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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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March 22, 2013

Senator Jerry Hill, Author
State Capitol
Room 5064
Sacramento, CA 95814-4900

Dear Senator Hill:

The California Association of Clerks and Election Officials Elections Legislative Committee has reviewed **SB 589** (as introduced February 22, 2013). This proposal would require the local elections official to modify the existing vote by mail free access system to include information on whether his or her ballot was counted and if not, the reason why.

Existing law requires the election official to establish procedures to track and confirm the receipt of vote by mail ballots that are voted and to make that information available to voters via a free access system. This bill will additionally require the free access system to offer information to the voter about whether their ballot was counted and if not, include the reason why. The Committee has taken the position **Support if Amended**, for the following clarifications to §3019:

- In the last paragraph, delete "...and, if not, the reason why the ballot was not counted," and replace with, "or not." It may not be technically feasible to make internal data codes relating to the ballot available without causing voter confusion. A ballot may be initially "rejected" by line-staff and subsequently "accepted" by a supervisor. Depending on when the voter chooses to access the information, a code may subsequently be changed.
- Clarify language in the fourth paragraph to allow the Election Official to qualify the signature on the ballot by accessing *any* of the voter's registration forms on file. Existing law does not make it abundantly clear that the election official may review multiple registration forms for an individual voter when attempting to qualify their ballot.
- Include specific language that allows the county election official using an online access system to remove the election data after 45 days. This will reduce voter confusion in situations where the county may be administering multiple and overlapping elections.

We would like to thank you for consideration of the amendments above. If you or your staff has any questions, please do not hesitate to contact me at the Monterey County Elections Department at (831) 796-1499.

Very truly yours,

Linda Tulett

Correspondence Secretary, California Association of Clerks and Election Officials

- c: Honorable Paul Cook, Chair, Assembly Committee on Veteran's Affairs
Honorable Lou Correa, Chair, Senate Committee on Veteran's Affairs
Deborah Seiler, Co-Chair, CACEO Elections Legislative Committee
Jill Lavine, Co-Chair, CACEO Elections Legislative Committee
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