



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

**SB-151 Elections.** (2019-2020)

SHARE THIS:  

Date Published: 10/09/2019 09:00 PM

**Senate Bill No. 151**

**CHAPTER 566**

An act to amend Sections 11320, 13300, and 13303 of the Elections Code, relating to elections.

[ Approved by Governor October 08, 2019. Filed with Secretary of State October 08, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 151, Umberg. Elections.

(1) Existing law specifies the procedures for recall elections of state and local officers. Existing law specifies the information required to be included on ballots for recall elections and the format of that information.

This bill would authorize an officer in a voter-nominated office who is subject to a recall election to have the officer's party preference identified on the ballot. The bill would specify the format and appearance of the statement of party preference. By increasing the duties of local officials relative to the information to be displayed on a recall election ballot, the bill would impose a state-mandated local program.

(2) Existing law requires the county elections official to mail a county voter information guide for a political party or a nonpartisan county voter information guide, as specified, to each voter no more than 40 days nor less than 10 days before a primary election. Existing law requires a county elections official to send, not more than 40 days nor less than 21 days before an election, a copy of a substantial facsimile of the official ballot used in the election to each voter who is registered at least 29 days before the election.

This bill would delete the prohibition against sending these materials to voters earlier than 40 days before a primary election or election.

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 the statutory provisions noted above.

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

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

**SECTION 1.** Section 11320 of the Elections Code is amended to read:

**11320.** The following shall appear on the ballots at every recall election, except in the case of a landowner voting district, with respect to each officer sought to be recalled:

(a) The question "Shall [name of officer sought to be recalled] be recalled (removed) from the office of [title of office]?"

(b) To the right of the foregoing question, the words "Yes" and "No" on separate lines with an enclosed voting space to the right of each.

(c) If the officer sought to be recalled holds a voter-nominated office, the officer may elect to have the officer's party preference identified on the ballot. The officer shall inform the Secretary of State whether the officer elects to have a party preference identified on the ballot by the deadline for the officer to file an answer with the Secretary of State pursuant to Section 11023. The Secretary of State shall disseminate this information to all appropriate county elections officials. The statement of party preference shall appear immediately to the right of and on the same line as the officer's name, or immediately below the officer's name if there is not sufficient space to the right of the officer's name, and shall appear in substantially the following form:

(1) If the officer stated a political party preference on the officer's affidavit of registration, the statement shall read: "Party Preference: \_\_\_\_" (inserting the name of the qualified political party stated on the affidavit of registration.) The listed political party preference shall be the political party preference stated on the officer's affidavit of registration at the time the notice of intention is filed with the elections official pursuant to Section 11021.

(2) If the officer did not state a political party preference on the officer's affidavit of registration, the statement shall read: "Party Preference: None."

(3) If the officer elects not to have the officer's political party preference identified on the ballot, or if the officer fails to inform the Secretary of State whether the officer elects to have a party preference identified on the ballot by the deadline for the officer to file an answer with the Secretary of State, the statement of party preference shall not appear on the ballot.

**SEC. 2.** Section 13300 of the Elections Code is amended to read:

**13300.** (a) By at least 29 days before the partisan primary, each county elections official shall prepare a separate county voter information guide for each political party and a separate nonpartisan county voter information guide. The county elections official shall place in each guide, as applicable, in the order provided in Chapter 2 (commencing with Section 13100), and under the appropriate title of each office, the names of all candidates for whom nomination papers have been duly filed with the county elections official or have been certified to the county elections official by the Secretary of State, to be voted for in the county elections official's county at the partisan primary election.

(b) The county voter information guides shall include a substantial facsimile of the official ballots, except as otherwise provided by law. The county voter information guides shall be printed on paper of a different texture from the paper to be used for the official ballot.

(c) One county voter information guide of the party for which the voter has disclosed a preference, as evidenced by the voter's registration, shall be mailed no later than 10 days before the election to each voter entitled to vote at the primary who registered at least 29 days before the election. A nonpartisan county voter information guide shall be so mailed to each voter who is not registered as preferring any of the parties participating in the primary election. On election day the voter may, upon request, vote the ballot of a political party if authorized by the party's rules, duly noticed to the Secretary of State.

**SEC. 3.** Section 13303 of the Elections Code is amended to read:

**13303.** (a) For each election, each appropriate elections official shall cause to be printed, on plain white paper or tinted paper, without watermark, at least as many copies of the form of ballot provided for use in each voting precinct as there are voters in the precinct. These copies shall be designated "county voter information guide" upon their face and shall include a substantial facsimile of the official ballots used in the election, except as otherwise provided by law. A county voter information guide shall be mailed, postage prepaid, no later than 21 days before the election to each voter who is registered at least 29 days before the election.

(b) The elections official shall send notice of the polling place, which includes vote centers, to each voter with the county voter information guide. Only official matter shall be sent out with the county voter information guide as provided by law.

(c) The elections official shall send notice of the polling place, which includes vote centers, to each voter who registered after the 29th day before the election and is eligible to participate in the election. The notice shall also include information as to where the voter can obtain a county voter information guide and a state voter information guide before the election, a statement indicating that those documents will be available at the polling place at the time of the election, and the address of the Secretary of State's internet website and, if applicable, of the county internet website where a county voter information guide may be viewed.

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

