

Date of Hearing: March 29, 2023

ASSEMBLY COMMITTEE ON ELECTIONS  
Isaac G. Bryan, Chair  
AB 884 (Low and Cervantes) – As Amended March 21, 2023

**SUBJECT:** Elections: language accessibility.

**SUMMARY:** Substantially increases the circumstances under which the Secretary of State (SOS) and county elections officials are required to provide translated election materials and specified language services. Specifically, **this bill:**

- 1) Requires the SOS, by January 1, 2025 and by January 1 of every subsequent year following a presidential election, to create and make publicly available on the SOS's internet website both of the following:
  - a) A list of all languages, other than English, spoken or used by at least 5,000 voting-age individuals in the state, who lack sufficient skills in English to vote without assistance, including languages not subject to the federal Voting Rights Act (VRA).
  - b) A list of all languages, other than English, spoken or used by at least 100 voting-age individuals in each county, who lack sufficient skills in English to vote without assistance, including languages not subject to the federal VRA.
- 2) Requires the lists of languages created pursuant to (1) above to:
  - a) Be based on the best available data, which may include the most recent American Community Survey from the United States (US) Census Bureau, state agency data, and any other relevant data source.
  - b) Include the estimated number of individuals in each county who speak or use each listed language.
- 3) Requires the SOS, for each statewide election, to do all of the following:
  - a) Provide registration forms, voting notices, instructions, assistance, other materials, and information relating to the electoral process that the SOS prepares in English, in all languages identified pursuant to (1)(a) above so that all voters have an effective opportunity to register, learn the details of the election, and cast a free and effective ballot.
  - b) Provide translated materials subject to (1)(a) above to a voter in a manner consistent with existing law if the voter has indicated a language preference for one of the languages.
  - c) Ensure the state voter information guide is translated pursuant to existing law into each language listed by the SOS pursuant to (1)(a) above.
  - d) Provide a translated state information guide to a voter by the deadlines provided in existing law if the voter has indicated a language preference for one of the languages into

which materials are translated.

- e) Ensure that each translation of the state voter guide is made is available on the internet website of the SOS.
  - f) Provide a toll-free voter assistance hotline that is operational from no later than 29 days before the day of the election until 5 p.m. on the day after the election. Requires the toll-free voter assistance hotline to provide assistance to voters in all languages listed in (1) above and be accessible to voters who are deaf or hard of hearing.
- 4) Requires the county elections official, for each election, in counties where a language is identified in pursuant to (1)(b) above, to do both of the following for each language:
- a) Provide votable ballots, registration forms, voting notices, instructions, assistance, other materials, and information relating to the electoral process, that the county elections official prepares in English in that language so that all voters have an effective opportunity to register, learn the details of the elections, and cast a free and effective ballot.
  - b) Ensure the county voter information guide is translated into that language.
- 5) Requires the county elections official, for each election in counties where a language is identified pursuant to (1)(b) above, to do all of the following:
- a) Provide translated voting materials to a voter in a manner consistent with existing state law if the voter has indicated a language preference for one of the languages.
  - b) Provide a translated county voter information guide to a voter by the deadlines provided in existing law if the voter has indicated a language preference for one of the languages into which materials are translated pursuant to (1)(b) above.
  - c) Ensure each translation of the county voter guide that is made pursuant to (1)(b) above is available on the internet website of the county.
  - d) Ensure at least two direct contacts with voters for purposes of informing voters of the upcoming election and promoting the toll-free voter assistance hotline;
  - e) Establish a language accessibility advisory committee that is comprised of representatives of language minority communities.
  - f) Conduct outreach with community based organizations to educate voters on the availability of language access services and materials.
  - g) Report to the SOS the number of voters who have indicated a language preference, by language.
  - h) Make reasonable efforts to recruit election officials who are fluent in a language listed pursuant to (1)(b) above and in English.

- i) Create a dedicated internet website address where voters speaking a language identified in (1)(b) above can find all available translated voting materials in that language created in the state, by the SOS or by a county elections official, in the style of [vote.ca.gov/espanol](http://vote.ca.gov/espanol) or, if a language does not use the roman alphabet, in the style of [vote.ca.gov/korean](http://vote.ca.gov/korean).
- 6) Requires the content of state and county election internet websites to be translated into the languages identified above.
- 7) Requires these provisions above to apply to all stages of the electoral process, including the issuance, at any time during the year, of notifications, announcements, or other informational materials concerning the opportunity to register, the deadline for voter registration, the time, places, and subject matters of elections, and the voting process.
- 8) Requires the SOS, in counties where a language is listed pursuant to (1)(b), to do both of the following:
  - a) Ensure each county complies with the provisions of this bill.
  - b) Provide funding for a county language access coordinator if more than three languages are identified in a county pursuant to (1)(b).
- 9) Authorizes the SOS to adopt any rules necessary to implement the provisions of this bill.
- 10) Repeals provisions of current law that require an elections official to recruit elections officials fluent in a language when they find that non-English speaking citizens approximate three percent or more of the voting-age residents of a precinct, or if interested citizens or organizations provided information that the elections official believes indicates a need for voting assistance for qualified non-English speaking citizens, and instead requires a county where a language is listed above in (1)(b) to make reasonable efforts to recruit election officials who are fluent in a language used by those citizens. Requires the number of elections officials who speak a language listed above in (1)(b) and their placement to be determined based on best available data regarding need and with the cooperation of interested citizens.
- 11) Requires vote by mail signature verification and unsigned identification envelope statement notices and instructions to be translated in all languages required in that county pursuant to this bill.
- 12) Requires a county that conducts elections using vote centers, instead of polling places, pursuant to the California Voter's Choice Act (CVCA), to provide language assistance and translated elections materials in all languages identified in its county in accordance with (1)(b) above.
- 13) Deletes provisions of law that require language translations of a candidate's ballot designation to be as short as possible and employ abbreviations and initials wherever possible in order to avoid undue length.

- 14) Requires elections officials to consult interested citizens about whether transliteration of candidates' names is appropriate for languages that are not character-based languages.
- 15) Requires ballot design experts who are members of the SOS's ballot design advisory committee to have demonstrated experience in ballot language and accessibility requirements and knowledge of presenting election materials to voters in multilingual or accessibility methods.
- 16) Requires an elections official, if the county is covered for the language by the provisions of this bill or the federal VRA, to provide a translation of the candidate statement for a local nonpartisan candidate who wishes to have such a translation, as specified.
- 17) Allows an elections official to have translations of ballot materials and ballot instructions provided by a language speaker with equivalent qualifications to the qualifications of individuals who are currently permitted by state law to provide such translations.
- 18) Requires information to be posted at each polling place regarding the availability of a language hotline and a list of the available languages in which the hotline provides assistance pursuant to the provisions of this bill.
- 19) Repeals provisions of law that require facsimile copies of ballots and related instructions to be available at a polling place in Spanish or in other languages if the SOS has determined that three percent or more of the voting age residents are members of a single language minority and lack sufficient skills in English to vote without assistance, and instead provides that the SOS's County Clerk/Registrar of Voters Memorandum #22039, dated March 1, 2022, is deemed to be the SOS's finding and determination as to where it is appropriate to provide facsimile copies of the ballot and other languages until December 31, 2029.
- 20) Makes various findings and declarations.
- 21) Makes technical and conforming changes.

**EXISTING LAW:**

- 1) Declares the intent of the Legislature that non-English-speaking citizens, like other citizens, be encouraged to vote and that appropriate efforts be made to minimize obstacles to voting by citizens who lack sufficient skill in English to vote without assistance. (Elections Code §14201(h))
- 2) Requires elections officials to make reasonable efforts to recruit poll workers who are fluent in a language if three percent or more of the voting age residents in any precinct are fluent in that language and lack sufficient skill in English to vote without assistance. (Elections Code §12303)
- 3) Requires two facsimile ballots and related instructions required to be available at a polling place in Spanish or other languages in which the SOS has determined three percent or more of the voting age residents in a county or precinct are members of a single language minority and lack sufficient skills in English to vote without assistance. Requires four facsimile ballots and related instructions required to be available at a polling place in Spanish or other languages in which the SOS has determined exceeds 20% of the voting age residents in a

county or precinct are members of a single language minority and lack sufficient skills in English to vote without assistance. (Elections Code §14201(b))

- 4) Requires a county that conducts elections using vote centers, instead of polling places, pursuant to the CVCA, to provide language assistance, translated election materials, and post information regarding availability of language assistance in all languages required in the jurisdiction pursuant to state and federal law, as specified. Requires CVCA counties to establish language accessibility advisory committees (LAAC), as specified. (Elections Code §4005)
- 5) Provides that a county elections official is not required to provide facsimile copies of the ballot in a particular language if the county elections official is required to provide translated ballots in that language pursuant to federal law, as specified. (Elections Code §14201(g))
- 6) Requires the SOS to establish a statewide LAAC to advise and assist the SOS with implementation of federal and state laws relating to access to the electoral process by limited English proficiency voters, as specified. (Elections Code §2600)

**EXISTING FEDERAL LAW:**

- 1) Requires a state or a political subdivision of a state to provide voting materials in the language of a minority group when that group within the jurisdiction has an illiteracy rate that is higher than the national illiteracy rate, and the number of US citizens of voting age in that single language group within the jurisdiction meets at least one of the following:
  - a) Numbers more than 10,000;
  - b) Makes up more than five percent of all voting age citizens; or,
  - c) On an Indian reservation, exceeds five percent of all reservation residents. (52 U.S.C. §10503).
- 2) Requires a state or political subdivision of a state to provide voting materials in the language of a minority group if all of the following apply:
  - a) Over five percent of the voting age citizens were, on November 1, 1972, members of a single language minority group;
  - b) Registration and election materials were provided only in English on November 1, 1972; and,
  - c) Fewer than 50 percent of the voting age citizens were registered to vote or voted in the 1972 Presidential election. (52 U.S.C. §10303).
- 3) Defines language minorities or language minority groups, for the purposes of the above provisions, to mean persons who are American Indian, Asian American, Alaskan Natives, or of Spanish heritage. (52 U.S.C. §§10310, 10503).

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

**COMMENTS:**

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

AB 884 demonstrates California commitment to an open and accessible electoral process by eliminating barriers to voter participation and ensuring voters have access to election materials in their preferred language.

2) **Federal Voting Rights Act of 1965:** The 15th Amendment to the US Constitution provides, in part, "[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude." Additionally, the 15th Amendment authorizes Congress to enact legislation to enforce its provisions.

Congress determined that the existing federal anti-discrimination laws were not sufficient to overcome the resistance by state officials to enforce the 15th Amendment. As a result, Congress passed and President Johnson signed the VRA. The VRA provides, among other provisions, that "[n]o voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge that right of any citizen of the United States to vote on account of race or color."

In 1975, Congress adopted the language minority provisions of Sections 4(f)(4) and 203 of the VRA. Congress extended these provisions in 1982, 1992, and 2006. Sections 4(f)(4) and 203 of the VRA require certain jurisdictions with significant populations of voting age citizens who belong to a language minority community to provide voting materials in a language other than English. These determinations are based on data from the most recent Census.

Specifically, Sections 203 and 4(f)(4) require that when a covered state or political subdivision "[p]rovides registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language."

In 2013, the US Supreme Court in *Shelby County v. Holder* (2013) 570 U.S. 529, invalidated the coverage formula that is used to determine the jurisdictions that are subject to the language requirements in Section 4(f)(4) of the VRA, and the VRA has not been amended since that time to create a new coverage formula. Accordingly, while Section 4(f)(4) remains a part of the VRA, no jurisdictions currently are required to provide language assistance under its provisions. The California jurisdictions that likely would have been required to provide language assistance pursuant to Section 4(f)(4) under the existing coverage formula, however, are required to provide language assistance under Section 203 or under state law to at least some precincts within those jurisdictions.

3) **New Census Data:** On December 8, 2021, the US Census Bureau released its most recent determination of minority language requirements under Section 203 of the VRA. These determinations, updated every five years, affect federal requirements for providing voting

materials and other assistance during elections for certain language minority groups within California and across the US. Pursuant to Section 203, the state of California is required to provide bilingual voting assistance to Spanish speakers. Additionally, pursuant to Section 203, 28 of California's 58 counties are individually required to provide bilingual voting assistance to Spanish speakers, and nine counties (Alameda, Contra Costa, Los Angeles, Orange, Sacramento, San Diego, San Francisco, San Mateo, and Santa Clara) are required to provide voting materials in at least one language other than English and Spanish.

In addition, existing state law requires the SOS, in each gubernatorial election year, to determine the precincts where three percent or more of the voting age residents are members of a single language minority and lack sufficient skills in English to vote without assistance. According to a December 31, 2021 memo from the SOS's office, the SOS contracted with the California Statewide Database (SWDB) at University of California (UC) Berkeley to determine which precincts have reached the three percent threshold. The SWDB relied upon a special tabulation provided by the Census Data Review Board to determine which precincts met the three percent threshold for single language minorities. According to the memo, due to stricter Census Privacy Disclosure Rules, counties saw a major reduction in languages that meet the three percent threshold. The memo encouraged counties to work with their community groups to determine if a need exists for any of the previously covered languages and that to consider the need of their communities before eliminating languages that were previously covered.

On March 1, 2022, the SOS's office subsequently sent out another memo reinstating prior precinct minority language determinations, in addition to the new determinations included in the December 31, 2021 memo. According to the memo, the SOS found sufficient reason to believe that it was necessary to reinstate minority language assistance determinations that were made in 2017 and 2020 in order to ensure that communities have access to language assistance services.

Below is a breakdown of the counties that have additional languages required under state law. According to the SOS's website, the chart below is based upon 2016 and 2020 precinct information and data, as previously provided by the SWDB at UC Berkeley. The languages are reinstated languages as of February 28, 2022, for elections conducted on June 7, 2022, and thereafter. The requirements provided below will remain in place through December 31, 2025 and the next determinations will be issued by January 1, 2026. The italicized languages are new requirements as of January 1, 2020 and the bolded languages are reinstated languages as of February 28, 2022, for elections conducted on June 7, 2022, and thereafter. (These language requirements are in addition to language assistance that is required under Section 203 of the VRA.)

Alameda: **Burmese, Cambodian/Khmer, Hindi, Korean, Laotian, Mien, Mongolian, Panjabi, Telugu**

Alpine: None

Amador: **Spanish**

Butte: **Hmong**, Spanish

Calaveras: **Spanish**

Colusa: None

Contra Costa: **Filipino, Hindi, Korean, Laotian, Nepali, Panjabi, Tamil, Telugu, Vietnamese**

Del Norte: **Spanish**  
 El Dorado: **Chinese, Spanish**  
 Fresno: **Cambodian/Khmer, Chinese, Filipino, Hmong, Korean, Laotian, Panjabi, Vietnamese**  
 Glenn: None  
 Humboldt: **Hmong, Spanish**  
 Imperial: None  
 Inyo: **Spanish**  
 Kern: Filipino, Panjabi  
 Kings: **Filipino**  
 Lake: **Spanish**  
 Lassen: Spanish  
 Los Angeles: Armenian, **Bengali, Burmese, Farsi, Gujarati, Hindi, Indonesian, Japanese, Khmer, Mongolian, Persian, Russian, Telugu, Thai**  
 Madera: **Panjabi**  
 Marin: *Chinese*, Spanish, Vietnamese  
 Mariposa: **Filipino, Spanish**  
 Mendocino: Spanish  
 Merced: **Chinese, Hmong, Mien, Panjabi**  
 Modoc: **Spanish**  
 Mono: Spanish  
 Monterey: **Filipino, Korean, Vietnamese**  
 Napa: **Filipino**  
 Nevada: Spanish  
 Orange: **Filipino, Gujarati, Hindi, Japanese, Persian**  
 Placer: **Filipino, Korean, Panjabi, Spanish**  
 Plumas: **Spanish**  
 Riverside: Chinese, **Filipino, Korean, Vietnamese**  
 Sacramento: **Filipino, Hindi, Hmong, Japanese, Korean, Laotian, Mien, Panjabi, Telugu, Urdu**  
 San Benito: None  
 San Bernardino: Chinese, **Filipino, Indonesian, Korean, Vietnamese, Thai**  
 San Diego: **Arabic, Japanese, Korean, Laotian**  
 San Francisco: **Burmese, Filipino, Japanese, Korean, Thai, Vietnamese**  
 San Joaquin: Chinese, **Cambodian/Khmer, Filipino, Hindi, Hmong, Laotian, Panjabi, Urdu, Vietnamese**  
 San Luis Obispo: **Filipino, Spanish**  
 San Mateo: **Burmese, Japanese, Korean, Hindi**  
 Santa Barbara: Chinese, **Filipino, Korean**  
 Santa Clara: **Cambodian/Khmer, Gujarati, Hindi, Japanese, Korean, Nepali, Panjabi, Tamil, Telugu**  
 Santa Cruz: Spanish  
 Shasta: **Spanish**  
 Sierra: **Spanish**  
 Siskiyou: Spanish  
 Solano: **Filipino, Spanish**  
 Sonoma: **Cambodian/Khmer, Filipino, Vietnamese**  
 Stanislaus: **Cambodian/Khmer, Panjabi, Syriac**  
 Sutter: **Filipino, Panjabi, Spanish**



Tehama: Spanish  
 Trinity: None  
 Tulare: **Burmese, Filipino, Laotian**  
 Tuolumne: **Spanish**  
 Ventura: **Chinese, Filipino, Gujarati, Vietnamese**  
 Yolo: **Chinese, Korean, Panjabi, Spanish**  
 Yuba: **Hmong, Spanish**

- 4) **California Voting for All Act & Previous Legislation:** In 2017, in an effort to reduce barriers and expand and improve language access and assistance for voters who identify as limited-English proficient (LEP) voters, the Legislature approved and Governor Brown signed AB 918 (Bonta), Chapter 845, Statutes of 2017 into law. AB 918 significantly expanded the availability and accessibility of facsimile ballots in languages other than English in situations where such facsimile ballots are required to be made available pursuant to existing law. Notably, AB 918 increased the number of translated facsimile ballots and instructions available at polling locations, required county elections to post on their website information identifying polling places in the county with translated facsimile ballots, specified signage at polling places to inform voters of the resources available in other languages, permitted vote by mail voters to request a translated facsimile ballot, and permitted a county elections official to provide a voter with a translated ballot instead of providing the required translated facsimile ballot.
- 5) **Thresholds:** This bill makes significant changes to current language assistance requirements in state law. On a county level, this bill requires the SOS to identify all languages spoken by at least 100 voting age individuals in the county who lack sufficient skill in English to vote without assistance, also referred to as LEP. This bill bases the threshold on the number of voting age LEPs in a *county* instead of in a precinct. Precinct level data shows areas within the jurisdiction where concentrated communities of LEP voters reside thereby allowing election resources to be focused in those specific areas. While basing the threshold on county level data could result in making language assistance services available to more voters, it also could strain election resources, and require language services in areas of the county where the need is less prevalent.

Furthermore, at the county level, existing law requires language assistance to be provided in precincts where at least three percent of the voting age residents are LEP and members of a single language minority. This bill instead requires assistance to be provided in all languages spoken by at least 100 voting age LEPs in the county. The sponsors of this bill believe that in most counties, these threshold changes will result in modest increases to the languages required to be covered. It seems likely, however, that this bill would result in significant new language requirements in at least some counties. Los Angeles County, for example, has a population of approximately 10 million residents; 100 individuals – the threshold that triggers language coverage under this bill – is approximately one-one thousandth of a percent of Los Angeles County’s residents.

On the state level, language translation and assistance requirements are based on the requirements of federal law, which defines language minorities as persons who are Asian, Native American, Alaskan Native, or of Spanish-heritage. Federal law does not cover other language minority groups. This bill expands language requirements and requires the SOS to provide translated election materials and language assistance to all languages spoken by at

least 5,000 voting age LEPs that are not covered by federal law. According to the sponsors, this new threshold may result in almost doubling the languages for the SOS.

Committee staff has not received information, however, from the SOS or from county elections officials about the number of languages in which they believe they would be required to provide language assistance under this bill. Evaluating the exact implications of the policy proposed by this bill is challenging in the absence of that information. Further consultation and collaboration with county elections officials and the SOS will be essential in determining whether the provisions of this bill can be implemented effectively, and in identifying the resources that would be necessary for such implementation.

- 6) **Higher Levels of Language Service & Logistical Concerns:** As detailed above, when elections officials are required to provide translated materials pursuant to federal law, the officials must translate *all* election related materials, including ballots and voter information guides. By contrast, when elections officials are required to provide language assistance under state law, the type of assistance required is more limited.

This bill requires elections officials to provide similar levels of translation for languages covered by this bill as are required for languages covered by federal law. For example, this bill expands the number of election materials that receive translations to include forms, voting notices, and instructions and assistance forms. Increasing the number election materials to be translated and the number of translated languages likely will improve accessibility to the election process, but also may create logistical, timeline, and resource concerns. Because of a limited supply of translation vendors, the SOS and many counties already use the same vendors for preparing translated materials. As a result, procuring translation services may be even more challenging and add more time to an already compressed election calendar if the number of translations and types of materials to be translated are substantially expanded as proposed by this bill.

- 7) **Data Sources:** Due to stricter privacy disclosure rules in the last Census, counties saw a major reduction in languages that met the three percent threshold. In an effort to address this, this bill requires the thresholds to be calculated the best available data, which may include the most recent American Community Survey from the US Census, state agency data, and any other relevant data source. At this time, it is unclear whether the underlying population data used to make language access determinations at the precinct level for coverage will be available. This bill will ensure other data sources are explored, and the best available data is used to determine the number of individuals in each county who speak or use certain languages.
- 8) **Oregon:** In 2021, in the State of Oregon, House Bill (HB) 3021 was signed in to law and requires, among other provisions, the Oregon SOS to create and make publicly available a list of five most common languages spoken in the state and each county, other than English. Notably, HB 3021 requires the list to be based on best available data and include the estimated number of individuals in each county who speak each listed language, and requires the SOS to ensure each state and county voters' pamphlet is translated into the listed state languages, county languages spoken by 100 or more individuals, and each previously listed county language is made available on SOS and applicable county websites. While this bill proposes using a similar 100-person threshold as the Oregon law for triggering language assistance at the county level, the populations and demographics of counties in California and

Oregon are very different, so a 100-person threshold is likely to have a much greater impact in California. For example, according to the US Census Bureau, Oregon's largest county has just over 800,000 residents. By contrast, there are 13 counties in California with more than 800,000 residents; Los Angeles County alone has more than two times the population of the entire state of Oregon.

- 9) **New Terminology:** This bill requires a county elections official to provide “votable ballots” in a language for which the county is required to provide assistance under this bill. Under existing law, a ballot is generally defined as one or more cards that are printed or an electronic touchscreen which appears the names of the candidates and the ballot titles of measures to be voted on by marking the designated area. The term “votable ballot” is not defined in existing law or in this bill. The author may wish to consider amendments to clarify the meaning of the term “votable ballot.”
- 10) **Arguments in Support:** The co-sponsors of this bill, Asian Americans Advancing Justice-Asian Law Caucus, California Common Cause, and The Partnership for the Advancement of New Americans, write in support:

California has the nation's highest proportion of households that speak a language other than English at home, and millions of Californians who identify as limited-English proficient (LEP). According to the latest American Community Survey, approximately 11.6% of California's eligible voter population, or 2.94 million Californian U.S. citizens, identify as LEP. California's two fastest-growing racial or ethnic populations—Asian Americans and Latinos—are the two groups least likely to vote and the two groups most likely to be LEP.

Depending on whether individuals belong to language communities that meet specific definitions in either federal or state code, they have access to differing levels of support for interacting with our electoral systems and some receive no language assistance at all...

While the language assistance required under federal law is comprehensive, this threshold (5% or 10,000 citizen voting age individuals in a county) has proven to be too high to provide assistance to many of California's highly dispersed language communities and smaller language communities. Additionally, the protections in federal law are limited by statute to specific languages and exclude languages with origins in Africa, the Middle East, the Caucasus region (i.e. the Armenian community), and Eastern Europe, meaning immigrants from these regions are not eligible to receive federal language protections...

On the other hand, California's state-level language assistance threshold is much lower, but provides fewer useful services to voters and continues to exclude the languages not covered by the VRA. Under California law, when LEP members of a language community comprise 3% of the voting age population of a precinct, the county must provide a “facsimile” ballot, which is a translated reference ballot, at that precinct's polling place... Facsimile ballots cannot be voted on, often cannot be found in voting sites, are viewed as confusing to use, and are not widely advertised as available to mail ballot voters...

Our organizations have been involved in a California Language Access Workgroup, convened of voting rights advocates and community-based organizations, since the fall of 2021. This effort seeks to reimagine California's language access laws and policies to strengthen our democracy by increasing electoral participation of LEP voters, most of whom are members of historically disenfranchised communities. The workgroup evaluated California's current language access laws, existing practices across the country, and held listening sessions with impacted communities. This resulted in the adoption of several policy recommendations to strengthen California as a multiracial, multilingual modern democracy, which our organizations have adapted into AB 884.

AB 884 would...require that language communities receiving language assistance under California state law receive the same level of language access as communities receiving that assistance under federal law, bringing all communities to the same level of access and ensuring our language access requirements fit our modernized election system.

- 11) **Previous Legislation:** AB 1631 (Cervantes), Chapter 552, Statutes of 2022 requires a county elections official to post on the official's internet website a public list of all polling places where multilingual poll workers will be present and the language or languages other than English in which they will provide assistance, and requires county elections officials to use the internet in their efforts to recruit multilingual poll workers.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Asian Americans Advancing Justice-Asian Law Caucus (Co-Sponsor)  
California Common Cause (Co-Sponsor)  
Partnership for the Advancement of New Americans (Co-Sponsor)  
APIs for Civic Empowerment Education Fund  
ACLU California Action  
Afghans for A Better Tomorrow  
Alliance San Diego  
Asian Americans Advancing Justice-Southern California  
Asian Law Alliance  
Black Women Organized for Political Action (BWOPA)  
California Environmental Voters  
Catalyst California  
Chinese for Affirmative Action  
Coalition for Humane Immigrant Rights (CHIRLA)  
Council on American-Islamic Relations, California  
Disability Rights California  
Dolores Huerta Foundation  
Ella Baker Center for Human Rights  
Inland Empire United  
Islamic Shura Council of Southern California  
League of Women Voters of California  
Mexican American Legal Defense and Educational Fund

NALEO Educational Fund  
OC Action  
Pillars of the Community  
San Diego Organizing Project  
Viet Vote SD  
Youth Will

**Opposition**

None on file.

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