates.~~

34 ~~SEC. 2. Section 4001.5 is added to the Elections Code, to read:~~

35 ~~4001.5. (a) Notwithstanding Section 4000 or any other law,~~
36 ~~as a pilot program, a county may conduct an all-mailed ballot~~
37 ~~special election or special consolidated election if the special~~
38 ~~election or special consolidated election is a special election to~~
39 ~~fill a vacancy in a congressional or legislative office.~~

1 **(b)** *A special election or special consolidated election described*
2 *in subdivision (a) may be conducted wholly as an all-mailed ballot*
3 *election if all of the following apply:*

4 **(1)** **(A)** *The county board of supervisors, by resolution, approves*
5 *the county's participation in the pilot program established by this*
6 *section. A county may only participate in the pilot program if the*
7 *percentage of permanent vote by mail voters in the county equals*
8 *or exceeds 50 percent of the total number of voters in the county,*
9 *as determined at the most recent statewide general election.*

10 **(B)** *If a county board of supervisors adopts a resolution pursuant*
11 *to subparagraph (A), the county board of supervisors shall transmit*
12 *the resolution to the Secretary of State within 10 days of adopting*
13 *the resolution. Within 10 days of receiving a resolution adopted*
14 *pursuant to subparagraph (A), the Secretary of State shall notify*
15 *the Voting Accessibility Advisory Committee, established pursuant*
16 *to Section 2053, and the Language Accessibility Advisory*
17 *Committee, established pursuant to Section 2600, of the county's*
18 *participation in the pilot program.*

19 **(2)** *The county board of supervisors, by resolution, authorizes*
20 *the use of mailed ballots for the election and the congressional or*
21 *legislative district lies wholly or partially within the county.*

22 **(3)** *The election does not occur on the same date as a statewide*
23 *direct primary election, statewide general election, or any other*
24 *election conducted in an overlapping jurisdiction that is not*
25 *consolidated and conducted wholly by mail.*

26 **(4)** **(A)** *At least one ballot dropoff location is provided per city*
27 *that is open during business hours to receive voted ballots*
28 *beginning not less than seven days before the date of the election.*

29 **(B)** *The number of dropoff locations in unincorporated areas*
30 *shall be based on the number of unincorporated registered voters*
31 *divided by 100,000 (rounded to the next whole number) with no*
32 *less than one location to be selected.*

33 **(C)** *A ballot dropoff location provided for under this section*
34 *shall consist of a locked ballot box located in a secure public*
35 *building that meets the accessibility requirements for a polling*
36 *place.*

37 **(5)** *On at least one Saturday and Sunday on or after the date*
38 *the county elections official first delivers ballots to voters, the*
39 *county elections official allows any voter to vote the ballot at a*
40 *satellite location within the county pursuant to Section 3018. The*

1 county elections official shall determine the hours of operation for
2 each Saturday and Sunday, provided that the satellite location is
3 open to voters for a minimum of six hours on each designated
4 Saturday and Sunday.

5 (6) (A) The polling places are fixed in a manner so that there
6 is one polling place for every 10,000 registered voters within the
7 county, as determined on the 88th day before the day of the
8 election. A polling place shall allow a voter to request and vote a
9 ballot between 7 a.m. and 8 p.m. on the day of the election.

10 (B) The polling places provided under this section shall be
11 established in accordance with the accessibility requirements
12 described in Article 5 (commencing with Section 12280) of Chapter
13 3 of Division 12, the federal Americans with Disabilities Act of
14 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Help America
15 Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal
16 Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), and shall,
17 to the extent possible, ensure that access is evenly distributed
18 throughout the county.

19 (C) The polling places provided under this section shall be
20 established at accessible locations and shall be equipped with
21 voting units or systems that are accessible to individuals with
22 disabilities and that provide the same opportunity for access and
23 participation as is provided to voters who are not disabled,
24 including the ability to vote privately and independently in
25 accordance with Sections 12280 and 19240.

26 (D) The county elections official shall consider proximity to
27 public transportation in determining the polling places to provide
28 under this section.

29 (E) If a polling place consolidates one or more precincts for
30 which the county elections official is required to recruit precinct
31 board members who are fluent in a language in addition to English
32 pursuant to the federal Voting Rights Act of 1965 (52 U.S.C. Sec.
33 10101 et seq.), the county elections official shall ensure that the
34 polling place is staffed by precinct board members who speak that
35 language.

36 (F) If a polling place consolidates one or more precincts for
37 which the county elections official is required to recruit precinct
38 board members who are fluent in a language in addition to English
39 pursuant to subdivision (c) of Section 12303, the county elections
40 official shall make reasonable efforts to ensure that the polling

1 place is staffed by precinct board members who speak that
2 language.

3 (7) (A) The county elections official delivers to each voter all
4 supplies necessary for the use and return of the mail ballot,
5 including an envelope for the return of the voted mail ballot with
6 postage prepaid.

7 (B) The county elections official delivers to each voter, with
8 either the sample ballot sent pursuant to Section 13303 or with
9 the voter's ballot, all of the following:

10 (i) A notice, translated in all languages required under
11 subdivision (c) of Section 14201 and Section 203 of the federal
12 Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), that
13 informs voters of all of the following:

14 (I) An all-mailed ballot election is being conducted and each
15 eligible voter will receive a ballot by mail.

16 (II) The voter may cast a ballot in person at a satellite location
17 provided for under paragraph (5) or at a polling place on election
18 day.

19 (III) The voter may request the county elections official to send
20 a vote by mail ballot in a language other than English pursuant
21 to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C.
22 Sec. 10101 et seq.) or a facsimile copy of the ballot printed in a
23 language other than English pursuant to Section 14201.

24 (ii) A list of the ballot dropoff locations, satellite locations, and
25 polling places established pursuant to this section. The list shall
26 also be posted on the Internet Web site of the county elections
27 official.

28 (iii) A postage-paid postcard that the voter may return to the
29 county elections official for the purpose of requesting a vote by
30 mail ballot in a language other than English.

31 (7) (A) The county elections official submits to the Secretary
32 of State a voter education and outreach plan to be implemented
33 by the county for any election conducted pursuant to this section.
34 The voter education and outreach plan shall include, but shall not
35 be limited to, all of the following:

36 (i) One education and outreach meeting that includes
37 representatives, advocates, and other stakeholders representing
38 each community for which the county is required to provide voting
39 materials and assistance in a language other than English under

1 *subdivision (c) of Section 14201 and the federal Voting Rights Act*
2 *of 1965 (52 U.S.C. Sec. 10101 et seq.).*

3 *(ii) One education and outreach meeting that includes*
4 *representatives from community organizations and individuals*
5 *that advocate on behalf of, or provide services to, individuals with*
6 *disabilities.*

7 *(iii) At least one in-person bilingual voter education workshop*
8 *for each language in which the county is required to provide voting*
9 *materials and assistance under subdivision (c) of Section 14201*
10 *and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101*
11 *et seq.).*

12 *(iv) At least one in-person voter education workshop to increase*
13 *accessibility for participation of eligible voters with disabilities.*

14 *(v) A toll-free voter assistance hotline maintained by the county*
15 *elections official that is operational no later than the date that*
16 *vote by mail ballots are mailed to voters until 5 p.m. on the day*
17 *after the special election. The toll-free voter assistance hotline*
18 *shall provide assistance to voters in all languages in which the*
19 *county is required to provide voting materials and assistance under*
20 *subdivision (c) of Section 14201 and the federal Voting Rights Act*
21 *of 1965 (52 U.S.C. Sec. 10101 et seq.).*

22 *(vi) At least one public service announcement in the media,*
23 *including newspapers, radio, and television, that serve*
24 *English-speaking citizens for purposes of informing voters of the*
25 *upcoming election and promoting the toll-free voter assistance*
26 *hotline.*

27 *(vii) At least one public service announcement in the media,*
28 *including newspapers, radio, and television, that serve*
29 *non-English-speaking citizens for each language in which the*
30 *county is required to provide voting materials and assistance under*
31 *subdivision (c) of Section 14201 and the federal Voting Rights Act*
32 *of 1965 (52 U.S.C. Sec. 10101 et seq.) for purposes of informing*
33 *voters of the upcoming election and promoting the toll-free voter*
34 *assistance hotline.*

35 *(viii) A voter education social media strategy that is developed*
36 *in partnership with community organizations and individuals that*
37 *advocate on behalf of, or provide services to, non-English-speaking*
38 *individuals and individuals with disabilities.*

1 (B) *The voter education and outreach plan shall be posted on*
2 *the Internet Web site of the Secretary of State and on the Internet*
3 *Web site of the county elections official.*

4 (c) *Except as otherwise provided in this section, the election*
5 *day procedures shall be conducted in accordance with Division*
6 *14 (commencing with Section 14000).*

7 (d) *The county elections official may provide, at his or her*
8 *discretion, additional ballot dropoff locations and polling places*
9 *for purposes of this section.*

10 (e) *The return of voted mail ballots is subject to Sections 3017*
11 *and 3020.*

12 (f) *Participating in the pilot program established by this section*
13 *does not preclude the use of a remote accessible vote by mail*
14 *system.*

15 (g) (1) *If the county conducts a special election pursuant to*
16 *this section, it may process vote by mail ballot return envelopes*
17 *beginning 29 days before the election. Processing vote by mail*
18 *ballot return envelopes may include verifying the voter's signature*
19 *on the vote by mail ballot return envelope and updating voter*
20 *history records.*

21 (2) *If the county conducts a special election pursuant to this*
22 *section, it may start to process vote by mail ballots on the 10th*
23 *business day before the election. Processing vote by mail ballots*
24 *includes opening vote by mail ballot return envelopes, removing*
25 *ballots, duplicating any damaged ballots, and preparing the ballots*
26 *to be machine read, or machine reading them, but under no*
27 *circumstances shall a vote count be accessed or released until 8*
28 *p.m. on the day of the election.*

29 (h) *Results of any vote by mail ballot tabulation or count shall*
30 *not be released before the close of the polls on the day of the*
31 *election.*

32 (i) *For the sole purpose of reporting the results of an election*
33 *conducted pursuant to this section, upon completion of the ballot*
34 *count, the county elections official shall divide the jurisdiction*
35 *into precincts pursuant to Article 2 (commencing with Section*
36 *12220) of Chapter 3 of Division 12 and shall prepare a statement*
37 *of the results of the election in accordance with Sections 15373*
38 *and 15374.*

39 (j) *The county elections official shall compile an index, list, or*
40 *file of all persons who voted in an election conducted pursuant to*

1 *this section. If the county elections official uses data-processing*
2 *equipment to compile the index, list, or file, he or she shall retain*
3 *an accurate copy of that index, list, or file in electronic format for*
4 *a period of 10 years.*

5 *(k) (1) If an election is conducted pursuant to this section, the*
6 *county shall report to the Legislature and to the Secretary of State*
7 *regarding the success of the election, including, but not limited*
8 *to, all of the following:*

9 *(A) Any statistics on the cost to conduct the election.*

10 *(B) The turnout of different populations, including, but not*
11 *limited to, and to the extent possible, the population categories of*
12 *race, ethnicity, language preference, age, gender, disability,*
13 *permanent vote by mail status, and political party preference.*

14 *(C) The number of ballots that were not counted and the reasons*
15 *they were rejected.*

16 *(D) Voter fraud.*

17 *(E) Any other problems that become known to the county during*
18 *the election or canvass.*

19 *(2) Whenever possible, using the criteria set forth in paragraph*
20 *(1), the report shall compare the election conducted pursuant to*
21 *this section to similar elections not conducted pursuant to this*
22 *section in the same county or comparable counties.*

23 *(3) Within six months after the date of the election or before the*
24 *date of a subsequent election conducted pursuant to this section,*
25 *whichever is sooner, the county shall do all of the following with*
26 *respect to the report required by this subdivision:*

27 *(A) Submit the report to the Legislature in compliance with*
28 *Section 9795 of the Government Code.*

29 *(B) Submit the report to the Secretary of State.*

30 *(C) Post the report on the Internet Web site of the county*
31 *elections official.*

32 *(l) This section shall remain in effect only until January 1, 2023,*
33 *and as of that date is repealed, unless a later enacted statute, that*
34 *is enacted before January 1, 2023, deletes or extends that date.*