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County Clerk/Registrar of Voters (CC/ROV) Memorandum # 26125

TO: All County Clerks/Registrars of Voters

FROM: /s/ Jana M. Lean, Chief of Elections
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 drop-off 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 you receive vote-by-mail ballots issued by another county, we recommend you immediately transmit them to the appropriate county by placing any vote-by-mail ballot(s) you receive from other counties in a separate envelope for delivery via United States Postal Service (USPS) First-Class mail or an express delivery service, or hand deliver 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 the ballot(s) was/were received by your office. This will avoid separate, later postmarks potentially being applied to the piece if the ballot is simply put back into the mail stream even though the ballot was timely received, which could disenfranchise the voter. 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 other questions about this memorandum, please contact me at jlean@sos.ca.gov.