

# Newly Enacted Legislation of Interest

## **Senate Bill 1376**, (Perata) – Chapter 813, Statutes of 2004

### *Voting Systems*

As related to the Voting Modernization Board, this bill amends Elections Code Section 19201 to prohibit any jurisdiction [city or county] from purchasing or contracting for a voting system unless it has received the approval of the Secretary of State.

## **Senate Bill 1438** (Johnson) – Chapter 814, Statutes of 2004

### *Elections: Voting Systems*

This bill prohibits the Secretary of State from certifying any direct recording electronic (DRE) voting system, effective January 1, 2005, unless the voting system received federal qualification and includes an accessible voter verified paper audit trail (AVVPAT). The bill also prohibits any city or county from purchasing any DRE voting system unless the voting system has received federal qualification and includes an accessible voter verified paper audit trail (AVVPAT) on or after January 1, 2006. The bill further states that on January 1, 2006, all DRE systems used in California must possess an AVVPAT. Specifically related to the Voting Modernization Board, this bill states that to the “extent that they are available for expenditure” federal funds or moneys from the Voting Modernization Fund shall be used to comply with the bill’s AVVPAT requirements.

## **Senate Bill 1730** (Johnson) – Chapter 817, Statutes of 2004

### *Primary Elections*

This bill moves the date of California Statewide Primary Elections from March to June beginning in 2006. Notwithstanding the Help America Vote Act (HAVA) January 1, 2006, voting system accessibility deadline, the move of the primary election date could allow counties more time to fully convert to new modernized voting systems.