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Elections Code § 18203 – Compiled August, 2010

Our review of the annotated history of this statute reveals the following legislative history (every “c.” below represents a separate legislative bill):

§ 18203: (5 bills)

Prior History:

- Former Political Code § 1213, added 1891, c. 130
- Former Elections Code § 3204, added 1939, c. 26
- Former Elections Code § 29303, added 1976, c. 1192
- Former Elections Code § 7104, added 1961, c. 23

Current: 1994, c. 920

Breakdown for § 18203:

In **1891**, former Political Code § 1213 was added to read as follows:

1213. No person shall falsely make or fraudulently deface or destroy any certificate of nomination, or any part thereof, or file any certificate of nomination, knowing the same or any part thereof to be falsely made, or suppress any certificate of nomination which has been duly filed, or any part thereof, or to make, use, keep, or furnish to others, except as in this Code so directed, any paper watermark in imitation of ballot paper, or disclose the same to any person not engaged in making, printing, or distributing of ballot paper or ballots.

As added in **1939** when the first Elections Code was established in California, former Elections Code § 3204 simply read as follows: “A person shall not file any nomination paper, if he knows that it or any part of it has been falsely made.”

The 1939 Elections Code was repealed and a new Elections Code was enacted in **1961**, with the language of former Elections Code § 7104 reading as before: “A person shall not file a nomination paper if he knows that it or any part of it has been falsely made.”

In **1976**, former § 7104 was repealed and replaced with new Elections Code § 29303 in a non-codification effort to read as follows:

29303. Any person who files or submits for filing a nomination paper or declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding one thousand dollars (\$1,000) or by

imprisonment in the state prison for 16 months or two or three years or by both such fine and imprisonment.

The 1994 legislation was a massive recodification of the Elections Code. Under these circumstances, we rarely find any useful, section-specific discussion in the legislative history materials accompanying recodification bills.

Tracing Statutory Language:

- Research fees can be minimized by ordering only the bills that affected specific subdivisions or phrases of interest to you.
- Changes to statutes can sometimes be determined by the annotations provided by Deering's, Westlaw, and Lexis.
- **If annotations are not available**, one strategy is to look at each chaptered law noted above to observe the changes. **Another strategy** is to retain us to *trace* your language and report our findings back to you.

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