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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION OFFICIALS

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April 24, 2023

The Honorable Senator Anthony Portantino
Chair, Senate Standing Committee on Elections and Constitutional Amendments
1020 N Street, Room 410
Sacramento, CA 95814

RE: SB 518 (Wilk) Elections: certification of results – OPPOSE

Dear Senator Portantino:

The California Association of Clerks and Election Officials (CACEO) Elections Legislative Committee must regrettably oppose Senate Bill 518 (Wilk), a proposal to establish a uniform date for all county election officials to certify the results of an election.

As the officials charged with conducting accessible elections in California, we share the desire of Senator Wilk to ensure voters have a clear understanding of how much time they have to cure a signature issue with their vote-by-mail ballot. CACEO's opposition is due to the fiscal impacts to those counties who are regularly able to complete the election canvass in less than 30 days and due to the delay for some candidates to assume their elected office.

Elections Code section 15301 requires that the election canvass be conducted daily, excluding weekends and holidays, for at least six hours each day until completed. Once all vote-by-mail ballots (except those challenged and awaiting cure by the voters) and provisional ballots are processed and the One Percent Manual Tally and reconciliation of election materials has been completed, a county elections official likely does not have six hours of work to complete each day. Requiring a county to extend their canvass period will add labor and security costs.

Additionally, requiring counties to continue the canvass when all work is done will impact when candidates can assume their elected office. The terms of special districts and school district offices start on specific days – first Friday of December and second Friday of December respectively. In some years, the first Friday of December falls before the 30th day after Election Day. County and city governing bodies declare winners at their next regular meeting following the certification date. By removing the ability of county elections officials to certify earlier, some jurisdictions will have to wait until their second meeting in December to declare the winners of their contests.

CACEO appreciates Senator Wilk's desire to provide clarity to voters regarding how much time is available to them to cure a signature issue with their vote-by-mail ballot. But as his proposal would place an unfunded State mandate on counties and potentially delay when candidates assume office, we respectfully request the committee's NO vote on SB 518.

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

Respectfully,

A handwritten signature in blue ink, appearing to read "Robert K. D." with a stylized flourish at the end.

Bob Page
Co-Chair, CACEO Elections Legislative Committee
California Association of Clerks and Election Officials

cc: Senator Wilk (Author)
Rob Grossglauser, Pinnacle Advocacy LLC
James Kus and Tricia Webber, Co-Chairs, CACEO Elections Legislative Committee