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AB-2021 Election process: public observation: international election observers. (2015-2016)

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Assembly Bill No. 2021

CHAPTER 822

An act to add Section 2301 to the Elections Code, relating to elections.

[Approved by Governor September 29, 2016. Filed with Secretary of State September 29, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2021, Ridley-Thomas. Election process: public observation: international election observers.

Existing law generally permits the public to observe the election process. Existing law requires the precinct board member to conduct certain election day procedures in the presence of all persons assembled at the polling place. Existing law requires the semifinal official canvass and official canvass to be open to the public. Existing law requires the processing of vote by mail ballot return envelopes and the processing and counting of vote by mail ballots to be open to the public. Existing law requires a recount to be conducted publicly. Existing law permits interested persons to participate in a public review and public hearing process for the certification or conditional approval of a ballot marking system.

This bill would allow an international election observer, as defined, to be provided uniform and nondiscriminatory access to all stages of the election process that are open to the public. This bill would prohibit an international election observer from interfering with a voter in the preparation or casting of the voter's ballot, with a precinct board member of an elections official in the performance of his or her duties, or with the orderly conduct of an election.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 2301 is added to the Elections Code, to read:

2301. (a) An international election observer may be provided uniform and nondiscriminatory access to all stages of the election process that are open to the public, including the public review period for the certification of a ballot marking system, the processing and counting of vote by mail ballots, the canvassing of ballots, and the recounting of ballots. An international election observer shall not interfere with a voter in the preparation or casting of the voter's ballot, with a precinct board member or an elections official in the performance of his or her duties, or with the orderly conduct of an election.

(b) For purposes of this section, "international election observer" means a person who witnesses the administration of an election in this state and who is an official representative of an international organization such as the United Nations, the Organization for Security and Cooperation in Europe, or the Organization of American States.