

## LEGISLATIVE DIGEST

[Municipal Elections Code - Noncitizen Voting in School Board Elections]

**Ordinance amending the Municipal Elections Code to implement Proposition N, adopted at the November 8, 2016 election, by requiring the Department of Elections to develop a voter registration affidavit for certain non-United States citizens to vote in School Board elections; to include a notice on voter materials informing non-United States citizens that any information provided to the Department may be obtained by the federal government; and to create other documents related to non-United States citizens voting in School Board elections, as defined herein.**

### Existing Law

At the November 2016 election, voters adopted Proposition N, which allows non-United States citizen residents of San Francisco who are of legal voting age and the parents, legal guardians or legally recognized caregivers of a child living in the San Francisco Unified School District to vote for members of the Board of Education. Proposition N authorizes the Board of Supervisors to adopt an ordinance implementing Proposition N.

### Amendments to Current Law

The proposal would implement Proposition N by requiring the Department of Elections (“Department”) to:

- develop a voter registration affidavit for non-United States citizens to register to vote in School Board elections;
- include a notice on voter materials informing non-United States citizens that any information provided to the Department may be obtained by the federal government;
- translate that notice into specified languages and post those translations on its website;
- maintain a devoted page on its website that includes a list of lawyers, law firms, and nonprofit organizations with a primary mission of protecting the rights of immigrants;
- develop a checklist, written at a sixth-grade reading level, of all criteria for non-United States citizens to vote in School Board elections; and
- translate that checklist into specified languages and post those translations on its website.

### Background

Since the passage of Proposition N at the November 2016 election, concerns have been raised about whether the City can maintain the confidentiality of voter registration information

FILE NO. 180193

provided to the Department of Elections. For School Board elections at which non-United States citizens can vote, this information would include the names and addresses of non-United States citizens living in San Francisco as well as their children.

n:\legana\as2017\1800235\01246557.docx