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SB-1250 Voting: domicile. (2017-2018)

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Senate Bill No. 1250

CHAPTER 911

An act to amend Section 2026 of the Elections Code, relating to elections.

[Approved by Governor September 29, 2018. Filed with Secretary of State September 29, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1250, Bradford. Voting: domicile.

Existing law defines "residence" for voting purposes as a person's domicile. Existing law describes the domicile of a person as that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. Existing law describes the residence of a person as that place in which the person's habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining. Existing law provides that a person may have only one domicile at a given time, but may have more than one residence. Existing law also provides that, for purposes of determining the domicile of a Member of the Legislature or a Representative in the Congress of the United States, the residence address indicated on that person's currently filed affidavit of voter registration is conclusively presumed to be that person's domicile.

This bill would provide that this presumption applies as long as the address listed is one of the member or representative's residences, notwithstanding that the member or representative may have another residence at which any of certain conditions apply.

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

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

SECTION 1. Section 2026 of the Elections Code is amended to read:

2026. The domicile of a Member of the Legislature or a Representative in the Congress of the United States shall be conclusively presumed to be at the residence address indicated on that person's currently filed affidavit of registration, as long as the address is a residence under subdivision (c) of Section 349, notwithstanding that the member or representative may have another residence at which any of the following apply:

- (a) A child for whom the member or representative is a parent, step-parent, foster parent, guardian, or caretaker is enrolled in school.
- (b) The spouse, domestic partner, or intimate partner of the member or representative is located for employment.
- (c) The member or representative receives mail or other postal or parcel deliveries.

(d) The member or representative owns, leases, or rents a dwelling.

(e) The member or representative claims a homeowner's exemption or any other similar claim for tax purposes.

(f) The member or representative maintains accounts or pays for utilities, cable or satellite television, Internet service, home security service, home or landscape maintenance, or other similar services.

(g) The member or representative registers a vehicle or boat.

(h) The member or representative maintains policies of insurance.

(i) The member or representative has items of personal property.