

CHAPTER 704

An act to amend Sections 200, 203, 203.5, 208, 213, 213.1, 215, 216, 218, 225, 250, 251, 252, 254, 280, 284, 287, 310, 311, 312, 314, 321.5, 322, 381, 383, 386, 387, 421, 456, 457, 14002, 14202, 14240, 14419, 14622, 14662, 17236, and 18237 of, and to add Sections 201.5, 202, 220.5, 224, 224.5, 255, 313, 314.5, 316, 321, 321.7, 321.9, 324, 325, 422, 456.65, 14215.5, 14241, and 14243 to, and to repeal Sections 202, 207, 209, 210, 211, 212, 214, 224, 226, 282, 313, 316, 318, 319, 320, 321, 321.7, 323, 324, 422, 423, 424, 14241, 14243, 14244, 14244.5, 14405, 17203, and 17406 of, the Elections Code, relating to voter registration.

[Approved by Governor September 13, 1975. Filed with
Secretary of State September 14, 1975]

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

SECTION 1. Section 200 of the Elections Code is amended to read:

200. No person shall be registered as a voter except by affidavit of registration. The affidavit shall be mailed or delivered in person to the county clerk or his deputy and shall set forth all of the facts required to be shown by this chapter. A properly executed registration shall be deemed effective upon receipt of the affidavit by the county clerk.

Notwithstanding any other provision of law to the contrary, the affidavit of registration required under the provisions of this chapter shall not be taken under sworn oath, but the content of the affidavit shall be certified as to its truthfulness and correctness, under penalty of perjury, by the signature of the affiant.

SEC. 2. Section 201.5 is added to the Elections Code, to read:

201.5. It is the intent of the Legislature that the introduction of registration by mail shall not in any way lead to administrative limitations on the use of deputy registrars of voters for the purpose of assisting in the registration of persons who may continue to require such assistance.

It is the intent of the Legislature that registrars continue to be deputized by the county clerk pursuant to Section 201, but that as the electorate becomes more conversant with mail registration procedures, the number of deputy registrars will naturally diminish due to a decrease in the demand for the services of such deputy registrars of voters.

SEC. 3. Section 202 of the Elections Code is repealed.

SEC. 3.5. Section 202 is added to the Elections Code, to read:

202. It is the intent of the Legislature that voter registration be maintained at the highest possible level. The Secretary of State shall adopt regulations requiring each county to design and implement programs intended to identify qualified electors who are not registered voters, and to register such persons to vote. The Secretary of State shall adopt regulations prescribing minimum requirements for such programs. If the Secretary of State finds that a county has not designed and implemented a program meeting such prescribed minimum requirements, the Secretary of State shall design a program for such county and report the violation to the Attorney General.

The Attorney General is hereby authorized to take such actions as he deems necessary, including the obtaining of injunctive relief, to enforce the provisions of this section.

SEC. 4. Section 203 of the Elections Code is amended to read:

203. The county clerk or his deputy shall accept affidavits of registration at all times except during the 28 days immediately preceding any election, when registration shall cease for that election as to electors residing in the territory within which the election is to be held. Transfers of registration for an election may be made from one precinct to another precinct in the same county at any time when registration is in progress in the precinct to which the elector seeks to transfer.

SEC. 5. Section 203.5 of the Elections Code is amended to read:

203.5. A person duly registered as an elector in any precinct in California who removes therefrom within 29 days prior to an election shall, for the purpose of such election, be entitled to vote in the precinct from which he so removed until the close of the polls on the day of such election.

SEC. 7. Section 207 of the Elections Code is repealed.

SEC. 8. Section 208 of the Elections Code is amended to read:

208. A person may prove he is a citizen by his certification under penalty of perjury on the affidavit of registration.

SEC. 9. Section 209 of the Elections Code is repealed.

SEC. 10. Section 210 of the Elections Code is repealed.

SEC. 11. Section 211 of the Elections Code is repealed.

SEC. 12. Section 212 of the Elections Code is repealed.

SEC. 13. Section 213 of the Elections Code is amended to read:

213. Any elector absent from the county in which he claims residence may request a voter registration card from the county clerk of the county of residence. The county clerk shall furnish a voter registration card, to each elector requesting such card and showing that he will be temporarily absent from his home county. Upon receipt by the county clerk, the affidavit of registration shall be processed as required by this chapter.

SEC. 14. Section 213.1 of the Elections Code is amended to read:

213.1. The county clerk of any county in this state may receive the affidavit of registration of any elector who resides or claims

residence in another county in this state. The affidavit shall be forwarded to the county clerk of the county in which the elector resides. The county clerk of the county in which the elector resides shall use the affidavit of registration from the other county as his permanent record.

Registration by this method shall be effective for all elections occurring 29 or more days after receipt of the affidavit of registration by the county clerk or his deputy to which the affidavit is mailed or delivered by the elector.

SEC. 15. Section 214 of the Elections Code is repealed.

SEC. 16. Section 215 of the Elections Code is amended to read:

215. Whenever an elector, between the time of his last registration and the time for the closing of registration for any given election in the same county, has lawfully changed his surname, he may reregister under his new or changed name. The elector shall make an additional statement at the time of his reregistration, giving the name under which he was last registered in that county.

This additional statement shall be given in the prior registration portion of the affidavit of registration before the affidavit is signed, and shall be deemed a part of such affidavit. Upon reregistration, the last previous registration of the elector shall be canceled.

SEC. 17. Section 216 of the Elections Code is amended to read:

216. If an elector reregisters or transfers his registration from one precinct to another, the former address shall be entered in the prior registration portion of the affidavit, and the former registration shall thereupon be canceled.

SEC. 18. Section 218 of the Elections Code is amended to read:

218. No person shall register in one county when his registration in another remains uncanceled unless he complies with this section. Any person who is registered in one county may, if otherwise legally qualified, register in another county in which he then resides, at any time before the closing of registration for any election, if in the prior registration portion of the affidavit of registration he enters his former address.

The county clerk shall at once notify the county clerk of the county in which the old registration is still uncanceled that the voter has reregistered. Upon receipt of such notice of reregistration, the former registration shall be canceled immediately.

SEC. 19. Section 220.5 is added to the Elections Code, to read:

220.5. Notwithstanding any other provision of law to the contrary, a violation of the provisions of Section 220 shall be deemed to have been committed upon delivery of the affidavit of registration to the clerk of the county in which the elector resides.

SEC. 20. Section 224 of the Elections Code is repealed.

SEC. 20.2. Section 224 is added to the Elections Code, to read:

224. If the county clerk receives a letter from a voter stating that such voter has moved to a new address within the county, the clerk shall immediately send to such voter a voter registration card, and shall instruct such voter that in order to record a change of address,

such voter must reregister on a new affidavit of registration.

The clerk shall cancel the old registration for any election occurring at least 29 days after the receipt of such letter.

SEC. 21. Section 224.5 is added to the Elections Code, to read:

224.5. If the county clerk receives a letter from a voter stating that such voter has moved to a new address in another county in the state, the clerk shall immediately notify the clerk of the county to which the voter has moved. Upon receipt of such notice, the clerk of the county to which the voter has moved shall send to such voter a voter registration card, and shall instruct such voter that in order to record a change of address, such voter must reregister on a new affidavit of registration. The clerk shall cancel the old registration for any election occurring at least 29 days after the receipt of such letter.

SEC. 22. Section 225 of the Elections Code is amended to read:

225. If a sample ballot or other notice of election sent to voters is returned by the post office to the county clerk or other officer charged with the duty of conducting an election because of the removal of the voter from the address to which it was sent, and the county clerk or other officer determines that the voter has moved to a new address in the county, the county clerk or other officer, following the election for which the sample ballot or other notice was sent out, may send a notice to the voter by means of a double postcard. One of the postcards shall inform the voter of the return of the sample ballot or election notice, and shall state that the records on file in the office of the county clerk indicate that the voter is still registered from his old address and that his affidavit of registration has been placed in a suspension file.

The other postcard, which shall be prepared and preaddressed by the clerk with postage paid by the clerk, shall contain blanks wherein the voter may notify the clerk whether his change of address is temporary or permanent and wherein he may sign the postcard. Upon receipt of the postcard, indicating that the change of address is permanent, if the signature on the postcard is the same as appears on the affidavit of registration the clerk shall write on front or the back of the voter's affidavit the new address. If the postcard is not returned to the clerk within 30 days after the date of mailing, the voter's registration shall be removed from the suspension file and canceled.

SEC. 22.5. Section 226 of the Elections Code is repealed.

SEC. 23. Section 250 of the Elections Code is amended to read:

250. Whenever any war voter, who is not a registered elector or who has changed his residence since last registering, applies in writing or in person to the clerk for an absent voter's ballot, and the application shows that he is a war voter and that his place of residence is in the county, the clerk shall mail to the applicant, with the absent voter's ballot, or deliver to him a blank voter registration card, as prescribed in Article 4 of this chapter, to be executed by the applicant and returned to the county clerk.

SEC. 24. Section 251 of the Elections Code is amended to read:

251. If the applicant desires to vote at the election he shall return the affidavit of registration, in the return envelope but not in the identification envelope, together with the absent voter's ballot enclosed in the identification envelope, to the clerk from whom they were received. This shall be transmitted to the clerk in sufficient time to permit the ballot to be received by the clerk not later than at the time of the closing of the polls on election day.

SEC. 25. Section 252 of the Elections Code is amended to read:

252. The clerk, upon receipt of the affidavit of registration and absent voter's ballot within the time required by law for the return of absent voters' ballots, shall examine the affidavit of registration and if it appears therefrom that the affidavit of registration is properly executed and that the facts stated therein are such as would have entitled the applicant to register and vote at the election, if the affidavit had been executed within the time required by law, the affiant shall be deemed a duly registered elector as of the date of the affidavit to the same extent and with the same effect as though he had registered in proper time prior to the election.

SEC. 26. Section 254 of the Elections Code is amended to read:

254. When the affidavit is received by a clerk, other than a county clerk, the clerk receiving it shall, after the election, transmit it to the county clerk who, if the affidavit is not subject to rejection, shall file the affidavit. If an affidavit of registration is rejected, it shall be returned to the applicant with the reason for rejection endorsed on it, together with a new blank voter registration card.

SEC. 27. Section 255 is added to the Elections Code, to read:

255. Notwithstanding any other provision of law to the contrary, any properly executed application for an absent voter's ballot submitted by a war voter shall also serve as an affidavit of registration for the election for which such application was submitted, if such application is furnished to the applicant by the federal government.

SEC. 28. Section 280 of the Elections Code is amended to read:

280. The county clerk shall provide voter registration cards for use in registration by deputy registrars of voters. Such voter registration cards shall be bound into books or pads. The affidavits included in such voter registration cards shall be numbered and shall have a stub attached as prescribed by Section 322.

Each affidavit and stub shall bear the same number. The numbering shall begin with one and continue in a sequence until all of the blanks provided are numbered. The numbering shall begin anew with each 1,000,000 affidavits of registration numbered pursuant to this section. Each set of numbers shall be designated alphabetically as a series, beginning with series A, following the first 1,000,000.

SEC. 30. Section 282 of the Elections Code is repealed.

SEC. 33. Section 284 of the Elections Code is amended to read:

284. Any deputy clerk or registration clerk having charge of affidavits of registration is guilty of a misdemeanor who:

(a) Neglects or refuses to make all the entries provided for in this article.

- (b) Knowingly registers a nonexistent person.
- (c) Knowingly registers a person under a false name or address.
- (d) Knowingly registers a person who is ineligible to register.
- (e) Fails or neglects to comply with any provision of this article.

Each and every act or omission constitutes a separate misdemeanor.

SEC. 36. Section 287 of the Elections Code is amended to read:

287. If the county clerk deems a duplicate file of voter registration cards to be necessary for administrative purposes, the county clerk may prepare, upon the receipt in his office of each original affidavit of registration, a reproduction thereof in compliance with the following conditions:

(a) The affidavit is photographed, microphotographed or reproduced in a manner approved for permanent records by the National Bureau of Standards;

(b) The device used to reproduce such affidavit is one which accurately reproduces the original thereof in all details;

(c) The photographs, microphotographs, or other reproductions are placed in conveniently accessible files and provision is made for preserving, examining and using the same.

Wherever in this code the term duplicate affidavit is used it shall be deemed to include the reproduced affidavit authorized by this section.

SEC. 37. Section 310 of the Elections Code is amended to read:

310. The affidavit of registration shall show:

(a) The facts necessary to establish the affiant as an elector.

(b) Affiant's name at length, including his given name, and a middle name or initial, or if the initial of his given name is customarily used, then the initial and middle name. The affiant's given name may be preceded, at his option, by the designation of Miss, Ms., Mrs., or Mr. Notwithstanding this section or Section 321, no person shall be denied the right to register because of his failure to mark a prefix to his given name and shall be so advised on the voter registration card.

(c) Affiant's place of residence; and residence telephone number, if furnished. Notwithstanding this section or Section 321, no person shall be denied the right to register because of his failure to furnish his telephone number, and shall be so advised on the voter registration card.

(d) Affiant's mailing address, if different from place of residence.

(e) Affiant's social security number, if furnished. If his social security number is not immediately available, the affiant may mail the number to the county clerk on an addressed postcard provided for that purpose. Notwithstanding this section or Section 321, no person shall be denied the right to register because of his failure to furnish his social security number, and shall be so advised on the voter registration card.

(f) Affiant's date of birth.

- (g) The state or country of affiant's birth.
- (h) Affiant's occupation.
- (i) Affiant's political party affiliation, if any.
- (j) Whether the affiant is currently imprisoned or is on parole for the conviction of a felony which, pursuant to Section 321.5, disqualifies him from voting.
- (k) A prior registration portion indicating whether the affiant has been registered at another address, under another name, or as intending to affiliate with another party. If the affiant has been so registered, he shall sign such additional statement giving that address, name, or party.

The affiant shall certify the content of the affidavit as to its truth and correctness, under penalty of perjury, with his signature of his name at length, including given name, middle name or initial, or initial and middle name, and if he is unable to write he shall sign with a mark or cross. The affiant shall date the affidavit immediately following his signature.

If any person, including a deputy registrar, assists the affiant in completing the affidavit, that person shall sign and date the affidavit below the signature of the affiant.

SEC. 38. Section 311 of the Elections Code is amended to read:

311. At the time of registering and of transferring registration, each elector may declare the name of the political party with which he intends to affiliate at the ensuing primary election. The name of that political party shall be stated in the affidavit of registration and the index.

The voter registration card shall inform the affiant that any elector may decline to state his political affiliation, but no person shall be entitled to vote the ballot of any political party at any primary election unless he has stated the name of the party with which he intends to affiliate. The voter registration card shall include a listing of all qualified political parties.

No person shall be permitted to vote the ballot of any party or for any delegates to the convention of any party other than the party designated in his registration, except as provided by Section 312.

SEC. 39. Section 312 of the Elections Code is amended to read:

312. Whenever any voter has declined to designate or has changed his political affiliation prior to the close of registration for an election, he may either so designate or have a change recorded by executing a new affidavit of registration and completing the prior registration portion of the affidavit.

SEC. 40. Section 313 of the Elections Code is repealed.

SEC. 40.5. Section 313 is added to the Elections Code, to read:

313. Any person is guilty of a misdemeanor who willfully interferes with the prompt transfer of a completed affidavit of registration to the county clerk.

SEC. 41. Section 314 of the Elections Code is amended to read:

314. (a) In every case the affidavit of registration shall show all the facts required to be stated.

(b) If the affidavit does not contain all of the information required, but the telephone number of the affiant is legible, the county clerk shall telephone the affiant and attempt to collect the missing information.

(c) If the affidavit does not contain all of the information required, and the county clerk is not able to collect the missing information by telephone, but the mailing address of the affiant is legible, the county clerk shall inform the affiant of the reason for rejection and shall send to the affiant a new voter registration card.

(d) If a properly executed affidavit is received by the county clerk on or before the 29th day prior to an election, the clerk shall send to the affiant a voter notification by nonforwardable first-class mail with address correction requested. Such notification shall inform the voter that he is registered to vote in the forthcoming election, and that his name will appear on the index kept at the polls.

(e) If a properly executed affidavit is received by the county clerk after the 29th day prior to an election the clerk shall send to the affiant a voter notification by nonforwardable first-class mail, with address correction requested. Such notification shall inform the voter that the registration will not be valid for the forthcoming election but will be valid for any election occurring at least 29 days after the date of receipt of the affidavit by the county clerk.

SEC. 42. Section 314.5 is added to the Elections Code, to read:

314.5. If a voter notification sent to a voter under the provisions of subdivisions (d) and (e) of Section 314 is returned by the postal authorities to the county clerk or other officer charged with the duty of conducting an election, and the postal authorities inform the county clerk or other officer that the voter has removed from the address to which the notification was sent, the county clerk shall cancel the affidavit of registration for any election occurring at least 29 days after the county clerk receives such information from the postal authorities.

SEC. 42.3. Section 316 of the Elections Code is repealed.

SEC. 42.4. Section 316 is added to the Elections Code, to read:

316. The Secretary of State shall print, or cause to be printed, the blank forms of the voter notification prescribed by Section 314. The form of such voter notification shall be prescribed by regulations adopted by the Secretary of State. The Secretary of State shall supply such forms to the county clerk in quantities and at times requested by the county clerk.

SEC. 42.6. Section 318 of the Elections Code is repealed.

SEC. 43. Section 319 of the Elections Code is repealed.

SEC. 44. Section 320 of the Elections Code is repealed.

SEC. 45. Section 321 of the Elections Code is repealed.

SEC. 46. Section 321 is added to the Elections Code, to read:

321. Subject to the provisions of this chapter, the affidavit of registration shall be in a form prescribed by regulations adopted by the Secretary of State. Such affidavit shall:

(a) Contain the information prescribed in Section 310,

(b) Be sufficiently uniform among the separate counties to allow for the processing and use by one county of an affidavit completed in another county,

(c) Allow for the inclusion of informational language to meet the specific needs of that county, including but not limited to, the return address of the clerk in that county, and a phone number at which a voter can obtain elections information in that county,

(d) Be included on one portion of a multipart card, to be known as a voter registration card, the other portions of which shall include information sufficient to facilitate completion and mailing of the affidavit and to inform the voter that he should not consider himself registered until he receives a voter notification by return mail, and

(e) Be returnable to the county clerk as a self-enclosed mailer with postage paid by the Secretary of State.

SEC. 47. Section 321.5 of the Elections Code is amended to read:

321.5. The county clerk, upon receipt of an affidavit in which the affiant states he is either imprisoned or on parole for the conviction of a felony, shall determine if the person is disqualified from voting and shall notify him, within 10 days of receipt of the affidavit, of his acceptance or rejection. If the county clerk does not determine in the person's favor, he shall inform the person of his right to file in the superior court under Section 350 for a judicial determination of his eligibility to register and vote.

SEC. 48. Section 321.7 of the Elections Code is repealed.

SEC. 49. Section 321.7 is added to the Elections Code, to read:

321.7. The informational portion of the voter registration card shall inform each person who states he is either imprisoned or on parole for the conviction of a felony that his registration will be reviewed by the county clerk who will inform him of its acceptance or rejection.

SEC. 50. Section 321.9 is added to the Elections Code, to read:

321.9. In addition to registration conducted by deputy registrars of voters, the county clerk shall, as follows:

(a) Provide voter registration cards for the registration of voters at his office and in sufficient number of locations throughout the county for the convenience of persons desiring to register, to the end that registration may be maintained at a high level.

(b) Provide voter registration cards in sufficient quantities to any citizens or organizations who wish to distribute such cards. Such citizens and organizations shall be permitted to distribute voter registration cards anywhere within the county.

(c) Mail a voter registration card immediately to any person who wishes to register to vote and requests a voter registration card.

SEC. 51. Section 322 of the Elections Code is amended to read:

322. Each affidavit of registration issued to a deputy county clerk or registration clerk shall meet the requirements prescribed by Section 321, except that the voter registration card shall be modified, pursuant to regulations adopted by the Secretary of State, to reflect the use of a deputy registrar of voters in lieu of mail delivery. A stub,

separated from the body of the voter registration card by a perforated line, shall be attached to each such affidavit. Upon the stub shall be printed the number of the affidavit and blanks for the following:

(a) The name, residence, political affiliation, and signature of the voter.

(b) The signature of the registration clerk or deputy registrar taking the registration.

(c) The date.

At the time of registering the voter, the registration clerk or deputy registrar shall fill in the blanks in the stub, and require the voter to sign the stub in the place provided. He shall then detach the stub and the informational portion of the voter registration card from the affidavit and hand the stub and information to the voter.

SEC. 52. Section 323 of the Elections Code is repealed.

SEC. 52.2. Section 324 of the Elections Code is repealed.

SEC. 52.3. Section 324 is added to the Elections Code, to read:

324. The Secretary of State shall print, or cause to be printed, the blank forms of the affidavits of registration and voter registration cards prescribed by this code. The Secretary of State shall bind and number, or cause to be bound and numbered, affidavits of registration and voter registration cards as required by this code. The Secretary of State shall supply such forms to the county clerk in quantities and at times as requested by the county clerk.

SEC. 52.6. Section 325 is added to the Elections Code, to read:

325. The Secretary of State shall pay all postage for the (a) mailing of the voter notification and the address correction service pursuant to Section 314, (b) return to the county clerk of the affidavits of registration pursuant to Section 321, (c) mailing of blank voter registration cards pursuant to subdivision (c) of Section 321.9, (d) any mailing of blank voter registration cards pursuant to programs adopted under the provisions of Section 202. All payments made pursuant to this section shall be made directly from funds appropriated to the Secretary of State for this purpose.

SEC. 53. Section 381 of the Elections Code is amended to read:

381. Cancellation is made by writing or stamping on the affidavit of registration the word "canceled," the reason the affidavit was canceled, and the date of cancellation.

Whenever a voter transfers his registration from one precinct to another precinct in the same county, or reregisters in another precinct in the same county as shown by the new affidavit of registration, the county clerk shall immediately cancel the affidavit of registration from the precinct in which the voter was first registered, and shall remove the affidavit from the file of uncanceled affidavits.

Whenever a voter removes from one county to another county and registers in the latter county, the county clerk of the county in which he was first registered, upon being informed of his removal either by the voter personally or by receipt of a notice of reregistration under

the provisions of Section 218, shall likewise cancel his registration and remove the affidavit of registration in that county.

All canceled affidavits of registration shall be preserved by the county clerk as required in Section 421 of this code.

The county clerk in distributing to each precinct the three indexes of registration, as required by this chapter, shall cross out of those indexes the names of all voters whose affidavits of registration from the precinct have been canceled.

SEC. 54. Section 383 of the Elections Code is amended to read:

383. The county clerk shall cancel the registration in the following cases:

- (a) At the request of the person registered.
- (b) When the insanity of the person registered is legally established.
- (c) Upon the production of a certified copy of a subsisting judgment and sentence demonstrating the elector to be imprisoned or on parole for the conviction of a felony which, pursuant to Section 321.5, disqualifies him from voting.
- (d) Upon the production of a certified copy of a judgment directing the cancellation to be made.
- (e) Upon the death of the person registered.
- (f) If the person registered has not voted at the preceding general election and the clerk has not had written notice from the voter, within 30 days after mailing the notice prescribed by Section 387, that the voter still resides and has not removed from the residence address stated in the affidavit of registration, in which case he shall cancel the registration.

If, within 30 days after mailing the notice prescribed by Section 387, the clerk receives signed, written notice that the voter has not moved or has removed to a different, stated residence within the same county, he shall accept such notification and shall change the address on the voter's affidavit of registration accordingly.

SEC. 55. Section 386 of the Elections Code is amended to read:

386. On completion of the canvass of the returns of the general election, the county clerk shall:

- (a) Examine the absent voters list and the roster of voters that was kept by the election officers in each precinct in the county at the general election.
- (b) Mail the notice prescribed by Section 387.
- (c) Cancel and remove the affidavit of registration of each voter who did not vote at that election, if he does not, within 30 days of mailing the notice prescribed by Section 387, receive notice from the voter as provided in subdivision (f) of Section 383.

The effective date of cancellation of registration shall be the 30th day following the date the notice prescribed by Section 387 is mailed to the voter.

SEC. 56. Section 387 of the Elections Code is amended to read:

387. When a person fails to vote at the general election, the county clerk shall, no later than the first day of the following January,

mail a notice, by means of a forwardable, double postcard with postage prepaid by the clerk, to that person at the address given on the registration or upon the last application for transfer of registration, stating on one of the postcards the following:

"Our records indicate that you did not vote in the general election on November _____, 19____.

If you still live at the address noted on this card and wish to remain a registered voter, check the appropriate box on the attached card and mail it postage free.

If you have moved to a new address within (name of county), write the new address on the attached card and mail it postage free.

If the attached card is not signed and returned by _____ your registration will be canceled as required by law, and it will be necessary for you to reregister before you are again entitled to vote.

If you have moved to a new address outside of (name of county), you must reregister before you are again entitled to vote."

SEC. 60. Section 421 of the Elections Code is amended to read:

421. The county clerk shall preserve all canceled original affidavits of registration for a period of four years, after which they may be destroyed by that officer.

In lieu of preserving the canceled original affidavit of registration, the county clerk may, by filming or other suitable method, record the canceled affidavit and destroy the affidavit following the first general election after the date of cancellation.

SEC. 61. Section 422 of the Elections Code is repealed.

SEC. 62. Section 422 is added to the Elections Code, to read:

422. Affidavits of registration for the whole of each county shall be filed, as fast as the registration progresses, in any orderly arrangement as prescribed by the county clerk. If the affidavits are not filed alphabetically without regard to precinct, the county clerk shall, by electronic, electromechanical or other suitable means, provide, for general use in his office, a comprehensive, printed alphabetical index to the surnames of voters on all uncanceled affidavits for the whole of the county, whereby the affidavit of registration of any voter may be ascertained and produced. In the case of voters having the same surname, the classification of names appearing on the index shall extend to the given and, where necessary, the middle name or initial.

SEC. 63. Section 423 of the Elections Code is repealed.

SEC. 64. Section 424 of the Elections Code is repealed.

SEC. 65. Section 456 of the Elections Code is amended to read:

456. The county clerk shall have bound together in one or more volumes a general index to the affidavits of registration, arranged alphabetically by precincts, and shall keep at least one copy of the general index in his office for public reference.

SEC. 66. Section 456.65 is added to the Elections Code, to read:

456.65. If the county clerk maintains tabulating cards containing the information preserved pursuant to Section 421, or electronic data-processing tape containing such information, upon written

demand and payment of a fee not exceeding the cost to the clerk for duplicating such information, and beginning the date on which the clerk begins to notify registrants pursuant to Section 387, the county clerk shall furnish to the state or county central committee of a party for all voters allowed to participate in the subsequent direct primary election or general election, a list of registrants notified pursuant to Section 387 for the preceding general election.

SEC. 67. Section 457 of the Elections Code is amended to read:

457. Before the day of any election held throughout the county, the county clerk shall deliver to the precinct board in each precinct three copies of the index to the affidavits of registration for that precinct, with canceled names lined out and with necessary supplements to bring the index up to date. The index and supplements shall constitute the register to be used at the election.

SEC. 69. Section 14002 of the Elections Code is amended to read:

14002. The county clerk shall furnish to the election officers:

- (a) Printed copies of the indexes.
- (b) Necessary printed blanks for the roster, tally sheets, lists of voters, declarations and returns.
- (c) Envelopes in which to enclose returns.
- (d) Not less than six nor more than 12 instruction cards to each precinct for the guidance of voters in obtaining and marking their ballots. On each card shall be printed necessary instructions and the provisions of Sections 14011, 14012, 14211, 14212, 14407, 14408, 14416, 14418, 14420, 14422, 14432, 14433, 14434, 14435, 17002, 17003, 17009, 17011, 17013, 17014, 17015, and 29001.

(e) A digest of the election laws with any further instructions the county clerk may desire to make. One copy shall be furnished to each election officer at the time of his appointment.

SEC. 70. Section 14202 of the Elections Code is amended to read:

14202. Before opening the polls the precinct board shall post in separate, convenient places at or near the polling place and of easy access to the voters not less than two of the copies of the index to the affidavits of registration for that precinct.

In any county in which tabulating equipment is used to produce the index of registration, the copies of the index posted pursuant to this section shall be by street addresses in numerical order, unless otherwise provided by Section 460.

SEC. 71. Section 14215.5 is added to the Elections Code, to read:

14215.5. Notwithstanding the provisions of Section 14215, the roster to be kept by each precinct board may be in the form of an index to the affidavits of registration for that precinct. Such index shall provide space to the left of each name, which space shall be of sufficient size to allow each voter to sign his name pursuant to Section 14402.

SEC. 72. Section 14240 of the Elections Code is amended to read:

14240. A person offering to vote may be orally challenged within the polling place only by a member of the precinct board upon any or all of the following grounds:

- (a) That he is not the person whose name appears on the register.
- (b) That he is not a resident of the precinct.
- (c) That he is not a citizen of the United States.
- (d) That he has voted that day.
- (e) That he is presently on parole for the conviction of a felony, which, pursuant to Section 321.5, disqualifies him from voting.

On the day of the election no person, other than a member of a precinct board or other official responsible for the conduct of the election, shall challenge any voter or question him concerning his qualifications to vote.

If any member of a precinct board receives, by mail or otherwise, any document or list concerning the residence or other voting qualifications of any person or persons, with the express or implied suggestion, request, or demand that such person or persons be challenged, he shall first determine whether the document or list contains or is accompanied by evidence constituting probable cause to justify or substantiate a challenge. In any case, before making any use whatever of such a list or document, the member of the precinct board shall immediately contact the clerk, charged with the duty of conducting the election, and describe to him the contents of such document or list and such evidence, if any, received bearing on voting qualifications. The clerk shall advise the members of the precinct board as to the sufficiency of probable cause for instituting and substantiating the challenge and as to the law as herein provided, relating to hearings and procedures for challenges by members of the precinct board and determination thereof by a precinct board. The clerk may, if necessary, designate a deputy to receive and answer inquiries from precinct board members as herein provided.

No person shall post or cause to have posted any poster, bill, or placard containing any information concerning eligibility to vote to be displayed on the day of the election within 500 feet of the entrance to a polling place.

SEC. 73. Section 14241 of the Elections Code is repealed.

SEC. 74. Section 14241 is added to the Elections Code, to read:

14241. The ground for challenge set forth in subdivision (b) of Section 14240 shall not apply to any person duly registered as a voter in any precinct in California and removing from that precinct within 29 days prior to an election.

SEC. 75. Section 14243 of the Elections Code is repealed.

SEC. 76. Section 14243 is added to the Elections Code, to read:

14243. If the challenge is on the ground that the person seeking to vote is not a resident of the precinct, the person challenged shall be sworn to answer questions, and after he is sworn the inspector shall ask him: "Are you a resident of this precinct?"

If the answer to the question is "Yes", without significant qualification, no other questions shall be asked.

SEC. 77. Section 14244 of the Elections Code is repealed.

SEC. 78. Section 14244.5 of the Elections Code is repealed.

SEC. 80. Section 14405 of the Elections Code is repealed.

SEC. 81. Section 14419 of the Elections Code is amended to read:
14419. Having folded his ballot, the voter shall deliver it folded to the inspector, who shall then separate the slip containing the number from the ballot, hand the slip to the voter, and deposit the ballot in the ballot box in the presence of the voter.

SEC. 82. Section 14622 of the Elections Code is amended to read:
14622. If a voter is a war voter he may make his application for an absent voter's ballot at any time not later than five days before the election. A war voter may submit his application for an absentee ballot in the form described in Section 255.

The clerk shall mail the ballot as soon as possible after receipt of the application in order to permit compliance with the provisions of law relating to war voters' ballots and registration.

SEC. 83. Section 17203 of the Elections Code is repealed.

SEC. 84. Section 17236 of the Elections Code is amended to read:
17236. The precinct board shall inclose indexes, stationery, and other supplies in supply cases provided for that purpose and return them to the registrar of voters at the same time the packages enumerated in this article are returned.

SEC. 85. Section 17406 of the Elections Code is repealed.

SEC. 86. Section 18237 of the Elections Code is amended to read:
18237. If in any case a majority of the board finds that the signature on any identification envelope is not the same as that appearing on the affidavit of registration of the voter, the board shall refuse to open the envelope or count the ballot. It shall endorse the cause of the rejection on the face of the identification envelope. A majority of the board shall sign the endorsement. No ballot shall be rejected for such cause after the envelope containing it has been opened.

SEC. 87. The county clerk may, at his discretion, request any voter who is registered on an obsolete affidavit of registration form to reregister on the affidavit form prescribed by this act. No voter's affidavit shall be canceled because the form of such affidavit has become obsolete, and each voter requested to reregister shall be informed of this fact by the county clerk.

SEC. 88. Registrations on obsolete affidavit forms shall be preserved in the same manner as for affidavit forms prescribed by this act. Processing of obsolete affidavit forms may be continued for administrative reasons as the county clerk deems necessary.

SEC. 89. The provisions of this act shall become operative on July 1, 1976.

SEC. 90. This act shall be known as, and may be cited as, the Moscone-Keysor Voter Registration Act of 1975.

SEC. 91. No appropriation is made by this act, nor is any obligation created thereby under Section 2231 of the Revenue and Taxation Code, for the reimbursement of local agencies for any costs that may be incurred by them in carrying on any program or performing any service required to be carried on or performed by them by this act because it cannot be adequately determined if

anticipated savings and anticipated expenditures will result in a net cost or a net savings to local government. It is also anticipated that federal funds may be available to reimburse state and local governments for their costs in implementing this program.

It is the intent of the Legislature that local governments shall be reimbursed for any net costs associated with the implementation of this act, including any regulation or program required pursuant to Section 202 of the Elections Code, and that these net costs can be reimbursed to local government through the normal budget process.