

Date of Hearing: April 9, 2025

ASSEMBLY COMMITTEE ON ELECTIONS

Gail Pellerin, Chair

AB 1411 (Sharp-Collins) – As Amended March 18, 2025

**SUBJECT:** Voter education and outreach plans.

**SUMMARY:** Modifies provisions of existing law that require a county to design and implement a voter education and outreach plan, as specified. Specifically, **this bill**:

- 1) Deletes existing provisions of law that require the Secretary of State (SOS) to adopt regulations requiring *all* counties to design and implement programs intended to identify qualified electors who are not registered voters, and to register those persons to vote, as specified, and instead requires a county that does not conduct their elections in accordance with the Voter's Choice Act (VCA) model, to design and implement a voter education and outreach plan to identify and register qualified electors who are not registered to vote and to encourage participation in the electoral process.
- 2) Requires each voter education and outreach plan, at a minimum, to provide information to the public about online voter registration, preregistration opportunities, vote by mail (VBM) procedures, ballot tracking services, options for military and overseas voters, and key election dates and deadlines.
- 3) Requires the SOS to provide county elections officials with a template for their voter education and outreach plans, and to make the most current version of each voter education and outreach plan available on the SOS's website.
- 4) Requires a county elections official to submit any amendments to their voter education and outreach plans to the SOS by October 1 of each odd-numbered year.
- 5) Makes conforming changes.

**EXISTING LAW:**

- 1) Declares the intent of the Legislature that voter registration be maintained at the highest possible level. (Elections Code §2105)
- 2) Requires the SOS to adopt regulations requiring each county to design and implement programs intended to identify qualified electors who are not registered voters, and to register those persons to vote. Requires the SOS to adopt regulations prescribing minimum requirements for those programs. Requires the SOS, if they find that a county has not designed and implemented a program meeting the minimum requirements, to design a program for that county and to report the violation to the Attorney General. (Elections Code §2105)
- 3) 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 et seq.)

- 4) Requires a county that conducts their elections using the VCA model to develop an election administration plan and requires the draft plan to include a voter education and outreach plan, as specified. Requires the SOS to approve the outreach plan, as specified. (Elections Code §4005(a)(10)(I)(i))

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

**COMMENTS:**

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

In 2016, California approved the Voter's Choice Act, a new election model that allows voters to choose how, when, and where to vote. Unfortunately not all counties adopted this model creating an imbalance in voting flexibility and information for residents. AB 1411 requires counties that did not adopt the Voter's Choice Act to create a Voter Education and Outreach Plan that will provide voters information about online registration, vote by mail procedures, preregistration opportunities, ballot tracking, options for overseas voter[s] and key election dates.

- 2) **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, as specified. 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.

The VCA mandates a county to develop a comprehensive election administrative plan (EAP) which serves to inform voters about expanded voting options and outlines strategies for voter education and community outreach. Specifically, the VCA requires a county to implement a voter education and outreach plan targeted to voters who primarily speak a language other than English, as well as voters with disabilities, to educate all communities on the services available, as specified. Existing law requires a county elections official to submit the plan for approval by the SOS, as specified.

- 3) **County Voter Registration and Outreach Plans and Previous Legislation:** Until 1975, Californians who wanted to register to vote were required to complete a voter registration affidavit in the presence of a county clerk or a deputy county clerk. AB 822 (Keysor),

Chapter 704, Statutes of 1975, first permitted completed voter registration affidavits to be submitted by mail. Among other provisions, AB 822 also required the SOS to adopt regulations requiring counties to design and implement programs to identify qualified electors who are not registered to vote, and to register them to vote. In 1976, the SOS adopted emergency regulations that require counties to submit voter outreach plans for review by the SOS.

According to previous analyses, following the adoption of emergency regulations in 1976, 54 counties submitted outreach plans, and while some counties continued to submit updated plans, those updates were periodic and inconsistent. The emergency regulations that were adopted by the SOS have not been updated, and as a result, those regulations include various obsolete procedures and timelines. Furthermore, the regulations do not reflect current voter registration practices, including the availability of online voter registration, same day voter registration, pre-registration for 16- and 17-year-olds, and federal requirements that public agencies provide voter registration opportunities in certain situations.

This bill updates existing provisions of law that require *all* counties to submit voter education and outreach plans to the SOS, and instead only requires *non-VCA* counties to submit voter education and outreach plans to the SOS, as specified. Additionally, this bill requires the SOS to provide a template for the voter education and outreach plan and to make the most current version of counties plans available on the SOS's website.

While this bill requires a county to submit any amendments of their plan to the SOS, it does not specify that the plan must be updated or provide a timeline for when a plan should be updated. Requiring that the outreach plans be periodically updated could help ensure that the resources dedicated to voter registration programs are adjusted as the means of voter registration changes. Additionally, this bill does not require a non-VCA county to conduct any public meetings or require a county elections official to consult with voter engagement, education, and community outreach advocates when designing their plans.

On the other hand, research from committee staff found that many counties create community engagement groups that help provide feedback and insight for administering elections. For instance, the Contra Costa Registrar of Voters website states that they have an Election Community Engagement Group and states that the group provides feedback and suggestions for future elections and civic engagement programs and policies; participates in planning about elections operations and engagement activities; promotes the activities of the Elections Division and civic engagement work within the community; and states that members of the public are welcome to attend meetings.

- 4) **Counties under the VCA:** Following the enactment of SB 450 in 2016, 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 2024 statewide presidential general election, 29 counties conducted their elections using the VCA model.

This bill will impact the remaining 29 counties that conduct their elections using traditional neighborhood polling places.

- 5) **Previous Legislation:** AB 855 (Low) of 2017, would have required the SOS to adopt regulations to prescribe minimum requirements for county programs intended to identify qualified electors who are not registered voters, and to register those people to vote, and required counties to periodically update voter registration programs. AB 855 was approved by the Assembly, but was never brought up for a vote on the Senate Floor.

**REGISTERED SUPPORT / OPPOSITION:****Support**

None on file.

**Opposition**

None on file.

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