

**Introduced by Senator Allen**

February 25, 2015

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An act to amend Section 2170 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 439, as introduced, Allen. Conditional voter registration.

Existing law permits a county elections official to offer conditional voter registration and provisional voting on election day at satellite offices of the county elections office, as specified.

This bill would also allow a county elections official to offer conditional voter registration and provisional voting at satellite offices other than on election day.

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 2170 of the Elections Code is amended  
2 to read:  
3 2170. (a) "Conditional voter registration" means a properly  
4 executed affidavit of registration, which is delivered by the  
5 registrant to a county elections official during the 14 days  
6 immediately preceding an election or on election day and which  
7 may be deemed effective pursuant to this article after the elections  
8 official processes the affidavit, determines the registrant's  
9 eligibility to register, and validates the registrant's information,  
10 as specified in subdivision (c).

1 (b) In addition to other methods of voter registration provided  
2 by this code, an elector who is otherwise qualified to register to  
3 vote under this code and Section 2 of Article II of the California  
4 Constitution may complete a conditional voter registration and  
5 cast a provisional ballot during the 14 days immediately preceding  
6 an election or on election day pursuant to this article.

7 (c) (1) A conditional voter registration shall be deemed effective  
8 if the county elections official is able to determine before or during  
9 the canvass period for the election that the registrant is eligible to  
10 register to vote and that the information provided by the registrant  
11 on the registration affidavit matches information contained in a  
12 database maintained by the California Department of Motor  
13 Vehicles or the federal Social Security Administration.

14 (2) If the information provided by the registrant on the  
15 registration affidavit cannot be verified pursuant to paragraph (1)  
16 but the registrant is otherwise eligible to vote, the registrant shall  
17 be issued a unique identification number pursuant to Section 2150  
18 and the conditional voter registration shall be deemed effective.

19 (d) The county elections official shall offer conditional voter  
20 registration and provisional voting pursuant to this article, in  
21 accordance with the following procedures:

22 (1) The elections official shall provide conditional voter  
23 registration and provisional voting pursuant to this article at all  
24 permanent offices of the county elections official in the county.

25 (2) The elections official shall advise registrants that a  
26 conditional voter registration will be effective only if the registrant  
27 is determined to be eligible to register to vote for the election and  
28 the information provided by the registrant on the registration  
29 affidavit is verified pursuant to subdivision (c).

30 (3) The elections official shall conduct the receipt and handling  
31 of each conditional voter registration and offer and receive a  
32 corresponding provisional ballot in a manner that protects the  
33 secrecy of the ballot and allows the elections official to process  
34 the registration, to determine the registrant's eligibility to register,  
35 and to validate the registrant's information before counting or  
36 rejecting the corresponding provisional ballot.

37 (4) After receiving a conditional voter registration, the elections  
38 official shall process the registration, determine the registrant's  
39 eligibility to register, and attempt to validate the information.

1 (5) If a conditional registration is deemed effective, the elections  
2 official shall include the corresponding provisional ballot in the  
3 official canvass.

4 (e) The county elections official may offer conditional voter  
5 registration and provisional voting pursuant to this article ~~on~~  
6 ~~election day~~ at satellite offices of the county elections office, in  
7 accordance with the procedures specified in paragraphs (2) to (5),  
8 inclusive, of subdivision (d).