CALIFORNIA DEMOCRATIC PARTY

MEMORANDUM

To: Interested Parties

From: Coby King, Esq., Promote and Protect the Vote (P2TV) & CDP Voter Protection Director.
Steven Kamp, Esq., P2TV *Preparing for Election Day Legal Manual* Principal Author, September 25, 2026

Re: California Democratic Party (CDP) Voter Protection Team (VPT) Program
November 3, 2026, General Election -- Primer on Voting and Election
CDP VPT Hotline: 877-321-VOTE (8683)

Updated 09.25.2026

Introduction

Since 1992, the California Democratic Party (CDP), through our Promote and Protect the Vote (P2TV) Program, has been protecting the rights of all voters and ensuring that every vote counts.

Since the 2020 election cycle, the CDP has worked to redevelop its' Statewide Voter Protection Hotline to make sure that voters have the proper information and to continue to protect the vote in all corners of the State.

This CDP Voter Protection Team Primer on the *November 3, 2026, General Election*, spearheaded by CDP P2TV *Preparing for Election Day Legal Manual* Principal Author Steven Kamp, Esq., includes a general overview and key points on voting and election for this election cycle, including all laws in effect on September 20, 2026, including multiple 2026 urgency bills that became effective when Governor Newsom signed them on September 19, 2026.

If voters encounter issues with voting, or if your County Central Committee, campaign, or organization encounter issues relating to election and voting, please contact our California Democratic Party.
CADEM Voter Protection Hotline: (877) 321-VOTE (8683)
Email: voterprotectionteam@cadem.org

CHALLENGE ALERT: REPUBLICAN-INSPIRED MASS CHALLENGES TO VOTER REGISTRATIONS ARE ILLEGAL: See Secretary of State CCROV Memoranda # 26257 (September 24, 2026); # 26254 (September 23, 2026); # 26108 (April 23, 2026) and # 24211 (September 27, 2024).

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Urgency Bills That Are In Effect NOW

Bills that are keyed "urgency" require a two thirds votes of the Assembly and State Senate (unlike non-urgency bills that require only majorities) and unlike non-urgency bills whose effective date is January 1, 2027, these take effect the day they are signed, which was September 19, 2026. They are:

Senate Bill 884 (Umberg, Chapter 340), for elections 2026-2029[1]:

- opens drop boxes on E minus 30, which this year is October 4;
- allows counties by board of supervisors resolution to ban electioneering within 200 feet on a county-wide basis, after notification of the Secretary of State;
- authorizes county elections official to exercise discretion to extend the closing time at any polling place if the official, after consultation with the County Counsel, determines that voting was disrupted by violations of bans on polling place arrests or polling place electioneering;
- bans police from making arrests within 200 feet of voting locations except for crimes of disrupting voting, against persons, against property;
- requires law enforcement to notify Secretary of State and Attorney General of any planned arrests within 200 feet of voting locations.

[1] See detailed discussion in Secretary of State CCROV Memorandum # 26255 (September 23, 2026).

Assembly Bill 202 (Pellerin, Chapter 330): makes it a felony to seize or order seizure of ballots, election records, or voting machines

Assembly Bill 502 (Pellerin, Chapter 333): makes modifications to Section 20012 prohibitions on deceptive advertising, in effect from October 4 through E+38 [December 11, 2026];

Senate Bill 1418 (Cervantes, Chapter 341): makes it a crime to take specified election materials or voting technology from the custody of election officials

Senate Bill 259 (Wahab, Chapter 331) – crime to interfere with mail ballot delivery

Assembly Bill 1664 (Jackson, Chapter 336) – requires local elections officials and agencies to notify the Attorney General and Secretary of State of any warrant, subpoena, or active law enforcement investigation pertaining to search, seizure, or retention of election records or certified voting technology

Urgency bill signed on May 27, 2026:

Senate Bill 73 (Cervantes, Chapter 10): (1) amends Section 15104 tp prohibit election observers from challenging whether VBM envelope signatures compare; (2) adds Sections 15006-15007 to prohibit specified law enforcement officer and agency conduct

California Supreme Court: Already Illegal To Seize Voted Ballots

On September 24, 2026, the California Supreme Court in *Cervantes v. Bianco (*S295866) held that a county sheriff seizure of voted Proposition 50 ballots violated Section 15551, subdivision (d), which requires that voted ballots remain in the custody of the elections official at al times, including criminal investigations.

Sunday, October 4, 2026 Is The First Day Drop Boxes Are Open.[2]

Monday, October 5, 2026, Is the First Date the Ballots Are Mailed

Vote By Mail Is Now Permanent. The Pandemic Emergency legislation requiring registrars in each of the 58 counties to send every active registered voter a vote-by-mail ballot (including in the ***28*** non-VCA Counties) – has now been made permanent by Statutes of 2021, chapter 312 (Assembly Bill 37).

Every voter who registers on or before October 5, 2026, is required to be mailed a ballot within five days of October 5 or within five days of the registration date between October 6 and October 19.[3]

However, if the registrar has listed the voter as "inactive", such voter is not required to be sent a ballot until the voter re-activates her or his status or re-registers.[4] Thus, prior to October 5, 2026, voters should check with their county elections official to make certain they are listed as "active." If the response is "inactive", either expressly ask to be upgraded to "active", or re-register. Under Secretary of State County Clerks Registrar of Voters ("CCROV") memorandum 17007 (January 17, 2017), the voter's most recent registration supersedes all prior registrations.[5] Note also that even if

[2] Urgency Senate Bill 884 (Umberg, chapter 340, adding new Section 401.

[3] Secretary of State 2024 Election Guide, General Election Calendar, page 8-10, paragraph 63.

[4] See Elections Code Section 3000.5, subdivision (c), cross-referencing Section 2226, subdivision (a) ("this section . . . shall not be construed to authorize a voter with an inactive voter registration status to receive a vote by mail ballot for an election"). See also, Secretary of State Secretary of State CCROV Memorandum # 20135 (June 30, 2020) (these inactive voters are eligible to vote but do not receive election mail).

[5] Secretary of State CCROV memorandum 17007, page 17, answer to question 16.

one does not discover that his or her registration has become "inactive" until after October 5, persons can re-register through October 19 by mail and at the registrar or vote center starting October 20; at the polling place on Election Day; and in the 28 non-VCA counties, on Saturday, October 31, 2026 at a six-hour one-day Vote Center required by Statutes of 2025, chapter 296, Assembly Bill 1249 (Wilson)). [6]

Voters may check their registration status online at the Secretary of State website, www.sos.ca.gov ["Elections", "Voter Registration Status"], or at www.voterstatus.sos.ca.gov .

Effective 2023, Registrars are required to notify voters in writing when their registration is cancelled for reasons of court-determined mental incompetency, death, felony conviction, or certain changes of address (including National Voter Registration Act "8d2" change of address non-forwardable postcards). The notice must include a return form that the voter can use to prove their eligibility to vote. Statutes of 2022, chapter 807 (Assembly Bill 2841), as discussed in Secretary of State CCROV Memorandum # 24039 (January 19, 2024) ("Voter Registration Cancellation, Revocation and Restoration").

How to Vote in the General Election

Do not vote in California if you have already voted in another state for that state's November 3, 2026 General Election: Statutes of 2023, chapter 692, Assembly Bill1 539 – a voter who has already voted in the November 3,

[6] Secretary of State November 3, 2026 General Election Calendar, page 7-12, paragraph 86; Section 3016.3, subdivision (b); CCROV Memorandum # 26251("Saturday Voting Location")(September 23, 2026).

2026 general election in another state[7] cannot vote in California on November 3, 2026.

Any registered voter who has not voted in the November 3, 2026 General Election in another state may vote in California's November 3, 2026 General Election. Voters may register:

1. By mailed postcard postmarked by October 19.
2. Online, but only at www.sos.cagov [Secretary of State website] up to 11:59 p.m. on October 19, 2026
3. Between October 20 and 8 p.m. November 3, at county elections offices, Voters Choice Act County vote centers; on Saturday October 31, 2026 for 6 hours at one-day Vote Centers in the 28 non-VCA counties; or on Election Day at polling places in the 24 counties still using polling places.

All voters receive the same ballot, regardless of party registration.

As discussed in Secretary of State CCROV Memorandum # 26248 (September 21, 2026) 2020 Senate Bill 207 (Hurtado)[8] added to the Elections Code Section 2119.5 and amended Section 2152, to allow voters to change their address or party registration in the last 14 days (October 20 through November 3 of 2026). It changed the law to allow voters to change either (or both) their address or their party registration via a "written request" to the County Registrar containing name, old address (if changed), new or current address, new party preference, signature, and a "certification by the voter of the content of the written request as to its truthfulness and correctness, under penalty of perjury."

[7] Unless the election in the other state is a landowner election without a residency requirement.

[8] Statutes of 2020, chapter 1.

To register to vote, the person must be age 18 or older on or before November 3, 2026

Elections Code Section 2101, subdivision (a) requires that the voter *"be at least 18 years of age at the time of the next election"*, meaning the voter who turns 18 on November 4 cannot vote until elections in 2027 or 2028.

The only persons 18-plus who cannot register to vote are persons in federal or state prison for a felony conviction. Persons serving time in county jails may register and vote from the county jail. Parolees may also register and vote.

Election Security Alert – Urgency Legislation in Effect

Effective July 16, 2018, any person or entity who has received voter registration information must disclose any security breach to the California Secretary of State *"in the most expeditious time possible and without unreasonable delay"* (Section 2188.3, added by the Statutes of 2018, chapter 96 (Assembly Bill 1678) (Berman) (urgency legislation)). The Secretary of State has established an Office of Elections Cybersecurity and Enterprise Risk Management, and its' *"Report Misinformation"* link is the portal for these disclosures at the email address www.sos.ca.gov/elections/vote-sure . The Elections Division phone number is (916) 657-2166.

This legislation also makes it a crime to distribute false voting location, voting qualifications, or day of the election information (Section 18302). Effective 2020, it is also a crime to distribute false information regarding qualifications to apply for, vote, or return a VBM ballot.[9] For a list of California Secretary of State election security programs and statutes, see

[9] Statutes of 2020, chapter 109 (Senate Bill 739), Section 3 amending Elections Code Section 18302.

CCROV Memorandum # 26237 (September 9, 2026; "General Election: Voting Technology Security.").

Deepfake Videos Continue To Be Prohibited 60 Days Before November 3

2019 Assembly Bill 730 (Statutes of 2019, Chapter 493) amends Code of Civil Procedure Section 35 and adds Elections Code Section 20010 to prohibit the publication in the 60-day period before an election any video that has been *"intentionally manipulated*". This legislation has been extended to 2027.[10] November 3 minus 60 is September 4, 2026.

New Criminal Statutes Relating To Elections

- Having already voted in another state's general election scheduled for November 3, 2026, voting in the California November 3, 2026 General Election. Statutes of 2023, chapter 692(Assembly Bill 539) One exception: the election in the other state is a landowner election where residency is not required (Statutes of 2023, chapter 692, Assembly Bill 539)

(b) Interfering with "voters lawfully exercising their rights of voting at an election" or to interfere with the staff of the Secretary of State, county election officials, or poll workers "holding an election or conducting a canvass." (Statutes of 2023, chapter 611, Senate Bill 485).

(c)Offering money to register to vote or to vote [Section 18107.5, added by Statutes of 2025, Chapter 246 (Senate Bill 398)(Umberg)

[10] Statutes of 2022, chapter 745 (Assembly Bill 972).

Voter Registration – Now Through and On Election Day Including all Polling Places

Voter Registration Deadlines: There are now two voter registration deadlines: (1) **October 19, 2026,** for regular voter registration (15 days prior to Election Day) and (2) **November 3, 2026, General** Election Day for *"conditional voter registration"* at polling places, registrar's offices, satellite voting locations, and vote centers between October 20 and November 3 at 8:00 p.m. Campaigns no longer must stop registering voters 14 days before the November 3, 2026, General Election Day.

Conditional Voting (Same Day Voter Registration): Now, voters who have not registered can be directed to polling places (in the 24 counties using them), and to registrar's offices, satellite voting locations, or vote centers in the 30 Voter's Choice Act (VCA) counties (including Los Angeles County). In these VCA counties, the person can register and vote any time in the last 14 days up to and including 8:00 p.m. on Election Night. Find a list of your closest polling place, registrar's office, or vote center here: www.sos.ca.gov/elections/polling-place .

In addition, the 28 non-VCA Counties (including the 4 all-mail ballot counties), are required to have a Vote Center open for at least six hours on Saturday, October 31, 2026. Section 3016.3, subdivision (b), added by the Statutes of 2025, chapter 296, Assembly Bill 1249 (Wilson)).

The Election Day registration option created in 2012 legislation is finally in effect now that the Secretary of State statewide voter database is up and running. It was extended to polling places and satellite voting locations by 2019 Senate Bill 72 (Statutes of 2019, Chapter 565). It has been required since 2018 in Vote Centers.

For a discussion of how Conditional Voter Registration (CVR) works, see Secretary of State CCROV Memorandum # 25109 (April 24, 2026) and previous memoranda # 22100 (May 6, 2022), 24026 (January 11, 2024), and # 24199 (September 13, 2024). The Secretary of State's new CVR Regulations can be found at California Code of Regulations (CCR), Title 2, Sections 20021, 20023, 200214, 200245.5, 20025, 209026, and 20027.

New Citizens, New Residents, and Provably Discharged Military-Overseas Voters: Pre-2018 statutes authorizing new citizens, new residents to California, and provably discharged military-overseas voters to register in the last 14 days before November 3, 2026, have been repealed[11], because voters in these categories (like everyone else) may register and vote using CVR through and including Election Day.

Online Voter Registration: Online registration may be done ONLY via the Secretary of State website, www.sos.ca.gov, and the website registration affidavit must be submitted electronically on or before 11:59 p.m. October 19, 2026 (see Elections Code Section 2102, subdivision (a)(4)). Any registration after 11:59 p.m. October 19, 2026, must be done in person at the polling place, registrar, satellite voting office, or vote center.

Motor Voter Law: Effective 2016, the Department of Motor Vehicles (DMV) and Secretary of State began jointly administering a California New Motor Voter Program, where **persons getting California Drivers Licenses are automatically registered unless they affirmatively opt out.** The statute also requires the DMV to electronically transmit voter registration information to the Secretary of State. However, given the many well-publicized problems with this system, we recommend that any voter with doubts about their registration status check their status in-person or online with their county registrar and if necessary, re-register by mail or preferably in person.

[11] Statutes of 2025, chapter 101 (Senate Bill 621, Grove).

Additional Documents Follow-Up: Effective 2015, if a registration affidavit "does not contain all of the information required", the registrar is required to either send the affiant a new registration card or "any other document" on which the affiant may provide missing information. Note pre-2015 law still in effect that specifically states certain missing information does not invalidate the affidavit.

Voter Pre-Registration of 16- and 17-Year-Olds: Effective 2015, persons who are at least 16 years of age may pre-register with a registration affidavit or online registration that takes effect of the pre-registrant's eighteenth birthday. **To vote in the November 3, 2026 General Election, one must be age 18 on or before November 3, 2026.**

Voter ID Requirement (Some First-Time Voters): The federal Help America Vote Act (HAVA) law requires voters who (1) registered for the first time in their county after January 1, 2006, (2) sent in their registration by mail, AND (3) do not have a verifiable driver's license number, Department of Motor Vehicles identification number, or last four digits of their social security number (either on the voter registration form or through Secretary of State/registrar database verification), must provide proof of residence for this federal election only, either at the polls or with their returned vote by mail ballot. Failure to do so will require the ballot to be treated provisionally. After a voter provides ID on November 3, 2026, the requirement for that voter disappears. See discussion in Secretary of State CCROV Memorandum # 26240 (September 11, 2026).

Felons and Voting: The new prison realignment law has transferred many state prisoners to county jails. Elections Code Section 2101, subdivision (c) [Statutes of 2016, Chapter 757 (Assembly Bill 2466 (Weber), Section 2] enacted in response to an American Civil Liberties Union lawsuit narrows the category of disenfranchised felons to persons serving non-juvenile conviction time in a federal or state prison. **Effective 2021, persons on parole (state or federal) may register and vote, thanks to 2020 voter**

approval of Assembly Constitutional Amendment 6 and Statutes of 2020, chapter 320 (Assembly Bill 646).[12]

Voters with Disabilities: Voters with disabilities who are unable to write their names may now use a Signature Stamp. They may also sign the registration affidavit "with a mark or cross" or with the assistance of another person; legislation effective 2015 expressly states that persons shall not be disqualified from voting for using a signature stamp, signing with an "X", or receiving assistance in completing the affidavit. Effective 2016, new legislation states that a person is presumed competent to vote regardless of conservatorship status; those reasonable accommodations must be made in the registration affidavit process; and that the right to vote cannot be taken away without "clear and convincing evidence" that the person "cannot communicate, with or without reasonable accommodation, a desire to participate in the voting process."

The Secretary of State on September 4, 2026 issued CCROV Memorandum # 26233, the new version of its' April 28, 2022 "Disability Sensitivity At The Polls" comprehensive CCROV Memorandum, which identifies and provides direction to pollworkers in multiple situations (e.g., "Meeting A Person With A Disability").

Voter Registration Drives: Persons or organizations registering voters are required to maintain the confidentiality of California Driver's License numbers, Identification Card numbers, and Social Security Numbers. They are also subject to misdemeanor penalties for knowingly misrepresenting that they assisted another person to register to vote.

Voter Registration Notification: Registrars are now required to send notification cards to voters whose party affiliation has been changed.

[12] Amending Sections 2101, 2105.6, 2105.7, 2106, 2150, 2201, 2212, 2300, and 14240.

Surname Changes and Address Changes

Surname Changes: Effective 2016, voters who "lawfully change their surname" MUST re-register under the new surname.

Address Change (On or Before October 19, 2026): Voters may now change their voter registration addresses anywhere in California, via registration affidavit or via letter or "written notice"; the statute limiting letter changes to intra-county moves has been changed effective 2016 to permit voters to change their address by sending a letter or "written notice" with the old and new addresses to the registrar in the new county. However, the letter must be postmarked on or before October 19, 2026, and arrive at the registrar by 8:00 p.m. November 3, 2026; if personally delivered, must be delivered to the registrar no later than October 19, 2026.

Address Change (October 20 – November 3 of 2026): Voters who move in the last 14 days (between October 20, 2026, and November 3, 2026, inclusive) may register and vote at their new address if the move is within the same county. Voters also have the option of going back to their old precinct, voting at the County Registrar, or voting by VBM ballot. "New address voting" is via a special provisional ballot.[13] These voters need not present "proof of residence." These voters may also go to the registrar and register at their new address through Election Day. This option is discussed in Secretary of State CCROV Memorandum # 26248 (September 21, 2026) and prior Memoranda #26096 (April 20, 2026) and in prior # 24016 (January 10, 2024), both of which also include written request forms in English, Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai and Vietnamese.[14]

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[13] Which qualifies as an affidavit of registration in the counties that elect to use provisional ballot envelopes affidavits of registration. Counties using provisional ballot envelopes as affidavits of registration are required to notify the Secretary of State no later than E minus 15, which is October 19, 2026. See Secretary of State CCROV Memorandum 26089 (April 14, 2026).

NOTE: 2020 Senate Bill 207 (discussed above) allows voters to change their address simply by sending the County Registrar a written request signed under penalty of perjury.

Voters displaced by natural disasters may be able to register and vote at their previous address; see Secretary of State CCROV Memorandum # # 26253 (September 23, 2026); 26106 (April 22, 2026) and previous memoranda #24020 (January 11, 2024) and # 24197 (September 13, 2024).

Military/Overseas Voters Are the Only Persons Who May Register and Vote by FAX, And No One May Vote by Electronic Mail

Since 2003, Armed Forces members/spouses/dependents (both stateside and overseas) and Californians domiciled abroad have been able to register and vote via FAX. The Legislature in 2013 recast these statutes, with the upshot that: (1) the category of "military-overseas voters" includes any Armed Forces Member, activated National Guard or state militia person, Merchant Marines, U.S. Public Health Service and National Oceanic & Atmospheric Administration commissioned corps persons, spouses and dependents of these persons, and separately, any Californian domiciled abroad who was last registered to vote in California or was eligible to do so; (2) all voters in any of these categories may request and receive ballots via electronic mail and FAX (or postal mail); but (3) voters in these categories cannot return voted ballots via electronic mail, but only via FAX, mail, courier, or in-person.

No one may vote by electronic mail.

[14] Word versions of these forms available from Rachelle Delucci at redelucch@sos.ca.gov or Robbie Anderson at aanderso@sos.ca.gov . In 2022 the telephone number was (916) 695-1557. Use of the Secretary of State form is not required but is encouraged.

Any voter is now allowed to request and receive via electronic mail a printed out remote access VBM (RAVBM) or Ballot On Demand, but the actual voted ballot must be personally delivered, courier-delivered, or mailed. See discussion in Secretary of State CCROV Memorandum #26216 (August 19, 2026).

Vote-By-Mail Ballots and the California Voter's Choice Act

Vote-By-Mail: Absentee ballots are now referred to in the Elections Code as "vote by mail ballots." Effective 2019, all VBM ballot return envelopes are postage prepaid (Statutes of 2018, Chapter 120 (Assembly Bill 216).

Voter's Choice Act Expands From 15 to 30 counties: The VCA counties are now: Los Angeles, Alameda, Amador, Butte, Calaveras, El Dorado, Fresno, Humboldt, Imperial, Kings, Madera, Marin, Mariposa, Merced, Napa, Nevada, Orange, Placer, Riverside, Sacramento, San Benito, San Diego, San Mateo, Santa Clara, Santa Cruz, Sonoma, Stanislaus, Tuolumne, Ventura, and Yolo Counties).[15] In four small rural counties (Alpine, Colusa, Plumas and Sierra), every registered voter is sent a VBM ballot, but there are no in-person voting options other than at the Registrar on all business days and Election Day, or at the one-day six hour Saturday, October 31, 2026 Vote Center required by mew Section 3016.3, subdivision (b)[16].

Voting Centers and Voting by Mail: The VCA effectively makes every registered voter a permanent vote-by-mail voter. In the 30 VCA counties listed above, **neighborhood polling places are abolished and are replaced by "vote centers"** serving larger numbers of persons. The "vote centers"

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[15] Secretary of State website, www.sos.ca.gov, "Elections", "Voters Choice Act", accessed June 22, 2026. Imperial County became VCA County Number 30 when it switched to VCA in the June 2, 2026 Primary.

[16] Discussed in CCROV Memorandum # 26251 (September 23, 2026), "Saturday Voting Location".

are open in the last 10 or 3 days before Election Day and on Election Day, and allow voters to drop off ballots, cast ballots, register, update their address, change registration, get replacement ballots, and get provisional ballots. Counties also have ballot drop-off box locations, and the County Elections Official Office is always available.

In addition, four small rural counties (Alpine, Colusa, Plumas, and Sierra) send every registered voter a VBM ballot but do not use Vote Centers or polling places. This is also true of some precincts in the 24 non-VCA polling place counties where the registrar has designated these precincts as VBM-only precincts.

Los Angeles County was a "VCA Light"[17] county in the March 2020 primary but starting with the November 2020 general election began sending every registered voter a ballot (which is now required of all counties, as discussed above).

Los Angeles County also began using a new custom-designed voting system[18] starting in the March 3, 2020, primary. On this new machine, voters mark choices on a touchscreen, and the machine spits out a paper ballot that the voter checks before depositing. Note that the touchscreen will present only four choices at a time on the screen. For offices with many candidates, voters will need to go through many touchscreens. This system, known as Voting Solutions for All People, was custom designed for Los Angeles County by Smartmatic, the voting machine company (other than Dominion) that is suing Fox News for defamation to the tune of $2.7 billion dollars; the Smartmatic litigation is ongoing in New York state court.[19]

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[17] Vote centers replacing polling places, but alone among the VCA counties, using special legislation to NOT send every voter a ballot.

[18] Per MSNBC Deadline White House (January 25, 2024), this system was designed by SmartMatic, which, separately from Dominion Voting Systems, is suing Fox News for defamation.

[19] www.Smartmatic.cvom, "Lawsuit Updates", accessed August 25, 2026.

REPLACEMENT VBM BALLOTS: Voters who request replacement ballots must provide the Registrar with first and last name, date of birth, residence address, and other personally identifying information that matches the voter registration affidavit. Voters may request replacement ballot in person, by mail, or by electronic means. The voter must either request the replacement ballot or present the Registrar with a Secretary of State form signed by the voter designating a representative; if this method is used, the signature of the voter on the request form must compare with the signature on the registration affidavit. Elections Code Sections 3014, subdivisions (a) and (b), as discussed in Secretary of State CCROV Memorandum # 26246 (September 18, 2026) and prior Memoranda # 26093 (April 17, 2026), a # 24035 (January 17, 2024) and #24205 (September 20, 2024). All of this replaces longstanding pre-2024 requirements that voters execute a declaration that they lost or never received the first VBM ballot.

Designating Any Person to Return a Voter's Vote-By-Mail Ballot: VBM ballots requested and received under the "regular" Section 3017 procedure on or before Election Night 8:00 p.m. November 3, 2026 NO LONGER NEED BE RETURNED by a designated relative or by any co-resident of the voter's household. Effective 2017, Elections Code 3017 has been changed to delete these longstanding requirements and instead expressly **permit the voter to designate "any person" to return the voted ballot**. The prohibition on campaign workers delivering ballots has also been repealed and has been replaced by a prohibition on paying ballot returners based on the number of ballots. Effective 2022, there is no longer an "age 16" requirement on the ballot recipient, because of urgency 2022 Assembly Bill 2608[20] that repealed this language in Section 3009.

[20] Statutes of 2022, chapter 161.

Effective 2019, failure of the representative to sign the return envelope or write his or her name cannot be the "sole" reason for rejecting a ballot (Statutes of 2018, Chapter 203 (Assembly Bill 206), adding subdivision (c) to Elections Code Section 3011).

Returning Vote-By-Mail Ballots in Any CA County: Effective 2017, the in-county limitation on returning voted VBM ballots has been repealed; voters may now return ballots to the registrar in the voter's county[21] or to any polling place, drop box**,** or vote center[22] anywhere in California, and the receiving registrar must get them to the voter's county of registration no later than November 11, 2026.[23] **These authorized methods are the only valid way to return a voted VBM ballot; beware of unauthorized and fake drop boxes, as the Secretary of State discusses in CCROV Memorandum # 26126 (May 5, 2026) and in prior memoranda #22112 (May 12, 2022) and #24202 (September 17, 2024).**

[21] Note that while any polling place, drop box or Vote Center anywhere in California is an acceptable location to return a voted VBM ballot, the statute limits returning at the Registrar to the Registrar in the voter's county of registration. The statute dopes this by referring to the Registrar office as "the elections official who issued the ballot", whereas the other three options use the phrase "within the state." Thus, if one is in a county other than one's county of registration with a voted and signed VBM ballot, the counter-intuitive place to return it is not the Registrar, but rather a Vote Center, polling place, or drop box (the latter being the only option in the 24 polling place counties on days other than October 31 or November 3).

[22] Secretary of State CCROV Memorandum #22112 (May 11, 2022), page 2, "Authorized Methods for Return of Vote-by-Mail Ballots" and # 26250 (September 22, 2026, "General Election: In-Person Voting; Surrendering Ballots; Issuing Provisional Ballots; Satellite Locations"").

[23] Secretary of State CCROV Memorandum #26125 (May 5, 2026), discussing Section 3017, subdivision (a) (3). Note that November 11 is the federal Veterans Day Holiday; there is no mail delivery that day; and that in 2026, Veterans Day happens to fall on an Elections Code deadline day.

Emergency Vote-By-Mail Ballot Procedure Repealed And Replaced By Language Authorizing Any Person To Request A Replacement Ballot: The longstanding *"emergency"* vote by mail ballot request procedure now rests in peace because the Legislature and Governor repealed Elections Code 3021 effective August 22, 2022 and replaced it with 2023 urgency Assembly Bill 2608 that amends Section 3014 to allow any voter to request a replacement ballot.

Vote-By-Mail Ballot Status Tracking: Registrars are required to allow online Internet Website or toll-free telephone tracking of the receipt of voted VBM and provisional ballots. See the Secretary of State website monograph "Where's My Ballot Frequently Asked Questions." In the June 2, 2026 Primary Election, in both Los Angeles County and Sacramento County, and perhaps other counties, ballots were being picked up, tracked, and copied, but the text and email confirmations in many cases were not going out.

Vote-By-Mail Ballot Postmarked by Election Day: Effective 2015, VBM ballots that are not personally delivered or military-overseas faxed are counted if they arrive BY MAIL or via BONA FIDE PRIVATE DELIVERY COMPANY at the registrar within seven (7) days AFTER Election Day (i.e., on or before Tuesday, November 10, 2026*)* – but only if the ballot envelope is postmarked or courier-stamped on or before November 3, 2026, or if the postmark is nonexistent or illegible, the ballot envelope is signed by the voter and dated on or before November 3, 2026. Note that the Secretary of State has authorized County Elections Officials to use Secretary of State authorized barcode scanners to decode fluorescent United States Postal Service identification tags on envelopes lacking a postmark.[24]

Note that the postmark-receipt law applies only to mailed or courier-delivered VBM ballots. It expressly does not apply to personally delivered or overseas-military-faxed VBMs, which still must arrive no later than 8:00

[24] Secretary of State CCROV Memorandum #24033 (January 17, 2024) and # 24204 (September 18, 2024).

p.m. November 3, 2026, either at the registrar of the voter's county , or anywhere in California that is a polling place, Vote Center, or drop box. Legislation effective 2016 expressly authorizes registrars to use ballot drop-off locations, and the Secretary of State in 2017 issued "regulations establishing guidelines" for registrar use of ballot drop-off locations.

Missing VBM Signatures & Mis-Matched VBM Signatures: Important pro-voter laws

Vote-By-Mail Unsigned Ballot Statement: Effective 2016, VBM voters who forget to sign the VBM identification envelope may get the VBM most of the way to being counted, provided the voter does one of the following: (1) prior to Election Day, or on Election Day at or before 8:00 p.m., drops off an *"Unsigned Ballot Statement"* at a polling place or ballot drop off location; (2) signs the VBM identification envelope in the county elections official's office, on or before November 25, 2026 at or before 5:00 p.m.; or (3) insures that the county elections office receives (in person, by mail, by fax, "other electronic means made available by the [Registrar]"[25] an *"Unsigned Ballot Statement"* on or November 25, 2026 5:00 p.m.

The signature on the *"Unsigned Ballot Statement"* must compare with the voter's registration affidavit signature to be placed in the pile of ballots to be counted. Signature comparison is also required for signed VBM ballots and provisional ballots. **Effective 2022, during the comparison process there is a presumption that the signature on a VBM identification envelope, signature verification statement, unsigned ballot statement or provisional ballot envelope is the voter's signature.[26]**

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[25] Statutes of 2023, chapter 673 (Assembly Bill 1037), Section 1, amending subdivision (d) (4) and adding subdivision (f) to Section 3019.

[26] Statutes of 2021, chapter 319 (Senate Bill 503).

Vote-By-Mail-Related Signature Verification: Most county elections offices use signature verification machines to compare registration file affidavit signatures with VBM application, VBM identification envelope, and provisional ballot envelope signatures. Effective 2015, any VBM identification envelope signature or provisional ballot envelope signature that is rejected by a machine must be "visually examined" by the county *"elections official"* who must *"verify"* that the signatures do not compare" before rejecting the ballot.

Effective September 17, 2018, Senate Bill 759 Statutes of 2018, (Chapter 446), followed in 2019 by Senate Bill 523 (Statutes of 2019, Chapter 568), requires registrars to **notify** voters within one business day of detecting a lack of signature or a dispute over the comparing of a signature and no later than November 17, 2026, to notify the voter by postal mail ***plus*** email, telephone call and/or text message that the voter's VBM signature does not compare with the voter's registration signature or other on-file signatures and allow the voter to submit a Signature Verification Statement by 5 p.m. on or before November 25, 2026. [27]

For Get-Out-The-Vote operations, these changes mean that vote count monitors can see the VBM identification envelopes without signatures, note the voter's name and address, and contact the voter to sign and get filed an Unsigned Ballot Statement on or before November 25, 2026 5 p.m.[28]within 20 days of Election Day. However, submitting a signed Unsigned Ballot Statement simply keeps the sans-signature VBM envelope from immediately being tossed (the pre-2016 procedure). **A Signature Verification Statement containing a new matching signature will ensure that it gets counted.**

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[27] Statutes of 2023, chapter 673 (Assembly Bill 1037), Section 1.5, adding subdivisions (d) (1) (B) and (e) (1) (B) (ii); id., chapter 701 (Senate Bill 77) (same).

[28] Earlier is advised, in case the signature on the Unsigned Ballot Statement runs into comparison issues that may also require a Signature Verification Statement,

For a discussion of all these important points, see Secretary of State CCROV Memorandum # 26252 (September 23, 2026) that places all statutes in context of the 2026 general election, and # 26120 issued on May 4, 2026 that includes all changes made by 2025 Senate Bill 3 (Cervantes)[29].

Surrendering Unvoted VBM Ballots: If a voter receives a VBM ballot but wants to vote in person, the voter can go to a Vote Center or polling place *if the Vote Center or precinct board has "real time access to the County Elections Office Election Management System" and "verifies that the voter has not returned a VBM ballot for that election"*[30]and surrender the unvoted VBM ballot.[31] The voter does not have to surrender the VBM identification or return envelope.[32] The voter votes a nonprovisional regular ballot if the voter either surrenders the unvoted VBM ballot, or if the voter does not have the unvoted VBM ballot, the voter can ask the Vote Center, satellite voting location, or polling place official to check the registration records and verify and notate that the voter has not voted the VBM ballot.[33] If the official can so verify and can further verify that the voter is in the right polling location,

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[29] Statutes of 2025, chapter 307. Previous CCROV memoranda numbers 24209 and 24210 cover the changes made by 2024 Senate Bill 3184, but obviously not the 2025 changes made by Senate Bill 3.

[30] Secretary of State CCROV Memorandum 26250 (September 22, 2026), "General Election: In-Person Voting; Surrendering Ballots; Issuing Provisional Ballots; Satellite Locations"; Elections Code Section 3016.5, added by the Statutes of 2023, chapter 661, Section 1 (Assembly Bill 626); and Section.3016.3, as amended by 2025 Assembly Bill 1249 (Statutes of 2025, chapter 296).

[31] Id., pages 2-3, "Surrendering VBM Ballots."

[32] Ibid..

[33] Elections Code Section 3016.5(a), created by the Statutes of 2023, chapter 661 (Assembly Bill 626), as discussed in Secretary of State CCROV Memorandum # 26099 (April 21, 2026).

the voter votes a regular ballot, **after signing the voter roster**.[34] Otherwise, the voter must vote a provisional ballot, which is counted if the provisional ballot envelope signature "compares" with the voter's registration card signature, or a Signature Verification Statement submitted by the voter.[35]

CCROV Memorandum # 26250ember 22, 2026) and #26099 (April 21, 2026) are worth a separate read and use by election protection workers confronted with these situations.

Election Day

Election Worker and Voter Protections Against Interference Now In Force: Voters, "temporary poll workers and poll workers", "members of a precinct board, county elections officials and staff, and Secretary of State and staff are now covered by the Section 18502 statute making it a Penal Code Section 1170 offense to interfere with an election.[36]

Satellite Voting Locations: Registrars are allowed to announce satellite voting locations by general news release not later than 14 days before November 3 (October 20, 2026 – November 3, 2026), but satellite voting with 48-hour notice is now permitted in counties with declared emergencies or disasters. The 30 Voter's Choice Act counties will be running vote centers during this period.

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[34] Secretary of State CCROV Memorandum # 26099 (April 21, 2026), pages 2-3 ("Issuance of Nonprovisonal Ballots"); # 26250 (September 22, 2026), pages 2-3 ("Surrendering VBM Ballots").

[35] Id., pages 3-5 ("Issuing Provisional Ballots")

[36] Statutes of 2023, chapter 611, Senate Bill 485, Section 1.

Election Day Polling Locations Generally: The polls are open from 7:00 a.m. to 8:00 p.m. on Election Day. No electioneering is allowed within 100 feet from a polling location (building containing polling place, election official's office, satellite voting location, or vote center). **Effective 2022, the electioneering prohibitions have been extended to prohibit** *"obstructing access to"* and *"obstruct(ing) ingress, egress, or parking"* of: (1) VBM drop boxes; (2) curbside voting locations; (3) polling places; (4) elections official offices; and (5) satellite voting locations.[37] These statutes already prohibit speaking to voters about marking the voter's ballot, soliciting votes, or disseminating visible or audible electioneering information.

Effective September 19, 2026, urgency Senate Bill 884 (Umberg, Chapter 340), adding Elections Code Section 404, authorizes counties by Board of Supervisors resolution to expand this zone to 200 feet provided it is done countywide.

The 2018 much-discussed U.S. Supreme Court Minnesota T-Shirt Case (Minnesota Voters Alliance v. Mansky, 585 U.S. 1, 201 L.Ed.2d 201, 138 S.Ct.1876 (Case No. 16-1435, decided June 14, 2018) is irrelevant to California, because all this decision did was invalidate a state ban on polling place wearing of *"political"* apparel containing messages that went beyond advocating for or against candidates or ballot measures – apparel that communicated the words *"Election Integrity Watch"* and *"Please ID Me"*. California Elections Code section 319.5 prohibits only the visible or audible dissemination of "information that advocates for or against any candidate or measure on the ballot."

NOTE: California law **DOES NOT** prohibit the wearing of party or ideological apparel or insignia that do not mention candidates or ballot measures. See CCROV Memorandum #26234 (September 9, 2026) and #26095 (April 20, 2026) on "prohibitions on electioneering and the

[37] Statutes of 2021, chapter 318 (Senate Bill 35), amending Sections 319.5, 18370, 18372, 18541, and 18568.

corruption of the voting process" and **CCROV Memorandum # 26113 (April 28, 2026) on voter intimidation and prohibited voter challenges.**

Voter Bill of Rights: The specific rights of voters to (among several rights) cast provisional ballots, vote if in line at 8:00 p.m., cast replacement ballots, return completed vote by mail ballots, and receive voting assistance are enumerated in the new Voter Bill of Rights now required to be included in the California Voter's Pamphlet and "conspicuously posted both inside and outside every polling place." It is also on the Secretary of State website, along with portals for "check your voter registration status", "polling place lookup", county registrar early voting and VBM drop-off locations, and tracking the counting of VBM and provisional ballots.

(a) The right to vote if you are a registered voter. You are eligible to vote if you are:
   - a U.S. citizen living in California
   - at least 18 years old
   - registered where you currently live
   - not currently in state or federal prison for the conviction of a felony
   - not currently found mentally incompetent to vote by a court

(b) Paroles can now register and vote, as discussed above.

(c) Persons in Non-State, Non-Federal Prisons may register and vote, as discussed above.

(d) The right to vote if you are a registered voter even if your name is not on the list. In this case, you will vote using a provisional ballot. Your vote will be counted if elections officials determine that you are eligible to vote.

(e) The right to vote if you are still in line when the polls close.

(f) The right to cast a secret ballot without anyone bothering you or telling you how to vote.

(g) The right to get a new ballot if you have made a mistake if you have not already cast your ballot. You can:
   - Ask an elections official at a polling place for a new ballot,

- Exchange your vote-by-mail ballot for a new one at an election's office, or at your polling place, or
- Vote using a provisional ballot.

(h) The right to get help casting your ballot from anyone you choose, except from your employer or union representative. **Note that effective 2024, voters no longer need to execute a declaration to be allowed to have voting assistance.; Statutes of 2023, chapter 658 (Assembly Bill 545) the voter can now simply ask to be permitted to have assistance of no more than two persons who are neither the voter's employer nor union representative.**

(i) The right to drop off your completed vote-by-mail ballot at any polling place in California.

(j) The right to get election materials in a language other than English if enough people in your voting precinct speak that language.

(k) The right to ask questions to elections officials about election procedures and watch the election process. If the person you ask cannot answer your questions, they must send you to the right person for an answer. If you are disruptive, they can stop answering you.

(l) The right to report any illegal or fraudulent election activity to an election official or the Secretary of State's office.

Replacement ballots: Effective 2024[38], voters requesting a replacement ballot no longer have to submit a statement signed under penalty of perjury. Registrars are now required to provide the replacement ballot upon voter request "personal identifying information that matches the information contained on the voter's affidavit of registration, including their first and last name, residence address, and date of birth."[39] However, if the request is made by the voter's representative, Elections Code

[38] Statutes of 2023, chapter 650 (Assembly Bill 398).

[39] Statutes of 2023, chapter 650 (Assembly Bill 398), Section 1, amending Elections Code Section 3014(a), adding subdivisions (1) and (2).

Section 3014, subdivision (b) requires that the voter have the representative submit a voter-signed Secretary of State form requesting a replacement ballot.[40] See discussion in Secretary of State CCROV Memorandum #26246 (September 18, 2026), "General Election: Replacement Ballots".

The November 3, 2026 ballot has elections for Governor, statewide constitutional officers, State Board of Equalization, 52 U.S. House districts, 20 even-numbered State Senate Districts, all 80 Assembly Districts, judicial retention elections for the Supreme Court and Courts of Appeal; and 14 statewide ballot measures. See Secretary of State website, CCROV Memorandum # 26150 (June 8, 2026 Governor's Proclamation); for a list of statewide ballot measures, see CCROV # 26179(June 29, 2026)..

Ballot Supplies at Polling Place/Vote Center: If the supply of ballots runs out, Elections Code Section 14299 requires delivery of sufficient replacement ballots to ensure that all eligible voters may cast ballots within two hours. While awaiting delivery of additional ballots, the precinct board must provide each voter with the option of voting immediately using an alternative procedure established prior to the election and approved prior to the election by the Secretary of State. ***According to CCROV Memorandum # 26111 (April 24, 2026), counties for the June 2, 2026 primary election were required to have alternative procedures provided to the Secretary of State on or before May 8, 2026, so for the November 3, 2026 General Election, these plans should be at the Secretary of State at or about October 8, 2026.***

NOTE: Effective September 19, 2026, urgency Senate Bill 884 (Chapter 340) gives county election officials, after consultation with the county

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Section 3 of this chaptered legislation amends Elections Code Section 3109 to permit military and overseas voters who return to their county of registration without having already cast a ballot, to apply for and receive a second VBM ballot upon request.

[40] Statutes of 2023, chapter 650 (Assembly Bill 398), Section 1, leaving Elections Code Section 3014(b) intact.

counsel, the discretion to keep particular polling places open after 8:00 p.m. if voting was disrupted by violations of Section 18370 [the electioneering prohibition at polling places statute] or Senate Bill 884 added Elections Code Sections 403 (electioneering inside a county-ordered 200 foot zone) or 404 (law enforcement polling place arrests).

Challenging Voters at the Polls: see September 11, 2026 Secretary of State CCROV Memorandum #26241, pages 1-2, "Polling Place Challenges." Highlights: Only precinct board members may challenge – Section 14204. Any challenged voter gets a provisional ballot. Also discusses VBM counting observation procedures, voter roll challenges, third party challenges and submissions, the National Voter Registration Act prohibition on voter registration cancellations after August 5, and changes of residence. Worth a separate read.

Voter Checkoffs and Electronic Poll Books

A new piece of technology allowed for the first time in 2018 is the electronic poll book *"an electronic list of registered voters that may be transported to the polling location"*. **NOTE:** in the 30 VCA counties, the voter index is necessarily county-wide, and each Vote Center is required to have a county-wide electronic poll book. However, the Secretary of State Voting Technology list for April 30, 2026 shows five VCA counties[41] as "do not use" for electronic pollbooks. For a description of how an electronic poll book works, see *San Luis Obispo Telegram-Tribune* , May 31, 2026, "SLO County introduces new technology at the polls to speed up in-person voting")(Hannah Poukish).[42]

Elections Code Section 14294 has long required that "[a]t all elections, a member of the precinct board shall mark, "in the space provided on the voter

[41] Calaveras, Imperial, Mariposa, Sacramento, Ventura.

[42] Yet San Luis Obispo on the Secretary of State list is reported as a "do not use" county for electronic pollbooks.

list posted at or near the polling place" the name of each person who has voted, by drawing a line through the name of the voter, with a pen or indelible pencil. ... at least once each hour, to and including 6 p.m." In counties where a voter list is not used, *"the board member shall draw a line under the last name signed in the roster at 6 p.m. or at the time of discontinuance of this procedure, whichever occurs last."* Ibid.

Effective 2018, "[i]f an electronic poll book is used at the polling place or Vote Center, the elections official may use a printout or an electronic means of notification of the list of each person who has voted. The elections official shall provide the printout of electronic notification at least once each hour, to and including 6 p.m.' or at the time of discontinuance of this procedure, whichever occurs last." [Section 14294, subdivision (b), added by the VCA in the Statutes of 2017, chapter 806 (Senate Bill 286 (Stern), Section 60)].

Time Off to Vote: California has a Time Off to Vote law[43] giving two hours to vote on Election Day. It may be used by employees who give notice by the Friday before Election Day.

Employers Now Prohibited from Requiring Employees to Bring VBM Ballots To Workplaces. New Section 14004, effective 2020, prohibits employers from "require[ing] or request[ing]" that an employee being a VBM ballot to work or vote the VBM ballot at work, and criminal penalty Section 18503 makes this punishable by a fine of $10,000 per election.

Ballot Selfies: Effective 2017, voters may take ballot "selfies", thanks to the Statutes of 2016, chapter 813, repealing Section 14276 and amending Section 14291. **However, other camera use at polling places is viewed as "limited" per Secretary of State CCROV Memorandum # 26238 (September 10, 2026); and # 26094 (April 20, 2026) , consistent with #24021 issued January 11, 2024; CCROV # 24188 issued September 11, 2024; and prior Secretary of State CCROV memoranda.**

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[43] Section 14000.

Voters And Observers May Bring Smartphones and Tablets to Polling Places: effective January 1, 2020, Elections Code Section 2302 prohibits precinct boards and registrars from prohibiting *"[a] voter or any other person … from bringing an electronic device including a smartphone, tablet, or other handheld device, at a polling place",* provided the devices are not used to violate any provision of the Elections Code. (Statutes of 2019, Chapter 561 (Assembly Bill 1707)).

Voter Intimidation: Persons convicted of violating California statutes against voter intimidation are not only subject to fines and imprisonment, but now may also be ordered to make payments into a Voter Intimidation Restitution Fund.

No Guns. Urgency 2024 legislation[44] adds to the criminal provisions in the Elections Code Section 18581, subdivision (b) (1) that anyone who "openly carries a firearm or an imitation of a firearm" while "interacting with or observing voting, attempting to vote, urging or aiding any person to vote or attempt to vote, or any election administration activity" is presumed to have engaged in voter intimidation and may be sued by any aggrieved person.

In-Language Access and Assistance

State law states that the Legislature's intent is to encourage non-English-speaking citizens to vote, like all citizens, and that appropriate efforts be made to minimize obstacles to voting by those voters who do not have sufficient English skills to vote without assistance. Both Federal law (Voting Rights Act of 1975, Section 203) and State law include requirements to provide in-language access for voters in non-English languages if statutory requirements are met, such as facsimile ballots or posted photocopies of ballots in qualified non-English languages.

[44] Assembly Bill 2642 (Berman), now Chapter 533 of the Statutes of 2024, and entitled the PEACE Act: "Protecting Elections from Armed Coercion and Extremism."

Under Elections Code Section 14201(b)(1), the Secretary of State must identify (1) the number of residents of voting age in each county and precinct who are (2) members of a single language minority, that (3) lack sufficient skills in English to vote without assistance. If that number equals 3 percent or more of the voting age residents of a particular county or precinct, "the Secretary of State shall find a need to provide at least two facsimile copies with the ballot measures and ballot instructions printed in Spanish or other applicable language in the affected polling places." In 2018, the Secretary of State added the following languages: Panjabi (Punjabi), Hmong, Syriac, Armenian, Persian, and Arabic. The most recent statewide language determination summary issued on December 24, 2025 is CCROV Memorandum # 25176.

The direct link is:
https://elections.cdn.sos.ca.gov/ccrov/2025/december/25176sr.pdf
This CCROV's link above shows a chart that notes multiple reinstated languages in many counties.

The Secretary of State has a year-round 24/7 telephone-based interpreter service that is free to all county elections offices and provides interpreters in any Voting Rights Act Section 203 language. See CCROV Memorandum #26231 (issued September 3, 2026, "General Election: Telephone-Based Interpreter Service").

Registrars are also required to post on their website E minus 14 (October 20, 2026) the list of precincts where the Registrar has appointed precinct board members who are fluent in a non-English language, as well as the non-English language in which they are fluent.[45]

[45] Statutes of 2022, chapter 552 (Assembly Bill 1631).

Provisional Ballots (Yes) and Voter Challenge Statutes (Not)

Voters who cast provisional ballots in the wrong precinct are entitled to have the ballot counted as to *"the votes for the candidates and measures on which the voter was entitled to vote in his or her assigned precinct."* Provisional Ballots in California are an effective fail-safe measure thanks to both the Elections Code Section 14310 California provisional ballot option, and the Federal Help America Vote Act written affirmation that may be used to terminate a voter challenge and immediately obtain a California provisional ballot. **For an extensive discussion of prohibited voter intimidation and challenges, *see September 23, 2025 Secretary of State CCROV Memorandum #26254 ("General Election: Challenge Processes"), pages 1-2, "Polling Place Challenges."* See also, prior Secretary of State CCROV Memoranda *#26108 (April 23, 2026)* #24211 (September 27, 2024); #24038 (January 1, 2024); # 22103 (May 6, 2022).**

Some counties allow provisional ballot envelopes to be treated as affidavits of registration provided the envelope contains all of the information required by Sections 215-2151, and includes an affidavit numbers. Counties that treat provisional ballot envelopes as affidavits of registration are required to notify the Secretary of State by E minus 15[October 19, 2026]. See CCROV Memorandum # 26239 (September 10, 2026).

Voting Technology

Punch cards **and Direct Recording Electronic (DRE) machines** have been **eliminated.** VBM ballots in all 58 counties use Optical Scan (OS) technology. No California county uses DRE machines – the last one (a backup device in Yolo County) was retired in 2021.

Registrars are required to establish procedures for the use of paper ballots in the event DRE machines become *"nonfunctional."* Precinct boards must provide paper ballots upon request to any voter who requests one; **if provisional ballots are used for this purpose, they are counted as regular**

ballots and are not subject to the provisional ballot signature verification requirements.

In 2020 and 2021 the Dominion Image Cast became the dominant voting technology in the 58 California counties. Forty counties used the system, up from seven in 2016 and 16 in 2018. MAGA antics in Shasta County resulted in Shasta County dumping Dominion, and after being told by the state that hand counting was illegal (Assembly Bill 969[46]), sending the contract to another OS vendor, Hart Intercivic. The county-by-county voting technology list for the November 3, 2026 general election should be on the Secretary of State website in October. The list is a PDF document entitled *"Voting Technologies in Use by County"* under *"Voting Systems Used by Counties."* Thirty-nine counties continue to use Dominion Image Cast, with Shasta County the only Dominion dumper.[47]

The Voter Verified Paper Audit Trail (VVPAT) requirement applies to DRE machines certified on or after January 1, 2005 or used on or after January 1, 2006. The 2024 elections are the thirteenth statewide California elections affected by these requirements. OS machines leave a paper trail. **As noted above, effective 2021 there are no longer any DRE machines used in California.**

The Vote Count

New Unprocessed Ballot Report Requirement. Effective 2020, registrars starting on Election Day plus 2 (November 5, 2026), are required to report to the Secretary of State the estimated number of outstanding unprocessed ballots (Statutes of 2019, Chapter 91 (Assembly Bill 566)), adding Elections

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[46] Statutes of 2023, chapter 300 (Assembly Bill 969).

[47] www.elections.shastacounty.gov, Shasta County Clerk website, "Elections", "Information Prepared About the Hart InterCivic Contract for the Shasta County Board of Supervisors." (October 31, 2023).

Code Section 15305). Effective 2024, starting the Thursday after the election (November 5, 2026), and once a week thereafter, Registrars are required on their websites to post updated results, including the number of processed ballots by category, and an estimate of the number of unprocessed ballots. This obligation continues until the deadline for voter submission of signature verification statements (November 25, 2026).[48]**Effective 2026, on E plus 13 [in 2026, November 16] Registrars are required to post results for all ballots received by November 7 that do not require signature verification.[49]**

Uniform Vote Counting Standards: Pursuant to HAVA, the Secretary of State has published Uniform Vote Counting Standards for vote by mail ballots, provisional ballots, optical scan ballots, DRE ballots, and write-in votes. Effective 2012, the prohibition against placing extraneous "identifiable" marks on the ballot has been narrowed to require only that personally identifying information not be included, and to expressly state that even if such marks are included, the ballot is to be duplicated and counted in the same manner that a damaged ballot is counted under existing law.

Contesting Elections: Elections may be contested on the ground that eligible persons were denied the right to vote in numbers "as to change the result." However, ***"the duty of the court [is] to validate the election if possible. That is to say, the election must be held valid unless plainly illegal."*** The judge hearing an election contest is required to do everything possible to validate the election – see 1st DCA published decision of April 25, 2022, *Webster Lincoln v. Antonio Lopez,* Case No. 162529, slip opinion. page 7 citing R*ideout v. City of Los Angeles* (1921) 185 Cal. 426, 430.

[48] Statutes of 2023, chapter 514, Assembly Bill 63, Section 1, adding Section 15306.

[49] Statutes of 2025, chapter 250 (Assembly Bill 5 (Berman)).

Ballot Tabulation: For all statewide or congressional/legislative vacancy elections, vote totals for vote-by-mail ballots and ballots cast at the polling place must be separately tabulated for each precinct.

Ballot Counting Observers: Political parties are allowed designate two representatives to monitor the central ballot counting in each county; the longstanding requirement that the representatives be "qualified data processing specialists or engineers" has been eliminated, effective 2007. In addition, **new Secretary of State Regulations on Election Observer Rights and Responsibilities make expressly clear that these rights apply not only on Election Day, but also to pre-Election Day VBM ballot processing[50] and can be used by "any person observing elections in California." However, Registrar limits on observer proximity to the signature comparison work were upheld by the court in *Election Integrity Project California v. Lunn*** **(**2025) 108 CA 5th 443, and in 2026 urgency Senate Bill 73 (Chapter 10), Section 15104 was amended to prohibit election observers from challenging whether signatures compare.

Ballot Counting Location: Effective 2016, a new statute authorizes counting of ballots either at the precinct or at a central counting location and requires central counting location counting to be public and take place with 48 hours written notice by the county elections official to the public.

One Percent (1%) Manual Tally: The 1% manual tally conducted after each election must now include VBM ballots. It is also now required to be posted online on each registrar's website. Effective 2012, County Registrars may make a separate manual tally of one percent each of polling place and VBM ballots.[51]

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[50] Which in most large counties with the necessary equipment can begin on E minus 29, which is October 5

[51] Effective March 3, 2020, registrars were authorized to use the *"risk limiting manual audit"* in lieu of the 1% manual tally (Statutes of 2018, chapter 913 (Assembly Bill 2125), adding Sections 15365-15367 to the Elections Code; this option continued in 2022 per Statutes of 2020, chapter 33 (Assembly Bill 2400), but Elections Code Section 15360 in 2024 authorizes only the 1% manual tally, and Sections 15365-15367 no longer exist.

Statewide Recount: Effective 2016, California now has a statewide recount law for United States Senate and statewide constitutional office primary and general elections, that empowers the Governor to order a state-paid manual recount for offices other than Governor, or the Secretary of State to order a state-paid recount for a gubernatorial election. However, the required margin is so narrow that only one of the 31 close (one percentage point margin or less) statewide elections between 1849 and June 2, 2026 would qualify: the 2014 Controller primary race for the second Top Two position.

If a state-paid recount is ordered, there is no other recount. However, if a state-paid recount is not ordered, voters or (effective 2015, campaign committees) may request and pay for recounts.

Additional Questions

If you have additional questions, please contact:

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