

Date of Hearing: July 2, 2025

ASSEMBLY COMMITTEE ON ELECTIONS

Gail Pellerin, Chair

SB 621 (Grove) – As Amended March 24, 2025

SENATE VOTE: 38-0

SUBJECT: Voter registration: military and overseas voters.

SUMMARY: Deletes provisions of law that require a military or overseas voter to provide specified documentation when registering to vote after the registration deadline. Specifically, **this bill:**

- 1) Repeals provisions of law that permit a military or overseas voter to register to vote after the registration deadline if the voter provides either of the following documents: 1) documentary proof they were released from service after the closing date of registration for an election; or, 2) military orders showing they are required to move under official active duty military orders after the closing date of registration.
- 2) Deletes provisions of the law that require an elections official to deliver to the precinct board a list of military or overseas voters who registered after the registration deadline and provided specified documentary proof.

EXISTING LAW:

- 1) Defines conditional voter registration (CVR) to mean a properly executed affidavit of registration that is delivered by the registrant to the county elections official during the 14 days immediately preceding an election or on election day and which may be deemed effective after the elections official processes the affidavit, determines the registrant's eligibility to register, and validates the registrant's information, as specified. (Elections Code §2170(a))
- 2) Provides that a CVR is deemed effective if the county elections official is able to determine before or during the canvass period of the election that the registrant is eligible to register to vote and that the information provided by the registrant on the affidavit matches information contained in a database maintained by the Department of Motor Vehicles or the federal Social Security Administration. Requires the registrant, if the information provided by them on the affidavit of registration cannot be verified, but the registrant is otherwise eligible to vote, to be issued a unique identification number, as specified, and the CVR shall be deemed effective. (Elections Code §2170)
- 3) Requires an elections official to provide CVR at all permanent and satellite offices of the county elections official and all polling places in the county. (Elections Code §2170(d)(1))
- 4) Defines a "military or overseas voter" to mean an elector absent from the county in which they are otherwise eligible to vote who is any of the following:
 - a) A member of the active or reserve components of the United States (US) Army, Navy, Air Force, Marine Corps, or Coast Guard; a Merchant Marine; a member of the US

Public Health Service Commissioned Corps; a member of the National Oceanic and Atmospheric Administration Commissioned Corps of the US; or a member on activated status of the National Guard or state militia.

- b) A citizen of the US living outside of the territorial limits of the US or the District of Columbia.
 - c) A spouse or dependent of a person described in a) above. (Elections Code §300(b))
- 5) Permits a qualified military or overseas voter to apply in person to the voter's elections official for permission to register after the closing date of registration under the following conditions:
- a) The voter is released from service after the closing date of registration for the election, returns to the county of the voter's residence, and is not a registered voter. Requires the elector to furnish documentary proof that they were released from service after the closing date of registration for the election in order to register.
 - b) The military or overseas voter is required to move under official active duty military orders after the closing date of registration. Requires the elector to furnish a copy of their official military orders in order to register.
- Requires an elections official, on or before the day of election, or the first day a vote center opens, to deliver to the precinct board a list of military or overseas voters who registered in person under these provisions. (Elections Code §3108)
- 6) Defines a "remote accessible vote by mail (RAVBM) system" to mean a mechanical, electromechanical, or electronic system and its software that is used for the sole purpose of marking an electronic vote by mail (VBM) ballot for a voter who shall print the paper cast vote record to be submitted to the elections official. Prohibits a RAVBM system from being connected to a voting system at any time. (Elections Code §303.3)
- 7) Requires a county elections official to permit *any* voter to cast a ballot using a certified RAVBM system. (Elections Code §3016.7)

FISCAL EFFECT: None. This bill is keyed non-fiscal by the Legislative Counsel.

COMMENTS:

- 1) **Purpose of the Bill:** According to the author, "This bill removes outdated requirements that create unnecessary barriers for our military and overseas voters trying to exercise their fundamental right to vote. By streamlining the registration process, we are honoring the brave men and women who serve our nation, along with Americans working or residing overseas, by removing hurdles they face when attempting to participate in our democracy."
- 2) **Conditional Voter Registration and Previous Legislation:** AB 1436 (Feuer), Chapter 497, Statutes of 2012, permits CVR, also known as "same day registration," under which a person is allowed to register or re-register to vote and vote within 14 days of an election, including

election day, if certain requirements are met. A voter's ballot is processed and counted once the county elections office has completed the voter registration verification process.

In counties that conduct elections pursuant to the California Voter's Choice Act (CVCA), CVR is required to be available at every vote center. In 2019, the Legislature approved and the Governor signed SB 72 (Umberg), Chapter 565, Statutes of 2019, which expanded CVR and required it to be made available at all polling places, as specified.

In practice, CVR serves as a safety net for Californians who miss the deadline to register to vote or update their voter registration information for an election. Generally, all eligible citizens who need to register or re-register to vote within 14 days of an election can complete this process to register and vote at their county elections office, polling place, or vote center. This process is accomplished in person. However, because certain voters may have difficulty taking advantage of a process that currently can only be accomplished in person—military and overseas voters and voters with disabilities—SB 504 (Becker), Chapter 14, Statutes of 2022 was signed into law and requires an elections official to make CVR available to military and overseas voters and voters with disabilities, and to allow those voters to vote after registering using CVR, through a certified RAVBM system.

According to the author and sponsor, with the enactment of SB 504, existing provisions of law that require a military or overseas voter to provide specified documentary proof when registering to vote after the regular voter registration deadline are outdated and unnecessary. Accordingly, this bill repeals these provisions thereby streamlining voter registration for military and overseas voters, eliminating unnecessary procedural hurdles, and ensuring uniformity in the CVR process for all voters.

- 3) **Remote Accessible Vote by Mail Voting and Previous Legislation:** Generally, RAVBM systems that are approved for use in California use electronic delivery to provide a voter with a ballot that the voter can mark using their own computer, including any assistive device that the voter uses with that computer. After marking the ballot, the voter must print and return the ballot to their county elections official by mail or drop off (existing law also permits military and overseas voters to return their ballot by facsimile transmission under certain circumstances). An RAVBM system that is approved for use in California are not permitted to transmit completed ballots electronically to the elections official.

AB 2252 (Ting), Chapter 75, Statutes of 2016, allowed a military or overseas voter or a voter with disabilities to electronically receive and mark their VBM ballot using a RAVBM system, among other provisions. Subsequently, AB 1013 (Low), Chapter 906, Statutes of 2018 required a county elections official to permit a voter with a disability, or a military or overseas voter, to cast their ballot using a certified RAVBM system. While AB 1013 did not apply to counties conducting elections pursuant to the CVCA, the CVCA separately requires counties to have a process to send or deliver a VBM ballot that voters with disabilities can read and mark privately and independently—a requirement that counties generally have met through the use of RAVBM systems. AB 37 (Berman), Chapter 312, Statutes of 2021, requires a county elections official to permit *any* voter to cast a ballot using a certified RAVBM system for any election.

Because RAVBM systems involve the electronic delivery of a blank VBM ballot from the elections official to the voter, these systems can significantly cut down on the time needed to

get a ballot to a voter after that voter requests such a ballot.

- 4) **Arguments in Support:** In support of this bill, the sponsor, Secretary of State Shirley N. Weber, Ph.D., writes:

The enactment of SB 504 in 2022 rendered Section 3108 obsolete following the passage by clarifying that military and overseas voters are eligible to use the [CVR] process without additional documentation. Currently, Section 3108 creates unnecessary barriers by requiring:

1. Military voters released from service after registration closes to provide proof of release.
2. Those relocating under military orders to provide copies of those orders.
3. County election officials to deliver lists of these voters to precinct boards.
4. By eliminating Section 3108, SB 621 will:
 - a. Align the Elections Code with SB 504 (2022).
 - b. Remove barriers to voting for service members and overseas citizens.
 - c. Create consistency in the [CVR] process.
 - d. Reduce administrative burdens on county election officials.

- 5) **Double Referral:** This bill has been double-referred to the Assembly Committee on Military & Veterans Affairs.

REGISTERED SUPPORT / OPPOSITION:

Support

Secretary of State Shirley N. Weber, PhD. (sponsor)
California Association of Clerks & Election Officials
League of Women Voters of California
Portrait of a Warrior Gallery Kern County & Honor Flight Kern County
Wounded Heroes Fund

Opposition

None on file.

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