

designee, which are reasonably accessible to all students. (Education Code § 49040)

- 6) Allows the administrator of a high school, or his or her designee, to appoint one or more pupils who are enrolled at that high school to be voter outreach coordinators. The coordinators may coordinate voter registration activities on his or her high school campus, including: voter registration drives, mock elections, debates, and other election-related pupil outreach activities. (Education Code § 49041)

ANALYSIS

This bill:

- 1) Authorizes the Yolo Elections Office and the Yolo County Board of Education to form a partnership to conduct a High School Voter Education Pilot Program in odd-numbered years.
- 2) Defines the “administering agencies” to mean the Yolo Elections Office and the Yolo County Board of Education. Defines “pilot program” to mean the High School Voter Education Pilot Program.
- 3) Requires the administering agencies to identify high school campuses in the county to participate in the pilot program and select dates to administer the pilot program on each participating school campus.
- 4) Requires the Yolo Elections Office, on the date selected for each campus, to conduct a mock election to elect members of the school’s student government. Requires, to the extent possible, the elections to be conducted with the same standards, processes, and voting equipment used in a regularly conducted election in the county.
- 5) Requires the administering agencies to provide voter registration and preregistration to eligible students.
- 6) Requires the administering agencies to evaluate the pilot program and report the results of the evaluation to the Legislature and the SOS within 12 months of the last mock election conducted in that year. This bill authorizes the administering agencies to partner with a college or university located within the county to help compile the report.
- 7) This bill requires the report to include statistics on the following:
 - a) The cost of conducting the election.
 - b) Student participation on each campus.
 - c) The number of students who registered or preregistered to vote as a result of the pilot program.

- d) Any other benefits or problems that arose.
- 8) Expands existing requirements surrounding county voter outreach programs, such that if the SOS finds that a county not designed, implemented, *nor updated* their non-registered voter outreach programs, then the SOS shall design a program for the county and report the violation to the Attorney General.
- 9) Expands the list of purposes for which the SOS shall provide grant monies to include effectuation of the Voter Bill of Rights, with a particular emphasis on education programs in secondary schools in counties where the voter registration rate is underperforming.
- 10) Makes findings and declarations concerning the importance of expanding voter participation.

COMMENTS

- 1) ***Need for the bill.*** According to the author, “Since 1976, county elections officials have been required to design and implement outreach programs to increase voter registration. However, the state has never updated regulatory guidance for the counties or enforced current law, in part due to limited funding. Failure to modernize and enforce county voter outreach requirements contributes to California’s low voter registration rates. In the 16 most underperforming counties, 30-40 percent of eligible voters are not registered. These counties overlap heavily with the communities most likely to be undercounted in the census. By registering these communities to vote, we can ensure fuller participation in our democracy and the census. AB 1036 also establishes a High School Voter Education Pilot Program in Yolo County. The pilot authorizes county officials to conduct student government elections using voting machines and custom ballots in order to teach youth how to vote and encourage future voter participation. In 2017, Yolo County ran the student government election at Esparto High School using official elections equipment, including custom ballots, voting machines, and polling signage. The senior students also learned how ballots are processed, counted, and certified. On ‘election day’, any eligible students were given the opportunity to register or pre-register to vote. AB 1036 will help expand the pilot so that more high schools by legitimizing the work Yolo County is already doing. The bill will also encourage a partnership with UC Davis to study whether this innovative voter education model should be adopted statewide.”
- 2) ***Young adult voter registration and voter turnout is low in California.*** California’s young adults have consistently remained underrepresented in California’s eligible voting population. Publications from the SOS, the Department of Finance, the California Civic Engagement Project, and the Public Policy Institute of California report that only 28 percent of registered young adults actually voted in the 2018 Presidential Election. Further, this group cites “lack of interest” as the top reason for choosing not to register to vote.

The Yolo County student government mock elections proposed in this bill allow participating high school to use true-to-life elections procedures to cast a ballot for their peers, hopefully adding an element of fun and relevance to the voter

education program. Further, this program offers students the opportunity to register and preregister at school. This hands-on and community-oriented approach may cause students to retain more information about the voting process and to be more willing to vote in the future.

- 3) **Yolo County Voting Statistics.** The SOS reports the following voting statistics for Yolo County:

	Yolo County	California Overall
Eligible persons registered to vote	74 %	79 %
Registrants between 16.6 – 26 years old	19 %	13 %

- 4) **Yolo County Pilot: High School Mock Elections.**

2018 Pilot Program

The 2018 Yolo County Outreach Program Summary describes the outcomes of their first mock high school student government election, which occurred in May 2017 at Esparto High School. Turnout in this mock election was 59 percent (128 out of 216 students). The highest turnout was among the junior class, which had a 70 percent turnout rate. The processes and equipment were similar to those used in official elections in Yolo County, including method of voting and style of ballots used. The Yolo County Elections Office customized the ballots to display the student government candidate’s names and statements, oversaw the voting process on mock Election Day and allowed the senior class to observe the ballot adjudication process. Completed ballots were scanned on site and the results were announced within the same day. Additionally, voter registration cards were made available to students to register or preregister. Speaking of the program in their summary document, the Yolo County Elections Office writes, “This event allowed students to experience voting in a way that was personal to them, and taught them more about what the election process is like from beginning to end. It is our belief that by involving students in the democratic process early, we can instill lifelong values of democracy and civic engagement.”

2019 Program, Plans for expansion

Yolo County Elections Office planned to conduct this program at Woodland High School in May 2019, in which the pilot program would be expanded to include: the use of voting machines; the use of voting booths that accommodate disabilities; information about how to change one’s voter information after a move; how to be a poll worker; and other voter education materials.

According to the Yolo County Elections Office, “The goal is for our office to create an experience that mimics voting at the polling place on Election Day, so that students feel comfortable and will know what to do when they are old enough to vote. Moreover, we believe that this positive high school experience will encourage students to become future election ambassadors and lifelong voters.”

- 5) **High School Voter Education Week.** Existing law requires local educational agencies to recognize High School Voter Education Week during the last two

weeks of April and September. During this time, the schools can partner with county election officials to register and preregister pupils on a paper form or online. Pupils can be designated as voter outreach coordinators to lead registration drives and other school activities aimed at increasing civic participation.

According to a 2017 report titled, “California’s Missing Voters”, by the Public Policy Institute of California:

...There is some evidence that young people who pre-register [to vote] are more likely to vote than similarly situated young people who register the traditional way...One possible explanation is that young people often preregister in large events at their high schools, creating an excitement around the experience and providing key information that would otherwise be missing.

- 6) **2018 Secretary of State (SOS) Annual Report to the Legislature on Student Voter Registration.** The SOS is required to submit an annual report to the legislature reporting on K-12 student voter registration efforts pursuant to the Student Voter Registration act of 2003 (Elections Code § 2146d, Chapter 819, 2003). The report found that:
- a) The SOS printed and mailed over 2.5 million student voter registration applications to high school and college campuses in 2008. Of these, less than 1 percent were returned as completed.
 - b) The number of trackable voter registrations from students amounted to 218,872 in 2018. 93 percent were pre-registrations through the SOS website.
 - c) Since the implementation of online voter registration and pre-registration, more pupils are opting to register and pre-register on the SOS website. The SOS anticipates the registration and pre-registration numbers to quadruple from 2018 to 2020.

Furthermore, according to the 2019 SOS report on voter registration statistics, over nearly 300,000 16 and 17 year-olds have pre-registered to vote since the pre-registration program launched in 2016.

- 7) **Arguments in support.** The Yolo County Office of Elections writes in support, “These mock-elections will provide both an engaging civic education opportunity and create additional opportunities for local officials to register and preregister young voters. It will also set the state for high school students to share with their family and friends the knowledge and positive experience gained about our election process...AB 1036 will provide clear authority for the county to continue operating this pilot program and potentially expand it to high schools throughout the county of Yolo. As required by AB 1036, our office looks forward to reporting on the impact this pilot program may have on youth voter registration and participation. This information will help inform how the state should be using mock elections to increase youth voter participation in the future.”

- 8) **Double referred.** This bill was heard by the Senate Committee on Education and the Committee on Elections and Constitutional Amendments on July 2, 2019 where it received a 4-1 vote.
- 9) **Amendments.** The committee recommends the following amendments:
- a) This bill requires an evaluation of the High School Voter Education pilot program to include statistics related to the cost of conducting the elections, the number of students who registered or preregistered, benefits, problems, and student participation on each campus. **The committee recommends an amendment** that requires the report to disaggregate student participation by grade level.
 - b) **The committee recommends a technical amendment** to clarify that, as part of the pilot program, registration and preregistration *opportunities* shall be provided to all eligible students.
 - c) This bill refers to the Yolo County Board of Education. **The committee recommends an amendment** to refer to this office as the “Yolo County Office of Education.”
 - d) *At the request of the Senate Committee on Elections and Constitutional Amendments, the committee recommends an amendment that* the SOS may, instead of shall, grant local elections officials, nonprofit corporations, and unincorporated associations grants for voter outreach, education, and accessibility programs. (Elections Code § 2131 (b))
- 10) **Fiscal impact.** According to the Assembly Appropriations Committee, this bill may have the following fiscal impact:
- a) SOS first year costs of \$125,000 and \$120,000 annual ongoing costs (General Fund).
 - b) This bill creates a state-mandated local program. To the extent the Commission on State Mandates determines the provisions of this bill create a new program or impose a higher level of service on counties, counties could claim reimbursement of those costs (General Fund).
- 11) **Related budget activity.** AB 74 (Ting, Chapter 23, 2019) makes the following allocations related to voter registrations in the Annual Budget Act.
- \$41.9 million to support the SOS, of which \$1.65 million is for filings and registrations.
 - \$10.7 million to the SOS for the purposes approved in the federal Help America Vote Act of 2002 (Title 42 United States Code § 15301 et seq.) which makes reforms to voting systems and voter access.
- 12) **Related legislation.** AB 773 (Gonzalez, 2019) requires the SOS, in coordination with the Superintendent of Public Instruction, to develop voter educational

programming for local educational agencies to implement as a presentation to pupils in grade 12 at the schoolsite. AB 773 requires the presentation to provide pupils the opportunity to register or preregister to vote. AB 773 has been referred to the Senate Committee on Appropriations.

- 7) AB 2749 (Shelley, 2002) required the governing board of each school district that maintains grade 12 to: (1) Request voter registration cards for all their graduating seniors; (2) Distribute voter registration cards to all the graduating seniors along with the diploma; (3) Establish procedures for the proper handling of voter registration cards; and (4) Notify pupils of state voter eligibility requirements, and that pupils may submit completed voter registration cards in-person or by mail to election officials of the county in which the pupil resides. Governor Davis vetoed this bill with the following message:

I am returning Assembly Bill 2759 without my signature.

This bill would require each school district serving grade 12 to annually request county election officials to (1) furnish schools with a voter registration card for every graduating senior; (2) distribute voter registration cards with each pupil's diploma; (3) establish procedures for handling the cards; and (4) provide a written notice informing students about eligibility and processing. In addition, the bill would encourage schools requiring students to perform community service to allow participation in elections-related events to fulfill those service requirements. While I support the author's efforts to encourage voter registration among graduating seniors, this bill would impose state-mandated costs on school districts of at least \$500,000. In addition, the Secretary of State currently provides a voting information curriculum to California high schools. Furthermore, I believe student groups or other civic groups should undertake voter registration activities instead of the State mandating this activity.

Because of the unbudgeted costs of this well-intentioned bill, and because of the current fiscal condition of the state, I am unable to sign AB 2759.

AB 183 (Coto, 2007) would have required, beginning with the 2009-10 school year and annually thereafter, for every school district maintaining at least one high school to report on and publish, as specified, its pupil voter registration efforts. This bill would have required the report on pupil voter registration efforts to be published on the Internet website of each of its high schools and in the parent newsletters or other communication vehicles used by the school community. This bill was vetoed by Governor Schwarzenegger with the following message:

I am returning Assembly Bill 183 without my signature.

I believe it is important to encourage young Californians to register to vote. Current law already requires the Secretary of State to

provide voter registration forms to schools for disbursement to students. Moreover, throughout the year, registrars of voters are provided the opportunity to meet with high school students through bi-annual campus visits during high school voter weeks.

In contrast, this bill will not likely induce more students to vote. Instead, it will likely result in significant reimbursable state-mandates to school districts and unnecessarily add administrative burdens to schools while taking time and resources away from schools' educational mission.

For these reasons, I am unable to sign this bill.

SUPPORT

American Civil Liberties Union (ACLU) of California
Yolo County Assessor/Clerk-Recorder/Elections Office
Voter Access Project

OPPOSITION

None received

-- END --