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**AB-507 Presidential electors.** (2023-2024)

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**Assembly Bill No. 507**

**CHAPTER 88**

An act to amend Sections 6904, 6909, 6918, and 16003 of the Elections Code, relating to elections.

[ Approved by Governor July 21, 2023. Filed with Secretary of State July 21, 2023. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 507, Bryan. Presidential electors.

Existing federal law requires a state's electors for the offices of President and Vice President of the United States to meet and vote on the first Tuesday after the second Wednesday in December immediately following their appointment at a location specified by the legislature of that state. Existing state law requires California's presidential electors to assemble at the State Capitol for this purpose.

This bill would update state law to conform to the requirement that presidential electors meet and vote on the first Tuesday after the second Wednesday in December. The bill would also require the Governor to designate an alternative location for the electors to assemble if it is unsafe to meet in the State Capitol due to a proclaimed state of emergency.

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

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

**SECTION 1.** Section 6904 of the Elections Code is amended to read:

**6904.** (a) The electors chosen shall assemble at the State Capitol at 2 o'clock in the afternoon on the first Tuesday after the second Wednesday in December next following their election.

(b) If it is unsafe to meet in the State Capitol due to a state of emergency proclaimed by the Governor pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code), including a fire, flood, earthquake, or other emergency, the Governor shall designate by written proclamation an alternative location for the electors to assemble. The proclamation shall be filed with the Secretary of State.

**SEC. 2.** Section 6909 of the Elections Code is amended to read:

**6909.** Each presidential elector and alternate elector shall receive ten dollars (\$10) for the elector's services, and mileage at the rate of five cents (\$0.05) per mile for each mile of travel from the elector's domicile to the location of the meeting of the electors and return.

Their accounts therefor shall be certified by the Secretary of State, and audited by the Controller, who shall draw the Controller's warrants for the same on the Treasurer, payable out of the General Fund.

**SEC. 3.** Section 6918 of the Elections Code is amended to read:

**6918.** (a) After the vote of this state's electors is completed, if the final list of electors differs from any list that the Governor previously included on a certificate of ascertainment prepared and transmitted under Section 5 of Title 3 of the United States Code, the Secretary of State immediately shall prepare an amended certificate of ascertainment and transmit it to the Governor for the Governor's signature.

(b) The Governor immediately shall deliver the signed amended certificate of ascertainment to the Secretary of State and a signed duplicate original of the amended certificate of ascertainment to all individuals entitled to receive this state's certificate of ascertainment, indicating that the amended certificate of ascertainment is to be substituted for the certificate of ascertainment previously submitted.

(c) The Secretary of State shall prepare a certificate of vote. The electors on the final list shall sign the certificate. The Secretary of State shall process and transmit the signed certificate with the amended certificate of ascertainment under Sections 9 to 11, inclusive, of Title 3 of the United States Code.

**SEC. 4.** Section 16003 of the Elections Code is amended to read:

**16003.** In a contest of the election of presidential electors the action or appeal shall have priority over all other civil matters. Final determination and judgment shall be rendered at least six days before the first Tuesday after the second Wednesday in December.