

MEMORANDUM OF LAW

DATE: October 25, 1988

TO: Patricia Tennyson, Director,
Intergovernmental Relations Department
FROM: City Attorney
SUBJECT: Chapter 391 (AB 2582 Duplissea) Elections
(Effective Date August 11, 1988)

This legislation amends the state Elections Code and Government Code. First, it adds sections 6490.3 and 6490.4 to Division 6, Chapter 5, of the California Elections Code, which includes sections 6400 through 6661. Section 6400 specifically states that this chapter does not apply to cities whose charters provide a system for nominating candidates. Since The City of San Diego has such a charter (see San Diego City Charter, sections 8 and 10), these two additions to the Elections Code do not apply to the City.

Chapter 391 also adds sections 14005.4 and 14205.5 to the California Elections Code. These sections are located among the provisions governing procedures at the polls. These provisions (regarding placement of signs at the polls, etc.) come into play only if new sections 6490.3 and 6490.4 apply. Since these latter two sections do not apply to The City of San Diego, then sections 14005.4 and 14205.5 do not apply to the City.

Lastly, Chapter 391 repeals and adds section 71603.5 to the California Government Code. This section on its face applies only to Lassen County. It does not affect San Diego.

If you have further questions, please do not hesitate to let me know.

JOHN W. WITT, City Attorney

By

Cristie C. McGuire

Deputy City Attorney

CCM:mb:046:120:(x043.2)

cc: Mikel Haas

ML-88-92