Secretary of State Debra Bowen
Unveils Her 2009-2010 Legislative Priorities

SACRAMENTO – Secretary of State Debra Bowen today unveiled her legislative priorities for the 2009-2010 legislative session.

"My goals as California's Secretary of State have always been to expand voter rights, broaden people's access to public records, increase government transparency, and reduce the potential for fraud," said Secretary Bowen, California's chief elections officer. "These common-sense bills will make it easier for Californians to exercise their constitutional right to vote, to ensure that election results are accurate, and to access key records." Several Bowen-sponsored bills are slated for their first legislative committee hearings March 31.

Expanding Voter Rights

AB 1340 (B. Lowenthal/M. Perez) – Recognizes the unique challenges faced by military and overseas voters (MOV) by allowing MOV ballots postmarked on or before Election Day to be counted if they arrive within 10 days of the election. Under current law, MOV ballots received after 8:00 p.m. on Election Day may not be counted. Eighteen states and the District of Columbia allow the counting of MOV ballots that are postmarked by Election Day but received after that date.

SB 387 (Hancock) – Requires election officials to count, rather than void, ballots with stray markings. Current state law requires a voter's entire ballot to be disregarded if the voter makes any stray mark – signing a name, drawing a flower, making a check mark – on the ballot. This measure requires elections officials to remake and count ballots with stray markings.

AB 84 (Hill) – Allows vote-by-mail (VBM) voters to find out if their ballots were counted and if not, why not. VBM ballots cannot be counted if they arrive after the polls close on Election Day or if the signature on the ballot envelope does not match the signature on file. If voters knew why their mail-in ballots were not counted, they could make changes that would prevent their votes from being rejected in the future.

AB 1440 (Swanson) – Allows emergency personnel responding to a government-declared disaster to cast a provisional ballot for statewide races and initiatives in the county where the emergency occurred. Under current law, a provisional ballot only counts if it is cast in the county where an individual is registered to vote.

AB 1525 (Beall) – Levels the playing field for voters who request election recounts by allowing recount requests within five days after all counties within a particular contest have completed

– MORE –

their canvasses. Under current law, the five-day clock to request a recount for a particular contest starts at different times based on when each county involved completes its canvass.

AB 909 (Feuer) – Requires that at polling places, decline-to-state (DTS) voters must be advised they have the right to request a ballot for any party that allows DTS voters to vote in its primary elections. During last year's presidential primary election, two of California's six qualified political parties allowed nonpartisan voters to take part in their presidential primaries. On Election Day, there were scattered reports of DTS voters who could not cast a ballot for their preferred presidential candidates because poll workers or voters themselves were confused about DTS voting rights.

AB 330 (Saldaña) – Requires counties to provide public notice of the opportunity to review the preparation, testing, and operation of ballot tabulating devices. Current law requires this testing to be open to the public, but it does not require notice of when the testing will occur.

Enhancing Government Transparency

SB 541 (Pavley) – Enhances transparency by requiring ballot printers and voting system vendors to notify the Secretary of State when they discover previously undisclosed flaws in their products. This bill was spurred in part by the revelation that a voting system software error caused 197 ballots to be inadvertently deleted from Humboldt County's initial results in the November 4 election. Upon discovery of the software error, Humboldt County corrected its election results.

AB 1181 (Huber) – Increases public access and transparency by closing the loophole that exempts some state candidates, committees, slate mailing organizations, and lobbying entities from filing electronic reports with the Secretary of State.

AB 1245 (Monning) – Creates a process for state and local governments to recover government records that have been removed from their custody and control. This measure will allow the California State Archives to retrieve public documents that rightfully belong to all Californians but have somehow wound up in private hands or even in the marketplace.

Reducing Fraud

AB 898 (Lieu) – Reduces potential for document fraud by authorizing the Secretary of State to refuse to process documents that are clearly intended for fraudulent purposes, limiting people's ability to obtain power-of-attorney documents, and eliminating the mandate that all notaries public process antiquated documents that are frequently used for fraudulent purposes. This measure would crack down on individuals who attempt to use notarized documents to create "sovereign citizenships."

Other Bowen-sponsored bills in this legislative session include: **AB 686 (Ruskin)**, **AB 753 (Adams)**, **AB 1134 (Mendoza)**, **AB 1271 (Krekorian)**, **AB 1337 (Evans)**, **AB 1490 (Galgiani)**, **AB 1514 (Hayashi)**, and **SB 740 (Cedillo)**.

###