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AB-901 County of San Diego: local elections. (2017-2018)

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Assembly Bill No. 901

CHAPTER 713

An act to add Section 23725 to the Government Code, relating to local elections.

[Approved by Governor October 12, 2017. Filed with Secretary of State October 12, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 901, Gloria. County of San Diego: local elections.

Existing law authorizes the amendment of a county charter by proposals submitted by the governing body or by a petition signed by 10% of the qualified electors of the county, as specified. Existing law also provides that a candidate for a nonpartisan office at a primary election who receives votes on a majority of all the ballots cast for candidates for that office shall be elected to that office.

This bill would, notwithstanding any other law, authorize the amendment of the charter of the County of San Diego by proposals submitted to the county electors by the board of supervisors or by a petition signed by 10% of the qualified electors in the county to require that candidates for specified county offices be elected at the general election. Only the candidates who receive the highest or second highest number of votes cast at the primary election would appear on the ballot as candidates for that office at the ensuing general election.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of San Diego.

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

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

SECTION 1. Section 23725 is added to the Government Code, to read:

23725. (a) Notwithstanding any other provision of law, the charter of the County of San Diego may be amended by proposals submitted to the county electors by the board of supervisors or by a petition signed by 10 percent of the qualified electors in the county to require that candidates for county office be elected at the general election. Only the candidates who receive the highest or second highest number of votes cast at the primary election shall appear on the ballot as candidates for county office at the ensuing general election. In the event there are two or less candidates for county office, the names of the candidates shall not appear on the primary election ballot and the candidate for county office with the highest number of votes cast shall be elected at the general election.

(b) For purposes of this section, "county office" means any of the following offices:

- (1) County supervisor.

(2) District attorney.

(3) Sheriff.

(4) Assessor, recorder, and county clerk.

(5) Treasurer and tax collector.

(6) Member of the county board of education.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique issues facing the County of San Diego due to its size and the complexity of its government.