

qualified to participate in the presidential primary election, and from voters who have ~~declined to affiliate with~~ designated "no party" instead of a qualified political party on their affidavits of registration. The elections official shall adopt procedures required to tabulate the party ballots separately by party ~~affiliation~~ registration.

(4) Statewide ballot measures.

(b) The elections official shall transmit the results to the Secretary of State at intervals no greater than two hours, following commencement of the semifinal official canvass.

(c) Except for the results specified in subsection (a)(3), the elections official shall tabulate and transmit all election results specified in this section according to the actual numerical vote count according to the appropriate political subdivision, such as precinct or district, or according to the type of ballot, such as absentee ballot. The elections official shall not, for any purposes whatsoever, otherwise tabulate votes separately by any other categories including party registration.

SECTION 95. Section 15375 of the Elections Code is amended to read:

15375. (a) The elections official shall send to the Secretary of State within 35 days of the election in the manner requested one complete copy of all results as to all of the following:

(a 1) All candidates voted for statewide office.

(b 2) All candidates voted for the following offices:

(1 a) Member of the Assembly.

(2 b) Member of the Senate.

(3 c) Member of the United States House of Representatives.

(4 d) Member of the State Board of Equalization.

(5 e) Justice of the Court of Appeal.

(6 f) Judge of the superior court.

(7 g) Judge of the municipal court.

(e 3) All persons voted for at the presidential primary. The results for all persons voted for at the presidential primary for delegates to national conventions shall be canvassed and shall be sent within 28 days after the election. 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 qualified to participate in the presidential primary election, and from voters who have ~~declined to affiliate with~~ designated "no party" instead of a qualified political party on their affidavits of registration.

(d 4) The vote given for persons for electors of President and Vice President of the United States. The results for presidential electors shall be endorsed "Presidential Election Returns."

(e 5) All statewide measures.

(b) Except for results specified in subsections (a)(3) and (a)(4), the elections official shall tabulate and transmit all election results specified in this section according to the actual numerical vote count according to the appropriate political subdivision, such as precinct or district, or according to the type of ballot, such as absentee ballot. The elections official shall

not, for any purposes whatsoever, otherwise tabulate votes separately by any other categories including party registration.

SECTION 96. Section 15450 of the Elections Code is amended to read:

15450. ~~A~~ Except as provided in Section 15451, a plurality of the votes given at any election shall constitute a choice where not otherwise directed in the California Constitution, provided that it shall be competent in all charters of cities, counties, or cities and counties framed under the authority of the California Constitution to provide the manner in which their respective elective officers may be elected and to prescribe a higher proportion of the vote therefor.

SECTION 97. Section 15451 of the Elections Code is amended to read:

15451. (a) The person candidates, regardless of party registration, including candidates registered as "no party" who receives the highest number of votes are the top two vote getters at a direct voter choice open primary election for a voter-nominated office as the candidate of a political party for the nomination to an office is shall be the nominee(s) of that party the voters for that office at the ensuing general election. Under no circumstances shall any candidate be elected outright to any office under this section in a direct voter choice open primary election. In the event that there is only one candidate listed on the direct voter choice open primary election ballot for nomination to any voter-nominated office, then such candidate shall be listed as the nominee of the voters for a vote at the ensuing general election. For purposes of this section, the word "plurality" shall encompass the choice by the voters of the single candidate or the top two vote-getting candidates, regardless of party registration, including candidates registered as "no party," who are specified as being entitled to be listed on a general election ballot as a result of being nominated by the voters at a direct voter choice open primary election.

(b) The candidate who receives a majority of the votes cast at a special voter choice open primary election, as provided in Section 10705, or the candidate who receives a majority of the votes cast at a special general election, as provided in Section 10706, shall be elected to the particular office at that special election.

(c) The candidates who are the top two vote getters at a special voter choice open primary election, regardless of party registration, including candidates registered as "no party," where no candidate has received a majority of the votes cast at such election as provided in subsection (b), shall be the nominees of the voters. These candidates shall be listed on the ballot at the ensuing special general election in accordance with Section 10706.

SECTION 98. Section 15452 of the Elections Code is amended to read:

15452. The person candidate who receives a plurality of the votes cast for any office is elected or nominated to that office in any election, except:

- (a) An election for which different provision is made by any city or county charter.
- (b) A municipal election for which different provision is made by the laws under which the city is organized.

(c) The election of local officials in primary elections as specified in Article 8 (commencing with Section 8140) of Part 1 of Division 8.

(d) The nomination of any candidate by the voters in any direct voter choice open primary election for voter-nominated offices, as provided in Section 15451(a).

(e) The election of any candidate by the voters in any special voter choice open election for voter-nominated offices, as provided in Section 15451(b).

(f) The nomination of any candidate by the voters in any special voter choice open primary election for voter-nominated offices, as provided in Section 15451(c).

SECTION 99. Section 19301 of the Elections Code is amended to read:

19301. A voting machine shall provide in the general election for grouping under the name of the office to be voted on, all the candidates for the office with the designation of the parties, if any, by with which they were each candidate is respectively nominated registered. The designation may be by usual or reasonable abbreviation of party names for all candidates for all offices, with the words "Registered as:" also appearing immediately before each party name for all candidates for voter-nominated offices. Any candidate using a political party registration designation must comply with the requirements of Section 8001(a) and is subject to the political party's consent as specified in Section 7031. If a candidate has qualified for the ballot as a voter who designates "no party," the words "Registered as: No Party" shall be printed instead of the name of a political party in accordance with the above rules. Any candidate using a registration designation of "no party" must comply with the requirements of Section 8001(c). If a candidate is registered with a political party and that party does not provide consent as specified in Section 7031, the candidate shall not be permitted to have his or her party registration status printed on the ballot. In this case, the space in which the registration status of a candidate would otherwise be printed shall be left blank.

SECTION 100. Broad Construction.

This act shall be broadly construed and applied in order to fully promote its underlying purposes and to be consistent with the United States Constitution and the California Constitution. If any provision of this act conflicts directly or indirectly with any other provision of law, or any other statute previously enacted by the Legislature, those other provisions shall be null and void to the extent that they are inconsistent with this act, and are hereby repealed.

SECTION 101. Amendment of Act

(a) Except as provided in subdivisions (b) and (c), no provision of this act may be amended except by a Constitutional amendment or statute, as appropriate, that becomes effective only when approved by the electorate.

(b) The Legislature may amend Elections Code Sections 2150, 2151(a), 2152, 2154, 2155, 2185, 2187, 3006, 3007.5, 3205, 5000, 5100, 8001(a) and (b), 8022, 8025, 8040 (a) and (b), 8041, 8062(a), 8106, 8121, 8124, 8125, 8148, 8150, 8300, 8302, 8400, 8403, 8404, 8409, 8451, 8454, 8811, 12104, 12108, 13103, 13105(e), 13109, 13111(a)-(j), 13203, 13206(a) and (b), 13207(a)-(e), 13208, 13217, 13230, 13261, 13262, 13300(a), (c) and (d), 13302, 14102, 15104,