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BILL TEXT

CHAPTER 162
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INTRODUCED BY Assembly Member Bonta

FEBRUARY 21, 2013

An act to amend Sections 12300 and 12302 of the Elections Code,
relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 817, Bonta. Elections officials.

Existing law authorizes an elections official to appoint any voter to serve as a precinct board member, as specified.

This bill would additionally authorize an elections official to appoint a person who is lawfully admitted for permanent residence in the United States, as specified, and who is otherwise eligible to register to vote, except for his or her lack of United States citizenship, to serve as a precinct board member. The bill would provide that a nonvoter appointed to serve as a precinct board member is prohibited from serving as or performing the duties of the inspector of a precinct board, or from being used by the precinct board to tally votes.

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

SECTION 1. Section 12300 of the Elections Code is amended to read:

12300. Any voter, or any individual who possesses the qualifications set forth in paragraph (1) of subdivision (c) of Section 12302, may file an application with the elections official for the position of precinct board member. The elections official may require the application be made on specific forms supplied by the elections official.

SEC. 2. Section 12302 of the Elections Code is amended to read:

12302. (a) Except as provided in subdivisions (b) and (c), a member of a precinct board shall be a voter of the state. The member may serve only in the precinct for which his or her appointment is received.

(b) (1) In order to provide for a greater awareness of the elections process, the rights and responsibilities of voters, and the importance of participating in the electoral process, as well as to

provide additional members of precinct boards, an elections official may appoint not more than five pupils per precinct to serve under the direct supervision of precinct board members designated by the elections official. A pupil may be appointed, notwithstanding his or her lack of eligibility to vote, subject to the approval of the governing board of the educational institution in which the pupil is enrolled, if the pupil possesses the following qualifications:

(A) Is at least 16 years of age at the time of the election for which he or she is serving as a member of a precinct board.

(B) Is a United States citizen or will be a citizen at the time of the election for which he or she is serving as a member of a precinct board.

(C) Is a pupil in good standing attending a public or private secondary educational institution.

(D) Is a pupil who has a grade point average of at least 2.5 on a 4.0 scale.

(2) A pupil appointed pursuant to this subdivision may not be used by a precinct board to tally votes.

(c) (1) In order to promote civic engagement among residents of the state and to provide additional members of precinct boards, an elections official may appoint not more than five nonvoters per precinct to serve as precinct board members. A nonvoter may be appointed, notwithstanding his or her lack of eligibility to vote, if the nonvoter possesses the following qualifications:

(A) Is lawfully admitted for permanent residence in the United States, as defined in Section 101(a)(20) of the federal Immigration and Nationality Act (8 U.S.C. Sec. 1101(a)(20)).

(B) Is otherwise eligible to register to vote pursuant to Section 2101 except for his or her lack of United States citizenship.

(2) A nonvoter appointed to a precinct board pursuant to this subdivision shall not be permitted to do either of the following:

(A) Serve as, or perform any of the duties of, the inspector of a precinct board.

(B) Tally votes for the precinct board.