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AB-2218 Vote by mail ballot tracking. (2017-2018)

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Assembly Bill No. 2218

CHAPTER 432

An act to add Section 3019.7 to the Elections Code, relating to elections.

[Approved by Governor September 17, 2018. Filed with Secretary of State September 17, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2218, Berman. Vote by mail ballot tracking.

Existing law requires that the vote by mail ballot be made available to any registered voter. Existing law requires a county elections official to establish a free access system that allows a vote by mail voter to learn if his or her vote by mail ballot was counted and, if not, the reason why the ballot was not counted. Existing federal law, the Help America Vote Act of 2002 (HAVA), provides federal funding for states to carry out specified activities, such as improving voting systems and technology and methods for casting and counting votes.

This bill would require the Secretary of State to establish a system that a county elections official may use to allow a vote by mail voter to track and receive information about his or her vote by mail ballot through the mail system and as the vote by mail ballot is processed by the county elections official. The bill would require the Secretary of State to make the system available for use by each county and would authorize a county to use the system to satisfy the requirement to establish the existing free access system described above. The bill would require the Secretary of State to use federal funds provided to the state pursuant to HAVA to develop the system, and would require the Secretary of State to implement these provisions only to the extent that these funds are available.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 3019.7 is added to the Elections Code, to read:

3019.7. (a) Not later than January 1, 2020, the Secretary of State shall establish a system that a county elections official may use to allow a vote by mail voter to track his or her vote by mail ballot through the mail system and as the vote by mail ballot is processed by the county elections official. The system established pursuant to this section shall, at a minimum, allow a voter to register to receive information via email or text message from the county elections official about the status of his or her vote by mail ballot, including all of the following information:

- (1) A notification when the ballot has been delivered by the county elections official to the United States Postal Service.
- (2) A notification of the date, based on information from the United States Postal Service, that the voter's ballot is expected to be delivered to the voter.

(3) A notification if the voter's ballot is returned as undeliverable to the county elections official by the United States Postal Service.

(4) A notification when the voter's completed ballot has been received by the county elections official.

(5) A notification that the voter's completed ballot has been counted, or, if the ballot cannot be counted, a notification of the reason why the ballot could not be counted and instructions of any steps that the voter can take in order to have the ballot counted.

(6) A reminder of the deadline for the voter to return his or her ballot if the county elections official has not received a voter's completed ballot by specified dates as determined by the county elections official.

(b) The Secretary of State shall make the system established pursuant to subdivision (a) available for use by each county. A county elections official may use the system for the purpose of complying with Section 3019.5.

(c) The Secretary of State shall use funds provided to the state pursuant to the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.) to develop the system described in this section. The Secretary of State shall implement this section only to the extent that these funds are available.