



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
ELECTIONS DIVISION

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November 13, 2018

County Clerk/Registrar of Voters (CC/ROV) Memorandum #18250

TO: All County Clerks/Registrars of Voters

FROM: /s/ Steve Reyes
Chief Counsel

RE: Vote-by-Mail Ballots: Signature Cure Period for Unsigned Ballot

We have received inquiries regarding whether a county elections official must reject an Unsigned Ballot Statement that is submitted after 5:00 p.m. on the eighth day after the election. (Elections Code § 3019, subd. (e).)

While the Elections Code specifically requires the elections official to “not reject” a vote-by-mail ballot if an Unsigned Ballot Statement is submitted before 5:00 p.m. on the eighth day after the election, it is silent as to what an elections official must do if a statement is submitted after that time.

In the absence of a direct mandate to reject a vote-by-mail ballot if submitted after 5 p.m. on the eighth day after the election, and keeping Elections Code section 3000’s directive that “[t]his division shall be liberally construed in favor of the vote by mail voter,” our recommendation is for a county elections official to accept an Unsigned Ballot Statement up to the point in time where it would interfere with the duties of completing the county’s official canvass.

If you have any questions or concerns regarding this memorandum, please contact Jana Lean at jana.lean@sos.ca.gov.