

AMENDED IN SENATE AUGUST 7, 2006
AMENDED IN ASSEMBLY APRIL 26, 2006
AMENDED IN ASSEMBLY APRIL 3, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2770

Introduced by Assembly Member Wyland
(Coauthor: Senator Bowen)

February 24, 2006

An act to add Section 15321 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2770, as amended, Wyland. Precinct vote results.

Existing law requires election officials to keep an accurate list of all voters who have received and voted an absentee ballot at each election, as specified.

This bill would require that, for any statewide election or certain special elections, votes cast by absentee ballot and votes cast at the polling place be tabulated by precinct, ~~except when fewer than 10 voters cast a vote by an absentee ballot, in which case the votes cast by absentee ballot at that precinct would be required to be included in the results from an adjacent precinct.~~ By imposing additional duties upon county election officials, the bill 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 15321 is added to the Elections Code,
2 to read:

3 15321. ~~(a) Except as provided in subdivision (b), for~~ *For* any
4 statewide election or special election to fill a vacancy in a
5 congressional or legislative office, votes cast by absentee ballot
6 and votes cast at the polling place shall be tabulated by precinct.

7 ~~(b) For any precinct in which fewer than 10 voters cast a vote~~
8 ~~by absentee ballot, the votes cast by absentee ballot at that~~
9 ~~precinct shall not be tabulated by precinct, but instead shall be~~
10 ~~included in the results from an adjacent precinct.~~

11 SEC. 2. If the Commission on State Mandates determines that
12 this act contains costs mandated by the state, reimbursement to
13 local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.