

ELECTIONEERING ON ELECTION DAY

No person, on election day, shall, within 100 feet of a polling place:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his ballot.
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his qualifications except as provided in Section 14240. No person other than the precinct board or election official may challenge or question any voter on his/her qualifications.
- (d) Do any electioneering.

As used in this section "100 feet of a polling place" shall mean a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor and, if intimidation is used, a felony. (Elections Code Sec. 18370, 18541) Any person who conspires to violate Section 18543 (challenging without probable cause) is guilty of a felony.

Section 18403 of the Elections Code provides that any person other than an elections official or a precinct board member who receives a voted ballot from a voter or who examines or solicits the voter to show his or her voted ballot is punishable by 1) a fine not exceeding ten thousand dollars (\$10,000) 2) state imprisonment for 16 months or two or three years 3) county jail term not exceeding one year or 4) both the fine and imprisonment. This section shall not apply to persons returning an vote by mail ballot or persons assisting a voter as provided by law.

Section 18540 provides that every person who hires or arranges for any other person to make use of or threaten to make use of any force, violence, or tactic of coercion or intimidation to induce or compel any other person to vote or refrain from voting for any particular person or measure or because any person voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by state imprisonment for 16 months or two or three years.

Section 18544 provides that any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel, who is stationed in the immediate vicinity of, or posted at a polling place without written authorization of the appropriate city or county elections official is punishable by 1) a fine not exceeding ten thousand dollars (\$10,000) 2) state imprisonment for 16 months or two or three years 3) county jail term not exceeding one year or 4) both the fine and imprisonment.