

AMENDED IN ASSEMBLY AUGUST 15, 2016

AMENDED IN ASSEMBLY JUNE 21, 2016

AMENDED IN ASSEMBLY JULY 7, 2015

AMENDED IN ASSEMBLY JUNE 15, 2015

SENATE BILL

No. 450

Introduced by Senators Allen and Hertzberg

(Principal coauthors: Assembly Members ~~Gonzalez and Mullin~~
Gonzalez, Mullin, Nazarian, and Weber)

February 25, 2015

An act to amend Sections 3017 and 15320 of, to add Sections 4005, 4006, and 4007 to, and to add and repeal Section 4008 of, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 450, as amended, Allen. Elections: vote by mail voting and mail ballot elections.

Existing law requires all vote by mail ballots to be voted on or before the day of the election. ~~Existing law authorizes a vote by mail voter who is unable to return his or her vote by mail ballot to designate his or her spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in the same household as the voter to return the ballot, as specified. Existing law prohibits a vote by mail voter's ballot from being returned by specified persons, including, among others, a paid or volunteer worker of a political party: election and requires the vote by mail voter to return the ballot by mail or in person, as specified, to the elections official who issued the ballot.~~

This bill would ~~remove those restrictions and instead authorize a vote by mail voter who is unable to return his or her vote by mail ballot to~~

~~designate any person to return the ballot.~~ *require an elections official who receives a vote by mail ballot that he or she did not issue to forward that ballot to the elections official who issued the ballot no later than 8 days after receipt. By requiring an elections official to forward a ballot to the elections official who issued the ballot, the bill would impose a state-mandated local program.*

Existing law authorizes cities with a population of fewer than 100,000 persons, school districts, and special districts to conduct an all-mailed ballot special election to fill a vacancy on the legislative or governing body of those entities under specified conditions.

This bill would, on or after January 1, 2018, authorize specified counties, and on or after January 1, 2020, authorize any county except the County of Los Angeles, to conduct any election as an all-mailed ballot election if certain conditions are satisfied, including conditions related to ballot dropoff locations, vote centers, and plans for the administration of all-mailed ballot elections. The bill would require the Secretary of State, within 6 months of each all-mailed ballot election conducted by a county pursuant to these provisions, to report certain information to the Legislature regarding that election. The bill would require the county that conducted the all-mailed ballot election to submit to the Secretary of State the information needed for the Secretary of State to prepare the report.

This bill would, on or after January 1, 2020, authorize the County of Los Angeles to conduct any election as a vote center election if certain conditions are satisfied, including conditions related to ballot dropoff ~~location~~ *locations* and vote centers. The bill would, on or after January 1, 2020, authorize the County of Los Angeles to conduct a special election as an all-mailed ballot election pursuant to specified provisions that apply to every county that chooses to conduct a special election as an all-mailed ballot election.

This bill would also require the Secretary of State to establish a taskforce that includes certain individuals to review all-mailed ballot elections conducted pursuant to these provisions and to provide comments and recommendations to the Legislature within 6 months of each all-mailed ballot election or vote center election.

This bill would incorporate additional changes to Section 3017 of the Elections Code proposed by AB 1921 that would become operative only if AB 1921 and this bill are both chaptered and this bill is chaptered last.

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: ~~no~~-yes.

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

1 SECTION 1. Section 3017 of the Elections Code is amended
2 to read:
3 3017. (a) All vote by mail ballots cast under this division shall
4 be voted on or before the day of the election. After marking the
5 ballot, the vote by mail voter shall do any of the following: (1)
6 return the ballot by mail or in person to the elections official who
7 issued the ballot, (2) return the ballot in person to a member of a
8 precinct board at a polling place or vote center within the state, or
9 (3) return the ballot to a vote by mail ballot dropoff location within
10 the state that is provided pursuant to Section 3025 or 4005.
11 However, a vote by mail voter who is unable to return the ballot
12 may designate ~~any person~~ *his or her spouse, child, parent,*
13 *grandparent, grandchild, brother, sister, or a person residing in*
14 *the same household as the vote by mail voter* to return the ballot
15 to the elections official who issued the ballot, to the precinct board
16 at a polling place or vote center within the state, or to a vote by
17 mail ballot dropoff location within the state that is provided
18 pursuant to Section 3025 or 4005. The ballot must, however, be
19 received by the elections official who issued the ballot, the precinct
20 board, or the vote by mail ballot dropoff location before the close
21 of the polls on election day. If a vote by mail ballot is returned to
22 a precinct board at a polling place or vote center, or to a vote by
23 mail ballot dropoff location, that is located in a county that is not
24 the county of the elections official who issued the ballot, the
25 elections official for the county in which the vote by mail ballot
26 is returned shall forward the ballot to the elections official who
27 issued the ballot no later than eight days after receipt.

1 (b) The elections official shall establish procedures to ensure
 2 the secrecy of a ballot returned to a precinct polling place and the
 3 security, confidentiality, and integrity of any personal information
 4 collected, stored, or otherwise used pursuant to this section.

5 (c) On or before March 1, 2008, the elections official shall
 6 establish procedures to track and confirm the receipt of voted vote
 7 by mail ballots and to make this information available by means
 8 of online access using the county's elections division Internet Web
 9 site. If the county does not have an elections division Internet Web
 10 site, the elections official shall establish a toll-free telephone
 11 number that may be used to confirm the date a voted vote by mail
 12 ballot was received.

13 (d) The provisions of this section are mandatory, not directory,
 14 and a ballot shall not be counted if it is not delivered in compliance
 15 with this section.

16 (e) *Notwithstanding subdivision (a), a vote by mail voter's ballot*
 17 *shall not be returned by a paid or volunteer worker of a general*
 18 *purpose committee, controlled committee, independent expenditure*
 19 *committee, political party, candidate's campaign committee, or*
 20 *any other group or organization at whose behest the individual*
 21 *designated to return the ballot is performing a service. However,*
 22 *this subdivision does not apply to a candidate or a candidate's*
 23 *spouse.*

24 *SEC. 1.5. Section 3017 of the Elections Code is amended to*
 25 *read:*

26 3017. (a) All vote by mail ballots cast under this division shall
 27 be voted on or before the day of the election. After marking the
 28 ballot, the vote by mail voter shall do any of the following: (1)
 29 return the ballot by mail or in person to the elections official ~~from~~
 30 ~~whom it came, who issued the ballot,~~ (2) return the ballot in person
 31 to a member of a precinct board at a polling place *or vote center*
 32 ~~within the jurisdiction, state,~~ or (3) return the ballot to the elections
 33 ~~official from whom it came at a vote by mail ballot-drop-off~~
 34 ~~location, if dropoff location within the state that is provided~~
 35 ~~pursuant to Section 3025. 3025 or 4005.~~ However, a vote by mail
 36 voter who is unable to return the ballot may designate ~~his or her~~
 37 ~~spouse, child, parent, grandparent, grandchild, brother, sister, or~~
 38 ~~a person residing in the same household as the vote by mail voter~~
 39 ~~any person~~ to return the ballot to the elections official ~~from whom~~
 40 ~~it came or who issued the ballot,~~ to the precinct board at a polling

1 place or vote center within the ~~jurisdiction~~ state, or to a vote by
2 mail ballot dropoff location within the state that is provided
3 pursuant to Section 3025 or 4005. The ballot must, however, be
4 received by either the elections official from whom it came or who
5 issued the ballot, the precinct ~~board~~ board, or the vote by mail
6 ballot dropoff location before the close of the polls on election
7 day. If a vote by mail ballot is returned to a precinct board at a
8 polling place or vote center, or to a vote by mail ballot dropoff
9 location, that is located in a county that is not the county of the
10 elections official who issued the ballot, the elections official for
11 the county in which the vote by mail ballot is returned shall forward
12 the ballot to the elections official who issued the ballot no later
13 than eight days after receipt.

14 (b) The elections official shall establish procedures to ensure
15 the secrecy of a ballot returned to a precinct polling place and the
16 security, confidentiality, and integrity of any personal information
17 collected, stored, or otherwise used pursuant to this section.

18 (c) On or before March 1, 2008, the elections official shall
19 establish procedures to track and confirm the receipt of voted vote
20 by mail ballots and to make this information available by means
21 of online access using the county's elections division Internet Web
22 site. If the county does not have an elections division Internet Web
23 site, the elections official shall establish a toll-free telephone
24 number that may be used to confirm the date a voted vote by mail
25 ballot was received.

26 (d) The provisions of this section are mandatory, not directory,
27 and a ballot shall not be counted if it is not delivered in compliance
28 with this section.

29 (e) ~~Notwithstanding subdivision (a), a(1) A person designated~~
30 ~~to return a vote by mail voter's ballot shall not be returned by a~~
31 ~~paid or volunteer worker of a general purpose committee,~~
32 ~~controlled committee, independent expenditure committee, political~~
33 ~~party, candidate's campaign committee, or any other group or~~
34 ~~organization at whose behest the individual designated to return~~
35 ~~the ballot is performing a service. However, this subdivision does~~
36 ~~not apply to a candidate or a candidate's spouse. receive any form~~
37 ~~of compensation based on the number of ballots that the person~~
38 ~~has returned and no individual, group, or organization shall~~
39 ~~provide compensation on this basis.~~

1 (2) *For purposes of this paragraph, “compensation” means*
 2 *any form of monetary payment, goods, services, benefits, promises*
 3 *or offers of employment, or any other form of consideration offered*
 4 *to another person in exchange for returning another voter’s vote*
 5 *by mail ballot.*

6 (3) *Any person in charge of a vote by mail ballot and who*
 7 *knowingly and willingly engages in criminal acts related to that*
 8 *ballot as described in Division 18 (commencing with Section*
 9 *18000), including, but not limited to, fraud, bribery, intimidation,*
 10 *and tampering with or failing to deliver the ballot in a timely*
 11 *fashion, is subject to the appropriate punishment specified in that*
 12 *division.*

13 SEC. 2. Section 4005 is added to the Elections Code, to read:

14 4005. (a) Notwithstanding Section 4000 or any other law, on
 15 or after January 1, 2018, the Counties of Calaveras, Inyo, Madera,
 16 Napa, Nevada, Orange, Sacramento, San Luis Obispo, San Mateo,
 17 Santa Clara, Shasta, Sierra, Sutter, and Tuolumne, and, except as
 18 provided in Section 4007, on or after January 1, 2020, any county
 19 may conduct any election as an all-mailed ballot election if all of
 20 the following apply:

21 (1) (A) At least two ballot dropoff locations are provided within
 22 the jurisdiction where the election is held or the number of ballot
 23 dropoff locations are fixed in a manner so that there is at least one
 24 ballot dropoff location provided for every 15,000 registered voters
 25 within the jurisdiction where the election is held, as determined
 26 on the 88th day before the day of the election, whichever results
 27 in more ballot dropoff locations. For purposes of this subparagraph,
 28 a vote center that includes an exterior ballot drop box counts only
 29 as a single ballot dropoff location. Ballot dropoff locations shall
 30 comply with the regulations adopted pursuant to subdivision (b)
 31 of Section 3025.

32 (B) A ballot dropoff location provided for under this section
 33 consists of a secure, accessible, and locked ballot box located as
 34 near as possible to established public transportation routes and that
 35 is able to receive voted ballots. All ballot dropoff locations shall
 36 be open at least during regular business hours beginning not less
 37 than 28 days before the ~~date~~ *day* of the election, and on the ~~date~~
 38 *day* of the election. At least one ballot dropoff location shall be an
 39 accessible, secured, exterior drop box that is available for a
 40 minimum of 12 hours per day including regular business hours.

- 1 (2) (A) The county elections official permits a voter residing
2 in the county to do any of the following at a vote center:
- 3 (i) Return, or vote and return, his or her vote by mail ballot.
 - 4 (ii) Register to vote, update his or her voter registration, and
5 vote pursuant to Section 2170.
 - 6 (iii) Receive and vote a provisional ballot pursuant to Section
7 3016 or Article 5 (commencing with Section 14310) of Chapter 3
8 of Division 14.
 - 9 (iv) Receive a replacement ballot upon verification that a ballot
10 for the same election has not been received from the voter by the
11 county elections official. If the county elections official is unable
12 to determine if a ballot for the same election has been received
13 from the voter, the county elections official may issue a provisional
14 ballot.
 - 15 (v) Vote a regular, provisional, or replacement ballot using
16 accessible voting equipment that provides for a private and
17 independent voting experience.
- 18 (B) Each vote center shall have at least three voting machines
19 that are accessible to voters with disabilities.
- 20 (3) (A) On the day of the election, from 7 a.m. to 8 p.m.,
21 inclusive, and on each of the three days before the election, for a
22 minimum of eight hours per day, at least one vote center is
23 provided for every 10,000 registered voters within the jurisdiction
24 where the election is held, as determined on the 88th day before
25 the day of the election. At least 90 percent of the number of vote
26 centers required by this subparagraph shall be open for all four
27 days during the required times. Up to 10 percent of the number of
28 vote centers required by this subparagraph may be open for less
29 than four days if at least one vote center is provided for every
30 10,000 registered voters on each day.
- 31 (B) Notwithstanding subparagraph (A), for a jurisdiction with
32 fewer than 20,000 registered voters, a minimum of two voter
33 centers are provided on the day of the election and on each of the
34 three days before the election within the jurisdiction where the
35 election is held.
- 36 (4) (A) Beginning 10 days before the day of the election and
37 continuing daily up to and including the fourth day before the
38 election, for a minimum of eight hours per day, at least one vote
39 center is provided for every 50,000 registered voters within the

1 jurisdiction where the election is held, as determined on the 88th
2 day before the day of the election.

3 (B) Notwithstanding subparagraph (A), for a jurisdiction with
4 fewer than 50,000 registered voters, a minimum of two vote centers
5 are provided within the jurisdiction where the election is held.

6 (C) The vote centers provided under this section are established
7 in accordance with the accessibility requirements described in
8 Article 5 (commencing with Section 12280) of Chapter 3 of
9 Division 12, the federal Americans with Disabilities Act of 1990
10 (42 U.S.C. Sec. 12101 et seq.), the federal Help America Vote Act
11 of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal Voting
12 Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

13 (D) The vote centers provided under this section are equitably
14 distributed across the county so as to afford maximally convenient
15 options for voters and are established at accessible locations as
16 near as possible to established public transportation routes. The
17 vote centers shall be equipped with voting units or systems that
18 are accessible to individuals with disabilities and that provide the
19 same opportunity for access and participation as is provided to
20 voters who are not disabled, including the ability to vote privately
21 and independently in accordance with Sections 12280 and 19240.

22 (E) (i) The vote centers provided under this section have an
23 electronic mechanism for the county elections official to
24 immediately access, at a minimum, all of the following voter
25 registration data:

26 (I) Name.

27 (II) Address.

28 (III) Date of birth.

29 (IV) Language preference.

30 (V) Party preference.

31 (VI) Precinct.

32 (VII) Whether or not the voter has been issued a vote by mail
33 ballot and whether or not a ballot has been received by the county
34 elections official.

35 (ii) The electronic mechanism used to access voter registration
36 data shall not be connected in any way to a voting system.

37 (5) A method is available for voters with disabilities to request
38 and receive a blank vote by mail ballot and, if a replacement ballot
39 is necessary, a blank replacement ballot that voters with disabilities
40 can read and mark privately and independently pursuant to the

1 federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et
2 seq.).

3 (6) (A) Except as otherwise provided for in this section,
4 election boards for the vote centers established under this section
5 meet the requirements for eligibility and composition pursuant to
6 Article 1 (commencing with Section 12300) of Chapter 4 of
7 Division 12.

8 (B) Each vote center provides language assistance in all
9 languages required in the jurisdiction under subdivision (c) of
10 Section 12303 or Section 203 of the federal Voting Rights Act of
11 1965 (52 U.S.C. Sec. 10101 et seq.) in a manner that enables voters
12 of the applicable language minority groups to participate effectively
13 in the electoral process. Each vote center shall post information
14 regarding the availability of language assistance in English and
15 all other languages for which language assistance is required to
16 be provided in the jurisdiction under subdivision (c) of Section
17 12303 or Section 203 of the federal Voting Rights Act of 1965 (52
18 U.S.C. Sec. 10101 et seq.).

19 (i) If a vote center is located in, or adjacent to, a precinct, census
20 tract, or other defined geographical subsection required to establish
21 language requirements under subdivision (c) of Section 12303 or
22 Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C.
23 Sec. 10101 et seq.), or if it is identified as needing language
24 assistance through the public input process described in clause (ii),
25 the county elections official shall ensure that the vote center is
26 staffed by election board members who speak the required
27 language. If the county elections official is unable to recruit
28 election board members who speak the required language,
29 alternative methods of effective language assistance shall be
30 provided by the county elections official.

31 (ii) The county elections official shall solicit public input
32 regarding which vote centers should be staffed by election board
33 members who are fluent in a language in addition to English
34 pursuant to subdivision (c) of Section 12303 and Section 203 of
35 the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et
36 seq.).

37 (iii) The county elections official shall provide notice in the
38 sample ballot, in vote by mail materials, and on his or her Internet
39 Web site of the specific language services available at each vote
40 center.

1 (C) Each vote center provides election materials translated in
2 all languages required in the jurisdiction under subdivision (c) of
3 Section 14201 and Section 203 of the federal Voting Rights Act
4 of 1965 (52 U.S.C. Sec. 10101 et seq.).

5 (D) Each vote center provides reasonable modifications and
6 auxiliary aids and services as required by the federal Americans
7 with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and
8 the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701 et seq.).

9 (7) (A) Beginning 10 days before the election, the county
10 elections official maintains, in an electronic format, an index of
11 voters who have done any of the following at one of the voter
12 centers established pursuant to this section:

13 (i) Registered to vote or updated his or her voter registration.

14 (ii) Received and voted a provisional ballot or replacement
15 ballot.

16 (iii) Voted a ballot using equipment at the vote center.

17 (B) The index required by subparagraph (A) includes the same
18 information for each voter as is required to be included on copies
19 of the index of affidavits of voter registration that are posted
20 pursuant to Section 14294. The index required by subparagraph
21 (A) shall be updated continuously during any time that a vote
22 center is open in the jurisdiction.

23 (8) (A) Beginning 29 days before the day of the election, the
24 county elections official mails to each registered voter a vote by
25 mail ballot packet that includes a return envelope with instructions
26 for the use and return of the vote by mail ballot.

27 (B) The county elections official delivers to each voter, with
28 either the sample ballot sent pursuant to Section 13303 or with the
29 vote by mail ballot packet, all of the following:

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

34 (I) An all-mailed ballot election is being conducted and each
35 eligible voter will be issued a vote by mail ballot by mail.

36 (II) The voter may cast a vote by mail ballot in person at a vote
37 center during the times and days specified in subparagraph (A) of
38 paragraph (4) or on election day.

39 (III) No later than seven days before the day of the election, the
40 voter may request the county elections official to send a vote by

1 mail ballot in a language other than English pursuant to Section
2 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101
3 et seq.) or a facsimile copy of the ballot printed in a language other
4 than English pursuant to Section 14201.

5 (IV) No later than seven days before the day of the election, the
6 voter may request the county elections official to send or deliver
7 a ballot that voters with disabilities can read and mark privately
8 and independently pursuant to the federal Help America Vote Act
9 of 2002 (52 U.S.C. Sec. 20901 et seq.).

10 (ii) A list of the ballot dropoff locations and vote centers
11 established pursuant to this section, including the dates and hours
12 they are open. The list shall also be posted on the Internet Web
13 site of the county elections official in a format that is accessible
14 for people with disabilities pursuant to Section 11135 of the
15 Government Code.

16 (iii) A postage-paid postcard that the voter may return to the
17 county elections official for the purpose of requesting a vote by
18 mail ballot in a language other than ~~English~~. *English or for the*
19 *purpose of requesting a vote by mail ballot in an accessible format.*

20 (C) Upon request, the county elections official provides written
21 voting materials to voters with disabilities in an accessible format,
22 as required by the federal Americans with Disabilities Act of 1990
23 (42 U.S.C. Sec. 12101 et seq.) and the federal Rehabilitation Act
24 of 1973 (29 U.S.C. Sec. 701 et seq.).

25 (9) (A) The county elections official establishes a language
26 accessibility advisory committee that is comprised of
27 representatives of language minority communities. The committee
28 shall be established no later than October 1 of the year before the
29 first election conducted pursuant to this section. The committee
30 shall hold its first meeting no later than April 1 of the year in which
31 the first election is conducted pursuant to this section.

32 (B) The county elections official establishes a voting
33 accessibility advisory committee that is comprised of voters with
34 disabilities. The committee shall be established no later than
35 October 1 of the year before the first election conducted pursuant
36 to this section. The committee shall hold its first meeting no later
37 than April 1 of the year in which the first election is conducted
38 pursuant to this section.

1 (C) A county with fewer than 50,000 registered voters may
2 establish a joint advisory committee for language minority
3 communities and voters with disabilities.

4 (10) (A) The county elections official develops a draft plan for
5 the administration of elections conducted pursuant to this section
6 in consultation with the public, including both of the following:

7 (i) One meeting, publicly noticed at least 10 days in advance of
8 the meeting, that includes representatives, advocates, and other
9 stakeholders representing each community for which the county
10 is required to provide voting materials and assistance in a language
11 other than English under subdivision (c) of Section 14201 and the
12 federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

13 (ii) One meeting, publicly noticed at least 10 days in advance
14 of the meeting, that includes representatives from the disability
15 community and community organizations and individuals that
16 advocate on behalf of, or provide services to, individuals with
17 disabilities.

18 (B) The county elections official, when developing the draft
19 plan for the administration of elections conducted pursuant to this
20 section, considers, at a minimum, all of the following:

21 (i) Vote center and ballot dropoff location proximity to public
22 transportation.

23 (ii) Vote center and ballot dropoff location proximity to
24 communities with historically low vote by mail usage.

25 (iii) Vote center and ballot dropoff location proximity to
26 population centers.

27 (iv) Vote center and ballot dropoff location proximity to
28 language minority communities.

29 (v) Vote center and ballot dropoff location proximity to voters
30 with disabilities.

31 (vi) Access to accessible and free parking at vote centers and
32 ballot dropoff locations.

33 (vii) The distance and time a voter must travel by car or public
34 transportation to a vote center and ballot dropoff location.

35 (viii) The need for alternate methods for voters with disabilities
36 for whom vote by mail ballots are not accessible to cast a ballot.

37 (ix) Traffic patterns near vote centers and ballot dropoff
38 locations.

39 (x) The need for mobile vote centers in addition to the number
40 of vote centers established pursuant to this section.

1 (C) The county elections official publicly notices the draft plan
2 for the administration of elections conducted pursuant to this
3 section and accepts public comments on the draft plan for at least
4 14 days before the hearing held pursuant to subparagraph (D).

5 (D) (i) Following the 14-day review period required by
6 subparagraph (C), the county elections official holds a public
7 meeting to consider the draft plan for the administration of elections
8 conducted pursuant to this section and to accept public ~~comment~~.
9 *comments*. The meeting shall be publicly noticed at least 10 days
10 in advance of the meeting on the Internet Web sites of the clerk
11 of the county board of supervisors and the county elections official,
12 or, if neither the clerk of the county board of supervisors nor the
13 county elections official maintain an Internet Web site, in the office
14 of the county elections official.

15 (ii) After the public hearing to consider the draft plan for the
16 administration of elections conducted pursuant to this section and
17 to accept public comments, the county elections official shall
18 consider any public comments he or she receives from the public
19 and shall amend the draft plan in response to the public comments
20 to the extent he or she deems appropriate. The county elections
21 official shall publicly notice the amended draft plan and shall
22 accept public comments on the amended draft plan for at least 14
23 days before the county elections official may adopt the amended
24 draft plan pursuant to subparagraph (E).

25 (E) (i) Following the 14-day review and comment period
26 required by clause (ii) of subparagraph (D), the county elections
27 official may adopt a final plan for the administration of elections
28 conducted pursuant to this section, and shall submit the voter
29 education and outreach plan that is required by clause (i) of
30 subparagraph (I) to the Secretary of State for approval.

31 (ii) The Secretary of State shall approve, approve with
32 modifications, or reject a voter education and outreach plan
33 submitted pursuant to clause (i) of subparagraph (I) within 14 days
34 after the plan is submitted by the county elections official.

35 (iii) The draft plan, the amended draft plan, and the adopted
36 final plan for the administration of elections conducted pursuant
37 to this section shall be posted on the Internet Web site of the county
38 elections official in each language in which the county is required
39 to provide voting materials and assistance under subdivision (c)
40 of Section 14201 and the federal Voting Rights Act of 1965 (52

1 U.S.C. Sec. 10101 et seq.), and the Secretary of State's Internet
2 Web site in a format that is accessible for people with disabilities
3 pursuant to Section 11135 of the Government Code.

4 (F) Public meetings held pursuant to this paragraph shall, upon
5 request, provide auxiliary aids and services to ensure effective
6 communication with people with disabilities.

7 (G) Within two years of the adoption of the first plan for the
8 administration of elections conducted pursuant to this section, the
9 county elections official shall hold public meetings in accordance
10 with the procedures described in subparagraphs (C) to (F),
11 inclusive, to consider revising the first plan for the administration
12 of elections conducted pursuant to this section. Every four years
13 thereafter, the county elections official shall hold public meetings
14 in accordance with the procedures described in subparagraphs (C)
15 to (F), inclusive, to consider revising the plan for the administration
16 of elections conducted pursuant to this section.

17 (H) (i) With reasonable public notification, a county elections
18 official may amend a plan for the administration of elections
19 conducted pursuant to this section no more than 120 days before
20 the date of an election held pursuant to this section.

21 (ii) With reasonable public notification, a county elections
22 official may amend a plan for the administration of elections
23 conducted pursuant to this section more than 120 days before the
24 date of an election held pursuant to this section if he or she provides
25 at least 30 days to accept public-~~comment~~ *comments* on the
26 amended plan.

27 (I) The plan for the administration of elections conducted
28 pursuant to this section, includes all of the following:

29 (i) A voter education and outreach plan that is approved by the
30 Secretary of State and that includes all of the following:

31 (I) A description of how the county elections official will use
32 the media, including social media, newspapers, radio, and television
33 that serve language minority communities for purposes of
34 informing voters of the upcoming election and promoting the
35 toll-free voter assistance hotline.

36 (II) *A description of how the county elections official will use*
37 *the media, including social media, newspapers, radio, and*
38 *television for purposes of informing voters of the availability of a*
39 *vote by mail ballot in an accessible format and the process for*
40 *requesting such a ballot.*

1 ~~(H)~~

2 ~~(III)~~ A description of how the county elections official will have
3 a community presence to educate voters regarding the provisions
4 of this section.

5 ~~(HH)~~

6 ~~(IV)~~ A description of the accessible information that will be
7 publicly available on the accessible Internet Web site of the county
8 elections official.

9 ~~(IV)~~

10 ~~(V)~~ A description of the method used by the county elections
11 official to identify language minority voters.

12 ~~(V)~~

13 ~~(VI)~~ A description of how the county elections official will
14 educate and communicate the provisions of this section to the
15 public, including:

16 ~~(ia)~~ Communities for which the county is required to provide
17 voting materials and assistance in a language other than English
18 under subdivision (c) of Section 14201 and the federal Voting
19 Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.). The county
20 elections official shall hold at least one bilingual voter education
21 workshop for each language in which the county is required to
22 provide voting materials and assistance in a language other than
23 English under subdivision (c) of Section 14201 and the federal
24 Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

25 ~~(ib)~~ The disability community, including organizations and
26 individuals that advocate on behalf of, or provide services to,
27 individuals with disabilities. The county elections official shall
28 hold at least one voter education workshop to increase accessibility
29 and participation of eligible voters with disabilities.

30 ~~(VI)~~

31 ~~(VII)~~ A description of how the county will spend the necessary
32 resources on voter education and outreach to ensure that voters
33 are fully informed about the election. This description shall include
34 information about the amount of money the county plans to spend
35 on voter education and outreach activities under the plan, and how
36 that compares to the amount of money spent on voter education
37 and outreach in recent similar elections in the same jurisdiction
38 that were not conducted pursuant to this section.

39 ~~(VII)~~

1 (VIII) At least one public service announcement in the media,
2 including newspapers, radio, and television, that serve
3 English-speaking citizens for purposes of informing voters of the
4 upcoming election and promoting the toll-free voter assistance
5 hotline. Outreach made under this subclause shall include access
6 for voters who are deaf or hard of hearing and voters who are blind
7 or visually impaired.

8 ~~(VIII)~~

9 (IX) At least one public service announcement in the media,
10 including newspapers, radio, and television, that serve
11 non-English-speaking citizens for each language in which the
12 county is required to provide voting materials and assistance under
13 subdivision (c) of Section 14201 and the federal Voting Rights
14 Act of 1965 (52 U.S.C. Sec. 10101 et seq.) for purposes of
15 informing voters of the upcoming election and promoting the
16 toll-free voter assistance hotline.

17 ~~(IX)~~

18 (X) At least two direct contacts with voters for purposes of
19 informing voters of the upcoming election and promoting the
20 toll-free voter assistance hotline.

21 (ii) A description of how a voter with disabilities may request
22 and receive a blank vote by mail ballot and, if a replacement ballot
23 is necessary, a blank replacement ballot that ~~voters~~ a voter with
24 disabilities can mark privately and independently.

25 (iii) A description of how the county elections official will
26 address significant disparities in voter accessibility and
27 participation identified in the report required by subdivision (g).

28 (iv) A description of the methods and standards that the county
29 elections official will use to ensure the security of voting conducted
30 at vote centers.

31 (v) Information about estimated short-term and long-term costs
32 and savings from conducting elections pursuant to this section as
33 compared to recent similar elections in the same jurisdiction that
34 were not conducted pursuant to this section.

35 (vi) To the extent available at the time of publication,
36 information on all of the following:

- 37 (I) The total number of vote centers to be established.
- 38 (II) The total number of ballot dropoff locations to be
39 established.
- 40 (III) The location of each vote center.

- 1 (IV) The location of each ballot dropoff location and whether
2 it is inside or outside.
- 3 (V) A map of the locations of each vote center and ballot dropoff
4 location.
- 5 (VI) The hours of operation for each vote center.
- 6 (VII) The hours of operation for each ballot dropoff location.
- 7 (VIII) The security and contingency plans that would be
8 implemented by the county elections official to do both of the
9 following:
- 10 (ia) Prevent a disruption of the vote center process.
- 11 (ib) Ensure that the election is properly conducted if a disruption
12 occurs.
- 13 (IX) The number of election board members and the number of
14 bilingual election board members and the languages spoken.
- 15 (X) The services provided to voters with disabilities, including,
16 but not limited to, the type and number of accessible voting
17 machines and reasonable modifications at each vote center.
- 18 (XI) The design, layout, and placement of equipment inside
19 each voter center that protects each voter's right to cast a private
20 and independent ballot.
- 21 (vii) A toll-free voter assistance hotline that is accessible to
22 voters who are deaf or hard of hearing, and that is maintained by
23 the county elections official that is operational no later than 29
24 days before the day of the election until 5 p.m. on the day after the
25 election. The toll-free voter assistance hotline shall provide
26 assistance to voters in all languages in which the county is required
27 to provide voting materials and assistance under subdivision (c)
28 of Section 14201 and the federal Voting Rights Act of 1965 (52
29 U.S.C. Sec. 10101 et seq.).
- 30 (J) The plan for the administration of elections conducted
31 pursuant to this section is posted in a format that is accessible to
32 persons with disabilities on the Internet Web site of the Secretary
33 of State and on the Internet Web site of the county elections
34 official.
- 35 (b) Notwithstanding Section 4000 or any other law, on or after
36 January 1, 2018, the Counties of Calaveras, Inyo, Madera, Napa,
37 Nevada, Orange, Sacramento, San Luis Obispo, San Mateo, Santa
38 Clara, Shasta, Sierra, Sutter, and Tuolumne, and on or after January
39 1, 2020, any county may conduct a special election as an all-mailed
40 ballot election under this section if all of the following apply:

1 (1) The county elections official has done either of the following:

2 (A) Previously conducted an election as an all-mailed ballot
3 election in accordance with subdivision (a).

4 (B) Adopted a final plan for the administration of elections
5 pursuant to clause (i) of subparagraph (E) of paragraph (9) of
6 subdivision (a), in which case the county elections official shall
7 complete all activities provided for in the voter education and
8 outreach plan that is required by clause (i) of subparagraph (I) of
9 paragraph (9) of subdivision (a) before the day of the special
10 election.

11 (2) (A) On the day of election, from 7 a.m. to 8 p.m., inclusive,
12 at least one vote center is provided for every 30,000 registered
13 voters. The county elections official shall make a reasonable effort
14 to establish a vote center within the jurisdiction where the special
15 election is held.

16 (B) Notwithstanding subparagraph (A), for a jurisdiction with
17 fewer than 30,000 registered voters, the county elections official
18 makes a reasonable effort to establish a vote center.

19 (3) (A) Not less than 10 days before the day of the election, for
20 a minimum of eight hours per day, at least one vote center is
21 provided for every 60,000 registered voters. If the jurisdiction is
22 not wholly contained within the county, the county elections
23 official shall make a reasonable effort to establish a vote center
24 within the jurisdiction where the special election is held.

25 (B) Notwithstanding subparagraph (A), for a jurisdiction with
26 fewer than 30,000 registered voters, the county elections official
27 makes a reasonable effort to establish a vote center.

28 (4) (A) At least one ballot dropoff location is provided for every
29 15,000 registered voters. At least one ballot dropoff location shall
30 be located within the jurisdiction where the special election is held.
31 All ballot dropoff locations shall be open at least during regular
32 business hours beginning not less than 28 days before the day of
33 the election, and on the day of the election.

34 (B) Notwithstanding subparagraph (A), for a jurisdiction with
35 fewer than 15,000 registered voters, at least one ballot dropoff
36 location shall be provided.

37 (c) Except as otherwise provided in this section, the election
38 day procedures shall be conducted in accordance with Division
39 14 (commencing with Section 14000).

1 (d) The county elections official may provide, at his or her
2 discretion, additional ballot dropoff locations and vote centers for
3 purposes of this section.

4 (e) The return of voted vote by mail ballots is subject to Sections
5 3017 and 3020.

6 (f) For the sole purpose of reporting the results of an election
7 conducted pursuant to this section, upon completion of the ballot
8 count, the county elections official shall divide the jurisdiction
9 into precincts pursuant to Article 2 (commencing with Section
10 12220) of Chapter 3 of Division 12 and shall prepare a statement
11 of the results of the election in accordance with Sections 15373
12 and 15374.

13 (g) (1) (A) Within six months of each election conducted
14 pursuant to this section or Section 4007, the Secretary of State
15 shall report to the Legislature, to the extent possible, all of the
16 following information by categories of race, ethnicity, language
17 preference, age, gender, disability, permanent vote by mail status,
18 historical polling place voters, political party affiliation, and
19 language minorities as it relates to the languages required under
20 subdivision (c) of Section 14201 and Section 203 of the federal
21 Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.):

- 22 (i) Voter turnout.
- 23 (ii) Voter registration.
- 24 (iii) Ballot rejection rates.
- 25 (iv) Reasons for ballot rejection.
- 26 (v) Provisional ballot use.
- 27 (vi) *Accessible vote by mail ballot use.*
- 28 ~~(vi)~~
- 29 (vii) The number of votes cast at each vote center.
- 30 ~~(vii)~~
- 31 (viii) The number of ballots returned at ballot dropoff locations.
- 32 ~~(viii)~~
- 33 (ix) The number of ballots returned by mail.
- 34 ~~(ix)~~
- 35 (x) The number of persons who registered to vote at a vote
36 center.
- 37 ~~(x)~~
- 38 (xi) Instances of voter fraud.
- 39 ~~(xi)~~

1 (xii) Any other problems that became known to the county
2 elections official or the Secretary of State during the election or
3 canvass.

4 (B) The report required by subparagraph (A) shall be posted on
5 the Internet Web site of the Secretary of State in a format that is
6 accessible for people with disabilities pursuant to Section 11135
7 of the Government Code.

8 (C) The report required by subparagraph (A) shall be submitted
9 to the Legislature in compliance with Section 9795 of the
10 Government Code.

11 (D) If an election is conducted pursuant to this section, the
12 county shall submit, to the extent possible, to the Secretary of State
13 the information needed for the Secretary of State to prepare the
14 report required by subparagraph (A).

15 (2) The county elections official shall post on his or her Internet
16 Web site a report that compares the cost of elections conducted
17 pursuant to this section to the costs of previous elections. The
18 report shall be posted in a format that is accessible for people with
19 disabilities pursuant to Section 11135 of the Government Code.

20 (h) The Secretary of State shall enforce the provisions of this
21 section pursuant to Section 12172.5 of the Government Code.

22 (i) For purposes of this section, “disability” has the same
23 meaning as defined in subdivisions (j), (m), and (n) of Section
24 12926 of the Government Code.

25 SEC. 3. Section 4006 is added to the Elections Code, to read:

26 4006. For any election conducted pursuant to Section 4005,
27 the county elections official shall make a reasonable effort to
28 inform a voter of either of the following:

29 (a) If the voter’s vote by mail ballot envelope is missing a
30 signature.

31 (b) How the voter can correct the missing signature.

32 SEC. 4. Section 4007 is added to the Elections Code, to read:

33 4007. (a) On or after January 1, 2020, the County of Los
34 Angeles may conduct any election as a vote center election if all
35 of the following apply:

36 (1) The county elections official complies with all the provisions
37 of subdivision (a) of Section 4005 that are not inconsistent with
38 this section.

39 (2) Every permanent vote by mail voter receives a ballot.

1 (3) At least two ballot dropoff locations are provided within the
2 jurisdiction where the election is held or the number of ballot
3 dropoff locations are fixed in a manner so that there is at least one
4 ballot dropoff location provided for every 15,000 permanent vote
5 by mail registered voters within the jurisdiction where the election
6 is held, as determined on the 88th day before the day of the
7 election, whichever results in more ballot dropoff locations.

8 (4) On the day of the election, from 7 a.m. to 8 p.m., inclusive,
9 and on each of the three days before the election, for a minimum
10 of eight hours per day, at least one vote center is provided for every
11 7,500 registered voters within the jurisdiction where the election
12 is held, as determined on the 88th day before the day of the
13 election. At least 90 percent of the number of vote centers required
14 by this subparagraph shall be open for all four days during the
15 required times. Up to 10 percent of the number of vote centers
16 required by this subparagraph may be open for less than four days
17 if at least one vote center is provided for every 7,500 registered
18 voters on each day.

19 (5) Beginning 10 days before the day of the election and
20 continuing up to and including the fourth day before the day of
21 the election, for a minimum of eight hours per day, at least one
22 vote center is provided for every 30,000 registered voters within
23 the jurisdiction where the election is held, as determined on the
24 88th day before the election.

25 (6) Precincts with fewer than 500 registered voters are
26 designated as all vote-by-mail ballot precincts.

27 (7) Voters residing in ~~jurisdictions~~ *a legislative or congressional*
28 *district that lies partially within the County of Los Angeles that*
29 ~~border a~~ *and that also lies within another county that is conducting*
30 *an election pursuant to subdivision (a) of Section 4005 receive a*
31 *vote by mail ballot if they are eligible to vote in that election.*

32 (8) Voters in a precinct that is either more than a 30 minute
33 travel time from a vote center or in which the polling place in the
34 most recent statewide general election is more than 15 miles from
35 the nearest vote center are mailed a vote by mail ballot.

36 (9) The vote centers are located within a reasonable travel time
37 of registered voters.

38 (10) The county elections official conducts a service area
39 analysis of the vote center plans, identifies services gaps, and
40 publicly reports those findings.

1 (b) Notwithstanding Section 4000 or any other law, on or after
2 January 1, 2020, the County of Los Angeles may conduct a special
3 election as an all-mailed ballot election pursuant to subdivision
4 (b) of Section 4005.

5 (c) No later than four years after conducting the first vote center
6 election pursuant to this section, the County of Los Angeles may
7 conduct all-mailed ballot elections pursuant to Section 4005 and
8 shall not conduct vote center elections pursuant to this section.

9 SEC. 5. Section 4008 is added to the Elections Code, to read:

10 4008. (a) The Secretary of State shall establish a taskforce that
11 includes representatives of all of the following:

12 (1) County elections officials.

13 (2) Individuals with demonstrated language accessibility
14 experience for languages covered under the federal Voting Rights
15 Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

16 (3) The disability community and community organizations and
17 individuals that advocate on behalf of, or provide services to,
18 individuals with disabilities.

19 (4) Experts with demonstrated experience in the field of
20 elections.

21 (b) The taskforce shall review elections conducted pursuant to
22 Section 4005 or 4007 and provide comments and recommendations
23 to the Legislature within six months of each election conducted
24 pursuant to Section 4005 or 4007.

25 (c) This section shall remain in effect only until January 1, 2022,
26 and as of that date is repealed, unless a later enacted statute, that
27 is enacted before January 1, 2022, deletes or extends that date.

28 SEC. 6. Section 15320 of the Elections Code is amended to
29 read:

30 15320. Vote by mail ballots and mail ballot precinct ballots
31 returned to the elections office and to the polls on election day that
32 are not included in the semifinal official canvass phase of the
33 election, including any ballots returned to another jurisdiction in
34 the state and forwarded to the elections official who issued the
35 ballot pursuant to Section 3017, shall be processed and counted
36 during the official canvass in the manner prescribed by Chapter 2
37 (commencing with Section 15100) and pursuant to the requirements
38 of Section 3019.

39 SEC. 7. *Section 1.5 of this bill incorporates amendments to*
40 *Section 3017 of the Elections Code proposed by both this bill and*

1 *Assembly Bill 1921. It shall only become operative if (1) both bills*
2 *are enacted and become effective on or before January 1, 2017,*
3 *(2) each bill amends Section 3017 of the Elections Code, and (3)*
4 *this bill is enacted after Assembly Bill 1921, in which case Section*
5 *1 of this bill shall not become operative.*

6 *SEC. 8. If the Commission on State Mandates determines that*
7 *this act contains costs mandated by the state, reimbursement to*
8 *local agencies and school districts for those costs shall be made*
9 *pursuant to Part 7 (commencing with Section 17500) of Division*
10 *4 of Title 2 of the Government Code.*

O