

May 2024

## MOUNTAIN NEWS REPORTS

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tation is fixed, and where you intend to remain and return to whenever you are absent from it. (Elec. Code, §§ 321, 349, 2020-2034.)"

The handbook also says, "Generally, your domicile is where your family lives, where you physically reside, the place you intend to return to whenever you are gone from it, where your driver's license says you reside, and where you claim your homeowner's property tax exemption or renter's tax credit. (Elec. Code, §§ 349, 2020-2034.)"

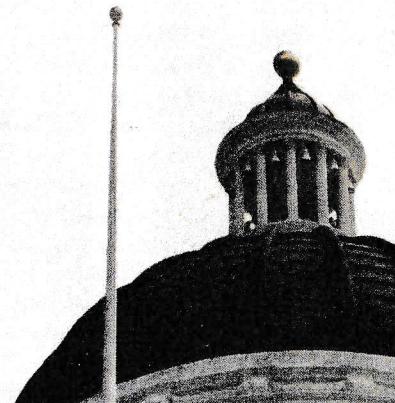
It's up to the Secretary of State's Office (SOS) and possibly the El Dorado County District Attorney's Office to investigate allegations of voter fraud.

The South Shore was the subject of such an investigation

### A Voter's Guide to Safeguard California's Election Process

# VOTING LAW COMPLIANCE HANDBOOK

*Secretary of State Shirley N. Weber, Ph.D.*



**The Secretary of State's Office enforces voting laws in California.**

in 2010 when voters in the Fallen Leaf Lake Community Services District were accused of voting irregularities.

In September 2011, District Attorney Vern Pierson issued a letter to every voter registered at the time of the August 2010 recall election outlining the department's decision.

The letter stated, "This investigation revealed that improprieties had in fact occurred, and were criminally subject to prosecution as felony-grade offenses. Largely because the acts appear to have been precipitated by poor judgment, some misinformation which was circulating in the community, and a failure by some to accurately and fully appreciate the requirements of the pertinent

about the Election Code. She also is not an enforcer.

Blankenship reached out to the Secretary of State's Office about voter registration since that department has the ultimate authority over such matters in California.

She asked: "May a person change their voter registration address to their second home—not primary residence—in order to

voter registration must be the address of your permanent residence. The California Elections Code section 349 stipulates the following regarding residence and domicile:

(a) 'Residence' for voting purposes means a person's domicile.

(b) The domicile of a person is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one domicile.

(c) The residence of a person is that place in which the person's habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining. At a given time, a

## What the proposed vacancy tax initiative says

- Residential units vacant more than 182 days in a calendar year would be taxed beginning Jan. 1, 2026.
- First year of vacancy would be a \$3,000 tax.
- Each subsequent year the tax would be \$6,000 per unit.
- Rates would increase based on the Consumer Price Index.
- Tax revenues would be used for: repayment of bonds or other debt for housing projects and housing assistance, subsidy, and incentive programs; roads, bicycle and multi-use paths; stormwater infrastructure; transit; and administrative costs to South Lake Tahoe and any legal defense of the measure.
- A five-member committee would oversee the administration of the tax and make recommendations to the City Council.

**Source: City of South Lake Tahoe**

law, this office has determined to decline prosecution at this time."

The letter went on to say that any similar future violations would be prosecuted.

While Pierson is still the DA, he didn't respond to multiple calls.

All Assistant District Attorney Lisette Suder said was, "As to the facts or evidence of what constitutes a violation of voter registration, we would have to see the police reports and evaluate the facts of the particular case."

Changes in local voter registration numbers might be relevant six months from now.

Linda Webster, El Dorado County assistant registrar of voters, said, "We are not an enforcement agency. When you sign to register to vote you do so under penalty of perjury that this is your residence or domicile. That is a legal document they are signing."

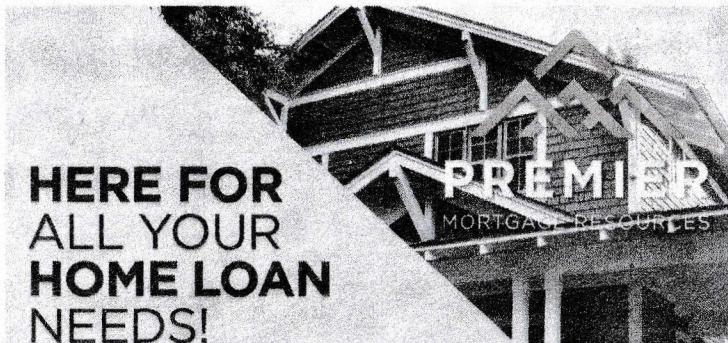
Blankenship is South Lake Tahoe's elections official—not the county. She has received inquiries about second homeowners wanting to vote in South Lake Tahoe.

"It is not up to me to contact people who have changed their voter registration address," Blankenship said when questioned about whether she tells people

to change residence in order to vote in the area of their second home?"

The SOS emailed her saying: "The address you include in your

person may have more than one residence."



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