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Assembly
California Legislature
Committee on Rules

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RAMOS, JAMES C.
RIVAS, ROBERT
WICKS, BUFFY

DIEP, TYLER (R-ALT)
LEVINE, MARC (D-ALT)

Monday, June 24, 2019
10 minutes prior to Session
State Capitol, Room 3162

CONSENT AGENDA

BILL REFERRALS

1. Consent Bill Referral
2. Bill Re-referral

[Page 2](#)

[Page 4](#)

RESOLUTION

3. SCR-47 (Rubio) California Small Business Month.

[Page 5](#)

REQUEST TO ADD URGENCY CLAUSE

4. SB-696 (Umberg) Elections: political parties.

[Page 9](#)



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CHIEF ADMINISTRATIVE OFFICER
DEBRA GRAVERT

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MARC LEVINE (D-ALT.)
TYLER DIEP (R-ALT.)

Memo

To: Rules Committee Members
From: Michael Erke, Bill Referral Consultant
Date: 6/21/19
Re: Consent Bill Referrals

Since you received your preliminary list of bill referrals, there have been no changes.

REFERRAL OF BILLS TO COMMITTEE

06/24/2019

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.

Committee:

AJR 21

JUD.

RE-REFERRAL OF BILLS

06/24/2019

The Committee on Rules has re-referred the following bills to Committee:

Assembly Bill No.

Committee:

SB 288

E. & R.

Introduced by Senators Rubio and Atkins

May 7, 2019

Senate Concurrent Resolution No. 47—Relative to Small Business Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 47, as introduced, Rubio. California Small Business Month.

This measure would declare May as Small Business Month and express the Legislature’s support of the Governor’s efforts in promoting small businesses.

Fiscal committee: no.

1 WHEREAS, California is home to the most innovative and
2 competitive firms in the world, placing the state consistently among
3 the top 10 economies; and
4 WHEREAS, Small businesses embody the entrepreneurial spirit
5 that has driven the economy of our state where over one-half of
6 our private sector workforce is employed by small businesses; and
7 WHEREAS, In 2018, there were over 3,900,000 small
8 businesses in this state, representing an overwhelming share of
9 California’s workforce by employing more than 7,000,000 people;
10 and
11 WHEREAS, The 70,350 small firms that exported goods from
12 California generated 43 percent of the state’s \$152 billion in total
13 exports; and
14 WHEREAS, On a national basis, the 30,000,000 small
15 businesses are responsible for creating nearly two out of three new
16 jobs; and

1 WHEREAS, Small businesses are critical to the economic
2 well-being of this state by creating new businesses and employment
3 opportunities and by bringing new and innovative services and
4 products to the marketplace; and

5 WHEREAS, Within the small business community, a growing
6 number of these companies are being started and owned by women,
7 people of color, and immigrants. In 2018, it was estimated that
8 1,600,000 small businesses were minority-owned; and

9 WHEREAS, The Governor has reaffirmed our commitment to
10 California's small businesses to thrive and prosper and that
11 supporting small-scale private sector job creators is among our
12 most promising strategies to enhance California's human capital,
13 expand job opportunities, and increase our competitive advantage
14 in the global marketplace; now, therefore, be it

15 *Resolved by the Senate of the State of California, the Assembly*
16 *thereof concurring*, That the Legislature in recognition of the
17 importance of small businesses to the economy of this state declares
18 May as California Small Business Month; and be it further

19 *Resolved*, That the Legislature adds its support to the Governor's
20 efforts in promoting small businesses.

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Date of Hearing: June 24, 2019

ASSEMBLY COMMITTEE ON RULES
Ken Cooley, Chair
SCR 47 (Rubio) – As Introduced May 7, 2019

SENATE VOTE: 37-0

SUBJECT: California Small Business Month.

SUMMARY: Declares May as Small Business Month in recognition of the importance of small businesses to the economy of this state. Specifically, **this resolution** makes the following legislative findings:

- 1) California is home to the most innovative and competitive firms in the world, placing the state consistently among the top 10 economies.
- 2) Small businesses embody the entrepreneurial spirit that has driven the economy of our state where over one-half of our private sector workforce is employed by small businesses.
- 3) In 2018, there were over 3,900,000 small business in this state, representing an overwhelming share of California's workforce by employing more than 7,000,000 people.
- 4) The 70,350 small firms that exported goods from California generated 43 percent of the state's \$152 billion in total exports.
- 5) On a national basis, the 30,000,000 small businesses are responsible for creating nearly two out of three new jobs.
- 6) Small businesses are critical to the economic well-being of this state by creating new businesses and employment opportunities and by bringing new and innovative services and products to the marketplace.
- 7) Within the small business community, a growing number of these companies are being started and owned by women, people of color, and immigrants; and, in 2018, it was estimated that 1,600,000 small businesses were minority-owned.
- 8) The Governor has reaffirmed our commitment to California's small businesses to thrive and prosper and that supporting small-scale private sector job creators is among our most promising strategies to enhance California's human capital, expand job opportunities, and increase our competitive advantage in the global marketplace.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

AMENDED IN SENATE MARCH 27, 2019

SENATE BILL

No. 696

Introduced by Senator Umberg

February 22, 2019

An act to amend Section ~~14213~~ 14105 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 696, as amended, Umberg. Elections: ~~election day procedures; polling places.~~

Existing law requires elections officials to provide each polling place with specified materials, including not fewer than 6 nor more than 12 instruction cards to guide voters in obtaining and marking their ballots.

This bill would eliminate the maximum limit of 12 instruction cards.

~~Existing law prescribes various election day procedures, including the hours that the polls must be open and when voting will commence. Existing law requires the precinct board to proclaim aloud at the polling place that the polls are open before it receives any ballots.~~

~~This bill would make technical, nonsubstantive changes to that provision.~~

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 14105 of the Elections Code is amended*
- 2 *to read:*
- 3 14105. The elections official shall furnish to each polling place
- 4 all of the following:

- 1 (a) At least one accessible copy of the voter list.
- 2 (b) Necessary printed blanks for the roster, tally sheets, voter
- 3 list, declarations, and returns.
- 4 (c) ~~Not fewer than 6 nor more than 12~~ *At least six* instruction
- 5 ~~cards to each polling place~~ for the guidance of voters in obtaining
- 6 and marking their ballots. On each card shall be printed necessary
- 7 instructions and the provisions of Sections 14225, 14279, 14280,
- 8 14287, 14291, 14295, 15271, 15272, 15273, 15276, 15277, 15278,
- 9 18370, 18380, 18403, 18563, and 18569.
- 10 (d) A digest of the election laws with any further instructions
- 11 the county elections official may desire to make.
- 12 (e) An American flag of sufficient size to adequately assist the
- 13 voter in identifying the polling place. The flag is to be erected at
- 14 or near the polling place.
- 15 (f) A ballot container, properly marked on the outside indicating
- 16 its contents. If it is necessary to supply additional ballot containers,
- 17 these additional containers shall also be marked on the outside
- 18 indicating their contents.
- 19 (g) At least one copy of the certified write-in list, if applicable.
- 20 (h) A sufficient number of cards ~~to each polling place~~ containing
- 21 the telephone number of the office to which a voter may call to
- 22 obtain information about ~~his or her~~ *the voter's* polling place. The
- 23 card shall state that the voter may call collect during polling hours.
- 24 (i) An identifying badge or insignia for each member of the
- 25 precinct board. The member shall print ~~his or her~~ *their* name on
- 26 the badge or insignia, and shall wear the badge or insignia at all
- 27 times in the performance of duties, so as to be readily identified
- 28 as a member of the precinct board by all persons entering the
- 29 polling place.
- 30 (j) Facsimile copies of the ballot containing ballot measures and
- 31 ballot instructions printed in Spanish or other languages as provided
- 32 in Section 14201.
- 33 (k) Sufficient copies of the notices to be posted on the voter list
- 34 used at the polls. The notice shall read as follows: "This voter list
- 35 shall not be marked in any manner except by a member of the
- 36 precinct board acting pursuant to Section 14297. Any person who
- 37 removes, tears, marks, or otherwise defaces this voter list with the
- 38 intent to falsify or prevent others from readily ascertaining the
- 39 name, address, or political affiliation of any voter, or the fact that
- 40 a voter has or has not voted, is guilty of a misdemeanor."

1 ~~(l) A roster for each polling place in the form prescribed in~~
2 ~~Section 14107.~~

3 (m) Printed copies of the Voter Bill of Rights, as supplied by
4 the Secretary of State. The Voter Bill of Rights shall be
5 conspicuously posted both inside and outside every polling place.

6 (n) For a partisan primary election, printed copies of the posters
7 or other materials described in Section 14105.2. The posters or
8 other materials shall be conspicuously posted both inside and
9 outside every polling place.

10 ~~SECTION 1. Section 14213 of the Elections Code is amended~~
11 ~~to read:~~

12 ~~14213. Before the precinct board receives any ballots from~~
13 ~~voters, a member of the precinct board shall proclaim aloud at the~~
14 ~~place of election that the polls are open.~~

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California State Senate

STATE CAPITOL
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SENATOR
THOMAS J. UMBERG
THIRTY-FOURTH SENATE DISTRICT



COMMITTEES
ELECTIONS AND
CONSTITUTIONAL AMENDMENTS
CHAIR
BUDGET AND FISCAL REVIEW
HOUSING
JUDICIARY
TRANSPORTATION
VETERANS AFFAIRS
BUDGET SUBCOMMITTEE #4

June 21, 2019

The Honorable Ken Cooley
Chair, Joint Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

Dear Assemblymember Cooley:

I write to request your approval of an urgency clause to be applied to SB 696.

An urgency clause is necessary because the bill will need to go into effect immediately after passage in order to be operational for the 2020 elections. SB 696 would prohibit the name of a political party from including the word 'independent', 'decline to state', or 'no party preference' or any variation of those words. It is important that this legislation to prevent voter confusion is implemented on an expedited timeline lest the confusion interfere with voter choices in the 2020 elections.

If you have questions or need more information, please do not hesitate to contact Zach Keller in my Capitol Office at (916) 651-4034.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Umberg", written over a horizontal line.

Thomas J. Umberg
Senator, 34th Senate District

RECEIVED
ASSEMBLY RULES
2019 JUN 21 P 2:04

PROPOSED AMENDMENTS

RN 19 17785 04
06/19/19 03:23 PM
SUBSTANTIVE

PROPOSED AMENDMENTS TO SENATE BILL NO. 696

AMENDED IN SENATE MARCH 27, 2019

SENATE BILL

No. 696

Introduced by Senator Umberg

February 22, 2019



RN1917785

~~An act to amend Section 14105 of the Elections Code, relating to elections.~~ *An act to amend Section 5001 of, and to add Section 5201 to, the Elections Code, relating to elections.*

Amendment 1

LEGISLATIVE COUNSEL'S DIGEST

SB 696, as amended, Umberg. ~~Elections: polling places. Elections: political parties.~~

Under existing law, a group of electors may qualify a new political party by holding a caucus or convention at which temporary party officers are elected, by designating a party name, and by filing notice with the Secretary of State that the party has organized, elected temporary officers, and has declared its intent to qualify in a primary election. Existing law prohibits the name of a new party from being so similar to the name of an existing party so as to mislead the voters or from conflicting with the name of an existing political body that has previously filed notice with the Secretary of State.

This bill would prohibit the name of a party from including the phrase "no party preference" or "decline to state" or the word "independent" or a variation of that word or those phrases. The bill would require a party that is qualified on the effective date of the bill, but whose name includes a variation of the phrase "no party preference" or "decline to state" or the word "independent," to file a change of name notice with the Secretary of State by December 1, 2019. The Secretary of State would be required to disqualify, by January 1, 2020, any party that fails

PROPOSED AMENDMENTS

SB 696

— 2 —

RN 19 17785 04
06/19/19 03:23 PM
SUBSTANTIVE

to so submit an appropriate change of name notice. The Secretary of State would be required to send related notices, as provided.

Existing law requires elections officials to provide each polling place with specified materials, including not fewer than 6 nor more than 12 instruction cards to guide voters in obtaining and marking their ballots.

~~This bill would eliminate the maximum limit of 12 instruction cards.~~

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

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

- + SECTION 1. (a) The Legislature finds and declares all of the
+ following:
+ (1) When a qualified political party's name includes the phrase
+ "no party preference" or "decline to state" or the word
+ "independent" it inherently misleads voters and creates voter
+ confusion for voters who wish to not register with any political
+ party and stay independent of political parties.
+ (2) The state has a compelling interest to avoid voter confusion
+ in the electoral process.
+ (3) Voter education is ineffective in remedying this voter
+ confusion and thus it is necessary for the Legislature to restrict
+ the use of the phrase "no party preference" or "decline to state"
+ or the word "independent" in the name of qualified political
+ parties.
+ (b) It is the intent of the Legislature that this act be interpreted
+ in a manner to reduce the burden on parties and voters to the
+ maximum extent possible, without compromising this act's goal
+ of eliminating voter confusion.
+ SEC. 2. Section 5001 of the Elections Code is amended to read:
+ 5001. Whenever a group of electors desires to qualify a new
+ political party meeting the requirements of Section 5100 or 5151,
+ that group shall form a political body by:
+ (a) Holding a caucus or convention at which temporary officers
+ shall be elected and a party name designated. The designated name
+ shall not be so similar to the name of an existing party so as to
+ mislead the voters, shall not include the phrase "no party
+ preference" or "decline to state" or the word "independent" or
+ any variation of that word or those phrases, and shall not conflict

Amendment 2

PROPOSED AMENDMENTS

— 3 —

SB 696

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SUBSTANTIVE

+ with that of any existing party or political body that has previously
+ filed notice pursuant to subdivision (b).

+ (b) Filing formal notice with the Secretary of State that the
+ political body has organized, elected temporary officers, and
+ declared an intent to qualify a political party pursuant to either
+ Section 5100 or 5151, but not both. The notice shall include the
+ names and addresses of the temporary officers of the political
+ body.

+ SEC. 3. Section 5201 is added to the Elections Code, to read:

+ 5201. (a) (1) The Secretary of State shall notify any party that
+ is qualified under this division on the effective date of the act
+ adding this section, but whose name includes any variation of the
+ phrase "no party preference" or "decline to state" or the word
+ "independent," that the party is legally required to change its
+ name.

+ (2) The Secretary of State shall notify each voter registered to
+ a party described in paragraph (1) that the voter is registered to
+ a party whose name includes a word or phrase in violation of
+ Section 5001 and informing the voter of the process described in
+ this section for the party's name change.

+ (b) (1) A party that is qualified under this division on the
+ effective date of the act adding this section, but whose name
+ includes any variation of the phrase "no party preference" or
+ "decline to state" or the word "independent," shall file, by
+ December 1, 2019, a change of name notice with the Secretary of
+ State that complies with the requirements in subdivision (a) of
+ Section 5001.

+ (2) If the change of name is approved by the Secretary of State,
+ the Secretary of State shall update, by January 1, 2020, any form,
+ list, notice, ballot, publication, or database containing the names
+ of qualified parties. A registration made on a form containing the
+ prior name of the party shall continue to be accepted and a party
+ preference expression made for the party using the prior name
+ remains valid for the purposes of this division until rescinded by
+ the voter.

+ (3) If the party fails to submit an appropriate change of name
+ notice, the Secretary of State shall disqualify the party on January
+ 1, 2020. Upon disqualification, the Secretary of State shall
+ immediately remove the name of the party from any form, list,
+ notice, ballot, publication, or database containing the names of

PROPOSED AMENDMENTS

SB 696

— 4 —

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SUBSTANTIVE

+ qualified parties. Any voter registered to the party shall be
+ reclassified as a no party preference voter until the voter provides
+ another preference.

+ (c) The Secretary of State shall notify each voter registered to
+ a party described in this section as follows:

+ (1) If the party lawfully changes its name as provided in this
+ section, a notice shall be sent informing the voter of the party's
+ new name and that the voter shall continue to be registered to the
+ party, but under the new name.

+ (2) If the party does not lawfully change its name as provided
+ in this section, a notice shall be sent informing the voter that the
+ party has lost its qualification under the Elections Code and that
+ the voter may select a new party preference, but if the voter fails
+ to do so, the voter shall be considered a no party preference voter.

Page 1 1 SECTION 1. ~~Section 14105 of the Elections Code is amended~~
2 to read:

3 14105. The elections official shall furnish to each polling place
4 all of the following:

Page 2 1 (a) ~~At least one accessible copy of the voter list.~~

2 (b) ~~Necessary printed blanks for the roster, tally sheets, voter~~
3 ~~list, declarations, and returns.~~

4 (c) ~~At least six instruction cards for the guidance of voters in~~
5 ~~obtaining and marking their ballots. On each card shall be printed~~
6 ~~necessary instructions and the provisions of Sections 14225, 14279,~~
7 ~~14280, 14287, 14291, 14295, 15271, 15272, 15273, 15276, 15277,~~
8 ~~15278, 18370, 18380, 18403, 18563, and 18569.~~

10 (d) ~~A digest of the election laws with any further instructions~~
11 ~~the county elections official may desire to make.~~

12 (e) ~~An American flag of sufficient size to adequately assist the~~
13 ~~voter in identifying the polling place. The flag is to be erected at~~
14 ~~or near the polling place.~~

15 (f) ~~A ballot container, properly marked on the outside indicating~~
16 ~~its contents. If it is necessary to supply additional ballot containers,~~
17 ~~these additional containers shall also be marked on the outside~~
18 ~~indicating their contents.~~

19 (g) ~~At least one copy of the certified write-in list, if applicable.~~

20 (h) ~~A sufficient number of cards containing the telephone~~
21 ~~number of the office to which a voter may call to obtain~~
22 ~~information about the voter's polling place. The card shall state~~
23 ~~that the voter may call collect during polling hours.~~

Amendment 3

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PROPOSED AMENDMENTS

— 5 —

SB 696

RN 19 17785 04
06/19/19 03:23 PM
SUBSTANTIVE

Page 2 24 ~~(i) An identifying badge or insignia for each member of the~~
25 ~~precinct board. The member shall print their name on the badge~~
26 ~~or insignia, and shall wear the badge or insignia at all times in the~~
27 ~~performance of duties, so as to be readily identified as a member~~
28 ~~of the precinct board by all persons entering the polling place.~~
30 ~~(j) Facsimile copies of the ballot containing ballot measures and~~
31 ~~ballot instructions printed in Spanish or other languages as provided~~
32 ~~in Section 14201.~~
33 ~~(k) Sufficient copies of the notices to be posted on the voter list~~
34 ~~used at the polls. The notice shall read as follows: "This voter list~~
35 ~~shall not be marked in any manner except by a member of the~~
36 ~~precinct board acting pursuant to Section 14297. Any person who~~
37 ~~removes, tears, marks, or otherwise defaces this voter list with the~~
38 ~~intent to falsify or prevent others from readily ascertaining the~~
39 ~~name, address, or political affiliation of any voter, or the fact that~~
40 ~~a voter has or has not voted, is guilty of a misdemeanor."~~
Page 3 1 ~~(l) A roster in the form prescribed in Section 14107.~~
3 ~~(m) Printed copies of the Voter Bill of Rights, as supplied by~~
4 ~~the Secretary of State. The Voter Bill of Rights shall be~~
5 ~~conspicuously posted both inside and outside every polling place.~~
6 ~~(n) For a partisan primary election, printed copies of the posters~~
7 ~~or other materials described in Section 14105.2. The posters or~~
8 ~~other materials shall be conspicuously posted both inside and~~
9 ~~outside every polling place.~~

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