

ASSEMBLY BILL

No. 477

Introduced by Assembly Member Valadao

February 15, 2011

An act to add Section 3103.7 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 477, as introduced, Valadao. Elections: vote by mail ballots.

Existing law requires that a vote by mail ballot be received by the issuing elections official or the precinct board no later than the close of polls on election day.

This bill would make an exception for special absentee voters, as defined, temporarily living outside of the territorial limits of the United States or the District of Columbia and would instead require that their vote by mail ballot be postmarked or signed and dated by the voter on or before election day and received by their elections official not later than 14 days after election day.

Because the bill would impose additional duties on 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:

1 SECTION 1. Section 3103.7 is added to the Elections Code,
2 to read:
3 3103.7. Notwithstanding Section 3020, 3311, or 4103, or any
4 other provision of law, a vote by mail ballot of a special absentee
5 voter under subdivision (b) of Section 300 who is temporarily
6 living outside of the territorial limits of the United States or the
7 District of Columbia shall be timely cast if it is postmarked by the
8 United States Postal Service or the Military Postal Service Agency
9 or is signed and dated by the voter on or before election day and
10 received by the voter's elections official not later than 14 days
11 after election day.
12 SEC. 2. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.