



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

1500 11th Street, 5th Floor, Sacramento, CA 95814 | Tel 916.657.2166 | Fax 916.653.3214 | www.sos.ca.gov

February 13, 2020

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 20047

TO: All County Clerks/Registrars of Voters

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

RE: Presidential Primary: Residence Address and Political Party Preference
Changes at Polling Locations

On February 13, 2020, the Governor signed urgency legislation that will apply to the March 3, 2020, Presidential Primary Election.

Senate Bill (SB) 207 (Chapter 1 of the Statutes of 2020) added Elections Code section 2119.5 and amended Elections Code section 2152 to allow an existing voter, after the close of registration through the close of the polls on election day, to change their residence address within the county or their political party preference by submitting a written request to their elections official. The full text of SB 207 may be found here http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB207.

Prior to SB 207, voters wishing to re-register to change their residence address or political party preference after the close of registration would need to utilize the conditional voter registration (CVR) process, by completing an entire voter registration affidavit. SB 207 is intended to streamline re-registration procedures at the polling location, as well as save time during the official canvass by not requiring these voters to complete and submit an entire voter registration affidavit.

Change of Residence Address Within the County

Pursuant to Elections Code section 2119.5, a voter wishing to update their registration by changing their residence address within the county can submit a written request at a county elections office or polling location. Upon submitting this written request, the elections official shall issue the voter either:

A **nonprovisional ballot** if either of the following applies:

1. The voter is at their assigned precinct, the voter's name is found on the roster, and the voter either has not been issued a vote-by-mail ballot or the conditions relating to surrendering their vote-by-mail ballot provided by Section 3015(a) have been met.

- OR -

2. The voter appears at a location that is equipped with an electronic poll book or other means to determine the voter's precinct, the location can provide the voter with a ballot for the voter's precinct, the entire county has established connectivity between locations, and the location at which the voter appears verifies that the voter has not cast a ballot at another location for the election and notes in the voter's record that the voter cast a ballot.

(Elec. Code, § 2119.5(b)(1).)

OR

A **provisional ballot** if either of the following applies:

1. The voter is at their assigned precinct, the voter's name is found on the roster, the voter has been issued a vote-by-mail ballot, but the conditions relating to surrendering their vote-by-mail ballot provided by Section 3015(a) have not been met.

- OR -

2. The voter appears at a location, other than their assigned precinct, that is equipped with an electronic poll book or other means to determine the voter's precinct, but the entire county has not established connectivity between locations such that the location is unable to verify that the voter has not cast a ballot at another location for the election.

(Elec. Code, § 2119.5(b)(2).)

Upon receipt of a properly executed written request to change the voter's residence address within the county, the registration of the voter shall be immediately updated, and the written request shall be maintained with the voter's record. (Elec. Code, § 2119.5(c).)

Change of Political Party Preference

Pursuant to Elections Code section 2152, a voter wishing to update their registration by changing their political party preference can submit a written request at a county elections office or polling location. Upon submitting the written request, the elections official shall issue the voter either:

A **nonprovisional ballot** if either of the following applies:

1. The voter is at their assigned precinct, the voter's name is found on the roster, and the voter either has not been issued a vote-by-mail ballot or the conditions relating to surrendering their vote-by-mail ballot provided by Section 3015(a) have been met.

- OR -

2. The voter appears at a location that is equipped with an electronic poll book or other means to determine the voter's precinct, the location can provide the voter with a ballot for the voter's precinct, the entire county has established connectivity between locations, and the location at which the voter appears verifies that the voter has not cast a ballot at another location for the election and notes in the voter's record that the voter cast a ballot.

(Elec. Code, § 2152(c)(1).)

OR

A **provisional ballot** if either of the following applies:

1. The voter is at their assigned precinct, the voter's name is found on the roster, the voter has been issued a vote-by-mail ballot, but the conditions relating to surrendering their vote-by-mail ballot provided by Section 3015(a) have not been met.

- OR -

2. The voter appears at a location, other than their assigned precinct, that is equipped with an electronic poll book or other means to determine the voter's precinct, but the entire county has not established connectivity between locations such that the location is unable to verify that the voter has not cast a ballot at another location for the election.

(Elec. Code, § 2152(c)(2).)

Upon receipt of a properly executed written request to change the voter's political party preference, the registration of the voter shall be immediately updated, and the written request shall be maintained with the voter's record. (Elec. Code, § 2152(d).)

Written Request Form

For uniform application of SB 207, the Secretary of State has developed a written request form; the written request form, and translations of the form into Spanish, Chinese, Hindi, Japanese, Khmer, Korean, Tagalog, Thai, and Vietnamese, are attached to this CCROV. If you would like a Word version of any of the attached forms, please contact Reina Miller via email at rmiller@sos.ca.gov or telephone at (916) 695-1557.

Although use of the attached written request form is not required by SB 207, the Secretary of State strongly recommends that counties use it.

Implementation for the March 3, 2020 Presidential Primary Election

Given the close proximity of the chaptering of this urgency legislation to the presidential primary election, we understand that many precinct supplies have already been prepared and poll worker training has already occurred. Nevertheless, every county must have a process in place for the implementation of this legislation.

Below are potential processes for implementation of SB 207 at the Presidential Primary Election:

Process A

Supply county elections offices and voting locations with a supply of the above written request form (or a substantially similar form).

Once a voter is identified as an existing county voter who only wishes to change their address and/or political party preference, the voter is provided the written request form.

Once the voter completes the written request form, the voter is provided a ballot (and, if the voter must vote provisionally, a provisional ballot envelope).

If the voter is voting nonprovisionally:

After the voter has voted their ballot, the county elections official or poll worker will ask the voter to place their ballot directly into the ballot box.

The written request form will be placed in a location to be processed either at the polling location or at the county elections office.

If the voter is voting provisionally:

After the voter has voted their ballot, the county elections official or poll worker will attach the written request form to an envelope where the voter can place their voted ballot.

The ballot and ballot envelope, with the attached written request form, is placed in a separate, but secure location to be processed either at the polling location or at the county elections office.

Once processed, the registration of the voter shall be immediately updated, and the written request form shall be maintained with the voter's record.

Process B

Supply county elections offices and voting locations with a supply of the above written request form (or a substantially similar form).

Once a voter is identified as an existing county voter who only wishes to change their address and/or political party preference, the voter is provided the written request form.

Once the voter completes the written request form, the voter is provided a ballot (either for their precinct or what will be a provisional ballot).

After the voter has voted their ballot, the county elections official or poll worker will attach the written request form to an envelope where the voter can place their voted ballot.

The ballot and ballot envelope, with the attached request form, is placed in a separate, but secure location.

The provisional or nonprovisional status of that ballot will be reconciled after the voter has left the county elections office or polling location and will depend upon the applicability scenarios provided above.

Upon the processing of the written request form, the registration of the voter shall be immediately updated, and the written request form shall be maintained with the voter's record.

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

Attachments