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CALIFORNIA SECRETARY OF STATE

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## **California's Vote Counting Process: By Law, Counting Can Take Up to 30 Days to Ensure Voters' Rights and Integrity of Elections**

**SACRAMENTO, CA** – California Secretary of State Shirley N. Weber, Ph.D., is reminding Californians that California county elections officials have 30 days from Election Day on November 8, 2022, to process ballots.

“On Election Night, we had a good picture of most contests, but the outcomes of close contests may take days or weeks to know the final results. This is normal,” Secretary Weber said. “By law, county election officials have 30 days to count every valid ballot and conduct a post-election audit.

“We have a huge population of registered voters and California stresses enfranchisement, so we have a process that by law ensures both voting rights and the integrity of elections. I would call on all everyone to be patient.

This process includes time for ballots to be received by mail, the verification of signatures on every vote-by-mail ballot envelope, the processing of same-day voter registrations, the processing of provisional ballots, and reaching out to voters to provide opportunities for voters to cure missing or mismatched signatures.”

County elections officials must finalize their official results by December 8. The Secretary of State will certify the results on December 16, 2022.

After polls close at 8:00 p.m. on Election Day, the first election results are typically ballots received before Election Day, which include vote-by-mail ballots and early voting location ballots. During the 30-day canvass period, county elections officials will process and count provisional ballots, ballots from voters who registered and voted conditionally (Same Day Voter Registration), and vote-by-mail ballots postmarked by Election Day and received within seven days of the election. During this time frame, county elections officials are also reaching out to voters who did not sign their vote-by-mail return envelopes and voters

whose signatures did not compare to their signature on file. By law, voters are allowed to verify their signature up to two days before the county certifies their results in order to ensure that their ballot can be counted.

## **FAQs**

### **Who counts ballots in California?**

California counties handle the printing, mailing, verifying, and counting of ballots. The Secretary of State's office does not process ballots. Counties report their election results to the Secretary of State. The Secretary of State compiles the results from all counties and provides these results on the Election Results webpage.

### **What were the first results seen on Election Night?**

The first election results are typically ballots received before Election Day, which include vote-by-mail ballots and early voting location ballots. County elections officials may begin opening and processing vote-by-mail ballot envelopes up to 29 days before Election Day, but those results cannot be accessed or shared with the public until all polls close on Election Day.

### **How do counties report results on Election Night?**

Each of the 58 county elections offices process ballots in accordance with their internal procedures, and the distances poll workers must travel from polling places to county offices vary greatly. State law requires county elections officials to send their first batch of results to the Secretary of State's office no more than two hours after they begin tallying votes after polls close on Election Day. County elections officials continue to report results periodically on Election Night until all precinct vote totals have been reported. County elections officials continue to count ballots up to 30 days after Election Day.

### **When are vote-by-mail ballots counted?**

Vote-by-mail ballots that are received by county elections officials before Election Day are typically counted on Election Day. Many more vote-by-mail ballots are dropped off at polling locations, drop box locations, or arrive at county elections offices on Election Day. Vote-by-mail ballots postmarked on or before Election Day and received by county elections officials no later than 7 days after Election Day must be processed.

Depending on the volume of these types of ballots, it takes up to 30 days for county elections officials to verify voter records and determine if ballots have been cast by eligible voters. The frequency of updated results will vary based on the size of each county and the process each local elections office uses to tally and report votes.

### **How and when are provisional ballots counted?**

In California, provisional ballots serve as a fail-safe method of ensuring all voters who show up to the polls can cast a ballot. All provisional ballots are carefully checked by county elections officials to confirm that the person who voted provisionally is both registered and that they did not cast a ballot by mail or at another polling location on Election Day. Due to the additional human review and verification needed for provisional ballots, they are typically counted after Election Day and after the processing of vote-by-mail ballots.

### **How and when are Same Day Voter Registrations processed?**

Same Day voter registration, also known as conditional voter registration, is a safety net for Californians who miss the deadline to register to vote or update their voter registration information for an election.

Eligible citizens who need to register or re-register to vote within the 14 days preceding an election can complete this process to register and vote at their county elections office, polling place, or vote center. Their ballots will be processed and counted once the county elections office has completed the voter registration verification process.

### **How will we know how many ballots remain to be counted?**

Two days after the election, counties must provide the Secretary of State an estimate of their remaining unprocessed ballots report. The Secretary of State's office will post this "unprocessed ballots report" online and provide daily updates as new estimates are provided from the county elections offices.

### **When will the vote counting period end and the election be certified?**

Election results will change throughout the canvass period as vote-by-mail ballots, provisional ballots, and other ballots are processed. Depending on the volume of these types of ballots, it may take up to 30 days for county elections officials to verify voter records and determine if ballots have been cast by eligible voters. The frequency of updated results will vary based on the size of each county and the process each county elections office uses to tally and report votes. County elections officials must finalize their official results by December 8. The Secretary of State will certify the results on December 16, 2022.

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