

Introduced by Senator Hertzberg

February 4, 2015

An act to add Section 3000.5 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 163, as introduced, Hertzberg. Elections: vote by mail ballot.

Existing law requires the vote by mail ballot to be available to any registered voter and requires an application for a vote by mail voter's ballot to be made in writing to the elections official having jurisdiction over the election between certain days before the election.

This bill, notwithstanding any other law, would require county elections officials to issue a vote by mail ballot to every registered voter in the county for statewide primary, special, and general elections. The bill would include findings and declarations related to vote by mail ballots. By requiring county elections officials to issue a vote by mail ballot to every registered voter, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) In maintaining a healthy democracy in California, it is
4 important to encourage and ensure that the residents of the state
5 have the tools needed to participate in every election.

6 (b) On average, in California counties 46.2 percent of voters
7 receive their ballots by mail.

8 (c) Recent studies show that registered voters who automatically
9 receive their ballots by mail are more likely to vote.

10 (d) Broadening the ability of California residents to engage in
11 the democratic process will yield more representative election
12 results and will ensure that the voices of more California residents
13 are heard.

14 SEC. 2. Section 3000.5 is added to the Elections Code, to read:

15 3000.5. Notwithstanding any other law, a county elections
16 official shall issue a vote by mail ballot to every registered voter
17 in the county for statewide primary, special, and general elections.
18 The distribution of vote by mail ballots to all registered voters
19 shall not prevent registered voters from exercising their right to
20 vote at their designated precinct polling locations.

21 SEC. 3. If the Commission on State Mandates determines that
22 this act contains costs mandated by the state, reimbursement to
23 local agencies and school districts for those costs shall be made
24 pursuant to Part 7 (commencing with Section 17500) of Division
25 4 of Title 2 of the Government Code.