

Date of Hearing: July 1, 2026

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
SB 884 (Umberg and Cervantes) – As Amended May 14, 2026

AS PROPOSED TO BE AMENDED

SENATE VOTE: 30-9

SUBJECT: Elections in 2026 through 2029.

SUMMARY: Extends the deadline for a vote by mail (VBM) ballot to be received in order to be counted, prohibits certain activities near a polling location and allows elections officials to extend voting hours where those prohibited activities interfere with voting for elections conducted in 2026 through 2029, as specified. Specifically, **this bill:**

- 1) Provides that the following provisions apply to any regular or special election held in 2026, beginning with the November 3, 2026, statewide general election, through 2029, or for any election proclaimed in 2029:
 - a) Encourages county elections officials to use public buildings for polling places.
 - b) Provides that a VBM ballot is timely cast if it is received by the voter's elections official via the United States Postal Service (USPS) or a bona fide private mail delivery company no later than 10 days after Election Day, and either of the following is satisfied:
 - i) The ballot is postmarked on or before Election Day or is time stamped or date stamped by a bona fide private mail delivery company on or before election day, or it is otherwise indicated by the USPS or a bona fide private mail delivery company that the ballot was mailed on or before Election Day.
 - ii) If the ballot has no postmark, a postmark with no date, or an illegible postmark, and no other information is available from the USPS or the bona fide private mail delivery company to indicate the date on which the ballot was mailed, the VBM ballot identification envelope is date stamped by the elections official upon receipt of the VBM ballot from the USPS or a bona fide private mail delivery company, and is signed and dated on or before Election Day.
 - c) Prohibits a law enforcement officer from arresting any person within 200 feet of a polling place on Election Day during the time in which the polling place is open, except for a crime related to disrupting the operation of the polling place, a crime against a person, or a crime against property. Provides that this section does not provide legal amnesty for any crime committed within the buffer zone on Election Day.
 - d) Authorizes a county board of supervisors to expand the distance from a voting location where electioneering is prohibited from 100 feet up to 200 feet of either of the following:

- i) The entrance to a building that contains a polling place, an elections official's office, or a satellite location.
 - ii) An outdoor site, including a curbside voting area, at which a voter may cast or drop off a ballot.
 - e) Requires, if a county board of supervisors expands the area in which electioneering is prohibited, the approved distance to be uniform at every location described in d) above within the county. Provides that a violation of these provisions is punishable as a misdemeanor.
 - f) Requires a law enforcement officer to abide by and enforce c), d), and e) above, and existing law prohibiting electioneering activities, and to notify the Secretary of State (SOS) and Attorney General (AG) of a suspected, planned, or actual violation.
 - g) Permits the state to place reasonable restrictions on a polling place located on state property, and permits a local government to place reasonable restrictions on a polling place located on local government property, in order to enforce the requirements of this bill.
 - h) Allows a county elections official to extend the time for closing the polls at any polling place on Election Day if the official determines that voting at the polling place was disrupted as a result of a violation of c), d) or e) above.
 - i) Requires all votes cast during a time that the closing of the polls was extended to be by provisional ballot. Requires any provisional ballots cast to be separated and held apart from other provisional ballots cast by voters prior to the time the closing of the polls was extended.
- 2) Contains a sunset date of January 1, 2030.
 - 3) Contains a severability clause.
 - 4) Contains an urgency clause, allowing this bill to take effect immediately upon enactment. Specifies that the need for the urgency clause is to ensure eligible voters may vote safely and securely at the November 3, 2026, statewide general election.

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. Requires the elections official to begin mailing VBM ballots not later than 29 days before the election, as specified. (Elections Code §§3000.5, 3001, 3010)
- 2) Provides a VBM ballot is timely cast if it is received by the voter's elections official by mail no later than seven days after Election Day and is postmarked or time/date stamped on or

before Election Day. (Elections Code §§3020, 4103)

- 3) Defines “electioneering” to mean the visible display or audible dissemination of information that advocates for or against any candidate or measure on the ballot within the 100 feet of the entrance to a building that contains a polling place, an elections official’s office, or a satellite location, or an outdoor site, including a curbside voting area, at which a voter may cast or drop off a ballot. Provides that the prohibited electioneering information or activity includes, but is not limited to, any of the following:
 - a) A display of a candidate’s name, likeness, or logo.
 - b) A display of a ballot measure’s number, title, subject, or logo.
 - c) Buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information.
 - d) Dissemination of audible electioneering information.
 - e) Obstructing access to, loitering near, or disseminating visible or audible electioneering information at VBM ballot drop boxes. (Elections Code §319.5)
- 4) Makes it a misdemeanor for a person to do any of the following within 100 feet to the entrance to a building that contains a polling location, an election official’s office, a satellite location, or an outdoor site where a voter may cast or drop off a ballot, at any time a voter may be casting a ballot:
 - a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
 - b) Solicit a vote or speak to a voter on the subject of marking the voter’s ballot.
 - c) Place a sign relating to voters’ qualifications or speak to a voter on the subject of the voter’s qualifications, except as provided in existing law.
 - d) Display a candidate’s name, likeness, or logo.
 - e) Display a ballot measure’s number, title, subject, or logo.
 - f) Wear or use buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information.
 - g) Disseminate audible electioneering information.
 - h) Obstruct access to, loiter near, or disseminate visible or audible electioneering information at VBM ballot drop boxes. (Elections Code §18370)
- 5) Requires the polls to be open at 7 am of the day of any election, and to be kept open until 8 pm of the same day. Provides that if a voter is in the polling location or line at a polling

location on or before 8pm, the voter must be allowed to vote and the polls kept open a sufficient time to enable a voter to vote. Prohibits anyone who arrives at the polling place after the time provided for closing the polls from being entitled to vote, even though the polls are open when the voter arrives. (Elections Code §§2300(a)(3), 4005, 14212, 14401, 14402)

- 6) Requires, if the time for closing the polls is extended pursuant to a court order, that all votes cast during the time that the closing of the polls is extended be by provisional ballot. Requires any provisional ballots cast during the time that the closing of the polls was extended to be separated and held apart from other provisional ballots cast by voters prior to the time the closing of the polls was extended. (Elections Code §14402.5)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Amendments and Double Referral:** This bill is double-referred to the Assembly Committee on Public Safety and is scheduled to be heard in that committee on June 30, 2026. It will be heard in this committee on July 1 contingent upon this committee's receipt of the bill from the Public Safety Committee.

The author has proposed amendments to delete provisions of the bill that would have increased the number of VBM ballot drop-off locations required to be provided. Specifically, the amendment is as follows:

On page 4, strike our lines 32 to 39, inclusive:

~~(a) (1) Notwithstanding Section 3025.5, Section 4005, or any other law, a county shall provide at least two vote by mail ballot drop-off locations within the county or at least one vote by mail ballot drop-off location for every 11,250 registered voters, whichever results in more vote by mail ballot drop-off locations.~~
~~(2) Notwithstanding paragraph (1), a county with fewer than 11,250 registered voters shall provide at least one vote by mail ballot drop-off location.~~

This analysis reflects those proposed author's amendments.

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

Our state is facing serious threats from the Trump administration, and we will not treat them as idle or theoretical. We know that the President Trump's allies seek to suppress voter turnout, especially among minority communities, by deploying ICE and military forces on election day. California has both the constitutional right and responsibility to run our own safe and secure elections, and we intend to do exactly that. These threats serve as a reminder that voting is a fundamental right that must be protected from intimidation and interference. In the interest of protecting this fundamental right and ensuring voters feel safe participating in our democracy, no law enforcement presence, including state or local, should be permitted near voting areas unless necessary to address a crime against persons or

property. Given the expected federal interference with California's elections, SB 884 would also increase options to avoid physical polls by extending vote center service hours... SB 884 will protect our voters, defend local control, and uphold our democracy regardless of whether the federal government chooses to respect those principles.

- 3) **Threats of Federal Interference in Elections:** Although federal law prohibits federal troops or law enforcement from interfering with voting, multiple media reports indicate that allies of the Trump administration have floated the possibility of deploying immigration agents or other federal personnel to polling locations this fall. In response, the White House and a senior Department of Homeland Security official have stated that there are no plans to send United States (US) Immigration and Customs Enforcement agents to polling sites.

Despite these denials, the mere possibility of federal agents being stationed at or near polling places has heightened concerns about voter intimidation. Some dismiss these concerns by arguing that only citizens are eligible to vote. However, this reasoning overlooks the reality that the visible presence of immigration or other federal law enforcement officers can deter even eligible voters. This concern is amplified by documented cases of large numbers of US citizens being stopped by immigration authorities, and smaller numbers being detained notwithstanding their citizenship.

In an effort to address potential federal inference in California's elections, last year, SB 851 (Cervantes), Chapter 238, Statutes of 2025, was signed into law. SB 851 expanded an existing crime and made it illegal to hire or arrange for an officer or agent of a federal law enforcement agency, or any person acting on behalf of a federal law enforcement agency, to be stationed in the immediate vicinity of, or posted at a polling place without authorization of the appropriate elections official or written authorization by a federal court.

In May, Governor Newsom signed SB 73 (Cervantes), Chapter 10, Statutes of 2026, which builds on the foundation established by Senate Bill 851 and strengthens California's safeguards against election interference. SB 73 prohibits a peace officer (a term that does not include federal law enforcement) from interfering with the administration of an election and the discharge of duties of election personnel, except as necessary to respond to urgent threats to public health and safety, and allows the SOS or the AG to override a county's decision to authorize uniformed peace or law enforcement officers, private guards, or security personnel to be stationed at a voting location or county elections office. Additionally, SB 73 permits the AG, the SOS, or a county elections official to bring a civil action to enforce these provisions and requires the court to expedite an action that is brought during the period beginning 30 days before the election and ending with the completion of the election canvass.

- 4) **VBM Ballot Receipt Deadline:** In every election, a small share of VBM ballots (approximately 1-1.5% of ballots received) are rejected and not counted due to a variety of reasons, including arriving late and signature issues. This bill extends the deadline by which a VBM ballot may be received by mail and still be counted from seven days to 10 days after Election Day, provided that the ballot was mailed by Election Day.

According to data from the SOS's website, a ballot is categorized as "not received on time" if

the ballot was not received by the VBM deadline or if the ballot postmark was after Election Day. The SOS's VBM ballot rejection reports state the following number of late VBM ballots for recent statewide elections:

- March 2024 statewide primary election: Of the 108,982 of VBM ballots rejected, 75,858 arrived late.
- November 2024 statewide general election: Of the 122,480 VBM ballots rejected, 33,016 arrived late.
- November 2025 statewide special election: Of the 159,999 VBM ballots rejected, 72,473 arrived late.

At the time of writing this analysis, VBM ballot rejection data for the June 2026 statewide primary election was not available.

The available data from the SOS does not break out the number of VBM ballots that were rejected because they were received more than seven days after Election Day from the number of ballots that were rejected because they were postmarked after Election Day. Without more data about the number of ballots that are arriving between the 8th and 10th day after an election but that are postmarked on or before Election Day, it is uncertain whether extending the VBM ballot receipt deadline will have a meaningful effect.

Furthermore, the 10-day VBM ballot receipt deadline that this bill proposes would be a temporary policy that only applies to elections conducted this fall through 2029. Such a temporary change may lead to voter confusion in future elections if the ballot receipt deadline reverts to seven days after the election when this bill sunsets.

- 5) **Electioneering:** SB 35 (Umberg and McGuire), Chapter 318, Statutes of 2021, modified the distance where electioneering and other prescribed political activities are prohibited to within 100 feet from the entrance of a building that contains a polling location, an elections official's office, a satellite location, or from an outdoor voting area where a voter may cast their ballot or drop off a ballot, among other provisions. Prior to that bill, the electioneering prohibition zone extended from the voting room instead of the building.

This bill authorizes a county board of supervisors to expand electioneering from 100 feet up to 200 feet. This extension may be confusing and challenging to enforce for elections officials and law enforcement as they would need to communicate, mark and monitor different electioneering distances from past elections.

- 6) **Extending Voting Hours and Suggested Amendment:** Under existing law, a court may extend the time that the polls are open. This bill additionally authorizes an elections official to extend the time that polls are open without court involvement if voting is disrupted. To ensure this new authorization is not abused or politicized, the committee may wish to consider requiring an elections official to consult with their county counsel when deciding whether to extend the time that polls are open.

- 7) **Pending Litigation Related to VBM Ballot Receipt Deadlines:** In March, the US Supreme Court heard oral argument in *Watson v. Republican National Committee*, (Docket No. 24-1260), a case challenging a Mississippi law that allows VBM ballots that are received by mail after Election Day to be counted if those ballots were mailed by Election Day. Currently, 16 states (including California) and Washington D.C. accept and count mail ballots received after Election Day provided those ballots have been postmarked on or before Election Day, and about half of states count ballots from military and overseas voters that are received after Election Day if they are postmarked by Election Day. The ruling in this case could have significant implications for election administration if the court decides that only ballots received by the elections official on or before Election Day may be counted. At the time of the preparation of this analysis, the Supreme Court had not yet issued its decision in that case, though it is expected to do so this week.
- 8) **United States Postal Service:** Last year, the USPS implemented significant changes affecting service on a nationwide basis. Last October, ahead of the 2025 statewide special election, the AG and SOS held a press conference to bring awareness to the USPS mail service changes and inform voters in some rural areas— or areas away from key mail processing sites — that a ballot dropped in the US mail on Election Day might be postmarked after Election Day. The press release stated that under the USPS’s new process, mail dropped off at post offices and mail collection boxes more than 50 miles from a USPS regional hub likely will not receive a postmark that reflects the day that the item was mailed. As a result, ballots mailed on or before Election Day may receive a postmark after Election Day, thereby prohibiting those ballots from being counted. The press release advised voters to drop off their ballot at a ballot drop-off box or a voting location, go to any post office and ask at the counter for the envelope to be manually postmarked, or get the ballot in the mail at least a few days before Election Day. The press release linked to a map showing the location of California’s six regional mail processing facilities— West Sacramento, Richmond, Santa Clarita, Los Angeles, Bell Gardens, and San Diego— and underscored that mail-in ballots in communities more than 50 miles from each of these facilities may not be postmarked the day they are mailed.

According to news articles, the USPS recommended that domestic voters mail their ballot at least one week before the deadline when a ballot should be received by an elections office and emphasized that the USPS has never guaranteed same-day postmarking.

- 9) **Technical Amendment:** This bill requires any regular or special election held in 2026 through 2029, or proclaimed in 2029, to follow the procedures outlined in this bill. However, this bill also contains a sunset date of January 1, 2030, and an election that is proclaimed in 2029 may not be held until sometime after that date. Committee staff recommends a technical amendment to adjust the sunset date to January 1, 2031, to address these conflicting provisions.

On page 6, in lines 35-36, strike out “~~January 1, 2030~~” and insert “January 1, 2031.”

- 10) **Arguments in Support:** In support of this bill, California Federation of Labor Unions, AFL-CIO, writes:

[Growing] concerns about possible election interference and voter intimidation in state elections threaten to undermine voter confidence and suppress turnout, particularly in immigrant and minority communities. SB 884 builds on existing protections by expanding the buffer zone around polling places and ballot processing sites to prohibit both electioneering and federal immigration enforcement within 200 feet of those locations. The bill also increases voter access by expanding vote center hours... These reforms provide counties with needed flexibility and help to ensure that every eligible vote is counted.

SB 884 is a necessary step to preserve California's commitment to free, fair, and secure elections by ensuring that voters can cast their ballots without fear or intimidation.

11) Arguments in Opposition: In opposition to this bill, the California Police Chiefs Association, writes:

[SB 884] creates significant operational and legal concerns by placing local law enforcement agencies in the middle of conflicts involving federal law enforcement operations and by unnecessarily restricting officers' ability to respond to legitimate public safety threats.

Sections 404 and 406 create dangerous conflicts for local law enforcement: As drafted, the bill would prohibit many law enforcement actions within 200 feet of a polling location while simultaneously requiring local law enforcement agencies to respond to alleged violations of those restrictions and notify the Attorney General when those alleged violations involve federal officers or agents. This framework places local officers in an untenable position...

Section 404 also unnecessarily restricts police discretion: The bill prohibits arrests within 200 feet of a polling location except under narrow circumstances. While well-intentioned, this restriction fails to recognize that officers routinely respond to evolving public safety situations requiring immediate action. Officers may encounter individuals with outstanding felony warrants, persons violating court orders, armed suspects, intoxicated individuals creating escalating disturbances, or other circumstances where delaying enforcement could jeopardize public safety. Under SB 884, officers may be forced to hesitate while attempting to determine whether an arrest fits within one of the bill's limited statutory exceptions. It will also potentially delay actions until a crime has actually been committed, even if a growing threat is present by an individual's actions...

Existing law already protects voters: California law already contains extensive protections against voter intimidation, electioneering, and interference with voting. Local law enforcement agencies routinely work with election officials to ensure polling places remain safe while respecting the rights of every voter. SB 884 goes far beyond protecting voters. Instead, it creates operational confusion, exposes local agencies to legal uncertainty, and unnecessarily places

municipal police departments in the middle of disputes involving federal law enforcement operations that are beyond the proper role of local agencies.

- 12) **Related Legislation:** AB 1664 (Jackson), which is pending in the Senate Public Safety Committee, requires local agencies and elections officials to notify the SOS and AG within one business day of becoming aware of any warrant, subpoena, or active law enforcement investigation pertaining to election records or voting systems. AB 1664 passed out of this committee on a 6-2 vote.

REGISTERED SUPPORT / OPPOSITION:

Support

California Community Foundation (prior version)
California Federation of Labor Unions, AFL-CIO
California School Employees Association (prior version)
California State Treasurer (prior version)
County of Santa Barbara
Disability Rights California (prior version)
Latino Community Foundation (prior version)
League of Women Voters of California
No ICE Marin Coalition
Unidosus (prior version)

Opposition

California Association Clerks and Election Officials (prior version)
California Police Chiefs Association

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