



CITY OF LONG BEACH

OFFICE OF THE CITY CLERK

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March 5, 2019

Elections Oversight Committee
City of Long Beach
California

RECOMMENDATION:

Recommendation to receive and file a report on the new Statewide Election Laws.

DISCUSSION

The attached report summarizes pending legislation submitted for the 2018-2019 California State Legislative Session.

This letter was reviewed by Deputy City Attorney Amy Webber on February 25, 2019.

TIMING CONSIDERATIONS

The deadline to introduce new legislation in the 2019 State Legislative Session was February 22, 2019. Pending legislation will be finalized by the end of the 2018-2019 California State Legislative Session.

SUGGESTED ACTION

Approve recommendation.

Respectfully submitted,

MONIQUE DE LA GARZA
CITY CLERK

MD:mm
Attachment

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
ELECTIONS OVERSIGHT COMMITTEE
MARCH 5, 2019**

AB 17 (Salas D) Elections: vote by mail ballots.

Introduced: 12/3/2018

Status: 1/17/2019-Referred to Com. on E. & R.

Location: 1/17/2019-A. E. & R.

Calendar: 3/13/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY ELECTIONS AND REDISTRICTING, BERMAN, Chair

Summary:

Existing law requires a vote by mail ballot to be available to any registered voter. Existing law requires employers, as specified, to allow voters to take up to two hours off of work, without loss of pay, to vote. This bill would prohibit an employer from requiring or requesting that an employee bring his or her vote by mail ballot to work or vote his or her vote by mail ballot at work. The bill makes violation of this prohibition subject to a civil fine of up to \$10,000 per election.

Position: Watch

Group: City Clerk

AB 49 (Cervantes D) California Voter Protection Act of 2019.

Introduced: 12/3/2018

Last Amended: 1/22/2019

Status: 1/23/2019-Re-referred to Com. on E. & R.

Location: 1/17/2019-A. E. & R.

Summary:

(1) Existing law authorizes certain counties, on or after specified dates, to conduct any election as an all-mailed ballot election if, among other conditions, the county elections official permits a voter to vote a ballot at a vote center. This bill, the California Voter Protection Act of 2019, would also require the county elections official to ensure that at least one vote center is open in each Assembly district within the county at all times when any vote center is open in the county. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

AB 57 (Low D) Elections: names of candidates.

Introduced: 12/3/2018

Status: 1/17/2019-Referred to Com. on E. & R.

Location: 1/17/2019-A. E. & R.

Calendar: 3/13/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY ELECTIONS AND REDISTRICTING, BERMAN, Chair

Summary:

Existing law requires the translation of ballots and ballot materials into languages other than English when specified circumstances exist. This bill would require that, if a jurisdiction provides a translation of the candidates' alphabet-based names into a character-based language, such as Chinese, Japanese, or Korean, phonetic transliterations of the alphabet-based names of candidates be provided. The bill would also require that if a candidate's name is to appear on the ballot in more than one jurisdiction in an election then all of those jurisdictions must use the same phonetic transliteration or character-based translation of the name. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
ELECTIONS OVERSIGHT COMMITTEE
MARCH 5, 2019**

AB 59 (Kaira D) Elections: voting access.

Introduced: 12/3/2018

Status: 12/4/2018-From printer. May be heard in committee January 3.

Location: 12/3/2018-A. PRINT

Summary:

Existing law requires the Secretary of State to annually provide every high school, community college, and California State University and University of California campus with voter registration forms. Existing law also expresses the intent of the Legislature that every eligible high school and college students receive a meaningful opportunity to register to vote. This bill would express the intent of the Legislature to enact legislation that would make a polling place or vote center available on every college and university campus in the state.

Position: Watch

Group: City Clerk

AB 201 (Cervantes D) Political Reform Act of 1974: campaign disclosure: mass text messages.

Introduced: 1/14/2019

Status: 1/15/2019-From printer. May be heard in committee February 14.

Location: 1/14/2019-A. PRINT

Summary:

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing and activities. The act defines "mass mailing" to mean over two hundred substantially similar pieces of mail, and defines "mass electronic mailing" to mean sending more than 200 substantially similar pieces of electronic mail within a calendar month. The act prohibits a candidate or committee from sending a mass mailing or mass electronic mailing unless certain information regarding the source of the mailing is shown in or on the mailing, as specified. The act also prohibits a mass mailing from being sent at public expense if, among other things, the mailing features an elected officer affiliated with the agency that produces or sends the mailing, or includes the name, office, photograph, or other reference to the elected officer and is prepared or sent in cooperation, consultation, coordination, or concert with the elected officer. This bill would declare the intent of the Legislature to enact legislation establishing disclosure requirements for campaign-related mass text messages that include the name or image of a candidate for elective office or refer to a ballot measure.

Position: Watch

Group: City Attorney, City Clerk

AB 220 (Bonta D) Political Reform Act of 1974: campaign funds: childcare costs.

Introduced: 1/16/2019

Status: 2/4/2019-Referred to Com. on E. & R.

Location: 2/4/2019-A. E. & R.

Summary:

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, including the use of campaign funds for specific expenditures. The act prohibits the use of campaign funds to pay for professional services not directly related to a political, legislative, or governmental purpose. This bill would authorize the use of campaign funds to pay for child care expenses resulting from a candidate or officeholder engaging in campaign activities or performing official duties. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
ELECTIONS OVERSIGHT COMMITTEE
MARCH 5, 2019**

AB 265 (Choi R) Elections: candidate statements.

Introduced: 1/24/2019

Status: 2/7/2019-Referred to Com. on E. & R.

Location: 2/7/2019-A. E. & R.

Summary:

The California Constitution provides that judges of the Supreme Court are elected at large and judges of courts of appeal are elected in their districts at general elections at the same time and places as the Governor. It also provides that judges of the superior court are elected in their counties at general elections except as otherwise necessary to meet the requirements of federal law. This bill would require a justice of the Supreme Court or the court of appeal to prepare a candidate statement when the ballot contains a question as to the confirmation or retention of that justice. The bill would also require a candidate for judge of the superior court to prepare a candidate statement. The bill would only require the Secretary of State and local elections officials to include these candidate statements with the online versions of the state and county voter information guides. The bill would prohibit the Secretary of State and local elections officials from charging a fee for the costs associated with these candidate statements. This bill contains other existing laws.

Position: Watch

Group: City Clerk

AB 510 (Cooley D) Local government records: destruction of records.

Introduced: 2/13/2019

Status: 2/21/2019-Referred to Com. on L. GOV.

Location: 2/21/2019-A. L. GOV.

Summary:

Existing law authorizes the head of a department of a county or city, or the head of a special district to destroy recordings of routine video monitoring maintained by that county, city, or special district after one year if that person receives approval from the legislative body and the written consent of the agency attorney. Existing law authorizes the head of a department of a county or city, or the head of a special district to destroy recordings of telephone and radio communications maintained by that county, city, or special district after 100 days if that person receives approval from the legislative body and the written consent of the agency attorney. This bill would exempt the head of a department of a county or city, or the head of a special district from these recording retention requirements if the county, city, or special district adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications.

Position: Watch

Group: City Clerk

AB 571 (Mullin D) Political Reform Act of 1974: contribution limits.

Introduced: 2/14/2019

Status: 2/15/2019-From printer. May be heard in committee March 17.

Location: 2/14/2019-A. PRINT

Summary:

The Political Reform Act of 1974 prohibits a person, other than a small contributor committee or political party committee, as defined, from making to any candidate for elective state office other than a candidate for statewide elective office, and a candidate for elective state office other than a candidate for statewide elective office from accepting from a person, a contribution totaling more than \$3,000 per election. A candidate for elective state office or committee controlled by that candidate is also prohibited from making a contribution to another candidate for elective state office in excess of this limit. This bill would make a technical, nonsubstantive change to the latter provision.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
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AB 626 (Quirk-Silva D) Conflicts of interest.

Introduced: 2/15/2019

Status: 2/19/2019-From printer. May be heard in committee March 21.

Location: 2/15/2019-A. PRINT

Summary:

Existing law prohibits members of the Legislature, and state, county, district, judicial district, and city officers or employees, from being financially interested in a contract, as specified, made by them in their official capacity or by any body or board of which they are members, subject to specified exceptions. Existing law excepts certain remote interests of officers from this prohibition, subject to disclosure and a specified procedure. Existing law makes the willful failure of an officer to disclose the fact of their interest in a contract punishable by a fine of not more than \$1,000, or by imprisonment in the state prison, and provides that the individual is forever disqualified from holding any office in this state. This bill would make nonsubstantive changes to these provisions relating to remote interests described above.

Position: Watch

Group: City Clerk

AB 646 (McCarty D) Elections: voter eligibility.

Introduced: 2/15/2019

Status: 2/25/2019-Referred to Com. on E. & R.

Location: 2/25/2019-A. E. & R.

Summary:

Existing law prohibits a person who is on parole for the conviction of a felony from voting, registering to vote, or preregistering to vote. This bill would remove those prohibitions, thereby allowing a parolee to preregister, register, and vote and make other technical and conforming changes. This bill contains other related provisions.

Position: Watch

Group: City Clerk

AB 787 (Gipson D) Elections: voter registration.

Introduced: 2/20/2019

Status: 2/21/2019-From printer. May be heard in committee March 23.

Location: 2/20/2019-A. PRINT

Summary:

(1) Existing law requires the Secretary of State to coordinate with voter registration agencies in order to facilitate compliance with the federal National Voter Registration Act of 1993 and promote the exercise of the right to vote by eligible voters. The federal act requires a voter registration agency to distribute mail voter registration application forms, assist applicants in completing voter registration application forms, and accept completed voter registration application forms. This bill would require a county or a city and county that operates a jail facility to allow organizations to conduct in-person voter registration activities, including, but not limited to, the provision of vote-by-mail applications, in each county jail facility. The bill would require a county or city and county to establish policies and criteria governing the admittance of individuals from those organizations into jail facilities, including procedures for notifying an individual of the basis for denial of admittance and the opportunity to appeal a denial of admittance. The bill would require the sheriff of the county or city and county in which a jail facility is located to publish those procedures on the sheriff's internet website, as specified. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
ELECTIONS OVERSIGHT COMMITTEE
MARCH 5, 2019**

AB 849 (Bonta D) Elections: district boundaries.

Introduced: 2/20/2019

Status: 2/21/2019-From printer. May be heard in committee March 23.

Location: 2/20/2019-A. PRINT

Summary:

Existing law requires the councils of general law cities that elect members by or from districts to adjust the boundaries of the council districts following each decennial federal census, using that census as a basis.

Existing law permits a council to consider various factors in establishing the boundaries. This bill additionally would permit the council to consider existing neighborhoods in establishing the boundaries.

Position: Watch

Group: City Clerk

AB 931 (Boerner Horvath D) State and local boards and commissions: representation: appointments.

Introduced: 2/20/2019

Status: 2/21/2019-From printer. May be heard in committee March 23.

Location: 2/20/2019-A. PRINT

Summary:

Existing law establishes various boards and commissions within state government. Under existing law, it is the policy of the State of California that the composition of these state boards and commissions broadly reflect the general public, including ethnic minorities and women. Under existing law, the Governor and other appointing authorities are responsible for nominating to these boards and commissions persons of different backgrounds, abilities, interests, and opinions. This bill, on and after January 1, 2025, would require the composition of each state and local board and commission with appointed members to have a specified minimum number of women board members or commissioners based on the total number of board members or commissioners on that board. The bill would also require the office of the Governor, with respect to those boards and commissions, to collect and release, annually, at a minimum, aggregated demographic data provided by state and local board and commission applicants, nominees, and appointees. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk, Human Resources

AB 992 (Mullin D) Open meetings: local agencies: social media.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Location: 2/21/2019-A. PRINT

Summary:

The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines "meeting" for purposes of the act and expressly excludes certain activities from the application of the act. This bill would provide that the act does not apply to the posting, commenting, liking, interaction with, or participation in, internet-based social media platforms that are ephemeral, live, or static, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
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MARCH 5, 2019**

AB 1001 (Ting D) Childcare: local planning councils.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Location: 2/21/2019-A. PRINT

Summary:

Existing law requires the county board of supervisors and the county superintendent of schools to select members for the local childcare and development planning council, known as a local planning council, for that county. Existing law provides requirements for the makeup of a local planning council. Existing law requires a local planning council, by May 30 of each year, and upon approval by the county board of supervisors and the county superintendent of schools, to submit to the State Department of Education the local priorities it has identified that reflect all childcare needs in the county, and requires the local planning council, in order to identify those local priorities, to do certain things, including, among others, conduct an assessment of childcare needs in the county at least once every 5 years. This bill would revise the makeup requirements for local planning councils, as provided. The bill would provide that certain of the requirements imposed on local planning councils in order for the local planning council to identify local priorities apply only if the department adopts a statewide database to collect information about families seeking childcare, families' eligibility for childcare, and enrollment in childcare. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk, Health and Human Services

AB 1039 (Muratsuchi D) Advanced energy storage: applications.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Location: 2/21/2019-A. PRINT

Summary:

Existing law requires a city or county to make all documentation and forms associated with the permitting of advanced energy storage, as defined, available on a publicly accessible internet website, if the city or county has an internet website. Existing law requires a city or county to allow for the electronic submittal of a permit application for advanced energy storage and associated documentation through email, the internet, or facsimile. This bill would remove facsimile from the list of potential electronic submittal methods.

Position: Watch

Group: City Clerk, Energy Resources

AB 1043 (Irwin D) Political Reform Act of 1974: campaign funds: cybersecurity.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Location: 2/21/2019-A. PRINT

Summary:

The Political Reform Act of 1974 regulates the use of campaign funds held by candidates for elective office, elected officers, and campaign committees. The act generally prohibits the use of campaign funds for payment or reimbursement for the lease of real property or for the purchase, lease, or refurbishment of any appliance or equipment if the lessee or sublessor is, or the legal title resides in, a specified individual, such as a candidate, elected officer, or a member of the candidate or officer's immediate family. Notwithstanding that prohibition, existing law authorizes the use of campaign funds to pay or reimburse the state for the costs of installing and monitoring an electronic security system in a candidate or elected officer's home or office, as specified. This bill would authorize the expenditure of campaign funds to pay for, or reimburse the state for, the installation and monitoring of hardware, software, and services related to the cybersecurity of the electronic devices of a candidate, elected officer, or campaign worker. The bill would require a candidate or elected officer to report any expenditure of campaign funds for these purposes to the Fair Political Practices Commission in the candidate or elected officer's campaign statements. The bill would make related findings and declarations. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
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MARCH 5, 2019**

AB 1106 (Smith D) Los Angeles County: notice of recordation.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Location: 2/21/2019-A. PRINT

Summary:

Existing law authorizes the Los Angeles County Recorder, following the adoption of an authorizing resolution by the Los Angeles County Board of Supervisors, to mail a notice of recordation to the party or parties executing a deed, quitclaim deed, or deed of trust within 30 days of the recording of one of those documents, and, until January 1, 2020, also authorizes the inclusion of notice of default or notice of sale, provided by mail by the recorder or a designee of the board, to a party or parties subject to a notice of default or notice of sale of a property, within a prescribed period following recordation. This bill would delete the expiration dates of these provisions. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

AB 1184 (Gloria D) Public records.

Introduced: 2/21/2019

Status: 2/22/2019-From printer. May be heard in committee March 24.

Location: 2/21/2019-A. PRINT

Summary:

The California Public Records Act requires a public agency, defined to mean any state or local agency, to make public records available for inspection, subject to certain exceptions. The act requires any agency that has any information that constitutes a public record not exempt from disclosure, to make that public record available in accordance with certain procedures. Existing law authorizes cities, counties, and special districts to destroy or to dispose of duplicate records that are less than two years old when they are no longer required by the city, county, or special district, as specified. This bill would state the intent of the Legislature to enact legislation relating to the retention of records by public agencies.

Position: Watch

Group: City Clerk

ACA 6 (McCarty D) Elections: disqualification of electors.

Introduced: 1/28/2019

Status: 1/29/2019-From printer. May be heard in committee February 28.

Location: 1/28/2019-A. PRINT

Summary:

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 statutory law, for purposes of determining who is entitled to register to vote, defines imprisoned as currently serving a state or federal prison sentence. This measure would instead direct the Legislature to provide for the disqualification of electors who are serving a state or federal prison sentence for the conviction of a felony. This measure would also delete the requirement that the Legislature provide for the disqualification of electors while on parole for the conviction of a felony.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
ELECTIONS OVERSIGHT COMMITTEE
MARCH 5, 2019**

SB 27 (McGuire D) Presidential primary elections: ballot access: tax returns.

Introduced: 12/3/2018

Status: 2/20/2019-Set for hearing March 19.

Location: 1/16/2019-S. E. & C.A.

Calendar:

3/19/2019 9:30 a.m. - Room 112 SENATE ELECTIONS AND CONSTITUTIONAL AMENDMENTS, UMBERG,
Chair

Summary:

Existing law establishes processes for printing on presidential primary ballots the names of candidates for President of the United States who are considered to be generally recognized candidates or who are selected by a sufficient number of registered voters. This bill would enact the Presidential Tax Transparency and Accountability Act, which would require a candidate for President, in order to have his or her name placed upon a primary election ballot, to file his or her income tax returns for the 5 most recent taxable years with the Secretary of State, as specified. The act would require the Secretary of State to redact the income tax returns of Presidential candidates as necessary to protect individual privacy, as specified, and subsequently to make the returns available to the public on the Secretary of State's Internet Web site. This bill contains other related provisions.

Position: Watch

Group: City Clerk

SB 47 (Allen D) Initiative, referendum, and recall petitions: disclosures.

Introduced: 12/3/2018

Status: 1/16/2019-Referred to Coms. on E. & C.A. and PUB. S.

Location: 1/16/2019-S. E. & C.A.

Summary:

The California Constitution and existing statutory law provide for the electors to propose statutes or amendments to the Constitution by initiative. Existing law authorizes a person who is a voter or who is qualified to register to vote in California to circulate an initiative or referendum petition within the state. This bill would require, for a state or local initiative, referendum, or recall petition that requires voter signatures and for which the circulation is paid for by a committee, as specified, that an Official Top Funders disclosure be made, either on the petition or on a separate sheet, that identifies the name of the committee, any top contributors, as defined, and the month and year during which the Official Top Funders disclosure is valid, among other things. The bill would require the committee to create an Official Top Funders sheet meeting certain requirements and would authorize the committee to create a page on an Internet Web site that includes a link to the most recent Official Top Funders sheet and a link to the full text of the measure. The bill would require the committee to submit the Official Top Funders sheet and any updates to the Secretary of State, who would be required to post that statement on the Secretary of State's Internet Web site along with the previous versions the committee submitted. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

SB 149 (Nielsen R) Mail ballot elections.

Introduced: 1/22/2019

Status: 1/31/2019-Referred to Com. on RLS.

Location: 1/22/2019-S. RLS.

Summary:

Existing law provides for the conduct of mail ballot elections. Under existing law, the ballot at the first general district election conducted solely by mailed ballot must contain a question as to whether all future general district elections shall be so conducted. Existing law applies this requirement only to districts in which an all-mailed ballot election was conducted pursuant to a specified resolution. This bill would make technical, nonsubstantive changes to that provision.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
ELECTIONS OVERSIGHT COMMITTEE
MARCH 5, 2019**

SB 151 (Umberg D) Recall elections.

Introduced: 1/22/2019

Status: 2/20/2019-Set for hearing March 19.

Location: 1/31/2019-S. E. & C.A.

Calendar:

3/19/2019 9:30 a.m. - Room 112 SENATE ELECTIONS AND CONSTITUTIONAL AMENDMENTS, UMBERG,
Chair

Summary:

Existing law specifies the procedures for recall elections of state and local officers. Existing law specifies the information required to be included on ballots for recall elections and the format of that information. This bill would authorize an officer in a voter-nominated office who is subject to a recall election to have the officer's party preference identified on the ballot. The bill would specify the format and appearance of the statement of party preference. By increasing the duties of local officials relative to the information to be displayed on a recall election ballot, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Group: City Clerk

SB 157 (Nielsen R) Elections: vote by mail ballots.

Introduced: 1/23/2019

Status: 1/31/2019-Referred to Com. on RLS.

Location: 1/23/2019-S. RLS.

Summary:

Existing law requires that the vote by mail ballot be available to any registered voter and requires an application for a vote by mail voter's ballot to be made in writing to the elections official having jurisdiction over the election between the 29th and the 7th day before the election. Existing law requires any applications received by the elections official before the 29th day to be kept and processed during the application period. This bill would make technical, nonsubstantive changes to this provision.

Position: Watch

Group: City Clerk

SB 178 (Nielsen R) Initiative measures: circulating title and summary.

Introduced: 1/28/2019

Status: 2/6/2019-Referred to Com. on RLS.

Location: 1/28/2019-S. RLS.

Summary:

Existing law requires the Attorney General to prepare a circulating title and summary of the chief purposes and points of a proposed initiative measure. This bill would make technical, nonsubstantive changes to that provision.

Position: Watch

Group: City Attorney, City Clerk

SB 212 (Allen D) Elections: local voting methods.

Introduced: 2/4/2019

Status: 2/13/2019-Referred to Com. on E. & C.A.

Location: 2/13/2019-S. E. & C.A.

Summary:

Existing law provides procedures for the election of candidates for elective offices in cities, counties, and local educational agencies. Existing law specifies the circumstances in which voters in these jurisdictions may elect officers at large or from or by district. Existing law prescribes the length of various terms of office for locally elected officials. This bill would authorize a city, county, or local educational agency to conduct an election using ranked choice voting, in which voters rank the candidates for office in order of preference, as specified.

Position: Watch

Group: City Clerk

**CALIFORNIA LEGISLATIVE UPDATE PERTAINING TO OFFICE OF THE CITY CLERK
ELECTIONS OVERSIGHT COMMITTEE
MARCH 5, 2019**

SB 355 (Portantino D) Joint powers agencies: meetings.

Introduced: 2/19/2019

Status: 2/20/2019-From printer. May be acted upon on or after March 22.

Location: 2/19/2019-S. RLS.

Summary:

The Joint Exercise of Powers Act authorizes 2 or more public agencies, if each is authorized by their respective legislative bodies, to enter into an agreement to jointly exercise any power common to those 2 agencies. The Ralph M. Brown Act requires that meetings of the legislative body of a local agency, including a joint powers agency, be open and public, with specified exceptions authorizing closed sessions for specified purposes. Existing law authorizes a joint powers agency to include in its joint powers agreement provisions authorizing, among others, any designated alternate member of the legislative body of the joint powers agency is also a member of the legislative body of a member local agency, and who is attending in lieu of that agency's regularly appointed member, to attend closed sessions of the joint powers agency, as specified. This bill would eliminate the requirement that the designated alternate member of the legislative body of the joint powers agency also be a member of the legislative body of a member local agency.

Position: Watch

Group: City Clerk

SCA 2 (Allen D) Elections: recalls.

Introduced: 12/3/2018

Last Amended: 1/31/2019

Status: 1/31/2019-Referred to Com. on RLS. From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Location: 12/3/2018-S. RLS.

Summary:

The California Constitution provides that voters may recall a state officer and, in the same election, elect a successor. The Constitution prohibits an officer who is the subject of a recall election from being a candidate for successor. The Constitution also prohibits a successor candidacy for the office of judge of the Supreme Court or a court of appeal. This measure would instead require that the name of an officer, other than a judicial officer, be placed on the ballot as a successor candidate if the officer does not resign no later than 10 days after the date of certification of sufficient signatures. If the officer does so resign, the office would be deemed vacant and the recall election would not be held. In a recall election, if a candidate other than the officer receives a plurality, that candidate would be elected as the successor to serve the remainder of the officer's term. If the officer receives a plurality, however, the recall would fail and the officer would remain in office.

Position: Watch

Group: City Clerk