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County Clerk/Registrar of Voters (CC/ROV) Memorandum # 26093

TO: All County Clerks/Registrars of Voters

FROM: /s/ Rachelle Delucchi
Elections Counsel

RE: Primary Election: Replacement Ballots

This memorandum will provide a reminder regarding the procedures for requesting a replacement ballot.

Request for Replacement Ballot

Under subdivision (a) of [Election Code section 3014](#), a county elections official shall provide a replacement ballot to any voter upon receipt of a replacement ballot request from the voter.

Both of the following apply to such a request:

- The voter making the request shall provide to the elections official personal identifying information that matches the information contained on the voter's affidavit of registration, including their first and last name, residence address, and date of birth.
- Prior to issuing a replacement ballot, the elections official shall advise the requester as follows: "Only the registered voter themselves may request a replacement ballot. A request for a replacement ballot that is made by any person other than the registered voter is a criminal offense."

The [California Replacement Ballot Application](#) and translations of this application in Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese are found on the SOS website at <https://www.sos.ca.gov/elections/voter-registration/vote-mail>.

If a voter returns the application by mail, it should be sent directly to the voter's county elections official.

Voters may also request a replacement ballot from their county elections official by phone, email, fax, or other electronic means.

Request for Replacement Ballot – Provided to Voter's Representative

Subdivision (b) of Section 3014 states that a county elections official shall provide a replacement ballot to the voter's representative upon receipt of a written request, on a form prescribed by the SOS, signed by the voter under penalty of perjury, requesting that a ballot be provided to the voter's representative.

A replacement ballot shall not be provided until both of the following occur:

- The elections official shall compare the signature on the written request with the signature or signatures in the voter's record.
- The authorized representative shall sign an acknowledgment of receipt of the voter's ballot.

The [Application to Provide Vote-by-Mail Ballot to Representative](#) and translations of this application in Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese are found on the SOS website at <https://www.sos.ca.gov/elections/voter-registration/vote-mail>.

The voter's representative must provide this application in person to the voter's county elections official.

Once a Replacement Ballot Has Been Provided

The voter shall mark the ballot, place it in the identification envelope, fill out and sign the identification envelope, and return the ballot pursuant to Section 3017. These ballots shall be processed and counted in the same manner as other vote-by-mail ballots. (Elec. Code, § 3014(c).)

The county elections official shall keep a record of each vote-by-mail voter ballot sent to and received from a voter and shall verify, prior to counting any duplicate ballot, that the voter has not attempted to vote twice. If it is determined that a voter has attempted to vote twice, both ballots shall be void. (Elec. Code, § 3014(d).)

If you have any questions, please feel free to contact Rachelle Delucchi at rdelucch@sos.ca.gov or Robbie Anderson at aanderso@sos.ca.gov. Thank you.