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CALIFORNIA SECRETARY OF STATE

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May 11, 2022

County Clerk/Registrar of Voters (CC/ROV) Memorandum #22113

TO: All County Clerks/Registrars of Voters

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

RE: Primary Election: Forwarding Vote-by-Mail Ballots to Another County

This memorandum serves as a reminder 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 directly in the mail stream for delivery to the proper county, whether it was received in a drop box, by mail, or hand delivered. Doing so could result in the vote-by-mail identification envelope being postmarked after Election Day, which could disenfranchise the voter.

Our guidance is that the vote-by-mail 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 not to delay the receipt of these ballots) to the proper county and include in the envelope some indication of when each of 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.