

Introduced by Senator Kehoe

February 14, 2011

An act to add and repeal Section 4001 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 304, as introduced, Kehoe. Elections: all-mailed ballot elections: San Diego County.

Existing law authorizes a local, special, or consolidated election to be conducted as an all-mailed ballot election, so long as specified conditions are satisfied.

This bill would authorize elections in San Diego County to be conducted wholly by mail until January 1, 2016, if specified conditions are satisfied. If San Diego County conducts an all-mailed ballot election, the bill would require the county, on or before December 31, 2016, to report to the Legislature and to the Secretary of State regarding the success of the election, as specified.

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

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

- 1 SECTION 1. Section 4001 is added to the Elections Code, to
- 2 read:
- 3 4001. (a) Notwithstanding Section 4000 or any other provision
- 4 of law, until January 1, 2016, as a pilot program, any or all
- 5 elections in San Diego County may be conducted wholly by mail,
- 6 provided that all of the following conditions apply:

1 (1) The governing body of the city, county, or district, by
2 resolution, authorizes the all-mailed ballot election and notifies
3 the Secretary of State of its intent to conduct an all-mailed ballot
4 election at least 88 days prior to the date of the election.

5 (2) At least one ballot drop-off location that is accessible to
6 persons with disabilities is provided in each county supervisorial
7 district in which an election is being conducted and is open to
8 receive vote by mail ballots during business hours for two weeks
9 before the date of the election and until 8 p.m. on the day of the
10 election.

11 (3) The elections official delivers to each voter all supplies
12 necessary for the use and return of the vote by mail ballot,
13 including an envelope with postage prepaid for the return of the
14 vote by mail ballot.

15 (4) The elections official delivers to each voter, with either the
16 sample ballot sent pursuant to Section 13303 or with the voter's
17 ballot, a list of the locations provided pursuant to paragraph (2),
18 and this list is also posted on the Internet Web site of the county
19 elections office.

20 (5) The return of vote by mail ballots is subject to Section 3017.

21 (b) (1) If the county conducts an all-mailed ballot election, on
22 or before December 31, 2016, the county shall report to the
23 Legislature and to the Secretary of State regarding the success of
24 the election, including, but not limited to, any statistics on the cost
25 to conduct the election; the turnout of different populations,
26 including, but not limited to, to the extent possible, the population
27 categories of race, ethnicity, age, gender, disability, permanent
28 vote by mail status, and political party affiliation; the number of
29 ballots that are not counted and the reasons they were rejected;
30 voter fraud; and any other problems that become known to the
31 county during the election or canvass.

32 (2) Whenever possible, using the criteria set forth in paragraph
33 (1), the report of the county shall compare the success of the
34 all-mailed ballot election to similar elections not conducted wholly
35 by mail in the same jurisdiction or comparable jurisdictions.

36 (3) The report of the county shall be submitted to the Legislature
37 pursuant to Section 9795 of the Government Code within six
38 months after the date of the all-mailed ballot election or prior to
39 the date of any other all-mailed ballot election subject to this
40 section to be conducted in the county, whichever is sooner.

1 (c) This section shall remain in effect only until January 1, 2017,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2017, deletes or extends that date.

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