TOWN OF FAIRFAX
COUNCILMEMBER REPORT

To: **Mayor and Town Council**

Meeting Date: **June 2, 2010**

From: **Councilmember Weinsoff**

Subject: **Support for AB 1717 – Electronic Access to Ballot Material**

The Council's support of AB 1717 (De Leon) would promote an amendment to the California Elections Code allowing city and county election officials to offer registered voters the option of receiving their sample ballot, ballot pamphlet, and notice of polling place electronically. Existing law requires election officials to provide registered voters with this information by mail. Delivering this material electronically would have the practical effect of making election materials easier to distribute, would reduce the costs of printing and postage, and over time as more voters decide to receive their information electronically, significantly limit the amount of resources (e.g., paper, ink, and transportation) used to provide the community with this information.

AB 1717 authorizes city and county election officials to implement this voluntary program as follows:

- Establish procedures by which a voter notifies election officials they want to "opt out" of receiving their voter information by mail, preferring to access it via e-mail or through a city or county website;
- Ensure information provided by the voter remains "confidential" under state law;
- Implement procedures allowing any voter who opts out of receiving the election material by mail to opt back into receiving it by mail; and
- Create procedures allowing voters to apply electronically to become a "vote-by-mail voter."

The Marin County Council of Mayors and Councilmembers (MCCMC) and the California League of Cities both support AB 1717. Assemblymember Jared Huffman is a co-author of the bill and would be informed of Fairfax's support of the legislation.

AGENDA ITEM # 7

AMENDED IN ASSEMBLY MARCH 16, 2010

AMENDED IN ASSEMBLY FEBRUARY 22, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL No. 1717

Introduced by Assembly Member De Leon
(Principal coauthor: Assembly Member Hill)
(Coauthors: Assembly Members *Adams,* Block, Huffman, Jeffries, ~~and~~ *Lieu,* Portantino, *and Solorio*)
(Coauthor: Senator Alquist)

February 2, 2010

An act to add Section 13300.7 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1717, as amended, De Leon. Ballot materials: electronic access.

Existing law requires elections officials to provide a registered voter with a sample ballot, voter pamphlet, directions to the nearest polling place, and other ballot materials by mail within designated timeframes before a primary or general election.

This bill would authorize county and city elections officials, if specified conditions are met, to establish procedures to allow a voter to opt out of receiving his or her sample ballot and other ballot materials by mail and instead obtain them via electronic means such as e-mail or accessing them from a county's or city's Internet Web site.

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

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

1 SECTION 1. Section 13300.7 is added to the Elections Code,
2 to read:
3 13300.7. Notwithstanding any other provision of law, county
4 and city elections officials may establish procedures designed to
5 permit a voter to opt out of receiving his or her sample ballot, voter
6 pamphlet, notice of polling place, and associated materials by mail,
7 and instead obtain them electronically via e-mail or by accessing
8 them on the county's or city's Internet Web site, provided that all
9 of the following conditions are met:
10 (a) The procedures establish a method of providing notice of
11 and an opportunity by which a voter can notify elections officials
12 of his or her desire to obtain ballot materials electronically in lieu
13 of receiving them by mail.
14 (b) The voter e-mail address or any other information provided
15 by the voter under this section remains confidential pursuant to
16 Section 6254.4 of the Government Code and Section 2194 of this
17 code.
18 (c) The procedures provide notice and opportunity for a voter
19 who has opted out of receiving a sample ballot and other materials
20 by mail to opt back into receiving them by mail.
21 *(d) The procedures establish a process by which a voter can*
22 *apply electronically to become a vote by mail voter.*

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