
THIRD READING

Bill No: AB 16
Author: Alanis (R)
Amended: 4/21/25 in Assembly
Vote: 21

SENATE ELECTIONS & C.A. COMMITTEE: 5-0, 7/1/25
AYES: Cervantes, Choi, Allen, Limón, Umberg

ASSEMBLY FLOOR: 75-0, 5/5/25 - See last page for vote

SUBJECT: Vote by mail ballots: processing

SOURCE: Author

DIGEST: This bill permits election officials to begin processing vote by mail (VBM) return envelopes and VBM ballots on the day VBM ballots are mailed.

ANALYSIS:

Existing law:

- 1) Requires an elections official to mail a ballot to every active registered voter for every election in which the voter is eligible to participate and to begin mailing VBM ballots no later than 29 days before the election.
- 2) Permits any jurisdiction to process VBM ballot return envelopes beginning 29 days before the election. Processing VBM ballot return envelopes may include verifying the voter's signature on the envelope and updating voter history records.
- 3) Permits any jurisdiction having the necessary computer capability to start processing VBM ballots on the 29th day before the election. Provides that processing VBM ballots includes opening VBM return envelopes, removing ballots, duplicating damaged ballots, preparing ballots to be machine read, or

processing ballots through the machine. All other jurisdictions are required to start processing VBM ballots at 5 p.m. on the day before the election.

- 4) Prohibits a vote count from being accessed or released until 8 p.m. on Election Day.

This bill permits election officials to begin processing VBM return envelopes and VBM ballots on the day VBM ballots are mailed.

Background

Vote by Mail. Californians have increasingly relied on VBM ballots to cast a vote. According to the Secretary of State's office, the 1962 general election saw 2.63% of Californian voters vote by mail. For the 2024 presidential general election, 80.76% of Californian voters voted by mail. This massive increase in mail voting over the past 60 years is a result of many factors ranging from legislation expanding access to VBM ballots, paid postage on return envelopes, and additional elected offices resulting in longer, sometimes more complicated, and time-consuming ballots.

Restriction on Pre-Processing of VBM Ballots. The limitation that counties must have "necessary computer capability" in order to begin processing VBM ballots a day before the election dates back to 1975, when some counties still tallied ballots manually rather than by a computerized voting system. This restriction appears to be intended to prevent those counties from manually tallying ballots the day before the election, potentially due to concerns that the process would make election results publicly available before Election Day. It should be noted that no California county has conducted a full manual tally of all ballots cast at a statewide election since 1984 and the language related to counties having "necessary computer capability" in order to begin processing VBM ballots earlier appears to be obsolete.

Comments

Author's Statement. Recent elections have revealed a significant deficiency in the state's ability to process and count VBM ballots in a timely manner. The sheer volume of ballots requires additional verification steps and, unfortunately, that has led to delays in providing election results to the public. Voters, candidates, and the public have grown increasingly frustrated with these delays, and that frustration undermines trust in our electoral system. This bill addresses this issue by requiring

county election officials to begin processing and counting VBM ballots as soon as ballots are mailed. This will allow them to begin verifying signatures, processing ballots, and preparing them for machine counting without compromising the integrity of the election process. As a whole, this bill is about transparency, efficiency, and public confidence in our elections.

Related/Prior Legislation

AB 37 (Berman, Chapter 312, Statutes of 2021), among other changes to VBM ballots, changed the starting date that counties were permitted to process VBM ballots from 15 business days before an election to 29 days before an election if the jurisdiction has the necessary computer capability. This practice was permitted for the November 3, 2020, statewide general election pursuant to AB 860 (Berman, Chapter 4, Statutes of 2020) and AB 37 made the change permanent.

AB 3370 (Committee on Elections and Redistricting, Chapter 106, Statutes of 2020), among other changes, modified the starting date that counties were permitted to process VBM ballots from 10 business days before an election to 15 business days before an election other than the November 3, 2020, statewide general election if the jurisdiction has the necessary computer capability.

SB 29 (Correa, Chapter 618, Statutes of 2014), among other changes, changed the starting date that counties were permitted to process VBM ballots from seven business days before an election to 10 business days before an election if the jurisdiction has the necessary computer capability.

AB 2606 (Keysor, Chapter 1275, Statutes of 1976), among other changes, permitted counties with the necessary computer capability to begin processing “absent voter ballots” on the fifth day prior to the election.

AB 50 (Unruh, Chapter 794, Statutes of 1961) required election officials to begin processing “absent voter ballots” at any time following the third day prior to an election.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 7/2/25)

None received

OPPOSITION: (Verified 7/2/25)

Election Integrity Project California, Inc.
One individual

ARGUMENTS IN OPPOSITION:

In a letter opposing AB 16, Election Integrity Project California, Inc., stated, in part, the following:

We must assume that a move to authorize earlier ballot processing has as its goal shortening the gap between California's outrageous 30-days-after Election Day certification deadline and the other 49 states' ability to certify within a day or two after Election Day. To that end, AB 16 accomplishes nothing.

ASSEMBLY FLOOR: 75-0, 5/5/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bains, Bennett, Ellis, Lee

Prepared by: Scott Matsumoto / E. & C.A. / (916) 651-4106
7/2/25 16:24:49

**** END ****