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You need a well thought out approach to the shift from polling places to early voting centers. The law requires dozens of details and requirements. If you are one of the 14 California pilot counties to fully implement the law in 2018, you have upcoming deadlines to form your advisory committees and publish your draft plan. If you are not one of the pilot counties, it is not too early to plan. You might even consider a blended approach in the use of voting centers in 2018. Your county could gain experience and insight before full implementation

The California Voter's Choice Act of 2016

The Shift from Polling Places to
Vote by Mail and Vote Centers

Ross Underwood

CHANGE LOG

CHANGE MADE BY	DATE	DESCRIPTION
Ross J Underwood	1/16/2017	Published Draft Plan

THE CALIFORNIA VOTER'S CHOICE ACT OF 2016

SENATE BILL NO. 450

CHAPTER 832

An act to amend Sections 3017 and 15320 of, to add Sections 4005, 4006, and 4007 to, and to add and repeal Section 4008 of, the Elections Code¹, relating to elections.

[Approved by Governor September 29, 2016. Filed with Secretary of State September 29, 2016.]

EXECUTIVE SUMMARY

This bill permits counties to conduct elections in which every voter is mailed a ballot and vote centers and ballot drop-off locations are available prior to and on election day, in lieu of operating polling places for the election, subject to certain conditions.

¹ All references are to the Election Code unless otherwise stated

CONTENTS

Change Log.....	1
The California Voter’s Choice Act of 2016	2
Senate Bill No. 450.....	2
CHAPTER 832	2
Executive Summary.....	2
The Draft Plan	6
Executive Summary.....	6
Education and Outreach	6
Use of Media to Describe the Upcoming Election and Promoting the Toll-free Voter Assistance Hotline.....	6
Use of Media to Describe the Availability of a Vote-by-Mail (VBM) in an accessible format	6
Community Presence	6
Public Service Announcements (PSA) to the General Public	6
PSA to the Public with Language Assistance Needs.....	6
Direct Contact with the Voters	7
Use of Internet.....	7
Identifying Voters with Language Assistance Needs	7
Workshops	7
Budget for Education and Outreach	7
Advisory committees	7
The Language Accessibility Advisory Committee (LAAC).....	8
The Voting Accessibility Advisory Committee (VAAC)	8
Plan Approval Process.....	9
Process for Drafting the Plan	9
Notification and availability of the draft plan.....	9
Publish the Plan to the County Website	9
14-Day Public Review Period and Solicitation of comment prior to the meeting.....	9
Public Meeting agenda to include date, time, and location.....	9
14-Day Review Period for Revisions to the plan.....	9
Submission of the Plan to the Office of the Secretary of State	9
Location of Vote Centers (VC) and Ballot Drop-off Locations (DOL)	10
Minimum Requirements established by the count of registered voters at E-88	10
1/16/2017	
The California Voter’s Choice Act of 2016	3

Access to the voter database 10

Every VC must provide Conditional Voter Registration (CVR) 11

No less than three accessible voting system devices 11

Each VC/DOL location to be based on 11

Language assistance..... 12

Each VC to include a DOL 12

VC/DOL Minimum Hours of Operation 13

Vote-by-Mail (VBM) 13

VC/VBM Reporting Requirements 13

 Beginning E-10, publish in electronic format for each VC 13

Budget 14

Suggested Calendar 15

Exhibit A – SB450 Language 17

 Legislative Counsel's Digest 17

 SB450 Language 18

Exhibit B – Abbreviated Plan Outline 34

1) Executive Summary..... 34

2) Education and Outreach 34

 a) Use of Media to Describe the Upcoming Election and Promoting the Toll-free Voter Assistance Hotline..... 34

 b) Use of Media to Describe the Availability of a Vote-by-Mail (VBM) in an accessible format 34

 c) Community Presence 34

 d) Public Service Announcements (PSA) to the General Public 34

 e) PSA to the Public with Language Assistance Needs..... 34

 f) Direct Contact with the Voters 34

 g) Use of Internet 34

 h) Identifying Voters with Language Assistance Needs 34

 i) Workshops 34

 j) Budget for Education and Outreach 34

3) Advisory committees 34

 a) The Language Accessibility Advisory Committee (LAAC) 34

 b) The Voting Accessibility Advisory Committee (VAAC) 34

4) Plan Approval Process..... 34

a) Process for Drafting the Plan 34

b) Notification and availability of the draft plan..... 34

c) Publish the Plan to the County Website 34

d) 14-Day Public Review Period and Solicitation of comment prior to the meeting..... 34

e) Public Meeting agenda to include date, time, and location 34

f) 14-Day Review Period for Revisions to the plan..... 34

g) Submission of the Plan to the Office of the Secretary of State 34

5) Location of Vote Centers (VC) and Ballot Drop-off Locations (DOL) 34

a) Minimum Requirements established by the count of registered voters at E-88 34

b) Access to the voter database..... 34

c) Every VC must provide Conditional Voter Registration (CVR) 34

d) No less than three accessible voting system devices 34

e) Each VC/DOL location to be based on 34

f) Language assistance..... 34

g) Each VC to include a DOL..... 34

h) VC/DOL Minimum Hours of Operation 34

6) Vote-by-Mail (VBM) 34

7) VC/VBM Reporting Requirements 34

a) Beginning E-10, publish in electronic format for each VC 34

8) Budget..... 34

THE DRAFT PLAN

EXECUTIVE SUMMARY

Consider making a statement about the fundamental changes being made to voting in your county, your hopes for increased turnout and decreased costs, and addressing the topic headings of your plan.

EDUCATION AND OUTREACH

The education and outreach portion of your plan is subject to review by the CA SOS. Your education and outreach plan may be accepted or rejected within a 14-day review period. Consider checking with the SOS to see what specific instructions the SOS may have for submission of your education and outreach plan. The education and outreach plans have been consolidated in this example, but you can separate them into two plans if you wish. The education and outreach plan should include all of the following: §4005 (I)

USE OF MEDIA TO DESCRIBE THE UPCOMING ELECTION AND PROMOTING THE TOLL-FREE VOTER ASSISTANCE HOTLINE

A description of how you will use the media, including social media, newspapers, radio, and television that serve language minority communities for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline. §4005 (I) (i) (I)

USE OF MEDIA TO DESCRIBE THE AVAILABILITY OF A VOTE-BY-MAIL (VBM) IN AN ACCESSIBLE FORMAT

A description of how you will use the media, including social media, newspapers, radio, and television for purposes of informing voters of the availability of a VBM ballot in an accessible format and the process for requesting such a ballot. §4005 (I) (i) (II)

COMMUNITY PRESENCE

A description of how you will have a community presence to educate voters regarding the provisions of this section. Consider attending county, city and local fairs or board meetings to make a brief presentation. Consider appearing on campus at local colleges and universities. campuses. §4005 (I) (i) (III)

PUBLIC SERVICE ANNOUNCEMENTS (PSA) TO THE GENERAL PUBLIC

At least one PSA in the media, including newspapers, radio, and television, that serve English-speaking citizens for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline. Outreach shall include access for voters who are deaf or hard of hearing and voters who are blind or visually impaired. §4005 (I) (i) (VIII)

PSA TO THE PUBLIC WITH LANGUAGE ASSISTANCE NEEDS

At least one PSA in the media, including newspapers, radio, and television, that serve non-English-speaking citizens for each language in which the county is required to provide voting materials and assistance under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline. §4005 (I) (i) (IX)

DIRECT CONTACT WITH THE VOTERS

At least two direct contacts with voters for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline. The two direct contacts are in addition to any other required contacts including, but not limited to, sample ballots and the delivery of vote by mail ballots. §4005 (I) (i) (X)

USE OF INTERNET

A description of the accessible information that will be publicly available on the accessible Internet Web site of the county elections official. This should include the plan for administering the first election under SB 450, but should also include the location and hours of operation for all VC/DOLs. §4005 (I) (i) (IV)

IDENTIFYING VOTERS WITH LANGUAGE ASSISTANCE NEEDS

A description of the method used by the county elections official to identify language minority voters. Consider including information about the LAAC. §4005 (I) (i) (V)

WORKSHOPS

A description of how you will educate and communicate the provisions of this section to the public, including:

- a. Communities for which the county is required to provide voting materials and assistance in a language other than English under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.). The county elections official shall hold at least one bilingual voter education workshop for each language in which the county is required to provide voting materials and assistance in a language other than English under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.). §4005 (I) (i) (VI) (ia)*
- b. The disability community, including organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities. The county elections official shall hold at least one voter education workshop to increase accessibility and participation of eligible voters with disabilities. §4005 (I) (i) (VI) (ib)*

BUDGET FOR EDUCATION AND OUTREACH

A description of how the county will spend the necessary resources on voter education and outreach to ensure that voters are fully informed about the election. This description shall include information about the amount of money the county plans to spend on voter education and outreach activities under the plan, and how that compares to the amount of money spent on voter education and outreach in recent similar elections in the same jurisdiction that were not conducted pursuant to this section. §4005 (I) (i) (VII)

ADVISORY COMMITTEES

If your county has fewer than 50,000 registered voters, you may consider the benefits of consolidating the two committees below into one committee. Counties with fewer than 50,000 registered voters may combine the two committees below into one Language Assistance and Voting Assistance Advisory Committee. §4005 (9) (C)

THE LANGUAGE ACCESSIBILITY ADVISORY COMMITTEE (LAAC)

List specific actions you intend to take to reach out to the minority language voters you are required to serve under federal and state law. §4005 (9) (A)

PURPOSE

Describe the purpose of the LAAC.

CONTACTING THE LANGUAGE COMMUNITIES AND MEMBERSHIP

Describe how you intend to recruit and select the membership of the advisory committee.

DATE ESTABLISHED

The deadline to establish the LAAC is no later than October 1 in the year prior to the first election. If your county is one of the pilot counties, the establishment of the VAAC must be no later than October 1, 2017. Consider establishing the LAAC earlier than the deadline.

FIRST MEETING

Describe where and when you intend to conduct the first meeting of the LAAC. Keep in mind that the first meeting must be held no later than April 1 in the year of the first election. A 10-Day notice is required prior to this meeting. If your county is one of the pilot counties, the meeting must take place on or before April 1, 2018 if you intend to implement your first election under SB 450 at the June 5, 2018 Gubernatorial Primary Election. §4005 (9) (A). To maximize the participation of the LAAC, consider meeting earlier than the deadline.

THE VOTING ACCESSIBILITY ADVISORY COMMITTEE (VAAC)

List specific actions you intend to take to reach out to the disabled voters you are required to serve under federal and state law.

PURPOSE

Describe the purpose of the VAAC.

CONTACTING THE DISABLED VOTER COMMUNITIES AND MEMBERSHIP

Describe how you intend to recruit and select the membership of the advisory committee.

DATE ESTABLISHED

The deadline to establish the VAAC is no later than October 1 in the year prior to the first election. If your county is one of the pilot counties, the establishment of the VAAC must be no later than October 1, 2017. Consider establishing the LAAC earlier than the deadline.

FIRST MEETING

Describe where and when you intend to conduct the first meeting of the VAAC. Keep in mind that the first meeting must be held no later than April 1 in the year of the first election. A 10-Day notice is required prior to this meeting. If your county is one of the pilot counties, the meeting must take place on or before April 1, 2018 if you intend to

implement your first election under SB 450 at the June 5, 2018 Gubernatorial Primary Election. §4005 (9) (B). To maximize the participation of the VAAC, consider meeting earlier than the deadline.

PLAN APPROVAL PROCESS

Describe the plan approval process including details about the development of the draft plan, education and outreach to those affected by the plan. Provide details about the 14-day public review period, the availability of the plan, and accepting comments from the public. §4005 (10) (C). Be sure to conduct the meeting(s) at least one year prior to the date of the first election conducted under the provisions of SB 450. There must be at least one public meeting for consideration of the plan. Provide details about the public meeting(s), when it(they) will be held, and the location of the meeting(s). Consider publishing the agenda for the public meeting(s). Describe the process for revisions to the plan, and include details about the 14-day public comment period for any revisions. Describe how the plan is submitted to the office of the CA SOS for state approval, including details about the 14-day period for the SOS review. §4005 (10) (A)

PROCESS FOR DRAFTING THE PLAN

Describe details about the development of the draft plan.

NOTIFICATION AND AVAILABILITY OF THE DRAFT PLAN

Provide details about the publication of the plan on the county website.

PUBLISH THE PLAN TO THE COUNTY WEBSITE

The draft plan, the amended draft plan, and the final adopted plan shall be posted on the county website, in all of the languages required for coverage by federal or state law, and on the SOS website in a format that is accessible for people with disabilities. §4005 (10) (E) (iii)

14-DAY PUBLIC REVIEW PERIOD AND SOLICITATION OF COMMENT PRIOR TO THE MEETING

Provide details about the 14-day public review period, and accepting comments from the public. §4005 (10) (C)

PUBLIC MEETING AGENDA TO INCLUDE DATE, TIME, AND LOCATION

Be sure to conduct the meeting(s) no later than April 1 in the year of your first election. Please provide a 10-day notice prior to the meeting on your website. There must be at least one public meeting for consideration of the plan by the LAAC/VAAC. Provide details about the public meeting(s), when it(they) will be held, and the location of the meeting(s). Consider publishing the agenda for the public meeting(s). §4005 (10) (D)

14-DAY REVIEW PERIOD FOR REVISIONS TO THE PLAN

Describe the process for revisions to the plan, and include details about the 14-day public comment period for any revisions. §4005 (10) (D) (ii)

SUBMISSION OF THE PLAN TO THE OFFICE OF THE SECRETARY OF STATE

Describe how the education and outreach portions of the plan are submitted to the office of the CA SOS for state approval, including details about the 14-day period for the SOS review. §4005 (10) (E) (ii)

LOCATION OF VOTE CENTERS (VC) AND BALLOT DROP-OFF LOCATIONS (DOL)

This law requires certain minimum service level requirements based on the number of registered voters as of the 88th day prior to the election (E-88). The minimum service levels specify the number of VCs and DOLs (§4005 (1) (A)). For example, beginning ten days prior to the election, there must be at least one VC for every 50, 000 registered voters as of the 88th day prior to the election, but never less than two VCs. The law requires that every VC be connected in real time to the voter registration database. This is required, in part, to eliminate double voting and maximize the services offered at the VC. Consider involving your IT staff or vendor in helping to define the network architecture, the security protocols, and the minimum bandwidth requirements of a VC. Every VC must provide Conditional Voter Registration (CVR) services, allowing electors the ability to register and vote a provisional ballot on the same day. Every VC must provide no less than three accessible voting system devices to service disabled voters. §4005 (2) (B). The location of each VC/DOL should be based, in part, on how voters will get to the VC/DOL, the demographics and pattern of voting history for the surrounding area, the proximity of the VC/DOL to public transportation, population centers, communities with a traditionally low use of VBM ballots, or minority language needs, or voters with disabilities. The location of each VC/DOL should favor those locations with free parking and access for the disabled. The plan should address travel time and the traffic profile for each VC/DOL. Each VC/DOL location should include thoughts about any security concerns, plus address contingency plans in the event voting at the VC/DOL location is compromised for any reason.

MINIMUM REQUIREMENTS ESTABLISHED BY THE COUNT OF REGISTERED VOTERS AT E-88

This law requires certain minimum service level requirements based on the number of registered voters as of the 88th day prior to the election (E-88). The minimum service levels specify the number of VCs and DOLs. Specific requirements include:

- *On Election Day 7am-8pm, 1 VC per each 10k registered voters @E-88, but in no case less than 2 §4005 (3) (A).*
- *And on each of the three days before Election Day (E-4) for at least 8 hours, 1 VC per each 10k registered voters @E-88, but in no case less than 2. At least 90% of all VCs established under these provisions shall be open for all four days. §4005 (3) (A).*
- *beginning ten days prior to the election, there must be at least one VC for every 50, 000 registered voters as of the 88th day prior to the election, but never less than two VCs*
- *Beginning E-28, 1 VBM DOL per each 15k registered voters, but not less than 2 (Please note that any drop off box at a VC counts as only one DOL). §4005 (1) (A).*
- *A jurisdiction with less than 20,000 registered voters as of the 88th day prior to the election may open not less than two VCs on Election Day and the three days before Election Day. §4005 (3) (B).*

ACCESS TO THE VOTER DATABASE

The law requires that every VC be connected in real time to the voter registration database. This is required, in part, to eliminate double voting and maximize the services offered at the VC. Consider involving your IT staff or vendor in helping to define the network architecture, the security protocols, and the minimum bandwidth requirements of a VC.

EVERY VC MUST PROVIDE CONDITIONAL VOTER REGISTRATION (CVR)

Every VC must provide Conditional Voter Registration (CVR) services, allowing electors the ability to register and vote a provisional ballot on the same day. You might consider entering the CVR registration data into your voter registration database from the VC in order to share this information with VoteCal and all other counties within the state.

NO LESS THAN THREE ACCESSIBLE VOTING SYSTEM DEVICES

Every VC must provide no less than three accessible voting system devices to service disabled voters.

EACH VC/DOL LOCATION TO BE BASED ON

The location of each VC/DOL should be based, in part, on how voters will get to the VC/DOL, the demographics and pattern of voting history for the surrounding area, the proximity of the VC/DOL to public transportation, population centers, communities with a traditionally low use of VBM ballots, or minority language needs, or voters with disabilities. The location of each VC/DOL should favor those locations with free parking and access for the disabled. The plan should address travel time and the traffic profile for each VC/DOL. Each VC/DOL location should include thoughts about any security concerns, plus address contingency plans in the event voting at the VC/DOL location is compromised for any reason.

HOW WILL VOTERS GET TO THE VC/DOL?

The location of each VC/DOL should be based, in part, on how voters will get to the VC/DOL

DEMOGRAPHICS

The location of each VC/DOL should be based, in part, on the demographics of the surrounding area. You may want to list those demographics to be included in your analysis.

VOTE HISTORY

The location of each VC/DOL should be based, in part, on the pattern of voting history for the surrounding area. You will not want to be overwhelmed with voting voters at any VC, and long lines at a VC are often reported by the media. Similarly, any DOL can be overwhelmed with VBM ballots, which may require more scheduled pickups than other DOLs.

VC AND DOL LOCATIONS, INCLUDING PROXIMITY TO

The location of each VC/DOL should be based, in part, on the proximity of the VC/DOL to public transportation, population centers, communities with a traditionally low use of VBM ballots, or minority language needs, or voters with disabilities. §4005 (10) (B) (i).

PUBLIC TRANSPORTATION

Consider the location for transit hubs or the intersection of mixed modal public transit (light rail/bus stop combined).

POPULATION CENTERS

Consider locating a greater number of VC/DOLs per square mile in densely populated areas, and fewer VC/DOLs per square mile in sparsely populated areas.

COMMUNITIES WITH A TRADITIONALLY LOW USE OF VBM BALLOTS

Consider placing additional VC/DOLs in those areas that are underrepresented in terms of the use of VBM ballots. Consider extra marketing in these areas too.

COMMUNITIES WITH MINORITY LANGUAGE NEEDS

Consider language specific staffing and signage at VC/DOLs in those areas that have concentrations of minority language needs. §4005 (6) (B).

VOTERS WITH DISABILITIES

Every attempt must be made to ensure that VC/DOLs are accessible to the disabled voter. Also, every VC must be equipped with three voting system devices for the disabled voter. Consider other steps that you can and should take to serve the disabled voter community.

VC AND DOL LOCATIONS WITH FREE PARKING AND DISABLED VOTER ACCESS INFORMATION

Understandably, the cost of parking adjacent to a VC/DOL can be a sensitive issue. Larger more urban counties may not have the luxury of finding a location for their VC/DOLs with free parking, and in that case the proximity to public transit is even more important. Every attempt must be made to ensure that VC/DOLs are accessible to the disabled voter.

TRAVEL TIME AND TRAFFIC INFORMATION FOR EACH VC AND DOL LOCATION

Document the travel and traffic profile for each location used for VC/DOLs. Consider changing the location if it is too far away or too impacted by traffic.

VC AND DOL LOCATION SECURITY AND CONTINGENCY PLANS

Consider the security concerns for each VC/DOL location. Observe each potential location and note anything that seems out of the ordinary. Consider locating VC/DOLs near a police or fire station or substation. Consider the proximity of security cameras, or acquiring your own security camera. Consider using drop boxes constructed to limit what can be deposited. Consider frequent pickups of the ballots at each VC/DOL as a contingency plan. Consider other contingency plans such as moving from one building or room to another building or room at the same site.

LANGUAGE ASSISTANCE

Consider language specific staffing and signage at VC/DOLs in those areas that have concentrations of minority language needs. §4005 (6) (B).

EACH VC TO INCLUDE A DOL

Each VC must contain a VBM ballot DOL, and this DOL counts as only one DOL toward the minimum number of DOLs required by law. §4005 (1) (A).

VC/DOL MINIMUM HOURS OF OPERATION

Consider selecting VC/DOL locations that are conducive with the minimum hours of operation for each VC/DOL as specified below.

- *On Election Day, each VC must remain open from 7am to 8pm*
- *Not less than 10 days before the day of the election, each VC shall be open for a minimum of eight hours per day*
- *All ballot DOLs shall be open at least during regular business hours beginning not less than 28 days before the day of the election. §4005 (1) (B)*
- *At least one ballot DOL shall be an accessible, secured, exterior drop box that is available for a minimum of 12 hours per day including regular business hours. §4005 (1) (B).*

VOTE-BY-MAIL (VBM)

Consider including in your plan, any details about how you plan to send and receive VBM ballots from the voters. Elections conducted under SB 450 require that the election official, beginning E-29, mail a VBM ballot to every registered voter. A notice mailed with the VBM ballot indicating the election is being conducted by mail with opportunities to vote in person (notice also published on the Internet Web site) to include:

- *The location and hours of operation for each VBM ballot drop-off or VC*
- *The language assistance available at each VC*
- *A postage-paid postcard requesting a VBM ballot or facsimile ballot in a language other than English*
- *Disabled voter services available at each VC*

§4005 (8) (A)

VC/VBM REPORTING REQUIREMENTS

BEGINNING E-10, PUBLISH IN ELECTRONIC FORMAT FOR EACH VC

Consider creating a new report or data extract, and placing the report or extract data on your county website. §4005 (7) (A). The report will reflect the following information for each VC and for each day:

- *The list of new and updated registrations*
- *The list of voters who received and voted a provisional or replacement ballot*
- *The list of voters who voted a ballot using the equipment at the VC*
- *The list to be updated continuously during the hours of operation for each VC*

Consider that no later than 60 days after the election, the SOS shall report to the legislature all of the following:

- *Voter turnout, registration, ballot rejection rates, reasons for ballot rejection, provisional ballot use*
- *The number of votes cast at each vote center; ballots returned at ballot drop-off locations; ballots returned by mail; persons who registered to vote at a vote center*

- *Instances of voter fraud, and any other problems that became known to the county elections official or the Secretary of State during the conduct of the election or canvass*

BUDGET

Consider adding a section to your plan that speaks to any budget requirements related to your plan. Be sure to integrate this section with the proposed Education and Outreach portions of your plan, which also require budgetary details for the SOS consideration and approval. The budget requirements may include any of the following:

- *Costs for Voting Systems at each VC*
- *Costs for technology associated with the VC such as network equipment, electronic poll books, or ballot on demand printers*
- *Costs for secure ballot boxes and the installation of same at VC/DOLs*
- *Costs for security or contingency plans*
- *Costs for ballot pickup*
- *Costs for staffing the VCs*
- *Any savings that you believe can be associated with the implementation of SB 450*
- *Any other cost increase that you believe can be associated with the implementation of SB 450*
- *The Shifting of Costs from one jurisdiction to another, or one phase of the election to another*

SUGGESTED CALENDAR

SUGGESTED ITEM**DATE**

<i>Start Now</i>	<ol style="list-style-type: none"> 1. Identify the election date which will serve as your first election conducted under SB 450. Election must occur on or after January 1, 2018 <i>§4005 (8) (A)</i> 2. Meet with county management and budget staff early to make sure there is county administrative support for the changes. 3. Meet with the members of the County Board of Supervisors to make sure there is political support for the changes. 4. Meet with advocacy groups, business, labor, elected, political party leaders, members of the media and any other group connected with the electoral process. 5. Draft your plan. Consider any advantages to keeping the plan at a very high-level in the beginning. Consider the advantages of drafting a high-level plan by July 2017. When ready, consider posting the plan to your website by September 2017. 6. Commence the formation of your Language and Voter Assistance Advisory Committees (LAAC/VAAC). Consider the advantages of establishing the committees by late summer 2017. Consider the advantages of having the first committee meetings by October 2017. 7. Select a date for the Public Meeting for local approval of the plan. Consider the advantages of conducting the meeting in early December 2017. Consider the advantages of providing a 14-day notice instead of the required 10-day notice. In this way, you will provide the public notice for the meeting in conjunction with a draft of the plan for public review and comment.
<i>October 1, 2017*</i>	No later than this date, establish the LAAC/VAAC committees.
<i>January 2, 2018</i>	Recommended deadline for first voter contact (E-154). (The two direct contacts are in addition to any other required contacts including, but not limited to, sample ballots and the delivery of vote by mail ballots.)
<i>January 22, 2018*</i>	Last day to publish your draft plan and post a copy to your website for public comment. 14-day public review and comment period.
<i>January 26, 2018*</i>	Last day to publish the required notice for public meeting.
<i>February 5, 2018*</i>	Last Day for county to adopt plan in time for conduct of the first election on June 5, 2018 (E-120)
<i>February 19, 2018*</i>	Last Day to accept comments from the public based on any modifications made to the plan at the meeting.
<i>February 19, 2018*</i>	Last Day to submit the education and outreach plans for SOS approval.
<i>March 5, 2018*</i>	The SOS must approve or reject the public education and outreach portions of your plan within 14 days.
<i>April 1, 2018*</i>	No later than this date, conduct the first meeting of the LAAC/VAAC committees.
<i>March 6, 2018</i>	Recommended deadline for second voter contact (E-60). (The two direct contacts are in addition to any other required contacts including, but not limited to, sample ballots and the delivery of vote by mail ballots.)

<i>March 9, 2018</i>	Capture the voter registration counts and calculate the minimum number of VC/DOLs. (E-88)
<i>May 7, 2018</i>	Mail a ballot to every voter, including the notices required under SB 450. (E-29)
<i>May 8, 2018</i>	VBM Ballot DOLs open 8 hours per day. Minimum 1 DOL/15,000 registered voters. At least one DOL open for 12 hours per day. (E-28)
<i>May 26, 2018 (Saturday)</i>	VCs open at least 8 hours per day. Minimum 1 VC/50,000 registered voters. (E-10)
<i>May 26, 2018 (Saturday Evening)</i>	Beginning e-10 after VC closing, publish in electronic formatted report or data extract for each VC
<i>June 2, 2018 (Saturday)</i>	VCs for Election Day open for at least eight hours per day. Minimum 1 VC/10,000 registered voters. Note: 90% of all VCs open on Election Day must be used for the three days prior to Election Day.
<i>E-Day</i>	VCs open from 7am to 8pm. Minimum 1 VC/10,000 registered voters.
<i>Six Months after each Election</i>	The CA SOS must report to the legislature about the performance of the election. County election officials expected to provide the raw data to the SOS for purposes of this post-election report.

**Consider completing this item 2-4 months earlier than required by law. See recommendations titled "Start Now" above.*

EXHIBIT A – SB450 LANGUAGE

LEGISLATIVE COUNSEL'S DIGEST

SB 450, Allen. Elections: vote by mail voting and mail ballot elections.

Existing law requires all vote by mail ballots to be voted on or before the day of the election and requires the vote by mail voter to return the ballot by mail or in person, as specified, to the elections official who issued the ballot.

This bill would require an elections official who receives a vote by mail ballot that he or she did not issue to forward that ballot to the elections official who issued the ballot no later than 8 days after receipt. By requiring an election official to forward a ballot to the elections official who issued the ballot, the bill would impose a state-mandated local program.

Existing law authorizes cities with a population of fewer than 100,000 persons, school districts, and special districts to conduct an all-mailed ballot special election to fill a vacancy on the legislative or governing body of those entities under specified conditions.

This bill, the California Voter's Choice Act, would, on or after January 1, 2018, authorize specified counties, and on or after January 1, 2020, authorize any county except the County of Los Angeles, to conduct any election as an all-mailed ballot election if certain conditions are satisfied, including conditions related to ballot drop-off locations, vote centers, and plans for the administration of all-mailed ballot elections. The bill would require the Secretary of State, within 6 months of each all-mailed ballot election conducted by a county pursuant to these provisions, to report certain information to the Legislature regarding that election. The bill would require the county that conducted the all-mailed ballot election to submit to the Secretary of State the information needed for the Secretary of State to prepare the report.

This bill would, on or after January 1, 2020, authorize the County of Los Angeles to conduct any election as a vote center election if certain conditions are satisfied, including conditions related to ballot drop-off locations and vote centers. The bill would, on or after January 1, 2020, authorize the County of Los Angeles to conduct a special election as an all-mailed ballot election pursuant to specified provisions that apply to every county that chooses to conduct a special election as an all-mailed ballot election.

This bill would also require the Secretary of State to establish a taskforce that includes certain individuals to review all-mailed ballot elections conducted pursuant to these provisions and to provide comments and recommendations to the Legislature within 6 months of each all-mailed ballot election or vote center election.

This bill would incorporate additional changes to Section 3017 of the Elections Code proposed by AB 1921 that would become operative only if AB 1921 and this bill are both chaptered and this bill is chaptered last.

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 these statutory provisions.

Digest Key

Vote: MAJORITY Appropriation: NO Fiscal Committee: YES Local Program: YES

SB450 LANGUAGE

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

SECTION 1.

This act shall be known, and may be cited, as the California Voter's Choice Act.

SEC. 2.

Section 3017 of the Elections Code is amended to read:

3017.

(a) All vote by mail ballots cast under this division shall be voted on or before the day of the election. After marking the ballot, the vote by mail voter shall do any of the following: (1) return the ballot by mail or in person to the elections official who issued the ballot, (2) return the ballot in person to a member of a precinct board at a polling place or vote center within the state, or (3) return the ballot to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. However, a vote by mail voter who is unable to return the ballot may designate his or her spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in the same household as the vote by mail voter to return the ballot to the elections official who issued the ballot, to the precinct board at a polling place or vote center within the state, or to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. The ballot must, however, be received by the elections official who issued the ballot, the precinct board, or the vote by mail ballot dropoff location before the close of the polls on election day. If a vote by mail ballot is returned to a precinct board at a polling place or vote center, or to a vote by mail ballot dropoff location, that is located in a county that is not the county of the elections official who issued the ballot, the elections official for the county in which the vote by mail ballot is returned shall forward the ballot to the elections official who issued the ballot no later than eight days after receipt.

(b) The elections official shall establish procedures to ensure the secrecy of a ballot returned to a precinct polling place and the security, confidentiality, and integrity of any personal information collected, stored, or otherwise used pursuant to this section.

(c) On or before March 1, 2008, the elections official shall establish procedures to track and confirm the receipt of voted vote by mail ballots and to make this information available by means of online access using the county's elections division Internet Web site. If the county does not have an elections division Internet Web site, the elections official shall establish a toll-free telephone number that may be used to confirm the date a voted vote by mail ballot was received.

(d) The provisions of this section are mandatory, not directory, and a ballot shall not be counted if it is not delivered in compliance with this section.

(e) Notwithstanding subdivision (a), a vote by mail voter's ballot shall not be returned by a paid or volunteer worker of a general purpose committee, controlled committee, independent expenditure committee, political party, candidate's campaign committee, or any other group or organization at whose behest the individual designated to return the ballot is performing a service. However, this subdivision does not apply to a candidate or a candidate's spouse.

SEC. 2.5.

Section 3017 of the Elections Code is amended to read:

3017.

(a) All vote by mail ballots cast under this division shall be voted on or before the day of the election. After marking the ballot, the vote by mail voter shall do any of the following: (1) return the ballot by mail or in person to the elections official who issued the ballot, (2) return the ballot in person to a member of a precinct board at a polling place or vote center within the state, or (3) return the ballot to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. However, a vote by mail voter who is unable to return the ballot may designate any person to return the ballot to the elections official who issued the ballot, to the precinct board at a polling place or vote center within the state, or to a vote by mail ballot dropoff location within the state that is provided pursuant to Section 3025 or 4005. The ballot must, however, be received by the elections official who issued the ballot, the precinct board, or the vote by mail ballot dropoff location before the close of the polls on election day. If a vote by mail ballot is returned to a precinct board at a polling place or vote center, or to a vote by mail ballot dropoff location, that is located in a county that is not the county of the elections official who issued the ballot, the elections official for the county in which the vote by mail ballot is returned shall forward the ballot to the elections official who issued the ballot no later than eight days after receipt.

(b) The elections official shall establish procedures to ensure the secrecy of a ballot returned to a precinct polling place and the security, confidentiality, and integrity of any personal information collected, stored, or otherwise used pursuant to this section.

(c) On or before March 1, 2008, the elections official shall establish procedures to track and confirm the receipt of voted vote by mail ballots and to make this information available by means of online access using the county's elections division Internet Web site. If the county does not have an elections division Internet Web site, the elections official shall establish a toll-free telephone number that may be used to confirm the date a voted vote by mail ballot was received.

(d) The provisions of this section are mandatory, not directory, and a ballot shall not be counted if it is not delivered in compliance with this section.

(e) (1) A person designated to return a vote by mail ballot shall not receive any form of compensation based on the number of ballots that the person has returned and no individual, group, or organization shall provide compensation on this basis.

(2) For purposes of this paragraph, “compensation” means any form of monetary payment, goods, services, benefits, promises or offers of employment, or any other form of consideration offered to another person in exchange for returning another voter’s vote by mail ballot.

(3) Any person in charge of a vote by mail ballot and who knowingly and willingly engages in criminal acts related to that ballot as described in Division 18 (commencing with Section 18000), including, but not limited to, fraud, bribery, intimidation, and tampering with or failing to deliver the ballot in a timely fashion, is subject to the appropriate punishment specified in that division.

SEC. 3.

Section 4005 is added to the Elections Code, to read:

4005.

(a) Notwithstanding Section 4000 or any other law, on or after January 1, 2018, the Counties of Calaveras, Inyo, Madera, Napa, Nevada, Orange, Sacramento, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Sutter, and Tuolumne, and, except as provided in Section 4007, on or after January 1, 2020, any county may conduct any election as an all-mailed ballot election if all of the following apply:

(1) (A) At least two ballot dropoff locations are provided within the jurisdiction where the election is held or the number of ballot dropoff locations are fixed in a manner so that there is at least one ballot dropoff location provided for every 15,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election, whichever results in more ballot dropoff locations. For purposes of this subparagraph, a vote center that includes an exterior ballot drop box counts only as a single ballot dropoff location. Ballot dropoff locations shall comply with the regulations adopted pursuant to subdivision (b) of Section 3025.

(B) A ballot dropoff location provided for under this section consists of a secure, accessible, and locked ballot box located as near as possible to established public transportation routes and that is able to receive voted ballots. All ballot dropoff locations shall be open at least during regular business hours beginning not less than 28 days before the day of the election, and on the day of the election. At least one ballot dropoff location shall be an accessible, secured, exterior drop box that is available for a minimum of 12 hours per day including regular business hours.

(2) (A) The county elections official permits a voter residing in the county to do any of the following at a vote center:

(i) Return, or vote and return, his or her vote by mail ballot.

(ii) Register to vote, update his or her voter registration, and vote pursuant to Section 2170.

(iii) Receive and vote a provisional ballot pursuant to Section 3016 or Article 5 (commencing with Section 14310) of Chapter 3 of Division 14.

(iv) Receive a replacement ballot upon verification that a ballot for the same election has not been received from the voter by the county elections official. If the county elections official is unable to determine if a ballot for the same election has been received from the voter, the county elections official may issue a provisional ballot.

(v) Vote a regular, provisional, or replacement ballot using accessible voting equipment that provides for a private and independent voting experience.

(B) Each vote center shall have at least three voting machines that are accessible to voters with disabilities.

(3) (A) On the day of the election, from 7 a.m. to 8 p.m., inclusive, and on each of the three days before the election, for a minimum of eight hours per day, at least one vote center is provided for every 10,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election. At least 90 percent of the number of vote centers required by this subparagraph shall be open for all four days during the required times. Up to 10 percent of the number of vote centers required by this subparagraph may be open for less than four days if at least one vote center is provided for every 10,000 registered voters on each day.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 20,000 registered voters, a minimum of two voter centers are provided on the day of the election and on each of the three days before the election within the jurisdiction where the election is held.

(4) (A) Beginning 10 days before the day of the election and continuing daily up to and including the fourth day before the election, for a minimum of eight hours per day, at least one vote center is provided for every 50,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 50,000 registered voters, a minimum of two vote centers are provided within the jurisdiction where the election is held.

(C) The vote centers provided under this section are established in accordance with the accessibility requirements described in Article 5 (commencing with Section 12280) of Chapter 3 of Division 12, the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(D) The vote centers provided under this section are equitably distributed across the county so as to afford maximally convenient options for voters and are established at accessible locations as near as possible to established public transportation routes. The vote centers shall be equipped with voting units or systems that are accessible to individuals with disabilities and that provide the same opportunity for access and participation as is provided to voters who are not disabled, including the ability to vote privately and independently in accordance with Sections 12280 and 19240.

(E) (i) The vote centers provided under this section have an electronic mechanism for the county elections official to immediately access, at a minimum, all of the following voter registration data:

(I) Name.

(II) Address.

(III) Date of birth.

(IV) Language preference.

(V) Party preference.

(VI) Precinct.

(VII) Whether or not the voter has been issued a vote by mail ballot and whether or not a ballot has been received by the county elections official.

(ii) The electronic mechanism used to access voter registration data shall not be connected in any way to a voting system.

(5) A method is available for voters with disabilities to request and receive a blank vote by mail ballot and, if a replacement ballot is necessary, a blank replacement ballot that voters with disabilities can read and mark privately and independently pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).

(6) (A) Except as otherwise provided for in this section, election boards for the vote centers established under this section meet the requirements for eligibility and composition pursuant to Article 1 (commencing with Section 12300) of Chapter 4 of Division 12.

(B) Each vote center provides language assistance in all languages required in the jurisdiction under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) in a manner that enables voters of the applicable language minority groups to participate effectively in the electoral process. Each vote center shall post information regarding the availability of language assistance in English and all other languages for which language assistance is required to be provided in the jurisdiction under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(i) If a vote center is located in, or adjacent to, a precinct, census tract, or other defined geographical subsection required to establish language requirements under subdivision (c) of Section 12303 or Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), or if it is identified as needing language assistance through the public input process described in clause (ii), the county elections official shall ensure that the vote center is staffed by election board members who speak the required language. If the county elections official is unable to recruit election board members who speak the required language, alternative methods of effective language assistance shall be provided by the county elections official.

(ii) The county elections official shall solicit public input regarding which vote centers should be staffed by election board members who are fluent in a language in addition to English pursuant to subdivision (c) of Section 12303 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(iii) The county elections official shall provide notice in the sample ballot, in vote by mail materials, and on his or her Internet Web site of the specific language services available at each vote center.

(C) Each vote center provides election materials translated in all languages required in the jurisdiction under subdivision (c) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(D) Each vote center provides reasonable modifications and auxiliary aids and services as required by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701 et seq.).

(7) (A) Beginning 10 days before the election, the county elections official maintains, in an electronic format, an index of voters who have done any of the following at one of the voter centers established pursuant to this section:

- (i) Registered to vote or updated his or her voter registration.
- (ii) Received and voted a provisional ballot or replacement ballot.
- (iii) Voted a ballot using equipment at the vote center.

(B) The index required by subparagraph (A) includes the same information for each voter as is required to be included on copies of the index of affidavits of voter registration that are posted pursuant to Section 14294. The index required by subparagraph (A) shall be updated continuously during any time that a vote center is open in the jurisdiction.

(8) (A) Beginning 29 days before the day of the election, the county elections official mails to each registered voter a vote by mail ballot packet that includes a return envelope with instructions for the use and return of the vote by mail ballot.

(B) The county elections official delivers to each voter, with either the sample ballot sent pursuant to Section 13303 or with the vote by mail ballot packet, all of the following:

(i) A notice, translated in all languages required under subdivision (c) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), that informs voters of all of the following:

(I) An all-mailed ballot election is being conducted and each eligible voter will be issued a vote by mail ballot by mail.

(II) The voter may cast a vote by mail ballot in person at a vote center during the times and days specified in subparagraph (A) of paragraph (4) or on election day.

(III) No later than seven days before the day of the election, the voter may request the county elections official to send a vote by mail ballot in a language other than English pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or a facsimile copy of the ballot printed in a language other than English pursuant to Section 14201.

(IV) No later than seven days before the day of the election, the voter may request the county elections official to send or deliver a ballot that voters with disabilities can read and mark privately and independently pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.).

(ii) A list of the ballot dropoff locations and vote centers established pursuant to this section, including the dates and hours they are open. The list shall also be posted on the Internet Web site of the county elections official in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(iii) A postage-paid postcard that the voter may return to the county elections official for the purpose of requesting a vote by mail ballot in a language other than English or for the purpose of requesting a vote by mail ballot in an accessible format.

(C) Upon request, the county elections official provides written voting materials to voters with disabilities in an accessible format, as required by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 701 et seq.).

(9) (A) The county elections official establishes a language accessibility advisory committee that is comprised of representatives of language minority communities. The committee shall be established no later than October 1 of the year before the first election conducted pursuant to this section. The committee shall hold its first meeting no later than April 1 of the year in which the first election is conducted pursuant to this section.

(B) The county elections official establishes a voting accessibility advisory committee that is comprised of voters with disabilities. The committee shall be established no later than October 1 of the year before the first election conducted pursuant to this section. The committee shall hold its first meeting no later than April 1 of the year in which the first election is conducted pursuant to this section.

(C) A county with fewer than 50,000 registered voters may establish a joint advisory committee for language minority communities and voters with disabilities.

(10) (A) The county elections official develops a draft plan for the administration of elections conducted pursuant to this section in consultation with the public, including both of the following:

(i) One meeting, publicly noticed at least 10 days in advance of the meeting, that includes representatives, advocates, and other stakeholders representing each community for which the county is required to provide voting materials and assistance in a language other than English under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(ii) One meeting, publicly noticed at least 10 days in advance of the meeting, that includes representatives from the disability community and community organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities.

(B) The county elections official, when developing the draft plan for the administration of elections conducted pursuant to this section, considers, at a minimum, all of the following:

(i) Vote center and ballot dropoff location proximity to public transportation.

(ii) Vote center and ballot dropoff location proximity to communities with historically low vote by mail usage.

(iii) Vote center and ballot dropoff location proximity to population centers.

(iv) Vote center and ballot dropoff location proximity to language minority communities.

(v) Vote center and ballot dropoff location proximity to voters with disabilities.

(vi) Vote center and ballot dropoff location proximity to communities with low rates of household vehicle ownership.

- (vii) Vote center and ballot dropoff location proximity to low-income communities.
 - (viii) Vote center and ballot dropoff location proximity to communities of eligible voters who are not registered to vote and may need access to same day voter registration.
 - (ix) Vote center and ballot dropoff location proximity to geographically isolated populations, including Native American reservations.
 - (x) Access to accessible and free parking at vote centers and ballot dropoff locations.
 - (xi) The distance and time a voter must travel by car or public transportation to a vote center and ballot dropoff location.
 - (xii) The need for alternate methods for voters with disabilities for whom vote by mail ballots are not accessible to cast a ballot.
 - (xiii) Traffic patterns near vote centers and ballot dropoff locations.
 - (xiv) The need for mobile vote centers in addition to the number of vote centers established pursuant to this section.
- (C) The county elections official publicly notices the draft plan for the administration of elections conducted pursuant to this section and accepts public comments on the draft plan for at least 14 days before the hearing held pursuant to subparagraph (D).
- (D) (i) Following the 14-day review period required by subparagraph (C), the county elections official holds a public meeting to consider the draft plan for the administration of elections conducted pursuant to this section and to accept public comments. The meeting shall be publicly noticed at least 10 days in advance of the meeting on the Internet Web sites of the clerk of the county board of supervisors and the county elections official, or, if neither the clerk of the county board of supervisors nor the county elections official maintain an Internet Web site, in the office of the county elections official.
- (ii) After the public hearing to consider the draft plan for the administration of elections conducted pursuant to this section and to accept public comments, the county elections official shall consider any public comments he or she receives from the public and shall amend the draft plan in response to the public comments to the extent he or she deems appropriate. The county elections official shall publicly notice the amended draft plan and shall accept public comments on the amended draft plan for at least 14 days before the county elections official may adopt the amended draft plan pursuant to subparagraph (E).
- (E) (i) Following the 14-day review and comment period required by clause (ii) of subparagraph (D), the county elections official may adopt a final plan for the administration of elections conducted pursuant to this section, and shall submit the voter education and outreach plan that is required by clause (i) of subparagraph (I) to the Secretary of State for approval.
- (ii) The Secretary of State shall approve, approve with modifications, or reject a voter education and outreach plan submitted pursuant to clause (i) of subparagraph (I) within 14 days after the plan is submitted by the county elections official.

(iii) The draft plan, the amended draft plan, and the adopted final plan for the administration of elections conducted pursuant to this section shall be posted on the Internet Web site of the county elections official in each language in which the county is required to provide voting materials and assistance under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.), and the Secretary of State's Internet Web site in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.

(F) Public meetings held pursuant to this paragraph shall, upon request, provide auxiliary aids and services to ensure effective communication with people with disabilities.

(G) Within two years of the adoption of the first plan for the administration of elections conducted pursuant to this section, the county elections official shall hold public meetings in accordance with the procedures described in subparagraphs (C) to (F), inclusive, to consider revising the first plan for the administration of elections conducted pursuant to this section. Every four years thereafter, the county elections official shall hold public meetings in accordance with the procedures described in subparagraphs (C) to (F), inclusive, to consider revising the plan for the administration of elections conducted pursuant to this section.

(H) (i) With reasonable public notification, a county elections official may amend a plan for the administration of elections conducted pursuant to this section no more than 120 days before the date of an election held pursuant to this section.

(ii) With reasonable public notification, a county elections official may amend a plan for the administration of elections conducted pursuant to this section more than 120 days before the date of an election held pursuant to this section if he or she provides at least 30 days to accept public comments on the amended plan.

(I) The plan for the administration of elections conducted pursuant to this section, includes all of the following:

(i) A voter education and outreach plan that is approved by the Secretary of State and that includes all of the following:

(I) A description of how the county elections official will use the media, including social media, newspapers, radio, and television that serve language minority communities for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline.

(II) A description of how the county elections official will use the media, including social media, newspapers, radio, and television for purposes of informing voters of the availability of a vote by mail ballot in an accessible format and the process for requesting such a ballot.

(III) A description of how the county elections official will have a community presence to educate voters regarding the provisions of this section.

(IV) A description of the accessible information that will be publicly available on the accessible Internet Web site of the county elections official.

(V) A description of the method used by the county elections official to identify language minority voters.

(VI) A description of how the county elections official will educate and communicate the provisions of this section to the public, including:

(ia) Communities for which the county is required to provide voting materials and assistance in a language other than English under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.). The county elections official shall hold at least one bilingual voter education workshop for each language in which the county is required to provide voting materials and assistance in a language other than English under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(ib) The disability community, including organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities. The county elections official shall hold at least one voter education workshop to increase accessibility and participation of eligible voters with disabilities.

(VII) A description of how the county will spend the necessary resources on voter education and outreach to ensure that voters are fully informed about the election. This description shall include information about the amount of money the county plans to spend on voter education and outreach activities under the plan, and how that compares to the amount of money spent on voter education and outreach in recent similar elections in the same jurisdiction that were not conducted pursuant to this section.

(VIII) At least one public service announcement in the media, including newspapers, radio, and television, that serve English-speaking citizens for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline. Outreach made under this subclause (sic) shall include access for voters who are deaf or hard of hearing and voters who are blind or visually impaired.

(IX) At least one public service announcement in the media, including newspapers, radio, and television, that serve non-English-speaking citizens for each language in which the county is required to provide voting materials and assistance under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline.

(X) At least two direct contacts with voters for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline. The two direct contacts are in addition to any other required contacts including, but not limited to, sample ballots and the delivery of vote by mail ballots.

(ii) A description of how a voter with disabilities may request and receive a blank vote by mail ballot and, if a replacement ballot is necessary, a blank replacement ballot that a voter with disabilities can mark privately and independently.

(iii) A description of how the county elections official will address significant disparities in voter accessibility and participation identified in the report required by subdivision (g).

(iv) A description of the methods and standards that the county elections official will use to ensure the security of voting conducted at vote centers.

(v) Information about estimated short-term and long-term costs and savings from conducting elections pursuant to this section as compared to recent similar elections in the same jurisdiction that were not conducted pursuant to this section.

(vi) To the extent available at the time of publication, information on all of the following:

(I) The total number of vote centers to be established.

(II) The total number of ballot dropoff locations to be established.

(III) The location of each vote center.

(IV) The location of each ballot dropoff location and whether it is inside or outside.

(V) A map of the locations of each vote center and ballot dropoff location.

(VI) The hours of operation for each vote center.

(VII) The hours of operation for each ballot dropoff location.

(VIII) The security and contingency plans that would be implemented by the county elections official to do both of the following:

(ia) Prevent a disruption of the vote center process.

(ib) Ensure that the election is properly conducted if a disruption occurs.

(IX) The number of election board members and the number of bilingual election board members and the languages spoken.

(X) The services provided to voters with disabilities, including, but not limited to, the type and number of accessible voting machines and reasonable modifications at each vote center.

(XI) The design, layout, and placement of equipment inside each voter center that protects each voter's right to cast a private and independent ballot.

(vii) A toll-free voter assistance hotline that is accessible to voters who are deaf or hard of hearing, and that is maintained by the county elections official that is operational no later than 29 days before the day of the election until 5 p.m. on the day after the election. The toll-free voter assistance hotline shall provide assistance to voters in all languages in which the county is required to provide voting materials and assistance under subdivision (c) of Section 14201 and the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(J) The plan for the administration of elections conducted pursuant to this section is posted in a format that is accessible to persons with disabilities on the Internet Web site of the Secretary of State and on the Internet Web site of the county elections official.

(b) Notwithstanding Section 4000 or any other law, on or after January 1, 2018, the Counties of Calaveras, Inyo, Madera, Napa, Nevada, Orange, Sacramento, San Luis Obispo, San Mateo, Santa Clara, Shasta, Sierra, Sutter, and Tuolumne, and on or after January 1, 2020, any county may conduct a special election as an all-mailed ballot election under this section if all of the following apply:

(1) The county elections official has done either of the following:

(A) Previously conducted an election as an all-mailed ballot election in accordance with subdivision (a).

(B) Adopted a final plan for the administration of elections pursuant to clause (i) of subparagraph (E) of paragraph (9) of subdivision (a), in which case the county elections official shall complete all activities provided for in the voter education and outreach plan that is required by clause (i) of subparagraph (I) of paragraph (9) of subdivision (a) before the day of the special election.

(2) (A) On the day of election, from 7 a.m. to 8 p.m., inclusive, at least one vote center is provided for every 30,000 registered voters. If the jurisdiction is not wholly contained within the county, the county elections official shall make a reasonable effort to establish a vote center within the jurisdiction where the special election is held.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 30,000 registered voters, the county elections official makes a reasonable effort to establish a vote center.

(3) (A) Not less than 10 days before the day of the election, for a minimum of eight hours per day, at least one vote center is provided for every 60,000 registered voters. If the jurisdiction is not wholly contained within the county, the county elections official shall make a reasonable effort to establish a vote center within the jurisdiction where the special election is held.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 30,000 registered voters, the county elections official makes a reasonable effort to establish a vote center.

(4) (A) At least one ballot dropoff location is provided for every 15,000 registered voters. At least one ballot dropoff location shall be located within the jurisdiction where the special election is held. All ballot dropoff locations shall be open at least during regular business hours beginning not less than 28 days before the day of the election, and on the day of the election. *§4005 (1) (A)*.

(B) Notwithstanding subparagraph (A), for a jurisdiction with fewer than 15,000 registered voters, at least one ballot dropoff location shall be provided.

(c) Except as otherwise provided in this section, the election day procedures shall be conducted in accordance with Division 14 (commencing with Section 14000).

(d) The county elections official may provide, at his or her discretion, additional ballot dropoff locations and vote centers for purposes of this section.

(e) The return of voted vote by mail ballots is subject to Sections 3017 and 3020.

(f) For the sole purpose of reporting the results of an election conducted pursuant to this section, upon completion of the ballot count, the county elections official shall divide the jurisdiction into precincts pursuant to Article 2 (commencing with Section 12220) of Chapter 3 of Division 12 and shall prepare a statement of the results of the election in accordance with Sections 15373 and 15374.

(g) (1) (A) Within six months of each election conducted pursuant to this section or Section 4007, the Secretary of State shall report to the Legislature, to the extent possible, all of the following information by categories of race, ethnicity, language preference, age, gender, disability, permanent vote by mail status, historical polling place voters, political party affiliation, and language minorities as it relates to the languages required under subdivision (c) of Section 14201 and Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.):

(i) Voter turnout.

- (ii) Voter registration.
 - (iii) Ballot rejection rates.
 - (iv) Reasons for ballot rejection.
 - (v) Provisional ballot use.
 - (vi) Accessible vote by mail ballot use.
 - (vii) The number of votes cast at each vote center.
 - (viii) The number of ballots returned at ballot dropoff locations.
 - (ix) The number of ballots returned by mail.
 - (x) The number of persons who registered to vote at a vote center.
 - (xi) Instances of voter fraud.
 - (xii) Any other problems that became known to the county elections official or the Secretary of State during the election or canvass.
- (B) The report required by subparagraph (A) shall be posted on the Internet Web site of the Secretary of State in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.
- (C) The report required by subparagraph (A) shall be submitted to the Legislature in compliance with Section 9795 of the Government Code.
- (D) If an election is conducted pursuant to this section, the county shall submit, to the extent possible, to the Secretary of State the information needed for the Secretary of State to prepare the report required by subparagraph (A).
- (2) The county elections official shall post on his or her Internet Web site a report that compares the cost of elections conducted pursuant to this section to the costs of previous elections. The report shall be posted in a format that is accessible for people with disabilities pursuant to Section 11135 of the Government Code.
- (h) The Secretary of State shall enforce the provisions of this section pursuant to Section 12172.5 of the Government Code.
- (i) For purposes of this section, "disability" has the same meaning as defined in subdivisions (j), (m), and (n) of Section 12926 of the Government Code.

SEC. 4.

Section 4006 is added to the Elections Code, to read:

4006.

For any election conducted pursuant to Section 4005, the county elections official shall make a reasonable effort to inform a voter of either of the following:

- (a) If the voter's vote by mail ballot envelope is missing a signature.
- (b) How the voter can correct the missing signature.

SEC. 5.

Section 4007 is added to the Elections Code, to read:

4007.

(a) On or after January 1, 2020, the County of Los Angeles may conduct any election as a vote center election if all of the following apply:

(1) The county elections official complies with all the provisions of subdivision (a) of Section 4005 that are not inconsistent with this section.

(2) Every permanent vote by mail voter receives a ballot.

(3) At least two ballot dropoff locations are provided within the jurisdiction where the election is held or the number of ballot dropoff locations are fixed in a manner so that there is at least one ballot dropoff location provided for every 15,000 permanent vote by mail registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election, whichever results in more ballot dropoff locations.

(4) Within the jurisdiction where the election is held, at least one vote center is provided for each city that has at least 1,000 registered voters according to the official report of registration submitted by the county elections official to the Secretary of State before the last general election.

(5) On the day of the election, from 7 a.m. to 8 p.m., inclusive, and on each of the three days before the election, for a minimum of eight hours per day, at least one vote center is provided for every 7,500 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the day of the election. At least 90 percent of the number of vote centers required by this subparagraph shall be open for all four days during the required times. Up to 10 percent of the number of vote centers required by this subparagraph may be open for less than four days if at least one vote center is provided for every 7,500 registered voters on each day.

(6) Beginning 10 days before the day of the election and continuing up to and including the fourth day before the day of the election, for a minimum of eight hours per day, at least one vote center is provided for every 30,000 registered voters within the jurisdiction where the election is held, as determined on the 88th day before the election.

(7) Precincts with fewer than 500 registered voters are designated as all vote-by-mail ballot precincts.

(8) Voters residing in a legislative or congressional district that lies partially within the County of Los Angeles and that also lies within another county that is conducting an election pursuant to subdivision (a) of Section 4005 receive a vote by mail ballot if they are eligible to vote in that election.

(9) Voters in a precinct that is either more than a 30 minute travel time from a vote center or in which the polling place in the most recent statewide general election is more than 15 miles from the nearest vote center are mailed a vote by mail ballot.

(10) The vote centers are located within a reasonable travel time of registered voters.

(11) The county elections official conducts a service area analysis of the vote center plans, identifies services gaps, and publicly reports those findings.

(b) Notwithstanding Section 4000 or any other law, on or after January 1, 2020, the County of Los Angeles may conduct a special election as an all-mailed ballot election pursuant to subdivision (b) of Section 4005.

(c) No later than four years after conducting the first vote center election pursuant to this section, the County of Los Angeles may conduct all-mailed ballot elections pursuant to Section 4005 and shall not conduct vote center elections pursuant to this section.

SEC. 6.

Section 4008 is added to the Elections Code, to read:

4008.

(a) The Secretary of State shall establish a taskforce that includes representatives of all of the following:

(1) County elections officials.

(2) Individuals with demonstrated language accessibility experience for languages covered under the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.).

(3) The disability community and community organizations and individuals that advocate on behalf of, or provide services to, individuals with disabilities.

(4) Experts with demonstrated experience in the field of elections.

(b) The taskforce shall review elections conducted pursuant to Section 4005 or 4007 and provide comments and recommendations to the Legislature within six months of each election conducted pursuant to Section 4005 or 4007.

(c) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 7.

Section 15320 of the Elections Code is amended to read:

15320.

Vote by mail ballots and mail ballot precinct ballots returned to the elections office and to the polls on election day that are not included in the semifinal official canvass phase of the election, including any ballots returned to another jurisdiction in the state and forwarded to the elections official who issued the ballot pursuant to Section 3017, shall be processed and counted during the official canvass in the manner prescribed by Chapter 2 (commencing with Section 15100) and pursuant to the requirements of Section 3019.

SEC. 8.

Section 2.5 of this bill incorporates amendments to Section 3017 of the Elections Code proposed by both this bill and Assembly Bill 1921. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2017, (2) each bill amends Section 3017 of the Elections Code, and (3) this bill is enacted after Assembly Bill 1921, in which case Section 2 of this bill shall not become operative.

SEC. 9.

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.

EXHIBIT B – ABBREVIATED PLAN OUTLINE

- 1) Executive Summary
- 2) Education and Outreach
 - a) Use of Media to Describe the Upcoming Election and Promoting the Toll-free Voter Assistance Hotline
 - b) Use of Media to Describe the Availability of a Vote-by-Mail (VBM) in an accessible format
 - c) Community Presence
 - d) Public Service Announcements (PSA) to the General Public
 - e) PSA to the Public with Language Assistance Needs
 - f) Direct Contact with the Voters
 - g) Use of Internet
 - h) Identifying Voters with Language Assistance Needs
 - i) Workshops
 - j) Budget for Education and Outreach
- 3) Advisory committees
 - a) The Language Accessibility Advisory Committee (LAAC)
 - b) The Voting Accessibility Advisory Committee (VAAC)
- 4) Plan Approval Process
 - a) Process for Drafting the Plan
 - b) Notification and availability of the draft plan
 - c) Publish the Plan to the County Website
 - d) 14-Day Public Review Period and Solicitation of comment prior to the meeting
 - e) Public Meeting agenda to include date, time, and location
 - f) 14-Day Review Period for Revisions to the plan
 - g) Submission of the Plan to the Office of the Secretary of State
- 5) Location of Vote Centers (VC) and Ballot Drop-off Locations (DOL)
 - a) Minimum Requirements established by the count of registered voters at E-88
 - b) Access to the voter database
 - c) Every VC must provide Conditional Voter Registration (CVR)
 - d) No less than three accessible voting system devices
 - e) Each VC/DOL location to be based on
 - f) Language assistance
 - g) Each VC to include a DOL
 - h) VC/DOL Minimum Hours of Operation
- 6) Vote-by-Mail (VBM)
- 7) VC/VBM Reporting Requirements
 - a) Beginning E-10, publish in electronic format for each VC
- 8) Budget
- 9) Suggested Calendar