

**Introduced by Committee on Elections and Reapportionment
(Senators Karnette (Chair), Craven, Lewis, Polanco, and
Rosenthal)**

February 10, 1998

An act to amend Sections 9, 2154, 3010, 7244, 7570, 7608, 7612, 7620, 7671, 7694, 7770, 7840, 7884, 10229, 10411, 10512, 10706, 12302, 13201, 15310, 15501, 15628, and 15651 of, to add Sections 7236 and 15278 to, and to repeal Sections 347, 2207, 6181, 7000, 7552, 7553, 7554, 7558, 7560, 7601, 7602, 7606, 7607, 7621, 7625, 7626, 7627, 7784, 7785, 7801, 10414, 10415, 13003, and 15273 of, the Elections Code, and to amend Section 6254.4 of the Government Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1533, as introduced, Committee on Elections and Reapportionment. Elections.

Existing law provides how words will be counted for purposes of the Elections Code.

This bill would provide that telephone numbers and Internet web site addresses would each be counted as one word.

Existing law defines the term "register" as used in the Elections Code.

This bill would repeal this provision.

Existing law provides when and how an affidavit of registration must be received, for specified purposes. An affidavit of registration may be received by the county elections official on or before the 29th day prior to the election, or may be received by mail by the county elections



official no later than the 4th day after the 29th day prior to the election.

This bill would provide that, in addition, the affidavit of registration that is postmarked on or before the 29th day prior to the election may be received by the county elections official, for specified purposes.

This bill would impose a state-mandated local program on local elections officials by providing an additional method for the receipt of affidavits of registration.

Existing law requires that, on the completion of the canvass of returns for each election, the elections official compare the absent voters list with the roster of voters in each precinct to determine if any voter cast more than one ballot at that election.

This bill would repeal, renumber, and add those provisions without other changes to a different chapter of the Elections Code.

Existing law requires the elections official to deliver to each qualified applicant a ballot that is also the ballot for the party with which the voter is affiliated, or a nonpartisan ballot, as appropriate.

This bill would instead require that the ballot be accompanied by a ballot for the central committee of the party with which the voter is affiliated, if any.

Existing law requires county elections officials to keep, distribute, and post, as specified, lists of delegates pledged to presidential candidates, and uncommitted delegations.

This bill would repeal those requirements.

Existing law requires the Secretary of State to file and keep lists of members of state and county central committees and to make each list available for public inspection.

This bill would repeal this requirement.

Existing law, prior to the recodification of the Elections Code by Chapter 920 of the Statutes of 1994, required the Department of General Services to permit any Democratic county central committee to hold meetings in a state building within the county, and required that at least one committee meeting each month be free of charge.

This bill would reenact these provisions.



Existing law requires the county elections official, upon notification by the newly elected chairperson of a Democratic county central committee of his or her name, to mail a certificate to that effect to the Secretary of State.

This bill would repeal this requirement.

Existing law prescribes various duties to be performed by the Secretary of State with respect to the state convention, delegates, the state central committee, and the county central committee, of the American Independent Party.

This bill would amend and repeal certain provisions prescribing various duties of the Secretary of State in connection therewith.

Existing law prescribes various duties to be performed by the Secretary of State with respect to the state convention, delegates, the state central committee, and the county central committee, of the Peace and Freedom Party.

This bill would also amend and repeal certain provisions prescribing various duties of the Secretary of State in connection with the county central committees and state central committee of the Peace and Freedom Party.

Existing law prescribes the procedures to be followed at a regularly scheduled municipal election and permits the city council to either appoint a person to office or hold the election if, by a certain date before the election, specified events occur. It provides that nothing in this provision shall prevent a city from enacting an ordinance, pursuant to specified provisions of law, requiring that a special election be held or providing that the appointee shall hold office only until the date of the special election, or both.

This bill would make a technical change in this latter provision.

Existing law requires the board of supervisors, when authorized, to conduct a canvass of an election called by the legislative body of a city, district, or other political subdivision that is consolidated with an election held in the county or counties in which the city, district, or other political subdivision is situated.

This bill would make a technical change in this provision.

Existing law provides that consolidated elections may be held, notwithstanding that statutory requirements relating to



absent voters apply to less than all of the elections consolidated. It permits absentee ballots for the consolidated election to be counted if received by the applicable longer period.

This bill would repeal these provisions.

Existing law provides that setting forth and filing, with the declaration of candidacy, the oath in Section 3 of Article XX of the Constitution, satisfies the provisions of Section 3 of Article XX. This bill would repeal that provision.

Existing law requires the Governor to call a special election to fill a vacancy in the office of Representative in Congress, state Senator, or Member of the Assembly. It provides that if no candidate receives a majority of the votes cast, the name of the candidate of each party who receives the most votes cast for all candidates for that party shall be placed on the special election ballot as the candidate of that party.

This bill would prohibit the name of a write-in candidate from being placed on the special election ballot unless he or she also meets certain vote requirements pursuant to a specified provision of law.

Existing law requires that each member of a precinct board be a voter of the precinct for which the member is appointed, or a voter of a precinct situated in the same general area. However, county employees used as poll workers may reside outside of the precinct or the county.

This bill would instead require that a precinct board member be a voter of the county, and would provide that county employees used as poll workers may reside outside of the county.

Existing law requires the Secretary of State to keep a sufficient supply of tinted ballot paper and tinted punch cards, and to furnish them in the quantities ordered to a jurisdiction holding an election upon payment of the cost of the ballot paper or punch cards.

This bill would repeal this requirement.

Existing law provides that, so long as a vote count is not made until 8 p.m. on the day of the election, any county having the necessary computer capability may start to process absentee voter ballots on the seventh day prior to an election and that all other elections officials shall begin processing



absent voter ballots at 5 p.m. on the day before the election. Existing law also provides that, notwithstanding these provisions, if the elections official uses voting machines or vote tabulating devices to count absentee voter ballots, the official may start to process the absentee ballots not earlier than noon on the day before the election but shall not count or enter the ballots into the voting machine until election day.

This bill would repeal the provisions which provide that elections officials who use voting machines or vote tabulating devices to count absentee voter ballots may start to process the absentee ballots not earlier than noon on the day before the election and shall not count or enter the ballots into the voting machine until election day.

Existing law requires the local elections official, within 35 days of an election, to send to the Secretary of State a complete copy of all returns as to specified offices, including Supreme Court Justice or Justice of the Court of Appeal.

This bill would impose a state-mandated local program by requiring the elections official to also provide a copy of returns as to judge of the superior court and judge of the municipal court. It would also require that returns for presidential electors be sent so that they are received by the Secretary of State not later than the first Monday in the month following the election.

Existing law provides that except for presidential electors, the Secretary of State shall compile returns for statewide office, statewide measures, the State Legislature and other nonlocal elections.

This bill would permit the Secretary of State to gather returns for local elections, including, but not limited to, candidates for county, city, school, and district office, city and county ballot measures, and school and district measures.

Existing law requires the elections official to post a notice, as specified, and notify certain persons, as specified, of the date and place of a recount, not less than one day prior to commencement of the recount. Existing law also requires that notification of the specified persons be in person or by telegram.



This bill would delete the telegram requirement, and instead, require the elections official to provide notification in person or by any federally regulated overnight mail service.

This bill would impose a state-mandated local program on local elections officials by requiring elections officials to use a federally regulated overnight mail service as a method of providing notice of the date and place of a recount to specified persons.

Existing law authorizes the legislative body of any county, city, or special district to resolve a tie vote between 2 or more candidates for an office by a special runoff election.

This bill would except from this provision a special district subject to the Uniform District Election Law.

Existing law requires that specified items of information on a voter registration card is confidential, and shall not be disclosed except pursuant to a specified provision of the Elections Code.

This bill would make a technical change in this provision.

The bill also would make other technical changes for purposes of clarification of existing provisions of law.

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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

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 9 of the Elections Code is
 2 amended to read:
 3 9. (a) Counting of words, for purposes of this code,
 4 shall be as follows:



1 (1) Punctuation is not counted.

2 (2) Each word shall be counted as one word except as
3 specified in this section.

4 (3) All geographical names shall be considered as one
5 word; for example, “City and County of San Francisco”
6 shall be counted as one word.

7 (4) Each abbreviation for a word, phrase, or
8 expression shall be counted as one word.

9 (5) Hyphenated words that appear in any generally
10 available dictionary shall be considered as one word. Each
11 part of all other hyphenated words shall be counted as a
12 separate word.

13 (6) Dates consisting of a combination of words and
14 digits shall be counted as two words. Dates consisting only
15 of a combination of digits shall be counted as one word.

16 (7) Any number consisting of a digit or digits shall be
17 considered as one word. Any number which is spelled,
18 such as “one,” shall be considered as a separate word or
19 words. “One” shall be counted as one word whereas “one
20 hundred” shall be counted as two words. “100” shall be
21 counted as one word.

22 (8) *Telephone numbers shall be counted as one word.*

23 (9) *Internet web site addresses shall be counted as one
24 word.*

25 (b) This section shall not apply to counting words for
26 ballot designations under Section 13107.

27 SEC. 2. Section 347 of the Elections Code is repealed.

28 ~~347. “Register” means the affidavits of registration,
29 prepared and bound by the county elections official.~~

30 SEC. 3. Section 2154 of the Elections Code is amended
31 to read:

32 2154. In the event that the county elections official
33 receives an affidavit of registration that does not include
34 portions of the information for which space is provided,
35 the county elections official or registrar of voters shall
36 apply the following rebuttable presumptions:

37 (a) If no middle name or initial is shown, it shall be
38 presumed that none exists.

39 (b) If no party affiliation is shown, it shall be presumed
40 that the affiant has no party affiliation.



1 (c) If no execution date is shown, it shall be presumed
2 that the affidavit was executed on or before the 29th day
3 prior to the election, provided that (1) the affidavit is
4 received by the county elections official on or before the
5 29th day prior to the election, ~~or~~ (2) the affidavit is
6 received by mail by the county elections official no later
7 than the fourth day after the 29th day prior to the
8 election, *or (3) the affidavit is postmarked on or before*
9 *the 29th day prior to the election and received by mail by*
10 *the county elections official.*

11 (d) If the affiant fails to identify his or her state of birth
12 within the United States, it shall be presumed that the
13 affiant was born in a state or territory of the United States
14 if the birthplace of the affiant is shown as “United States,”
15 “U.S.A.,” or other recognizable term designating the
16 United States.

17 SEC. 4. Section 2207 of the Elections Code is repealed.

18 ~~2207. On completion of the canvass of the returns for~~
19 ~~each election, the elections official shall compare the~~
20 ~~absent voters list with the roster of voters in each precinct~~
21 ~~to determine if any voter cast more than one ballot at that~~
22 ~~election.~~

23 SEC. 5. Section 3010 of the Elections Code is amended
24 to read:

25 3010. The elections official shall deliver to each
26 qualified applicant:

27 (a) The ballot for the precinct in which he or she
28 resides. In primary elections this shall *also* be
29 *accompanied by* the ballot for the *central committee of*
30 *the party with which he or she the voter is affiliated or,*
31 ~~when appropriate, a nonpartisan ballot, if any.~~

32 (b) All supplies necessary for the use and return of the
33 ballot.

34 No officer of this state may make any charge for
35 services rendered to any voter under this chapter.

36 SEC. 6. Section 6181 of the Elections Code is repealed.

37 ~~6181. Immediately after the county elections official~~
38 ~~receives the certified list of delegates pledged to~~
39 ~~presidential candidates and uncommitted delegations~~
40 ~~from the Secretary of State, he or she shall enclose a copy~~



1 of the appropriate list for each congressional district with
2 each absentee ballot mailed for the primary election in
3 that congressional district. The county elections official
4 shall also post a copy of the list at each polling place and
5 provide a copy of the list to each Democratic voter with
6 their presidential primary election ballot on election day.

7 SEC. 7. Section 7000 of the Elections Code is repealed.

8 7000. The Secretary of State shall file and keep lists of
9 members of state and county central committees. A copy
10 of each list shall be made available for public inspection.

11 The state chairperson of each qualified political party
12 shall send to the Secretary of State a list of its party's
13 officers and the address and phone number of its party
14 headquarters.

15 The state chairpersons of the Democratic and
16 Republican state central committees shall send to the
17 Secretary of State, within 30 days of their organizational
18 meetings, lists of members in two sequences. The first list
19 shall be alphabetical by member's last name. The second
20 list shall be alphabetical by appointor and shall set forth
21 each appointor's appointments immediately following
22 the appointor's name. Each list shall show the member's
23 name and address including mail, city and zip code,
24 telephone number if given, and the district numbers of
25 the congressional, senatorial, and Assembly districts in
26 which the member resides. Within seven days of any
27 change to the membership list, the state chairperson shall
28 send the Secretary of State notice of the change in the
29 same format as the original membership list.

30 Within 30 days of the election or appointment of any
31 member of a county central committee of a qualified
32 political party, the county elections official shall send the
33 Secretary of State a list of the members of the county
34 central committee.

35 SEC. 8. Section 7236 is added to the Elections Code,
36 to read:

37 7236. The Department of General Services shall
38 permit any committee to hold meetings in a state building
39 within the county. At least one committee meeting each
40 month shall be free of charge.



1 SEC. 9. Section 7244 of the Elections Code is amended
2 to read:

3 7244. Within five days after a committee meets for its
4 organizational meeting, the newly elected chairperson of
5 the committee shall notify the county elections official of
6 his or her name. ~~The elections official shall mail a~~
7 ~~certificate to that effect to the Secretary of State.~~

8 SEC. 10. Section 7552 of the Elections Code is
9 repealed.

10 ~~7552. As soon as practicable after the direct primary~~
11 ~~election, the Secretary of State shall prepare a list of~~
12 ~~names of all delegates to the convention qualified under~~
13 ~~the provisions of this part. He or she shall thereupon send~~
14 ~~a notice by mail to each delegate that shall inform the~~
15 ~~delegate that:~~

16 (a) ~~He or she is a delegate to the state convention.~~

17 (b) ~~The convention meets at Sacramento and the date~~
18 ~~of the meeting.~~

19 SEC. 11. Section 7553 of the Elections Code is
20 repealed.

21 ~~7553. The Secretary of State shall prepare, for each~~
22 ~~state convention, an alphabetical roll of the delegates who~~
23 ~~have filed their credentials in the manner and time~~
24 ~~provided in this part.~~

25 SEC. 12. Section 7554 of the Elections Code is
26 repealed.

27 ~~7554. On the convening of a state convention of a~~
28 ~~political party the Secretary of State shall deliver to the~~
29 ~~chairperson of the central committee of that party or, in~~
30 ~~the absence of the chairperson, to the acting presiding~~
31 ~~officer of the convention both of the following:~~

32 (a) ~~The appointive delegates' credentials.~~

33 (b) ~~The alphabetical roll of the delegates to the~~
34 ~~convention.~~

35 SEC. 13. Section 7558 of the Elections Code is
36 repealed.

37 ~~7558. Vacancies filled by a county central committee~~
38 ~~pursuant to subdivision (a) or (b) of Section 7557 shall be~~
39 ~~filled and filed with the office of the Secretary of State by~~



1 ~~5 p.m. of the first Monday after the second Tuesday in July~~
2 ~~prior to the state convention.~~

3 ~~Vacancies filled by the state central committee~~
4 ~~pursuant to subdivision (c), (d), or (e) of Section 7557,~~
5 ~~shall be filled and filed with the office of the Secretary of~~
6 ~~State by 5 p.m. of the second Monday after the second~~
7 ~~Tuesday in July prior to the state convention.~~

8 SEC. 14. Section 7560 of the Elections Code is
9 repealed.

10 ~~7560. The appointment of delegates pursuant to~~
11 ~~Section 7557 and filed with the office of the Secretary of~~
12 ~~State pursuant to Section 7558 shall be in writing signed~~
13 ~~by the chairperson and the secretary of the committee~~
14 ~~that has the power to make the appointment.~~

15 SEC. 15. Section 7570 of the Elections Code is
16 amended to read:

17 7570. The state convention shall meet biennially, at a
18 location designated by the state central committee, at 10
19 a.m. on a Saturday following the direct primary election,
20 but in no event later than August 15. ~~At least 30 days~~
21 ~~before the selected date, the state central committee shall~~
22 ~~notify the Secretary of State of the date and location of the~~
23 ~~convention.~~

24 SEC. 16. Section 7601 of the Elections Code is
25 repealed.

26 ~~7601. At least 30 days before the first meeting of the~~
27 ~~state central committee, the Secretary of State shall send~~
28 ~~a notice by mail to each person who is a delegate to the~~
29 ~~party's state convention, that shall inform the delegate of~~
30 ~~all of the following:~~

31 ~~(a) The delegate shall appoint voters as members of~~
32 ~~the state central committee and the number of~~
33 ~~appointments to which he or she is entitled.~~

34 ~~(b) The appointment of members of the state central~~
35 ~~committee shall be made in writing in the form~~
36 ~~prescribed in Section 7602, signed by the delegate under~~
37 ~~penalty of perjury and shall be filed in the office of the~~
38 ~~Secretary of State not later than 5 p.m. of the Tuesday~~
39 ~~immediately preceding the Sunday on which the~~
40 ~~committee is to meet.~~



1 ~~(c) Forms of proxy are enclosed, one of which he or she~~
2 ~~may use himself or herself, and the others he or she shall~~
3 ~~send with the notices of appointment to the state central~~
4 ~~committee.~~

5 SEC. 17. Section 7602 of the Elections Code is
6 repealed.

7 ~~7602. The Secretary of State shall enclose with the~~
8 ~~notice required by Section 7601 one copy of the following~~
9 ~~statement for appointment of members of the state~~
10 ~~central committee, which shall be in substantially the~~
11 ~~following form:~~

12
13 ~~APPOINTMENT OF MEMBERS OF THE STATE~~
14 ~~CENTRAL COMMITTEE OF THE AMERICAN~~
15 ~~INDEPENDENT PARTY MEETING AT~~
16 ~~SACRAMENTO IN THE YEAR 19__~~
17

18 I, ~~____~~, duly qualified as a delegate to the state
19 convention of the American Independent Party at
20 Sacramento in the year 19__ by virtue of my
21 ~~(appointment by the ____ central committee)~~
22 ~~(nomination) (election to the office of ____)~~ (strike
23 out parts inapplicable) on the __ day of ____,
24 19__ upon the American Independent Party ticket, do
25 hereby appoint the following voters, who shall be
26 members of the state central committee:
27

28
29 ~~=====~~
30 ~~=====~~
31 ~~=====~~
32

Name	Senatorial; Congressional; Assembly district	Post office address
------	--	------------------------

33
34 ~~=====~~
35 ~~=====~~
36 ~~=====~~
37

Name	Senatorial; Congressional; Assembly district	Post office address
------	--	------------------------

38 ~~=====~~
~~=====~~



1	Name	Senatorial;	Post office-
2		Congressional;	address
3		Assembly district	

6	Name	Senatorial;	Post office-
7		Congressional;	address
8		Assembly district	

11	Name	Senatorial;	Post office-
12		Congressional;	address
13		Assembly district	

~~I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.~~

~~Date _____ Place of execution _____~~
~~_____~~
~~_____~~
~~(Delegate)~~

SEC. 18. Section 7606 of the Elections Code is repealed.

~~7606. Appointments of members to this committee shall be made in writing signed by the delegate under penalty of perjury and delivered to the Secretary of State not later than 5 p.m. of the Tuesday immediately preceding the Sunday on which the first meeting of the committee is to be held.~~

SEC. 19. Section 7607 of the Elections Code is repealed.

~~7607. The Secretary of State shall provide a duplicate copy of the appointment form to each delegate, that shall be used by the delegate to file his or her appointments with the state chairperson of the political party with which the delegate is affiliated. The filing shall be made at the same time as the filing of the appointments in the office of the Secretary of State.~~

SEC. 20. Section 7608 of the Elections Code is amended to read:



1 7608. Each delegate to the state convention shall send
2 a notice by mail to each person whom he or she has
3 appointed as a member of this committee, that will
4 inform him or her that:

5 (a) He or she is a member of the committee.

6 (b) The committee will meet in Sacramento and the
7 date of the meeting.

8 (c) The meeting may be attended either in person or
9 by proxy.

10 ~~(d) Every proxy shall be filed in the office of the~~
11 ~~Secretary of State not later than 12 noon of the day~~
12 ~~preceding the meeting of the committee.~~

13 ~~(e) The proxy shall be in writing, and signed by the~~
14 ~~member under penalty of perjury.~~

15 ~~Each delegate shall enclose with each notice one copy~~
16 ~~of the form of proxy sent to that delegate by the Secretary~~
17 ~~of State.~~

18 SEC. 21. Section 7612 of the Elections Code is
19 amended to read:

20 7612. Should a member appointed to membership
21 pursuant to Section 7603 or 7604 cease to be a member for
22 any of the reasons specified in Section 7611, the vacancy
23 shall be filled by the person who appointed him or her,
24 unless that person is himself or herself no longer a
25 member of this committee or indicates that he or she does
26 not wish to fill the vacancy, in which instances the
27 committee shall do so.

28 Notice shall be given by the committee to a person
29 entitled to fill a vacancy under this section as soon as
30 possible after the occurrence of the vacancy.—~~The~~
31 ~~committee shall notify in writing the Secretary of State of~~
32 ~~all appointments made pursuant to this section.~~

33 SEC. 22. Section 7620 of the Elections Code is
34 amended to read:

35 7620. The committee shall convene in the same
36 community where the state convention is held, at 10 a.m.
37 on the Sunday following the state convention.—~~At least 30~~
38 ~~days before the meeting, the state central committee~~
39 ~~shall notify the Secretary of State of the date and location~~
40 ~~of the meeting.~~



1 SEC. 23. Section 7621 of the Elections Code is
2 repealed.

3 ~~7621. The Secretary of State shall deliver to the~~
4 ~~chairperson of the state central committee, as soon as~~
5 ~~possible on the day of the first meeting of the state central~~
6 ~~committee, a certified alphabetical list of the names of the~~
7 ~~members of the state central committee. The~~
8 ~~membership list shall be arranged in alphabetical order~~
9 ~~by senatorial districts. The senatorial, Assembly, and~~
10 ~~congressional district of each appointed member listed~~
11 ~~shall be indicated.~~

12 SEC. 24. Section 7625 of the Elections Code is
13 repealed.

14 ~~7625. The Secretary of State shall enclose with the~~
15 ~~notice required by Section 7601 copies of the following~~
16 ~~form of proxy for attendance at the meeting of the state~~
17 ~~central committee:~~

18
19 PROXY FOR ATTENDANCE AT THE STATE
20 CENTRAL COMMITTEE OF THE AMERICAN
21 INDEPENDENT PARTY MEETING AT
22 SACRAMENTO, IN THE YEAR 19_
23

24 I, _____, duly qualified to sit as a member of the state
25 central committee of the American Independent Party
26 meeting at Sacramento in the year 19_ by reason of
27 (being a delegate to the state convention) (my
28 appointment thereto by _____; this appointment
29 having been duly filed in the office of the Secretary of
30 State) (strike out part inapplicable) do hereby designate
31 _____ (name); _____ (post office address); as my
32 proxy with full power to act for me in every respect as a
33 duly qualified member of the state central committee
34 meeting at Sacramento on the __ day of _____, 19_.

35 I declare under penalty of perjury that the foregoing is
36 true and correct to the best of my knowledge and belief.

37 Date _____ Place of execution _____
38 _____, Member
39



1 SEC. 25. Section 7626 of the Elections Code is
2 repealed.

3 ~~7626. No proxy shall be recognized unless filed in the~~
4 ~~office of the Secretary of State not later than 12 o'clock~~
5 ~~noon of the day preceding the state central committee~~
6 ~~meeting.~~

7 SEC. 26. Section 7627 of the Elections Code is
8 repealed.

9 ~~7627. When a proxy is filed with the Secretary of State~~
10 ~~he or she shall immediately forward it to the chairperson~~
11 ~~of the state central committee or his or her designate.~~

12 SEC. 27. Section 7671 of the Elections Code is
13 amended to read:

14 7671. The Secretary of State, no later than 125 days
15 before the direct primary, shall compute the number of
16 members of central committees to be elected in each
17 county, and shall mail a certificate reporting that
18 information to the elections official of each county; *and* to
19 the ~~chairperson~~ *Chairperson* of the American
20 Independent Party State Central Committee; ~~and to the~~
21 ~~chairperson of record of each American Independent~~
22 ~~Party Central Committee.~~

23 SEC. 28. Section 7694 of the Elections Code is
24 amended to read:

25 7694. Within five days after a committee meets for its
26 organizational meeting, the newly elected chairperson of
27 the committee shall notify the elections official of his or
28 her name. ~~The elections official shall mail a certificate to~~
29 ~~that effect to the Secretary of State.~~

30 SEC. 29. Section 7770 of the Elections Code is
31 amended to read:

32 7770. The Secretary of State, no later than the 125th
33 day before the direct primary election, shall compute the
34 number of members of central committees to be elected
35 in each county and shall mail a certificate to that effect to
36 the elections official of each county; *and* to the
37 Chairperson of the Peace and Freedom Party State
38 Central Committee; ~~and to the chairperson of record of~~
39 ~~each Peace and Freedom Party County Central~~
40 ~~Committee.~~



1 SEC. 30. Section 7784 of the Elections Code is
2 repealed.

3 ~~7784. The final total of votes cast for each candidate~~
4 ~~for member of central committees, including the name,~~
5 ~~address and ballot designation of each candidate, and a~~
6 ~~specification as to which candidates were declared~~
7 ~~elected shall be certified to the Secretary of State~~
8 ~~forthwith upon completion of the official canvass. The~~
9 ~~elections official shall simultaneously send one copy of~~
10 ~~this final certification to the Chairperson of the Peace and~~
11 ~~Freedom State Central Committee.~~

12 SEC. 31. Section 7785 of the Elections Code is
13 repealed.

14 ~~7785. As soon as practicable after the direct primary~~
15 ~~election, the Secretary of State shall prepare a certified~~
16 ~~list by county of all elected Peace and Freedom Party~~
17 ~~members of central committees, including their~~
18 ~~addresses and primary election ballot designations. The~~
19 ~~Secretary of State shall send copies of the list to the~~
20 ~~registrars of voters of Los Angeles and San Francisco~~
21 ~~Counties on or before the 20th day of July following the~~
22 ~~direct primary election. This list shall be maintained for~~
23 ~~public inspection by those registrars of voters until a~~
24 ~~subsequent list is received.~~

25 SEC. 32. Section 7801 of the Elections Code is
26 repealed.

27 ~~7801. The Secretary of State, no later than the 20th~~
28 ~~day of July following the direct primary election, shall~~
29 ~~send a notice by mail to each of the elected members of~~
30 ~~central committees which shall inform that person of the~~
31 ~~following:~~

32 ~~(a) That he or she has been elected as a member of the~~
33 ~~central committee.~~

34 ~~(b) The date, time, and location of the convention~~
35 ~~meeting of the state central committee.~~

36 ~~The Secretary of State shall send with this notice a copy~~
37 ~~of the certified list provided for in Section 7785.~~

38 SEC. 33. Section 7840 of the Elections Code is
39 amended to read:



1 7840. The state central committee shall have power to
2 appoint interim county central committees in the
3 following counties:

4 (a) Counties in which the voters have not elected one
5 or more members of central committees in the direct
6 primary election preceding the organization of this
7 committee.

8 (b) Counties in which all members of a county central
9 committee are removed from office or cease to be
10 registered as affiliated with the Peace and Freedom
11 Party.

12 Persons appointed to interim county central
13 committees pursuant to this section shall meet the
14 qualifications otherwise required of appointees to
15 membership on the county central committees. Notice of
16 any appointments pursuant to this section shall be filed by
17 the state central committee with the elections official of
18 the county for which that interim county central
19 committee is appointed ~~and with the Secretary of State.~~
20 Interim county central committees appointed pursuant
21 to this section shall have all the powers and privileges
22 afforded county central committees by this part.

23 SEC. 34. Section 7884 of the Elections Code is
24 amended to read:

25 7884. Within five days after a committee meets for its
26 organizational meeting, the newly elected chairperson of
27 the committee shall notify the county elections official of
28 his or her name. ~~The elections official shall mail a~~
29 ~~certificate to that effect to the Secretary of State.~~

30 SEC. 35. Section 10229 of the Elections Code is
31 amended to read:

32 10229. (a) If, by 5 p.m. on the 88th day prior to the
33 day fixed for a regularly scheduled municipal election or
34 the 83rd day if an incumbent fails to file pursuant to
35 Section 10225, (i) no one or only one person has been
36 nominated for any office which is elected on a citywide
37 basis, or (ii) no one or only one person is nominated to be
38 elected from or by a legislative district, or (iii) in the case
39 of any office or offices to be elected at large, the number
40 of persons who have been nominated for those offices



1 does not exceed the number to be filled at that election;
2 or, if, by the 88th day, during normal business hours, as
3 posted, before a municipal election to fill any vacancy in
4 office, no one, or only one person has been nominated for
5 any elective office to be filled at that election, and the
6 election is subject to Section 36512 of the Government
7 Code, the city elections official shall submit a certificate
8 of these facts to the governing body of the city and inform
9 the governing body of the city that it may, at a regular or
10 special meeting held before the municipal election, adopt
11 one of the following courses of action:

12 (1) Appoint to the office the person who has been
13 nominated.

14 (2) Appoint to the office any eligible elector if no one
15 has been nominated.

16 (3) Hold the election, if either no one, or only one
17 person has been nominated. The city elections official
18 shall publish a notice of the facts described in this section
19 and the courses of action available under this subdivision.
20 Publication shall be made pursuant to Section 6061 of the
21 Government Code in any newspaper of general
22 circulation as designated by the city elections official.

23 After the fifth day following the date of posting or
24 publication, the governing body of the city may make the
25 appointment or direct an election to be held in the
26 affected territory. The person appointed, if any, shall
27 qualify and take office and serve exactly as if elected at a
28 municipal election for the office.

29 Notwithstanding Section 10403, if, by the 75th day
30 before the municipal election, no person has been
31 appointed to office pursuant to paragraph (1) or (2), the
32 election shall be held.

33 (b) Subdivision (a) shall not apply if, at the regularly
34 scheduled municipal election, more than one person has
35 been nominated to another city office to be elected on a
36 citywide basis or, a city measure has qualified and is to be
37 submitted to the voters at that municipal election.

38 (c) Notwithstanding Chapter 1 (commencing with
39 Section 8600) of Part 3 of Division 8, or any other
40 provision of the law to the contrary, if the governing body



1 of a city makes an appointment pursuant to subdivision
2 (a), the elections official shall not accept for filing any
3 statement of write-in candidacy that is submitted after
4 the appointment is made.

5 (d) Nothing in this section shall be construed to
6 prevent a city from enacting an ordinance pursuant to
7 Section ~~36512.1~~ 36512 of the Government Code, requiring
8 that a special election be held, or from enacting an
9 ordinance pursuant to Section ~~36512.2~~ 36512 of the
10 Government Code, providing that a person appointed to
11 fill a vacancy on the city council shall hold office only until
12 the date of the special election, or both. Any ordinance or
13 ordinances may allow for appointment consistent with
14 subdivision (a) without requiring or providing for a
15 special election.

16 In the event that an appointment to office is made in
17 a particular legislative district pursuant to subdivision
18 (a), that appointment shall not affect the conduct of the
19 municipal election in other legislative districts of the city.

20 SEC. 36. Section 10411 of the Elections Code is
21 amended to read:

22 10411. In case of the consolidation of any election
23 called by the legislative body of a city, district or other
24 political subdivision with an election held in the county
25 or counties in which the city, district or other political
26 subdivision is situated, the governing body of the city,
27 district or other political subdivision may authorize the
28 board of supervisors to canvass the returns of the election.
29 If this authority is given:

30 (a) The election shall be held in all respects as if there
31 were only one election.

32 (b) Only one form of ballot shall be used.

33 (c) The returns of the election need not be canvassed
34 by the legislative body of the authorizing city, district or
35 other political subdivision.

36 If such authority is given to the board of supervisors, the
37 canvass shall be made in accordance with Article ~~2~~ 1
38 (commencing with Section 15050) of Chapter ~~4~~ 2 of
39 Division 15.



1 SEC. 37. Section 10414 of the Elections Code is
2 repealed.

3 ~~10414. Elections may be consolidated and conducted~~
4 ~~pursuant to this part notwithstanding the fact that the~~
5 ~~provisions of this code relating to absent voters may apply~~
6 ~~to less than all of the elections consolidated. Whenever~~
7 ~~only one form of ballot is used at a consolidated election~~
8 ~~the ballots cast by absent voters shall be counted only in~~
9 ~~connection with elections to which absent voter~~
10 ~~privileges have been extended by law.~~

11 SEC. 38. Section 10415 of the Elections Code is
12 repealed.

13 ~~10415. Whenever the period of time within which~~
14 ~~absent voters' ballots must be received by the elections~~
15 ~~official in order to be counted, as provided for any~~
16 ~~election by this code or any other law of this state, is~~
17 ~~different from that period of time provided for another~~
18 ~~election, and the elections are consolidated and only one~~
19 ~~form of ballot used for both elections, all absent voters'~~
20 ~~ballots issued for the consolidated election may be~~
21 ~~counted for both elections if received by the elections~~
22 ~~official within whichever period of time that is the longer.~~

23 SEC. 39. Section 10512 of the Elections Code is
24 amended to read:

25 10512. Each candidate shall set forth in full the oath
26 or affirmation set forth in Section 3 of Article XX of the
27 California Constitution, which shall be filed with the
28 declaration of candidacy ~~and which shall satisfy the~~
29 ~~provisions of Section 3 of Article XX of the California~~
30 ~~Constitution with respect to any district office.~~ The
31 county elections official or district secretary, or a person
32 designated by the county elections official or district
33 secretary, shall administer the oath.

34 SEC. 40. Section 10706 of the Elections Code is
35 amended to read:

36 10706. (a) If no candidate receives a majority of votes
37 cast, the name of that candidate of each qualified political
38 party who receives the most votes cast for all candidates
39 of that party shall be placed on the special general
40 election ballot as the candidate of that party. *The name*



1 *of a write-in candidate shall not be placed on the ballot*
2 *unless he or she also meets the requirements of*
3 *subdivision (a) of Section 8605.*

4 (b) In addition to the candidates referred to in
5 subdivision (a), each candidate who has qualified for the
6 ballot by reason of the independent nomination
7 procedure pursuant to Part 2 (commencing with Section
8 8300) of Division 8 shall be placed on the special general
9 election ballot as an independent candidate. However, if
10 two or more of these candidates are recorded on their
11 affidavits of registration as being affiliated with the same
12 political body, only the candidate with the greatest
13 number of votes shall be placed on the special general
14 election ballot.

15 SEC. 41. Section 12302 of the Elections Code is
16 amended to read:

17 12302. (a) Except as provided in subdivision (b),
18 each member of a precinct board shall be a voter of the
19 ~~precinct for which the member is appointed or a voter of~~
20 ~~a precinct situated in the same general area county,~~
21 except that county employees used as poll workers may
22 reside outside of the ~~precinct or the~~ county. The member
23 shall serve only in the precinct for which appointment is
24 received.

25 (b) In order to provide for a greater awareness of the
26 elections process, the rights and responsibilities of voters
27 and the importance of participating in the electoral
28 process, as well as to provide additional members of
29 precinct boards, an elections official may appoint not
30 more than two students per precinct to serve under the
31 direct supervision of precinct board members designated
32 by the elections official. A student may be appointed,
33 notwithstanding lack of eligibility to vote, subject to the
34 approval of the board of the educational institution in
35 which the student is enrolled, if the student possesses the
36 following qualifications:

37 (1) Is at least 16 years of age at the time of the election
38 to which he or she is serving as a member of a precinct
39 board.



1 (2) Is a United States citizen or will be a citizen at the
2 time of the election to which he or she is serving as a
3 member of a precinct board.

4 (3) Is a student in good standing attending a public or
5 private secondary educational institution.

6 (4) Is a senior and has a grade point average of at least
7 2.5 on a 4.0 scale.

8 (c) No student appointed pursuant to subdivision (b)
9 shall be used by a precinct board to tally votes.

10 SEC. 42. Section 13003 of the Elections Code is
11 repealed.

12 ~~13003. The Secretary of State shall obtain and keep on~~
13 ~~hand a sufficient supply of tinted ballot paper, and shall~~
14 ~~obtain and keep on hand a backup supply of tinted~~
15 ~~punchcards, to be furnished, in quantities ordered, to any~~
16 ~~jurisdiction holding an election pursuant to the laws of~~
17 ~~California, upon payment of the cost of the ballot paper~~
18 ~~or punchcards.~~

19 SEC. 43. Section 13201 of the Elections Code is
20 amended to read:

21 13201. The ballots of each political ~~party~~ *party's*
22 *central committee* shall be designed so that each ballot
23 may be easily and clearly distinguished from, and not
24 confused with, a ballot of any other political party.

25 SEC. 44. Section 15273 of the Elections Code is
26 repealed.

27 ~~15273. Notwithstanding Section 15000, if the elections~~
28 ~~official uses voting machines or vote tabulating devices to~~
29 ~~count absentee ballots as provided by Section 15272, the~~
30 ~~elections official may commence processing the absentee~~
31 ~~ballots not earlier than 12:00 noon on the day before the~~
32 ~~election. However, the elections official shall not count or~~
33 ~~enter the ballots into the voting machine until election~~
34 ~~day.~~

35 SEC. 45. Section 15278 is added to the Elections Code,
36 to read:

37 15278. On completion of the canvass of the returns for
38 each election, the elections official shall compare the
39 absent voters list with the roster of voters in each precinct



1 to determine if any voter cast more than one ballot at that
2 election.

3 SEC. 46. Section 15310 of the Elections Code is
4 amended to read:

5 15310. The elections official shall send to the
6 Secretary of State within 35 days of the election by
7 registered mail one complete copy of all returns as to:

8 (a) All candidates voted for statewide office.

9 (b) All candidates voted for the following offices:

10 (1) Member of the Assembly.

11 (2) Member of the Senate.

12 (3) Representative in Congress.

13 (4) Member of the State Board of Equalization.

14 (5) Supreme Court Justice or Justice of the Court of
15 Appeal.

16 (6) *Judge of the superior court.*

17 (7) *Judge of the municipal court.*

18 (c) All persons voted for at the presidential primary.

19 The returns for all persons voted for at the presidential
20 primary for delegates to national conventions shall be
21 canvassed first and shall be sent separately within 20 days
22 after the election.

23 (d) At presidential elections, the vote given for
24 persons for electors of President and Vice President of the
25 United States. The returns for presidential electors shall
26 be endorsed "Presidential Election Returns," and sent
27 ~~separately~~ so that they are received by the Secretary of
28 State not later than the first Monday in the month
29 following the election.

30 (e) All statewide measures.

31 This section shall become operative on January 1, 1996.

32 SEC. 47. Section 15501 of the Elections Code is
33 amended to read:

34 15501. (a) Except as to presidential electors, the
35 Secretary of State shall compile the returns for:

36 (1) All candidates for statewide office.

37 (2) All candidates for Assembly, State Senate,
38 Congress, State Board of Equalization, Supreme Court,
39 and Courts of Appeal.

40 (3) All statewide measures.



1 (b) The Secretary of State shall make out, certify, and
2 file a statement of the vote from the compiled returns no
3 later than the 39th day after the election.

4 (c) *The Secretary of State may gather returns for local*
5 *elections, including, but not limited to, the following:*

- 6 (1) *Candidates for county office.*
- 7 (2) *Candidates for city office.*
- 8 (3) *Candidates for school and district office.*
- 9 (4) *County ballot measures.*
- 10 (5) *City ballot measures.*
- 11 (6) *School and district ballot measures.*

12 SEC. 48. Section 15628 of the Elections Code is
13 amended to read:

14 15628. Not less than one day prior to commencement
15 of the recount, the elections official shall post a notice as
16 to the date and place of the recount and shall notify the
17 following persons of it in person or by ~~telegram~~ *any*
18 *federally regulated overnight mail service:*

19 (a) All candidates for any office the votes for which are
20 to be recounted.

21 (b) Authorized representatives of presidential
22 candidates to whom electors are pledged if the votes to
23 be recounted were cast for presidential electors.

24 (c) Proponents of any initiative or referendum or
25 persons filing ballot arguments for or against any
26 initiative, referendum, or measure placed on the ballot by
27 the governing body the votes for which are to be
28 recounted.

29 (d) The Secretary of State in the case of a recount of
30 the votes cast for candidates for any state office,
31 presidential electors, the House of Representatives of the
32 United States, the Senate of the United States, or
33 delegates to a national convention or on any state
34 measure.

35 SEC. 49. Section 15651 of the Elections Code is
36 amended to read:

37 15651. (a) If at any election, except as provided in
38 subdivision (b) and an election for Governor or
39 Lieutenant Governor, two or more persons receive an
40 equal and the highest number of votes for an office to be



1 voted for in more than one county, the Secretary of State
2 shall forthwith summon the candidates who have
3 received the tie votes, whether upon the canvass of the
4 returns by the Secretary of State or upon recount by a
5 court, to appear before him or her at the Secretary of
6 State's office at the State Capitol at a time to be
7 designated by him or her. The Secretary of State shall at
8 that time and place determine the tie by lot. Except as
9 provided in subdivision (b), in the same manner, at a time
10 and place designated by it, the election board shall
11 determine a tie vote, whether upon the canvass of the
12 returns by the election board or upon a recount by a
13 court, for candidates voted for wholly within one county
14 or city.

15 (b) In lieu of resolving a tie vote by lot as provided in
16 subdivision (a), the legislative body of any county, city, or
17 special district *not subject to the Uniform District*
18 *Election Law (Part 4 (commencing with Section 10500)*
19 *of Division 10)* may resolve a tie vote by the conduct of
20 a special runoff election involving those candidates who
21 received an equal number of votes and the highest
22 number of votes.

23 A special runoff election shall be held only if the
24 legislative body adopts the provisions of this subdivision
25 prior to the conduct of the election resulting in the tie
26 vote. If a legislative body decides to call a special runoff
27 election in the event of a tie vote, all future elections
28 conducted by that body shall be resolved by the conduct
29 of a special runoff election, unless the legislative body
30 later repeals the authority for the conduct of a special
31 runoff election.

32 If a special runoff election is held pursuant to ~~the~~
33 ~~provisions~~ of this subdivision, the legislative body shall
34 call for the runoff election to be held in the local entity on
35 a Tuesday not less than 40 nor more than 125 days after
36 the administrative or judicial certification of the election
37 that resulted in a tie vote. If a regular election is to be held
38 throughout the jurisdiction within that time period, the
39 special runoff election shall be held on the same day as,
40 and consolidated with, the regular election.



1 SEC. 50. Section 6254.4 of the Government Code is
2 amended to read:

3 6254.4. (a) The home address, telephone number,
4 ~~occupation~~, precinct number, *or other number specified*
5 *by the Secretary of State for voter registration purposes*,
6 and prior registration information shown on the voter
7 registration card for all registered voters is confidential,
8 and shall not be disclosed to any person, except pursuant
9 to ~~Section 615~~ *Sections 2194 and 2194.5* of the Elections
10 Code.

11 (b) For purposes of this section, “home address”
12 means street address only, and does not include an
13 individual’s city or post office address.

14 (c) The California driver’s license number or
15 California identification card number shown on a voter
16 registration card of a registered voter is confidential and
17 shall not be disclosed to any person.

18 SEC. 51. Notwithstanding Section 17610 of the
19 Government Code, if the Commission on State Mandates
20 determines that this act contains costs mandated by the
21 state, reimbursement to local agencies and school
22 districts for those costs shall be made pursuant to Part 7
23 (commencing with Section 17500) of Division 4 of Title
24 2 of the Government Code. If the statewide cost of the
25 claim for reimbursement does not exceed one million
26 dollars (\$1,000,000), reimbursement shall be made from
27 the State Mandates Claims Fund.

28 Notwithstanding Section 17580 of the Government
29 Code, unless otherwise specified, the provisions of this act
30 shall become operative on the same date that the act
31 takes effect pursuant to the California Constitution.

32 _____

33 CORRECTIONS

34 **Heading — Line 2.**

35 _____

36

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