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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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March 8, 2023

The Honorable Assemblymember Gail Pellerin
Member, Assembly Committee on Elections
State Capitol, 1021 O Street, Suite 6310
Sacramento, CA 95814

SUBJECT: AB 398 (Pellerin) Voting: replacement ballots - SUPPORT

Dear Assemblymember Pellerin:

The California Association of Clerks and Election Officials (CACEO) Elections Legislative Committee is pleased to sponsor and support Assembly Bill 398, your proposal relating to voting and the issuance of replacement ballots. AB 398 will allow elections officials to service voters, including military and overseas voters, more efficiently while ensuring that all who are eligible to vote can do so.

Under current law, elections officials are required to provide a second vote by mail voter ballot to any voter upon receipt of a statement under penalty of perjury that the voter has failed to receive, lost, or destroyed their original ballot. Without first receiving a statement under penalty of perjury from the voter, election officials are currently barred from issuing a replacement ballot, even if that voter has already contacted the election official to request a replacement ballot. In these instances, a voter may be subjected to a longer wait period as they work through all of the steps that are necessary to initiate the replacement ballot process.

Your proposal clears the way for elections officials to properly and more efficiently service voters by allowing election officials to quickly act on replacement ballot requests as they are received. Through your proposal election officials will be able to initiate the replacement ballot process, in real time, as the voter makes the request. Additionally, your proposal will treat individuals equally by removing this same ballot replacement requirement for military and overseas voters thereby ensuring that they too have access to this same important service just like their domestic counterparts. Finally, as you are aware, elections officials only count one ballot for each voter and have processes in the place to reject any additional ballots cast should a voter attempt to abuse the replacement ballot process to vote more than once.

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) 567-7620-5690.

Respectfully,

Tricia Webber
Co-Chair, CACEO Elections Legislative Committee
California Association of Clerks and Election Officials

cc: Rob Grossglauer, Pinnacle Advocacy LLC
James Kus and Bob Page, Co-Chairs, CACEO Elections Legislative Committee

