Statewide Recounts – Frequently Asked Questions

Who can request a recount?
Any registered California voter may request a recount of votes in a statewide contest. There is no provision in California law to require an "automatic recount" in any election contest. (California Elections Code §§ 359, 15621; California Code of Regulations § 20812(a).)

What steps must a voter take to request a statewide recount?
For a statewide office or any measure voted on statewide, a voter must file a signed, written request with the California Secretary of State for a recount. The request must specify in which county or counties the recount is sought and on behalf of which candidate, slate of electors, or position on a measure (affirmative or negative) the request is being filed. The recount request may specify the precinct order in which votes shall be recounted. If no precinct order is specified, the county elections official will determine the order. The requestor may submit a written request to change the precinct order, but the change cannot be made absent the approval of the county elections official. (Elections Code §§ 15621, 15622; Code of Regulations § 20814.)

When must a recount request be made?
A voter may file a recount request within five days beginning on the 31st day after a statewide election, or within five days following completion of any post canvass risk-limiting audit conducted pursuant to Elections Code section 15560. (Elections Code § 15621(a).)

What does the Secretary of State do after receiving a recount request?
The Secretary of State must forward a copy of the request to the elections official in each county where a recount is sought. (Elections Code § 15621(b).)

What does a county elections official do after receiving a recount request?
After receiving the recount request from the Secretary of State, the county elections official must first verify the person requesting the recount is registered to vote in California. (Code of Regulations § 20812(b).) The recount must begin not more than seven days after the county elections official receives the recount request, but it cannot begin until the day after the county elections official notifies all of the candidates for that office and the Secretary of State in person or by any federally regulated overnight mail service. At least one day before the recount begins, the county elections official must post a notice detailing when and where the recount will be conducted, as well as the daily schedule. The recount must be conducted daily (not including weekends and holidays) for a minimum of six hours each day until completed. (Elections Code §§ 15626, 15628; Code of Regulations § 20819.) The county elections official also must resubmit the security measures for recounts to the Secretary of State. (Code of Regulations § 20817.)

Can there be more than one recount in the same statewide contest?
Yes. Any time during a recount and for 24 hours after it concludes, any other voter can request a recount in any county, as long as it does not include any precincts that were recounted as part of a prior request. A new 24-hour window to request a recount in another area opens each time a recount is concluded. The 24-hour timeframe amounts to one business day. (Elections Code § 15623; Code of Regulations § 20812(c).)

In the event more than one voter requests a recount of the same office or measure, and at least one request is for a manual recount, the elections official of a county subject to multiple requests shall conduct only one manual recount of those ballots, the result of which shall be controlling. (Elections Code § 15621.5.)

Where is a recount conducted?
A recount must be conducted publicly in a location large enough to accommodate observers and media. (Elections Code § 15629; Code of Regulations §§ 20816, 20820.)

How much does a recount cost?
Recount costs vary by county. Before the recount can begin, the voter or campaign committee represented by the voter requesting the recount must provide the money requested by the county elections official to pay for the cost of the first day's recount work. This procedure is repeated for each day the recount continues. (Elections Code § 15624; Code of Regulations § 20815.)

Does a recount preclude the Secretary of State from certifying election results?
No. The law requires the Secretary of State to certify statewide election results no later than 38 days after the election. (Elections Code § 15501(b).) The law does not permit the Secretary of State to withhold certification of the election for any reason. If a recount results in a different outcome, the affected county elections officials must recertify their results to the Secretary of State. (Code of Regulations § 20822.)

Must all of the ballots cast in the entire state be recounted in order to change the result in a statewide contest?
Yes. If the office, slates of presidential electors, or measure is voted on statewide, unless the each vote cast for the office, slates, or measure is recounted, the results of any recount will be declared null and void. (Elections Code § 15632; Code of Regulations § 20822.)

What is a state-funded recount?
Within five days beginning on the 31st day after an election, the Governor can order a state-funded manual recount of all votes cast for a statewide office or state ballot measure if any of the following occurs:

(1) The official results in a statewide primary election show that the second and third place candidates for a statewide office (other than the Superintendent of Public Instruction) are only separated by less than or equal to the lesser of 1,000 votes or 0.00015 of the number of all votes cast for that office.

(2) The official results in a statewide general election show that the two candidates for a statewide office getting the highest number of votes are only separated by less than or equal to the lesser of 1,000 votes or 0.00015 of the number of all votes cast for that office.

(3) The official results in a statewide election show that the "yes" and "no" votes on a state ballot measure are only separated by less than or equal to the lesser of 1,000 votes or 0.00015 of the number of all votes cast on the measure.

If the results of the contest for Governor meet the requirements for a state-funded recount, the Secretary of State, but not the Governor, may order a state-funded recount.

For the office of Superintendent of Public Instruction, a state-funded recount may occur after a statewide primary election only if one of the following occurs:

(1) The number of votes received by the winning candidate was between 0.49985 and 0.50015, of the number of all votes cast or was within 1,000 votes of 50 percent of the number of all votes cast.

(2) No candidate received votes on a majority of all the ballots cast for candidates for that office and the second and third place candidates are only separated by less than or equal to the lesser of 1,000 votes or 0.00015 of the number of all votes cast for that office.

If a state-funded recount is conducted, no other recount of a statewide office or statewide measure can be conducted. (Elections Code § 15645).