

AMENDED IN ASSEMBLY AUGUST 25, 2000

AMENDED IN ASSEMBLY AUGUST 18, 2000

AMENDED IN ASSEMBLY JULY 3, 2000

AMENDED IN SENATE MAY 18, 2000

SENATE BILL

No. 1502

Introduced by Senator Kelley

February 15, 2000

An act to add Chapter 5 (commencing with Section 19390) to Division 19 of the Elections Code, relating to elections, ~~making an appropriation therefor~~, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1502, as amended, Kelley. Touch screen voting: Riverside County demonstration project.

Existing law requires the Secretary of State, as the chief elections officer, to study and adopt regulations governing the use of voting machines, voting devices, and vote tabulating devices.

This bill would require the Secretary of State to administer a demonstration touch screen voting project in Riverside County during the November 7, 2000, statewide general election. The bill would also require the Riverside County Registrar of Voters to ensure that a sufficient number of paper ballots are available at each precinct for voters who prefer to cast a paper ballot. The bill would require the Secretary of

State, with the Riverside County Registrar of Voters, to report to the Legislature no later than January 31, 2001.

This bill would also require the Secretary of State, if the secretary determines the demonstration program supports a statewide application of touch screen voting, to select an additional 3 counties who, at the discretion of their respective legislative bodies, volunteer to convert to this technology.

~~The bill would require the Department of Information Technology to provide a technology assistance grant to Riverside County not exceeding 15% of the total cost of purchasing or leasing touch screen voting equipment and would appropriate \$2,100,000 from the General Fund to the department for this purpose.~~

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 no reimbursement is required by this act for a specified reason.

The bill would state that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: ~~yes~~ *no*. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. (a) The Legislature finds and declares
2 that touch screen voting technology is available and offers
3 many advantages to the elections process over current
4 methods and procedures, including reduced paper waste,
5 lower operating costs, and ease of voting. Touch screen
6 systems offer 100 percent accuracy and faster voting
7 results. These systems offer flexibility in administering
8 new election laws and will enable counties to meet voting
9 requirements such as multilingual voting and
10 accessibility to the disabled.

11 (b) The Legislature finds and declares that other
12 states have successfully implemented touch screen voting
13 and that a recent test of the technology and equipment
14 during a recall election in Riverside County was



1 successful and well received by voters. Riverside
2 County's current voting system is twenty years old and
3 the county has difficulty locating parts for necessary
4 repairs.

5 (c) It is the intent of the Legislature to promote voting
6 technology and to encourage counties throughout the
7 state to update antiquated and expensive systems with
8 new systems that offer greater efficiency, reduced
9 operating costs, and new ways to encourage voting by
10 California residents, including the opportunity to vote in
11 any precinct throughout the county.

12 SEC. 2. Chapter 5 (commencing with Section 19390)
13 is added to Division 19 of the Elections Code, to read:

14
15 CHAPTER 5. TOUCH SCREEN VOTING SYSTEMS

16
17 19390. (a) The Secretary of State shall administer a
18 demonstration project in Riverside County during the
19 November 7, 2000, statewide general election to
20 implement touch screen voting countywide and analyze
21 the benefits and efficiencies of this system for possible
22 statewide applicability. The Riverside County Registrar
23 of Voters shall ensure that a sufficient number of paper
24 ballots are available at each precinct for voters who
25 prefer to cast a paper ballot.

26 (b) No later than January 31, 2001, the Riverside
27 County Registrar of Voters and the Secretary of State
28 shall report to the Legislature on technological
29 advantages and efficiencies of, and any potential
30 difficulties with, the system. In the report, the Secretary
31 of State shall comment on the appropriateness of ~~the~~
32 ~~15-percent state-85-percent local~~ *a state-local* cost-sharing
33 arrangement and the potential for reduced state cost for
34 funding special elections and absentee voting programs
35 in counties with this new technology.

36 (c) If the Secretary of State determines that the
37 demonstration program set forth in subdivision (a)
38 supports a statewide application of touch screen voting,
39 the Secretary of State shall select an additional three
40 counties which, at the discretion of their respective



1 legislative bodies, volunteer to convert to touch screen
2 voting technology.

3 ~~19391. The Department of Information Technology~~
4 ~~shall provide a technology assistance grant for 15 percent~~
5 ~~of the total cost of leasing or purchasing touch screen~~
6 ~~voting equipment to Riverside County to promote and~~
7 ~~study the efficiencies of this technology.~~

8 ~~SEC. 3. The sum of two million one hundred thousand~~
9 ~~dollars (\$2,100,000) is hereby appropriated from the~~
10 ~~General Fund to the Department of Information~~
11 ~~Technology to provide a local assistance technology grant~~
12 ~~to Riverside County for a touch screen voting system in~~
13 ~~accordance with Chapter 5 (commencing with Section~~
14 ~~19390) of Division 19 of the Elections Code.~~

15 ~~SEC. 4.~~

16 ~~SEC. 3. No reimbursement is required by this act~~
17 ~~pursuant to Section 6 of Article XIII B of the California~~
18 ~~Constitution because the only costs that may be incurred~~
19 ~~by a local agency or school district are the result of a~~
20 ~~program for which legislative authority was requested by~~
21 ~~that local agency or school district, within the meaning of~~
22 ~~Section 17556 of the Government Code and Section 6 of~~
23 ~~Article XIII B of the California Constitution.~~

24 ~~SEC. 5.~~

25 ~~SEC. 4. This act is an urgency statute necessary for the~~
26 ~~immediate preservation of the public peace, health, or~~
27 ~~safety within the meaning of Article IV of the~~
28 ~~Constitution and shall go into immediate effect. The facts~~
29 ~~constituting the necessity are:~~

30 ~~In order to implement touch screen voting at the~~
31 ~~earliest possible time, it is necessary that this act take~~
32 ~~effect immediately.~~

