

AMENDED IN SENATE MAY 29, 2020  
AMENDED IN SENATE MAY 11, 2020  
AMENDED IN SENATE MARCH 17, 2020

**SENATE BILL**

**No. 970**

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*Introduced by Senator Umberg and Assembly Member Berman  
(Principal coauthors: Senator Atkins and Assembly Member Rendon)*

**Introduced by ~~Committee on Elections and Constitutional  
Amendments~~**

February 11, 2020

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An act to amend Sections 316, 340, 1000, 1001, 1201, and 1202 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 970, as amended, ~~Committee on Elections and Constitutional Amendments~~ *Umberg*. Primary election date.

Existing law requires that the statewide direct primary be held on the first Tuesday after the first Monday in March in each even-numbered year. Existing law requires that the presidential primary be held on that same date in any year that is evenly divisible by 4.

This bill would change the date of the statewide direct primary to the first Tuesday after the first Monday in June in even-numbered years in which there is no presidential primary.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. The Legislature finds and declares all of the*  
2     *following:*

3     *(a) California voters approved the Voters FIRST Act in 2008*  
4     *and the Voters FIRST Act for Congress in 2010, which together*  
5     *established the Citizens Redistricting Commission and made the*  
6     *commission responsible for adjusting the boundary lines of the*  
7     *congressional, State Senatorial, Assembly, and Board of*  
8     *Equalization districts based on the federal decennial census and*  
9     *in conformity with standards set forth in both the federal and state*  
10    *constitutions.*

11    *(b) The commission is required to conduct an open and*  
12    *transparent process enabling full public consideration of and*  
13    *comment on the drawing of district lines. That process includes*  
14    *holding public hearings both before and after releasing draft and*  
15    *final plans and providing adequate public comment periods after*  
16    *any plans are released.*

17    *(c) The commission cannot draw new district lines until it*  
18    *receives census data from the United States Census Bureau. Due*  
19    *to the COVID-19 pandemic, the United States Census Bureau has*  
20    *announced that release of census data to California will be delayed*  
21    *up to four months to July 31, 2021. As a result, the commission*  
22    *will not have sufficient time to undertake the redistricting process*  
23    *as required by the Voters FIRST Act and the Voters FIRST Act for*  
24    *Congress and to approve new district boundaries that will be in*  
25    *place in time for a statewide direct primary election held in March*  
26    *2022. Therefore, the Legislature finds that the 2022 statewide*  
27    *direct primary election must be moved back to June 7, 2022.*

28    ~~SECTION 1.~~

29    *SEC. 2. Section 316 of the Elections Code is amended to read:*

30    316. “Direct primary” is the primary election held on the first  
31    Tuesday after the first Monday in June in each even-numbered  
32    year that is not evenly divisible by four and on the first Tuesday  
33    after the first Monday in March in each even-numbered year that  
34    is evenly divisible by four.

35    ~~SEC. 2.~~

36    *SEC. 3. Section 340 of the Elections Code is amended to read:*

1 340. “Presidential primary” is the primary election that is held  
2 on the first Tuesday after the first Monday in March of any year  
3 that is evenly divisible by four.

4 ~~SEC. 3.~~

5 *SEC. 4.* Section 1000 of the Elections Code is amended to read:

6 1000. The established election dates are as follows:

7 (a) The first Tuesday after the first Monday in March of each  
8 even-numbered year that is evenly divisible by four.

9 (b) The first Tuesday after the first Monday in March of each  
10 odd-numbered year.

11 (c) The second Tuesday of April in each even-numbered year.

12 (d) The first Tuesday after the first Monday in June in each  
13 even-numbered year that is not evenly divisible by four.

14 (e) The first Tuesday after the first Monday in November of  
15 each year.

16 ~~SEC. 4.~~

17 *SEC. 5.* Section 1001 of the Elections Code is amended to read:

18 1001. The following are statewide elections and their dates are  
19 statewide election dates:

20 (a) An election held in November of an even-numbered year.

21 (b) An election held in June of an even-numbered year that is  
22 not evenly divisible by four and in March of each even-numbered  
23 year that is evenly divisible by four.

24 ~~SEC. 5.~~

25 *SEC. 6.* Section 1201 of the Elections Code is amended to read:

26 1201. The statewide direct primary shall be held on the first  
27 Tuesday after the first Monday in June of each even-numbered  
28 year that is not evenly divisible by four and on the first Tuesday  
29 after the first Monday in March in each even-numbered year that  
30 is evenly divisible by four.

31 ~~SEC. 6.~~

32 *SEC. 7.* Section 1202 of the Elections Code is amended to read:

33 1202. The presidential primary shall be consolidated with the  
34 statewide direct primary in any year that is evenly divisible by  
35 four, and the consolidated primary shall be held on the first  
36 Tuesday after the first Monday in March.

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