



AB 918 (Bonta) – California Voting for All Act

(As Amended on 08/21)

SUMMARY

AB 918 would improve language assistance to limited-English proficient (LEP) voters.

BACKGROUND

California is home to 6.8 million individuals over 5 years old who are limited-English proficient (LEP). While Section 203 of the federal Voting Rights Act mandates fully bilingual elections when LEP minority populations are more than 5% of voting age citizens within a county, roughly 550,000 Latinos and Asian Americans in California who are limited-English proficient live in counties not covered by Section 203, and rely on state law for language access in voting.

Under the California Elections Code, when a LEP community comprises 3% in a precinct, the county elections office must post on the wall of that precinct's polling place a translated facsimile of the ballot in the relevant language. The office must also make "reasonable efforts" to recruit a bilingual poll worker for that polling place. The term "reasonable efforts" is not defined.

THE NEED FOR THE BILL

The language access requirements in California are not sufficient to provide meaningful language assistance to in-person voters who are limited-English proficient. Voters commonly miss the facsimile ballots because elections offices do not educate voters about their availability, no signage makes their availability known at the polling place, and poll workers are frequently not trained to point them out. Those voters that do find the facsimile ballots have to vote while standing at the wall using the facsimile ballot as a reference, denying them the private vote that is guaranteed to all other voters.

The state law provides zero assistance for LEP voters who vote by mail and also lacks any reporting or oversight mechanisms. Compliance with the language access requirements in state law is inconsistent and substantially worse than compliance with federal law.

Moreover, Latinos and Asian Americans have by far the lowest voter turnout of all racial/ethnic groups. In California's 2014 general election, just 17% of eligible Latinos and 18% of Asian Americans voted. Language barriers contribute to these low turnout rates.

As California continues to diversify, the state must update its laws in order to have an inclusive and representative democracy. AB 918 not only reduces barriers to voting for limited-English voters, it also makes California a nationwide leader in ensuring access to the ballot.

SOLUTION

The bill would ensure that:

- Facsimile ballots are available for voters to take into the voting booth and vote with privacy.
- Translated signage next to the roster of voters informs voters that facsimile ballots are available.
- Poll workers are trained on the proper handling of facsimile ballots.
- Vote-by-mail voters are able to request a copy of a translated facsimile ballot.
- Counties put translated content in their county sample ballots and online about how facsimile ballots can be accessed.
- Translated signage in polling places informs voters about languages spoken by poll workers and poll workers wear nametags identifying language skills.
- Counties file a report after every statewide general election documenting their performance recruiting bilingual poll workers & the Secretary of State posts those reports on his/her website.

SUPPORT

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California Common Cause
California Immigrant Policy Center (CIPC)
Center for Asian American United for Self Empowerment
Chinese for Affirmative Action
Chinese Progressive Association
Courage Campaign
Dolores Huerta Foundation
Fair Vote California
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League of Women Voters of California
Mi Familia Vota
National Association of Latino Elected Officials Educational Fund (NALEO)
Partnership for the Advancement of New Americans
PICO California
San Diego Organizing Project
Southeast Asian Resource Action Center (SEARAC)
18MillionRising.org

OPPOSITION

None

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