

**SECTION 89. 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 a separate sample *party* ballots for each political party, and a separate sample nonpartisan *voter choice open primary* ballot, and if applicable a local elected offices and measures ballot, placing thereon in as applicable for each ease *respective type of ballot* in the order provided in Chapter 2 (commencing with Section 13100), and under the appropriate title of each office, the names of all candidates *seeking voter-nominated offices, political party positions, or statewide nonpartisan offices* 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, *local nonpartisan offices, and measures. The elections official shall list on ballots and sample ballots, for all voter-nominated offices, the names of all candidates organized randomly as provided in Chapter 2 (commencing with Section 13100) of Division 13.*

(b) All candidates who are listed on ballots and sample ballots, other than party ballots, shall not be arranged or grouped by political party registration status or any other category, except the office sought, and shall be organized randomly as provided in Chapter 2 of Division 13.

(c) The sample ballots 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 ballots.

(d) One sample *voter choice open primary ballot, one sample party* ballot of the *political* party to *with* which the voter belongs, *is registered, and if applicable one sample local elected offices and measures ballot,* 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 *voter choice open primary* ballot and if applicable a sample local elected offices and measures 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 such person may, upon request, vote the *party* ballot of a political party if authorized by the party's rules, duly noticed to the Secretary of State.

(e) The county elections official may prepare sample ballot pamphlets in a manner that maximizes printing and mailing efficiencies, such as the combining of a separate political party ballot type with a separate voter choice open primary ballot type in one sample ballot pamphlet, provided that the separate nature of each ballot type is clearly delineated and preserved.

(f) Any sample ballot prepared in connection with a direct primary election shall contain the following statement, not smaller than 8 point boldface type, on each page on which the political party registration status of any candidate is printed, that: "The designation of the political party registration status on the ballot of a candidate for a voter-nominated office is for the voters' informational purposes only, and does not indicate that the political party with which a candidate may be registered has nominated that candidate or that the party necessarily agrees with or endorses that candidate." In addition, the sample ballot shall contain the following statement once in a conspicuous manner, not smaller than 8 point boldface type, that: "Where the registration status of a candidate has been left blank, the party

with which the candidate is registered has not consented to use of party registration status on the ballot.”

**SECTION 90. Section 13302 of the Elections Code is amended to read:**

13302. The county elections official shall forthwith submit the sample party ballot of each political party to the chairperson of the county central committee of that party, and shall mail a copy of the respective ballot to each candidate for whom nomination papers have been filed in his or her office or whose name has been certified to him or her by the Secretary of State, to the post office address as given in the nomination paper or certification. The county elections official shall post a copy of each sample ballot in a conspicuous place in his or her office.

**SECTION 91. Section 13312 of the Elections Code is amended to read:**

13312. Each voter's pamphlet prepared pursuant to Section 13307 shall contain a statement in the heading of the first page in heavy-faced gothic type, not smaller than 10-point, that: (a), the pamphlet does not contain a complete list of candidates and that a complete list of candidates appears on the sample ballot (if any candidate is not listed in the pamphlet); ~~and that~~ (b), each candidate's statement in the pamphlet is volunteered by the candidate, and (if printed at the candidate's expense) is printed at his or her expense; (c), explains in a clear manner to the voter the concept of a voter choice open primary involving voter-nominated offices; (d), “The designation of the political party registration status on the ballot of a candidate for a voter-nominated office is for the voters’ informational purposes only, and does not indicate that the political party with which a candidate may be registered has nominated that candidate or that the party necessarily agrees with or endorses that candidate;” and (e) “Where the registration status of the candidate has been left blank, the party with which the candidate is registered has not consented to use of party registration status on the ballot.”

**SECTION 92. Section 14102 of the Elections Code is amended to read:**

14102. (a) (1) For each statewide election, the elections official shall provide a sufficient number of official ballots in each precinct to reasonably meet the needs of the voters in that precinct on election day using the precinct's voter turnout history as the criterion, but in no case shall this number be less than 75 percent of registered voters in the precinct, and for absentee and emergency purposes shall provide the additional number of ballots that may be necessary.

(2) The number of party ballots to be furnished to any precinct for a primary election shall be computed from the number of voters registered in that precinct ~~as intending to affiliate with a party,~~ and the number of ~~nonpartisan~~ voter choice open primary ballots to be furnished to any precinct shall be computed from the number of voters registered in that precinct with a party or as “no party.” ~~without statement of intention to affiliate with any of the parties participating in the primary election.~~

(b) For all other elections, the elections official shall provide a sufficient number of official ballots in each precinct to reasonably meet the needs of the voters in that precinct on election day, using the precinct's voter turnout history as the criterion, but in no case shall this number be less than 75 percent of the number of registered voters in the precinct, and for

absentee and emergency purposes shall provide the additional number of ballots that may be necessary.

**SECTION 93. Section 15104 of the Elections Code is amended to read:**

15104. (a) The processing of absentee ballot return envelopes, and the processing and counting of absentee ballots shall be open to the public, both prior to and after the election.

(b) Any member of the county grand jury, and at least one member each of the Republican county central committee, the Democratic county central committee, and of any other party with a candidate registered with the party on the ballot, and any other interested organization, shall be permitted to observe and challenge the manner in which the absentee ballots are handled, from the processing of absentee ballot return envelopes through the counting and disposition of the ballots.

(c) The elections official shall notify absentee voter observers and the public at least 48 hours in advance of the dates, times, and places where absentee ballots will be processed and counted.

(d) Absentee voter observers shall be allowed sufficiently close access to enable them to observe and challenge whether those individuals handling absentee ballots are following established procedures, including all of the following:

(1) Verifying signatures and addresses by comparing them to voter registration information.

(2) Duplicating accurately any damaged or defective ballots.

(3) Securing absentee ballots to prevent any tampering with them before they are counted on election day.

(e) No absentee voter observer shall interfere with the orderly processing of absentee ballot return envelopes or processing and counting of absentee ballots, including touching or handling of the ballots.

**SECTION 94. Section 15151 of the Elections Code is amended to read:**

15151. (a) The elections official shall transmit the semifinal official results to the Secretary of State in the manner and according to the schedule prescribed by the Secretary of State prior to each election, for the following:

(1) All candidates voted for statewide office.

(2) All candidates voted for the following offices:

(A) State Assembly.

(B) State Senate.

(C) Member of the United States House of Representatives.

(D) Member of the State Board of Equalization.

(E) Justice of the Court of Appeals.

(3) All persons voted for at the presidential primary or for electors of President and Vice President of the United States. The results at the presidential primary for candidates for President to whom delegates of a political party are pledged shall be reported according to the number of votes each candidate received from all voters and separately according to the number of votes each candidate received from voters ~~affiliated~~ registered with each political party