

File No. 101101

Committee Item No. 8
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules

Date October 7, 2010

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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OTHER

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Completed by: Linda Wong
Completed by: _____

Date October 4, 2010
Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Election Day Voter Registration procedures.]

2
3 **Ordinance amending the San Francisco Municipal Elections Code by adding Article X,**
4 **Sections 1000-1030 to establish procedures for Election Day Voter Registration and**
5 **Late Voter Registration.**

6 NOTE: Additions are single-underline italics Times New Roman;
7 deletions are ~~strike-through italics Times New Roman~~.
8 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough-normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Municipal Elections Code is hereby amended by adding
11 Article X, Sections 1000-1030, to read as follows:

12 **ARTICLE X. ELECTION DAY VOTER REGISTRATION AND LATE VOTER**
13 **REGISTRATION**

14 **SEC. 1000. DEFINITIONS.**

15 (a) "Affidavit of Registration" shall mean the state voter registration form described in
16 California Elections Code section 2150.

17 (b) "Exclusively Municipal Election" shall mean any election conducted according to the
18 election procedures set forth in the City Charter and Municipal Elections Code. It shall not include a
19 municipal election that is consolidated with a federal, state or district election, or a municipal election
20 that is consolidated with any other election conducted under the provisions of law governing statewide
21 elections.

22 **SEC. 1010. REGISTRATION, VOTING AND CANVASS PROCEDURES.**

23 (a) Beginning 14 days before an Exclusively Municipal Election, any San Francisco resident
24 who is eligible to vote in that election may register and vote by submitting an affidavit of registration
25

1 together with a provisional ballot to the Department of Elections anytime before the close of polls on
2 Election Day.

3 (b) During the 14 day period before an exclusively municipal election, the Department of
4 Elections shall make available at its office affidavits of registration and provisional ballots for late
5 registrants. On Election Day, the Department of Elections shall make available at every polling place
6 affidavits of registration and provisional ballots for election day registrants. The Department of
7 Elections shall accept affidavits of registration and provisional ballots at its office during regular
8 business hours and during any extended hours when the office is open for early voting. On Election
9 Day, the Department shall also accept affidavits of registration and provisional ballots at polling
10 places during the hours the polls are open for voting.

11 (c) After the Department of Elections has processed all affidavits of registration received under
12 subsection (a), the Department shall examine all provisional ballots received under subsection (a).
13 These provisional ballots shall be handled, examined, and included in the official canvass according to
14 the procedures set forth in California Elections Code section 14310.

15 **SEC. 1020. EXCLUSIONS.**

16 Nothing in this Article shall alter the manner in which the Department of Elections processes
17 affidavits of registration received before the voter registration deadlines established by California
18 Elections Code sections 2100 et seq and 3500 et seq. Any San Francisco resident who is eligible to
19 vote in an Exclusively Municipal Election may register to vote in that election by following the voter
20 registration procedures set forth in California Elections Code sections 2100 et seq and 3500 et seq.

21 **SEC. 1030. EFFECTIVE DATE.**

22 This Article shall take effect only if the voters adopt at the November 2, 2010 election a
23 proposed Charter Amendment to establish Election Day Voter Registration. If the voters adopt the
24 proposed Charter Amendment, this Article shall take effect on the same day the Charter Amendment
25 takes effect. If the voters reject the proposed Charter Amendment, this Article shall be deemed


1 inoperative as a matter of law and the City Attorney shall cause this Article to be removed from the
2 Municipal Elections Code.

3 Section 2. Preemption.

4 In adopting this Article, the Board of Supervisors does not intend to regulate or affect
5 the rights of any person to register or vote in any election conducted under the provisions of
6 law governing statewide elections. Nothing in this Article shall alter the voter registration
7 deadlines for any election conducted under the provisions of law governing statewide
8 elections.

9
10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By:


13 MOLLIE LEE
14 Deputy City Attorney

LEGISLATIVE DIGEST

[Election Day Voter Registration procedures.]

Ordinance amending the San Francisco Municipal Elections Code by adding Article X, Sections 1000-1030 to establish procedures for Election Day Voter Registration and Late Voter Registration.

Existing Law

Voter registration in the City and County of San Francisco is conducted according to state law. There are no local registration procedures that differ from state law.

State law requires most individuals to register to vote at least 15 days before an election. Those who become U.S. citizens after the 15-day deadline may register to vote at least seven days before an election.

Amendments to Current Law

The proposal would establish procedures for Election Day Voter Registration and Late Voter Registration for exclusively municipal elections. These procedures would take effect only if the voters at the November 2, 2010 election adopt a proposed Charter Amendment to establish Election Day Voter Registration.

The proposed procedures would permit qualified San Francisco residents to register and vote during the 14 day period before an exclusively municipal election, up to and including Election Day. To register and vote during this period, a qualified resident would be required to submit a state voter registration form together with a provisional ballot. The Department of Elections would be required to process voter registration forms submitted by late registrants before examining the provisional ballots cast by these registrants.

Background Information

A proposed Charter Amendment for the November 2, 2010 election would establish Election Day Voter Registration for exclusively municipal elections in San Francisco. The proposed Charter Amendment directs the Board of Supervisors to establish by ordinance procedures for election day voting registration, in consultation with the Director of Elections.