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March 12, 2021

County Clerk/Registrar of Voters (CC/ROV) Memorandum #21034

TO: All County Clerks/Registrars of Voters

FROM: /s/ Robbie Anderson
Elections Counsel

RE: Regulations: Vote-by-Mail Drop Boxes and Vote-by-Mail Drop Off Locations

The Secretary of State has submitted proposed regulations to the Office of Administrative Law to make permanent the emergency regulations it adopted in June 2020 related to vote-by-mail drop boxes and vote-by-mail drop-off locations. The emergency regulations changed the required timeframe for retrieving voted vote-by-mail ballots from unstaffed drop boxes during the 10 days preceding the election from every 24 hours to every 48 hours. In addition, these proposed regulations also make it clear that all ballots must be retrieved on Election Day to ensure those ballots are safe and can be processed for counting and reporting.

Written Comment Period: March 12 – April 26, 2021

The 45-day written public comment period will begin on March 12, 2021 and will continue through April 26, 2021. Any interested person, or their authorized representative, may submit written comments pertaining to the changes in the text of the proposed regulations. The Secretary of State will accept written comments on the changes from March 12, 2021, to April 26, 2021. The written comment period closes at 11:59 p.m. on April 26, 2021. The Secretary of State will only consider comments received at the Secretary of State's office by that time.

No hearing date has been scheduled; however, any interested person, or their authorized representative, can submit a written request for a public hearing no later than Monday, April 12, 2021.

Following the public hearing, if one is requested, or following the close of the written comment period if no public hearing is requested, the Secretary of State, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals provided by the public or may modify such proposals if such modifications are

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sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available from our office for 15 days prior to its adoption and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Copies of the Notice of Modification to Proposed Regulations Rulemaking and copies of the text of the proposed regulation, with changes identified in underline and strikeout, can be accessed through the Secretary of State's website at:

<https://www.sos.ca.gov/administration/regulations/proposed-regulations/>

If you have any questions, please feel free to contact me at aanderso@sos.ca.gov or (916) 216-6428. Thank you.