

Date of Hearing: August 30, 2026

# ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 282 (Pellerin) – As Amended August 21, 2026

|                   |                                   |       |                   |
|-------------------|-----------------------------------|-------|-------------------|
| Policy Committee: | Housing and Community Development | Vote: | Vote not relevant |
|                   | Elections                         |       | 6 - 2             |
|                   | Public Safety                     |       |                   |

Urgency: Yes      State Mandated Local Program: Yes      Reimbursable: No

## SUMMARY:

This bill makes it a felony to seize ballots, election records, or certified voting technology before election results are certified.

Specifically, this bill:

- 1) Makes it a felony, punishable by imprisonment for 16 months or two or three years, to seize or cause or assist in the seizure of ballots, election records, or certified voting technology before election results are certified.
- 2) Makes it a felony, punishable by imprisonment for two, three, or four years, for a person with authority to direct another person to seize ballots, election records, or certified voting technology before election results are certified.

## FISCAL EFFECT:

- 1) Ongoing cost pressures of an unknown amount to the courts in additional workload by creating two new felonies, for which a defendant is entitled to no-cost legal representation and a jury trial (General Fund (GF) or Trial Court Trust Fund (TCTF)). It is unclear how many prosecutions may commence statewide and how much court time may be needed to resolve each case, but it generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court funding from the GF. The state budget provides annual GF backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in fiscal year 2025-26.
- 2) Potential incarceration costs of an unknown amount, likely to the counties instead of the state, to the extent prosecutions of the crimes created by this bill result in imprisonment (local funds, GF cost pressures). Actual incarceration costs will depend on the number of convictions and the length and location of each county jail sentence. The average annual cost to incarcerate one person in county jail is approximately \$29,000, with higher costs in larger counties. Although county incarceration costs are generally not considered reimbursable state mandates pursuant to Proposition 30 (2012), overcrowding in county jails creates GF cost pressures because the state has historically granted new funding to counties to offset overcrowding resulting from 2011 public safety realignment.

A defendant with specified prior felony convictions may be incarcerated in state prison instead of county jail, resulting in potential significant costs to the Department of Corrections and Rehabilitation (GF). The Legislative Analyst's Office estimates the average annual cost to incarcerate one person in state prison in \$133,000.

## COMMENTS:

### 1) **Purpose.** According to the author:

Earlier this year, the Riverside County Sheriff seized ballots and other election materials from the Riverside County Registrar of Voters, raising serious concerns about the security of election materials and the integrity of California's election processes.

Our elections depend on the security and integrity of ballots and election materials throughout the entire election process. AB 282 makes clear that interfering with those materials before an election is certified is a serious offense with serious consequences.

### 2) **Seizure of Ballots in Riverside County.** In February 2026, the Riverside County Sheriff's Department applied to the Riverside County Superior Court for a search warrant authorizing a search of the Riverside County Registrar of Voters office and the seizure of all ballots from the November 2025 statewide special election. In March 2026, AG Rob Bonta filed a petition in the California Court of Appeal, Fourth Appellate District, Division Two, seeking an immediate stay on the sheriff's investigation and warrant. The Court of Appeal denied the requested relief, concluding that the AG should have first sought relief in the Riverside County Superior Court. The AG subsequently petitioned the California Supreme Court for relief, which granted review, ordered a pause in the investigation, and directed all seized materials be preserved. Separately, in March, four registered voters in Riverside County petitioned the California Supreme Court seeking an order directing the sheriff to return all seized election materials and ballots and prohibit any tallying, counting, or handling of ballots by personnel other than elections staff and under procedures not provided for in the Elections Code. On August 24, 2026, the California Supreme Court heard oral arguments in both cases, with decisions expected in the coming weeks.

In light of this event and others around the country where elections officials were presented with court orders to turn over election materials, recent legislative efforts have focused on preserving election materials and equipment after election results have been certified. As noted in the Assembly Elections Committee's analysis of this bill, "This bill seeks to further strengthen these protections by ensuring that there are no gaps in existing law that would allow ballots, election materials, and voting equipment to be seized while votes are being cast or counted." This bill makes it a felony to seize ballots, election records, or certified voting technology before election results are certified. This bill also makes it a felony for a person to assist with such seizures or direct another person to engage in such prohibited conduct.

### 3) **Support and Opposition.** This bill is supported by a coalition of labor organizations, which argue, "We stand with the legislature in creating new protections against illegal interference with ballots and safeguards to block any efforts to undermine confidence in free and fair

elections – whether they stem from the Trump Administration, local offices, or other bad actors.”

This bill is opposed by the Riverside County Sheriff’s Office, which argues this bill “goes substantially beyond protection election materials from unlawful interference” and “may prevent law enforcement from securing evidence of a crime even after an independent judicial officer has found probable cause and issued a lawful search warrant.” A coalition of civil rights groups also expresses concerns regarding this bill’s creation of new crimes and unintended consequences.

- 4) **Related Legislation.** SB 73 (Cervantes), Chapter 10, Statutes of 2026, makes it a crime for a person to knowingly take a package containing voted ballots from the custody of the elections official, among other provisions.

SB 1418 (Cervantes) expands the list of elections-related items protected from destruction or seizure by SB 73 and other existing laws. SB 1418 has been ordered to engrossing and enrolling.

SB 259 (Wahab) makes it a crime to interfere with a ballot’s delivery to a voter or return to the local elections official. SB 259 is pending concurrence in Assembly amendments.

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