

Date of Hearing: June 17, 2026

ASSEMBLY COMMITTEE ON ELECTIONS

Gail Pellerin, Chair

SB 1431 (Committee on Elections and Constitutional Amendments) – As Introduced March 5, 2026

SENATE VOTE: 36-0

SUBJECT: Elections.

SUMMARY: Deletes obsolete requirements for a military or overseas voter to apply for a vote by mail (VBM) ballot and makes changes to the process a candidate follows in submitting nomination signatures. Specifically, **this bill:**

- 1) Deletes obsolete provisions of law that require a military or overseas voter to apply for a VBM ballot.
- 2) Deletes provisions of law that set a maximum number of signatures that may be included on a candidate's nomination papers.
- 3) Repeals provisions of law that permit an elections official to withdraw an excess number of signatures on a candidate's nomination papers, and instead allows a candidate to continuously submit signatures until the candidate reaches the required number of signatures on their nomination papers.

EXISTING LAW:

- 1) Requires an elections official to mail a ballot to every active registered voter for every election in which the voter is eligible to participate. (Elections Code §3010)
- 2) Requires an elections official to send a ballot to a military or overseas voter not earlier than 60 days but not later than 45 days before the election and to include with the ballot a list of all candidates who have qualified for the ballot and a list of all measures that are to be submitted to the voters and on which the voter is qualified to vote. (Elections Code §3105(b)(1))
- 3) 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)
- 4) Requires applications for the ballots of military or overseas voters to be received and canvassed at the same time and under the same procedure as VBM ballots. (Elections Code §3104)
- 5) Requires a candidate for certain federal, state, and local offices, in order to qualify for the ballot, to submit nomination papers that contain signatures from the following number of registered voters:
- a) For state office or US Senate, not fewer than 65 nor more than 100;
 - b) For US House of Representatives, State Senate, State Assembly, Board of Equalization, or any office voted for in more than one county but not statewide, not fewer than 40 nor more than 60;
 - c) For a candidacy in a single county or political subdivision thereof, other than Senate or Assembly, not fewer than 20 nor more than 40;
 - d) If there are fewer than 150 voters in the county or district in which the election will be held, not fewer than 10 nor more than 20. (Elections Code §8062(a))
- 6) Allows an elections official, if a candidate submits more than the maximum number of signatures, to withdraw the excess signatures. (Elections Code §8062(b))
- 7) Provides that no more signers shall be secured for any candidate nomination papers than the maximum number required, and if, through miscalculation or otherwise, more signers are secured than the maximum number, the officer with whom the nomination papers are filed shall, with the written consent of the candidate, withdraw the excess number. (Elections Code §8067)

FISCAL EFFECT: According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS:

- 1) **Purpose of the Bill:** According to the author, “The Senate Committee on Elections and Constitutional Amendments Committee is authoring this bill to make a number of noncontroversial changes to the Elections Code. The Secretary of State requested all changes currently included in this bill.”
- 2) **Military and Overseas Voters and Previous Legislation:** In 2009, President Obama signed into law the Military and Overseas Voter Empowerment (MOVE) Act to expand the 1986 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), which was established

to protect the rights of service members to vote in federal elections regardless of where they are stationed. The MOVE Act builds on UOCAVA to provide greater protections for service members, their families, and other overseas citizens.

The MOVE ACT requires states to provide blank absentee ballots to UOCAVA voters in at least one electronic format -- email, fax, or an online delivery system -- at least 45 days before an election, allowing a UOCAVA voter time to receive, mark, and return a paper ballot in a timely manner. In California, AB 1805 (Huffman), Chapter 744, Statutes of 2012, requires an elections official to send a VBM ballot to a military or overseas voter not earlier than 60 days, but not later than 45 days, before the election.

Additionally, the Legislature has approved and the Governor has signed legislation to streamline and update the voting process for military and overseas voters. Notably, SB 504 (Becker), Chapter 14, Statutes of 2022, requires an elections official to make conditional voter registration (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 remote accessible VBM system. SB 621 (Grove), Chapter 101, Statutes of 2025, streamlines voter registration for military and overseas voters and eliminates outdated and unnecessary procedural hurdles that required a military or overseas voter to provide specified documentary proof when registering to vote after the regular voter registration deadline.

- 3) **VBM Ballot Use in California and Previous Legislation:** In 2001, AB 1520 (Shelley), Chapter 922, Statutes of 2001, authorized any voter to become a permanent VBM voter, among other provisions. Since that time, California voters have increasingly used VBM ballots to vote in elections. At the 2000 statewide general election (the last statewide election held before AB 1520 was enacted), 24.5% of Californians who voted in that election did so using a VBM ballot. Since 2012, a majority of ballots cast in every California statewide election were VBM ballots.

Subsequent changes to California's election laws have further contributed to an increasing use of VBM ballots in elections. SB 450 (Allen), Chapter 832, Statutes of 2016, also known as the Voter's Choice Act (VCA), permits counties to opt-in to conducting elections in which every voter receives a VBM 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 elections, subject to certain conditions.

More recently, California has taken steps to ensure that every voter—including voters who reside in counties that are not participating in the VCA—receives a ballot in the mail for each election in which the voter is eligible to participate. That policy was first enacted as an accommodation to facilitate voting in 2020 due to concerns that conducting in-person voting during the spread of COVID-19 could threaten the health and safety of voters, election workers, and the public generally. Notably, AB 860 (Berman), Chapter 4, Statutes of 2020, required county elections officials to mail a ballot to every active registered voter for the November 3, 2020, statewide general election, among other provisions. SB 29 (Umberg), Chapter 3, Statutes of 2021, continued that policy for all elections conducted in 2021. AB 37 (Berman), Chapter 312, Statutes of 2021, made that policy permanent for all future elections, among other provisions.

Subsequently, AB 2608 (Berman), Chapter 161, Statutes of 2022, made many conforming, clarifying, and clean-up changes to reflect the policies enacted through AB 37. Similarly, this bill makes conforming changes and deletes provisions of law that require a military and overseas voter to apply for a VBM ballot.

- 4) **Nomination Signatures:** According to the author and sponsor, different counties use different practices when accepting candidate nomination signatures. This bill seeks to standardize that practice and make it consistent to ensure candidates are treated fairly statewide. Accordingly, this bill removes the upper limits on the number of nomination signatures a candidate may submit and explicitly allows candidates to continuously submit signatures until reaching the minimum number of required signatures.
- 5) **Arguments in Support:** In support of this bill, the sponsor, Secretary of State Shirley N. Weber, Ph.D., writes:

SB 1431 contains important clean-up provisions which will serve to facilitate smooth elections going forward:

- 1) It replaces the “range of signature” requirement on candidate filing forms with a discrete minimum number requirement, and allows candidates to continually submit signatures until the required number of signatures has been verified.
- 2) It removes incorrect references and requirements for a military or overseas voter to receive a ballot.

These changes to the Elections Code will simplify requirements for candidate filing forms, making them easier to administer, and reduce confusion surrounding requirements for military and overseas voters to receive a ballot, which is the first step toward exercising their franchise.

REGISTERED SUPPORT / OPPOSITION:

Support

Secretary of State Shirley N. Weber, Ph.D. (Sponsor)

Opposition

None on file.

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