

ASSEMBLY BILL

No. 1525

Introduced by Assembly Member Beall

February 27, 2009

An act to amend Section 15620 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1525, as introduced, Beall. Elections: recounts.

Existing law permits a voter to request a recount in an election, other than a statewide election, within 5 days after the election date by filing a request with the elections officials who conducted the election.

This bill would permit a voter to request a recount in an election conducted in more than one county, but not statewide, within 5 days beginning on the 29th day after the election.

Because this bill would change duties of local elections officials, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

SECTION 1. Section 15620 of the Elections Code is amended to read:

15620. Following completion of the official canvass, any voter may, within five days thereafter, file with the elections official responsible for conducting an election in the county wherein the recount is sought a written request for a recount of the votes cast for candidates for any office, for slates of presidential electors, or for or against any measure, provided the office, slate, or measure is not voted on statewide. The request shall specify on behalf of which candidate, slate of electors, or position on a measure (affirmative or negative) it is filed.

If an election is conducted in more than one county, the request for the recount may be filed *by any voter within five days, beginning on the 29th day after the election*, with the elections official of, and the recount *may be* conducted within, any or all of the affected counties.

For the purposes of this section, “completion of the canvass” shall be presumed to be that time when the elections official signs the certified statement of the results of the election except that, in the case of a city election, if a city council canvasses the returns itself and does not order the elections official to conduct the canvass as permitted by Section 10263, “completion of the canvass” shall be presumed to be that time when the governing body declares the persons elected or the measures approved or defeated.

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