

check-off box with a conspicuously printed statement that reads, as follows: "I am not presently **affiliated registered** with any political party. However, for this primary election only, I request an absentee ballot for the _____ Party." The name of the political party shall be personally affixed by the voter.

(d) The application shall provide the voters with information concerning the procedure for establishing permanent absentee voter status, and the basis upon which permanent absentee voter status is claimed.

(e) The application shall be attested to by the voter as to the truth and correctness of its content, and shall be signed under penalty of perjury.

SECTION 28. Section 3007.5 of the Elections Code is amended to read:

3007.5.(a) The Secretary of State shall prepare and distribute to appropriate elections officials a uniform electronic application format for an absent voter's ballot that conforms to this section.

(b) The uniform electronic application shall contain spaces for at least the following information:

(1) The name and residence address of the registered voter as it appears on the affidavit of registration.

(2) The address to which the ballot is to be mailed.

(3) The name and date of the election for which the request is made.

(4) The date the application must be received by the elections official.

(5) The date of birth of the registered voter.

(c) The uniform electronic application shall inform the voter that if he or she is not **affiliated registered** with a political party, ***in addition to receiving any other ballot or ballots to which the voter is entitled***, the voter may request ***to receive*** an absentee ***party*** ballot for a particular political party for the primary election, if that political party has adopted a party rule, duly noticed to the Secretary of State, authorizing that vote. The application shall contain a toll-free telephone number, established by the Secretary of State, that the voter may call to access information regarding which political parties have adopted such a rule. The application shall list the parties that have notified the Secretary of State of the adoption of such a rule. The application shall contain a checkoff box with a conspicuously printed statement that reads, as follows: "I am not presently **affiliated registered** with any political party. However, for this primary election only, I request an absentee ballot for the _____ Party." The name of the political party shall be personally affixed by the voter.

(d) The uniform electronic application shall contain a conspicuously printed statement, as follows: "Only the registered voter himself or herself may apply for an absentee ballot. An application for an absentee ballot made by a person other than the registered voter is a criminal offense."

(e) The uniform electronic application shall include the following statement: "A ballot will not be sent to you if this application is incomplete or inaccurate."

(f) The uniform electronic application format shall not permit the form to be electronically submitted unless all of the information required to complete the application is contained in the appropriate fields.

SECTION 29. Section 3205 of the Elections Code is amended to read:

3205. (a) Absent voter ballots mailed to, and received from, voters on the permanent absent voter list are subject to the same deadlines and shall be processed and counted in the same manner as all other absent voter ballots.

(b) Prior to each primary election, county elections officials shall mail to every voter not ~~affiliated~~ **registered** with a political party whose name appears on the permanent absent voter list a notice and application regarding voting in the primary election. The notice shall inform the voter that **if he or she is not registered with a political party, in addition to receiving any other ballot or ballots to which the voter is entitled, he or she may request to receive an absentee party** ballot for a particular political party for the primary election, if that political party adopted a party rule, duly noticed to the Secretary of State, authorizing these voters to vote in their primary. The notice shall also contain a toll-free telephone number, established by the Secretary of State, that the voter may call to access information regarding which political parties have adopted such a rule. The application shall contain a check-off box with a conspicuously printed statement that reads as follows: "I am not presently ~~affiliated~~ **registered** with any political party. However, for this primary election only, I request an absentee ballot for the ____ Party." The name of the political party shall be personally affixed by the voter.

SECTION 30. Section 5000 of the Elections Code is amended to read:

5000. (a) For purposes of this division, the definition of "**political** party" in Section 338 ~~337.5~~ is applicable.

(b) This chapter shall apply to political bodies and to parties not otherwise provided for in Division 7 (commencing with Section 7050 ~~7030~~).

SECTION 31. Section 5100 of the Elections Code is amended to read:

5100. A party is qualified to participate in any primary election under any of the following conditions:

~~(a) If at the last preceding gubernatorial election there was polled for any one of its candidates for any office voted on throughout the state, at least 2 percent of the entire vote of the state.~~

~~(b)~~ **a** If on or before the 135th day before any primary election, it appears to the Secretary of State, as a result of examining and totaling the statement of voters and their political ~~affiliations~~ **party registrations** transmitted to him or her by the county elections officials, that voters equal in number to at least ~~1~~ **one third (1/3) of one** percent of the entire vote of the state at the last preceding gubernatorial election have declared their ~~intention to affiliate~~ **registration** with that party.

~~(c)~~ **b** If on or before the 135th day before any primary election, there is filed with the Secretary of State a petition signed by voters, equal in number to at least ~~10~~ **5** percent of the entire vote of the state at the last preceding gubernatorial election, declaring that they represent a proposed party, the name of which shall be stated in the petition, which proposed party those voters desire to have participate in that primary election. This petition shall be circulated, signed, verified and the signatures of the voters on it shall be certified to and transmitted to the

Secretary of State by the county elections officials substantially as provided for initiative petitions. Each page of the petition shall bear a caption in 18-point boldface type, which caption shall be the name of the proposed party followed by the words "Petition to participate in the primary election."

SECTION 32. PART 1.5 of Division 7 (commencing with Section 7030) of the Elections Code is added to read:

PART 1.5. GENERAL PROVISIONS.

7030. Political parties qualifying pursuant to Division 5 of this Code shall be entitled to participate in an election, as provided in this Code, for the purpose of permitting voters who are registered with a particular party and any other voters pursuant to Section 13102(c) to select or elect political party positions as defined in Section 338. Any election pursuant to this section shall be conducted by means of a party ballot separate from the voter choice open primary ballot.

7031. Within 120 days after the effective date of this section, each qualified political party shall notify the Secretary of State whether or not it consents to inclusion on the ballot, sample ballot, voter pamphlet and other related elections materials intended for distribution to voters, of the voter registration status of candidates registered as voters with that particular political party. The notice to the Secretary of State shall be on a form provided by the Secretary of State. Such consent, if given, shall apply uniformly to all offices listed in Article II, Sections 5(e) and (f), of the Constitution for all direct and special primary and general elections. A party may notify the Secretary of State of its decision to change its consent at any time, to become effective for any elections held not less than 88 days after receipt of the notice by the Secretary of State. Within 120 days after a new political party qualifies pursuant to Division 5 of this Code, the party shall comply with the requirements of this Section. For any qualified political party that does not provide a notice of its consent or lack of consent, it shall be deemed that the party does not consent to inclusion of the voter registration status of candidates registered with that party for the purposes described in this section.

7032. Any nomination of candidates for voter-nominated state elected offices and federal elected offices in a voter choice open primary election provided for in this Code shall be made by the voters and not by political parties. Any candidate nominated by the voters for any voter-nominated office in any voter choice open primary election shall not be considered the nominee or endorsed candidate of any political party by virtue of such nomination by the voters.

7033. Nothing in this Code shall be construed to infringe in any way upon the legal rights of any political party, duly qualified under Division 5 and as defined in Section 337.5, to endorse candidates listed on a voter choice open primary ballot for any voter-nominated office.

SECTION 33. Section 8000 of the Elections Code is amended to read:

8000. (a) This chapter shall apply to: