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SB-641 Special elections. (2019-2020)

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Senate Bill No. 641

CHAPTER 328

An act to amend Section 10703 of the Elections Code, relating to elections.

[Approved by Governor September 20, 2019. Filed with Secretary of State September 20, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 641, Allen. Special elections.

Existing law requires the Governor to call a statewide special election by proclamation. Existing law generally requires the Governor to issue this proclamation within 14 calendar days of a vacancy in a congressional or legislative office, and it permits that election to be conducted within 180 days following the proclamation, as specified, in order to consolidate the election with a regularly scheduled election.

This bill would change the period of time in which a special election may be conducted for consolidation purposes to within 200 days following the proclamation.

Existing law authorizes, until January 1, 2020, conducting a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly as an all-mailed ballot election.

This bill would extend this authority to January 1, 2021, and make other technical changes.

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

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

SECTION 1. Section 10703 of the Elections Code is amended to read:

10703. (a) (1) Except as provided in paragraph (2), a special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly shall be conducted on a Tuesday at least 126 days, but not more than 140 days, following the issuance of an election proclamation by the Governor pursuant to Section 1773 of the Government Code.

(2) A special election to fill a vacancy in an office listed in paragraph (1) may be conducted within 200 days following the proclamation in order to consolidate the election or the primary election with an election occurring wholly or partially within the same territory in which the vacancy exists.

(b) Except as provided in Chapter 3 (commencing with Section 10730), a special election or a primary election shall not be conducted on the day after a state holiday.

(c) (1) A special election described in this section may be conducted as an all-mailed ballot election pursuant to Section 4000.5 or 4001.5

(2) This subdivision shall remain in effect only until January 1, 2021, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2021, deletes or extends that date.