



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

AB-773 Elections: filings. (2023-2024)

SHARE THIS:  

Date Published: 10/12/2023 02:00 PM

Assembly Bill No. 773

CHAPTER 664

An act to amend Section 13307.7 of, and to add Section 9611 to, the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 10, 2023. Filed with Secretary of State October 10, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 773, Pellerin. Elections: filings.

Existing law establishes procedures for authors to submit arguments for and against local ballot measures, and rebuttals to those arguments, in accordance with deadlines set by local elections officials. Existing law requires elections officials to select arguments from those submitted for publication in the voter information guide.

This bill would establish a lead county, as defined, for the purposes of district or school district elections when the boundaries of the district or school district encompass more than one county. The bill would require authors of arguments for or against district or school district measures, and related rebuttal arguments, to submit the arguments to the elections official of the lead county. The bill would require the elections official of the lead county to work with the other counties within the district bounds to establish deadlines for receipt of the arguments. The bill would require the elections official of the lead county to select the arguments for publication in the county voter information guide, and to transmit copies of the selected arguments to elections officials in the other counties within the district or school district, as specified. The bill would require an elections official who receives arguments selected by the lead county to include the arguments in their county voter information guide.

Existing law permits an elections official to post a form on their internet website for a candidate to use to submit the candidate's statement for the voter information portion of the county voter information guide. If the elections official posts the form, existing law requires the elections official to accept that form by electronic submission if it is submitted in accordance with certain timeframes and procedures for the preparation of the voter information portion of the county voter information guide. Existing law requires a candidate running in a multicounty district to provide to each county a hardcopy of the candidate statement form from the candidate's county of residence and payment of the requisite fee.

This bill would require elections officials to post and accept electronic submission of a form for candidates to submit a candidate statement for the voter information portion of the county voter information guide. The bill would authorize a candidate running in a multicounty district to submit to each county an electronic copy of the form from the candidate's county of residence, and would require the candidate to transmit hardcopies of the candidate statement form, any accompanying form, and payment of the requisite fee to each county by overnight mail within 72 hours of filing the statement electronically.

By increasing the duties of local elections officials, this bill would impose a state-mandated local program.

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.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 9611 is added to the Elections Code, to read:

9611. (a) This section applies to district elections conducted in accordance with Chapter 4 (commencing with Section 9300) or school district elections conducted in accordance with Chapter 6 (commencing with Section 9500), if the boundaries of the district or school district contain more than one county. The provisions of this section prevail over any provision in those chapters to the extent they conflict.

(b) For the purposes of this section, "lead county" has the following meanings:

(1) For district elections, "lead county" means the county with the most voters within the district bounds.

(2) For school district elections, "lead county" means the county whose superintendent of schools covers the district.

(c) The elections official for the lead county shall work with the other counties within the district bounds to establish the deadlines for the submittal of arguments for and against a district or school district measure and rebuttal arguments.

(d) Authors shall submit arguments only to the lead county, who shall select which arguments will be printed in the voter information guide in accordance with Chapter 4 (commencing with Section 9300) or Chapter 6 (commencing with Section 9500), as applicable. The elections official for the lead county shall electronically transmit a scanned copy of the selected arguments, along with any accompanying forms, to the elections official of each other county in the district or school district. An elections official who receives arguments selected by the lead county shall include the arguments in the printed and electronic versions of their county voter information guide.

SEC. 2. Section 13307.7 of the Elections Code is amended to read:

13307.7. (a) An elections official shall post the form to be used by a candidate to submit a candidate statement pursuant to Section 13307, Section 13307.5, or subdivision (c) of Section 85601 of the Government Code, on the elections official's internet website, and shall accept the electronic submission of that form if it is submitted in accordance with the times and procedures set forth in this code for the preparation of the voter information portion of the county voter information guide. If the candidate is running in a multicounty district, the elections official of each county shall accept the electronic submission of the form from the candidate's county of residence; however, the candidate shall transmit a hard copy of the candidate statement form, any accompanying form, and payment of the requisite fee to each county by overnight mail within 72 hours of filing the statement electronically. The elections official shall not require the candidate to submit any additional forms as a means of correcting internet website posting errors made by the elections official.

(b) Notwithstanding subdivision (a), an elections official may require a candidate to provide additional information that the official needs to comply with state law and county voter information guide requirements.

SEC. 3. 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 4 of Title 2 of the Government Code.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for the provisions of this act to be implemented in time to apply to 2023 candidate filing deadlines, it is necessary for this act to take effect immediately.