NEWS RELEASE
CALIFORNIA SECRETARY OF STATE KEVIN SHELLEY

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Secretary of State Kevin Shelley Lauds
Signing of Key Election Reform Legislation

SB 1376 (Perata), SB 1438 (Johnson), SB 1730 (Johnson), AB 2941 (Bates), Signed by Governor

SACRAMENTO --- Four key election reform bills supported and/or sponsored by Secretary of State Kevin Shelley were signed yesterday by the Governor. These important bills do the following:

- Improve voting system security and impose stronger penalties on individuals, and businesses that compromise the integrity of the voting process. **(SB 1376 Perata)**;
- Require all electronic voting systems to produce a voter verified paper audit trail (VVPAT) by January 2006. This VVPAT component must be fully accessible and allow every voter to vote privately and independently **(SB 1438 Johnson)**;
- Move the date of California's Primary Election from March to June beginning in 2006. This move will allow for increased voter interest, awareness and turnout **(SB 1730 Johnson)**; and
- Allow military personnel serving overseas to return voted absentee ballots by facsimile **(AB 2941 Bates)**;

"These bills are key to the safety, security and integrity of the California election system and I applaud the Governor for signing these measures," said Secretary of State Kevin Shelley.

SB 1376 (Perata), which Secretary Shelley sponsored, specifically empowers the Secretary of State, the Attorney General and any elections official to bring a civil action for damages up to $50,000 per violation and/or injunctive relief against any entity that tampers or damages a voting system device; interferes with or attempts to interfere with the secrecy of voting; gains access to or provides another person with access to a voting system for an illegal purpose; and substitutes or attempts to substitute forged, counterfeit or malicious source codes. The legislation also allows the Secretary of State to seek various forms of relief for unauthorized changes to a certified voting system such as monetary damages, immediate decertification, and a refund of monies paid for a compromised voting system.

SB 1438 (Johnson) requires that all voting systems approved after January 2005 by the Secretary of State must have a VVPAT feature and it prohibits counties from contracting for or purchasing a voting system after January 2006, if the system does not include an accessible VVPAT. This legislation essentially codifies two, first in the nation, directives issued by Secretary Shelley that require future voting systems to contain a VVPAT feature.

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SB 1730 establishes a single statewide direct primary and presidential primary election in June. The current March primary election date imposes several burdens on voters and election administrators. The early date was intended to provide California's voters with a greater decision-making role in presidential primary elections. This increased influence, however, has not been realized. Additionally, an early primary negatively impacts election administrators and candidates who have to file paperwork and expend funds related to the primary for an extended period of time. Shortening the campaign season every election year will save election administrators substantial funds and subject voters to less campaigning.

AB 2941 permits any special absentee voter (such as a member of the military), who is temporarily living outside of the United States, to return his or her voted ballot via facsimile. The bill provides that an absentee ballot returned via fax must be accompanied by a declaration in which the voter waives his or her right to cast a secret ballot. Currently, this practice is allowed in 18 states including Florida, New Jersey, Texas and Washington. It was also successfully used during last year's recall election.

SB 1376, SB 1438 and SB 1730 become law on January 1, 2005. AB 2941, as an urgency measure, goes into effect immediately.

For additional information, please contact the Secretary of State's Press Office at 916-653-6575. The most current voting system information is available on the Secretary of State's website at www.ss.ca.gov/elections.

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