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AB-2576 Voter registration and outreach programs. (2021-2022)

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CALIFORNIA LEGISLATURE— 2021-2022 REGULAR SESSION

ASSEMBLY BILL

NO. 2576**Introduced by Assembly Member Aguiar-Curry****February 18, 2022**

An act to amend Sections 2105 and 2130 of, and to add Chapter 10 (commencing with Section 2750) to Division 2 of, the Elections Code, relating to elections, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2576, as amended, Aguiar-Curry. Voter registration and outreach programs.

Existing law requires the Controller to provide reimbursement to counties for the costs of complying with certain voter registration requirements.

This bill would instead make the Secretary of State responsible for reimbursing counties for that purpose.

Existing law requires the Secretary of State to adopt regulations requiring each county to design and implement programs intended to identify qualified electors who are not registered to vote and to register those persons to vote.

This bill would also require the Secretary of State to adopt guidance for counties to design and implement civic engagement programs for high school students. The bill would authorize the Secretary of State to design a voter registration or civic engagement program for a county that does not implement or apply for funding for its own programs. The bill would require the Secretary of State to provide grants to county elections officials or other specified entities for voter registration efforts in counties where voter registration is less than 80% of eligible voters.

The bill would require the Secretary of State to make grants to county registrars of voters for programs that integrate voter registration and preregistration with civic education for high school students, including programs to allow students to serve as election workers, as provided. The bill would require a student election worker to be

assigned election worker responsibilities on election day or otherwise only after school hours or on weekends and would require a student election worker to receive a stipend for their work as well as credit toward a specified diploma seal recognizing student excellence in civics education and participation. The bill would also require the Secretary of State, on or before April 1, 2023, to contract with specified counties to conduct mock elections at high schools and voter registration and preregistration opportunities for eligible students.

The bill would establish the Civic Learning, Outreach, and Engagement Fund in the General Fund and would make the moneys in the fund available, upon appropriation by the Legislature, for the grants and contracts provided for in the bill. The bill would transfer \$15,000,000 from the General Fund to the Civic Learning, Outreach, and Engagement Fund and would appropriate those moneys for purposes of the bill.

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

- (a) In a democracy, political power is inherent in the people and is exercised through the right to vote.
- (b) The right to vote is a fundamental right through which the people exercise political power capable of protecting all other rights.
- (c) Every citizen of the United States residing in California who is eighteen years of age is guaranteed the right to vote and to have their vote counted, with limited exceptions.
- (d) Nonparticipation in elections means that only some people exercise their political power, creating a distortion in representation that can result in some people being denied the protection, security, and benefits to which they are entitled under the Constitution.
- ~~(e) In each statewide election in California since 1972, fewer than 60 percent of eligible voters have exercised their fundamental right to vote.~~
- (e) Before the historic turnout in 2020, fewer than 60 percent of eligible voters have exercised their fundamental right to vote in each statewide election in California since 1972.*
- (f) In 2020, approximately three million people eligible to vote in California were not registered to vote.
- (g) In ~~eleven~~ *fourteen* counties, fewer than 80 percent of eligible voters are registered to vote.
- (h) The Secretary of State is the chief elections officer in California and administers elections in partnership with county elections officials.
- (i) California statutes and regulations direct the Secretary of State and counties to implement programs aimed at increasing voter participation and outreach to nonvoters and to remove administrative obstacles to voting that deter fuller participation.
- (j) Among the Secretary of State's specific duties under existing law is the responsibility to promote civic learning and engagement.
- (k) Fully implementing existing laws and regulations to increase participation in elections will empower voters to better understand their access to voting and the voting process.
- (l) Empowering voters at the county level to become a part of the voting process can also reduce barriers between all levels of government and historically marginalized or underrepresented communities.
- (m) California has adopted a program of civic education aimed at empowering youth by awarding a State Seal of Civic Engagement for completion of specified programs and activities.
- (n) Joining voter participation outreach programs as contemplated by current law with civic education programs leading to the State Seal of Civic Engagement offers the opportunity for improving participation in elections by young people and strengthening the fundamental right to vote for all Californians.
- (o) It is the intent of the Legislature to increase participation in elections to the greatest extent possible by fully implementing existing laws and codifying existing regulations to facilitate outreach to underrepresented groups,

with a particular focus on counties with low levels of voter registration and participation and on youth across the state.

SEC. 2. Section 2105 of the Elections Code is amended to read:

2105. (a) It is the intent of the Legislature that voter registration be maintained at the highest possible level.

(b) In furtherance of the goal set forth in subdivision (a), the Secretary of State shall do all of the following:

(1) Adopt guidance for each county to design and implement programs intended to identify qualified electors who are not registered to vote, and to register or preregister those persons to vote, including making available on the county's internet website the voter registration programs implemented pursuant to this section.

(2) Adopt guidance for a participating county to design and implement a program of civic engagement intended to support the State Seal of Civic Engagement for high school students established pursuant to Article 7 (commencing with Section 51470) of Chapter 3 of Part 28 of Division 4 of Title 2 of the Education Code.

(3) Adopt regulations prescribing minimum requirements for the programs described in paragraphs (1) and (2) and requiring each county to periodically update its programs.

(4) Adopt regulations for applying for grants from the Civic Learning, Outreach, and Engagement Fund established in Section 2752.

(5) Periodically update the regulations the Secretary of State promulgates pursuant to this section.

(c) If the Secretary of State finds that a county has not designed and implemented a program meeting the prescribed minimum requirements, updated its programs as required by regulation, or applied for a grant from the Civic Learning, Outreach, and Engagement Fund, the Secretary of State may design a program for the county.

SEC. 3. Section 2130 of the Elections Code is amended to read:

2130. From moneys appropriated by the Legislature, the Secretary of State shall allocate and disburse to the counties the amounts necessary to reimburse them for net costs incurred by them in complying with the voter registration provisions, including the provisions authorizing voter registration by mail and voter outreach programs, as set forth in Chapter 704 of the Statutes of 1975, as amended. The Secretary of State, in consultation with the Controller, shall develop a formula for the reimbursement of these costs. The Secretary of State shall prescribe the forms for filing claims pursuant to this section. These claims shall be submitted to the Controller by February 15 in the year following the fiscal year in which the costs were incurred.

SEC. 4. Chapter 10 (commencing with Section 2750) is added to Division 2 of the Elections Code, to read:

CHAPTER 10. Civic Education and Voter Outreach Programs

2750. (a) For purposes of this chapter, the following terms have the following meanings:

(1) "Fund" means the Civic Learning, Outreach, and Engagement Fund established in Section 2752.

(2) "Program" means the integrated voter registration and preregistration programs and civic education programs based on the State Seal authorized by Section 2751.

(3) "Registrar of voters" means the county registrar of voters or other county elections official responsible for administering elections in a county.

(4) "State Seal" means the State Seal of Civic Engagement established pursuant to Article 7 (commencing with Section 51470) of Chapter 3 of Part 28 of Division 4 of Title 2 of the Education Code.

(5) "Eligible county" means a county where voter registration, as recorded in the Secretary of State's Statement of Vote for the General Election prepared during the most recent year in which there is a presidential election, is less than 80 percent of eligible voters.

(b) It is the intent of the Legislature that programs of civic education and engagement linked to voter registration and participation in elections be implemented by the Secretary of State as the chief elections officer

of the state with the responsibility to promote voter registration and preregistration and to promote civic learning and engagement to prepare students to register to vote and to vote.

(c) The Secretary of State shall provide opportunities for cooperation and coordination with the State Board of Education and the Superintendent of Public Instruction in the implementation of this chapter.

2751. (a) The Secretary of State shall adopt regulations for making grants from the fund to participating registrars of voters for the purpose of implementing programs that integrate voter registration and preregistration with civic education leading to the State Seal for graduating seniors.

(b) The regulations shall provide all of the following:

(1) Support for integrated programs of civic education and voter registration and preregistration to be designed and implemented by participating registrars of voters in partnership with participating schools.

(2) Support for participating registrars of voters to coordinate with education officials at the county, school district, or schoolsite level to develop hands-on curriculum and engagement opportunities, including incentives for participation, consistent with the State Seal and Section 51470 of the Education Code.

(3) Support for mock elections and student government elections offering students the opportunity to use voting equipment and processes used in the county.

(4) (A) Support for participating registrars of voters to offer students opportunities to work as election workers and to otherwise participate in election administration in the county.

(B) For purposes of this paragraph, all of the following apply:

(i) To limit impact on classroom instruction time before election day, a student who volunteers to serve as an election worker who is approved by the registrar of voters shall be assigned election worker duties after school hours or on weekends for any day prior to election day.

(ii) A student who serves as an election worker shall do so on election day. In counties that permit voting on days preceding election day, a student election worker may also work on weekends.

(iii) A student who volunteers to be an election worker shall attend a weekend or evening training session before serving as an election worker.

(iv) A student election worker shall receive a stipend for attending the training and for time served as an election worker.

(v) A school that coordinates with the registrar of voters in the county to confirm that a student successfully served as an election worker during school hours on election day shall receive attendance credit for that student on election day.

(vi) A student who serves as an election worker shall receive credit toward the State Seal for all election hours that the registrar of voters confirms that the student worked.

(5) Guidance for participating registrars of voters and local education officials to apply for grants from the fund.

(6) Metrics for evaluating the effectiveness of grant recipients in increasing voter registration and voting in their respective counties. The metrics shall include measuring whether programs under this chapter increase the number of students who earn the State Seal.

2752. (a) The Civic Learning, Outreach, and Engagement Fund is hereby established in the General Fund.

(b) Moneys in the fund are available, upon appropriation by the Legislature, for expenditure by the Secretary of State for the purposes described in Sections 2751 and 2754, including for grants to participating registrars of voters and programs that implement Section 2105 and regulations adopted pursuant to that section.

(c) (1) The Secretary of State shall adopt regulations governing the administration of the fund.

(2) The Secretary of State may set aside five (5) percent of moneys appropriated from the fund to employ persons to administer the fund, including, but not limited to, making grants and evaluating programs implemented by grant recipients.

2753. (a) Notwithstanding any other law, in order to increase civic engagement in geographically and racially diverse counties, the Secretary of State shall, on or before April 1, 2023, contract for the purpose of implementing programs with the appropriate administering agencies in the following counties:

- (1) County of Los Angeles.
- (2) County of Monterey.
- (3) County of Orange.
- (4) County of Sacramento.
- (5) County of San Benito.
- (6) County of San Diego.
- (7) County of Yolo.

(b) (1) The registrar of voters in the counties identified in subdivision (a) shall work with local education officials to identify high school campuses in the county to participate in the program, including activities that result in awarding the State Seal, and to select dates on which to administer the mock election component of the program on each participating school campus.

(2) On a date and schoolsite mutually agreed to by the registrar of voters and local education officials, a mock election shall be conducted to elect members of the school's student government. To the extent possible, the election shall be conducted with the same standards, processes, and voting equipment used in a regular election in the county.

(3) In conjunction with the program, the registrar of voters shall provide voter registration and preregistration opportunities for eligible students.

(c) (1) For each year that the program is conducted, the registrar of voters shall evaluate the program and report the results of the evaluation to the Legislature and the Secretary of State. The report shall include statistics relating to the cost of conducting the elections, student participation on each campus disaggregated by grade level, the number of students who registered or preregistered to vote as a result of the program, and any other benefits or problems that arose. A participating registrar of voters may partner with a California public postsecondary educational institution to compile the report required by this subdivision.

(2) A report prepared pursuant to paragraph (1) shall be submitted within 12 months of the final mock election conducted in the applicable program year and shall be submitted pursuant to Section 9795 of the Government Code.

(d) Expenses associated with the contracts entered into pursuant to this section shall be paid with moneys appropriated from the fund.

2754. The Secretary of State may provide grants from the fund to local elections officials, nonprofit corporations, and unincorporated associations in eligible counties for the following purposes:

(1) To conduct voter outreach and voter education programs, in accordance with the requirements of the Help America Vote Act of 2002 (Public Law 107-252), using funds provided to the state pursuant to Sections 101 and 251 of that act.

(2) To increase accessibility for eligible voters with disabilities, in accordance with the requirements of the Help America Vote Act of 2002 (Public Law 107-252), using funds provided to the state pursuant to Section 261 of that act.

(3) To effectuate the Voter Bill of Rights (Chapter 5 (commencing with Section 2300)), with a particular emphasis on education programs in secondary schools in eligible counties.

(4) To implement the provisions of Chapter 704 of the Statutes of 1975.

(5) To implement Section 2105.

SEC. 5. The sum of fifteen million dollars (\$15,000,000) is hereby transferred from the General Fund to the Civic Learning, Outreach, and Engagement Fund and is appropriated to the Secretary of State for the purposes

specified in Section 2752 of the Elections Code.