

Date of Hearing: March 27, 2019

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 773 (Gonzalez) – As Introduced February 19, 2019

**SUBJECT:** Voter registration: high school pupils

**SUMMARY:** Updates the weeks identified as high school voter education weeks. Requires school districts to develop and present, in coordination with county election officials, educational programming for pupils in grade 12 on voting registration and participation. Specifically, **this bill:**

- 1) Changes the weeks identified as “high school voter education weeks” from the last two full weeks in April and September in years when there is a presidential election to the last two full weeks in January and September. During these weeks persons authorized by the county elections official shall be allowed to register pupils and school personnel on any high school campus in areas designated by the administrator of the high school, or the administrator’s designee, which are reasonably accessible to all pupils.
- 2) Requires a school district shall do all of the following:
  - a) Develop and present, in coordination with county election officials, educational programming for pupils in grade 12 that will be implemented on each high school campus of that school district. This programming shall include, but necessarily be limited to, information about all of the following topics:
    - i) Eligibility for, and requirements relating to, registering to vote;
    - ii) Various methods to register to vote, including the ability to preregister to vote;
    - iii) Acquiring official, nonpartisan election voter information from county and state election officials, including, but not necessarily limited to, accessing their respective internet websites;
    - iv) How to locate a polling place or vote center;
    - v) What to expect when voting in person at a polling place or vote center;
    - vi) How to complete and submit a ballot through various methods, including vote by mail and in person at a polling place or vote center; and
    - vii) An individual’s rights as a voter.
  - b) Implement the educational programming during a presentation or assembly, not to exceed two hours in duration, at the high school campus. This presentation or assembly shall take place during the high school voter education weeks.
  - c) Offer pupils the opportunity to preregister to vote during the presentation or assembly. The preregistration must be accomplished through the use of a device that

may include, but not necessarily be limited to, a laptop computer, smartphone, or tablet that can access the voter registration internet website of the Secretary of State.

- d) Defines “educational programming” to mean a presentation accomplished through the use of methods that may include, but are not necessarily limited to, live speakers, audio-visual content, printed material, PowerPoint, or through a combination of those materials.
- e) If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts shall be made.

#### **EXISTING LAW:**

- 1) 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 at least 18 years of age at the time of the next election.
- 2) 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, persons authorized by the county elections official shall 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 Section 49040)
- 3) Allows 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. (Education Code Section 49041)

**FISCAL EFFECT:** Unknown.

#### **COMMENTS:**

***Need for the bill.*** The author states, “While the Legislature has made efforts to increase voter registration and participation among younger voters, very little has been done to enhance new voter education.

For many young Californians, voting education is acquired through two primary avenues: learned voting behavior from their household, or via their civics education curriculum in high school.

While the high school History & Social Science curriculum framework includes a civics and voting education component, there is no mandated or specified instruction model that teachers must implement in the classroom. This results in instruction modules that vary from classroom to classroom, and in some instances, can be glossed over in a lesson plan.

The lack of uniform instructional modules for civics education results in a young adult population that is unfamiliar and uncertain with how to participate in the electoral process. According to the Public Policy Institute of California, some of the commonly stated reasons

eligible individuals do not register or turn out to vote include unfamiliarity with the election process and time constraints associated with the act of voting.

Assembly Bill 773 will increase youth voter education, registration and turnout by requiring public high schools to empower students with the information and resources they need to understand the mechanics of voting. Most young voters learn how voting works by watching their parents participate in the electoral process. However, due to recent demographic changes in California, many young citizens now come from families in which no one has ever voted or may not be eligible to vote. This bill moves past simply registering young voters by seeking to teach young people how to vote and demystify the entire electoral process.”

***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. A September 2015 fact sheet from the Public Policy Institute of California reported 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 Secretary of State, in the 2018 general election the gap in registration rates between youth and older (age 65-74) Californians was 24 percentage points. However, the youth registration rate (percentage of citizens 18-24 years who are registered) reached 61.6% in the 2018 general election, an increase over the 52% youth registration rate in the 2014 midterm general election.

In the 2018 general election, California saw the highest eligible turnout rate in a midterm general election since 1982. Youth eligible turnout was 27.5%, compared to 8.2% turnout in 2014. Eligible voter turnout of Latino and Asian-American youth remained lower than the turnout overall. The youth share of California’s 2018 general election voters (7.6%) was smaller than the youth share of the state’s eligible voter population.

***2018 Secretary of State Annual Report to the Legislature on Student Voter Registration.*** The California Secretary of State is required to submit an annual report to the State Legislature to report 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 2018 report include:

Section 2146 of the California Elections Code requires every California Community College (CCC), California State University (CSU) and University of California (UC) campus that operates an automated class registration system to coordinate with the Secretary of State to permit students, during the class registration process, to apply to register to vote online. In 2012, the Secretary of State’s office launched California’s online voter registration application at [RegisterToVote.ca.gov](http://RegisterToVote.ca.gov), which allows schools to provide an opportunity to submit an affidavit of voter registration electronically in compliance with this section.

Section 2146 of the California Elections Code requires the Secretary of State to provide every high school, CCC, CSU, and UC campus with paper voter registration applications. Between 2004-2015, under the Student Voter Registration Act of 2003, the Secretary of State was required to send schools printed voter registration applications based solely on the number of voting age students enrolled. This approach was neither efficient nor effective. In 2008 alone, the Secretary of State’s office printed and mailed over 2.5 million student voter

registration applications to high school and college campuses, which only yielded 16,489, or 0.66%, completed registration applications.

The new online voter registration system has yielded a more reasonable cost than the previous paper-only implementation. Efforts in 2012 resulted in 23,817 online student registrations. In the same year 24,541 registration applications were mailed to schools, far less than were originally mailed in 2008 prior to Assembly Bill 1446.

With the passage of Senate Bill 854 (Chapter 481, Statutes of 2007), the requirement to provide printed registration applications for each student was reduced for campuses that had adopted a system of prefilling registration forms with student information. In 2014, the Legislature passed Assembly Bill 1446 (Chapter 593, Statutes of 2014) allowing registration applications to be sent in numbers specifically requested by the campuses and encouraging students to register via the new online system.

Upon certification of the Secretary of State's statewide voter registration database (VoteCal) in September 2016, Assembly Bill 113 (Chapter 619, Statutes of 2014) became effective, allowing 16 and 17-year-olds to pre-register to vote<sup>1</sup>. Pre-registrants are automatically converted to registered voters on their 18th birthday. Beginning in March of 2017, pre-registration was made available through California's online voter registration application, further expanding access to pre-registration.

Since the implementation of California's online voter registration application, more students are choosing to pre-register/register to vote online...Overall in 2018, California saw a significant increase of student pre-registrations. We anticipate that these numbers will likely quadruple for the year 2020.

In 2018, the Secretary of State partnered with the California Department of Education, Superintendent of Public Instruction, to promote and coordinate a Student Mock Election throughout the state and High School Voter Education weeks designated in the last two weeks of April and September. In 2018 we had 477 schools request materials to conduct their Student Mock Election. Our office provided ballots, Student Voter Information Guides, and other materials to ensure a successful 2018 Student Mock Elections at participating schools. High School Voter Education Week sparked events at high schools all over California.

***Voter Educational Programming.*** This bill requires school districts to develop and present, in coordination with county election officials, educational programming related to voter registration and the voting process for pupils in grade 12 that will be implemented on each high school campus of that school district. Given that there are over 1,000 school districts in California, and only 58 counties, ***staff recommends that the bill be amended to*** require the Secretary of State, in coordination with the California Department of Education, to develop the educational programming. County election officials will add information to the educational programming information specific to voting practices and procedures specific to their county. By requiring state agencies to develop the educational programming, the content will be more standardized across the state, and provide greater administrative efficiencies. In some counties, election

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<sup>1</sup> This statewide voter registration database is the official system of record for voter registration in California. It is equipped with the ability to track voter registration in conjunction with all California counties' election management systems.

officials will need to work with over 40 school districts in order to develop the educational programming. The development process may become burdensome and ineffective.

***Are charter schools or county offices of education included in this bill?*** As currently drafted, this bill only impacts school districts. ***Staff recommends that the bill be amended throughout to*** include charter schools and county offices of education throughout so that all eligible public high school students may receive voter education materials, regardless of their high school setting.

***Prior legislation.*** AB 1817 (Gomez) of the 2013-14 Session amended Education Code Section 49040 to make the last two full weeks in April and the last two full weeks in September "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 his or her designee, which are reasonably accessible, during high school voter education weeks. AB 1817 also added Education Code Section 49041 which allows 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.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California Department Of Education  
San Diego Unified School District

### **Opposition**

None on file.

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