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August 13, 2021

County Clerk/Registrar of Voters (CC/ROV) Memorandum #21134

TO: All County Clerks/Registrars of Voters

FROM: /s/ Jana M. Lean
Chief, Elections Division

RE: California Gubernatorial Recall Election: Forwarding VBM Ballots to Another County

This memorandum is being sent to provide guidance to county elections officials who receive a voted vote-by-mail ballot that was issued by another county.

Elections Code section 3017(a)(3) provides, in part, the following:

If a vote by mail ballot is returned to a precinct board at a polling place or vote center, or to a vote by mail ballot dropoff location, that is located in a county that is not the county of the elections official who issued the ballot, the elections official for the county in which the vote by mail ballot is returned shall forward the ballot to the elections official who issued the ballot no later than eight days after receipt.

When a vote-by-mail ballot that was issued by another county is received by your office, we advise that you do not put the voted ballot in the mail stream for delivery to the proper county, whether it was received in a drop box, by mail, or hand delivered.

Our guidance is that the ballot(s) be placed in a separate envelope for delivery via United States Postal Service (USPS) First-Class mail or an express delivery service, or hand delivery when possible (so as to not delay the receipt of these ballots) to the proper county and include in the envelope some indication of when the ballot(s) was received by your office. In addition, we suggest that you contact the other county to alert them that you will be sending or delivering voted ballots to them.

If you have any questions about this memorandum, please contact me at jlean@sos.ca.gov.

Thank you.