

Vice-Chair
Choi, Steven S.

Members
Allen, Benjamin
Cervantes, Sabrina
Umberg, Thomas J.

California State Senate

ELECTIONS AND CONSTITUTIONAL AMENDMENTS



SCOTT WIENER
CHAIR
AGENDA

Tuesday, April 7, 2026
9:30 a.m. -- 1021 O Street, Room 2100

Staff Director
Carrie Cornwell

Principal Consultant
Scott Matsumoto

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MEASURES HEARD IN FILE ORDER

- | | | | |
|----|-------------------|-------------------|---|
| 1. | SB 1175 | Rubio | Lobbyist registration and termination.(Urgency) |
| 2. | SB 1357 | Ochoa Bogh | Recall elections: notice of intention. |
| 3. | SB 1369 | Reyes | Recall petitions. |
| 4. | SB 1414 | Reyes | County of San Bernardino Citizens Redistricting Commission. |
| 5. | SB 1420 | Richardson | Vote by mail ballots and early voting.(Urgency) |
| 6. | SB 884 | Umberg | Elections in 2026, 2027, and 2028.(Urgency) |
| 7. | SB 970 | Cervantes | Military or overseas voters. |
| 8. | SB 1310 | Choi | Voter registration: prospective jurors. |

**SENATE COMMITTEE ON
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**
Senator Scott Wiener, Chair
2025 - 2026 Regular

Bill No: SB 1175 **Hearing Date:** 4/7/26
Author: Rubio
Version: 3/24/26
Urgency: Yes **Fiscal:** No
Consultant: Carrie Cornwell

Subject: Lobbyist registration and termination

DIGEST

This bill requires a lobbyist to file an amended lobbyist certification or a notice of lobbying termination directly with the Secretary of State (SOS), rather than with the lobbying firm or the lobbyist employer.

ANALYSIS

Existing law:

- 1) Requires lobbying firms and lobbyist employers to register with the SOS.
- 2) Requires each individual lobbyist to submit a lobbyist certification to the SOS. This certification shall include:
 - a) A recent photograph;
 - b) The full name, business address, and telephone number of the lobbyist;
 - c) A statement that the lobbyist understands the statutory gift limit; and
 - d) A statement that the lobbyist has or will complete an ethics course.
- 3) Requires, when any of the information in the lobbyist certification changes or if the lobbyist terminates all lobbying activity, the lobbyist to submit an amended certification or a notice of termination to the lobbying firm or lobbyist employer, who shall submit it to the SOS.

This bill requires the lobbyist to submit changes in certification or a notice of termination directly to the SOS.

BACKGROUND

Proposition 9, which appeared on the June 1974 ballot, created the California Political Reform Act (PRA) and established California's system of regulating lobbying activity, campaign finance, and conflicts of interest for public officials. Proposition 9 created the Fair Political Practices Commission (FPPC) to implement, administer, and enforce the PRA. The PRA regulates lobbyists, including requiring lobbyists to register with the SOS and file periodic reports disclosing their activities.

COMMENTS

- 1) Author's statement. Transparency and accountability are foundational to public trust, and this is especially true for California's lobbyist registration system. Current law requires lobbyists to submit registration amendments or termination notices to their lobbying employer or firm if there are any changes in their certification information. The lobbyist's employer or firm then files with the SOS.

This current lobbyist registration system can create significant delays and transparency issues when lobbyists change employers or need to update their registration. Because employers have 20 days to file certification changes with the state, and because lobbyists can only be registered with one employer or firm at a time, lobbyists may have to wait weeks for their former employer to file termination paperwork before they can register with a new employer. This delay can result in lobbyists filing late disclosure reports through no fault of their own, and the lobbyist's relationship with their new employer remaining undisclosed to the public.

This bill modernizes our lobbying disclosure system by requiring lobbyists to file terminations, employment changes, and registration amendments directly with the SOS, instead of going through their employer or firm. In doing so, it eliminates unnecessary delays, and ensures Californians have clear and timely information about who is advocating before their government.

- 2) Cal-Access and CARS. In 2000, the SOS deployed, pursuant to SB 49 (Karnette), Chapter 866, Statutes of 1997, the California Automated Lobby Activity and Campaign Contribution and Expenditure Search System, or Cal-Access. Cal-Access replaced the paper-based system and provides on-line filing of reports and statements required by the PRA. It also provides online access to these statements and reports for the public.

Cal-Access is now 26 years old, and the SOS reports that components of the system are no longer supported by its vendor. As a result, the system has periodically crashed and denied public access. Additionally, the SOS has indicated that its ability to make modifications to Cal-Access is very limited.

SB 1349 (Hertzberg), Chapter 845, Statutes of 2016, directed the SOS, in consultation with the FPPC, to replace Cal-Access with a new disclosure system, the Cal-Access Replacement System or CARS. The SOS expects to fully deploy CARS by the end of 2026.

- 3) Same code section twice? The PRA includes various sections that exist in two different versions with the same code section number. The existence of multiple versions of the code with the same code section number reflects a technical mechanism to allow certain changes to state law to go into effect when CARS is deployed.

In anticipation of the deployment of CARS, SB 1239 (Hertzberg), Chapter 662, Statutes of 2018, made numerous substantive and technical changes to provisions of the PRA governing the filing of campaign and lobbying reports. Because CARS was in development at the time, SB 1239 made changes to campaign and lobbying

disclosure rules that were incorporated into the design of CARS but specified those changes would not go into effect until the SOS certified that CARS was functional and met the requirements of state law. As a result, various provisions of the PRA exist in two different versions: one version is operative now, and a second version becoming operative when the SOS certifies that CARS meets specified requirements of state law (at which point, the currently operative version of the section will become inoperative). As a result, this bill amends both the versions of Government Code Section 86107.

- 4) Urgency. Should it become law, this bill needs to take effect immediately so the change it makes to lobbyist certification can be incorporated into CARS before it is completed this fall. Without the urgency clause, the system would be built under outdated statutory requirements and require costly retrofitting after the launch.
- 5) Arguments in support. Writing as the sponsor of the bill, the SOS states that by “making this change, greater responsibility is placed directly on lobbyists for maintaining accurate registration status, allowing government efficiency and transparency to be upheld in the process for the public.”

POSITIONS

Sponsor: California Secretary of State Shirley N. Weber, Ph.D.

Support: Fair Political Practices Commission

Oppose: None received.

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**SENATE COMMITTEE ON
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**
Senator Scott Wiener, Chair
2025 - 2026 Regular

Bill No:	SB 1357	Hearing Date:	4/7/26
Author:	Ochoa Bogh		
Version:	2/20/26		
Urgency:	No	Fiscal:	Yes
Consultant:	Carrie Cornwell		

Subject: Recall elections: notice of intention

DIGEST

This bill excludes the signatures and street addresses of the recall proponents from a published notice of intention to recall a state or local elected official and also adds a declaration to ensure signers understand that they may not withdraw their signatures from this notice.

ANALYSIS

Existing law:

- 1) Declares in the California Constitution that “recall is the power of the electors to remove an elective officer.”
- 2) Provides that to initiate a recall, a notice of intention to circulate a petition to recall an elected official must be served, filed, and published. The notice of intention includes:
 - a) Name and title of the officer sought to be recalled;
 - b) Statement of the reasons for the recall that does not exceed 200 words; and
 - c) Printed name, signature, and residence address of each proponent of the recall, which could be as few as 30 individuals.
- 3) Requires that the notice of intention be:
 - a) Served on the officer sought to be recalled;
 - b) Filed with the local elections official or the Secretary of State (SOS), as appropriate; and
 - c) Published in a newspaper that meets specified requirements to be a “newspaper of general circulation.” In cases where there is no such newspaper, the notice of intention must be posted in three locations in the jurisdiction of the official to be recalled.
- 4) Prescribes the processes for qualifying a recall to appear on a ballot and for scheduling the election resulting when a recall qualifies. Separate processes exist for state and local officials.

This bill:

- 1) Excludes the signatures, street numbers, and street names from the notice of intention when it is published in a newspaper or posted in three locations.
- 2) Requires that the SOS or local election officials redact the signatures, street numbers, and street names from the notice of intention before making the notice of intention public pursuant to public records request.
- 3) Requires that if no newspaper of general circulation exists that in addition to three physical postings, the notice of intention be posted on three internet websites, including that of the jurisdiction.
- 4) Specifies that a notice of intention shall include a declaration in which the recall proponents confirm they understand the following:
 - a) They are signing to initiate a recall petition process;
 - b) The notice of intention is not the recall petition;
 - c) The information on the notice of intention is a public record that will be published and made available to the public upon request; and
 - d) A signer cannot withdraw their information from the notice of intention.

COMMENTS

- 1) Author's Statement. The recall is a popular tool of electoral accountability that has been used by California's voters for more than a century. In this era of digital technology, it is critical we take steps to safeguard the personal information of voters who choose to engage in the electoral process. It is also important to add information to the Notice of Intention to Recall to ensure that proponents understand the notice of intention is only used to trigger the petition process but is not a recall petition and no provision exists to withdraw one's signature from the notice of intention.
- 2) Number of Recalls. Since the addition of recall provisions in the California Constitution in 1911, only 11 recall elections against state officials have occurred, most recently in 2021 with the effort to recall Governor Gavin Newsom. Of the 11, six were successful.

The recall is more commonly used at the local level. According to data from the California Election Data Archive, a joint project of the Center for California Studies at the California State University, Sacramento, and the SOS' office, 381 local recall elections occurred in California between 1995 and 2024, or an average of 13 per year. Most local recall efforts that qualify for the ballot are generally successful.

- 3) Double referral. Should this bill pass this committee, it will next be heard in the Committee on Judiciary.

RELATED/PRIOR LEGISLATION

SB 270 (Ochoa Bogh) of 2025 would have excluded the signatures and street addresses of the recall proponents from a published notice of intention to recall a state or local elected official. The bill was held under submission in the Senate Committee on Appropriations.

SB 1293 (Ochoa Bogh) of 2024 would have required that a published notice of intention to recall a state or local elected officer to omit the proponents' signatures, street numbers, and street names of their residence addresses. The bill was held under submission in the Senate Committee on Appropriations.

POSITIONS

Sponsor: Author

Support: California Association of Clerks and Election Officials

Oppose: None received

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the minimum. The maximum time for signature gathering is 160 days for jurisdictions of 50,000 or more registered voters.

This bill:

- 1) Requires those who are being paid to gather signatures on a state or local initiative, referendum, or recall petition to tell each person, without being asked and before providing the petition, that they are being paid to circulate the petition.
- 2) Sets the signature gathering period for a recall petition for a superior court judge at 80 days, regardless of the number of voters in the electoral jurisdiction.

COMMENTS

- 1) Author's statement. California is one of eight states in the country that allows judges to be recalled. This system of checks and balances for judges is meant to be a tool of direct democracy allowing voters to hold corrupt judges accountable, but there is growing concern the recall process is increasingly being used in ways for which it was not intended, including to politically target judges based on unfavorable rulings.

Judges serve a unique role in our democracy. Unlike other elected officials, they are prohibited from campaigning or publicly defending their rulings. That ethical constraint protects impartiality, but it also makes judges uniquely vulnerable to politically motivated recall efforts. When recall efforts are driven by disagreement with case outcomes, rather than ethical misconduct, they raise serious concerns about attempts to influence judicial decision-making through political pressure instead of the established appellate process.

At the same time, gaps in our current recall process can leave voters without the information they need to make informed decisions. Individuals gathering signatures are not required to disclose that they are being paid, and recall petitions may lack sufficient accountability regarding the stated reasons for the recall. Recent recall campaigns targeting multiple sitting judges and the rise in threats and harassment surrounding judicial decisions highlight the need for reasonable safeguards.

This bill preserves the constitutional right of recall while strengthening transparency and accountability. It establishes a uniform 80-day signature-gathering period for superior court judges and requires paid circulators to disclose they are being compensated. Together, these measures ensure that judges can decide cases based on law and evidence, and not on fear of organized political retaliation.

- 2) Arguments in Support. The California Judges Association writing in support of this bill notes that judicial recall petitions are exceedingly uncommon and asserts that this reflects the long-standing recognition that the judiciary plays a distinct constitutional role. The Judges Association additionally points out that:

...complaints about judicial actions are referred to and heard by the Commission on Judicial Performance, which holds judicial officers accountable for their actions and has the authority to discipline or remove them. This is unlike any other elected official in California. Maintaining appropriate safeguards in the

recall process helps ensure that judges are able to make decisions based solely on the law and the facts presented in each case, without fear that routine or unpopular rulings will trigger politically motivated recall campaigns.

- 3) Arguments in Opposition. The California Chamber of Commerce, Family Business Association of California, and the Greater High Desert Chamber of Commerce oppose this bill because the bill's "oral disclosure requirement is unnecessary, duplicative, and fraught with practical and constitutional concerns." Specifically, they note:

Requiring an oral disclosure before every single interaction imposes a substantial logistical burden on petition circulators. Petition gathering is inherently fast-paced and dependent on brief, momentary interactions (often occurring in crowded public spaces where circulators have only seconds to engage a passerby). Mandating a verbal script before each engagement slows the process, reduces efficiency, and increases costs. In high-traffic public settings, where circulators may engage hundreds of individuals in a short period, this requirement would substantially diminish productivity and undermine the viability of lawful petition efforts.

The opponents further raise constitutional concerns, noting that petition circulation is core political speech protected by the First Amendment. They point out that courts have recognized burdens on petition circulation, which reduce the size of the audience proponents can reach, as restrictions on political expression.

- 4) Double referral. Should this bill pass this committee, it will be referred to the Committee on Public Safety. As recent amendments deleted the provisions related to penalty of perjury, it is unlikely the Committee on Public Safety will hear the bill.

POSITIONS

Sponsor: California and Hawaii Chapters of the American Board of Trial Advocates

Support: American Board of Trial Advocates
 Association of Defense Counsel of Northern California and Nevada
 Association of Southern California Defense Counsel
 California Defense Counsel
 California Judges Association
 Consumer Attorneys of California
 San Bernardino – Riverside Chapter of the American Board of Trial Advocates

Oppose: California Chamber of Commerce
 Family Business Association of California
 Greater High Desert Chamber of Commerce

- 4) Establishes redistricting commissions in Fresno, Kern, Los Angeles, Merced, Orange, Riverside, Sacramento, San Diego, and San Luis Obispo counties, and tasks each commission with adjusting districts of supervisorial districts after each decennial federal census.

This bill:

- 1) Establishes a 14-member CRCCSB and tasks it with adjusting the boundary lines of the supervisorial districts in San Bernardino County following each federal decennial census.
- 2) Provides that the political party preferences of the CRCCSB members, as shown on the members' most recent affidavits of registration, must be as proportional as possible to the total number of voters who are registered with each political party in San Bernardino County, or who decline to state or do not indicate a party preference, as determined by registration at the most recent statewide election. The political party or no party preferences of the CRCCSB members are not required to be exactly the same as the proportion of political party and no party preferences among the registered voters of the county. At least one CRCCSB member must reside in each of the five existing supervisorial districts.
- 3) Prescribes specific qualifications to serve on the CRCCSB, requirements while serving on the CRCCSB, and prohibitions following service on the CRCCSB.
- 4) Provides that interested individuals may submit an application to the county elections official to be considered for membership on the CRCCSB. The county elections official reviews the applications and eliminates applicants who do not meet the specific qualifications of commissioners.
- 5) Provides, from the pool of qualified applicants, the county elections official shall select up to 60 qualified applicants. The county elections official is required to publicize the names of the applicants for at least 30 days. The county elections official may eliminate any of the selected applicants if the official becomes aware that the applicant does not meet the qualifications to be a commissioner.
- 6) Provides that after the time period when the names of the qualified applicants are made public, the county elections official must create a subpool for each of the five existing supervisorial districts. The San Bernardino County Auditor-Controller is required to conduct a random drawing to select one commissioner from each of the five subpools established by the county elections official at a regularly scheduled meeting of the San Bernardino County Board of Supervisors. Following this random drawing, the Auditor-Controller randomly selects three additional commissioners from all of the remaining applicants. The eight commissioners selected review the remaining applicants and appoints six additional members to the CRCCSB.
- 7) Provides that nine CRCCSB members constitutes a quorum and at least nine affirmative votes are required for any official action.
- 8) Provides a process to remove a commissioner for substantial neglect of duty, gross misconduct in office, causing the CRCCSB to be unable to discharge its duties with

nine affirmative votes, or not meeting or no longer meeting the requirements to serve on the CRCCSB. A majority vote of the CRCCSM is required to remove a commissioner and the commissioner subject to removal must not vote on their own removal.

- 9) Requires various outreach and meeting requirements before the drafting of a map and following the creation of a draft map for the supervisorial districts.
- 10) Requires the San Bernardino County Board of Supervisors to take all steps necessary to ensure that a complete and accurate computerized database is available for redistricting, and that procedures are in place to provide to the public ready access to redistricting data and computer software equivalent to what is available to the CRCCSB members.
- 11) Requires the CRCCSB to adopt a redistricting plan adjusting the boundaries of the supervisorial districts and file the plan with the county elections official no later than 204 days before San Bernardino County's next regularly scheduled election occurring after January 1 in each year ending in the number two.
- 12) Subjects the plan to referendum in the same manner as ordinances.
- 13) Requires the CRCCSB to issue, with the final map, a report that explains the basis on which the CRCCSB made its decisions in achieving compliance with the criteria prescribed by this bill.

BACKGROUND

California Citizens Redistricting Commission. In 2008, voters approved Proposition 11, creating the California Citizens Redistricting Commission (CCRC), and gave it the responsibility for establishing district lines for the Assembly, Senate, and Board of Equalization. In 2010, the voters approved Proposition 20 and gave the CCRC the responsibility for establishing lines for California's districts for the United States House of Representatives. The CCRC consists of 14 registered voters, including five Democrats, five Republicans, and four who have a party preference different than the two largest political parties, all of whom are chosen according to procedures specified in Proposition 11.

Local Redistricting. Prior to 2017, counties and general law cities were able to create advisory redistricting commissions, but were not able to create independent commissions with the authority to establish district boundaries. Instead, the governing body of that jurisdiction generally had the authority to establish district boundaries. Charter cities are able to establish independent redistricting commissions that have the authority to establish district boundaries because the California Constitution gives charter cities broad authority over the conduct of city elections and over the manner for which municipal officers are elected. As a result, a number of California charter cities established redistricting commissions to adjust city council districts following each decennial census. Counties and general law cities did not have this authority in the absence of express statutory authorization.

Legislative Authority for County Redistricting Commissions. The Legislature has created independent redistricting commissions for nine counties: Fresno, Kern, Los Angeles, Merced, Orange, Riverside, Sacramento, San Diego, and San Luis Obispo.

The Legislature also authorized, but did not require, counties and general law cities to establish redistricting commissions. SB 1108 (Allen), Chapter 784, Statutes of 2016, authorized two different types of commissions: independent commissions and advisory commissions. SB 1108 generally provided cities and counties with the discretion to determine the structure and membership of an advisory or independent redistricting commission.

While SB 1108 imposed few restrictions and requirements on advisory commissions, it did subject members of independent commissions to extensive eligibility requirements and post-service restrictions. Subsequently, SB 1018 (Allen), Chapter 462, Statutes of 2018, allowed for a third type of redistricting commission: hybrid redistricting commissions.

Redistricting in San Bernardino County. In 2021, the San Bernardino County Board of Supervisors redrew its supervisorial district lines using data from the 2020 federal decennial census. To assist with San Bernardino County's redistricting process, the county used an advisory redistricting commission. This commission conducted 16 public meetings in multiple locations throughout San Bernardino County. The commission publicly examined and discussed five proposed supervisorial district maps submitted by the public, one map created by a commission member, three maps created at the direction of the advisory commission, and an updated map from 2011 with the 2020 Census information. The commission referred three maps for recommendation to the Board of Supervisors. The Board of Supervisors made some modifications to the draft maps and adopted one of those maps at a meeting on December 14, 2021.

COMMENTS

- 1) Author's Statement. This bill requires the establishment of an independent redistricting commission in the County of San Bernardino. This will create fair and equitable supervisorial maps for our community.

Under current law, county boards of supervisors adjust district boundaries following each census. Several large California counties have already adopted independent commissions to oversee this process. This bill would bring San Bernardino County in line with these best practices by shifting redistricting authority to an independent, community-focused body.

San Bernardino County is one of the most diverse and fastest-growing regions in California, and our communities deserve a redistricting process that is fair, transparent, and rooted in the voices of residents, not politics. This measure will help ensure that every neighborhood has an equitable opportunity to be represented and that our district lines reflect the people who live here. An independent commission builds trust in our elections and strengthens our democracy for the long term.

- 2) Political Party Preferences. If chaptered, the CRCCSB makeup will be required, as shown on the members' most recent affidavits of registration, to be as proportional as possible to the total number of voters who are registered with each political party preference in San Bernardino County, as determined by registration at the most recent statewide election. According to the December 30, 2025, Report of Registration, the Secretary of State reported the following for San Bernardino County:

Party Preference	Registered Voters (Total: 1,240,216)
Democratic	479,731 (38.68%)
Republican	380,989 (30.72%)
American Independent	61,871 (4.99%)
Green	5,212 (0.42%)
Libertarian	13,388 (1.08%)
Peace and Freedom	10,486 (0.85%)
Unknown	2,925 (0.24%)
Other	13,111 (1.06%)
No Party Preference	272,503 (21.97%)

If the December 30, 2025, Report of Registration is used to calculate the potential party preference composition of the CRCCSB, Democrats would have 5 or 6 members, Republicans would have 4 or 5 members, No Party Preference voters would have 3 or 4 members, and each of the remaining party preferences (American Independent, Green, Libertarian, and Peace and Freedom) would have 0 or 1 member.

- 3) Suggested Amendment. This bill creates a process to remove a commissioner. The commissioner subject to removal is unable to vote on their own removal and would be removed if a majority, eight votes, of the CRCCSB agreed with the removal of that commissioner. The bill requires nine members to establish quorum and nine votes for any official action. The committee, therefore, recommends the bill be amended to change the number of votes required to remove a commissioner from a majority to nine votes to align the vote requirement with any other official action.
- 4) Double Referral. If approved by this committee, this bill will be referred to the Committee on Local Government for further consideration.

RELATED/PRIOR LEGISLATION

SB 1441 (Soria), Chapter 730, Statutes of 2025, created a Citizens Redistricting Commission in Merced County.

SB 977 (Laird), Chapter 450, Statutes of 2024, created a Citizens Redistricting Commission in San Luis Obispo County.

AB 1248 (Bryan) of 2023 would have required a county or city with more than 300,000 residents, or a school district or community college district with more than 500,000 residents, to establish an independent redistricting commission to adopt district

boundaries after each federal decennial census. AB 1248 was vetoed by Governor Newsom who raised fiscal concerns with the measure.

SB 52 (Durazo) of 2023 would have required an independent redistricting commission for charter cities with a population of at least 2,500,000 people to adjust the district boundaries for the city council. SB 52 was vetoed by Governor Newsom. Governor Newsom's veto message stated the following: "While I agree with the goal of the author's proposal, this bill is contingent on the enactment of Assembly Bill 1248, which I have vetoed."

SB 314 (Ashby), Chapter 389, Statutes of 2023, created a Citizens Redistricting Commission in Sacramento County.

AB 34 (Valencia), Chapter 315, Statutes of 2023, created a Citizens Redistricting Commission in the Orange County.

AB 1307 (Cervantes), Chapter 403, Statutes of 2022, created a Citizens Redistricting Commission in Riverside County.

AB 2030 (Arambula), Chapter 407, Statutes of 2022, created a Citizens Redistricting Commission in Fresno County.

AB 2494 (Salas), Chapter 411, Statutes of 2022, created a Citizens Redistricting Commission in Kern County.

SB 139 (Allen) of 2019 would have required a county with a population of 400,000 or more to establish an independent redistricting commission to adopt the county supervisorial districts after each federal decennial census. SB 139 was vetoed by the Governor who noted that the proposal be considered in the annual budget process.

SB 1018 (Allen), Chapter 462, Statutes of 2018, extended the authority to adopt redistricting commissions to school districts, community college districts, and special districts, relaxed some requirements for members of independent commissions, and allowed for hybrid commissions.

AB 801 (Weber), Chapter 711, Statutes of 2017, revised the membership of the County of San Diego's Citizens Redistricting Commission to a 14-member commission charged with adjusting the boundary lines of the districts of the Board of Supervisors.

SB 958 (Lara), Chapter 781, Statutes of 2016, established an independent Citizens Redistricting Commission in the County of Los Angeles to adjust the boundary lines of the districts of the county's Board of Supervisors.

SB 1108 (Allen), Chapter 784, Statutes of 2016, authorized a county or a general law city to establish a redistricting commission.

POSITIONS

Sponsors: California Common Cause

Inland Empire United
League of Women Voters of California

Support: Courage California
Inland Coalition for Immigrant Justice
Inland Equity Community Land Trust
Starting Over Inc.
Starting Over Strong
Nine individuals

Oppose: None received

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**SENATE COMMITTEE ON
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**
Senator Scott Wiener, Chair
2025 - 2026 Regular

Bill No: SB 1420 **Hearing Date:** 4/7/26
Author: Richardson
Version: 3/26/26
Urgency: Yes **Fiscal:** Yes
Consultant: Scott Matsumoto

Subject: Vote by mail ballots and early voting

DIGEST

This bill requires the Secretary of State (SOS) to promulgate regulations and provide information in the state voter information guide (VIG) about early in-person voting opportunities and voting vote by mail (VBM) ballots at voting locations.

ANALYSIS

Existing law:

- 1) Requires every active registered voter to receive a VBM ballot for any election. Election officials must begin mailing a VBM ballot no later than 29 days before Election Day.
- 2) Authorizes any county, pursuant to the Voter's Choice Act (VCA), to conduct elections where polling locations, called vote centers, and ballot drop-off locations are available prior to and on Election Day.
- 3) Requires non-VCA counties to provide at least one early voting location on the Saturday before Election Day.
- 4) Permits a voter to vote their VBM ballot, without the identification envelope, in person if the polling location has real-time access to the county's election management system, verifies the voter has not returned their VBM ballot, changes the status of the voter to an in-person voter, and the voter provides their name, their address, and signs the roster for the voting location. The county elections official must establish procedures to ensure that a voter who casts a ballot does not submit more than one VBM ballot without the identification envelope, and the precinct board or vote center election board must comply with those procedures.
- 5) Requires the state VIG to provide voters with information about an upcoming statewide election, such as information regarding each state ballot measure, specified candidate information, and the rights of voters.

This bill:

- 1) Requires the SOS to promulgate regulations setting procedures for election officials to follow and implement voter education and outreach initiatives that provide the public with information about the processes by which a voter may vote their VBM ballot in-person at a voting location and in-person voting opportunities on the Saturday before Election Day. These regulations must be posted online.
- 2) Require the state VIG to include information about in-person voting opportunities on the Saturday before Election Day and the process by which a voter may vote their VBM ballot in person at a voting location.
- 3) Contains an urgency clause to take effect immediately.

BACKGROUND

Vote by Mail Usage in California. Californians have increasingly relied on VBM ballots to cast a vote. According to the SOS' office, the 1962 general election saw 2.63% of California voters vote by mail. For the 2024 presidential general election, 80.76% of California voters voted by mail. For the 2025 statewide special election, 88.89% of California voters voted by mail. This increase in mail voting over the past 60 years is a result of many factors ranging from legislation expanding access to VBM ballots, paid postage on return envelopes, and additional elected offices resulting in longer, sometimes more complicated, and time-consuming ballots.

Assembly Bill 626 (Pellerin). AB 626 (Pellerin), Chapter 661, Statutes of 2023, responded to the high volume of VBM ballots arriving in the final days before an election and the desire to have faster election results. AB 626 allowed voters to vote their VBM ballot at a polling location if the poll worker has the ability to determine the voter has not already submitted a VBM ballot and changes the voter from a VBM voter to an in-person voter. If the voter has not already voted, then the voter is able to use their VBM ballot to vote at the polling location after providing their name, their address, and signing the roster.

Placer County, a VCA county, provides this service at all its vote centers. Known as "Sign, Scan, and Go," the service was offered during the statewide elections in 2024. The process allowed voters who drop off their VBM ballots at vote centers to have them scanned and counted at the voting location instead of having to wait until after the VBM ballot has been transported to the main election processing site for signature verification and ballot processing. This resulted in Placer County lowering its processing time by about three or four days in 2024 compared to previous elections. According to the Placer County Registrar of Voters, in 2025, the processing time was similar to the elections in 2024.

COMMENTS

Author's Statement. The long delays in calling the results of elections in California leave candidates and voters unsure of important outcomes and open our state up to bad-faith attacks by election deniers. Recent legislation has created several new voting options that will help speed up how long it takes to process ballots. With the adoption of

accepting mail-in ballots at physical voting locations, as implemented by AB 626, in Placer County processing time improved by three to four days, but widespread adoption of new voting options remains slow and fragmented across California. By increasing voters' knowledge and creating statewide guidelines to address implementation and security, California can quickly expand its use of these methods and better address the long delays that surround our elections.

RELATED/PRIOR LEGISLATION

AB 626 (Pellerin), Chapter 661, Statutes of 2023, allowed voters to vote their VBM ballot at a polling location if the poll worker has the ability to determine if the voter has already submitted a VBM ballot and changes the voter from a VBM voter to an in-person voter.

SB 1249 (Wilson), Chapter 296, Statutes of 2025, allowed voters to vote their VBM ballot at the county elections office or at a satellite location prior to the close of the polls on Election Day. The bill also required counties who do not conduct their elections pursuant to the VCA to provide at least one early voting location on the Saturday before Election Day.

POSITIONS

Sponsor: California Voter Foundation
Protect Democracy United

Support: Campaign Legal Center
CPCA Advocates
Human Rights First
League of Women Voters of California
NAACP California-Hawaii State Conference
NextGen California
Verified Voting

Oppose: Five individuals

-- END --

- 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 the voter's ballot.
 - c) Place a sign relating to voters' qualifications or speak to a voter on the subject of the voter's qualifications except as provided in existing law.
 - d) Display a candidate's name, likeness, or logo.
 - e) Display a ballot measure's number, title, subject, or logo.
 - f) Wear or use buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information.
 - g) Disseminate audible electioneering information.
 - h) Obstruct access to, loiter near, or disseminate visible or audible electioneering information at VBM ballot drop boxes.
- 7) Prohibits a candidate or representative of a candidate, and a proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, from soliciting the vote of a VBM voter, or from doing any electioneering, while in the residence or in the immediate presence of the voter, and during the time the person knows the VBM voter is voting.
- 8) Provides that any person in violation of 6) and 7) is guilty of a misdemeanor.
- 9) Requires the polls to remain open if there are voters in the polling location, or in line at the door, who have not been able to cast their vote. If the time for closing the polls is extended pursuant to a court order, all votes cast during the time that the polling location is extended must be by provisional ballot. Any provisional ballots cast must be separated and held apart from other provisional ballots cast by voters prior to the time the closing of the polls was extended.

This bill:

- 1) Provides for any election in 2026, 2027, or 2028, except for the June 2, 2026, statewide primary election, the following:
 - a) At least two VBM ballot drop-off locations within the county or at least one VBM drop-off location for every 11,250 registered voters, whichever results in more VBM drop-off locations. A county with fewer than 11,250 registered voters must provide at least one VBM drop-off location.
 - b) All VBM drop-off locations must be open, at a minimum, during regular business hours beginning not less than 30 days before Election Day and continuing through and including Election Day.

- c) A VBM ballot is timely cast if it is received by the voter's elections official via USPS or a bona fide private mail delivery company no later than 10 days after Election Day if either the ballot is postmarked or timestamped on or before Election Day or, if postmarking information is not available, the ballot is date stamped by the elections official on or before Election Day.
 - d) A prohibition for federal, state, or local law enforcement officers from arresting any person within 200 feet of a polling location on Election Day, except for crimes related to disrupting the operation of the polling location.
 - e) An extension of the electioneering prohibition from 100 feet to 200 feet from either the entrance of a building that contains a polling place, an elections official's office, or a satellite location or any outdoor site at which a voter may cast or drop off a ballot.
 - f) The allowance of a county elections official to extend the time for closing of a polling location if the county elections official determines that voting was disrupted by the enforcement of federal immigration laws or electioneering. All votes cast during any extension of polling place hours must be by provisional ballots.
- 2) Provides the provisions of this bill remain in effect until January 1, 2030.
- 3) Contains an urgency clause to take effect immediately.

BACKGROUND

Vote by Mail Drop-off Locations. For the November 5, 2024, presidential general election, counties conducted elections using one of three models: vote centers, polling places, or all-mail. Each election model provides a different set of services for voters. For VBM ballots drop-off locations, counties using the vote center model needed to provide at least two VBM ballot drop-off locations or one VBM ballot drop-off location for every 15,000 registered voters, whichever results in more locations. For counties using the polling place or all-mail model, at least two VBM ballot drop-off locations or one VBM ballot drop-off location for every 30,000 registered voters, whichever results in more locations. All VBM ballot drop-off locations needed to be open 28 days prior to and through Election Day.

According to data from the Secretary of State's office, 29 counties used the vote center model, 25 counties used the polling place model, and four counties used the all-mail model. In total, there were 1,968 VBM drop-off locations throughout California.

This bill would modify the minimum threshold used for determining the number of VBM drop-off locations to at least two VBM ballot drop-off locations within the county or at least one VBM drop-off location for every 11,250 registered voters, whichever results in more VBM drop-off locations. This would result in an increase in the number of VBM ballot drop-off locations throughout the state.

Vote By Mail Statistics. Californians have increasingly relied on VBM ballots to cast a vote. According to the Secretary of State's office, the 1962 general election saw 2.63%

of California voters vote by mail. For the 2024 presidential general election, 80.76% of California voters voted by mail. For the 2025 statewide special election, 88.89% of California voters voted by mail.

Vote By Mail Ballot Rejections. A number of VBM ballots are rejected at every election for various reasons. A rejected ballot is a ballot not counted because of a missing signature, a noncomparing signature, the ballot was missing from the envelope, multiple ballots were returned in one envelope, the ballot was not received on time, the voter already voted, or there is a missing or incorrect address on the envelope. A ballot can also be rejected if a voter did not provide their driver's license number, identification card number, or last four digits of their social security number when registering to vote and did not provide a form of identification when voting for the first time. For the 2024 presidential general election, 33,016 ballots of the 122,480 total number of rejected ballots were rejected because the VBM ballot was not received on time.

Electioneering. The earliest reference to a 100-foot electioneering prohibition dates back to at least 1891 where the Political Code stated, "No officer of election, nor any person, shall do any electioneering on election day within one hundred feet of any polling place." The Political Code (which later became the Elections Code) from 1891 also stated, "No person shall solicit a vote or speak to a voter on the subject of marking his ticket within one hundred feet of the polling place." It should be noted that where the 100-foot prohibition is measured from has changed over time, but the actual number, 100 feet, has remained generally the same with some exceptions.

SB 35 (Umberg and McGuire), Chapter 318, Statutes of 2021, among other provisions, modified the distance prohibiting electioneering and other prescribed political activities to within the 100 feet from the entrance of a building that contains a polling location, an elections official's office, a satellite location, or from an outdoor voting area where a voter may cast their ballot or drop off a ballot. Prior to the bill, the electioneering prohibition zone extended from the room instead of the building.

Federal Interference in California's Elections. In 2025, SB 851 (Cervantes), Chapter 238, Statutes of 2025, sought to address potential federal inference in California's elections. Among the provisions of the bill, it expanded the prohibition for a person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling location to include an officer or agent of a federal law enforcement agency, unless certain conditions are met. The author sought to "ensure that federal agents are treated the same way as state and local law enforcement so that it is a crime to hire or arrange for law enforcement to be posted at or near a voting location or county registrar's office without authorization."

COMMENTS

- 1) Author's Statement. California has both the constitutional right and responsibility to run our own safe and secure elections, and the state intend to do exactly that. In the interest of protecting this fundamental right and ensuring voters feel safe participating in our democracy, no law enforcement presence, including state or local, should be permitted near voting areas unless necessary to address an

imminent threat of bodily harm. This bill will protect our voters, defend local control, and uphold our democracy regardless of whether the federal government chooses to respect those principles.

- 2) Election Administration. If chaptered, this bill would take effect immediately. Election officials will have a limited amount of time and resources to purchase new equipment (i.e. VBM ballot drop-off boxes), secure locations for this new equipment as well as securing new early voting sites, and find election workers to collect ballots at these additional VBM drop-off locations. In order to implement many of the provisions of this bill, it will require an extensive amount of time and coordination. Following an election, including after this bill sunsets in 2030, election officials will need to ensure the security and maintenance of fixed VBM ballot drop-off boxes and have the necessary storage space for nonfixed VBM ballot drop-off boxes.
- 3) Postmarks and Delivery. This bill extends the VBM ballot receipt deadline from seven to 10 days after Election Day if it was postmarked by Election Day. If this modification is resulting from the potential postmarking delays with the United States Postal Service, extending the deadline to receive VBM ballots will not solve the postmark issue. The central issue is the act of timely postmarking a VBM ballot and not necessarily on the delivery of a VBM ballot to an elections official.
- 4) Crimes within 200 Feet of a Polling Place. This bill prohibits a federal, state, or local law enforcement officer from arresting any person within 200 feet of a polling place on Election Day, except for a crime related to disrupting the operation of the polling place. In other words, if a crime occurs near a polling place and does not disrupt with election administration on Election Day, the person committing the crime is not arrested. The distance from a polling place is also not linear and is more like a sphere that travels in any direction. If a polling location is located in a densely populated area and a crime is committed within the 200 foot zone, such as in the building next to the polling location, the person committing the crime would not be arrested.

The committee should consider whether this provision should be narrowed, if the actual distance should remain to be 200 feet from a polling place, if it should be only on Election Day, and if it should apply to the entrance of the building of a polling location or an outdoor site similar to electioneering prohibitions.

- 5) Any Election...Starting When – Suggested Amendment. This bill applies to any election held in 2026, 2027, and 2028, except for the June 2, 2026, statewide primary election. This includes any local election held during this time period. For example, according to the Secretary of State's website, there is a local special election scheduled in Marin County for August 25, 2026, and potentially the conclusion of a special election for Congressional District 1 on August 4, 2026. These contests would be conducted using the ratios and parameters established by this bill. The committee recommends that the bill be amended to commence with the November 3, 2026, statewide election.
- 6) Not 2029? This bill provides for elections in 2026, 2027, and 2028. The measure also has a sunset date of January 1, 2030. The author should consider whether the

provisions of this bill should apply to elections held in 2028, declared and/or held in 2029, or if the sunset date should be moved back to January 1, 2029.

- 7) Minor Amendment. The electioneering provisions reference Elections Code 3019.5, which focuses on a VBM ballot tracking system. The bill should be amended to reference Elections Code 319.5.
- 8) Argument in Support. In a letter supporting this bill, the California Federation of Labor Unions, AFL-CIO, states, in part, the following:

...growing concerns about possible election interference and voter intimidation in state elections threaten to undermine voter confidence and suppress turnout, particularly in immigrant and minority communities. SB 884 builds on existing protections by expanding the buffer zone around polling places and ballot processing sites to prohibit both electioneering and federal immigration enforcement within 200 feet of those locations... These reforms provide counties with needed flexibility and help to ensure that every eligible vote is counted.

SB 884 is a necessary step to preserve California's commitment to free, fair, and secure elections by ensuring that voters can cast their ballots without fear or intimidation.

- 9) Argument in Opposition. In a letter opposing this bill, the California Association of Clerks and Election Officials notes the increase in the number of VBM ballot drop-off locations "introduces further financial and administrative burdens, particularly in jurisdictions already challenged by staffing shortages, long routes for servicing drop boxes, or limited secure public facilities."

Other provisions in the bill also "raise significant concerns related to safety, clarity, and practical administration" and is as follows:

Expanding the electioneering boundary from 100 to 200 feet invites confusion and potential conflict while leaving unclear which entity would be responsible for enforcement. A 200-foot boundary will, in most cases, extend past the boundary of the property where a vote center is sited; requiring negotiation with surrounding property owners to post signs. The provisions restricting law-enforcement presence near voting locations may unintentionally compromise the ability of law enforcement to respond swiftly and appropriately to safety risks that would interfere with voting. Additionally, placing responsibility on county elections officials to make real-time judgments on extending polling hours during disruptions introduces uncertainty and risk for voters and election workers alike.

- 10) Double Referral. If approved by this committee, this bill will be referred to the Committee on Judiciary for further consideration.

RELATED/PRIOR LEGISLATION

AB 5 (Berman), Chapter 250, Statutes of 2025, required county election officials to report vote totals for all ballots, except specified types of ballots that require special processing, by the 13th day after the election. These exceptions included ballots

needing to be duplicated, VBM ballots forwarded from a county to county of origin, VBM ballots with an issue with the voter's signature, provisional ballots, ballots cast by a person who votes through conditional voter registration, and ballots received by an elections official after the fourth day following Election Day. The elections official may also file a notice of extension with the Secretary of State and include the reason for the extension.

SB 851 (Cervantes), Chapter 238, Statutes of 2025, among other provisions, expanded the prohibition for a person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling location to include an officer or agent of a federal law enforcement agency, unless certain conditions are met.

SB 35 (Umberg and McGuire), Chapter 318, Statutes of 2021, among other provisions, modified the distance prohibiting electioneering and other prescribed political activities to within the 100 feet from the entrance of a building that contains a polling location, an elections official's office, a satellite location, or from an outdoor voting area where a voter may cast their ballot or drop off a ballot.

POSITIONS

Sponsor: Author

Support: California Federation of Labor Unions, AFL-CIO
California School Employees Association, AFL-CIO
Disability Rights California
Latino Community Foundation
UnidosUS

Oppose: California Association of Clerks and Election Officials

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**SENATE COMMITTEE ON
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**
Senator Scott Wiener, Chair
2025 - 2026 Regular

Bill No: SB 970 **Hearing Date:** 4/7/26
Author: Cervantes
Version: 2/3/26
Urgency: No **Fiscal:** Yes
Consultant: Scott Matsumoto

Subject: Military or overseas voters

DIGEST

This bill requires the Secretary of State (SOS) to promulgate regulations to facilitate the secure return of ballots from military and overseas voters delivered through electronic transmission methods.

ANALYSIS

Existing law:

- 1) Requires every active registered voter to receive a vote by mail (VBM) ballot for any election.
- 2) Requires election officials to send a ballot not earlier than 60 days but not later than 45 days before an election to military and overseas voters.
- 3) Permits a military or overseas voter living outside of the United States, or who is called for military service within the United States on or after the seventh day prior to Election Day, to return their ballot by facsimile transmission. To be counted, the ballot must be returned no later than the closing of the polls on Election Day.

This bill requires the SOS to promulgate regulations to facilitate the secure return of ballots from military and overseas voters delivered through electronic transmission methods.

BACKGROUND

Existing Practices. For California elections, a military or overseas voter registers as a military or overseas voter and receives their ballot by mail, fax, or email, which must be sent beginning 60 days and no later than 45 days before Election Day. To return their ballot, a military or overseas voter who is living outside of the territorial limits of the United States or the District of Columbia, or is called for military service within the United States on or after the final date to apply for a VBM ballot, is permitted to return their ballot by fax or by mail. If a voter is faxing their ballot to their county elections official, an "Oath of Voter" form also is needed in order to waive the voter's right to a confidential vote.

Department of Defense Fax Service. When voting abroad, the Federal Voting Assistance Program (FVAP) provides assistance for service members, service members' families, and overseas citizens in voting in elections. Prior to 2025, as part of the program, the Department of Defense Fax Service was available for those voters who could not send their election materials directly to their elections official. A voter was able to use the FVAP Transmission Cover Sheet and fax the proper election materials to a specific number. If a voter needed to send election materials by fax to the elections official and did not have access to a fax machine, the voter was able to email their election materials to a specific email address and FVAP faxed the voter's election materials for the voter to the proper elections official.

On August 1, 2025, the FVAP discontinued their Department of Defense Fax Service. As a result, in California, a military or overseas voter must fax or mail their ballot directly to their elections official.

Risk Management for Electronic Ballot Return. In 2020, the Cybersecurity and Infrastructure Security Agency, the Election Assistance Commission, the Federal Bureau of Investigation, and the National Institute of Standards and Technology assessed the risks with electronic ballot delivery, marking, and return. The assessment noted that the electronic return of ballots "creates significant security risks to the confidentiality of ballot and voter data, integrity of the voted ballot, and availability of the system." The report also stated that because securing the electronic return of voted ballots, ensuring ballot integrity, and maintaining voter privacy is difficult, if not impossible, the use of electronic ballot return "should be limited to voters who have no other means to return their ballot and have it counted."

Other States. According to the National Conference of State Legislatures, 26 states, the District of Columbia, and the U.S. Virgin Islands permit a subset of voters to return ballots either by email or an online portal. This includes voters who are military and overseas voters, voters with disabilities, specific voters during a declared emergency, or voters living in a specific county. These states include Alabama, Arizona, Colorado, Delaware, Hawaii, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, Oregon, South Carolina, Utah, Washington, and West Virginia.

COMMENTS

- 1) Author's Statement. At the core of our democratic ideals is the idea that all lawfully registered Americans should be able to exercise their right to vote, regardless of whether they are currently residing in the U.S. or not. This is a very salient issue for overseas voters and voters who are currently deployed abroad as members of the U.S. Armed Forces. In 2025, the federal government announced that it was discontinuing the Department of Defense Fax Service through the FVAP, which allowed overseas voters and members of the Armed Forces to submit their ballot by fax. If the federal government will not do its part to ensure these voters have access to the franchise, then California must step in. This bill would allow the SOS to work with stakeholders to create a process to allow military and overseas voters to submit their ballots via an electronic system that balances security and our sacred right to vote.

- 2) Balancing Act. Access and security are two critical factors involved when examining voting systems that support an electronic return of ballots. If a voter is eligible to vote and is unable to vote, it creates an access issue for the voter attempting to participate in the democratic process. If a voting system or an electronic delivery system is not secure, it creates concerns about whether the voter's ballot is tabulated accurately and correctly and damages the confidence that an election is accurate, free, and fair. These factors have positive and negative attributes and should be weighed appropriately when attempting to find an ideal balance between access and security to ensure that a voter has the ability to cast a vote using a secure voting system wherever the voter is located.
- 3) Future Secretaries of State. This bill requires the SOS to promulgate regulations to facilitate the secure return of ballots from military and overseas voters delivered through electronic transmission methods. This gives the SOS and any future SOS wide-ranging regulatory authority that could make any type of electronic return of ballots easier or more difficult. The committee should consider whether providing the SOS with a mandate to create a regulatory structure for the electronic return of ballots of military and overseas voters is too broad of an approach, especially if future SOS' could facilitate changes to the initial regulations.
- 4) Argument in Support. In a letter sponsoring this bill, the California Association of Clerks and Election Officials states, in part, the following:

The decline of landlines and scarcity of fax machines has been a concern of county registrars and is why this has been a legislative priority for CACEO over the past four years. For military and overseas voters, excessive cost also acts as a barrier to voting on top of scarcity. The Council of State Governments Overseas Voting Initiative found that, regardless of access, the already minimal use of fax by military voters decreased from 2% in 2010 to 0.8% in 2018 (The History of Fax for UOCAVA Ballots. Council of State Governments, July 2022).

[...]

By working with the SOS to promulgate regulations for secure electronic return of ballots, this bill would play a critical role in protecting the franchise for all Californians living abroad, including our military service members and their families. Without this legislation, too many military and overseas voters would be vulnerable to disenfranchisement if left to rely solely on traditional mail service.

- 5) Argument in Opposition. In a letter opposing this bill, the Indivisible California Green Team states, in part, the following:

It is well known among election officials that voting systems should never be connected to the internet, precisely because of the above threats. Yet it is impossible to offer "electronic return" without connecting a vote server to the internet during the allowed days of voting. Such a server would be a bright target for attackers from our national rivals or for our own domestic partisans.

[...]

It should be noted that there are not and never have been any standards or regulations for any form of supposedly “secure” electronic ballot return anywhere in the U.S. No state has attempted it, nor has the Election Assistance Commission or National Institute of Standards and Technology. The reason is that it is just not possible to do it honestly. Some jurisdictions do allow various forms of electronic ballot return, but they do so primarily by contracting with vendors and simply certifying such systems on the authority of the SOS (or equivalent) without benefit of any standards.

RELATED/PRIOR LEGISLATION

SB 1480 (Glazer) of 2022 would have permitted the SOS to certify a remote accessible vote by mail system that allows a voter with a qualifying disability, as defined, to return their ballot electronically. The bill passed the Senate, but was not heard by the Assembly Committee on Elections.

POSITIONS

Sponsor: California Associations of Clerks and Election Officials

Support: California Narcotic Officers’ Association
California State Association of Counties
Riverside Sheriffs’ Association

Oppose: Brennan Center for Justice
California Voter Foundation
Free Speech for People
Indivisible California Green Team
Public Citizen
Verified Voting

-- END --

- k) Is currently required to register as a sex offender pursuant to Section 290 of the Penal Code based on a felony conviction.
- 4) Allows a jury commissioner to require a person to complete a questionnaire that asks questions related to, among other things, juror qualification, and permits this questionnaire to be used solely for qualifying prospective jurors and for management of the jury system.

This bill:

- 1) Requires a jury commissioner to provide notice to the Secretary of State (SOS) and the county elections official if the jury commissioner receives information on a juror affidavit attesting under penalty of perjury that the prospective juror is not qualified for jury service for a reason that would make them ineligible to vote.
- 2) Requires an elections official who receives the information in 1) to determine if the person is ineligible to vote and, if so, to invalidate the person's voter registration. The elections official must send a notice to the voter to confirm their eligibility to vote. If the voter does not respond to this notice within 15 days, then the elections official cancels the person's voter registration.
- 3) Requires an elections official to update the prospective juror's voter registration with their current address, when the elections official receives information from a jury commissioner indicating that a prospective juror's current residence address is in another California county.

COMMENTS

- 1) **Author's Statement.** Free and fair elections depend on accurate and reliable voter registration rolls. Currently, information provided during jury eligibility screening, often given under penalty of perjury, is not consistently shared with election officials even when it indicates a person may be ineligible to vote. This bill establishes a commonsense process to ensure that relevant information from jury records can be used to help keep voter rolls up to date. By improving coordination between courts, the Secretary of State, and election officials, this bill strengthens the integrity and public trust in California's elections. This bill uses existing information more effectively while maintaining appropriate safeguards.
- 2) **Voter Roll Maintenance.** On a regular basis, the SOS performs voter file maintenance. It receives monthly files from the California Department of Public Health of death notices, from the courts of conservatorships, and from the California Department of Corrections and Rehabilitation (CDCR) of incarcerations. In each of these cases, voters are provided a notice that their registration will be canceled in 15 days, unless the voter contacts their county registrar of voters with information showing that the death notice, conservatorship notice, or incarceration notice is incorrect. CDCR also informs the SOS of individuals released from incarceration and then the county registrars reach out to those individuals to let them know they are eligible to register to vote again. For changes of address, the SOS each month provides a copy of the entire California voter file to the California Employment Development Department (EDD), who compares it to information it receives from the

United States Postal Service called the National Change of Address (NCOA) list. The EDD sends the SOS a file showing matches between the voter file and the NCOA list. SOS shares these with the relevant county election officials. County election officials follow up directly with the voters who have changed addresses. For voters that have moved to a new address in California, county election officials update these voter registrations to the new addresses. For voters that have moved out of state, election officials begin the process of cancelling their voter registrations.

- 3) Jury Commissioner Duties. Jury commissioners, typically using some sort of software based jury management system, select a pool of potential jurors to report to court for a given time period, vet those potential jurors through a questionnaire, and then provide potential jurors to individual courts so that they may conduct trials. The job of a jury commissioner is focused solely on the administration of justice. Election officials are, among other duties, charged with maintaining voter rolls and collect information from various sources to do so, as described above. This bill makes the jury commissioner an additional source of information for election officials, but in doing so, this bill would put costs, duties, and burdens on the jury commissioner.
- 4) Support if Amended. The California Association of Clerks and Election Officials (CACEO) supports this bill if it is amended to include a 15-day timeframe for a voter to respond to a notice before the elections official cancels the voter registration. CACEO states it supports this legislation “because it improves information sharing that will facilitate updated voter files.” CACEO appreciates the bill’s aim to prevent ineligible voters from casting ballots but makes its support conditional on the addition of a timeframe. The author made this amendment to the bill on March 26th.
- 5) Arguments in Opposition. Opponents express concern that the information collected by jury commissioners does not correspond well to the eligibility to vote. As an example, Disability Rights California notes that conservatorship is always a basis for disqualification from jury service, but only a disqualification from voting when the judge in the conservatorship case finds that the conservatorship should result in a loss of voting for specified reasons. Opponents further note that sometimes individuals wishing to be excused from jury service may not answer truthfully in their juror questionnaire, which could under this bill result in a suspended voter registration. Finally, due to time lags, someone in the naturalization process could indicate that they are not a citizen but then have their voter registration suspended after they became a citizen.
- 6) Double Referral. Should this bill pass this committee, it will next be heard in the Committee on Judiciary.

RELATED/PRIOR LEGISLATION

SB 511 (Bates) of 2021, a similar bill, would have required each jury commissioner every six months to share information about potential jurors with their county elections official, who would use information received to cancel voter registrations where appropriate. This bill was set for hearing in this committee but never heard at the request of the author.

POSITIONS

Sponsor: County of Orange

Support: None received

Oppose: ACLU California Action
Disability Rights California
League of Women Voters of California

-- END --