March 5, 2018

County Clerk/Registrar of Voters (CC/ROV) Memorandum #18051

TO: All County Clerks/Registrars of Voters

FROM: /s/ Steve Reyes
                  Chief Counsel

RE: AB 918: Expanded Vote-by-Mail, Ballot Translations, and Posting
                  Requirements

Last year, Assembly Bill (AB) 918, the California Voting for All Act, was enacted, which provides expanded language access requirements primarily under Elections Code section 14201. In addition to the requirements outlined under CCROV #17418, Language Requirements: 14201, Language Minority Determinations[1], county elections officials must adhere to the following:

Prior to Election Day

- Post Polling Place/Vote Center Locations: At least 14 days before an election, the county elections official shall provide information on the county elections website site identifying all county polling places and/or vote centers and the languages of facsimile copies of the ballot that will be available to voters at each location. Additionally, explanatory information pertaining to the list of polling places, but not the list itself, shall be available in all languages in which the county provides facsimile copies of the ballot. (Sec. 14201(d).)

- Poll Worker Training and Education: Poll workers must be educated on the purpose of providing facsimile ballots to limited English proficient (LEP) voters and specifically trained with instructions on how to handle facsimile ballots. (Sec. 14201(c)(1).) Further, poll workers must be aware that LEP voters may bring up to two individuals they choose to assist them in casting their ballot, with the exception of their employer, an agent of their employer, or their union representative. (Sec. 14282(a).)

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[1] Please note, Bengali was inadvertently added to Los Angeles County and will therefore be removed from their Section 14201 responsibilities. The Ballot Translations and Posting Requirements Summary spreadsheet included in CCROV #17148 has been amended to reflect this change and is included below.

- Include Polling Place/Vote Center Information in County Voter Information Guide (VIG): The county VIG must include text referring LEP voters to the portion of the county elections website identifying the polling place/vote center locations and the facsimile ballot language(s) provided at those specific locations. The text must be printed in English and any Section 14201 required language(s) as well as federally required language(s) under the Voting Rights Act of 1965 (VRA Section 203) for your county. (Sec. 14201(e).) Additionally, the county elections website and VIG must inform voters that if they are unable to mark a ballot, the voter may bring up to two individuals to the polls to assist in voting. (Sec. 14282(b).) This information must also be provided in any covered languages under Section 14201 and VRA Section 203. (Sec. 14282(b).)

- Mail/Distribute Facsimile Ballots to Vote-by-Mail (VBM) Voters: If a VBM voter lives within a precinct that requires facsimile ballots, he/she may request a facsimile ballot in their preferred facsimile ballot language, if that language is available in that precinct. (Sec. 13400(a).)
  o Such voter may request a facsimile ballot via mail, telephone, online, or when requesting a VBM ballot from the county.
  o The county elections official may deliver facsimile ballots to the voter by mail or email.
  o Requested facsimile ballots must be prepared no later than E-10.
  o The county elections official may deny any facsimile ballot request if made after E-7.

Election Day
- Facsimile Ballot Posting Requirements: For each required language under Section 14201, a minimum of two facsimile ballots must be provided with the ballot measures and ballot instructions. One must be made available to voters to take into the voting booth and use as a reference in casting their ballots privately and the other must be posted in a conspicuous location in the polling place. (Sec. 14201(a).)
  o In precincts where the single language minority group exceeds 20%, an additional two facsimile ballots must be made available to voters to take into the voting booth and use as a reference in casting their ballots privately. (Sec. 14201(b)(2).)
  o A sign must be posted near the index of registration to inform voters of the presence of facsimile ballots. (Sec. 14201(c)(3).)
    ▪ The sign must be in English and in the facsimile ballot language(s) relevant to that polling place.
  o If a voter requests a facsimile ballot that is available at the polling place, then the poll worker must provide it to the voter. (Sec. 14201(c)(2).)
  o At least one sign must be publicly posted indicating the languages other than English that are spoken by the poll workers at that polling place, if applicable.

- This information must be provided in all the languages other than English spoken by the poll workers. (Sec. 14200(g).)
    - o Bilingual poll workers must wear an item (e.g. name tag, button, etc.) which identifies non-English language(s) spoken by that specific poll worker. (Sec. 12303(c)(3).)

After Election Day

- Report of Bilingual Poll Worker Recruitment: Within 150 days following each statewide general election, counties must provide the Secretary of State's Office (SOS) a report of bilingual poll worker recruitment, including the number of bilingual poll workers recruited that are fluent in each of the VRA Section 203 and 14201 languages. (Section 12303(c)(2)(A).)
    - o SOS will provide a template and reporting instructions to the counties by the end of 2018. This report will be posted and made available on the SOS website.

Voter's Choice Act (VCA) Counties and AB 918

VCA counties, including Madera, Napa, Nevada, Sacramento, and San Mateo are subject to all requirements set forth under AB 918; and therefore, must also:

- Send LEP Voters a Facsimile Ballot: If a voter has previously indicated a language preference which falls under that VCA county's Section 14201 designated language requirements, the county must mail the voter a facsimile ballot by at least E-10. (Section 4005.6(b)).

- All Vote Centers shall provide assistance for each language available in the county.

Further details regarding implementation and best practices will be addressed in the collaborative SOS/CACEO VCA Working Group.

20 Percent Threshold Data

The county-specific precinct level data identifying the 20% thresholds will be sent via email. Counties which did not meet a 20% threshold in any precinct will also be notified via email. However, these counties must comply with all other requirements of AB 918 as outlined in this memorandum.

Please feel free to contact our Voter Access Coordinator, Milena Paez, directly with any questions at (916) 695-1577 or Mpaez@sos.ca.gov.

Thank you.

Ballot Translations and Posting Requirements Summary by County			
Based on 2016 General Election Precincts			
Effective: January 1, 2018			
KEY			
Asterisked (*) language minority groups (Chinese and Filipino) include additional languages within that language group.			
Bold lanugages under 14201, column (C), are new requirements.			
County	**Section 203 Covered Languages**	**14201 Covered Languages**	**Number of Precincts Meeting 14201 Coverage**
Alameda	Chinese		
	Hispanic		
	Filipino		
	Vietnamese		
		Korean	49
		Cambodian/Khmer	2
		Panjabi	65
Alpine		NONE	
Amador		Spanish	11
Butte		**Hmong**	68
		Spanish	161
Calaveras		Spanish	15
Colusa	Hispanic	NONE	
Contra Costa	Chinese		
	Hispanic		
		Korean	13
		Filipino	104 (Tagalog-104)
		Vietnamese	10
Del Norte	American Indian		
		Spanish	17
El Dorado		**Chinese**	2
		Spanish	212
Fresno	Hispanic		
		Chinese	13 (Chinese-13)
		Hmong	170
		Korean	7
		Cambodian/Khmer	2
		Panjabi	171
		Filipino	1 (Tagalog-1)
		Vietnamese	10
Glenn	Hispanic	NONE	
Humboldt		Spanish	72
Imperial	Hispanic	NONE	
Inyo		Spanish	51
Kern	Hispanic		
		Filipino	**73 (Ilocano-30; Tagalog-43)**
		Panjabi	46
Kings	Hispanic		
		Filipino	30 (Tagalog-30)

Lake		Spanish	76
Lassen		Spanish	32
Los Angeles	Cambodian		
	Chinese (includes Taiwanese)*		
	Korean		
	Hispanic		
	Filipino*		
	Vietnamese		
		Armenian	2139
		Persian	1317
Madera	Hispanic		
		Panjabi	26
Marin		Spanish	196
		Vietnamese	4
Mariposa		Spanish	13
		Filipino	1 (Tagalog-1)
Mendocino		Spanish	248
Merced	Hispanic		
		Chinese	5
		Hmong	31
		Panjabi	19
Modoc		Spanish	20
Mono		Spanish	8
Monterey	Hispanic		
		Korean	2
		Filipino	8 (Tagalog-8)
		Vietnamese	6
Napa		**Spanish**	151
		Filipino	14 (Tagalog-14)
Nevada		Spanish	32
Orange	Chinese		
	Korean		
	Hispanic		
	Vietnamese		
		Filipino	63 (Tagalog-63)
		Persian	71
Placer		**Korean**	3
		Spanish	104
		Filipino	3 (Tagalog-3)
Plumas		Spanish	20
Riverside	Hispanic		
		Chinese	61 (Chinese-43; Mandarin-18)
		Korean	26
		Filipino	34 (Tagalog-34)
		Vietnamese	36
Sacramento	Chinese		
	Hispanic		

		Hmong	93
		Korean	20
		Panjabi	59
		Filipino	103 (Tagalog-103)
		Vietnamese	182
San Benito	Hispanic	NONE	
San Bernardino	Hispanic		
		Chinese	72 (Chinese-43; Cantonese-3; Mandarin-26)
		Korean	70
		Filipino	44 (Tagalog-44)
		Vietnamese	37
San Diego	American Indian		
	Chinese		
	Hispanic		
	Filipino		
	Vietnamese		
		Arabic	180
		Korean	37
San Francisco	Chinese		
	Hispanic		
		Korean	15
		Filipino	72 (Tagalog-72)
		Vietnamese	26
San Joaquin	Hispanic		
		Chinese	73 (Chinese-41; Cantonese-32)
		Cambodian/Khmer	52
		Panjabi	179
		Filipino	**136 (Tagalog-129; Ilocano-7)**
		Vietnamese	84
San Luis Obispo		Spanish	232
		Filipino	8 (Tagalog-8)
San Mateo	Chinese		
	Hispanic		
		Korean	12
		Filipino	129 (Tagalog-129)
Santa Barbara	Hispanic		
		Chinese	11
		Korean	2
		Filipino	3 (Tagalog-3)
Santa Clara	Chinese		
	Hispanic		
	Filipino		
	Vietnamese		
		Korean	105
		Cambodian/Khmer	6
Santa Cruz		Spanish	291
Shasta		Spanish	50
Sierra		Spanish	20
Siskiyou		Spanish	34

Solano		Spanish	362
		Filipino	164 (Tagalog-164)
Sonoma		Spanish	427
		Cambodian/Khmer	3
		Filipino	2 (Tagalog-2)
		Vietnamese	1
Stanislaus	Hispanic		
		Cambodian/Khmer	12
		Panjabi	40
		Syriac	55
Sutter		Spanish	273
		Panjabi	189
		Filipino	1 (Tagalog-1)
Tehama		Spanish	68
Trinity		NONE	
Tulare	Hispanic		
		Filipino	**31 (Tagalog-14; Ilocano-17)**
Tuolumne		Spanish	23
Ventura	Hispanic		
		Chinese	15
		Filipino	46 (Tagalog-46)
		Vietnamese	1
Yolo		Spanish	259
		Chinese	60 (Chinese-58; Cantonese-1; Mandarin-1)
		Korean	5
Yuba		**Hmong**	11
		Spanish	74