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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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April 18, 2023

The Honorable Assemblymember Reginald Jones-Sawyer
Chair, Assembly Committee on Public Safety
1020 N Street, Room 11
Sacramento, CA 95814

SUBJECT: AB 1559 (Jackson) Elections - SUPPORT

Dear Assemblymember Jones-Sawyer:

The California Association of Clerks and Election Officials (CACEO) Elections Legislative Committee is pleased to support Assembly Bill 1559 (Jackson), on ballot card defect reporting requirements, cast vote records retention policies, and prohibition on direct network connections to voting systems.

Current law requires electronic poll books, ballot manufacturers and finishers, ballot on demand systems, voting systems, and remote accessible vote by mail systems to be approved by the Secretary of State before use in an election. This bill would authorize the Secretary of State to require additional conditions of approval.

Existing law requires a ballot card manufacturer, ballot card finisher, or ballot on demand system vendor to notify the Secretary of State and affected local elections officials in writing within 2 business days after discovering any flaw or defect that could negatively impact the future casting or tallying of votes. AB 1559 would require notification within 24 hours. Under current law, voted ballots, are required to be kept by county elections officials for 22 months for elections involving a federal office or 6 months for all other elections. This bill would expand this to include paper cast vote records. The bill would also require county elections officials to keep certain electronic data for 22 months for elections for federal office or six months for all other elections.

Currently, it is a felony punishable by imprisonment for two to four years to knowingly, and without authorization, possess a key to voting equipment that has been adopted and will be used. AB 1559 would expand this crime to include knowing and unauthorized possession of credentials, passwords, or access keys to voting equipment. AB 1559 would also authorize the destruction or secure disposal of certified voting technology at the end of lifecycle with the written approval of the Secretary of State and the manufacturer.

Existing law prohibits a voting system from being connected to the internet and from receiving or transmitting wireless communications or wireless data transfers. This bill would prohibit establishing a network connection to any device not directly used and necessary for voting system functions. The bill would require a voting system to be separated by an air-gap.

CACEO greatly appreciates Assemblymember Jackson's desire to improve the security and efficiency of elections. We respectfully request the committee's AYE vote on AB 1559.

If you or your staff has any questions, please do not hesitate to contact me at tricia.webber@santacruzcounty.us or (831) 454-2409, or my co-chairs James Kus, at jkus@fresnocountyca.gov or (559) 600-1730 or Bob Page at bob.page@ocvote.gov or (714) 567-7620.

Respectfully,

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Bob Page

Co-Chair, CACEO Elections Legislative Committee

California Association of Clerks and Election Officials

cc: Assemblymember Jackson (Author)

Rob Grossglauser, Pinnacle Advocacy LLC

James Kus and Tricia Webber, Co-Chairs, CACEO Elections Legislative Committee