## **LEGISLATIVE DIGEST**

[Municipal Elections Code - Noncitizen Voting in School Board Elections]

Ordinance amending the Municipal Elections Code to implement Proposition N, adopted at the November 8, 2016 election, by requiring the Department of Elections to develop a voter registration affidavit for certain non-United States citizens to vote in School Board elections; to include a notice on voter materials informing non-United States citizens that any information provided to the Department may be obtained by the federal government; and to create other documents related to non-United States citizens voting in School Board elections, as defined herein.

## **Existing Law**

At the November 2016 election, voters adopted Proposition N, which allows non-United States citizen residents of San Francisco who are of legal voting age and the parents, legal guardians or legally recognized caregivers of a child living in the San Francisco Unified School District to vote for members of the Board of Education. Proposition N authorizes the Board of Supervisors to adopt an ordinance implementing Proposition N.

## Amendments to Current Law

The proposal would implement Proposition N by requiring the Department of Elections ("Department") to:

- develop a voter registration affidavit for non-United States citizens to register to vote in School Board elections;
- include a notice on voter materials informing non-United States citizens that any information provided to the Department may be obtained by the federal government;
- translate that notice into specified languages and post those translations on its website;
- maintain a devoted page on its website that includes a list of lawyers, law firms, and nonprofit organizations with a primary mission of protecting the rights of immigrants;
- develop a checklist, written at a sixth-grade reading level, of all criteria for non-United States citizens to vote in School Board elections; and
- translate that checklist into specified languages and post those translations on its website.

## Background

Since the passage of Proposition N at the November 2016 election, concerns have been raised about whether the City can maintain the confidentiality of voter registration information

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provided to the Department of Elections. For School Board elections at which non-United States citizens can vote, this information would include the names and addresses of non-United States citizens living in San Francisco as well as their children.

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