

ASSEMBLY BILL

No. 1249

Introduced by Assembly Member Daucher

February 23, 2001

An act to add and repeal Section 3017.5 of the Elections Code, relating to absentee voting.

LEGISLATIVE COUNSEL'S DIGEST

AB 1249, as introduced, Daucher. Absentee voting: identification envelopes: postage.

Under existing law, an absentee voter pays the postage to return his or her absentee ballot to the county elections officials.

This bill would require the Secretary of State, for a 5-year period, to reimburse county elections officials for any postage costs incurred in connection with the return of absentee ballots.

This bill would require county elections officials, within 3 years, to report to the Secretary of State as to the impact, if any, that paid postage on identification envelopes has on absentee voting. The Secretary of State would be required, within 4 years, to report these findings to the Legislature.

By requiring local elections officials to keep track of postage charges and submit them to the Secretary of State for reimbursement, this bill would increase the duties of local elections officials and 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, 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 3017.5 is added to the Elections Code,
2 to read:

3 3017.5. (a) The Secretary of State shall reimburse county
4 elections officials for any postage costs incurred for postage in
5 connection with absentee ballots returned by voters to county
6 elections officials.

7 (b) Each county elections official shall report, no later than
8 three years from the date this section is enacted, to the Secretary
9 of State as to the impact, if any, that paid postage on identification
10 envelopes has on absentee voting. The Secretary of State shall
11 report these findings to the Legislature within four years from the
12 enactment of this section.

13 (c) This section shall remain in effect for a period of five years
14 from the date of its enactment and at the expiration of that period
15 is repealed, unless a later enacted statute deletes or extends that
16 date.

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

