

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

650



**FROM:** Executive Office

**SUBMITTAL DATE:** April 29, 2003

**SUBJECT:** Position on AB 828 by Assembly Member Mark Leno

**RECOMMENDED MOTION:** That the Board of Supervisors oppose AB 828 and direct the Executive Office and the Board's Sacramento representative to further the Board's position.

**BACKGROUND:** According to the author's office, this bill was introduced to address a situation that occurred during the 2002 General Election in several precincts around the state where an inadequate supply of ballots were available which either deterred or prevented eligible voters from voting. To remedy this situation, AB 828 would require election officials to establish and implement alternative voting procedures for use when electronic voting systems fail or when the insufficient ballots are available. The bill would allow sample ballots to be used in lieu of official ballots as an alternative voting procedure. This bill fails to recognize the value of our County's touch screen voting machines. An advantage of touch screen voting is that it does not rely on paper products and as such is immune from the potential problems associated with paper ballots. With touch screen voting, there is no risk that voters would not have the appropriate ballot to cast their vote. Additionally, the provisions of AB 828 fail to recognize the redundancies the current touch screen voting systems have in place to handle emergencies. Because each machine is independent, if one were to fail, the polling place has four or five others. The machines are backed up with battery power in the event of power outage and data is stored on two sources in the event of disk failure. These measures were intentionally designed in the system to address the stated intent of this bill, which is to ensure every voter has a ballot and a positive voting experience. When the county first unveiled touch screen voting, the Registrar's Office had provisional ballots available for voters uncomfortable with the new electronic voting machines. There were no takers. The voting public favorably accepted the touch screen machines. In regards to the provisions regarding electronic voting systems, the provisions of this bill are therefore unnecessary.

*Gary M. Christmas*  
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Gary M. Christmas, Legislative Manager

**FINANCIAL DATA: N/A**

**CURRENT YEAR COST** \$

**ANNUAL COST:** \$

**NET COUNTY COST** \$

**IN CURRENT YEAR BUDGET:** Yes/ No/

**BUDGET ADJUSTMENT FY:** Yes/ No/

**SOURCE OF FUNDS:**

**C.E.O. RECOMMENDATION:**

APPROVE.

\_\_\_\_\_  
County Executive Office Signature

Department Recommendation:  Consent  Policy  
Per Executive Office:  Consent  Policy

Prev. Agn. ref.

Dist. *ALL*

AGENDA NO.

3 6



2003  
LEGISLATIVE ANALYSIS

**BILL NUMBER:** Assembly Bill 828

**AUTHOR:** Assembly Member Mark Leno

**PRESENT LAW:** Current law requires election officials to provide a sufficient number of ballots to each precinct which in no case shall be fewer than 75 percent of all registered voters in the precinct.

Requires election officials, in the event that the precinct has insufficient ballots on hand, to deliver additional ballots to the precinct so that all eligible voters may cast a ballot by 10:00 p.m.

**PROPOSED LAW:** AB 828 would require election officials to establish and implement alternative voting procedures for use when an electronic voting systems fails or when the elections official is unable to provide a ballot to all eligible voters on election day.

This measure would allow elections officials to authorize the use of sample ballots in lieu of official ballots as an alternative voting procedure.

**RECOMMENDATION:** OPPOSE

**BACKGROUND:** The provisions of AB 828 are unnecessary as they relate to electronic voting systems. The implementation of touch screen voting in fact addresses the intent of this bill which according to the author is to ensure that every voter has an available ballot at the polling place.

The Riverside County touch screen voting system was designed with redundancies to ensure the ease and efficiency of voting procedures. The machines are independent so that a failure of one machine would not impact the other machines in the polling place. Every precinct is provided four or five touch screen machines providing the first level of redundancy. The second level of redundancy addresses the potential of a power outage. Each machine is equipped with battery power as a backup to external electrical supply. The third level of redundancy is a data storage backup that stores data both on the machines internal hard drive as well as a data storage disk.

With built in redundancies designed as part of the system, the system complies with the intent of this bill without requiring an alternative paper voting procedure to be developed.

**FISCAL IMPACT:**

If enacted in its current form, this bill would require costly paper ballots to be developed in the unlikely event of failure of the county's electronic voting system. One purpose of switching to electronic voting was to reduce reliance on costly paper ballots.

**ORGANIZATION  
POSITIONS:**

There is no registered support or opposition to AB 828 as of April 22, 2003.