

Date of Hearing: April 24, 2024

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 2627 (Pellerin) – As Amended April 11, 2024

[Note: This bill was double referred to the Assembly Committee on Elections and was heard by that Committee as it relates to issues under its jurisdiction.]

SUBJECT: Voter registration and outreach programs

SUMMARY: Creates the Civic Learning, Outreach, and Engagement Fund (Fund), and requires the Secretary of State (SOS) to award grants from the Fund to local elections officials for programs that integrate voter registration and preregistration with civic education and engagement, and to coordinate with local educational agencies (LEAs) to implement these programs, as specified. Specifically, **this bill:**

- 1) Provides it is the intent of the Legislature that voter registration be maintained at the highest possible level. Provides that the SOS, as the chief elections official of the state with the responsibility to promote voter registration and preregistration, is responsible for promoting civic learning and engagement to prepare younger Californians to register and to vote.
- 2) Provides it is the intent of the Legislature that the SOS work in coordination with local elections officials to develop plans for civic education and engagement and that those local plans include coordination with LEAs.
- 3) Defines the term “LEA,” for purposes of this bill, to mean school districts, county offices of education (COE), and schools.
- 4) Establishes the Fund in the General Fund and provides that moneys in the Fund are available, upon appropriation by the Legislature, for expenditure by the SOS to local elections officials for programs that integrate voter registration and preregistration with civic education and engagement, and to coordinate with LEAs to implement these programs, as specified. Requires the SOS to set aside no more than 5% of moneys appropriated from the Fund to employ persons to administer the fund, including making grants and evaluating programs implemented by grant recipients.
- 5) Requires the SOS to award grants from the Fund to local elections officials for programs that integrate voter registration and preregistration with civic education and engagement and coordinate with LEAs to implement these programs.
- 6) Requires the SOS to adopt regulations to implement the Fund, including regulations to administer the grant application process.
- 7) Requires a local elections official applying for a grant to submit to the SOS a plan for the administration of the civic education and engagement program that, at a minimum, includes a description of how the elections official will coordinate with an LEA to implement the program. Provides that plans containing the following elements, or elements similar to the following, shall be considered:

- a) Plans that result in the awarding of the State Seal of Civic Engagement;
 - b) Plans to administer mock elections and student government elections at participating school sites;
 - c) Plans that promote media literacy in connection with elections;
 - d) Plans that offer students opportunities to participate in the conduct of an election in the county; and
 - e) Plans to develop hands-on curriculum and engagement opportunities.
- 8) Requires a local elections official receiving a grant, for each year that the program is conducted, to evaluate the program and report the results of the evaluation to the SOS. Requires the report to include statistics relating to the cost of conducting the civic education and engagement program, student participation on each campus disaggregated by grade level, the number of students who registered or preregistered to vote due to the program, and any other benefits or problems that arose in the conduct of the program. Permits a participating local elections official to partner with a California public postsecondary educational institution to compile this required report. Requires the SOS to submit the report to the Legislature.
- 9) Requires a local elections official who receives a grant to share their program materials with the SOS, and requires the SOS to maintain a repository and make the materials available to other counties.
- 10) Requires the grants to be awarded for a minimum of three years.
- 11) Requires the SOS, in awarding grants, to prioritize those counties with lower voter registration and participation rates. Provides it is the intent of the Legislature that awards of grants reflect a diversity of counties by size, demography, and geography, and may reflect a diverse set of approaches to promoting civic engagement and increasing voter participation.
- 12) Requires the SOS to make grant applications available to local elections officials on or before April 1, 2025, contingent upon the Legislature appropriating funds for the purpose of this bill.

EXISTING LAW:

- 1) States the intent of the Legislature to create a State Seal of Civic Engagement to encourage and create pathways for students in elementary and secondary schools to become civically engaged in democratic governmental institutions at the local, state, and national levels. (Education Code (EC) 51470)
- 2) States that school district participation in this program is voluntary. (EC 51471)
- 3) Requires the SPI to do both of the following:

- a) Prepare and deliver to participating school districts an appropriate insignia to be affixed to the diploma or transcript of the student indicating that the student has been awarded a State Seal of Civic Engagement by the SPI; and
 - b) Provide other information he or she deems necessary for school districts to successfully participate in the program. (EC 51472)
- 4) Requires a participating school district to:
- a) Maintain appropriate records in order to identify students who have earned a State Seal of Civic Engagement; and
 - b) Affix the appropriate insignia to the diploma or transcript of each student who earns a State Seal of Civic Engagement. (EC 51473)
- 5) Prohibits a student from being charged to receive a State Seal of Civic Engagement. (EC 51474)
- 6) States that the intent of the Legislature is for voter registration to be maintained at the highest possible level. Requires the SOS to adopt regulations requiring each county to design and implement programs intended to identify qualified electors who are not registered voters, and to register those persons to vote. Requires the SOS to adopt regulations prescribing minimum requirements for those programs. Requires, if the SOS finds that a county has not designed and implemented a program meeting the prescribed minimum requirements, the SOS to design a program for the county and report the violation to the Attorney General. (Elections Code (ELEC) 2105)
- 7) Authorizes the SOS to provide grants to local elections officials, nonprofit corporations, and unincorporated associations for the following purposes:
- a) To conduct voter outreach and voter education programs, in accordance with the requirements of the Help America Vote Act of 2002 (HAVA) (P.L. 107-252), using federal funds provided to California; and
 - b) To increase accessibility for eligible voters with disabilities, in accordance with the requirements of the HAVA (P.L. 107-252), using federal funds provided to California. (ELEC 2131)
- 8) Entitles a person to register to vote if they are a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and are at least 18 years of age at the time of the next election.
- 9) Establishes the last two full weeks in April and the last two full weeks in September as “high school voter education weeks.” During these weeks, requires persons authorized by the county elections official to be allowed to register students and school personnel on any high school campus in areas designated by the administrator of the high school or his or her designee which are reasonably accessible to all students. (Education Code (EC) 49040)

- 10) Authorizes the administrator of a high school, or his or her designee, to appoint one or more pupils who are enrolled at that high school to be voter outreach coordinators. The coordinators may coordinate voter registration activities on his or her high school campus, including: voter registration drives, mock elections, debates, and other election-related pupil outreach activities. (EC 49041)
- 11) Authorizes students, in grades 6-12, to have one excused absence per year to participate in a civic or political event, provided that the pupil notifies the school ahead of the absence. (EC 48205)
- 12) Establishes the Student Voter Registration Act (SVRA) of 2003 and requires the Secretary of State (SOS) shall annually provide every high school, community college, California State University (CSU), and University of California (UC) campus with voter registration forms. (Elections Code 2145-2146)

FISCAL EFFECT: Unknown

COMMENTS:

Key provisions of the bill. This bill requires the SOS to award grants for a minimum duration of three years to local elections officials for programs that integrate voter registration and preregistration with civic education and engagement, and coordinate with LEAs to implement these programs. Applicants would be required to include a description of how the elections official would coordinate with an LEA to coordinate the program. The bill requires plans containing the following elements to be considered:

- Plans that will result in the awarding of the State Seal of Civic Engagement;
- Plans to administer mock elections and student government elections at participating school sites;
- Plans that promote media literacy in connection with elections;
- Plans that offer students opportunities to participate in the conduct of an election in the county; and
- Plans to develop hands-on curriculum and engagement opportunities.

Need for the bill. According to the author, “Youth voters are the least likely age group to participate in elections, even though they will live with the consequences of those elections the longest. Despite 2020’s historic turnout, only 47.7% of eligible voters aged 24 and under participated.

The U.S. Department of Education has drawn a clear connection between civic education and voter participation, civic engagement, and participation in democratic life. Though California’s local elections officials do incredible work with their limited funding, the lack of earmarked funding for voter outreach may make them hesitant to try new methods of outreach.

AB 2627 establishes the Civic Learning, Outreach, and Engagement Fund, from which the Secretary of State shall award grants to local elections officials for programs which integrate

civic education and engagement with voter registration and preregistration. In order to receive a grant, the local elections official shall submit a plan of how they intend to coordinate with a local educational agency to implement their program. In order to ensure that these grants benefit the whole state, any local elections official who receives a grant from the fund will share their program materials with the Secretary of State, who will maintain a repository and make these materials available to other counties and local elections officials. By providing local elections officials with dedicated funding for youth voter outreach and civic education, AB 2627 will increase their ability to implement creative and engaging programs to promote civic participation in their counties.”

State Seal of Civic Engagement. AB 24 (Eggman), Chapter 604, Statutes of 2017, establishes the State Seal of Civic Engagement, to be affixed to the diploma of qualifying high school graduates based on a demonstration of excellence in civics education and participation. School district participation in the program is voluntary.

AB 24 requires the State Board of Education (SBE) to establish five criteria for the awarding of the State Seal of Civic Engagement. The SBE established these five criteria in 2020. The five criteria are meant to provide LEAs with a framework for making determinations of student qualifications required to earn the State Seal of Civic Engagement, based on their own local contexts. The criteria were written to ensure that no student is excluded from an opportunity to earn the State Seal of Civic Engagement based on academic ability, alternative school settings, or unique or unconventional expressions of civic engagement. The student must:

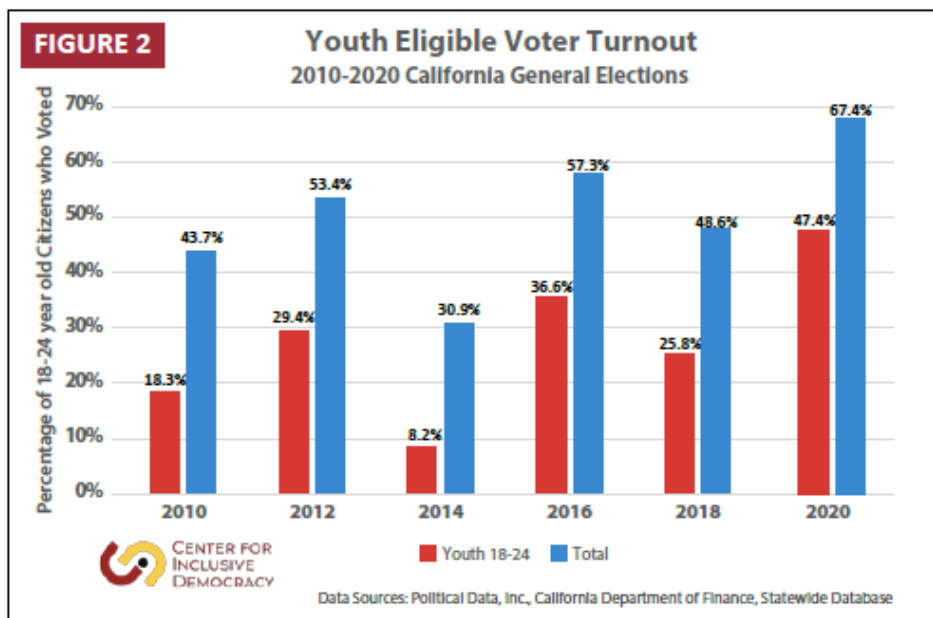
- 1) Be engaged in academic work in a productive way;
- 2) Demonstrate a competent understanding of the United States and California constitutions; the functions and governance of local governments; tribal government structures and organizations; the role of the citizen in a constitutional democracy; and democratic principles, concepts, and processes;
- 3) Participate in one or more informed civic engagement project(s) that address real-world problems and require students to identify and inquire into civic needs or problems, consider varied responses, take action, and reflect on efforts;
- 4) Demonstrate civic knowledge, skills, and dispositions through self-reflection; and
- 5) Exhibit character traits that reflect civic-mindedness and a commitment to positively impact the classroom, school, community and/or society.

State Seal of Civic Engagement Data. Participation in this program has been small but growing. According to the CDE, in the 2022-23 school year, 260 schools participated in 86 school districts, charter schools, and COE, and 12,559 Seals were issued. In the 2021-22 school year, 181 schools participated in 65 school districts, and 10,104 Seals were issued.

According to a Leveraging Equity & Access in Democratic Education (LEADE) Initiative at the University of California Los Angeles and Riverside research report, *California’s Commitment to K-12 Civic Learning: A 2022 Assessment*, which examined the extent to which California has made progress in supporting the democratic purpose of its public schools since our previous 2020 and found the following key findings:

- The priority placed on civic and democratic goals in California districts’ mission statements has increased slightly. However, only seven (18%) districts in the sample substantially addressed civics in their mission or vision statements suggesting that civic education remains a low priority within the state’s public schools.
- Districts’ Local Control and Accountability Plans (LCAPs) have gradually integrated civic and democratic commitments. Since 2020, there has been more than a threefold increase (from 17% to 54%) in the proportion of districts in our sample that mention civics and democracy. However, only around half of the districts in the sample addressed at least one of the civics-related terms in their LCAP, and twenty one of the 46 districts made no mention at all.
- There is comparatively less staffing supporting history, social science, and civic agendas than English Language Arts, math, and science. While the number of history-social science staff at the district level has increased since 2020, there still remains a clear discrepancy.
- The State Seal of Civic Engagement is gathering momentum in California, but is only reaching a small percentage of students. The sizes of districts offering the State Seal of Civic Engagement vary widely, however a majority of the largest districts in the state are not offering the State Seal of Civic Engagement. On average, districts that awarded the State Seal of Civic Engagement did so for only 11% of their 12th grade population.

California youth registration and voting rates. California’s youth (ages 18-24) remain underrepresented among California’s voting electorate. Youth consistently have low registration rates compared to older Californians. According to an August 2023, Public Policy Institute of California (PPIC) fact sheet, young adults (age 18 to 34) make up 31% of the population but only 18% of likely voters. Only 37% of young adults are registered to vote. A September 2015 fact sheet from the PPIC reported that younger Californians cite lack of interest as the top reason for not registering to vote.



According to the California Civic Engagement Project from the University of Southern California Sol Price School of Public Policy and the SOS, in the 2020 general election, the youth (age 18-24) eligible turnout was 47.4%, a rate substantially higher than in the previous general election. The 2016

general election saw a 36.6% youth eligible turnout rate. The youth registration rate (percentage of citizens aged 18-24 who are registered) has steadily increased and reached 66.4% in the 2020

general election. Despite gains in registration, citizens 18-24 years have the lowest registration rate of any other age group. In the 2020 general election, the eligible voter turnout of Asian-American and Latino youth was significantly lower than the turnout of youth overall (47.4%). The Asian-American youth eligible turnout rate was 34.7%, with the Latino youth rate higher at 39.3%.

Student Voter Registration Project. AB 593 (Ridley-Thomas), Chapter 819, Statutes of 2003, established the Student Voter Registration Project (SVRP), which requires the SOS to provide every high school, community college, CSU, and University of California UC campus with voter registration forms, include information regarding eligibility requirements, and inform each student that he or she may return the completed form in person or by mail to the elections official of the county in which the student resides.

Preregister to vote at 16. Vote at 18. Online pre-registration for voting is available for eligible 16- and 17-year-olds by visiting www.registertovote.ca.gov, and was established by SB 113 (Jackson), Chapter 619, Statutes of 2014. California youth who pre-register to vote will have their registration become active once they turn 18 years old. Pre-registration does not change the voting age, which is 18. Instead, it allows eligible Californians ages 16 or 17 to complete the online voter registration form, providing sufficient time and opportunity to get ready to vote. The online pre-registration applies to California youth who are 16 or 17 and meet the following criteria:

- A United States citizen and a resident of California;
- Not currently serving a state or federal prison term for the conviction of a felony; and
- Not currently found mentally incompetent to vote by a court.

High School Voter Education Weeks. Current law designates the last two full weeks of April and September as “High School Voter Education Weeks.” In partnership with the State Superintendent of Public Instruction (SPI), the SOS issues a joint letter that encourages high school administrators, staff, and students to host voter registration drives and to participate in educational events all year, but especially during these four weeks. The SOS visited high schools and colleges across the state, holding in-person voter education forums and attending college fairs. The SOS also encouraged eligible high school students to engage in the election process by serving as poll workers and celebrating civic holidays such as Poll Worker Recruitment Day. The SOS has created targeted outreach material to support civic engagement participation and shared these materials with high school campuses.

Student Mock Election. The SOS, along with the SPI, promotes the California Student Mock Election prior to statewide general elections. The next Student Mock Election will take place on October 8, 2024. This event provides high school and middle school students with firsthand experience with the electoral process by giving them the opportunity to review election materials and cast a “mock” ballot for the candidates and issues important to them and their families. The SOS plans to continue this outreach effort, as their office has found it to be beneficial for promoting voter engagement and civic learning with students.

2023 SOS Annual Report to the Legislature on Student Voter Registration. The SOS is required to submit an annual report to the State Legislature on student voter registration efforts

pursuant to the Student Voter Registration Act of 2003 (Chapter 819, Statutes of 2003), under the California Elections Code section 2146(d). Selected experts from the 2023 report include:

- Since pre-registration began in 2016, a total of 1,141,476 students have pre-registered to vote. Of these, 877,917 have since turned 18 and are now registered to vote. While the number of pre-registrants waiting to turn 18 remains fairly consistent across the period, the number of pre-registration forms submitted each year declined by 27% from 2018-2021. California Motor Voter went live in April 2018, at which point 16- and 17-year-olds were automatically pre-registered to vote when they applied for a driver's license at the Department of Motor Vehicles, which included a larger pool of eligible pre-registrants than in the following years.
- COVID had a negative impact on pre-registrations with students enrolled in distance learning in 2020 and 2021, which did not allow for the usual on campus events that schools hold to promote civic engagement and voter registration, including tabling, rallies, mock elections, and other related activities. With students now back on campus, a rebound in pre-registrations is anticipated leading up to the 2024 Presidential Election cycle. A decline in pre-registrations is also typically seen in nonelection years due to the lack of publicity and excitement that occurs with each election cycle.
- In 2023, the SOS contacted 4,256 high schools and 340 colleges and universities through the SVRP. A total of 642 schools responded to the mailing, which represents a 14% response rate, despite being required by Elections Code. Of the schools that responded, 450 requested paper voter registration forms, representing 10% of the total number of schools contacted.

Recommended Committee Amendments. *Staff recommends that the bill be amended as follows:*

- Require grant applications to include plans that result in “preparing pupils to meet the criteria for awarding the State Seal of Civic Engagement.”
- Authorize charter schools, in addition to school districts and county offices of education, as eligible entities to work with local elections officials for purposes of the grants.
- Require grant application plans to include at least one of the specified program components.
- Move legislative intent to an uncodified section.
- Require a local election official's grant application to include a letter of support from the partnering school district, county office of education, or charter school.

Related legislation. AB 2724 (Reyes) of the 2023-24 Session would require, commencing with the 2026–27 school year, the governing board of a school district, the governing board of a county office of education, the governing body of a charter school, and the state special schools for the blind and deaf to ensure that pupils receive, at least once before the pupil completes grade 11, information on how to properly preregister to vote, and would authorize the administrator of

a high school to appoint one or more pupils who are enrolled at that high school to be voter outreach coordinators.

AB 2576 (Aguiar-Curry) of the 2021-22 Session would have appropriated \$15 million dollars to the Civic Learning, Outreach and Engagement Fund (CLOE Fund) and requires the SOS to make grants to county registrars for the purposes of conducting specified voter registration outreach and education programs. This bill was held in the Assembly Appropriations Committee.

SB 955 (Leyva), Chapter 921, Statutes of 2022, allows students in grades 6-12 to have one excused absence per year to participate in a civic or political event, provided that the pupil notifies the school ahead of the absence.

AB 773 (Gonzalez) of the 2019-20 Session would have required the SOS, in coordination with the SPI, to develop educational programming for pupils in grade 12 on voting registration and participation, and would have required each public high school to implement the educational programming for students in grade 12 at each high school during a presentation or assembly at the school campus. This bill was vetoed by the Governor with the following message:

The State has already made a significant investment to increase turnout among young voters, and there is evidence that these efforts are working. The Secretary of State's Office reported that in 2018 there was a significant increase in turnout for voters ages 18-22. Rather than imposing a prescriptive requirement that imposes a one-size-fits-all requirement on each high school, I would prefer that the Secretary of State and the Superintendent of Public Instruction continue their coordination to help register and preregister young people to vote.

AB 1036 (Aguiar-Curry) of the 2019-20 Session would have authorized the Yolo County Elections Office, in partnership with the Yolo County Office of Education, to conduct a mock election pilot program to elect members of the school's student government, as specified. This bill would have revised existing regulations requiring counties to design and implement voter registration and outreach programs. This bill was vetoed by the Governor, with the following message:

Yolo County voluntarily held a youth empowerment summit in 2017 and in 2019 that included, among other lessons, how to properly fill out a ballot and provided an opportunity for eligible students to register or pre-register to vote. Students received hands-on experience in the democratic process and had the opportunity to interact directly with their elected representatives. In this case, the goal of increased student civic engagement and participation is being met without specific state funding. Consequently, paying local entities to perform activities that they could and should conduct independently of state reimbursement is not fiscally prudent.

This bill may also create an election-related reimbursable mandate of potentially significant costs to the state. Additionally, if the SOS opts to provide grants to local jurisdictions for the voter outreach and education programs prescribed by this measure, and it is determined that HAVA funding cannot be used for that purpose, this bill may result in General Fund cost pressures.

AB 24 (Eggman), Chapter 604, Statutes of 2017, establishes the State Seal of Civic Engagement, to be affixed to the diploma of qualifying high school graduates, based on a demonstration of excellence in civics education and participation.

SB 113 (Jackson), Chapter 619, Statutes of 2014, expands pre-registration for voting by authorizing a 16-year-old to pre-register to vote once pre-registration is in effect, provided they meet all other eligibility requirements.

AB 1817 (Gomez), Chapter 131, Statutes of 2014, established the last two full weeks in April and the last two full weeks in September as “high school voter education weeks,” instead of “high school voter weeks,” and expanded the individuals, from deputy registrars of voters, to people authorized by the county elections official, who must be allowed to register students and school personnel on any high school campus in areas designated by the administrator of the high school or their designee, which are reasonably accessible, during high school voter education weeks. Authorizes the administrator of a high school, or their designee, to appoint one or more pupils who are enrolled at that high school to be voter outreach coordinators. Authorizes the coordinators to coordinate voter registration activities on their high school campus.

AB 593 (Ridley-Thomas), Chapter 819, Statutes of 2003, makes numerous changes to the voter registration process and establishes the SVRP. Requires the SOS to provide every high school, community college, CSU, and UC campus with voter registration forms. Requires the SOS to provide a written notice with each such registration form describing eligibility requirements and informing each student that he or she may return the completed form in person or by mail to the elections official of the county in which the student resides. States the Legislature's intent that high schools and colleges provide students with voter registration forms.

Arguments in support. The Yolo County Assessor/Clerk-Recorder/Registrar of Voters writes, “There is a very real threat to our democracy and an immediate need for voter education among 18-24-year-old voters. As voter turnout, especially in Presidential Elections, has been steadily increasing, young voters have not seen the same increases in turnout. In the 2020 Presidential Election, an election where there was speculation that turnout of youth would increase, according to state data provided by Political Data Inc. (PDI), we saw eligible turnout of those aged 18-24 at 16.1% down from 17.1% in 2016.

Misinformation and disinformation continues to be a major issue that affects our society. Elections, in particular, are significantly impacted by misinformation/disinformation, and as Artificial Intelligence and the use of social media increases, it will become more difficult to decipher what is accurate information. It is imperative that high school students are taught how to critically evaluate and analyze information, so as a society we begin to thoughtfully analyze sources and information to determine what is factual.”

Arguments in opposition. Election Integrity Project California writes, “California is in a budgetary and deficit crisis. It is far past time for government to show leadership, responsibility and restraint. At all levels of life and government there are commodities and programs that would be magnificent to have, but if those things are simply financially unsustainable, we must learn to achieve desired goals less expensively and more creatively. These days, many Californians are having to make very difficult choices between paying for gas, food, rent, utilities or medical care. These are real quality of life decisions brought about by the current economic environment. We Californians deserve to have our legislators show responsible stewardship in the management of taxpayer monies.

Civic education and encouragement of participation in the processes of governing this Republic are vital. It is likely that the proposed pilot program will receive a positive assessment, which

will surely generate further legislation to expand the program statewide. But a positive outcome for this pilot program will not make it in any way cost-benefit effective, nor sustainably affordable, especially if implemented statewide. Fortunately, unaffordable amounts of money that are not available in state coffers do not have to be spent to accomplish the goal of AB 2627. Many of the programs for voter outreach and registration called for in SB 2627 can be encouraged through official memos from the CA Department of Education and the Superintendent of Public Instruction directly to California's secondary and higher educational institutions, who are already motivated and acting along those lines. Before California has a complete financial meltdown, EIPCa urges this committee to show an understanding of our economic reality, and pare down the legislative wish list to what absolutely must be done immediately, what cannot be accomplished more inexpensively, and what can be reasonably and responsibly funded."

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Clerks & Election Officials
California Environmental Voters (formerly CLCV)
County of Yolo
League of Women Voters of California
Los Angeles County
Voter Choice Napa
Yolo County Assessor/Clerk-Recorder/Registrar of Voters

Opposition

Election Integrity Project California

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