



Election Related Regulations

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Topics



- Ballot Printing
- Electronic Poll Books
- California New Motor Voter Program
- Conditional Voter Registration
- Retrieval of Voted Ballots Prior to the Closing of the Polls
- Vote-by-Mail Ballot Drop Boxes and Vote-by-Mail Drop-off Locations



Ballot Printing



- Elections Code section 13004, 13004.5 and 13005, require the Secretary of State to adopt regulations governing the manufacture, finishing, quality standards, distribution, and inventory control of ballot cards.
- The proposed regulations amend sections 20200 through 20280 of the California Code of Regulations.
- The regulation package was submitted to the Office of Administrative Law on November 28, 2017. They will become effective in January 2018.
- The regulations:
 - Remove requirements that are no longer relevant to ballot printing and manufacturing.
 - Create regulations for purposes of certifying ballot on demand systems.
 - Create and clarify regulations for ballot on demand users.
 - Clarify regulations in printing processes for commercial printers.

Electronic Poll Books



- Section 2550 of the California Elections Code requires the Secretary of State to establish the specifications for and regulations governing electronic poll books.
- Public comment period was October 20 through December 8, 2017.
- A public hearing was held December 11, 2017.
- Staff is currently reviewing and compiling the comments received.
- If additional changes are made, the SOS will conduct a 15-day public comment period.
- The regulations:
 - Create regulations for the purpose of governing the certification and use of electronic poll books.
 - Create clear and concise requirements for electronic poll book systems.

California New Motor Voter Program



- This new program is addressed in Elections Code sections 2260-2270.
- The regulations pertaining to this program went into effect on October 1, 2017. They are found in CA Code of Regulations sections 20060-20067.
- The regulations:
 - Define inadvertent registrants and inadvertent registrations
 - Provide a process for the cancellation of an inadvertent registration
 - Provide a uniform Cancellation Request Form

California New Motor Voter Program – cont'd



- The regulations further address:
 - A voter education and outreach plan
 - Information relating to DMV customers who do not attest to eligibility will not be transferred to the Secretary of State (SOS)
 - Information relating to DMV customers who attest to eligibility, but who decline to register will be transferred by DMV to SOS for purposes of outreach
 - SOS to conduct an annual review of the program

Conditional Voter Registration (CVR)



- CVR is addressed in Elections Code sections 2170-2173.
- Under CVR, a voter can “conditionally” register to vote after the 15-day close of registration and vote a CVR provisional ballot. If, before or during the canvass, the “conditional” registration is deemed valid, the CVR provisional ballot can be counted.
- Period to request a public hearing on the proposed regulations ends December 18, 2017 and the public comment period ends January 2, 2018.

Conditional Voter Registration (CVR) – cont'd



- The proposed regulations address:
 - The affidavit can be submitted either in person at the office of the county elections official, at a vote center, or at a satellite office designated by the county elections official OR online through COVR
 - Locations where CVR is offered must have the following:
 - e-poll books, access to EMS, or a way to provide the proper ballot to the voter
 - a ballot on-demand printing system or access to all ballot styles
 - CVR provisional ballot envelopes – they must look visibly different (color, stamp, etc.) from other all other ballot envelopes
 - Ballot processing, ballot return status, reason codes, and voter participation history

Retrieval of Voted Ballots Prior to the Closing of the Polls



- Elections Code section 14422 allows for county elections officials to retrieve voted ballots from voting locations prior to the closing of the polls.
- Section 14422 requires the SOS to adopt regulations addressing the secure delivery and transfer of those ballots.
- The regulations packet was submitted to the Office of Administrative law on November 30, 2017, and will be effective January 1, 2018.

Retrieval of Voted Ballots Prior to the Closing of the Polls – cont'd



- The regulations:
 - Define “designated ballot retrievers” as authorized county representatives, poll workers, or vote center workers, assigned to retrieve voted ballots together from polling places prior to the closing of the polls, or temporary workers or volunteers retained for that purpose
 - Require these individuals to wear a badge or some other form of identification and to take an oath prior to retrieving ballots

Retrieval of Voted Ballots Prior to the Closing of the Polls – cont'd



- The regulations also address:
 - Notification to the public for the locations and estimated times that early ballot retrieval will occur
 - Ballot collection procedures and establishing a secure chain of custody
 - That ballots retrieved shall be processed in the same manner as ballots that are retrieved after the closing of the polls

Vote-by-Mail Ballot Drop Boxes and Vote-by-Mail Drop-off Locations



- Elections Code section 3025 requires the SOS to draft regulations based on best practices for security measures and procedures, including, chain of custody, pick-up times, proper labeling, and security of vote by mail ballot drop boxes to be used for vote-by-mail drop-off locations.
- The regulations packet was submitted to the Office of Administrative Law on November 30, 2017, and will be effective January 1, 2018.

Vote-by-Mail Ballot Drop Boxes and Vote-by-Mail Drop-off Locations – cont'd



- The regulations:
 - Define “designated ballot retrievers” as county employees, representatives, poll workers, or vote center workers, authorized by the elections official to retrieve ballots from drop boxes, or temporary workers or volunteers retained and authorized by the elections official to do the same.
 - Require these individuals to wear a badge or some other form of identification and to take an oath prior to retrieving ballots.

Vote-by-Mail Ballot Drop Boxes and Vote-by-Mail Drop-off Locations – cont'd



- The regulations also address:
 - The design of vote-by-mail drop boxes
 - The difference between staffed and unstaffed drop boxes
 - Accessibility, location, and security for vote-by-mail drop-off locations and drop boxes
 - Notification to the public of the times of drop box availability and estimated times of ballot collections
 - That ballots retrieved shall be processed in the same manner as are other vote-by-mail ballots

Upcoming Regulations



Additional packages coming down the road...

- VoteCal
- Petition Signature Verification
- Vote-by-Mail and Provisional Ballot Processing
- Statewide Recount



For more information on SOS Regulations:

<http://www.sos.ca.gov/administration/regulations/>

