

Introduced by Senator Stern

February 9, 2017

An act to amend Section 3015 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 286, as amended, Stern. Elections: vote by mail voters.

Existing law permits vote by mail voters ~~to~~ *who* return to their home precincts on election day to vote if they surrender their vote by mail ballots, as specified. Existing law requires the precinct board to return these surrendered ballots to the elections official in a designated envelope.

This bill would permit vote by mail voters *who return to their home precincts or go to another voting location, as specified, to vote nonprovisional ballots if they surrender their ballots to the relevant voting authority or, if they are unable to surrender their vote by mail ballots to vote non-provisional ballots* ballots, if the ~~precinct board~~ *voting authority* verifies that they have not returned their vote by mail ballots and notates their voter records accordingly. 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.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3015 of the Elections Code is amended
 2 to read:
 3 3015. (a) Notwithstanding subdivision (f) of Section 14310,
 4 vote by mail voters who return to *the polling place designated for*
 5 *their home precincts on election-day may day, or go to a vote*
 6 *center established pursuant to Section 4005, or to the office or*
 7 *satellite office of an elections official where voting is permitted,*
 8 *shall be permitted to vote non-provisional nonprovisional* ballots
 9 if either of the following conditions is satisfied:
 10 (1) They surrender their vote by mail voter ballots to the
 11 inspector of the precinct ~~board~~ *board, a member of the vote center*
 12 *election board, or the elections official.*
 13 (2) They are unable to surrender their vote by mail voter ballots
 14 pursuant to paragraph (1) but the precinct ~~board~~ *board, vote center*
 15 *election board, or elections official* does all of the following:
 16 (A) Verifies that they have not returned their vote by mail
 17 ballots.
 18 (B) Notates their voter records to ensure that their vote by mail
 19 ballots are not cast or tabulated after they vote at the polls.
 20 (b) The precinct board *and vote center election board* shall
 21 return the unused vote by mail voters' ballots surrendered pursuant
 22 to subdivision (a) to the elections official in an envelope designated
 23 for this purpose.
 24 SEC. 2. If the Commission on State Mandates determines that
 25 this act contains costs mandated by the state, reimbursement to
 26 local agencies and school districts for those costs shall be made
 27 pursuant to Part 7 (commencing with Section 17500) of Division
 28 4 of Title 2 of the Government Code.

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