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18 Inc., et al.

ELECTRONICALLY FILED
Superior Court of California
County of Sacramento
05/05/2025
By: B. Prasad Deputy

19 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
20 **FOR THE COUNTY SACRAMENTO**

21 ELECTION INTEGRITY PROJECT
22 CALIFORNIA, INC.; LARRY LEWIS, an
23 individual,
24
25 Petitioners,
26
27 v.
28 SHIRLEY WEBER, CALIFORNIA
SECRETARY OF STATE; DEAN LOGAN,
LOS ANGELES COUNTY REGISTRAR-
RECORDER/COUNTY CLERK,
Respondents,

Case No.: 24WM000168

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF PETITIONERS'
OPPOSITION TO RESPONDENT'S
DEMURRER**

Petitioners, ELECTION INTEGRITY PROJECT CALIFORNIA, INC. and LARRY LEWIS (“Petitioners”) request, pursuant to Evidence Code §§ 452 and 453, that the Court take judicial notice of the following items in support of Petitioners’ Opposition to Respondent SHIRLEY WEBER, CALIFORNIA SECRETARY OF STATE’s (“Respondent”) Demurrer to Petitioners’ First Amended Petition for Peremptory Writ of Mandate.

1. **Exhibit 1:** A true and correct copy of a California Committee Report for Assembly Bill No. 1020, dated July 6, 2015, from the Senate Committee on Elections and Constitutional Amendments during the 2015-2016 Regular Session of the California legislature. Pursuant to

1 Evidence Code § 452, judicial notice can be taken of “private acts of the Congress of the United
2 State and of the Legislature of this state.” (Evid. Code § 452(a).) Evidence Code § 452 further
3 permits judicial notice of “Official acts of the legislative, executive, and judicial departments of the
4 United States and of any state of the United States.” (Evid. Code § 452(c).) Legislative committee
5 reports and analyses are properly subject to judicial notice. A committee report is considered a
6 legislative act. (*See, Perez v. Galt Joint Union Elementary School District* (2023) 96 Cal. App.5th
7 150, 155.)

8 2. **Exhibit 2:** A true and correct copy of California Legislative Counsel’s Digest to
9 Assembly Bill No. 177, filed with the Secretary of State on September 22, 2003, approved by the
10 Governor on September 20, 2003, and introduced by Senator Oropeza. Pursuant to Evidence Code
11 § 452, judicial notice can be taken of “private acts of the Congress of the United State and of the
12 Legislature of this state.” (Evid. Code § 452(a).) It further permits judicial notice of “Official acts
13 of the legislative, executive, and judicial departments of the United States and of any state of the
14 United States.” (Evid. Code § 452(c).) The California Legislative Counsel’s Digest is a document
15 prepared by Legislative staff and, as such, is properly subject to judicial notice. (*See, Perez v. Galt*
16 *Joint Union Elementary School District* (2023) 96 Cal. App.5th 150, 155.) Bill summaries provided
17 by the Legislative Counsel’s Digest, which are printed as a preface to every bill considered by the
18 Legislature “are entitled to great weight.” (*Jones v. Lodge at Torrey Pines Partnership* (2008) 42
19 Cal.4th 1158, 1169–1170.) “The digest constitutes the official summary of the legal effect of the
20 bill and is relied upon by the Legislature throughout the legislative process. Thus, it is recognized
21 as a primary indication of legislative intent.” (*Souvannarath v. Hadden* (2002) 95 Cal.App.4th 1115,
22 1126 n. 9, [citations omitted].)

23 3. **Exhibit 3:** A true and correct copy of a web page on the Secretary of State’s website
24 regarding the “Voter Bill of Rights” under “Elections and Voter Information.” Judicial notice may
25 be taken of “Official acts of the legislative, executive, and judicial departments of the United States
26 and of any state of the United States.” (Evid. Code § 452(c).) The acts of the Secretary of State are
27 judicially noticeable under Evid. Code § 452(c). (*See, e.g., Friends of Shingle Springs Interchange,*
28 *Inc. v. County of El Dorado* (2011) 200 Cal.App.4th 1470, 1483-84 [providing that letters and

1 certificates issued by the Secretary of State website are proper subjects for judicial notice as “official
2 acts of the executive department of the State of California”].) Judicial notice may also be taken of
3 websites when neither party questions the authenticity of the site. (*Pollstar v. Gigmania, Ltd.* (E.D.
4 Cal. 2000) 170 F. Supp.2d. 974, 978.) Specifically, judicial notice is routinely taken of state
5 government websites (*See, e.g., Barri v. Workers’ Comp Appeals Bd.* (2018) 28 Cal.App.5th 428,
6 437 [taking judicial notice of the “Government’s website listing liens subject to a section
7 4615 stay”].)

8 4. **Exhibit 4:** A true and correct copy of a bill analysis of Assembly Bill No. 177
9 from the Assembly Committee on Elections, Redistricting, and Constitutional Amendments, during
10 the 2003-2004 Regular Session of the California legislature with a hearing date of April 1, 2003.
11 Pursuant to Evidence Code § 452, judicial notice can be taken of “private acts of the Congress of
12 the United State and of the Legislature of this state.” (Evid. Code § 452(a).) It further permits judicial
13 notice of “Official acts of the legislative, executive, and judicial departments of the United States
14 and of any state of the United States.” (Evid. Code § 452(c).) The legislative history underlying a
15 statute as well as senate bills, assembly bills, and committee analyses and reports are all proper
16 subjects for judicial notice. (*Rea v. Blue Shield of California* (2014) 226 Cal.App.4th 1209, 1224.)
17 Judicial notice of the requested bill analysis of Assembly Bill No. 177 is proper because this bill
18 analysis falls under the purview of the legislative history and is a document prepared by Legislative
19 staff. (*See, Perez v. Galt Joint Union Elementary School District* (2023) 96 Cal. App.5th 150, 155.)

20
21 DATED: May 5, 2025

ADVOCATES FOR FAITH & FREEDOM

22 By: 
23 Robert H. Tyler, Esq.
24 Julianne E. Fleischer, Esq.

25 DATED: May 5, 2025

TYLER LAW, LLP

26 By: 
27 Emma F. Plotnik, Esq.
28 Attorneys for Petitioners

EXHIBIT “1”

2015 California Assembly Bill No. 1020, California 2015-2016 Re...

Legislative History (Approx. 4 pages)

63 of 114 results



2015 CA A.B. 1020 (NS)

2015 California Assembly Bill No. 1020, California 2015-2016 Regular Session

CALIFORNIA COMMITTEE REPORT

VERSION: General

July 06, 2015

Version Date July 06, 2015

Ridley-Thomas.

TEXT:

BILL ANALYSIS

SENATE COMMITTEE ON ELECTIONS AND CONSTITUTIONAL AMENDMENTS Senator Ben Allen, Chair 2015 - 2016 Regular

Bill No: AB 1020 Hearing Date: 7/7/15 ----- |Author: |Ridley-Thomas | |-----+-----
 -----|Version: |7/1/15 | -----
 -----|Urgency: |No |Fiscal: |Yes | -----
 -----|Consultant:|Darren Chesin || | -----

Subject: Elections: voter registration

DIGEST

This bill updates key Elections Code statutes and deletes obsolete provisions in anticipation of the deployment of the federally mandated VoteCal statewide voter registration database.

ANALYSIS

Existing law :

- 1)Requires, pursuant to the federal Help America Vote Act (HAVA) of 2002, every state to implement a computerized statewide voter registration list defined, maintained, and administered at the state level.
- 2)Provides that a person is entitled to register to vote if he or she is a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next registration.
- 3)Authorizes county elections officials, under specified circumstances and in order to promote and encourage voter registrations, to deputize as registrars qualified citizens to register voters anywhere within the county.
- 4)Sets forth the deadlines by which county elections officials must accept affidavits of registration which is generally at of ?
all times except during the 14 days immediately preceding an election except under forthcoming provisions permitting "conditional" registration of voters in conjunction with provisional voting after this deadline up to and including Election Day.
- 5)Specifies that conditional voter registration as described above becomes operative on January 1 of the year following the year in which the Secretary of State (SOS) certifies that the state has a statewide voter registration database that complies with the requirements of the federal Help America Vote Act of 2002. It is anticipated that this statewide voter database will become operative in 2016, therefore conditional voter registration will commence in 2017.
- 6)Permits specified voters to apply for and receive confidential voter status.

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7) Provides that a person who obtains signatures or other information collected for an initiative, referendum, or recall petition shall not send that information outside of the United States or make it available in any way electronically to persons outside the United States, including, but not limited to, access over the Internet.

This bill :

1) Updates numerous sections of the Elections Code and deletes numerous obsolete sections in anticipation of the deployment of the federally mandated VoteCal statewide voter registration database.

2) Provides that a person is entitled to preregister to vote in an election if, among other things, that person is at least 16 years of age but is not eligible to vote until he or she is 18 years of age and makes other conforming changes related thereto.

3) Deletes references in the code to deputy registrars of voters and makes conforming changes to related provisions of law.

4) Deletes various existing provisions of law regarding the timing of acceptance of affidavits of registration and consolidate these and other related code sections into a of ?

single section that consolidates deadlines for voter registration, re-registration, and updating of registrations that also reflects anticipation of the start of conditional voter registration.

5) Makes corresponding changes to the process whereby specified voters may apply for and receive confidential voter status in anticipation of VoteCal.

6) Additionally provides that a person who obtains signatures or other information collected for a political party qualification petition shall not send that information outside of the United States or make it available in any way electronically to persons outside the United States, including, but not limited to, access over the Internet.

7) Corrects incorrect cross-references and deletes numerous obsolete provisions of law.

8) Becomes operative only if the SOS certifies that the state has a statewide voter registration database that complies with the federal Help America Vote Act of 2002. (HAVA)

BACKGROUND

VoteCal . HAVA requires every state to implement a computerized statewide voter registration list defined, maintained, and administered at the state level. At the time HAVA was approved, California was already using a statewide voter registration system, known as Calvoter, which achieved some of the goals of the voter registration list required by HAVA. However, Calvoter did not satisfy all of the requirements in that law, including requirements that the database be fully interactive and have the capability of storing a complete voter registration history for every voter.

In order to meet the statewide voter registration requirements outlined in HAVA, California made upgrades to the Calvoter system to achieve interim compliance while the state developed a new permanent statewide voter registration system. The new system, which is currently in development, is known as VoteCal. The VoteCal system is currently on track for full implementation in 2016.

of ?

VoteCal will include a number of new key features and upgrades from the Calvoter system, including the following:

1) A Publicly Available Website. VoteCal will provide improved service to the voters of California through a publicly available statewide customer service website. At the website, voters will be able to apply to register to vote or update their existing voter registration record. Voters will also be able to review information in their voter record, including: their precinct and polling place; political party preference; eligibility to vote in an upcoming election; and, status as a permanent vote-by-mail or one-time mail ballot voter.

In addition, voters using the public VoteCal website will be in a better position to take advantage of many lesser known election tools and services already on the books. They will be able to opt in or out of receiving physical copies of the Voter Information Guide and County Sample Ballots, and may instead request to receive the documents electronically. A voter will also be able to retrieve information from the new website about whether their vote-by-mail or provisional ballot is counted and, if it was not, the reason why it was not counted.

2) A Complete Index of Voter Registration Records. The most discussed portion of VoteCal is the statewide database, as required under HAVA, that the SOS and county elections officials will collectively use to manage the voter information for all Californians. VoteCal will store and maintain voter registration information for the voters of California in the 58 counties. Moreover, VoteCal will allow county elections officials to research a voter's registration, voter activity and voter participation history, store voter affidavit and signature images, and much more.

3) A Single Place for List Maintenance Functions. VoteCal offers much needed utility to state and local elections officials. As a central source for list maintenance functions, VoteCal ensures the voter registration list is up-to-date and accurate. As part of list maintenance, VoteCal is designed to check for duplicate registrations, check registration records to ensure voters have not been of ?

convicted of a crime that would preclude them from voting, check for deceased voters, and accommodate immediate updates of voter registration data in a central system as it is entered by the counties.

4) Local Elections Official Assistance. VoteCal will work with county Election Management Systems (EMS) to help county elections officials set up and track their elections. VoteCal will be used to set up statewide elections, and VoteCal will interact with the county EMS to track election information such as a voter's districts and precincts and their political party preference. VoteCal will also allow voters to opt in or out of receiving the voter information guide and the county sample ballot.

This bill incorporates multiple federal VoteCal requirements into voter registration and other related statutes by revising and repealing relevant Elections Code sections as necessary. These provisions were developed through collaboration between the SOS and county elections officials in an ongoing process to identify statutory changes in preparation for implementing VoteCal, including the following:

1)Streamlining voter registration updates and voter file maintenance, so that voters' registrations are seamlessly updated using the real-time efficiencies of VoteCal.

2)Eliminating outdated references and procedures, including references to deputy registrars of voters and to technology-specific references to obsolete registration systems, and requirements to maintain multiple paper copies of registration records.

3)Codifying language necessary to prescribe the new VoteCal system and procedures, including clarifying the roles of state and county elections officials.

4)Improving clarity in existing law by repealing code sections that are no longer used under the current system and irrelevant to VoteCal.

5)Consolidating obsolete voter registration management statutes into fewer, more specific code sections.

of ?

6)Ensure the continued protection for confidential voters and their personal information.

COMMENTS

1)According to the author : California is in the process of developing a new statewide voter registration system in order to fully comply with requirements in federal law. The new system, which is known as VoteCal, is currently on track for full implementation in 2016. While California must develop a statewide voter database pursuant to federal law, multiple state statutes must be changed to conform to federal requirements.

AB 1020 will ensure that the federally mandated VoteCal statewide voter registration database can be implemented effectively by updating key Elections Code statutes and deleting obsolete provisions.

PRIOR ACTION

----- |Assembly Floor: |74 - 0 | |-----+-----|
|Assembly Elections and Redistricting | 7 - 0 | |Committee: | | -----

Note: This bill was completely rewritten in the Senate therefore the Assembly votes do not reflect the current version of this bill.

POSITIONS

Sponsor: Secretary of State Alex Padilla

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Support: None received

Oppose: None received of ?

-- END --

2015 CA A.B. 1020 (NS)

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EXHIBIT “2”



AB-177 Elections. (2003-2004)

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Assembly Bill No. 177

CHAPTER 425

An act to amend Sections 9084, 13300, and 14105 of, to add Section 14105.3 to, and to add Chapter 5 (commencing with Section 2300) to Division 2 of, the **Elections** Code, relating to **elections**.

[Filed with Secretary of State September 22, 2003. Approved by Governor September 20, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 177, Oropeza. **Elections**.

Existing law sets forth requirements and entitlements with respect to the right to vote in California **elections**. Among the requirements for voters is United States citizenship. Existing law further gives voters specified rights concerning the casting of ballots by voters, the receipt of **election** materials and other voting information, and the reporting of illegal or fraudulent activity as to the electoral process.

This bill would restate that all voters must be citizens of the United States and the other requirements to be a valid registered voter and would establish a Voter Bill of Rights enumerating the rights of voters as established under existing law and would require voters to be informed of the Voter Bill of Rights.

Existing law requires ballot pamphlets to include specified information and requires local **elections** officials to provide certain information at all precinct offices, and to post specified information at polling places on **election** days.

This bill would require ballot pamphlets to also include the Voter Bill of Rights and would require the local **elections** officials to include the Voter Bill of Rights in information provided to precinct offices and posted at polling places.

Because this bill would increase the duties of local **elections** officials, it would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish **procedures** for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other **procedures** for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

This bill would incorporate additional changes in Section 14105 of the **Elections** Code proposed by AB 1679 that would become effective only if AB 1679 and this bill are both chaptered and become effective on or before

January 1, 2004, and this bill is chaptered last.

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

SECTION 1. Chapter 5 (commencing with Section 2300) is added to Division 2 of the **Elections** Code, to read:

CHAPTER 5. Voter Bill of Rights

2300. (a) All voters, pursuant to the California Constitution and this code, shall be citizens of the United States. There shall be a Voter Bill of Rights for voters, available to the public, which shall read:

(1) (A) You have the right to cast a ballot if you are a valid registered voter.

(B) A valid registered voter means a United States citizen who is a resident in this state, who is at least 18 years of age and not in prison or on parole for conviction of a felony, and who is registered to vote at his or her current residence address.

(2) You have the right to cast a provisional ballot if your name is not listed on the voting rolls.

(3) You have the right to cast a ballot if you are present and in line at the polling place prior to the close of the polls.

(4) You have the right to cast a secret ballot free from intimidation.

(5) (A) You have the right to receive a new ballot if, prior to casting your ballot, you believe you made a mistake.

(B) If at any time before you finally cast your ballot, you feel you have made a mistake, you have the right to exchange the spoiled ballot for a new ballot. Absentee voters may also request and receive a new ballot if they return their spoiled ballot to an **elections** official prior to the closing of the polls on **election** day.

(6) You have the right to receive assistance in casting your ballot, if you are unable to vote without assistance.

(7) You have the right to return a completed absentee ballot to any precinct in the county.

(8) You have the right to **election** materials in another language, if there are sufficient residents in your precinct to warrant production.

(9) (A) You have the right to ask **questions about election procedures** and observe the **elections** process.

(B) You have the right to ask **questions** of the precinct board and **election** officials regarding **election procedures** and to receive an answer or be directed to the appropriate official for an answer. However, if persistent questioning disrupts the execution of their duties, the board or **election** officials may discontinue responding to **questions**.

(10) You have the right to report any illegal or fraudulent activity to a local **elections** official or to the Secretary of State's Office.

(b) Beneath the Voter Bill of Rights there shall be listed a toll-free telephone number to call if a person has been denied a voting right or to report **election** fraud or misconduct.

(c) The Secretary of State may develop regulations to implement and clarify the Voter Bill of Rights set forth in subdivision (a).

(d) The Voter Bill of Rights set forth in subdivisions (a) and (b) shall be made available to the public before each **election** and on **election** day, at a minimum, as follows:

(1) The Voter Bill of Rights shall be printed in the statewide voter pamphlet, pursuant to Section 9084, in a minimum of 12-point type. Subparagraph (B) of paragraph (1) of subdivision (a), subparagraph (B) of paragraph (5) of subdivision (a), and subparagraph (B) of paragraph (9) of subdivision (a) may be printed in a smaller point type than the rest of the Voter Bill of Rights.

(2) Posters or other printed materials containing the Voter Bill of Rights shall be included in precinct supplies pursuant to Section 14105.

SEC. 2. Section 9084 of the **Elections** Code is amended to read:

9084. The ballot pamphlet shall contain all of the following:

- (a) A complete copy of each state measure.
- (b) A copy of the specific constitutional or statutory provision, if any, that each state measure would repeal or revise.
- (c) A copy of the arguments and rebuttals for and against each state measure.
- (d) A copy of the analysis of each state measure.
- (e) Tables of contents, indexes, art work, graphics, and other materials that the Secretary of State determines will make the ballot pamphlet easier to understand or more useful for the average voter.
- (f) A notice, conspicuously printed on the cover of the ballot pamphlet, indicating that additional copies of the ballot pamphlet will be mailed by the county **elections** official upon request.
- (g) A written explanation of the judicial retention procedure as required by Section 9083.
- (h) The Voter Bill of Rights pursuant to Section 2300.

SEC. 3. Section 13300 of the **Elections** Code is amended to read:

13300. (a) By at least 29 days before the primary, each county **elections** official shall prepare separate sample ballots for each political party and a separate sample nonpartisan ballot, placing thereon in each case in the order provided in Chapter 2 (commencing with Section 13100), and under the appropriate title of each office, the names of all candidates for whom nomination papers have been duly filed with him or her or have been certified to him or her by the Secretary of State to be voted for in his or her county at the primary **election**.

(b) The sample ballot shall be identical to the official ballots, except as otherwise provided by law. The sample ballots shall be printed on paper of a different texture from the paper to be used for the official ballot.

(c) One sample ballot of the party to which the voter belongs, as evidenced by his or her registration, shall be mailed to each voter entitled to vote at the primary who registered at least 29 days prior to the **election** not more than 40 nor less than 10 days before the **election**. A nonpartisan sample ballot shall be so mailed to each voter who is not registered as intending to affiliate with any of the parties participating in the primary **election**, provided that on **election** day any person may, upon request, vote the ballot of a political party if authorized by the party's rules, duly noticed to the Secretary of State.

SEC. 4. Section 14105 of the **Elections** Code is amended to read:

14105. The **elections** official shall furnish to the precinct officers all of the following:

- (a) Printed copies of the indexes.
- (b) Necessary printed blanks for the roster, tally sheets, lists of voters, declarations, and returns.
- (c) Envelopes in which to enclose returns.
- (d) Not less than six nor more than 12 instruction cards to each precinct for the guidance of voters in obtaining and marking their ballots. On each card shall be printed necessary instructions and the provisions of Sections 14225, 14279, 14280, 14287, 14291, 14295, 15271, 15272, 15273, 15276, 15277, 15278, 18370, 18380, 18403, 18563, and 18569.
- (e) A digest of the **election** laws with any further instructions the county **elections** official may desire to make.
- (f) An American flag of sufficient size to adequately assist the voter in identifying the polling place. The flag is to be erected at or near the polling place on **election** day.
- (g) A ballot container, properly marked on the outside indicating its contents.
- (h) When it is necessary to supply additional ballot containers, these additional containers shall also be marked on the outside, indicating their contents.
- (i) Sufficient ink pads and stamps for each booth. The stamps shall be one solid piece and shall be made so that a cross (+) may be made with either end. If ballots are to be counted by vote tabulating equipment, an

adequate supply of other approved voting devices shall be furnished. All voting stamps or voting devices shall be maintained in good usable condition.

(j) When a candidate or candidates have qualified to have his or her or their names counted pursuant to Article 3 (commencing with Section 15340) of Chapter 4 of Division 15, a sufficient number of ink pens or pencils in the voting booths for the purpose of writing in on the ballot the name of the candidate or candidates.

(k) A sufficient number of cards to each polling place containing the telephone number of the office to which a voter may call to obtain information **about** his or her precinct location. The card shall state that the voter may call collect during polling hours.

(l) An identifying badge or insignia for each member of the precinct board. The member shall print his or her name and the precinct number thereon and shall wear the badge or insignia at all times in the performance of duties, so as to be readily identified as a member of the precinct board by all persons entering the polling place.

(m) Facsimile copies of the ballot containing ballot measures and ballot instructions printed in Spanish or other languages as provided in Section 14201.

(n) Sufficient copies of the notices to be posted on the indexes used at the polls. The notice shall read as follows: "This index shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14297 of the **Elections** Code. Any person who removes, tears, marks, or otherwise defaces this index with the intent to falsify or prevent others from readily ascertaining the name, address, or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor."

(o) A roster of voters for each precinct in the form prescribed in Section 14107.

(p) In addition, the **elections** official may, with the approval of the board of supervisors, furnish the original books of affidavits of registration or other material necessary to verify signatures to the precinct officers.

(q) Printed copies of the Voter Bill of Rights, as supplied by the Secretary of State. The Voter Bill of Rights shall be conspicuously posted both inside and outside every polling place.

This section shall become operative on January 1, 1990.

SEC. 4.5. Section 14105 of the **Elections** Code is amended to read:

14105. The **elections** official shall furnish to the precinct officers all of the following:

(a) Printed copies of the indexes.

(b) Necessary printed blanks for the roster, tally sheets, lists of voters, declarations, and returns.

(c) Envelopes in which to enclose returns.

(d) Not less than six nor more than 12 instruction cards to each precinct for the guidance of voters in obtaining and marking their ballots. On each card shall be printed necessary instructions and the provisions of Sections 14225, 14279, 14280, 14287, 14291, 14295, 15271, 15272, 15273, 15276, 15277, 15278, 18370, 18380, 18403, 18563, and 18569.

(e) A digest of the **election** laws with any further instructions the county **elections** official may desire to make.

(f) An American flag of sufficient size to adequately assist the voter in identifying the polling place. The flag is to be erected at or near the polling place on **election** day.

(g) A ballot container, properly marked on the outside indicating its contents.

(h) When it is necessary to supply additional ballot containers, these additional containers shall also be marked on the outside, indicating their contents.

(i) Sufficient ink pads and stamps for each booth. The stamps shall be one solid piece and shall be made so that a cross (+) may be made with either end. If ballots are to be counted by vote tabulating equipment, an adequate supply of other approved voting devices shall be furnished. All voting stamps or voting devices shall be maintained in good usable condition.

(j) When a candidate or candidates have qualified to have his or her or their names counted pursuant to Article 3 (commencing with Section 15340) of Chapter 4 of Division 15, a sufficient number of ink pens or pencils in the voting booths for the purpose of writing in on the ballot the name of the candidate or candidates.

(k) A sufficient number of cards to each polling place containing the telephone number of the office to which a voter may call to obtain information **about** his or her precinct location. The card shall state that the voter may call collect during polling hours.

(l) An identifying badge or insignia for each member of the precinct board. The member shall print his or her name and the precinct number thereon and shall wear the badge or insignia at all times in the performance of duties, so as to be readily identified as a member of the precinct board by all persons entering the polling place.

(m) Facsimile copies of the ballot containing ballot measures and ballot instructions printed in Spanish or other languages as provided in Section 14201.

(n) Sufficient copies of the notices to be posted on the indexes used at the polls. The notice shall read as follows: "This index shall not be marked in any manner except by a member of the precinct board acting pursuant to Section 14297 of the **Elections** Code. Any person who removes, tears, marks, or otherwise defaces this index with the intent to falsify or prevent others from readily ascertaining the name, address, or political affiliation of any voter, or the fact that a voter has or has not voted, is guilty of a misdemeanor."

(o) A roster of voters for each precinct in the form prescribed in Section 14107.

(p) In addition, the **elections** official may, with the approval of the board of supervisors, furnish the original books of affidavits of registration or other material necessary to verify signatures to the precinct officers.

(q) Printed copies of the Voter Bill of Rights, as supplied by the Secretary of State. The Voter Bill of Rights shall be conspicuously posted both inside and outside every polling place.

This section shall become operative on January 1, 1990.

SEC. 5. Section 14105.3 is added to the **Elections** Code, to read:

14105.3. (a) The federal Help America Vote Act of 2002 (P.L. 107-252) requires voting information to be publicly posted at each polling place on the day of each **election** for federal office. Voting information is defined as including general information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated.

(b) The Secretary of State shall print posters and other appropriate materials setting forth the voter rights listed in Section 2300. The posters shall be printed in as many languages as the Secretary of State determines are necessary, but, at a minimum, in sufficient languages to comply with Section 14201 and with the federal Voting Rights Act of 1965, as amended by Public Law 94-73. The Secretary of State shall distribute the posters and materials to all county **elections** officials sufficiently in advance of statewide **elections**.

SEC. 6. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

SEC. 7. Section 4.5 of this bill incorporates amendments to Section 14105 of the **Elections** Code proposed by both this bill and AB 1679. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2004, (2) each bill amends Section 14105 of the **Elections** Code, and (3) this bill is enacted after AB 1679, in which case Section 4 of this bill shall not become operative.

EXHIBIT “3”

Voter Bill of Rights

Choose Language

English ▾

You have the following rights:

The right to vote if you are a registered voter. You are eligible to vote if you are:

a U.S. citizen living in California

at least 18 years old

registered where you currently live

not currently serving a state or federal prison term for the conviction of a felony

not currently found mentally incompetent to vote by a court

The right to vote if you are a registered voter even if your name is not on the list.

You will vote using a provisional ballot. Your vote will be counted if elections officials determine that you are eligible to vote.

The right to vote if you are still in line when the polls close.

The right to cast a secret ballot without anyone bothering you or telling you how to vote.

The right to get a new ballot if you have made a mistake, if you have not already cast your ballot. You can:

Ask an elections official at a polling place for a new ballot,

Exchange your vote-by-mail ballot for a new one at an elections office, or at your polling place, or

Vote using a provisional ballot.

The right to get help casting your ballot from anyone you choose, except from your employer or union representative.

The right to drop off your completed vote-by-mail ballot at any polling place in California.

The right to get election materials in a language other than English if enough people in your voting precinct speak that language.

The right to ask questions to elections officials about election procedures and watch the election process. If the person you ask cannot answer your questions, they must send you to the right person for an answer. If you are disruptive, they can stop answering you.

The right to report any illegal or fraudulent election activity to an elections official or the Secretary of State's office.

[Print Version](#)



If you believe you have been denied any of these rights, or you are aware of any election fraud or misconduct, please call the Secretary of State's confidential toll-free Voter Hotline at (800) 345-VOTE (8683).

Information on your voter registration affidavit will be used by elections officials to send you official information on the voting process, such as the location of your polling place and the issues and candidates that will appear on the ballot. Commercial use of voter registration information is prohibited by law and is a misdemeanor. Voter information may be provided to a candidate for office, a ballot measure committee, or other person for election, scholarly, journalistic, political, or governmental purposes, as determined by the Secretary of State. Driver license and social security numbers, or your signature as shown on your voter registration card, cannot be released for these purposes. If you have any questions about the use of voter information or wish to report suspected misuse of such information, please call the Secretary of State's Voter Hotline at (800) 345-VOTE (8683).

Certain voters facing life-threatening situations may qualify for confidential voter status. For more information, contact the Secretary of State's Safe at Home program toll-free at (877) 322-5227 or visit [Safe at Home](#).

Special Notice

- Polls are open from 7:00 a.m. to 8:00 p.m. on the day indicated in the posted county Voter Information Guide.
- Specific instructions on how to vote, including how to cast a provisional ballot, can be obtained from a poll worker or by reading the information mailed to you by your local elections official.
- If you are a newly registered voter, you may be asked to provide appropriate identification or other documentation according to federal law. But please note that every individual has the right to cast a provisional ballot even if he or she does not provide the documentation.
- It is against the law to represent yourself as being eligible to vote unless you meet all of the requirements to vote under federal and state law.
- It is against the law to tamper with voting equipment.

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Voter Bill of Rights Videos

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[Spanish](#) 

[American Sign Language](#) 

EXHIBIT “4”

Date of Hearing: April 1, 2003

ASSEMBLY COMMITTEE ON ELECTIONS, REDISTRICTING AND
CONSTITUTIONAL AMENDMENTS
John Longville, Chair
AB 177 (Oropeza) - As Amended: March 26, 2003

SUBJECT : Elections.

SUMMARY : Enumerates a Voter Bill of Rights (VBOR) and requires the VBOR to be published and posted, as specified. Specifically, this bill :

- 1) Creates a VBOR, containing a list of specified rights currently found in the Government and Elections Codes. The VBOR includes a voter's right to:
 - a) Cast a ballot if he or she is a valid registered voter;
 - b) Cast a provisional ballot if his or her name does not appear on the voting rolls;
 - c) Cast a ballot if he or she is in line at the polling place prior to the close of the polls;
 - d) Cast a secret ballot free from intimidation;
 - e) Exchange a spoiled ballot for a new ballot;
 - f) Receive assistance in casting his or her ballot;
 - g) Take time off from work to vote;
 - h) Receive election materials in another language, if applicable to his or her precinct;
 - i) Ask questions about election procedures and observe the election process; and
 - j) Report any illegal or fraudulent activity to the local elections official or to the Secretary of State (SOS).
- 2) Specifies that the VBOR shall include a toll-free number to call if a person has been denied a voting right or to report election fraud or misconduct.

- 3) Allows the SOS to develop regulations to implement and clarify the VBOR.
- 4) Requires the VBOR to be made available to the public before each election and on Election Day in the following manner:
 - a) Printed in the statewide voter pamphlet;
 - b) Printed in sample ballots; and
 - c) Included on posters and in other printed materials supplied to precincts.
- 5) Requires the SOS to print posters and other appropriate materials containing the VBOR in sufficient languages to comply with the federal Voting Rights Act of 1965, and to distribute these materials to county elections officials.
- 6) Requires the elections official to conspicuously post the VBOR inside and outside the polling place.

EXISTING LAW :

- 1) Allows every person eligible and registered to vote, as specified, to vote at any election held within the jurisdiction in which he or she resides.
- 2) Entitles a voter claiming to be properly registered but whose qualification or entitlement to vote cannot be immediately established upon examination of the index of registration or of records on file with the county elections official to vote a provisional ballot.
- 3) Requires the polls to remain open a sufficient amount of time

to allow any voter in the polling place, or in line at the door, at the time the polls are to close who are qualified to vote but have not been able to do so, to vote.

- 4) Prohibits the voter from showing his or her marked ballot to any person.
- 5) Prohibits any person from using, or threatening to use, force, violence or a tactic of coercion or intimidation in order to induce or compel a voter.

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- 6) Allows a voter to return a spoiled or defaced ballot to the ballot clerk and to receive a new ballot.
- 7) Allows a voter to receive the assistance of no more than two other persons, if the voter declares under oath that he or she is unable to mark a ballot.
- 8) Allows a voter to take off up to two hours from work without loss of pay to vote, if the voter does not have sufficient time outside of working hours to vote at a statewide election.
- 9) Requires every employer, no less than ten days before every statewide election, to post conspicuously a notice regarding a voter's right to take time off from work.
- 10) Requires elections officials to furnish ballots and elections materials in languages other than English, under specified conditions.
- 11) Requires precinct board members to provide the voter with information and instructions on how to operate the voting machine or device.
- 12) Specifies that the SOS is the chief elections officer of the state, shall administer the provisions of the Elections Code, and is responsible for ensuring that elections are efficiently conducted and that state election laws are enforced.
- 13) Requires the SOS to prepare a state ballot pamphlet for each statewide election, and to include specified information in the pamphlet.
- 14) Requires each county elections official to prepare and distribute sample ballots, as specified.
- 15) Requires the elections official to furnish to precinct officers specified materials necessary for the conduct of the election.

FISCAL EFFECT : Unknown. State-mandated local program; contains reimbursement direction.

COMMENTS :

1) Purpose of the Bill : According to the author, "In recent

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elections there have been numerous reports of voters being turned away at the polls. Many of these voters are new citizens whose primary language is not English. Additionally, poll workers have reported they do not offer provisional ballots under many permissible circumstances. As a result, AB 177 seeks to protect all voters, so that they may understand and defend their rights."

2) Arguments in Support : The sponsor of this bill, Secretary of State Kevin Shelley, writes in support, "Voters, and often poll workers, are unfamiliar with what rights a voter has. AB 177 provides for a listing of voter's basic rights, and requires that voters receive notification of these rights both in the sample ballot and at their polling places. The provisions of the Voters Bill of Rights provide for a common sense approach to voter education at the polling place. Therefore, I fully support this important measure."

3) Rights Currently in Existence : Each of the ten rights enumerated in the VBOR has its basis in a section of either

the Government Code or the Elections Code. While these code sections are paraphrased and summarized, the essence of the rights that the VBOR lists is clearly established in current law. This bill takes an important step in educating the electorate about their most basic voting rights.

4)Previous Legislation : AB 55 (Shelley) Chapter 1015, Statutes of 2001, originally contained provisions for the creation and distribution of a voter bill of rights. It was eventually amended to delete all elections-related provisions, and instead increased corporate disclosure and created a restitution fund for victims of corporate fraud.

REGISTERED SUPPORT / OPPOSITION :

Support

Secretary of State (Sponsor)
Lambda Letters Project
Mexican American Legal Defense and Educational Fund

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Opposition

One individual

Analysis Prepared by : Niki Zupanic / E. R. & C. A. / (916)
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PROOF OF SERVICE

I am an employee in the County of Riverside. I am over the age of 18 years and not a party to the within entitled action; my business address is 25026 Las Brisas Road, Murrieta, California 92562.

On May 5, 2025, I served a copy of the following document(s) described as **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PETITIONERS' OPPOSITION TO RESPONDENT'S DEMURRER** on the interested party(ies) in this action as follows:

SEE ATTACHED SERVICE LIST

- BY E-MAIL OR ELECTRONIC TRANSMISSION.** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I transmitted copies of the above-referenced document(s) on the interested parties in this action by electronic transmission. Said electronic transmission reported as complete and without error.
- BY UNITED STATES POSTAL SERVICE.** I am readily familiar with the practice for collection and processing of correspondence for mailing and deposit on the same day in the ordinary course of business with the United States Postal Service. Pursuant to that practice, I sealed in an envelope, with postage prepaid and deposited in the ordinary course of business with the United States Postal Service in Murrieta, California, the above-referenced document(s).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am an employee in the office of a member of the bar of this Court who directed this service.



Susan Y. Kenney

SERVICE LIST

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