

AMENDED IN ASSEMBLY APRIL 6, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2466**

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**Introduced by Assembly Member Weber**  
(Principal coauthor: Senator Mitchell)

February 19, 2016

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An act to amend Sections 2101, 2106, and 2212 of the Elections Code, relating to voting.

LEGISLATIVE COUNSEL'S DIGEST

AB 2466, as amended, Weber. Voting: felons.

The California Constitution requires the Legislature to provide for the disqualification of electors while mentally incompetent or imprisoned or on parole for the conviction of a felony. Existing law provides that a person is entitled to register to vote if he or she is a United States ~~citizens~~, *citizen*, a resident of California, not imprisoned or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election.

This bill, for purposes of determining who is entitled to register to vote, would define imprisoned as currently serving a state or federal prison sentence and would define parole as a term of supervision by the Department of Corrections and Rehabilitation. The bill would clarify that conviction does not include a juvenile adjudication.

Existing law requires any program adopted by a county pursuant to certain provisions, that is designed to encourage the registration of electors, with respect to any printed literature or media announcements made in connection with the program to contain a statement that a person entitled to register to vote must be a United States citizen, a California

resident, not in prison or on parole for conviction of a felony, and at least 18 years of age at the time of the election.

This bill would instead require that the statement, as described above, state that a person entitled to register to vote must be a United States citizen, a California resident, not currently in state or federal prison or on state parole for the conviction of a felony, and at least 18 years of age at the time of the election. By requiring a county to change the statement included as part of its voter registration program, as described above, the bill would impose a state-mandated local program.

Existing law requires the clerk of the superior court of each county, on the basis of the records of the court, to furnish to the chief elections official of the county, at least on April 1 and September 1 of each year, a statement showing the names, addresses, and dates of birth of all persons who have been convicted of felonies since the clerk’s last report. Existing law requires the elections official to cancel the affidavits of registration of those persons who are currently imprisoned or on parole for the conviction of a felony.

This bill would instead require that the statement furnished by the clerk of the superior court of each county to the county elections official show the names, addresses, and dates of birth of all ~~person~~ *persons* who have been committed to state prison as the result of the conviction of a felony since the clerk’s last report.

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.

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 2101 of the Elections Code, as enacted
- 2 by Section 2 of Chapter 920 of the Statutes of 1994, is amended
- 3 to read:
- 4 2101. (a) A person entitled to register to vote shall be a United
- 5 States citizen, a resident of California, not imprisoned or on parole

1 for the conviction of a felony, and at least 18 years of age at the  
2 time of the next election.

3 (b) ~~(1)~~ For purposes of this section the following definitions  
4 apply:

5 ~~(A)~~

6 (1) “Imprisoned” means currently serving a state or federal  
7 prison sentence.

8 ~~(B)~~

9 (2) “Parole” means a term of supervision by the Department of  
10 Corrections and Rehabilitation.

11 ~~(2) For purposes of this section, “conviction” does not include~~  
12 ~~a juvenile adjudication.~~

13 (3) “Conviction” does not include a juvenile adjudication made  
14 pursuant to Section 203 of the Welfare and Institutions Code.

15 SEC. 2. Section 2101 of the Elections Code, as amended by  
16 Section 2 of Chapter 728 of the Statutes of 2015, is amended to  
17 read:

18 2101. (a) A person entitled to register to vote shall be a United  
19 States citizen, a resident of California, not imprisoned or on parole  
20 for the conviction of a felony, and at least 18 years of age at the  
21 time of the next election.

22 (b) A person entitled to preregister to vote in an election shall  
23 be a United States citizen, a resident of California, not imprisoned  
24 or on parole for the conviction of a felony, and at least 16 years  
25 of age.

26 (c) ~~(1)~~ For purposes of this section the following definitions  
27 apply:

28 ~~(A)~~

29 (1) “Imprisoned” means currently serving a state or federal  
30 prison sentence.

31 ~~(B)~~

32 (2) “Parole” means a term of supervision by the Department of  
33 Corrections and Rehabilitation.

34 ~~(2) For purposes of this section, “conviction” does not include~~  
35 ~~a juvenile adjudication.~~

36 (3) “Conviction” does not include a juvenile adjudication made  
37 pursuant to Section 203 of the Welfare and Institutions Code.

38 SEC. 3. Section 2106 of the Elections Code, as enacted by  
39 Section 2 of Chapter 920 of the Statutes of 1994, is amended to  
40 read:

1     2106. A program adopted by a county pursuant to Section 2103  
2 or 2105, that is designed to encourage the registration of electors,  
3 shall contain the following statement in any printed literature or  
4 media announcements made in connection with the program: “A  
5 person entitled to register to vote must be a United States citizen,  
6 a resident of California, not currently in state or federal prison or  
7 on state parole for the conviction of a felony, and at least 18 years  
8 of age at the time of the election.”

9     SEC. 4. Section 2106 of the Elections Code, as amended by  
10 Section 2 of Chapter 619 of the Statutes of 2014, is amended to  
11 read:

12     2106. A program adopted by a county pursuant to Section 2103  
13 or 2105, that is designed to encourage the registration of electors,  
14 shall contain the following statement in printed literature or media  
15 announcements made in connection with the program: “A person  
16 entitled to register to vote must be a United States citizen, a resident  
17 of California, not currently in state or federal prison or on state  
18 parole for the conviction of a felony, and at least 18 years of age  
19 at the time of the election. A person may preregister to vote if he  
20 or she is a United States citizen, a resident of California, not  
21 currently in state or federal prison or on state parole for the  
22 conviction of a felony, and at least 16 years of age.” A county  
23 elections official may continue to use existing materials before  
24 printing new or revised materials required by any changes to this  
25 section.

26     SEC. 5. Section 2106 of the Elections Code, as amended by  
27 Section 5 of Chapter 728 of the Statutes of 2015, is amended to  
28 read:

29     2106. A program adopted by a county pursuant to Section 2103  
30 or 2105, that is designed to encourage the registration of electors,  
31 shall contain the following statement in printed literature or media  
32 announcements made in connection with the program: “A person  
33 entitled to register to vote must be a United States citizen, a resident  
34 of California, not currently imprisoned in a state or federal prison  
35 or on state parole for the conviction of a felony, and at least 18  
36 years of age at the time of the election. A person may preregister  
37 to vote if he or she is a United States citizen, a resident of  
38 California, not currently imprisoned in a state or federal prison or  
39 on state parole for the conviction of a felony, and at least 16 years  
40 of age.” A county elections official may continue to use existing

1 materials before printing new or revised materials required by any  
2 changes to this section.

3 SEC. 6. Section 2106 of the Elections Code, as amended by  
4 Section 6 of Chapter 728 of the Statutes of 2015, is amended to  
5 read:

6 2106. A program adopted by a county pursuant to Section 2103  
7 or 2105, that is designed to encourage the registration of electors,  
8 shall contain the following statement in any printed literature or  
9 media announcements made in connection with the program: “A  
10 person entitled to register to vote must be a United States citizen,  
11 a resident of California, not currently imprisoned in a state or  
12 federal prison or on state parole for the conviction of a felony, and  
13 at least 18 years of age at the time of the election.”

14 SEC. 7. Section 2212 of the Elections Code, as amended by  
15 Section 95 of Chapter 784 of the Statutes of 2002, is amended to  
16 read:

17 2212. The clerk of the superior court of each county, on the  
18 basis of the records of the court, shall furnish to the county  
19 elections official, not less frequently than the first day of April and  
20 the first day of September of each year, a statement showing the  
21 names, addresses, and dates of birth of all persons who have been  
22 committed to state prison as the result of a felony conviction since  
23 the clerk’s last report. The elections official shall, during the first  
24 week of April and the first week of September in each year, cancel  
25 the affidavits of registration of those persons who are currently  
26 imprisoned or on parole for the conviction of a felony. The clerk  
27 shall certify the statement under the seal of the court.

28 SEC. 8. Section 2212 of the Elections Code, as amended by  
29 Section 65 of Chapter 728 of the Statutes of 2015, is amended to  
30 read:

31 2212. The clerk of the superior court of each county, on the  
32 basis of the records of the court, shall furnish to the Secretary of  
33 State and the county elections official in the format prescribed by  
34 the Secretary of State, not less frequently than the first day of every  
35 month, a statement showing the names, addresses, and dates of  
36 birth of all persons who have been committed to state prison as  
37 the result of a felony conviction since the clerk’s last report. The  
38 Secretary of State or county elections official shall cancel the  
39 affidavits of registration of those persons who are currently

1 imprisoned or on parole for the conviction of a felony. The clerk  
2 shall certify the statement under the seal of the court.

3 SEC. 9. If the Commission on State Mandates determines that  
4 this act contains costs mandated by the state, reimbursement to  
5 local agencies and school districts for those costs shall be made  
6 pursuant to Part 7 (commencing with Section 17500) of Division  
7 4 of Title 2 of the Government Code.

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