

AB 37 (Berman)

Vote By Mail Ballots

SUMMARY

AB 37 would require elections officials to mail a ballot to every active registered voter and to make a ballot tracking system available for all future elections.

BACKGROUND

Due to concerns that conducting in-person voting during the spread of COVID-19 could threaten the health and safety of voters, election workers, and the public generally, California made significant changes to the way that it conducted the November 2020 presidential general election. Those changes largely were enacted through two bills—AB 860 (Berman), Chapter 4, Statutes of 2020 and SB 423 (Umberg), Chapter 31, Statutes of 2020. Notably, those bills required a mail ballot be sent to every active registered voter, provided voters in all counties with the ability to track their ballot, authorized changes to in-person voting requirements, and made other changes to facilitate the expected surge in voting by mail at the November election.

Due in large part to these changes, California's elections officials were able to conduct a safe and secure election that also saw historically high turnout. In all, nearly 71% of California's eligible voters cast ballots – the highest turnout in a statewide election since the presidential general election in November 1952.

Notwithstanding the extraordinary circumstances surrounding the 2020 November general election, California voters are increasingly using vote by mail (VBM) ballots to vote in elections. Since 2001, when state law was changed to allow any California voter to become a permanent vote by mail (PVBM) voter, California voters have increasingly used VBM ballots to vote in elections.

According to data from the Secretary of State's office, over 69% of voters (14.4 million) were registered as PVBM voters for the March 2020 primary election, and over 75% of voters (over 16.5 million) were registered

as PVBM voters for the November 2020 general election. Additionally, 15 counties have chosen to conduct elections pursuant to the California Voters Choice Act, which requires an elections official to mail every active registered voter a ballot, and three counties conduct elections entirely by mail. As a result, nearly 90% of California's registered voters already receive a ballot in the mail for each election in which they are eligible to vote.

Moreover, California made investments in improving voting by mail in advance of the November 2020 general election, including for equipment to help counties process a larger number of VBM ballots, ballot tracking systems, and convenient ballot drop off locations.

The November 2020 election in which elections officials mailed a ballot to all active registered voters was success. According to the SOS, over 17.5 million Californians voted in the November 2020 general election and over 86.5% (15 million) voted on the ballot that was mailed to them. Additionally, more than five million Californians signed-up to track their VBM ballots using the California's ballot tracking system. It is important that California build on the success of the November 2020 election by continuing these policies that voters have come to expect.

THIS BILL

AB 37 would require elections officials to mail a ballot to every active registered voter for every election in which the voter is eligible to vote. The distribution of vote by mail ballots, however, would not prevent a voter from voting in person at a polling place, vote center, or other authorized location. Additionally, AB 37 will ensure that all California voters have the ability to track their ballots as they move through the mail system and are processed by elections officials.

SUPPORT

California State PTA
California Teachers Association
Los Angeles County Board of Supervisors

OPPOSITION

None received

FOR MORE INFORMATION

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