

Date of Hearing: April 9, 2025

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
AB 1249 (Wilson) – As Amended March 24, 2025

SUBJECT: Early voting: satellite locations.

SUMMARY: Requires a county that does not conduct their elections under the Voter's Choice Act (VCA) model to provide one early voting location, as specified. Specifically, **this bill:**

- 1) Requires a non-VCA county to provide at least one early voting location on the Saturday before a statewide election that is open for a minimum of eight hours. Requires an elections official, for purposes of these provisions to do all of the following:
 - a) Provide at least one voting unit that is certified or conditionally approved by the Secretary of State (SOS) to allow voters with disabilities the access required under the federal Help America Vote Act of 2002 (HAVA).
 - b) Permit a voter to vote their vote by mail (VBM) ballot without the identification envelope, as specified.
 - c) Provide notice of any satellite location not later than 48 hours before voting may occur at the satellite location.
- 2) Expands an existing law that permits a voter to vote their VBM ballot, without the identification envelope, in person at a polling place designated for the voter's home precinct or a vote center, such that a voter may similarly vote their VBM ballot without the identification envelope at the office of the county elections official and at a satellite voting location. Requires an elections official to provide notice of any satellite location not later than 48 hours before voting may occur at the satellite location, instead of requiring that an elections official issue a news release regarding satellite locations not later than 14 days prior to voting at the satellite location.
- 3) Makes conforming changes.

EXISTING LAW:

- 1) Requires, in general, accessible polling places in federal elections for elderly individuals and people with disabilities. Provides that where no accessible location is available to serve as a polling place, an alternate means of casting a ballot on the day of the election must be provided. Requires states to make available registration and voting aids for disabled and elderly voters, including information by telecommunications devices for the deaf. (52 U.S.C. §§20101 et seq.)
- 2) Permits any voter using a VBM ballot, prior to the close of the polls on Election Day, to vote the ballot at the office of the elections official. Allows the office of an elections official to include satellite locations. Requires a notice of the satellite locations to be made by the

elections official by the issuance of a general news release, issued not later than 14 days prior to voting at the satellite location, except that in a county with a declared emergency or disaster, notice shall be made not later than 48 hours prior to voting at the satellite location, as specified. Requires a VBM ballot voted at a satellite location to be placed in a VBM voter identification envelope to be completed by the voter. (Elections Code § 3018)

- 3) Allows a voter to return their VBM ballot in-person at the polling place designated for the voter's home precinct or at a vote center, without placing the ballot into a ballot identification envelope, if specified conditions are met. (Elections Code §3016.5)
- 4) Authorizes any county, pursuant to the VCA, to conduct elections in which every registered voter is mailed a ballot and vote centers and ballot drop-off locations are available prior to and on Election Day, in lieu of operating polling places for the election, subject to certain conditions. Provides a number of planning and outreach requirements for counties adopting and conducting elections pursuant to the VCA, as specified. (Elections Code §4005)

FISCAL EFFECT: Unknown. State-mandated local program; contains reimbursement direction.

COMMENTS:

- 1) **Purpose of the Bill:** According to the author:

I am proud to introduce AB 1249, a bill that will expand access to the ballot box for all Californians, regardless of where they live. Currently, 29 of California's 58 counties offer voters the convenience of early voting through the Voter's Choice Act (VCA), while the remaining 29 counties do not. AB 1249 seeks to address this gap by ensuring that voters in non-VCA counties have access to at least one early voting location on the Saturday before statewide elections. This will provide critical flexibility for those who may face challenges on Election Day due to work, childcare, transportation, or other barriers. By passing this bill, we can help increase voter participation and ensure that every Californian has equal access to voting.

- 2) **Voting with a VBM Ballot and Previous Legislation:** Last session, AB 626 (Pellerin), Chapter 661, Statutes of 2023, was signed into law and permits a voter to return their VBM ballot, without the identification envelope, in person at the polling place designated for the voter's home precinct or at a vote center, if the election board has real-time access to the county elections official's election management system to verify that the voter has not returned a VBM ballot for that election and changes the status of the voter in the system from a VBM voter to an in-person voter. After the voter's status has been changed, the voter must provide their name and address and sign the roster for the voting location, and a 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. This bill expands these provisions and allows a voter to vote their VBM ballot, without the identification envelope, in person at the office of the county elections official and a satellite location.

- 3) **Voter's Choice Act and Previous Legislation:** In 2016, the Legislature passed and Governor Brown signed SB 450 (Allen), Chapter 832, Statutes of 2016, which established the VCA and provided a new model for counties to administer elections. This election model was based off of a Colorado election model where every registered voter is mailed a ballot and may visit any voting location, known as a vote center, within the voter's county prior to and on Election Day to vote or seek assistance with voting.

The VCA requires counties to mail a ballot to all active registered voters and replaced polling places with vote centers and ballot drop-off locations. For regularly scheduled elections, one vote center is required for every 50,000 registered voters open from the 10th day to the 4th day prior to the election, and one vote center for every 10,000 registered voters from the 3rd day prior to the election through Election Day, with no fewer than two vote centers. Voters could visit any vote center in the voter's county to return their ballot, register to vote, and vote. Vote centers are required to be accessible to voters with disabilities and provide language assistance in a way consistent with current state and federal law. Additionally, a VCA county is required to provide a ballot drop-off location for every 15,000 registered voters and make them available from the 28th day before the election through Election Day.

- 4) **Counties under the VCA:** Following the enactment of SB 450, five counties elected to change their election model to the VCA for the 2018 elections. In 2020, 10 counties made the switch and in 2022, 12 more counties opted to conduct their elections using the VCA model. For the November 5, 2024 statewide presidential primary, 29 counties conducted their elections using the VCA model. The remaining 29 counties are non-VCA counties, also referred to as traditional polling place counties.
- 5) **Early Voting:** While existing law does not expressly require a county elections official to offer early voting opportunities, in practice many provide early voting opportunities at their office or a satellite location. This bill requires a non-VCA county to provide at least one early voting location on the Saturday before a statewide election that is open for at least 8 hours, and requires the polling location to permit a voter to return their VBM ballot in person without the identification envelope. According to the author and sponsor, this bill creates parity and makes voting more accessible to those voters who reside in non-VCA counties.

While many county elections officials already offer early voting opportunities before Election Day, the hours and days when early voting occurs varies from county to county in non-VCA counties. Specifying the day when an early voting location must be available to voters, and a minimum number of hours that such a location must be open, may not provide an elections official with much flexibility to comply with this requirement. On the other hand, a county elections official has the discretion to decide where to make early voting available, and could comply with this requirement by opening their main elections office on the Saturday before statewide elections.

- 6) **Author's Amendments:** After the committee's deadline for pre-committee author's amendments, the author proposed amendments to fix a drafting error that would have shortened the amount of advance public notice that county elections officials must provide before the start of voting at satellite locations. Committee staff recommends the following

amendments to correct that drafting error:

On page 3, starting in line 31, strike “48 hours,” and insert “two weeks.”

On page 4, in line 22, strike “48 hours,” and insert “two weeks.”

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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