

Westlaw.

Page 1

West's F.S.A. § 104.43

C**Effective: [See Text Amendments]**

West's Florida Statutes Annotated Currentness

Title IX. Electors and Elections (Chapters 97-109)

▣ Chapter 104. Election Code: Violations; Penalties (Refs & Annos)

→104.43. Grand juries; special investigation

The grand jury in any circuit shall, upon the request of any candidate or qualified voter, make a special investigation when it convenes during a campaign preceding any election day to determine whether there is any violation of the provisions of this code, and shall return indictments when sufficient ground is found.

CREDIT(S)

Laws 1951, c. 26870, § 8; Laws 1977, c. 77-175, § 35.

HISTORICAL AND STATUTORY NOTES**Prior Laws:**

Fla.St.1949, § 875.45.

Com.Gen.Laws 1927, § 8196.

Rev.Gen.St.1920, § 5932.

Laws 1913, c. 6470, § 17.

LAW REVIEW AND JOURNAL COMMENTARIES

The Florida jury process. S. O. Kanner and John E. Smith, 15 U.Fla.L.Rev. 1 (1962).

LIBRARY REFERENCES

2002 Main Volume

Grand Jury ↪25.

Westlaw Topic No. 193.

C.J.S. Grand Juries §§ 10, 76, 78, 80-81, 83-84.

RESEARCH REFERENCES**Encyclopedias**

FL Jur. 2d Juries § 288, Initiation of Inquiry.

West's F. S. A. § 104.43, FL ST § 104.43

Current through Chapter 316 and S.J.R. No. 2788 (End) of the 2006 Second

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Page 1

West's Ann.Cal.Elec.Code § 18000

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 1. General Provisions

→ § 18000. Scope of division

This division applies to all elections.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18000, enacted by Stats.1961, c. 23, § 18000, derived from Elec.C.1939, § 7700; Pol.C. § 1266a, added by Stats.1927, c. 236, § 1, providing for establishment of election return centers, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former §§ 12013, 12056, 15281, 29000, enacted by Stats.1961, c. 23, pp. 755, 758, 796, 869, §§ 12013, 12056, 15281, 29000.

Former § 29100, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, §§ 4963, 5010, 6601, 11500 (Stats.1939, c. 26, pp. 203, 205, 239, 310); Stats.1923, c. 96, p. 192, § 24; Pen.C. § 64 1/2, added by Stats.1899, c. 52, p. 59, § 1; Stats.1899, c. 120, p. 153, § 1.

LAW REVIEW AND JOURNAL COMMENTARIES

Penal provisions of Elections Code and municipal referendum and initiative elections. (1965) 5 Santa Clara Law. 187.

LIBRARY REFERENCES

2003 Main Volume

Elections ↪311.
 Westlaw Topic No. 144.

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West's Ann.Cal.Elec.Code § 18001

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 1. General Provisions

→ § 18001. General fine

Upon a conviction for any crime punishable by imprisonment in any jail or prison, in relation to which no fine is herein prescribed, the court may impose a fine on the offender not exceeding one thousand dollars (\$1,000) in cases of misdemeanors or ten thousand dollars (\$10,000) in cases of felonies, in addition to the imprisonment prescribed.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Amendment of this section by Initiative Measure (Prop. 52, Art. 4, § 4) was rejected at the Nov. 5, 2002 election.

Former § 18001, enacted by Stats.1961, c. 23, § 18001, derived from Elec.C.1939, § 7701; Pol.C. § 1266a, added by Stats.1927, c. 236, § 1, relating to precincts served by election return centers, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29001, enacted by Stats.1961, c. 23, p. 869, § 29001.

Former § 29101, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11501 (Stats.1939, c. 26, p. 310); Pen.C. § 61.

CROSS REFERENCES

Felony, definition and penalties, see Penal Code §§ 17, 18.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

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West's Ann.Cal.Elec.Code § 18002

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 1. General Provisions

→ § 18002. Failure to perform or violation of duty; general penalty

Every person charged with the performance of any duty under any law of this state relating to elections, who willfully neglects or refuses to perform it, or who, in his or her official capacity, knowingly and fraudulently acts in contravention or violation of any of those laws, is, unless a different punishment is prescribed by this code, punishable by fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the state prison for 16 months or two or three years, or by both.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18002, enacted by Stats.1961, c. 23, § 18002, derived from Elec.C.1939, § 7702; Pol.C. § 1266a, added by Stats.1927, c. 236, § 1, providing for changing election return center locations and precinct groupings, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29002, enacted by Stats.1961, c. 23, p. 869, § 29002.

Former § 29102, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11502 (Stats.1939, c. 26, p. 310); Pen.C. § 41.

CROSS REFERENCES

Ballots, see Elections Code § 18400 et seq.

Felony, infraction, definition and penalties, see Penal Code §§ 17, 18.

Misdemeanor, infraction, offense and punishment, see Penal Code §§ 17, 19.

Precinct boards, composition and qualifications, generally, see Elections Code § 12300 et seq.

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Page 1

West's Ann.Cal.Elec.Code § 18100

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→§ 18100. Violations; imprisonment

(a) Every person who willfully causes, procures, or allows himself or herself or any other person to be registered as a voter, knowing that he or she or that other person is not entitled to registration, is punishable by imprisonment in the state prison for 16 months or two or three years, or in a county jail for not more than one year.

(b) Every person who knowingly and willfully signs, or causes or procures the signing of, an affidavit of registration of a nonexistent person, and who mails or delivers, or causes or procures the mailing or delivery of, that affidavit to a county elections official is guilty of a crime punishable by imprisonment in the state prison for 16 months or two or three years, or in a county jail for not more than one year. For purposes of this subdivision, "nonexistent person" includes, but is not limited to, deceased persons, animals, and inanimate objects.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 220, enacted by Stats.1961, c. 23, p. 589, § 220.

Former § 29200, added by Stats.1976, c. 1192, § 15, amended by Stats.1979, c. 1032, § 1.

Elec.C.1939, § 139 (Stat.1939, c. 26, p. 58).

Pen.C. § 42, amended by Stats.1901, c. 158, p. 436, § 6; Stats.1905, c. 479, p. 639, § 1.

Pen.C. § 42a, added by Stats.1905, c. 479, p. 639, § 2.

CROSS REFERENCES

Contests, grounds for election contests, see Elections Code § 16100.

County, City, defined for purposes of this Code, see Elections Code § 310.

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Page 1

West's Ann.Cal.Elec.Code § 18101

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→§ 18101. Willful registration of fictitious person or person not requesting registration; violations; imprisonment

Every person who knowingly and willfully completes, or causes or procures the completion of, in whole or in part, an affidavit of registration or a voter registration card, with the intent to cause the registration or reregistration as a voter of a fictitious person or of any person who has not requested registration or reregistration as a voter, is guilty of a crime punishable by imprisonment in the state prison for 16 months or two or three years, or in a county jail for not more than one year.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29200.5, added by Stats.1985, c. 894, § 1.

CROSS REFERENCES

Affidavit of registration, contents, see Elections Code § 2150.

County, City, defined for purposes of this Code, see Elections Code § 310.

Duties of county clerk and deputies with respect to affidavits, see Elections Code § 2135 et seq.

Election Day Voter Registration Act of 2002, election day registration and voting, see Elections Code § 2170 et seq.

Felony, infraction, definition and penalties, see Penal Code §§ 17, 18.

Form of affidavit of registration, see Elections Code § 2157.

Misdemeanor, infraction, offense and punishment, see Penal Code §§ 17, 19.

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Page 1

West's Ann.Cal.Elec.Code § 18102

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→ § 18102. Deputy or registration elections official; violations; imprisonment

Any deputy elections official or registration elections official who knowingly registers a nonexistent person, knowingly registers a person under a false name or address, or knowingly registers a person who is ineligible to register is punishable by imprisonment in the state prison for 16 months or two or three years or in county jail for not more than one year.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 284, enacted by Stats.1961, c. 23, p. 593, § 284, amended by Stats.1970, c. 726, p. 1354, § 1; Stats.1975, c. 704, § 33.

Former § 29201, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 184 (Stats.1939, c. 26, p. 59).

Elec.C.1939, § 184, added as part of Pol.C. § 1095a by Stats.1911, Ex.Sess., c. 58, § 1, amended by Stats.1931, p. LXXXIII, § 1; Stats.1931, c. 320, § 2, amended to be Elec.C.1939 § 184, by Stats.1939, c. 27, § 3.

Pol.C. § 1095, amended by Stats.1899, c. 53, p. 61, § 1; Stats.1903, c. 222, p. 257, § 1; Stats.1911, c. 437, p. 889, § 1.

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Deputies and clerks, report for failure to comply, see Elections Code §§ 2140, 18104.

Duties of county clerk and deputies with respect to affidavits, see Elections Code § 2135 et seq.

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Page 1

West's Ann.Cal.Elec.Code § 18103

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→§ 18103. Interference with transfer of completed affidavits of registration; unauthorized retention or denial of right to return registration cards; misdemeanor

Any person who knowingly or negligently (a) interferes with the prompt transfer of a completed affidavit of registration to the county elections official, (b) retains a voter's completed registration card, without the voter's authorization, for more than three days, excluding Saturdays, Sundays, and state holidays, or after the close of registration, or (c) denies a voter the right to return to the county elections official the voter's own completed registration card, is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 313, added by Stats.1975, c. 704, § 40.5.

Former § 313, added by Stats.1961, c. 23, p. 595, § 313.

Former § 29202, added by Stats.1976, c. 1192, § 15, amended by Stats.1977, c. 999, § 5; Stats.1977, c. 1116, § 11; Stats.1989, c. 983, § 12; Stats.1990, c. 239, § 1.

Elec.C.1939, § 223 (added by Stats.1939, c. 26, p. 61, amended by Stats.1949, c. 1432, p. 2492, § 2.

Pol.C. § 1096a, added by Stats.1917, c. 708, p. 1335, § 2, amended by Stats.1929, c. 749, p. 1420, § 4.

CROSS REFERENCES

Computation of time, first and last days, holidays, see Civil Code § 10; Code of Civil Procedure § 12 et seq.; Government Code § 6800 et seq.

Computation of time, time for performance of any act provided for or required by this code, holiday as last day for performance of act, see Elections Code § 15.

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Page 1

West's Ann.Cal.Elec.Code § 18104

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→ § 18104. Deputy registrars; failure to return affidavits of registration; misdemeanor; report; civil or criminal action

Any deputy registrar of voters having charge of affidavits of registration is guilty of a misdemeanor who knowingly neglects or refuses to return affidavits of registration as provided in Article 3 (commencing with Section 2135) of Chapter 2 of Division 2. The county elections official shall report to the district attorney of the county, under oath, the names of any deputies who have failed to return the affidavits. The district attorney shall take appropriate civil or criminal action.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former §§ 284, 285, enacted by Stats.1961, c. 23, p. 593, §§ 284, 285, amended by Stats.1970, c. 726, p. 1354, § 1; Stats.1975, c. 704, § 33.

Former § 29203, added by Stats.1976, c. 1192, § 20, amended by Stats.1988, c. 669, § 6.

Elec.C.1939, §§ 184, 185, 186 (Stats.1939, c. 26, p. 59).

Elec.C.1939, §§ 184, 185 and 186, added as part of Pol.C. § 1095a by Stats.1911, Ex.Sess., c. 58, § 1, amended by Stats.1931, p. LXXXIII, § 1; Stats.1931, c. 320, § 2, amended to be Elec.C.1939, §§ 184, 185 and 186 by Stats.1939, c. 27, § 3.

Pol.C. § 1095 amended by Stats.1899, c. 53, p. 61, § 1; Stats.1903, c. 222, p. 257, § 1; Stats.1911, c. 437, p. 889, § 1.

CROSS REFERENCES

Close of registration, see Elections Code § 2107.

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Page 1

West's Ann.Cal.Elec.Code § 18105

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→ § 18105. Affidavit of registration or voter registration card; statement in support or opposition of candidates by other than registrant; misdemeanor

No affidavit of registration or voter registration card shall contain, and no person other than the registrant shall write on or affix thereto, or cause to be written on or affixed thereto, any statement urging or indicating support or opposition to any candidate or measure.

Any person who violates this section is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29203.7, added by Stats.1985, c. 346, § 1.

CROSS REFERENCES

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Measure, defined for purposes of this Code, see Elections Code § 329.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Voter, defined for purposes of this Code, see Elections Code § 359.

Voter registration, affidavit of registration, see Elections Code § 2102.

Voter registration cards, distribution and restrictions, see Elections Code § 2158.

Voter registration cards, return of voter registration cards, see Elections Code § 2138.

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Page 1

West's Ann.Cal.Elec.Code § 18106

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 2. Voter Registration (Refs & Annos)

→ § 18106. Tampering with party affiliation declaration

Every person is punishable by imprisonment in the state prison for 16 months or two or three years or in the county jail for not more than one year who, without the specific consent of the affiant, willfully and with the intent to affect the affiant's voting rights, causes, procures, or allows the completion, alteration, or defacement of the affiant's party affiliation declaration contained in an executed, or partially executed, affidavit of registration pursuant to subdivision (h) of Section 2150 and Section 2151.

This section shall not apply to a county elections official carrying out his or her official duties.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29204, added by Stats.1979, c. 565, § 1.

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Elections official, defined for purposes of this Code, see Elections Code § 320.

Elections officials, failure to perform or violation of duty relating to elections, general penalty, see Elections Code § 18002.

Fair campaign practices, generally, see Elections Code § 20400.

Fair campaign practices, Code of Fair Campaign Practices, see Elections Code § 20440.

Felony, infraction, definition and penalties, see Penal Code §§ 17, 18.

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Page 1

West's Ann.Cal.Elec.Code § 18107

C**Effective: [See Text Amendments]**

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→ § 18107. Voter registration cards; distribution; violations; infraction

Every person who willfully violates Section 2158 is guilty of an infraction, punishable by a fine not to exceed two hundred dollars (\$200).

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29205, added by Stats.1981, c. 551, § 2.

CROSS REFERENCES

Felony, infraction, definition and penalties, see Penal Code §§ 17, 18.

Voter registration cards, distribution and restrictions, see Elections Code § 2158.

Voter registration cards, return of voter registration cards, see Elections Code § 2138.

Voter registration, confidentiality of voter registration information, restrictions on disclosure of information, see Government Code § 6254.4.

Voter registration, generally, see Elections Code § 2100 et seq.

LIBRARY REFERENCES

2003 Main Volume

Elections ↻309.
 Westlaw Topic No. 144.
 C.J.S. Elections § 324, 355(2).

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Page 1

West's Ann.Cal.Elec.Code § 18107.5

C

Effective: January 01, 2003

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→§ 18107.5. Electronic submission of absentee ballot application for another registered voter; violation; offense; penalty

Every person who willfully violates subdivision (c) of Section 3008 is guilty of an infraction, punishable by a fine not to exceed two hundred dollars (\$200) per application.

CREDIT(S)

(Added by Stats.2002, c. 753 (A.B.2277), § 6.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Sections 1 and 7 of Stats.2002, c. 753 (A.B.2277), provide:

"SECTION 1. The Legislature hereby finds and declares the following:

"(a) It is the policy of this state that all election laws and procedures are established and construed to assist the elector in the exercise of his or her right to vote. It is the further policy of the state that this goal be accomplished in an economical manner that prevents fraud and encourages electors to vote.

"(b) California's system of elections can be improved by the use of current and emerging technologies to increase voter participation.

"(c) Greater electoral participation may be achieved by allowing all voters to submit absentee ballot requests electronically.

"(d) It is the intent of the Legislature that the electronic application process for an absent voter's ballot utilize current Internet technology security.

"(e) It is the intent of the Legislature to provide voters with a web page secure Internet format that is completed manually by the voter and submitted over the Internet as a single, secure document."

"SEC. 7. The Secretary of State shall report to the Legislature, within one year of the first statewide election following implementation of this act, on the impact, if any, of permitting electronic application for absentee ballots, including the impact of the electronic applications on voter participation."

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Page 1

West's Ann.Cal.Elec.Code § 18108

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

~~→ § 18108. Registration assistance for consideration; failure to comply with statutory requirements; misdemeanor; penalties; exemptions~~

(a) Except as provided in subdivision (c), any person who receives money or other valuable consideration to assist another to register to vote by receiving the completed affidavit of registration from the elector, and fails to comply with Section 2159, is guilty of a misdemeanor, and shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months or when the failure to comply is found to be willful, not exceeding one year, or both.

(b) Any person who receives money or other valuable consideration to assist another to register to vote by receiving the completed affidavit of registration from the elector, upon a third or subsequent conviction, on charges brought and separately tried, for failure to comply with Section 2159 shall be punished by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the county jail not to exceed one year, or both.

(c) This section shall not apply to any public agency or its employees that is designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg), when an elector asks for assistance to register to vote during the course and scope of the agency's normal business.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2. Amended by Stats.1995, c. 946 (A.B.1532), § 2; Stats.1997, c. 456 (S.B.1077), § 4.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

The 1995 amendment rewrote the section, which had read:

"Any person who, in exchange for money or other valuable consideration, assists another to register to vote by receiving the completed affidavit of registration from the elector, and fails to provide the information required by Section 2159, is guilty of a misdemeanor."

Stats.1997, c. 456, in subd. (a) substituted "subdivision (c)" for "subdivision (d)" following "as provided in" and deleted "subdivision (a) of" following "fails to comply with"; and in subd. (b) deleted "subdivision (a) of"

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Page 1

West's Ann.Cal.Elec.Code § 18108.5

▷

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→ § 18108.5. Affidavit records; notice of noncomplying affidavits; failure to comply with statutory requirements; offense; penalties; exemptions

- (a) Any person, company, or other organization that agrees to pay money or other valuable consideration, whether on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of registration who fails to comply with Section 2159.5, is guilty of a misdemeanor, and shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months or when the failure to comply is found to be willful, not exceeding one year, or both.
- (b) Any person, company, or other organization that agrees to pay money or other valuable consideration, whether on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of registration, upon a third or subsequent conviction, on charges brought and separately tried, for failure to comply with Section 2159.5 shall be punished by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the county jail not to exceed one year, or both.
- (c) An elections official shall notify any person, company, or other organization that agrees to pay money or other valuable consideration, whether on a per-affidavit basis or otherwise, to any person who assists another person to register to vote by receiving the completed affidavit of registration, that three or more affidavits of registration submitted by a person who assisted another to register to vote do not comply with Sections 18100, 18101, 18103, or 18106. The elections official may forward a copy of each of the noncomplying affidavits of registration to the district attorney, who may make a determination whether probable cause exists to believe that a violation of law has occurred.
- (d) This section shall not apply to any public agency or its employees that is designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg), when an elector asks for assistance to register to vote during the course and scope of the agency's normal business.

CREDIT(S)

(Added by Stats.1997, c. 456 (S.B.1077), § 5.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Derivation: Former § 2159, enacted by Stats.1994, c. 920, § 2, amended by Stats.1995, c. 946, § 1.

CROSS REFERENCES

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Page 1

West's Ann.Cal.Elec.Code § 18109

▷

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→ § 18109: Misuse of voter registration information; violation

(a) It is a misdemeanor for any person in possession of information obtained pursuant to Article 5 (commencing with Section 2180) of Chapter 2 of Division 2, or Section 6254.4 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.

(b) It is a misdemeanor for any person knowingly to acquire possession or use of voter registration information referred to in subdivision (a) without first complying with Section 2188.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29207, added by Stats.1992, c. 2, § 4.

Former § 29207, added by Stats.1987, c. 1458, § 1458.

CROSS REFERENCES

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Voter, defined for purposes of this Code, see Elections Code § 359.

Voter registration, confidentiality of voter registration information, restrictions on disclosure of information, see Government Code § 6254.4.

Voter registration, generally, see Elections Code § 2100 et seq.

LAW REVIEW AND JOURNAL COMMENTARIES

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Page 1

West's Ann.Cal.Elec.Code § 18110

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 2. Voter Registration (Refs & Annos)

→§ 18110: Disclosure of home address or telephone number on voter registration card; violations

(a) For purposes of this section, "home address" means only street address and does not include an individual's city or post office address.

(b) Any person or public entity who, in violation of Section 2194, discloses the home address or telephone number listed on a voter registration card of any of the following individuals is guilty of a misdemeanor:

(1) An active or retired peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

(2) An employee of a city police department or a county sheriff's office.

(3) The spouse or children of the individuals specified in paragraphs (1) and (2) who live with those individuals.

(c) Any person or public entity, who in violation of Section 2194, discloses the home address or telephone number listed on a voter registration card of any individual specified in paragraph (1), (2), or (3) of subdivision (b), and that violation results in bodily injury to any of those individuals, is guilty of a felony.

CREDIT(S)

(Added by Stats.1994, c. 1207 (S.B.1518), § 9)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Section 15 of Stats.1994, c. 1207 (S.B.1518), provides:

"Section 9 of this bill shall become operative only if both this bill and SB 1547 [Stats.1994, c. 920] are chaptered, in which case Section 10 of this bill shall not become operative."

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Felony, definition and penalties, see Penal Code §§ 17, 18.

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Page 1

West's Ann.Cal.Elec.Code § 18200

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 3. Nomination of Candidates (Refs & Annos)

→ § 18200. Subscription of false names to petitions; felony; imprisonment

Every person who subscribes to any nomination petition a fictitious name, or who intentionally subscribes thereto the name of another, or who causes another to subscribe a fictitious name to a nomination petition, is guilty of a felony and is punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18200, enacted by Stats.1961, c. 23, § 18200, part of a group of sections derived from Elec.C.1939, §§ 7800 et seq., 7840 et seq., as amended and Pol.C. §§ 1361, 1362, 1364 as amended, providing for liberal construction of the chapter, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29221, enacted by Stats.1961, c. 23, p. 874, § 29221.

Former § 29300, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11649 (Stats.1939, c. 26, p. 315, amended by Stats.1959, c. 96, p. 1950, § 2).

Pen.C. § 472a, added by Stats.1915, c. 43, p. 51, § 1.

CROSS REFERENCES

Felony defined, see Penal Code § 17.

Subscription defined, see Government Code § 16.

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Page 1

West's Ann.Cal.Elec.Code § 18201

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 3. Nomination of Candidates (Refs & Annos)

→ § 18201. Nomination papers; false making, defacement or destruction; penalty

Any person who falsely makes or fraudulently defaces or destroys all or any part of a nomination paper, is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18201, added by Stats.1961, c. 794, amended by Stats.1963, c. 414, § 7; Stats.1970, c. 1387, § 1, relating to processing and counting absentee ballots, was repealed by Stats.1975, c. 1203, § 8. The section was derived from former § 18201, enacted by Stats.1961, c. 23, § 18201, and was part of a group of sections derived from Elec.C.1939, §§ 7800 et seq., 7840 et seq., as amended and Pol.C. §§ 1361, 1362, 1364 as amended.

Former § 18201, enacted by Stats.1961, c. 23, § 18201, relating to the count and canvass of absentee ballots, was repealed by Stat.1961, c. 794.

Derivation: Former § 7103, enacted by Stats.1961, c. 23, § 698, § 7103.

Former § 29301, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 3203 (Stats.1939, c. 26, p. 167).

Pol.C. § 1213, added by Stats.1891, c. 130, p. 178, § 32.

CROSS REFERENCES

Filing false paper forbidden, see Elections Code § 18203.

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00568



West's Ann.Cal.Elec.Code § 18202

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 3. Nomination of Candidates (Refs & Annos)

→ § 18202. Failure to properly file nomination papers or declaration of candidacy; misdemeanor

Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any nomination paper or declaration of candidacy in his or her possession that is entitled to be filed under this code.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18202, enacted by Stats.1961, c. 23, § 18202, part of a group of sections derived from Elec.C.1939, §§ 7800 et seq., 7840 et seq., as amended and Pol.C. §§ 1361, 1362, 1364 as amended, relating to appointment of canvassing boards, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 7102, enacted by Stats.1961, c. 23, p. 698, § 7102.

Former § 29302, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 3202 (Stats.1939, c. 26, p. 166); Stats.1913, c. 690, p. 1412, § 32.

CROSS REFERENCES

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Filing of nomination papers, direct primary, see Elections Code § 8100 et seq.

Filing of nomination papers, independent nominations, see Elections Code § 8403.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Nominations, direct primary, form of nomination documents, see Elections Code § 8041.

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West's Ann.Cal.Elec.Code § 18203

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 3. Nomination of Candidates (Refs & Annos)

→ § 18203. False nomination papers or declaration of candidacy; filing or submission; penalty

Any person who files or submits for filing a nomination paper or declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18203, enacted by Stats.1961, c. 23, § 18203, part of a group of sections derived from Elec.C.1939, §§ 7800 et seq., 7840 et seq., and 7880, as amended and Pol.C. §§ 1361, 1362, and 1364, as amended, relating to composition and duties of canvassing boards, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 7104, enacted by Stats.1961, c. 23, p. 698, § 7104.

Former § 29303, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 3204 (Stats.1939, c. 26, p. 167).

Pol.C. § 1213, added by Stats.1891, c. 130, p. 178, § 32.

CROSS REFERENCES

Falsification and fraudulent destruction, see Elections Code § 18201.

Filing of papers, direct primary, see Elections Code § 8100 et seq.

Filing of papers, independent nominations, see Elections Code § 8403.

Local, special, vacancy, and consolidated elections, declaration of candidacy form, acknowledgement, see

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West's Ann.Cal.Elec.Code § 18204

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 3. Nomination of Candidates (Refs & Annos)

→ § 18204. Suppression of nomination papers or declarations of candidacy; penalty

Any person who willfully suppresses all or any part of a nomination paper or declaration of candidacy either before or after filing is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18204, enacted by Stats.1961, c. 23, § 18204, part of a group of sections derived from Elec.C.1939, §§ 7800 et seq., 7840 et seq., as amended and Pol.C. §§ 1361, 1362, 1364 as amended, providing for compensation of canvassing boards, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 7105, enacted by Stats.1961, c. 23, p. 698, § 7105.

Former § 29304, added by Stats.1979, c. 565, § 1.

Elec.C.1939, § 3205 (Stats.1939, c. 26, p. 167); Pol.C. § 1213, added by Stats.1891, c. 130, p. 178, § 32.

CROSS REFERENCES

Filing of papers, direct primary, see Elections Code § 8100 et seq.

Filing of papers, independent nominations, see Elections Code § 8403.

LIBRARY REFERENCES

2003 Main Volume

Elections ↩309, 323, 332.

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Page 1

West's Ann.Cal.Elec.Code § 18205

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 3. Nomination of Candidates (Refs & Annos)

→ § 18205. Payment of consideration to induce a person not to become or to withdraw as a candidate; imprisonment

A person shall not directly or through any other person advance, pay, solicit, or receive or cause to be advanced, paid, solicited, or received, any money or other valuable consideration to or for the use of any person in order to induce a person not to become or to withdraw as a candidate for public office. Violation of this section shall be punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18205, enacted by Stats.1961, c. 23, § 18205, amended by Stats.1961, c. 65, part of a group of sections derived from Elec.C.1939, §§ 7800 et seq., 7840 et seq., as amended and Pol.C. §§ 1361, 1362, 1364 as amended, relating to the law applicable to the canvass of votes and disposition of challenges, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 12011, enacted by Stats.1961, c. 23, p. 755, § 12011.

Former § 29305, added by Stats.1976, c. 1192, § 15, amended by Stats.1977, c. 1112, § 1.

Elec.C.1939, § 4961 (Stats.1939, c. 26, p. 203).

Pen.C. § 54b, added by Stats.1905, c. 479, p. 642, § 11.

CROSS REFERENCES

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Withdrawal of candidates, see Elections Code § 8800 et seq.

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Page 1

West's Ann.Cal.Elec.Code § 18301

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 1. Campaign Literature (Refs & Annos)

→ § 18301. Simulated ballot or sample ballot; printing or duplication; statement, official seal or insignia violations; misdemeanor

In addition to any other penalty, any person who prints or otherwise duplicates, or causes to be printed or duplicated, a simulated ballot or simulated sample ballot that does not contain the statement required by Section 20009 or that uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 12059, added by Stats.1974, c. 681, p. 1547, § 2.

Former § 29414, added by Stats.1976, c. 1192, § 15.

CROSS REFERENCES

Ballot, defined for purposes of this Code, see Elections Code § 301.

Ballots, sample ballots, and voter pamphlets, generally, see Elections Code § 13000 et seq.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

LIBRARY REFERENCES

2003 Main Volume

Elections ↪309.

Westlaw Topic No. 144.

C.J.S. Elections § 324, 355(2).

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Page 1

West's Ann.Cal.Elec.Code § 18302

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 4. Election Campaigns (Refs & Annos)

▣ Article 1. Campaign Literature (Refs & Annos)

→ § 18302. False precinct information

Every person is guilty of a misdemeanor who knowingly causes to be mailed or distributed, or knowingly mails or distributes, literature to any voter that includes a designation of the voter's precinct polling place other than a precinct polling place listed for that voter in an official precinct polling list that constituted the latest official precinct polling list at sometime not more than 30 days prior to the mailing or distribution.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29182, added by Stats.1973, c. 638, p. 1239, § 1.

Former § 29415, added by Stats.1976, c. 1192, § 15.

CROSS REFERENCES

Computation of time, first and last days, holidays, see Civil Code § 10; Code of Civil Procedure § 12 et seq.; Government Code § 6800 et seq.

Computation of time, time for performance of any act provided for or required by this code, holiday as last day for performance of act, see Elections Code § 15.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Voter, defined for purposes of this Code, see Elections Code § 359.

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Page 1

West's Ann.Cal.Elec.Code § 18303

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 4. Election Campaigns (Refs & Annos)
 Article 1. Campaign Literature (Refs & Annos)

→ § 18303. Mass mailing; penal provisions

Every person who violates Section 84305 of the Government Code relating to mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section 91000) of Title 9 of the Government Code.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29416, added by Stats.1976, c. 1192, § 15.

CROSS REFERENCES

Mass mailings, civil liability for violations, exception, see Government Code § 91005.5.

Mass mailings, defined, see Government Code § 82041.5.

Mass mailings, requirements, see Government Code § 84305.

LIBRARY REFERENCES

2003 Main Volume

Elections 309.
 Westlaw Topic No. 144.
 C.J.S. Elections § 324, 355(2).

RESEARCH REFERENCES

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West's Ann.Cal.Elec.Code § 18304

C

Effective: January 01, 2004

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 4. Election Campaigns (Refs & Annos)

▣ Article 1. Campaign Literature (Refs & Annos)

→ § 18304. Reproduction or facsimile of seal of county or seal of local government agency in campaign literature or mass mailing with intent to deceive voters; offense

(a) Any person who uses or allows to be used any reproduction or facsimile of the seal of the county or the seal of a local government agency in any campaign literature or mass mailing, as defined in Section 82041.5 of the Government Code, with intent to deceive the voters, is guilty of a misdemeanor.

(b) For purposes of this section, the use of a reproduction or facsimile of a seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by a public official is evidence of intent to deceive.

(c) For purposes of this section, the term "local government agency" means a school district, special or other district, or any other board, commission, or agency of local jurisdiction.

CREDIT(S)

(Added by Stats.2003, c. 380 (A.B.255), § 1.)

HISTORICAL AND STATUTORY NOTES

2006 Electronic Update

2003 Legislation

Section 3 of Stats.2003, c. 380 (A.B.255), provides:

"SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution."

Derivation: Former Government Code § 25004.5, added by Stats.2001, c. 387 (A.B.706), § 2.

CROSS REFERENCES

Deceit, obligations imposed by law,

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005689

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Page 1

West's Ann.Cal.Elec.Code § 18310

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 2. Political Party Caucuses (Refs & Annos)

→§ 18310. Consideration for voting or agreeing to vote for or against nominees or candidates; penalty

A person shall not directly or through any other person pay or receive any money or other valuable consideration before, during, or after an election in order to reward any person or as a reward for voting for or against or agreeing to vote for or against the election or endorsement of any other person as the nominee or candidate of any caucus, convention, organized assemblage of delegates, or other body representing or claiming to represent a political party, candidate, or principle, or any club, society, or association. A violation of this section shall be punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former §§ 12002, 12010, enacted by Stats.1961, c. 23, pp. 754, 755, §§ 12002, 12010.

Former § 29420, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, §§ 4960, 12002 (Stats.1939, c. 26, pp. 201, 203, § 4652).

Pen.C. §§ 54a, 54b, added Stats.1905, c. 479, pp. 641, 642, §§ 10, 11.

CROSS REFERENCES

American Independent party, political party organization and central committee elections, generally, see Elections Code § 7500 et seq.

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Democratic party, political party organization and central committee elections, generally, see Elections

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Page 1

West's Ann.Cal.Elec.Code § 18311

C**Effective: [See Text Amendments]**

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

[¶] Chapter 4. Election Campaigns (Refs & Annos) [¶] Article 2. Political Party Caucuses (Refs & Annos)**→ § 18311. Bribes; giving or receiving; penalty**

Every person is punishable by imprisonment in the state prison for 16 months or two or three years who:

(a) Gives or offers a bribe to any officer or member of any political convention, committee, or political gathering of any kind, held for the purpose of nominating candidates for offices of honor, trust, or profit in this state, with intent to influence the person to whom the bribe is given or offered to be more favorable to one candidate than another.

(b) Being a member of any of the bodies mentioned in this section receives or offers to receive any bribe described in subdivision (a).

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29160, enacted by Stats.1961, c. 23, p. 871, § 29160, amended by Stats.1976, c. 1139, § 30.

Former § 29421, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11600 (Stats.1939, c. 26, p. 312, amended by Stats.1939, c. 1095, p. 3026).

Pen.C. § 57, amended by Stats.1901, c. 158, p. 440, § 19; Stats.1905, c. 479, p. 643, § 13.

Stats.1850, c. 99, p. 239, § 84, amended by Stats.1863, c. 408, p. 645, § 1; Stats.1850, c. 99, p. 239, § 85; Stats.1850, c. 99, p. 239, § 86, amended by Stats.1863, c. 408, p. 646, § 2.

CROSS REFERENCES

American Independent party, political party organization and central committee elections, generally, see

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005691

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Page 1

West's Ann.Cal.Elec.Code § 18320

C

Effective: January 01, 2004

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 3. Deceptive Online Activities (Refs & Annos)

→ § 18320. Short title; political cyberfraud; definitions

- (a) This act shall be known and may be cited as the "California Political Cyberfraud Abatement Act."
- (b) It is unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud.
- (c) As used in this section:
- (1) "Political cyberfraud" means a knowing and willful act concerning a political Web site that is committed with the intent to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or cause a person reasonably to believe that a political Web site has been posted by a person other than the person who posted the Web site, and would cause a reasonable person, after reading the Web site, to believe the site actually represents the views of the proponent or opponent of a ballot measure. Political cyberfraud includes, but is not limited to, any of the following acts:
- (A) Intentionally diverting or redirecting access to a political Web site to another person's Web site by the use of a similar domain name, meta-tags, or other electronic measures.
- (B) Intentionally preventing or denying exit from a political Web site by the use of frames, hyperlinks, mousetrapping, popup screens, or other electronic measures.
- (C) Registering a domain name that is similar to another domain name for a political Web site.
- (D) Intentionally preventing the use of a domain name for a political Web site by registering and holding the domain name or by reselling it to another with the intent of preventing its use, or both.
- (2) "Domain name" means any alphanumeric designation that is registered with or assigned by any domain name registrar, domain name registry, or other domain registration authority as part of an electronic address on the Internet.
- (3) "Political Web site" means a Web site that urges or appears to urge the support or opposition of a ballot measure.

CREDIT(S)

(Added by Stats.2003, c. 277 (A.B.277), § 5.)

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Page 1

West's Ann.Cal.Elec.Code § 18321

C

Effective: January 01, 2004

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 4. Election Campaigns (Refs & Annos)
 Article 3. Deceptive Online Activities (Refs & Annos)

→§ 18321. Application to domain name registrar, registry, or registration authority

This article does not apply to a domain name registrar, registry, or registration authority.

CREDIT(S)

(Added by Stats.2003, c. 277 (A.B.277), § 5.)

HISTORICAL AND STATUTORY NOTES

2006 Electronic Update

2001 Legislation

Former § 18321, added by Stats.2001, c. 927 (S.B.412), § 3, relating to application of article to domain name registrar, registry or registration authority, was repealed by the terms of § 18324 pursuant to Stats.2001, c. 927 (S.B.412), § 3, operative Jan. 1, 2003. See this section.

2003 Legislation

Legislative findings and declarations and severability provisions relating to Stats.2003, c. 277 (A.B.277), see Historical and Statutory Notes under Business and Professions Code § 17526.

Derivation: Former § 18321, added by Stats.2001, c. 927 (S.B.412), § 3.

RESEARCH REFERENCES

Encyclopedias

CA Jur. 3d Elections § 316, Generally; Application; Remedy; Jurisdiction.

West's Ann. Cal. Elec. Code § 18321, CA ELEC § 18321

Current through Ch. 910 of 2006 Reg.Sess. urgency legislation and all propositions which will appear on the ballot at the Nov. 7, 2006 election

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West's Ann.Cal.Elec.Code § 18322

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Effective: January 01, 2004

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 4. Election Campaigns (Refs & Annos)
 Article 3. Deceptive Online Activities (Refs & Annos)

→ § 18322. Transfer of domain name as remedy

In addition to any other remedies available under law, a court may order the transfer of a domain name as part of the relief awarded for a violation of this article.

CREDIT(S)

(Added by Stats.2003, c. 277 (A.B.277), § 5.)

HISTORICAL AND STATUTORY NOTES

2006 Electronic Update

2001 Legislation

Former § 18322, added by Stats.2001, c. 927 (S.B.412), § 3, relating to violations, was repealed by the terms of § 18324 pursuant to Stats.2001, c. 927 (S.B.412), § 3, operative Jan. 1, 2003.

2003 Legislation

Legislative findings and declarations and severability provisions relating to Stats.2003, c. 277 (A.B.277), see Historical and Statutory Notes under Business and Professions Code § 17526.

RESEARCH REFERENCES

Encyclopedias

CA Jur. 3d Elections § 316, Generally; Application; Remedy; Jurisdiction.

Treatises and Practice Aids

2 Witkin Cal. Crim. L. 3d Crimes Against Gov't Auth. § 141, Wrongs Against Voters.

West's Ann. Cal. Elec. Code § 18322, CA ELEC § 18322

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Page 1

West's Ann.Cal.Elec.Code § 18323

C**Effective: January 01, 2004**

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 4. Election Campaigns (Refs & Annos)
 Article 3. Deceptive Online Activities (Refs & Annos)

→ § 18323. Jurisdiction

Jurisdiction for actions brought pursuant to this article shall be in accordance with Section 410.10 of the Code of Civil Procedure.

CREDIT(S)

(Added by Stats.2003, c. 277 (A.B.277), § 5.)

HISTORICAL AND STATUTORY NOTES

2006 Electronic Update

2001 Legislation

Former § 18323, added by Stats.2001, c. 927 (S.B.412), § 3, relating to jurisdiction, was repealed by the terms of § 18324 pursuant to Stats.2001, c. 927 (S.B.412), § 3, operative Jan. 1, 2003. See this section.

2003 Legislation

Legislative findings and declarations and severability provisions relating to Stats.2003, c. 277 (A.B.277), see Historical and Statutory Notes under Business and Professions Code § 17526.

Derivation: Former § 18323, added by Stats.2001, c. 927 (S.B.412), § 3.

West's Ann. Cal. Elec. Code § 18323, CA ELEC § 18323

Current through Ch. 910 of 2006 Reg.Sess. urgency legislation and all propositions which will appear on the ballot at the Nov. 7, 2006 election

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Page 1

West's Ann.Cal.Elec.Code § 18340

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 4. Political Meetings

→ § 18340: Prevention of electors from assembling; misdemeanor

Every person who, by threats, intimidations, or unlawful violence, willfully hinders or prevents electors from assembling in public meetings for the consideration of public questions is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 12046, enacted by Stats.1961, c. 23, p. 756, § 12046.

Former § 29440, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 5004 (Stats.1939, c. 26, p. 204).

Pen.C. § 58.

CROSS REFERENCES

Disqualification for bribery, see Const. Art. 7, § 8.

Disturbance of public assembly or meeting, see Penal Code § 403.

Electors, defined for purposes of this Code, see Elections Code § 321.

Intimidation of voters, see Elections Code § 18540 et seq.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

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West's Ann.Cal.Elec.Code § 18350

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West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 5. Misrepresentation by Candidates (Refs & Annos)

→ § 18350. Implication that candidate is incumbent or acting in capacity of public officer; misdemeanor; injunction

Every person is guilty of a misdemeanor who, with intent to mislead the voters in connection with his or her campaign for nomination or election to a public office or in connection with the campaign of another person for nomination or election to a public office, does either of the following acts:

(a) Assume, pretend, or imply, by his or her statements or conduct, that he or she is the incumbent of a public office when that is not the case.

(b) Assume, pretend, or imply, by his or her statements or conduct, that he or she is or has been acting in the capacity of a public officer when that is not the case.

Any violation of this section may be enjoined in a civil action brought by any candidate for the public office involved.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 12051, enacted by Stats.1961, c. 23, p. 758, § 12051.

Former § 29450, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 5006.5 (added by Stats.1959, c. 335, p. 2258, § 1).

CROSS REFERENCES

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

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Page 1

West's Ann.Cal.Elec.Code § 18351

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West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 5. Misrepresentation by Candidates (Refs & Annos)

→§ 18351. Candidates' statements; false statement of material fact with intent to mislead; punishment

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate's statement, prepared pursuant to Section 11327 or 13307, with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed one thousand dollars (\$1,000).

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29451, added by Stats.1982, c. 57, § 1.

CROSS REFERENCES

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Election, defined for purposes of this Code, see Elections Code § 318.

Nonpartisan office, defined for purposes of this Code, see Elections Code § 334.

Recall elections, generally, see Const. Art. 2, § 13; Elections Code § 11000 et seq.

Tie vote, primary election nominations, nonpartisan candidates, see Elections Code § 8141.

Voter, defined for purposes of this Code, see Elections Code § 359.

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West's Ann.Cal.Elec.Code § 18360

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West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 6. Solicitation of Funds (Refs & Annos)

→ § 18360. Solicitation without required consent; violations; misdemeanor

Any person who violates Section 20201 is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 12302, enacted by Stats.1961, c. 23, p. 759, § 12302.

Former § 29460, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 5302 (added by Stats.1941, c. 576, p. 1960, § 12).

CROSS REFERENCES

Campaign funds, solicitation of funds, requirements, see Elections Code § 20200 et seq.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

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2003 Main Volume

Elections ↪317.

Westlaw Topic No. 144.

C.J.S. Elections § 216(1), 329, 356.

RESEARCH REFERENCES

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Page 1

West's Ann.Cal.Elec.Code § 18361

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West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 4. Election Campaigns (Refs & Annos)
 Article 6. Solicitation of Funds (Refs & Annos)

~~→§ 18361. Solicitation not authorized by candidate or committee; use of name; notice; misdemeanor.~~

Upon the complaint of the affected candidate or committee, any person who violates Section 20202 or 20203 is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29462, added by Stats.1979, c. 872, § 4.

CROSS REFERENCES

Campaign funds, solicitation of funds, requirements, see Elections Code § 20200 et seq.

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Committee, defined for purposes of this Code, see Elections Code § 309.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

LIBRARY REFERENCES

2003 Main Volume

Elections ↪317.
 Westlaw Topic No. 144.
 C.J.S. Elections § 216(1), 329, 356.

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Page 1

West's Ann.Cal.Elec.Code § 18370

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 7. Electioneering (Refs & Annos)

→ § 18370. Electioneering where voters may be casting votes; misdemeanor

No person, on election day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place or an elections official's office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.
- (d) Do any electioneering.

As used in this section, "100 feet of a polling place or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2. Amended by Stats.1998, c. 554 (S.B.7), § 3.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Stats.1998, c. 554, made the section applicable to acts at any time that a voter may be casting a ballot and acts in proximity to an elections official's office.

Derivation: Former §§ 45, 14211, 14212, 14240, 14434, enacted by Stats.1961, c. 23, pp. 584, 762, 763, 771, §§ 45, 14211, 14212, 14240, 14434, amended by Stats.1961, c. 56, p. 997, § 3; Stats.1963, c. 1560, p. 3143, § 1; Stats.1965, c. 1908, p. 4417, § 1; Stats.1967, c. 208, p. 1334, § 1; Stats.1971, c. 1219, p. 2366, § 1; Stats.1971, c. 1760, p. 3807, § 2; Stats.1975, c. 544, § 1; Stats.1975, c. 704, § 72.

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Page 1

West's Ann.Cal.Elec.Code § 18371

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 7. Electioneering (Refs & Annos)

→§ 18371. Absentee voters; solicitation in the residence on the immediate presence of absentee voter; misdemeanor

(a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of an absentee voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the absentee voter is voting.

(b) Any person who knowingly violates this section is guilty of a misdemeanor.

(c) This section shall not be construed to conflict with any provision of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section 18370, or by any other provision of law.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29473, added by Stats.1988, c. 1329, § 2.

CROSS REFERENCES

Absentee voting, applications and voting procedures, generally, see Elections Code § 3000 et seq.

Absent voter ballots, corruption of the voting process, penal provisions, see Elections Code § 18576 et seq.

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Initiative, referendum or recall petition, persons entitled to circulate, see Elections Code § 102.

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Page 1

West's Ann.Cal.Elec.Code § 18380

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West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 8. Vandalism at Polling Places

→§ 18380. Violations; misdemeanor

(a) No person, during any election, shall do any of the following:

- (1) Remove or destroy any of the supplies or other conveniences placed in the voting booths or compartments for the purpose of enabling the voter to prepare his or her ballot.
- (2) Remove, tear down, or deface the cards printed for the instruction of voters.
- (3) Remove, tear, mark or otherwise deface any voter index with the intent to falsify or prevent others from readily ascertaining the name, address, or political affiliation of any voter, or the fact that a voter has or has not voted.
- (4) Remove, tear down, or deface the signs identifying the location of a polling place or identifying areas within 100 feet of a polling place.

(b) Any person who violates any of the provisions of this section is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former §§ 14011, 14012, 14201, enacted by Stats.1961, c. 23, p. 761, §§ 14011, 14012, 14204, amended by Stats.1971, c. 294, p. 606, § 1.

Former § 29480, added by Stats.1976, c. 1192, § 15, amended by Stats.1989, c. 310, § 1.

Elec.C.1939, §§ 5512, 5513, 5554 (Stats.1939, c. 26, pp. 208, 209).

Pol.C. §§ 1150, 1214, added by Stats.1891, c. 130, p. 178, § 32, amended by Stats.1933, c. 397, p. 1024, § 2.

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Page 1

West's Ann.Cal.Elec.Code § 18390

C**Effective: [See Text Amendments]**

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 4. Election Campaigns (Refs & Annos)

Article 9. Misuse of State Publications

→ § 18390. State agencies and departments; misuse of publications

No agency or department of the state may use its publications to advise state employees of any constitutional officer's choice of candidates for public office or for recommending positions on specific ballot propositions not related to the functions of that agency or department.

For purposes of this section "publications" means any written or printed matter including, but not limited to, agency or department memorandums or directives, but shall not include legislative newsletters or state ballot pamphlets.

Any state officer who violates this section is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29490, added by Stats.1977, c. 1, § 6.5.

CROSS REFERENCES

Ballot, defined for purposes of this Code, see Elections Code § 301.

Ballot pamphlet, Political Reform Act of 1974, generally, see Government Code § 88001 et seq.

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

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Page 1

West's Ann.Cal.Elec.Code § 18400

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West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 5. Ballots (Refs & Annos)

→ § 18400. Use or furnishing of imitation ballot paper or punchcards; penalties

Any person who makes, uses, keeps, or furnishes to others, any paper or punchcards watermarked or overprinted in imitation of ballot paper or punchcards is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the state prison for 16 months, two or three years, or by both the fine and imprisonment.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18400, enacted by Stats.1961, c. 23, § 18400, relating to application of the article, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 10003, enacted by Stats.1961, c. 23, p. 712, § 10003, amended by Stats.1969, c. 913, p. 1817, § 3.

Former § 29183, added by Stats.1975, c. 1203, § 9.

Former § 29500, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 3703 (Stats.1939, c. 26, p. 167).

Pol.C. § 1213, added by Stats.1891, c. 130, p. 178, § 32.

CROSS REFERENCES

Ballot, defined for purposes of this Code, see Elections Code § 301.

Ballots, printing specifications, see Elections Code § 13200 et seq.

Felony, infraction, definition and penalties, see Penal Code §§ 17, 18.

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Page 1

West's Ann.Cal.Elec.Code § 18401

C**Effective: [See Text Amendments]**

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 5. Ballots (Refs & Annos)

→§ 18401. Printing or circulation of nonconforming ballots

Every person who prints any ballot not in conformity with Chapter 2 (commencing with Section 13100) of Division 13, or who circulates or gives to another any ballot, knowing at the time that the ballot does not conform to Chapter 2 (commencing with Section 13100) of Division 13, is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18401, enacted by Stats.1961, c. 23, § 18401, amended by Stats.1963, c. 1979, § 1; Stats.1967, c. 140, § 1, relating to meetings of the election board and canvassing the returns, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29181, enacted by Stats.1961, c. 23, p. 872, § 29181.

Former § 29501, added by Stats.1976, c. 1192, § 15, amended by Stats.1976, c. 1438, § 23.2.

Elec.C.1939, § 11621 (Stats.1939, c. 26, p. 313).

Pen.C. § 62, added by Code Am.1873-74, c. 379, p. 456, § 1, amended by Stats.1901, c. 158, p. 441, § 22; Stats.1905, c. 479, p. 645, § 16.

CROSS REFERENCES

Ballot, defined for purposes of this Code, see Elections Code § 301.

Misdemeanor, punishment, see Penal Code § 19.

Misdemeanor defined, see Penal Code § 17.

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Page 1

West's Ann.Cal.Elec.Code § 18402

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 5. Ballots (Refs & Annos)

→ § 18402. Knowing distribution of unauthorized application for absent voter's ballot

Any individual, group, or organization that knowingly distributes any application for an absent voter's ballot that does not conform to Chapter 1 (commencing with Section 3000) of Division 3 is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18402, enacted by Stats.1961, c. 23, § 18402, providing that the board of supervisor need not be in session during the time of canvass, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29505, added by Stats.1987, c. 466, § 1, amended by Stats.1990, c. 1121 (A.B.3795), § 3.

CROSS REFERENCES

Absent voter, special absentee voter, defined for purposes of this Code, see Elections Code § 300.

Ballot, defined for purposes of this Code, see Elections Code § 301.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Voter, defined for purposes of this Code, see Elections Code § 359.

LIBRARY REFERENCES

2003 Main Volume

Elections ↪ 309.
 Westlaw Topic No. 144.

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00570

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Page 1

West's Ann.Cal.Elec.Code § 18403

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 5. Ballots (Refs & Annos)

→ § 18403. Receipt or examination of, or solicitation of voter to show voted ballot; penalty

Any person other than an elections official or a member of the precinct board who receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to persons returning an absentee ballot pursuant to Sections 3017 and 3021 or persons assisting a voter pursuant to Section 14282.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18403, enacted by Stats.1961, c. 23, § 18403, relating to postponement of the canvass, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 14248, added by Stats.1976, c. 220, § 6.

Former § 14422, enacted by Stats.1961, c. 23, p. 769, § 14422.

Former § 29506, added by Stats.1989, c. 310, § 2.

Elec.C.1939, § 5720 (Stats.1939, c. 26, p. 216).

Pol.C. § 1215, added by Stats.1891, c. 130, p. 178, § 32, amended by Stats.1913, c. 641, p. 1172, § 1.

CROSS REFERENCES

Ballot, defined for purposes of this Code, see Elections Code § 301.

County, City, defined for purposes of this Code, see Elections Code § 310.

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Page 1

West's Ann.Cal.Elec.Code § 18500

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 1. General Provisions

→ § 18500. Fraud; casting of votes; felony; imprisonment

Any person who commits fraud or attempts to commit fraud, and any person who aids or abets fraud or attempts to aid or abet fraud, in connection with any vote cast, to be cast, or attempted to be cast, is guilty of a felony, punishable by imprisonment for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18500, enacted by Stats.1961, c. 23, § 18500, relating to application of the article, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 14690, enacted by Stats.1961, c. 23, p. 779, § 14690, amended by Stats.1975, c. 1203, § 3.1.

Former § 14720, added by Stats.1975, c. 1203, § 3.4, amended by Stats.1976, c. 1139, § 21.

Former § 29610, added by Stats.1976, c. 1192, § 15, amended by Stats.1977, c. 1112, § 2.

Elec.C.1939, § 5950 (Stats.1939, c. 26, p. 225).

Pol.C. § 1363, added by Stats.1923, c. 283, p. 592, § 1.

CROSS REFERENCES

Aiding and abetting, generally, see Penal Code § 30 et seq.

Contests, grounds for election contests, see Elections Code § 16100.

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Page 1

West's Ann.Cal.Elec.Code § 18501

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 1. General Provisions

→ § 18501. Public officials; aiding illegal casting of votes; fraud; disqualification from holding office in state; imprisonment

Any public official who knowingly violates any of the provisions of this chapter, and thereby aids in any way the illegal casting or attempting to cast a vote, or who connives to nullify any of the provisions of this chapter in order that fraud may be perpetrated, shall forever be disqualified from holding office in this state and upon conviction shall be sentenced to a state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18501, enacted by Stats.1961, c. 23, § 18501, providing for public recounts, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 14692, enacted by Stats.1961, c. 23, p. 780, § 14692.

Former § 14722, added by Stats.1975, c. 1203, § 3.4, amended by Stats.1976, c. 1139, § 22.

Former § 29611, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 5952 (Stats.1939, c. 26, p. 225).

Pol.C. § 1363, added by Stats.1923, c. 283, p. 592, § 1.

CROSS REFERENCES

Aiding and abetting, generally, see Penal Code § 30 et seq.

Bribe to procure election or appointment, disqualification and exclusion from office, see Const. Art. 7, § 8.

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Page 1

West's Ann.Cal.Elec.Code § 18502

▷

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 1. General Provisions

→ § 18502. Interference with officers or voters; imprisonment

Any person who in any manner interferes with the officers holding an election or conducting a canvass, or with the voters lawfully exercising their rights of voting at an election, as to prevent the election or canvass from being fairly held and lawfully conducted, is punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18502, enacted by Stats.1961, c. 23, § 18502, requiring that a copy of the resolution ordering a recount be posted, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former §§ 17092, 17093, enacted by Stats.1961, c. 23, p. 809, §§ 17092, 17093.

Former § 29004, added by Stats.1975, c. 1203, § 16.

Former § 29612, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, §§ 7072, 7073 (Stats.1939, c. 26, p. 243, amended by Stats.1951, c. 761, p. 2023, § 1).

Pen.C. § 45, amended by Stats.1901, c. 158, p. 436, § 8; Stats.1905, c. 479, p. 639, § 3.

CROSS REFERENCES

Canvass, recount and tie vote procedures, semifinal official canvass and official canvass, generally, see Elections Code § 15000 et seq.

Contests, grounds for election contests, see Elections Code § 16100.

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005711

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Page 1

West's Ann.Cal.Elec.Code § 18520

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness
 Elections Code (Refs & Annos)
 Division 18. Penal Provisions (Refs & Annos)
 Chapter 6. Corruption of the Voting Process (Refs & Annos)
 Article 2. Corruption of Voters (Refs & Annos)

→ § 18520. Offer or promise of office, place or employment; to induce other to vote or refrain from voting; penalties

A person shall not directly or through another person give, offer, or promise any office, place, or employment, or promise to procure or endeavor to procure any office, place, or employment to or for any voter, or to or for any other person, in order to induce that voter at any election to:

- (a) Refrain from voting.
- (b) Vote for any particular person.
- (c) Refrain from voting for any particular person.

A violation of any of the provisions of this section shall be punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 12004, enacted by Stats.1961, c. 23, p. 754, § 12004.

Former § 29304, added by Stats.1976, c. 224, § 10.

Former § 29620, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 4954 (Stats.1939, c. 26, p. 202).

Pen.C. § 54b, added by Stats.1905, c. 479, p. 642, § 11.

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005712

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Page 1

West's Ann.Cal.Elec.Code § 18521

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 2. Corruption of Voters (Refs & Annos)

→§ 18521. Gift or other consideration to induce person to vote or refrain from voting; penalties

A person shall not directly or through any other person receive, agree, or contract for, before, during or after an election, any money, gift, loan, or other valuable consideration, office, place, or employment for himself or any other person because he or any other person:

- (a) Voted, agreed to vote, refrained from voting, or agreed to refrain from voting for any particular person or measure.
- (b) Remained away from the polls.
- (c) Refrained or agreed to refrain from voting.
- (d) Induced any other person to:
 - (1) Remain away from the polls.
 - (2) Refrain from voting.
 - (3) Vote or refrain from voting for any particular person or measure.

Any person violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former §§ 12000, 12001, enacted by Stats.1961, c. 23, pp. 753, 754, §§ 12000, 12001.

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005713

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Page 1

West's Ann.Cal.Elec.Code § 18522

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 2. Corruption of Voters (Refs & Annos)

→ § 18522. Payment or offer to pay, lend or contribute to induce person to vote or refrain from voting.

Neither a person nor a controlled committee shall directly or through any other person or controlled committee pay, lend, or contribute, or offer or promise to pay, lend, or contribute, any money or other valuable consideration to or for any voter or to or for any other person to:

(a) Induce any voter to:

(1) Refrain from voting at any election.

(2) Vote or refrain from voting at an election for any particular person or measure.

(3) Remain away from the polls at an election.

(b) Reward any voter for having:

(1) Refrained from voting.

(2) Voted for any particular person or measure.

(3) Refrained from voting for any particular person or measure.

(4) Remained away from the polls at an election.

Any person or candidate violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2; Stats.1994, c. 818 (S.B.1384), § 1.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections

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005714

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Page 1

West's Ann.Cal.Elec.Code § 18523

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 2. Corruption of Voters (Refs & Annos)

→§ 18523. Bribery; payment of consideration with intent to bribe; penalties

A person shall not directly or through any other person advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that it, or any part thereof, shall be used in bribery at any election, or knowingly pay or cause to be paid any money or other valuable thing to any person in discharge or repayment of any money, wholly or in part, expended in bribery at any election.

Any person violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 12007, added by Stats.1961, c. 23, p. 755, § 12007.

Former § 29623, added by Stats.1976, c. 1192, § 15, amended by Stats.1981, c. 714, § 117.

Elec.C.1939, § 4957 (Stats.1939, c. 26, p. 202).

Pen.C. § 54b, added by Stats.1905, c. 479, p. 642, § 11.

CROSS REFERENCES

Bribery and corruption, see Penal Code § 92 et seq.

Bribe to procure election or appointment, disqualification and exclusion from office, see Const. Art. 7, § 8.

Disqualification from office, see Government Code § 1020 et seq.

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West's Ann.Cal.Elec.Code § 18524

C

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West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 2. Corruption of Voters (Refs & Annos)

→ § 18524. Boarding, lodging or maintaining persons with intent to secure vote or to induce voting

A person shall not directly or through any other person advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that it, or any part thereof, will be used for boarding, lodging, or maintaining a person at any place or domicile in any election precinct, ward, or district, with intent to secure the vote of that person or to induce that person to vote for any particular person or measure.

Any person violating this section is punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 12008, enacted by Stats.1961, c. 23, p. 755, § 12008.

Former § 29624, added by Stats.1976, c. 1192, § 15, amended by Stats.1977, c. 1112, § 5.

Elec.C.1939, § 4958 (Stats.1939, c. 26, p. 203).

Pen.C. § 54b, added by Stats.1905, c. 479, p. 642, § 11.

CROSS REFERENCES

Determination of residence, see Elections Code § 349.

Election, defined for purposes of this Code, see Elections Code § 318.

Measure, defined for purposes of this Code, see Elections Code § 329.

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005716

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Page 1

West's Ann.Cal.Elec.Code § 18540

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 3. Intimidation of Voters (Refs & Annos)

→§ 18540. Use of force, violence, tactic of coercion or intimidation; penalties

(a) Every person who makes use of or threatens to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment in the state prison for 16 months or two or three years.

(b) Every person who hires or arranges for any other person to make use of or threaten to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former §§ 29130 to 21932, enacted by Stats.1961, c. 23, p. 870, §§ 29130 to 29132.

Former § 29630, added by Stats.1976, c. 1192, § 15, amended by Stats.1977, c. 1112, § 6; Stats.1989, c. 310, § 3.

Elec.C.1939, §§ 11580 to 11582 (Stats.1939, c. 26, pp. 311, 312, amended by Stats.1943, c. 578, p. 2151, § 11).

Pen.C. §§ 53, 59, amended by Stats.1893, c. 11, p. 7, § 1; Stats.1901, c. 158, p. 441, § 21; Stats.1905, c. 479, p. 644, § 15.

CROSS REFERENCES

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005717

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Page 1

West's Ann.Cal.Elec.Code § 18541

C

Effective: January 01, 2005

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 3. Intimidation of Voters (Refs & Annos)

→ § 18541. Prohibited activities in proximity of polling place relating to the intent of dissuading others from voting; penalties

(a) No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling place, do any of the following:

(1) Solicit a vote or speak to a voter on the subject of marking his or her ballot.

(2) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240.

(3) Photograph, videotape, or otherwise record a voter entering or exiting a polling place.

(b) Any violation of this section is punishable by imprisonment in a county jail for not more than 12 months, or in the state prison. Any person who conspires to violate this section is guilty of a felony.

(c) For purposes of this section, 100 feet means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2. Amended by Stats.2003, c. 390 (A.B.915), § 1; Stats.2004, c. 183 (A.B.3082), § 92.)

HISTORICAL AND STATUTORY NOTES

2006 Electronic Update

2003 Legislation

Stats.2003, c. 390 (A.B.915), in subd. (a), added par. (3).

2004 Legislation

Stats.2004, c. 183 (A.B.3082), made nonsubstantive changes to maintain the code.

Subordination of legislation by Stats.2004, c. 183 (A.B.3082), to other 2004 legislation, see Historical and

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005718

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Page 1

West's Ann.Cal.Elec.Code § 18542

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 3. Intimidation of Voters (Refs & Annos)

→§ 18542. Political material in pay envelopes

Every employer, whether a corporation or natural person, or any other person who employs, is guilty of a misdemeanor if, in paying his or her employees the salary or wages due them, encloses their pay in pay envelopes upon which or in which there is written or printed the name of any candidate or any political mottoes, devices, or arguments containing threats, express or implied, intended or calculated to influence the political opinions or actions of the employees.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29134, enacted by Stats.1961, c. 23, p. 871, § 29134.

Former § 29631, added by Stats.1976, c. 1192, § 15, amended by Stats.1977, c. 1112, § 7.

Elec.C.1939, § 11584 (Stats.1939, c. 26, p. 312).

Pen.C. § 59, amended by Stats.1901, c. 158, p. 441, § 21; Stats.1905, c. 479, p. 644, § 15.

CROSS REFERENCES

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Interference with political activities of employees, see Labor Code § 1101 et seq.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

LAW REVIEW AND JOURNAL COMMENTARIES

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005719

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Page 1

West's Ann.Cal.Elec.Code § 18543

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 3. Intimidation of Voters (Refs & Annos)

→ § 18543. Challenging right to vote without probable cause; conspiracies; penalty

(a) Every person who knowingly challenges a person's right to vote without probable cause or on fraudulent or spurious grounds, or who engages in mass, indiscriminate, and groundless challenging of voters solely for the purpose of preventing voters from voting or to delay the process of voting, or who fraudulently advises any person that he or she is not eligible to vote or is not registered to vote when in fact that person is eligible or is registered, or who violates Section 14240, is punishable by imprisonment in the county jail for not more than 12 months or in the state prison.

(b) Every person who conspires to violate subdivision (a) is guilty of a felony.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29137, added by Stats.1965, c. 1908, p. 4420, § 11.

Former § 29632, added by Stats.1976, c. 1192, § 15, amended by Stats.1989, c. 415, § 2.

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Felony, definition and penalties, see Penal Code §§ 17, 18.

Voter, defined for purposes of this Code, see Elections Code § 359.

Voters, challenging a voter, election day procedures, see Elections Code § 14240 et seq.

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Page 1

West's Ann.Cal.Elec.Code § 18544

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 3. Intimidation of Voters (Refs & Annos)

→ § 18544. Persons in possession of a firearm or uniformed peace officers or security guards stationed near polling place without authorization; penalty; application

(a) Any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.

(b) This section shall not apply to any of the following:

- (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his or her vote.
- (2) A peace officer who is conducting official business in the course of his or her public employment or who is at the polling place to cast his or her vote.
- (3) A private guard or security personnel hired or arranged for by a city or county elections official.
- (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29634, added by Stats.1989, c. 310, § 3.5.

CROSS REFERENCES

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005721

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Page 1

West's Ann.Cal.Elec.Code § 18545

C

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West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 3. Intimidation of Voters (Refs & Annos)

→§ 18545. Hiring or arranging for another in possession of firearm or uniformed peace officer or security guard to be stationed near polling place; penalty

Any person who hires or arranges for any other person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment. This section shall not apply to the owner or manager of the facility or property in which the polling place is located if the private guard or security personnel is not hired or arranged solely for the day on which the election is held.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29635, added by Stats.1989, c. 310, § 4.

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Elections official, defined for purposes of this Code, see Elections Code § 320.

LIBRARY REFERENCES

2003 Main Volume

Elections ↪320.

Westlaw Topic No. 144.

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West's Ann.Cal.Elec.Code § 18546

Effective: January 01, 2003

West's Annotated California Codes Currentness
Elections Code (Refs & Annos)
Division 18. Penal Provisions (Refs & Annos)
Chapter 6. Corruption of the Voting Process (Refs & Annos)
Article 3. Intimidation of Voters (Refs & Annos)

→ § 18546. Elections official; immediate vicinity

As used in this article:

- (a) "Elections official" means the county elections official, registrar of voters, or city clerk.
- (b) "Immediate vicinity" means the area within a distance of 100 feet from the room or rooms in which the voters are signing the roster and casting ballots.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2. Amended by Stats.2002, c. 221 (S.B.1019), § 22.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Stats.2002, c. 221 (S.B.1019) repeals obsolete provisions and revises references to the county clerk and the registrar of voters to, instead, refer to, as appropriate, the clerk of the board of supervisors, the county elections official, the clerk of the legislative body, or the appropriate financial officer or other designated official in a county; and revises certain obsolete provisions relating to special district elections.

Derivation: Former § 29636, added by Stats.1989, c. 310, § 5.

CROSS REFERENCES

- Ballot, defined for purposes of this Code, see Elections Code § 301.
- Clerk, defined for purposes of this Code, see Elections Code § 307.
- County, City, defined for purposes of this Code, see Elections Code § 310.
- Elections official, defined for purposes of this Code, see Elections Code § 320.
- Voter, defined for purposes of this Code, see Elections Code § 359.

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Page 1

West's Ann.Cal.Elec.Code § 18560

C**Effective: [See Text Amendments]**

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→ § 18560. Fraudulent voting; crime

Every person is guilty of a crime punishable by imprisonment in the state prison for 16 months or two or three years, or in county jail not exceeding one year, who:

- (a) Not being entitled to vote at an election, fraudulently votes or fraudulently attempts to vote at that election.
- (b) Being entitled to vote at an election, votes more than once, attempts to vote more than once, or knowingly hands in two or more ballots folded together at that election.
- (c) Impersonates or attempts to impersonate a voter at an election.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18560, added by Stats.1961, c. 1672, defining constitutional office, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former §§ 14403, 14421, 17090, 17091, 29430, enacted by Stats.1961, c. 23, pp. 767, 769, 809, 876, §§ 14403, 14421, 17090, 17091, 29430, amended by Stats.1976, c. 220, § 15; Stats.1976, c. 1139, § 46.

Former § 29640, added by 1976, c. 1192, § 15, amended by Stats.1977, c. 1205, § 80.

Elec.C.1939, §§ 5701, 5719, 7070, 7071, 11700 (Stats.1939, c. 26, pp. 215, 217, 243, 316).

Pen.C. § 45, amended Stats.1901, c. 158, p. 436, §§ 8, 9; Stats.1905, c. 479, p. 639, §§ 3, 4.

CROSS REFERENCES

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Page 1

West's Ann.Cal.Elec.Code § 18560

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18560. Fraudulent voting; crime

Every person is guilty of a crime punishable by imprisonment in the state prison for 16 months or two or three years, or in county jail not exceeding one year, who:

- (a) Not being entitled to vote at an election, fraudulently votes or fraudulently attempts to vote at that election.
- (b) Being entitled to vote at an election, votes more than once, attempts to vote more than once, or knowingly hands in two or more ballots folded together at that election.
- (c) Impersonates or attempts to impersonate a voter at an election.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18560, added by Stats.1961, c. 1672, defining constitutional office, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former §§ 14403, 14421, 17090, 17091, 29430, enacted by Stats.1961, c. 23, pp. 767, 769, 809, 876, §§ 14403, 14421, 17090, 17091, 29430, amended by Stats.1976, c. 220, § 15; Stats.1976, c. 1139, § 46.

Former § 29640, added by 1976, c. 1192, § 15, amended by Stats.1977, c. 1205, § 80.

Elec.C.1939, §§ 5701, 5719, 7070, 7071, 11700 (Stats.1939, c. 26, pp. 215, 217, 243, 316).

Pen.C. § 45, amended Stats.1901, c. 158, p. 436, §§ 8, 9; Stats.1905, c. 479, p. 639, §§ 3, 4.

CROSS REFERENCES

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Page 1

West's Ann.Cal.Elec.Code § 18561

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18561. Procuring or advising vote of unqualified persons; aiding or abetting offenses

Every person is punishable by imprisonment in the state prison for 16 months or two or three years who:

(a) Procures, assists, counsels, or advises another to give or offer his vote at any election, knowing that the person is not qualified to vote.

(b) Aids or abets in the commission of any of the offenses mentioned in Section 18560.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18561, added by Stats.1961, c. 1672, relating to procedures for filing a declaration requesting a recount, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29431, enacted by Stats.1961, c. 23, p. 876, § 29431, amended by Stats.1976, c. 1139, § 47.

Former § 29641, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11701 (Stats.1939, c. 26, p. 316).

Pen.C. § 47, amended by Stats.1901, c. 158, p. 437, § 10; Stats.1905, c. 479, p. 640, § 5.

CROSS REFERENCES

Aiding and abetting, generally, see Penal Code § 30 et seq.

Deceiving voter into voting different from his intention, see Elections Code § 18573.

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Page 1

West's Ann.Cal.Elec.Code § 18561.1



Effective: January 01, 2003

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 4. Corruption of Voting (Refs & Annos)

→§ 18561.1. Rejected

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Addition of a section of this number by Initiative Measure (Prop. 52, Art. 4, § 5), relating to conspiracy to commit fraud, was rejected at the Nov. 5, 2002 election.

West's Ann. Cal. Elec. Code § 18561.1, CA ELEC § 18561.1

Current through Ch. 910 of 2006 Reg.Sess. urgency legislation and all propositions appearing on the Nov. 7, 2006 ballot

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West's Ann.Cal.Elec.Code § 18562

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 4. Corruption of Voting (Refs & Annos)

→ § 18562. Precinct board members; ballot violations; misdemeanor

Every member of a precinct board is guilty of a misdemeanor who, prior to putting the ballot of a voter in the ballot box, commits any of the following:

- (a) Attempts to find out any name on the ballot.
- (b) Opens or suffers to be opened or examined the folded ballot of any voter which has been handed in.
- (c) Makes or places any mark or device on any folded ballot with a view to ascertaining the name of any person for whom the voter has voted.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18562, added by Stats.1961, c. 1672, relating to procedures for public recounts, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 14431, enacted by Stats.1961, c. 23, p. 770, § 14431.

Former § 29643, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 5729 (Stats.1939, c. 26, p. 218).

Pen.C. § 49, amended by Stats.1901, c. 158, p. 437, § 11; Stats.1905, c. 479, p. 640, § 6.

CROSS REFERENCES

Aiding or abetting offense, see Elections Code § 18569.

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Page 1

West's Ann.Cal.Elec.Code § 18563

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 4. Corruption of Voting (Refs & Annos)

→ § 18563. Precinct board members; disclosure of vote without consent; misdemeanor

Every member of a precinct board is guilty of a misdemeanor who, without the consent of a voter, discloses the name of any candidate the board member has discovered in his capacity as a member of the board to have been voted for by the voter.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18563, added by Stats.1961, c. 1672, relating to deposits to cover the costs of a recount, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former §§ 14431, 14433, enacted by Stats.1961, c. 23, pp. 770, 771, §§ 14431, 14433.

Former § 29644, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, §§ 5729, 5731 (Stats.1939, c. 26, pp. 218, 219).

Pol.C. § 49, amended by Stats.1901, c. 158, p. 437, § 11; Stats.1905, c. 479, p. 640, § 6.

Pol.C. § 1215, added by Stats.1891, c. 130, p. 178, § 32, amended by Stats.1913, c. 641, p. 1172, § 1.

CROSS REFERENCES

Candidate, candidate for public office, defined for purposes of this Code, see Elections Code § 305.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Precinct board, defined for purposes of this Code, see Elections Code § 339.

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Page 1

West's Ann.Cal.Elec.Code § 18564

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 4. Corruption of Voting (Refs & Annos)

→§ 18564. Tampering with or damaging voting machines; interference with secrecy of voting; unauthorized making or possession of keys; willful substitution of forged source codes

Any person is guilty of a felony, punishable by imprisonment in a state prison for two, three, or four years who, before or during an election:

- (a) Tampers with, interferes with, or attempts to interfere with, the correct operation of, or willfully damages in order to prevent the use of, any voting machine, voting device, voting system, vote tabulating device, or ballot tally software program source codes.
- (b) Interferes or attempts to interfere with the secrecy of voting or ballot tally software program source codes.
- (c) Knowingly, and without authorization, makes or has in his or her possession a key to a voting machine that has been adopted and will be used in elections in this state.
- (d) Willfully substitutes or attempts to substitute forged or counterfeit ballot tally software program source codes.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18564, added by Stats.1961, c. 1672, relating to results of recounts, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 15280, enacted by Stats.1961, c. 23, p. 795, § 15280.

Former § 29645, added by Stats.1976, c. 1192, § 15, amended by Stats.1979, c. 532, § 1; Stats.1989, c. 235, § 2.

Elec.C.1939, § 6600 (Stats.1939, c. 26, p. 239); Stats.1923, c. 96, pp. 191, 192, §§ 21, 24.

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Page 1

West's Ann.Cal.Elec.Code § 18564.5

C

Effective: January 01, 2005

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18564.5. Civil action for offenses

(a) The Secretary of State, Attorney General, and any local elections official in the county in which the act occurs, may bring a civil action against an individual, business, or other legal entity that commits any of the following acts before, during, or after an election:

(1) Tamper, interfere, or attempts to interfere with the correct operation of, or willfully damages in order to prevent the use of, any voting machine, voting device, voting system, vote tabulating device, or ballot tally software.

(2) Interferes or attempts to interfere with the secrecy of voting or interferes or attempts to interfere with ballot tally software program source codes.

(3) Knowingly, and without authorization, gains access to or provides another person or persons with access to a voting machine for the purpose of committing one of the acts specified by this section.

(4) Willfully substitutes or attempts to substitute forged, counterfeit, or malicious ballot tally software program source codes.

(5) Knowingly, and without authorization, inserts or causes the insertion of uncertified hardware, software, or firmware, for whatever purpose, into any voting machine, voting device, voting system, vote tabulating device, or ballot tally software.

(6) Fails to notify the Secretary of State prior to any change in hardware, software, or firmware to a voting machine, voting device, voting system, or vote tabulating device, certified or conditionally certified for use in this state.

(b) A civil action may be brought pursuant to this section for a civil penalty not to exceed fifty thousand dollars (\$50,000) for each act and for injunctive relief, if appropriate.

CREDIT(S)

(Added by Stats.2004, c. 813 (S.B.1376), § 3.)

HISTORICAL AND STATUTORY NOTES

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005731

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Page 1

West's Ann.Cal.Elec.Code § 18565

C**Effective: [See Text Amendments]**

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 4. Corruption of Voting (Refs & Annos)

→ § 18565. Aiding and abetting offenses; penalty

Any person who aids or abets in the commission of any of the offenses described in Section 18564 is punishable by imprisonment in the county jail for a period of six months or in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18565, added by Stats.1961, c. 1672, relating to termination of recounts, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29645.1, added by Stats.1989, c. 235, § 3.

CROSS REFERENCES

Aiding and abetting, generally, see Penal Code § 30 et seq.

County, City, defined for purposes of this Code, see Elections Code § 310.

LIBRARY REFERENCES

2003 Main Volume

Elections ↻309, 322.

Westlaw Topic No. 144.

C.J.S. Elections § 324, 336, 355(2).

RESEARCH REFERENCES

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Page 1

West's Ann.Cal.Elec.Code § 18566

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→ § 18566. Forging or counterfeiting election returns

Every person is punishable by imprisonment in the state prison for two, three, or four years who:

- (a) Forges or counterfeits returns of an election purported to have been held at a precinct where no election was in fact held.
- (b) Willfully substitutes forged or counterfeit returns of election in the place of true returns for a precinct where an election was actually held.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29100, enacted by Stats.1961, c. 23, p. 869, § 29100, amended by Stats.1976, c. 1139, § 26.

Former § 29646, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11550 (Stats.1939, c. 26, p. 310).

Pen.C. § 50, amended by Stats.1901, c. 158, p. 437, § 13; Stats.1905, c. 479, p. 641, § 8.

CROSS REFERENCES

Forgery and counterfeiting, crime and punishment, generally, see Penal Code § 470 et seq.

Forgery, see Penal Code § 470 et seq.

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Page 1

West's Ann.Cal.Elec.Code § 18567

C**Effective: [See Text Amendments]**

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18567. Altering returns

Every person who willfully adds to or subtracts from the votes actually cast at an election, in any official or unofficial returns, or who alters the returns, is punishable by imprisonment in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29101, enacted by Stats.1961, c. 23, p. 869, § 29101, amended by Stats.1976, c. 1139, § 27.

Former § 29647, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11551 (Stats.1939, c. 26, p. 311).

Pen.C. § 51, amended by Stats.1901, c. 158, p. 438, § 14; Stats.1905, c. 479, p. 641, § 9.

CROSS REFERENCES

Election, defined for purposes of this Code, see Elections Code § 318.

LIBRARY REFERENCES

2003 Main Volume

Elections ↪317, 332.

Westlaw Topic No. 144.

C.J.S. Elections § 216(1), 329, 353, 356.

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Page 1

West's Ann.Cal.Elec.Code § 18568

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§18568. Offenses at the polls; penalties

Every person is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the state prison for 16 months or two or three years, or by both the fine and imprisonment, who:

- (a) Aids in changing or destroying any poll list or official ballot.
- (b) Aids in wrongfully placing any ballots in the ballot container or in taking any therefrom.
- (c) Adds or attempts to add any ballots to those legally polled at any election by fraudulently putting them into the ballot container, either before or after the ballots therein have been counted.
- (d) Adds to or mixes with, or attempts to add to or mix with, the ballots polled, any other ballots, while they are being counted or canvassed or at any other time, with intent to change the result of the election, or allows another to do so, when in his or her power to prevent it.
- (e) Carries away or destroys, attempts to carry away or destroy, or knowingly allows another to carry away or destroy, any poll list, ballot container, or ballots lawfully polled or who willfully detains, mutilates, or destroys any election returns.
- (f) Removes any unvoted ballots from the polling place before the completion of the ballot count.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former §§ 14435, 29103, enacted by Stats.1961, c. 23, p. 771, §§ 14435, 29103, amended by Stats.1975, c. 1203, § 17.

Former § 29649, added by Stats.1976, c. 1192, § 15.

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Page 1

West's Ann.Cal.Elec.Code § 18569

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18569. Aiding or abetting offenses

Every person who aids or abets in the commission of any of the offenses mentioned in Section 18566, 18567, or 18568 is punishable by imprisonment in the county jail for the period of six months or in the state prison for 16 months or two or three years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29102, enacted by Stats.1961, c. 23, p. 870, § 29102, amended by Stats.1976, c. 1139, § 28.

Former § 29648, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11552 (Stats.1939, c. 26, p. 311).

Pen.C. § 52, amended by Code Am. 1873-74, c. 614, p. 423, § 4.

CROSS REFERENCES

Accessories to crimes, see Penal Code §§ 32, 33.

Aiding and abetting, generally, see Penal Code § 30 et seq.

County, City, defined for purposes of this Code, see Elections Code § 310.

LIBRARY REFERENCES

2003 Main Volume

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Page 1

West's Ann.Cal.Elec.Code § 18570

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→ § 18570. Voting results; offenses; misdemeanor

Every person is guilty of a misdemeanor who does any one of the following:

(a) Removes or defaces any posted copy of the results of votes cast within the period of 48 hours from the official time fixed for the closing of the polls.

(b) Delays delivery of or changes the copy of the result of votes cast that is to be delivered to the city or county elections official.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former §§ 17094, 22931, enacted by Stats.1961, c. 23, pp. 809, 851, §§ 17094, 22931.

Former § 29104, added by Stats.1975, c. 1203, § 18.

Former § 29650, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, §§ 7074, 9915 (Stats.1939, c. 26, pp. 289, 243, amended by Stats.1939, c. 587, p. 1992).

Pol.C. § 1261, amended by Code Am.1873-74, c. 610, p. 29, § 51; Stats.1899, c. 53, p. 63, § 1; Stats.1899, c. 67, p. 83, § 1; Stats.1901, c. 11, p. 5, § 1; Stats.1923, c. 382, p. 774, § 1; Stats.1929, c. 749, p. 1425, § 11; Stats.1931, c. 250, p. 431, § 4; Stats.1933, c. 155, p. 606, § 1.

Stats.1919, c. 477, p. 935, § 30.

CROSS REFERENCES

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West's Ann.Cal.Elec.Code § 18571

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 4. Corruption of Voting (Refs & Annos)

→§ 18571. Counting board members; failure to obey lawful orders

Any person acting on any counting board who refuses to obey any lawful order of the county elections official or his or her deputy is guilty of a misdemeanor, unless he or she is by his or her refusal guilty of a higher crime under the laws of this state.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 17721, enacted by Stats.1961, c. 23, p. 815, § 17721.

Former § 29105, added by Stats.1975, c. 1203, § 19.

Former § 29651, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 7641 (Stats.1939, c. 26, p. 250).

Pol.C. § 1252, added by Stats.1921, c. 651, p. 1098, § 1.

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Elections official, defined for purposes of this Code, see Elections Code § 320.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

LIBRARY REFERENCES

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Page 1

West's Ann.Cal.Elec.Code § 18572

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→ § 18572. Counting board members; liabilities and penalties

Each counting board and its members are subject to the liabilities and penalties to which precinct boards or their members are subject where the votes and returns are counted at the precincts where they were polled.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 17722, enacted by Stats.1961, c. 23, p. 815, § 17722.

Former § 29106, added by Stats.1975, c. 1203, § 20.

Former § 29652, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 7642 (Stats.1939, c. 26, p. 250).

Pol.C. § 1252a, added by Stats.1921, c. 651, p. 1098, § 1.

CROSS REFERENCES

Precinct board, defined for purposes of this Code, see Elections Code § 339.

Precinct boards, composition and qualifications, generally, see Elections Code § 12300 et seq.

Precinct boards, violation of obligations, penal provisions, see Elections Code § 18700 et seq.

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Page 1

West's Ann.Cal.Elec.Code § 18573

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18573. Deceiving voter unable to read; causing voter to vote for different person than intended through fraud; felony

Every person is guilty of a felony punishable by imprisonment in the state prison for 16 months or two or three years who furnishes any voter wishing to vote, who cannot read, with a ballot, informing or giving that voter to understand that it contains a name written or printed thereon different from the name which is written or printed thereon, or defrauds any voter at any election by deceiving and causing him or her to vote for a different person for any office than he or she intended or desired to vote for.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29180, enacted by Stats.1961, c. 23, p. 872, § 29180.

Former § 29653, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11620 (Stats.1939, c. 26, p. 313).

Pen.C. § 53, amended by Stats.1893, c. 11, p. 7, § 1.

CROSS REFERENCES

Ballot, defined for purposes of this Code, see Elections Code § 301.

Felony defined, see Penal Code § 17.

Intimidation of voters, see Elections Code § 18540 et seq.

Voter, defined for purposes of this Code, see Elections Code § 359.

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Page 1

West's Ann.Cal.Elec.Code § 18574

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 4. Corruption of Voting (Refs & Annos)

→§ 18574. Refusal of person required to be sworn or to answer questions; misdemeanor

Every person who, after being required by the precinct board at an election, refuses to be sworn or, being sworn, refuses to answer any pertinent questions propounded by the board touching the right of another to vote, is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29432, enacted by Stats.1961, c. 23, p. 876, § 29432.

Former § 29654, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11702 (Stats.1939, c. 26, p. 316).

Pen.C. § 43, amended by Code Am.1873-74, c. 614, p. 423, § 3.

CROSS REFERENCES

Election, defined for purposes of this Code, see Elections Code § 318.

Misdemeanor defined, see Penal Code § 17.

Precinct board, defined for purposes of this Code, see Elections Code § 339.

Precinct boards, composition and qualifications, generally, see Elections Code § 12300 et seq.

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Page 1

West's Ann.Cal.Elec.Code § 18575

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 6. Corruption of the Voting Process (Refs & Annos)

▣ Article 4. Corruption of Voting (Refs & Annos)

→§ 18575. Unlawfully acting as election officers; acting in unauthorized capacity; felony

Every person is guilty of a felony, and on conviction shall be punished by imprisonment in the state prison for two, three or four years, who at any election:

(a) Without first having been appointed and qualified, acts as an election officer.

(b) Not being an election officer, performs or discharges any of the duties of an election officer in regard to the handling, counting, or canvassing of any ballots.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29400, enacted by Stats.1961, c. 23, p. 876, § 29400.

Former § 29655, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11680 (Stats.1939, c. 26, p. 316).

Pen.C. § 40, added by Stats.1895, c. 79, p. 74, § 1.

CROSS REFERENCES

Ballot, defined for purposes of this Code, see Elections Code § 301.

Election, defined for purposes of this Code, see Elections Code § 318.

Felony defined, see Penal Code § 17.

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Page 1

West's Ann.Cal.Elec.Code § 18576

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18576. Absent voter ballot; willful interference with delivery, retention beyond time limits or denial of right to return completed ballot; misdemeanor

Any person who willfully (a) interferes with the prompt delivery of a completed absent voter ballot application, (b) retains a completed absent voter ballot application, without the voter's authorization, for more than three days excluding weekends and state holidays, or by the deadline for return of absent voters' ballot applications, whichever is earlier, or (c) denies an applicant the right to return his or her own completed absent voter ballot application to the local elections official having jurisdiction over the election, is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29656, added by Stats.1987, c. 466, § 3.

CROSS REFERENCES

Absentee voting, applications and voting procedures, generally, see Elections Code § 3000 et seq.

Absent voter, special absentee voter, defined for purposes of this Code, see Elections Code § 300.

Ballot, defined for purposes of this Code, see Elections Code § 301.

Computation of time, first and last days, holidays, see Civil Code § 10; Code of Civil Procedure § 12 et seq.; Government Code § 6800 et seq.

Computation of time, time for performance of any act provided for or required by this code, holiday as last day for performance of act, see Elections Code § 15.

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Page 1

West's Ann.Cal.Elec.Code § 18577

C

Effective: January 01, 2002

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18577. Willful interference or cause of interference with return to local elections official by person in charge of completed absent voter ballot

Any person having charge of a completed absent voter ballot who willfully interferes or causes interference with its return to the local elections official having jurisdiction over the election is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding ten thousand dollars (\$10,000), or by both.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2. Amended by Stats.2001, c. 922 (A.B.1520), § 6.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Stats.2001, c. 922 (A.B.1520), added "punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding ten thousand dollars (\$10,000), or by both".

Legislative findings and declarations relating to Stats.2001, c. 922 (A.B.1520), see Historical and Statutory Notes under Elections Code § 100.5.

Governor Davis issued the following signing message regarding Stats.2001, c. 922 (A.B.1520):

"I am signing Assembly Bill 1520, which allows any voter to apply for permanent absentee voter status.

"This bill is a recognition that California's busy lifestyles should not be an impediment to their participation in the electoral process."

Sincerely,

GRAY DAVIS

Derivation: Former § 29657, added by Stats.1987, c. 466, § 4.

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Page 1

West's Ann.Cal.Elec.Code § 18578

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 6. Corruption of the Voting Process (Refs & Annos)

Article 4. Corruption of Voting (Refs & Annos)

→§ 18578. Absent voter ballot; fraudulent signature

Any person who applies for, or who votes or attempts to vote, an absent voter's ballot by fraudulently signing the name of a fictitious person, or of a regularly qualified voter, or of a person who is not qualified to vote, is guilty of a felony punishable by imprisonment in the state prison for 16 months or two or three years, or by fine not exceeding one thousand dollars (\$1,000) or by both the fine and imprisonment.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 14721, added by Stats.1975, c. 1203, § 3.4, derived from former § 14691, Stats.1961, c. 23, p. 780, § 14691.

Former § 29658, added as § 29642 by Stats.1976, c. 1192, § 15, amended by Stats.1977, c. 1112, § 8, renumbered § 29658 and amended by Stats.1987, c. 466, § 2.

Elec.C.1939, § 5951 (Stats.1939, c. 26, p. 225).

Pol.C. § 1363, added by Stats.1923, c. 283, p. 592, § 1.

CROSS REFERENCES

Absent voter, special absentee voter, defined for purposes of this Code, see Elections Code § 300.

Ballot, defined for purposes of this Code, see Elections Code § 301.

Felony, definition and penalties, see Penal Code §§ 17, 18.

Voter, defined for purposes of this Code, see Elections Code § 359.

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West's Ann.Cal.Elec.Code § 18600

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 1. Improper Signature-Gathering Tactics (Refs & Annos)

→ § 18600. Misrepresentation or false statement concerning petitions

Every person is guilty of a misdemeanor who:

(a) Circulating, as principal or agent, or having charge or control of the circulation of, or obtaining signatures to, any state or local initiative, referendum or recall petition, intentionally misrepresents or intentionally makes any false statement concerning the contents, purport or effect of the petition to any person who signs, or who desires to sign, or who is requested to sign, or who makes inquiries with reference to it, or to whom it is presented for his or her signature.

(b) Willfully and knowingly circulates, publishes, or exhibits any false statement or misrepresentation concerning the contents, purport or effect of any state or local initiative, referendum, or recall petition for the purpose of obtaining any signature to, or persuading or influencing any person to sign, that petition.

(c) Circulating, as principal or agent, or having charge or control of the circulation of, or obtaining signatures to, any state or local initiative, intentionally makes any false statement in response to any inquiry by any voter as to whether he or she is a paid signature gatherer or a volunteer.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18600, added by Stats.1968, c. 79, p. 236, § 3, amended by Stats.1975, c. 1147, § 1, derived from former § 17073, added by Stats.1961, c. 23, p. 808, § 17073, relating to the counting of write-in votes, was repealed by Stats.1975, c. 1203, § 8. See Elections Code § 17100.

Derivation: Former §§ 29214, 29215, enacted by Stats.1961, c. 23, pp. 872, 873, §§ 29214, 29215, amended by Stats.1976, c. 1139, §§ 31, 32.

Former §§ 29286, 29287, added by Stats.1963, c. 1105, p. 2564, § 1.

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Page 1

West's Ann.Cal.Elec.Code § 18601

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 1. Improper Signature-Gathering Tactics (Refs & Annos)

→ § 18601. Refusal to show text of measure or petition; misdemeanor

Any person working for the proponent or proponents of an initiative or referendum measure or recall petition who refuses to allow a prospective signer to read the measure or petition is guilty of a misdemeanor.

An arrest or conviction pursuant to this section shall not invalidate or otherwise affect the validity of any signature obtained by the person arrested or convicted.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18601 added by Stats.1968, c. 79, p. 236, § 3, requiring a declaration by write-in candidate, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29228, added by Stats.1973, c. 1196, p. 2532, § 2.

Former § 29254, added by Stats.1973, c. 525, § 1.

Former § 29721, added by Stats.1976, c. 1192, § 15.

CROSS REFERENCES

Initiative and referendum, generally, see Const. Art. 2, §§ 8 to 11; Const. Art. 4, § 1; Elections Code § 9000 et seq.

Initiative, referendum or recall petition, persons entitled to circulate, see Elections Code § 102.

Measure, defined for purposes of this Code, see Elections Code § 329.

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Page 1

West's Ann.Cal.Elec.Code § 18602

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Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

▣ Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

▣ Article 1. Improper Signature-Gathering Tactics (Refs & Annos)

→§ 18602. Obscuring summary of initiative or referendum measure; misdemeanor

Any person working for the proponent or proponents of a statewide initiative or referendum measure who covers or otherwise obscures the summary of the measure prepared by the Attorney General from the view of a prospective signer is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Former § 18602, added by Stats.1968, c. 79, p. 236, § 3, amended by Stats.1970, c. 559, p. 1134, § 1; Stats.1975, c. 1045, § 1, relating to the filing of declaration by write-in candidate, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29229, added by Stats.1973, c. 1196, p. 2532, § 3.

Former § 29722, added by Stats.1976, c. 1192, § 15.

CROSS REFERENCES

Attorney General, powers and duties, see Government Code § 12510 et seq.

Measure, defined for purposes of this Code, see Elections Code § 329.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Proponent or proponents of an initiative or referendum measure, defined for purposes of this Code, see Elections Code § 342.

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Page 1

West's Ann.Cal.Elec.Code § 18603

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Effective: [See Text Amendments]

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Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 1. Improper Signature-Gathering Tactics (Refs & Annos)

→ § 18603. Payment for signatures; offense

Every person who offers or gives money or other valuable consideration to another in exchange for his or her signature on a state, county, municipal, or district initiative, referendum, or recall petition is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2. Amended by Stats.1996, c. 714 (S.B.1853), § 26.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

The 1996 amendment inserted ", referendum, or recall".

Former § 18603, added by Stats.1968, c. 79, p. 236, § 3, amended by Stats.1974, c. 454, p. 1075, § 2; Stats.1975, c. 1045, § 2, stating the requirements for tabulation of write-in votes, was repealed by Stats.1975, c. 1203, § 8.

Derivation: Former § 29723, added by Stats.1987, c. 523, § 1.

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

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West's Ann.Cal.Elec.Code § 18610

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Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 2. False or Ineligible Signatures on Petition (Refs & Annos)

→§ 18610. Solicitation of circulators to affix or permit false or forged signatures; penalty

Every person who solicits any circulator to affix to any initiative, referendum, or recall petition any false or forged signature, or to cause or permit a false or forged signature to be affixed, is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29253, enacted by Stats.1961, c. 23, p. 875, § 29253.

Former § 29730, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11663 (added by Stats.1959, c. 96, p. 1950, § 1).

CROSS REFERENCES

Forgery, see Penal Code § 470.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Misdemeanor defined, see Penal Code § 17.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↵327, 367.

Westlaw Topic Nos. 283, 361.

C.J.S. Statutes § 140-142.

RESEARCH REFERENCES

Encyclopedias

005750

Westlaw.

Page 1

West's Ann.Cal.Elec.Code § 18611

C

Effective: [See Text Amendments]

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 2. False or Ineligible Signatures on Petition (Refs & Annos)

→§ 18611. Circulation with false, forged or fictitious names; penalties

Every person is punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment, who circulates or causes to be circulated any initiative, referendum, or recall petition, knowing it to contain false, forged, or fictitious names.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29217, enacted by Stats.1961, c. 23, p. 873, § 29217, amended by Stats.1976, c. 1139, § 34.

Former § 29731, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11645 (Stats.1939, c. 26, p. 315 amended by Stats.1957, c. 139, p. 738, § 12).

Pen.C. § 64b, subd. 4, added by Stats.1915, c. 49, p. 55, § 1.

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Forgery defined, see Penal Code § 470.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Recall petition, generally, see Elections Code § 11040 et seq.

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West's Ann.Cal.Elec.Code § 18612

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

^ Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

^ Article 2. False or Ineligible Signatures on Petition (Refs & Annos)

➔ **§ 18612. Signing more than once or while disqualified; penalty**

Every person is guilty of a misdemeanor who knowingly signs his or her own name more than once to any initiative, referendum, or recall petition, or signs his or her name to that petition knowing himself or herself at the time of signing not to be qualified to sign it.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29220, enacted by Stats.1961, c. 23, p. 873, § 29220, amended by Stats.1976, c. 1139, § 37.

Former § 29732, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11648 (Stats.1939, c. 26, p. 315, amended by Stats.1957, c. 139, p. 738, § 15).

Pen.C. § 64b, subs. 7, 8, added by Stats.1915, c. 49, p. 55, § 1.

CROSS REFERENCES

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Initiative, referendum or recall petition, persons entitled to circulate, see Elections Code § 102.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Recall petition, generally, see Elections Code § 11040 et seq.

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↔327, 367.

Westlaw Topic Nos. 283, 361.

C.J.S. Statutes § 140-142.

RESEARCH REFERENCES

Encyclopedias

005752

West's Ann.Cal.Elec.Code § 18613

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

^Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

^Article 2. False or Ineligible Signatures on Petition (Refs & Annos)

➔**§ 18613. Fictitious names or signing name of another; penalty**

Every person who subscribes to any initiative, referendum, or recall petition a fictitious name, or who subscribes thereto the name of another, or who causes another to subscribe such a name to that petition, is guilty of a felony and is punishable by imprisonment in the state prison for two, three, or four years.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29221, enacted by Stats.1961, c. 23, p. 874, § 29221, amended by Stats.1976, c. 1139, § 38.

Former § 29733, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11649 (Stats.1939, c. 26, p. 315, amended by Stats.1959, c. 96, p. 1950, § 2).

Pen.C. § 472a, added by Stats.1915, c. 43, p. 51, § 1.

CROSS REFERENCES

Felony, definition and penalties, see Penal Code §§ 17, 18.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Recall petition, generally, see Elections Code § 11040 et seq.

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↵327, 367.

Westlaw Topic Nos. 283, 361.

C.J.S. Statutes § 140-142.

RESEARCH REFERENCES

Encyclopedias

005753

West's Ann.Cal.Elec.Code § 18614

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

^Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

^Article 2. False or Ineligible Signatures on Petition (Refs & Annos)

→**§ 18614. Filing with false signatures; penalties**

Every person is punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment, who files in the office of the elections official or other officer designated by law to receive the filing, any initiative, referendum, or recall petition to which is attached, appended or subscribed any signature which the person filing the petition knows to be false or fraudulent or not the genuine signature of the person whose name it purports to be.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29216, enacted by Stats.1961, c. 23, p. 873, § 29216, amended by Stats.1976, c. 1139, § 33.

Former § 29734, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11644 (Stats.1939, c. 26, p. 314, amended by Stats.1957, c. 139, p. 737, § 11).

Pen.C. § 64b, subd. 3, added by Stats.1915, c. 49, p. 55, § 1.

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Elections official, defined for purposes of this Code, see Elections Code § 320.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↔327, 367.

Westlaw Topic Nos. 283, 361.

C.J.S. Statutes § 140-142.

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West's Ann.Cal.Elec.Code § 18620

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

^Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

^Article 3. Improper Payments to Prevent Petition Circulation and Filing (Refs & Annos)

➔**§ 18620. Soliciting or obtaining money or thing of value for inducing proponents to abandon petitions**

Every person who seeks, solicits, bargains for, or obtains any money, thing of value, or advantage of or from any person, firm, or corporation for the purpose or represented purpose of fraudulently inducing, persuading, or seeking the proponent or proponents of any initiative or referendum measure or recall petition to (a) abandon the measure or petition, (b) fail, neglect, or refuse to file in the office of the elections official or other officer designated by law, within the time required by law, the initiative or referendum measure or recall petition after securing the number of signatures required to qualify the measure or petition, (c) stop the circulation of the initiative or referendum measure or recall petition, or (d) perform any act that will prevent or aid in preventing the initiative or referendum measure or recall petition from qualifying as an initiative or referendum measure, or the recall petition from resulting in a recall election, is punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in the state prison 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29222, enacted by Stats.1961, c. 23, p. 874, § 29222, amended by Stats.1976, c. 1139, § 39.

Former § 29740, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11650 (added by Stats.1941, c. 1279, p. 3225, § 1.9, amended by Stats.1957, c. 139, p. 738, § 16).

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Elections official, defined for purposes of this Code, see Elections Code § 320.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Measure, defined for purposes of this Code, see Elections Code § 329.

Proponent or proponents of an initiative or referendum measure, defined for purposes of this Code, see Elections Code § 342.

Proponent or proponents of a recall petition, defined for purposes of this Code, see Elections Code § 343.

005755

West's Ann.Cal.Elec.Code § 18621

West's Annotated California Codes Currentness
Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 3. Improper Payments to Prevent Petition Circulation and Filing (Refs & Annos)

**→§ 18621. Receipt by proponent of consideration for abandoning petitions;
penalties**

Any proponent of an initiative or referendum measure or recall petition who seeks, solicits, bargains for, or obtains any money or thing of value of or from any person, firm, or corporation for the purpose of abandoning the same or stopping the circulation of petitions concerning the same, or failing or neglecting or refusing to file the measure or petition in the office of the elections official or other officer designated by law within the time required by law after obtaining the number of signatures required under the law to qualify the measure or petition, or performing any act that will prevent or aid in preventing the initiative, referendum or recall proposed from qualifying as an initiative or referendum measure, or resulting in a recall election is punishable by a fine not exceeding five thousand dollars (\$5,000) or by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative Intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29223, enacted by Stats.1961, c. 23, p. 874, § 29223, amended by Stats.1976, c. 1139, § 40.

Former § 29741, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11651 (added by Stats.1941, c. 1279, p. 3226, § 2, amended by Stats.1957, c. 139, p. 739, § 17).

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Elections official, defined for purposes of this Code, see Elections Code § 320.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Measure, defined for purposes of this Code, see Elections Code § 329.

Proponent or proponents of an initiative or referendum measure, defined for purposes of this Code, see Elections Code § 342.

Proponent or proponents of a recall petition, defined for purposes of this Code, see Elections Code § 343.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

005756

West's Ann.Cal.Elec.Code § 18622

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 3. Improper Payments to Prevent Petition Circulation and Filing (Refs & Annos)

→§ 18622. **Buying of petitions from circulators; misdemeanor**

Every person who offers to buy or does buy from a circulator any referendum, initiative, or recall petition on which one or more persons have affixed their signatures is guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one year, or by a fine not exceeding one thousand dollars (\$1,000), or both. This section is not intended to prohibit compensation of a circulator, for his or her services, by a proponent of the petition or his or her agent.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29252, enacted by Stats.1961, c. 23, p. 875, § 29252.

Former § 29742, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11662 (added by Stats.1959, c. 96, p. 1950, § 1).

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Misdemeanor defined, see Penal Code § 17.

Proponent or proponents of a recall petition, defined for purposes of this Code, see Elections Code § 343.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↔327, 367.

Westlaw Topic Nos. 283, 361.

C.J.S. Statutes § 140-142.

RESEARCH REFERENCES

Encyclopedias

CA Jur. 3d Elections § 319, Prevention of Circulation or Filing of Petition.

005757

West's Ann.Cal.Elec.Code § 18630

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 4. Threats and Theft to Prevent Petition Circulation and Filing

→§ 18630. Threat to commit assault or battery or to damage property; misdemeanor

Every person who threatens to commit an assault or battery on a person circulating a referendum, initiative, or recall petition or on a relative of a person circulating a referendum, initiative, or recall petition or to inflict damage on the property of the circulator or the relative, with the intent to dissuade the circulator from circulating the petition or in retribution for the circulation, is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29250, enacted by Stats.1961, c. 23, p. 875, § 29250.

Former § 29750, added by Stats.1976, c. 1192, § 15, amended by Stats.1977, c. 1112, § 9.

Elec.C.1939, § 11660 (added by Stats.1959, c. 96, p. 1950, § 1).

CROSS REFERENCES

Assault and battery, see Penal Code § 240 et seq.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Misdemeanor defined, see Penal Code § 17.

Recall petition, generally, see Elections Code § 11040 et seq.

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↔327, 367.

Westlaw Topic Nos. 283, 361.

C.J.S. Statutes § 140-142.

RESEARCH REFERENCES

Encyclopedias

CA Jur. 3d Elections § 319, Prevention of Circulation or Filing of Petition.

005758

West's Ann.Cal.Elec.Code § 18631

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

⌘ Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

⌘ Article 4. Threats and Theft to Prevent Petition Circulation and Filing

➔ **§ 18631. Taking petitions from circulators by force or stealth; misdemeanor**

Every person who forcibly or by stealth takes from the possession of a circulator any initiative, referendum, or recall petition on which one or more persons have affixed their signatures is guilty of a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative Intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29251, enacted by Stats.1961, c. 23, p. 875, § 29251.

Former § 29751, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11661 (added by Stats.1959, c. 96, p. 1950, § 1).

CROSS REFERENCES

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Misdemeanor defined, see Penal Code § 17.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↵327, 367.

Westlaw Topic Nos. 283, 361.

C.J.S. Statutes § 140-142.

RESEARCH REFERENCES

Encyclopedias

CA Jur. 3d Elections § 319, Prevention of Circulation or Filing of Petition.

CA Jur. 3d Initiative and Referendum § 92, Interference With Initiative or Referendum. **005759**

West's Ann.Cal.Elec.Code § 18640

West's Annotated California Codes Currentness
Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 5. Refusal of Circulators to Turn in Petitions

➔ **§ 18640. Failure to surrender petitions to proponents; penalties**

Any person working for the proponent or proponents of an initiative or referendum measure or recall petition who solicits signatures to qualify the measure or petition and accepts any payment therefor and who fails to surrender the measure or petition to the proponents thereof for filing is punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29226, enacted by Stats.1961, c. 23, p. 875, § 29226, amended by Stats.1976, c. 1139, § 43.

Former § 29760, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11654 (added by Stats.1941, c. 1279, p. 3227, § 5, amended by Stats.1957, c. 139, p. 740, § 20).

CROSS REFERENCES

County, City, defined for purposes of this Code, see Elections Code § 310.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Measure, defined for purposes of this Code, see Elections Code § 329.

Proponent or proponents of an initiative or referendum measure, defined for purposes of this Code, see Elections Code § 342.

Proponent or proponents of a recall petition, defined for purposes of this Code, see Elections Code § 343.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ⇐327, 367.

Westlaw Topic Nos. 283, 361.

005760

West's Ann.Cal.Elec.Code § 18650

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 6. Misuse of Signatures on Petition (Refs & Annos)

→ § 18650. Use of signatures for other than qualification for ballot; misdemeanor

No one shall knowingly or willfully permit the list of signatures on an initiative, referendum, or recall petition to be used for any purpose other than qualification of the initiative or referendum measure or recall question for the ballot, except as provided in Section 6253.5 of the Government Code. Violation of this section is a misdemeanor.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29256, added by Stats.1974, c. 1410, p. 3106, § 9; Stats.1974, c. 1445, p. 3155, § 9.

Former § 29770, added by Stats.1976, c. 1192, § 15, amended by Stats.1984, c. 875, § 4.

CROSS REFERENCES

Ballot, defined for purposes of this Code, see Elections Code § 301.

Certification by proponent of initiative measure, use of signatures, see Elections Code §§ 9608, 9609 and 9610.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Inspection of public records, exemptions from disclosure, patient-physician confidential communication, petition signatures, see Government Code § 6276.34.

Measure, defined for purposes of this Code, see Elections Code § 329.

Misdemeanor, definition and penalties, see Penal Code §§ 17, 19.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

LAW REVIEW AND JOURNAL COMMENTARIES

Reforming direct democracy: Lessons from Oregon. Cody Hoesly, 93 Cal. L. Rev. 1191 (July 2005).

LIBRARY REFERENCES

2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↵327, 367.

005761

West's Ann.Cal.Elec.Code § 18660

West's Annotated California Codes Currentness
Elections Code (Refs & Annos)

Division 18. Penal Provisions (Refs & Annos)

Chapter 7. Initiative, Referendum, and Recall (Refs & Annos)

Article 7. False Affidavits Concerning Petitions

➔ **§ 18660. False affidavits; penalties**

Every person is punishable by a fine not exceeding five thousand dollars (\$5,000), or by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment, who makes any false affidavit concerning any initiative, referendum, or recall petition or the signatures appended thereto.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2.)

HISTORICAL AND STATUTORY NOTES

2003 Main Volume

Legislative intent relating to Stats.1994, c. 920 (S.B.1547), § 2, see Historical and Statutory Notes under Elections Code § 1.

Derivation: Former § 29218, enacted by Stats.1961, c. 23, p. 873, § 29218, amended by Stats.1976, c. 1139, § 35.

Former § 29780, added by Stats.1976, c. 1192, § 15.

Elec.C.1939, § 11646 (Stats.1939, c. 26, p. 315, amended by Stats.1957, c. 139, p. 738, § 13).

Pen.C. § 64b, subd. 5, added by Stats.1915, c. 49, p. 55, § 1.

CROSS REFERENCES

Affidavit defined, see Code of Civil Procedure § 2003.

County, City, defined for purposes of this Code, see Elections Code § 310.

Initiative and referendum petitions, state elections, general requirements, see Elections Code § 9000 et seq.

Initiative and referendum petitions, state elections, petition signatures, see Elections Code § 9020 et seq.

Recall petition, generally, see Elections Code § 11040 et seq.

Signature mark, defined for purposes of this Code, see Elections Code § 354.5.

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2003 Main Volume

Officers and Public Employees k70.7.

Statutes ↔327, 367.

Westlaw Topic Nos. 283, 361.

C.J.S. Statutes § 140-142.

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RESEARCH REFERENCES