

**Introduced by Senator Hertzberg**

February 4, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

SB 163, as amended, 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.~~

*This bill would establish, until January 1, 2019, a vote by mail pilot program in the County of Los Angeles for statewide elections. The bill would require, as part of the pilot program, that the county elections official issue a vote by mail ballot to each registered voter for a qualifying election. The bill would also require the elections official, among other things, to engage in voter education efforts to increase voter awareness of the pilot program and to report on the voter turnout for qualifying elections to the Secretary of State and the Legislature on or before December 31, 2018.*

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

3     3000.5. (a) A vote by mail pilot program shall be established  
4     in the County of Los Angeles for any statewide election held  
5     between January 1, 2017, and December 31, 2018, inclusive.

6     (b) Notwithstanding Section 3001, the elections official for the  
7     County of Los Angeles, in conjunction with the Secretary of State,  
8     shall issue a vote by mail ballot to each registered voter in that  
9     county for any statewide election held during the period specified  
10    in subdivision (a).

11    (c) Notwithstanding any other law, each of the following shall  
12    apply to the vote by mail pilot program with respect to a statewide  
13    election held during the period specified in subdivision (a):

14    (1) The elections official is authorized to mail the vote by mail  
15    ballots together with other election materials issued by the county  
16    to reduce overall mailing expenses.

17    (2) The elections official shall consider reducing or  
18    consolidating precincts in anticipation of a reduction in the number  
19    of voters who vote at precinct polling places, subject to the  
20    requirements of Sections 12223 and 12241.

21    (3) The elections official is deemed to comply with the  
22    requirements of Section 14102 if the number of official ballots  
23    provided to each precinct is not less than 50 percent of registered  
24    voters in the precinct.

25    (4) The elections official shall engage in voter education efforts  
26    to increase voter awareness of the vote by mail pilot program. As  
27    part of the voter education efforts, voters shall be encouraged, if

1 *they intend to vote at a polling place, to bring their vote by mail*  
2 *ballot to the polling place to streamline their voting process.*

3 *(5) In addition to any other reporting requirements required by*  
4 *law, the elections official shall report on the voter turnout for the*  
5 *County of Los Angeles for any qualifying statewide election*  
6 *described in subdivision (a) to the Secretary of State and to the*  
7 *Legislature, in the manner provided by Section 9795 of the*  
8 *Government Code, on or before December 31, 2018.*

9 *(d) This section shall remain in effect only until January 1, 2019,*  
10 *and as of that date is repealed, unless a later enacted statute, that*  
11 *is enacted before January 1, 2019, deletes or extends that date.*

12 *SEC. 2. If the Commission on State Mandates determines that*  
13 *this act contains costs mandated by the state, reimbursement to*  
14 *local agencies and school districts for those costs shall be made*  
15 *pursuant to Part 7 (commencing with Section 17500) of Division*  
16 *4 of Title 2 of the Government Code.*

17 ~~SECTION 1. The Legislature finds and declares all of the~~  
18 ~~following:~~

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

22 ~~(b) On average, in California counties 46.2 percent of voters~~  
23 ~~receive their ballots by mail.~~

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

26 ~~(d) Broadening the ability of California residents to engage in~~  
27 ~~the democratic process will yield more representative election~~  
28 ~~results and will ensure that the voices of more California residents~~  
29 ~~are heard.~~

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

31 ~~3000.5. Notwithstanding any other law, a county elections~~  
32 ~~official shall issue a vote by mail ballot to every registered voter~~  
33 ~~in the county for statewide primary, special, and general elections.~~  
34 ~~The distribution of vote by mail ballots to all registered voters~~  
35 ~~shall not prevent registered voters from exercising their right to~~  
36 ~~vote at their designated precinct polling locations.~~

37 ~~SEC. 3. If the Commission on State Mandates determines that~~  
38 ~~this act contains costs mandated by the state, reimbursement to~~  
39 ~~local agencies and school districts for those costs shall be made~~

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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