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CALIFORNIA SECRETARY OF STATE

Elections Division

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January 19, 2024

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 24039

TO: All County Clerks/Registrars of Voters

FROM: /s/ Catherine Ingram-Kelly
Voter Registration Manager

RE: VoteCal: Voter Registration Cancellation, Revocation, and Restoration

[Assembly Bill \(AB\) 2841](#) (Chapter 807, Statutes of 2022), requires county elections officials to notify voters before cancelling their registration for these specific reasons: **mental incompetency, felony, death, and certain changes of address**. The notice must include a return form for these voters to indicate their eligibility to vote, if they believe the cancellation is in error.

The Secretary of State (SOS) will be implementing it in the following manner:

CONSERVATORSHIP COURT ORDERS

The superior court of each county must provide notice to the SOS of all court orders regarding any person's competency to vote, along with identifying information for the affected persons. (Elec. Code, § 2211.5(a)(1).)

The SOS compares the identifying information received with the statewide voter registration system (VoteCal) and provides county elections officials with cancellation and restoration information regarding any matched registration records. (Elec. Code, § 2211.5(d).)

Processing will take place twice a week, and notifications will be sent to all counties by email and through the VoteCal county communication portal.

This will be an interim manual process until an automated process can be implemented in VoteCal.

Interim Process for Conservatorship Court Orders

The SOS will begin sending Conservatorship files via the VoteCal county communications portal the week of January 22, 2024.

Files are named “**Conservatorship Voting Right Cancelled List_2024-xx-xx**” and “**Conservatorship Voting Rights Restored List_2024-xx-xx**” with the month and day the file is pulled. The VoteCal Conservatorship Unit will send an email notification when new files are available. Each file contains information for all persons who have their voting rights revoked or restored by a superior court:

1. Conservatorship Voting Right Cancelled List

This file contains information for conservatorship records that match active, inactive, or pending voter records in VoteCal.

2. Conservatorship Voting Rights Restored List - Matched Records (tab 1)

This tab contains information for conservatorship records that match cancelled, inactive, or pending voter records in VoteCal.

3. Conservatorship Voting Rights Restored List - Non-Matched Records (tab 2)

This tab contains information for conservatorship records that did not match any voter records in VoteCal.

County Action Required

Counties will be expected to check the above-identified files on the county communications portal and filter for their specific county. Upon receipt of the above information from the SOS, county elections officials must do the following, as applicable:

Cancel the Voter Registration

If the voter has been disqualified to vote by the court, county elections officials must notify these individuals 15 to 30 days before cancelling their registration. This notification must include a return notice. (Elec. Code, §§ 2201(c)(1)(B), 2211.5(e)(1).) See Attachments A (sample notice) and B (sample return form).

Counties should not change a voter’s voter registration status as a result of sending a pre-cancellation notice.

Additionally, counties must track when a voter is sent a pre-cancellation notice. If no response is received within 15 days of sending the notice, the county then cancels the registration.

NOTE: The conservatorship cancellation lists should be closely monitored prior to mailing vote-by-mail ballots, issuing ballots at polling places, and counting ballots. Voters who have been mailed a pre-cancellation notice may be eligible to be mailed a vote-by-mail ballot, however, if the voter does not reply to the notice and has their voter registration cancelled, they may not be eligible to vote and/or have their ballot counted. Future guidance will be issued on this topic.

Restore Voter Registration

If a person has their right to vote restored, county elections officials are required to notify them they may register to vote and provide them information on how to register. (Elec. Code, § 2211.5 (e)(2).) See Attachment C (sample notice).

This interim process will be revisited following the canvass of the March 5, 2024, Presidential Primary Election.

IMPRISONED FOR CONVICTION OF A FELONY

[CCROV #23024](#), issued March 3, 2023, detailed the interim process for persons no longer under the jurisdiction of California Department of Corrections and Rehabilitation (CDCR), and provided information on how to notify individuals on how to register to vote. (Elec. Code, § 2201(a)(3).) This CCROV does not modify that restoration process.

Additionally, [CCROV #23032](#), issued April 3, 2023, detailed the interim process for the identification of persons imprisoned for the conviction of a felony. Records received from the CDCR are matched to voter registration records in VoteCal. Every week, the SOS uploads the “SB 504 Felon Cancellation List” to the VoteCal county communications portal for the counties to use for cancelling voter registration records. This CCROV modifies the cancellation process as follows.

County Action Required

AB 2841 requires county elections officials to send a pre-cancellation notice to voters identified on the felon cancellation list. See Attachments D (sample notice) and E (sample return form).

Counties should not change a voter’s voter registration status as a result of sending a pre-cancellation notice.

Additionally, counties must track when a voter is sent a pre-cancellation notice. If no response is received within 15 days of sending the notice, the county then cancels the registration.

NOTE: The felon cancellation lists should be closely monitored prior to mailing vote-by-mail ballots, issuing ballots at polling places, and counting ballots. Voters who have been mailed a pre-cancellation notice may be eligible to be mailed a vote-by-mail ballot, however, if the voter does not reply to the notice and has their voter registration cancelled, they may not be eligible to vote and/or have their ballot counted. Future guidance will be issued on this topic.

DEATH OF A VOTER

The SOS receives a weekly data file from the California Department of Public Health (CDPH). This data is processed through VoteCal to generate Potential Deceased Match messages, which are then automatically sent to the county's Election Management System (EMS).

Currently counties review messages to make a match determination; if a match is made, the voter registration record is automatically cancelled in VoteCal. (Elec. Code, § 2201(a)(5).) This is an automated process, and there is no way to delay the cancellation once a Potential Deceased Match message has been determined.

Until VoteCal is modified, counties will need to send a notice that the registration "has been cancelled" instead of "will be cancelled". See Attachment F (sample notice).

CHANGE OF ADDRESS PURSUANT TO ARTICLE 2 (COMMENCING WITH SECTION 2220)

Counties send voters National Voter Registration Act (NVRA) "8d2" postcards when notified by postal service change-of-address data that voters have moved and left no forwarding address or the data indicates that voters have moved out of the state. (Elec. Code, § 2225(c).) The registration record for a voter mailed an 8d2 card must be cancelled if: the voter fails to respond to the mailing, and does not offer to vote or vote at any election for two federal general elections after the date of that mailing. (Elec. Code, §§ 2201(a)(6), 2226(b).)

Reminder: Cancellations for this reason must never take place during the 90 days prior to an election with federal offices on the ballot. (U.S.C. § 20507(c)(2).)

More information regarding these cancellation notifications for this reason will be provided closer to the November 5, 2024, General Election.

WEB-BASED TRAINING

Elections code section 2214 requires that county elections officials and specified county court staff take a yearly training on voting rights disqualifications and restorations, and their role in the process. The trainings are available on the SOS website at: <https://www.sos.ca.gov/elections/voter-registration/conservatorship>.

The trainings have been broken up into 3 modules, and are aimed at the following audiences:

Module 1 – Voting Rights: Cancellation of Voter Records and Notice Prior to Cancellation: County elections officials and specified county court staff

Module 2 – Voting Rights Cancellation/Disqualification and Restoration: Mental Incompetency: County elections officials and specified county court staff

Module 3 - Voting Rights Cancellation: Death, Felony Imprisonment, and NVRA 8d2 Card Process - County elections officials

Following the completion of the annual training, attendees must complete the AB 2841 Training Assessment form located on the [SOS website](#) and email the completed form to the VoteCal Conservatorship Unit at votecal_conservatorship@sos.ca.gov.

If there are any questions regarding this or other VoteCal matters, please contact the VoteCal Help Desk at 888-868-3225 or via email at votecalhelp@sos.ca.gov.

Attachments

currently provided in English; will be provided in Spanish, Chinese, Japanese, Hindi, Khmer, Korean, Thai, Tagalog, and Vietnamese

- A. Pre-Cancellation Notice – Conservatorship Court Order
- B. Pre-Cancellation Notice Postage-Paid and Preaddressed Return Form – Conservatorship Court Order
- C. Voting Rights Restored – Conservatorship Court Order
- D. Pre-Cancellation Notice – Prison Commitment
- E. Pre-Cancellation Notice Postage-Paid and Preaddressed Return Form – Prison Commitment
- F. Cancellation Notice – Deceased Records

Attachment A for CCROV #24039
Pre-Cancellation Notice – Conservatorship Court Order
Elections Code section 2201(c)

Date

<Name>
<Street Address>
<City, CA 9xxxxx>

RE: Voting Rights Cancellation – Conservatorship Court Order

Dear <Name>:

IMPORTANT NOTICE.

Your voter registration is scheduled to be cancelled on **[date]**.

The Superior Court of **[county name]** County has provided information to the Secretary of State indicating that you are ineligible to vote due to mental incapacity legally established by the Superior Court.

If you believe this scheduled cancellation is in error, please notify our office within 15 days from the date of this notice either by returning the attached postage-paid postcard or by calling **[county elections office phone number]**.

If we do not receive your response to this notice, and you believe you are eligible to register to vote, you may be required to reregister to vote in the next election or vote using a provisional ballot. You can find more information about voter eligibility rules on the Secretary of State's website at **sos.ca.gov/elections/voting-resources/voting-california/who-can-vote-california** or by calling the voter hotline at **800-345-VOTE (8683)**. You can also check your current registration status at **voterstatus.sos.ca.gov**.

County Elections Office Contact Information

<County Name>
<County Address>
<County Phone Number>
<County Email>
<County Website>

If you have questions or believe this letter was sent to you in error, please immediately contact us or the Secretary of State's office at **elections@sos.ca.gov** or at 1-800-345-VOTE (8683).

Attachment A for CCROV #24039
Pre-Cancellation Notice – Conservatorship Court Order
Elections Code section 2201(c)

Sincerely,

<County>

Attachment



(RegisterToVote.ca.gov)

Attachment B for CCROV #24039
Sample Pre-Cancellation Notice Postage-Paid and
Preaddressed Return Form – Conservatorship Court Order
Elections Code section 2201(c)

<County Name>
<County Address>

RE: Voter Registration Cancellation – Conservatorship Court Order

I have received a pre-cancellation notice from your office that my voter registration is scheduled to be cancelled based on information received from the Secretary of State.

The notice stated that I am ineligible to vote due to mental incapacity legally established by a California Superior Court.

I believe this scheduled voter registration cancellation is wrong.

SECTION TO BE COMPLETED BY VOTER

Voter Name (Printed): _____

Voter Residence Address: _____

Voter Mailing Address: _____

My voter registration should not be cancelled because I have not been disqualified from voting by a California Superior Court due to mental incapacity.

Voter Signature: _____

Date: _____

Attachment C for CCROV #24039
Notice Required by Elections Code section 2211.5(e)(2)

Date

<Name>
<Street Address>
<City, CA 9xxxxx>

RE: Voting Rights Restored - Conservatorship Court Order

Dear <Name>:

The Superior Court of **[county name]** County has provided information to the Secretary of State that your right to vote has been restored.

If you meet all other voter eligibility qualifications, you can now register to vote.

To register to vote, you must be:

- A United States citizen,
- A resident of California,
- 18 years old or older on Election Day,
- Not currently serving a state or federal prison term for the conviction of a felony, and
- Not currently found mentally incompetent to vote by a court.

You can register to vote online or by using a paper voter registration application.

Online Application

The online application is found at <https://RegisterToVote.ca.gov> (or use the QR code at the end of this letter). It is available in English, Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese and uses your signature on file with the Department of Motor Vehicles (DMV).

Paper Application

If you cannot register using the online application, you can use the enclosed paper voter registration form and return it by mail or in-person to our office.

Same Day Voter Registration Option

If you register to vote less than 15 days before an election, you must use the Same Day Voter Registration process. For more information on the

Attachment C for CCROV #24039
Notice Required by Elections Code section 2211.5(e)(2)

Same Day Voter Registration process, contact us at the address below or visit <https://www.sos.ca.gov/elections/voter-registration/same-day-reg>.

County Elections Office Contact Information

<County Name>
<County Address>
<County Phone Number>
<County Email>
<County Website>

If you have questions or believe this letter was sent to you in error, please immediately contact us or the Secretary of State's office at elections@sos.ca.gov or at 1-800-345-VOTE (8683).

Sincerely,

<County>



Attachment D for CCROV #24039
Pre-Cancellation Notice - Prison Commitment
Elections Code section 2201(c)

Date

<Name>
<Street Address>
<City, CA 9xxxxx>

RE: Voting Rights Cancellation – Prison Commitment

Dear <Name>:

IMPORTANT NOTICE.

Your voter registration is scheduled to be cancelled on **[date]**.

The California Department of Corrections and Rehabilitation (CDCR) has provided information indicating that you are serving a state or federal prison term for the conviction of a felony. Based on this information, the Secretary of State has indicated that you are ineligible to vote.

If you believe this scheduled cancellation is in error, please notify our office within 15 days from the date of this notice either by returning the attached postage-paid postcard or by calling **[county elections office phone number]**.

If we do not receive your response to this notice, and you believe you are eligible to register to vote, you may be required to reregister to vote in the next election or vote using a provisional ballot. You can find more information about voter eligibility rules on the Secretary of State's website at **sos.ca.gov/elections/voting-resources/voting-california/who-can-vote-california** or by calling the voter hotline at **800-345-VOTE (8683)**. You can also check your current registration status at **voterstatus.sos.ca.gov**.

County Elections Office Contact Information

<County Name>
<County Address>
<County Phone Number>
<County Email>
<County Website>

If you have questions or believe this letter was sent to you in error, please immediately contact us or the Secretary of State's office at elections@sos.ca.gov or at 1-800-345-VOTE (8683).

Attachment D for CCROV #24039
Pre-Cancellation Notice - Prison Commitment
Elections Code section 2201(c)

Sincerely,

<County>

Attachment



(RegisterToVote.ca.gov)

Attachment E for CCROV #24039
Sample Pre-Cancellation Notice Postage-Paid and
Preaddressed Return Form – Prison Commitment
Elections Code section 2201(c)

<County Name>
<County Address>

RE: Voter Registration Cancellation – Prison Commitment

I have received a pre-cancellation notice from your office that my voter registration is scheduled to be cancelled due to information the county elections office has received from the Secretary of State indicating ineligibility to vote due to a prison commitment.

I believe this scheduled voter registration cancellation is in error.

SECTION TO BE COMPLETED BY VOTER

Voter Name (Printed): _____

Voter Residence Address: _____

Voter Mailing Address: _____

My voter registration should NOT be cancelled because I am NOT currently in state or federal prison serving a state or federal prison term.

Voter Signature: _____

Date: _____

Attachment F for CCROV #24039
Cancellation Notice – Deceased Records
Elections Code section 2201(c)

Date

<Name>
<Street Address>
<City, CA 9xxxxx>

RE: Voter Registration Cancellation – Deceased Records

Dear <Name>:

IMPORTANT NOTICE.

The voter registration for the individual named above has been cancelled.

The California Department of Public Health (CDPH), has provided information to the Secretary of State indicating that the above individual is deceased.

If this cancellation is in error, you may be required to reregister to vote in the next election or vote using a provisional ballot. You can find more information about voter eligibility rules on the Secretary of State's website at **sos.ca.gov/elections/voting-resources/voting-california/who-can-vote-california** or by calling the voter hotline at **800-345-VOTE (8683)**. You can also check your current registration status at **voterstatus.sos.ca.gov**.

County Elections Office Contact Information

<County Name>
<County Address>
<County Phone Number>
<County Email>
<County Website>

If you have questions or believe this letter was sent to you in error, please immediately contact us or the Secretary of State's office at elections@sos.ca.gov or at 1-800-345-VOTE (8683).

Attachment F for CCROV #24039
Cancellation Notice – Deceased Records
Elections Code section 2201(c)

Sincerely,

<County>



(RegisterToVote.ca.gov)