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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair  
2025 - 2026 Regular Session

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### AB 1072 (Pellerin) - Elections: ballot mistakes

**Version:** February 20, 2025

**Urgency:** No

**Hearing Date:** July 14, 2025

**Policy Vote:** E. & C.A. 5 - 0

**Mandate:** No

**Consultant:** Robert Ingenito

**Bill Summary:** AB 1072 would require the Secretary of State (SOS) to develop uniform standards and guidelines for a voter to correct mistakes when voting.

**Fiscal Impact:** SOS would incur a one-time General Fund cost of \$55,000 to develop ballot correction standards and adopt regulations.

**Background:** Current law permits a voter to request a replacement ballot if a mistake is made. A replacement ballot also may be requested if the voter either (1) did not receive, (2) lost, or (3) destroyed their ballot. In order to receive a replacement ballot, a voter must submit a request or application for a replacement ballot to their county elections office by phone, email, fax, or other electronic means. Once the application is verified and approved, a replacement ballot is mailed to the voter. Most county election officials make the replacement ballot application available on their websites. Others provide interactive applications to request a replacement ballot. If a person is marking their vote-by-mail ballot at home and makes a mistake, a voter also has the option to go to a polling location to apply for and obtain a replacement ballot. If an individual is voting in-person at a polling place or vote center, that voter can ask poll workers for advice on how to correct an error, or can request a replacement ballot.

**Proposed Law:** This bill would (1) require SOS, in consultation with county election officials, to develop uniform standards and guidelines for a voter to correct mistakes made on the voter's ballot, and (2) permit the SOS to adopt appropriate regulations for the purpose of ensuring uniform application of these standards and guidelines.

### Related Legislation:

- AB 1164 (Ransom) would require the Voter Bill of Rights to inform voters that they can request a replacement ballot from a polling place worker or the elections official in the county. The bill is currently pending in the Senate Committee on Elections and Constitutional Amendments.
- AB 398 (Pellerin, Chapter 650, Statutes of 2023) among other provisions, allowed an elections official to provide a replacement VBM ballot to a voter without the need for the voter to provide a specified statement under penalty of perjury.

**Staff Comments:** As noted above, this bill would require SOS to consult with county elections officials to develop uniform standards for a voter to correct ballot mistakes, and authorize SOS to adopt related regulations to achieve uniformity across counties.

The bill does not mandate the participation of county elections officials; consequently, any local costs resulting from the bill would not be state-reimbursable.

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