



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-2951 Voter registration: cancellation. (2023-2024)

SHARE THIS:  

Date Published: 09/23/2024 09:00 PM

Assembly Bill No. 2951

CHAPTER 424

An act to amend, repeal, and add Section 2201 of the Elections Code, relating to elections.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2951, Cervantes. Voter registration: cancellation.

Existing law requires a county elections official to cancel a person's voter registration in certain circumstances, including when a person is deemed mentally incompetent, upon proof that the person is presently imprisoned for conviction of a felony, upon the death of the person, and when a person fails to respond to an address verification mailed by the elections official and does not attempt to vote at the next two federal general elections. Existing law requires the elections official to provide notice of the intent to cancel the person's registration between 15 and 30 days before the cancellation.

This bill, until July 1, 2025, instead would require the elections official to provide notice of the intent to cancel the person's registration between 15 and 30 days before the cancellation if the cancellation was due to mental incapacity to vote, a prison commitment, or the voter has failed to respond to an address verification, as specified, and would require the elections official to provide notice within 15 days before or after cancellation of a voter's registration if the person has died.

This bill would require the Secretary of State to submit an update on January 1, 2025, and on the first of each month thereafter until July 1, 2025, to specified committees of the Legislature detailing its efforts and progress in fully implementing and achieving compliance with specified laws regarding voting rights disqualifications and restorations.

By increasing the duties on county elections officials, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 2201 of the Elections Code is amended to read:

2201. (a) The county elections official shall cancel the registration in the following cases:

(1) At the signed, written request of the person registered.

(2) When the mental incompetency of the person registered is legally established as provided in Sections 2208, 2209, 2210, and 2211. The county elections office shall use only information provided by the Secretary of State pursuant to subdivision (d) of Section 2211.5 to cancel a voter registration for this reason.

(3) Upon proof that the person is presently imprisoned for conviction of a felony. The county elections office shall use only information provided by the Secretary of State pursuant to subdivision (d) of Section 2212, by a United States District Court, or by the Federal Bureau of Prisons to cancel a voter registration for this reason.

(4) Upon the production of a certified copy of a judgment directing the cancellation to be made.

(5) Upon the death of the person registered.

(6) Pursuant to Article 2 (commencing with Section 2220).

(7) Upon official notification that the voter is registered to vote in another state.

(8) Upon proof that the person is otherwise ineligible to vote.

(b) The Secretary of State may cancel the registration in the following cases:

(1) When the mental incompetency of the person registered is legally established as provided in Sections 2208, 2209, 2210, and 2211.

(2) Upon proof that the person is presently imprisoned for the conviction of a felony.

(3) Upon the death of the person registered.

(c) (1) Between 15 and 30 days, inclusive, before canceling a person's registration for the reasons specified in paragraphs (2), (3), or (6) of subdivision (a), the county elections official shall send a forwardable notice by first-class mail, including a postage-paid and preaddressed return form, to the voter.

(A) The forwardable notice shall be provided in the person's preferred language if the county is required to provide translated ballots in that language pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

(B) The notice shall include a statement substantially similar to the following:

"IMPORTANT NOTICE. Your voter registration record is scheduled to be canceled on [date]. This cancellation is due to information the [county name] County elections office has received indicating your ineligibility to vote in that county due to a change in residence, prison commitment, or mental incapacity to vote pursuant to Sections 2208, 2209, 2210, or 2211 of the California Elections Code, as applicable.

If you believe this cancellation is in error, please notify our office within 15 days from the date of this notice either by returning the attached postage-paid postcard or by calling [county elections office phone number] toll free.

If we do not receive your response to this notice, you may be required to reregister to vote in the next election or to vote using a provisional ballot. You can find more information about voter eligibility rules on the Secretary of State's internet website at [URL] or voter hotline at [phone numbers]. You can also check your current registration status at [URL]."

(2) The preaddressed return form described in paragraph (1) shall include all of the following:

(A) Space for the voter to provide their current place of residence.

(B) Space for the voter to provide their current mailing address, if different from the place of residence.

(C) A box next to a statement substantially similar to the following: "The cancellation of my voter record is in error because I have not been deemed mentally incompetent to vote by a court of law and I am not currently serving a state or federal prison term. Additionally, if I have moved, I have provided my new residential address on this form."

(D) Space for the voter to provide their signature and the date.

(3) The elections official may send additional written notices to a voter, and may also notify the voter in person, by telephone or email, or by other means of the planned registration cancellation.

(d) (1) Within 15 days before or after cancellation of a voter's registration for the reason specified in paragraph (5) of subdivision (a), the county elections official shall send a forwardable notice by first-class mail, including a postage-paid and preaddressed

return form, to the voter, to enable the voter to verify or correct their voter registration cancellation.

(A) The forwardable notice shall be provided in the person's preferred language if the county is required to provide translated ballots in that language pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

(B) The notice shall include a statement substantially similar to the following:

"IMPORTANT NOTICE. Your voter registration record was canceled on [date]. This cancellation is due to information the [county name] County elections office has received indicating your ineligibility to vote in that county due to death, pursuant to the California Elections Code, as applicable.

If you believe this cancellation is in error, please notify our office within 15 days from the date of this notice either by returning the attached postage-paid postcard or by calling [county elections office phone number] toll free.

If we do not receive your response to this notice, you may be required to reregister to vote in the next election or to vote using a provisional ballot. You can find more information about voter eligibility rules on the Secretary of State's internet website at [URL] or voter hotline at [phone numbers]. You can also check your current registration status at [URL]."

(2) The preaddressed return form described in paragraph (1) shall include all of the following:

(A) Space for the voter to provide their current place of residence.

(B) Space for the voter to provide their current mailing address, if different from the place of residence.

(C) A box next to a statement substantially similar to the following: "The cancellation of my voter record is in error because I have not died. Additionally, if I have moved, I have provided my new residential address on this form."

(D) Space for the voter to provide their signature and the date.

(3) The elections official may send additional notices to a voter, and may also notify the voter in person, by telephone or email, or by other means of the planned registration cancellation.

(e) (1) The Secretary of State shall submit an update on January 1, 2025, and on the first of each month thereafter, detailing its efforts and progress in fully implementing and achieving compliance with Sections 2208, 2209, 2210, 2211, 2211.5, and 2214 to all of the following committees:

(A) The Assembly Committee on Elections.

(B) The Senate Committee on Elections and Constitutional Amendments.

(C) The relevant subcommittee of the Assembly Committee on Budget.

(D) The relevant subcommittee of the Senate Committee on Budget and Fiscal Review.

(E) The Joint Committee on Legislative Audit.

(2) The Secretary of State shall not be required to submit the update required pursuant to paragraph (1) after the Secretary of State certifies to the committees described in paragraph (1) that it has taken all steps necessary to fully implement and administer Sections 2208, 2209, 2210, 2211, 2211.5, and 2214.

(f) This section shall become inoperative on July 1, 2025, and, as of January 1, 2026, is repealed.

SEC. 2. Section 2201 is added to the Elections Code, to read:

2201. (a) The county elections official shall cancel the registration in the following cases:

(1) At the signed, written request of the person registered.

(2) When the mental incompetency of the person registered is legally established as provided in Sections 2208, 2209, 2210, and 2211. The county elections office shall use only information provided by the Secretary of State pursuant to subdivision (d) of Section 2211.5 to cancel a voter registration for this reason.

(3) Upon proof that the person is presently imprisoned for conviction of a felony. The county elections office shall use only information provided by the Secretary of State pursuant to subdivision (d) of Section 2212, by a United States District Court, or by the Federal Bureau of Prisons to cancel a voter registration for this reason.

(4) Upon the production of a certified copy of a judgment directing the cancellation to be made.

(5) Upon the death of the person registered.

(6) Pursuant to Article 2 (commencing with Section 2220).

(7) Upon official notification that the voter is registered to vote in another state.

(8) Upon proof that the person is otherwise ineligible to vote.

(b) The Secretary of State may cancel the registration in the following cases:

(1) When the mental incompetency of the person registered is legally established as provided in Sections 2208, 2209, 2210, and 2211.

(2) Upon proof that the person is presently imprisoned for the conviction of a felony.

(3) Upon the death of the person registered.

(c) (1) Between 15 and 30 days, inclusive, before canceling a person's registration for the reasons specified in paragraph (2), (3), (5), or (6) of subdivision (a), the county elections official shall send a forwardable notice by first-class mail, including a postage-paid and preaddressed return form, to the voter.

(A) The forwardable notice shall be provided in the person's preferred language if the county is required to provide translated ballots in that language pursuant to Section 203 of the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10503).

(B) The notice shall include a statement substantially similar to the following:

"IMPORTANT NOTICE. Your voter registration record is scheduled to be canceled on [date]. This cancellation is due to information the [county name] County elections office has received indicating your ineligibility to vote in that county due to a change of residence, death, prison commitment or mental incapacity to vote pursuant to Sections 2208, 2209, 2210, or 2211 of the California Elections Code, as applicable.

If you believe this cancellation is in error, please notify our office within 15 days from the date of this notice either by returning the attached postage-paid postcard or by calling [county elections office phone number] toll free.

If we do not receive your response to this notice, you may be required to reregister to vote in the next election or to vote using a provisional ballot. You can find more information about voter eligibility rules on the Secretary of State's internet website at [URL] or voter hotline at [phone numbers]. You can also check your current registration status at [URL]."

(2) The preaddressed return form described in paragraph (1) shall include all of the following:

(A) Space for the voter to provide their current place of residence.

(B) Space for the voter to provide their current mailing address, if different from the place of residence.

(C) A box next to a statement substantially similar to the following: "The cancellation of my voter record is in error because I have not been deemed mentally incompetent to vote by a court of law, I am not currently serving a state or federal prison term, and I have not died. Additionally, if I have moved, I have provided my new residential address on this form."

(D) Space for the voter to provide their signature and the date.

(3) The elections official may send additional written notices to a voter, and may also notify the voter in person, by telephone or email, or by other means of the planned registration cancellation.

(d) This section shall become operative on July 1, 2025.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.