

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 04/16/2013  
POSITION: Oppose

BILL NUMBER: AB 813  
AUTHOR: Melendez, Melissa A.

**BILL SUMMARY: Election results.**

This bill would require local elections officials to post election results on its website in a downloadable spreadsheet format, as specified.

**FISCAL SUMMARY**

The Secretary of State (SOS) indicates that any costs resulting from this bill would be minor and absorbable within existing resources. However, to the extent that a local elections official does not already maintain or provide election results in a format compliant with the requirements of this bill, this measure could result in additional information technology costs, potentially creating a reimbursable state mandate.

**COMMENTS**

The Department of Finance opposes this bill because it would likely result in a reimbursable state mandate of unknown, potentially significant, costs to the state.

Existing law requires the elections official who conducts an election to prepare a certified statement of the results of the election and submit it to the governing body within a specified timeframe, and further requires the elections official to send the results to the SOS in electronic format. Existing law also requires the SOS to compile and certify the results, file a statement of the vote from the compiled results as specified, and post the certified statement on its website.

This bill would require each local elections official to post election results on its website in a downloadable spreadsheet format that is compatible with a spreadsheet software application widely used at the time of posting, such as comma-separated values (.csv) or tab-separated values (.tsv)., and would further require the elections official to maintain this information for a period of at least 10 years following an election. Elections officials would be required to maintain a public website and to post election results in a specified format on that website regardless of the size of the jurisdiction, whether the elections official currently maintains a public website, or whether the elections official uses a system that allows for the statement of the results to be prepared in a format in compliance with the requirements of this bill.

The California Constitution requires the state to reimburse local entities for increased costs associated with any new program or higher level of service imposed by the state on local entities of the Commission on State Mandates determines that the new program or higher level of service is reimbursable and a state mandate. This bill would provide that reimbursement to local entities for those costs shall be made pursuant to this act.

According to the author's office, current California election law requires only one paper copy of the results of an election to be posted where the votes were counted, for public inspection. However, modern technology makes this law seem prehistoric and in need of updating. It also does not provide an adequate

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**COMMENTS** (continued)

way for an individual to analyze election data to maintain that the election was done honestly. AB 813 would provide for greater election transparency by allowing the general public to easily access and analyze election results using modern modes of technology such as Microsoft Excel.

The 2011 and 2012 Budget Acts suspended various state mandates as a mechanism for cost savings. This included the suspension of six elections-related mandates. All the existing elections-related mandates have again been proposed for suspension in the 2013-14 Governor's Budget.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)						Fund Code
	LA	(Dollars in Thousands)						
	CO	PROP						
	RV	98	FC	2012-2013 FC	2013-2014 FC	2014-2015		
0890/Secty State	SO	No		----- No/Minor Fiscal Impact -----			0001	
8885/Comm St Mndt	SO	No		----- See Fiscal Summary -----			0001	