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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair  
2025 - 2026 Regular Session

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### AB 827 (Berman) - Voting: signature verification

**Version:** July 2, 2025

**Urgency:** No

**Hearing Date:** July 14, 2025

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

**Mandate:** Yes

**Consultant:** Robert Ingenito

**Bill Summary:** AB 827 would (1) make specified changes to the procedures when processing vote-by-mail (VBM) ballots with a signature issue, and (2) modify deadlines allowing voters to submit a VBM ballot signature verification statement or an unsigned identification statement.

### Fiscal Impact:

- The Secretary of State (SOS) indicates that this bill would result in minor and absorbable costs.
- By making specified changes to the duties of local elections officials, this bill creates a state-mandated local program. To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs. The magnitude is unknown, but potentially in excess of \$50,000 annually (General Fund).

**Background:** Since their introduction, Californians have increasingly relied on them to cast votes. SOS reports that in the 1962 general election fewer than 3 percent of Californians voters voted by mail. By the 2024 general election, that number had risen to over 80 percent. This increase reflects many factors, including (1) legislation expanding access to VBM ballots, (2) paid postage on return envelopes, and (3) additional elected offices resulting in longer, sometimes more complicated, and time-consuming ballots. In the 2024 general election, over voters cast over 13 million VBM ballots (80.8 percent of the total).

AB 37 (Berman, 2021) made permanent COVID-era legislation that required a VBM ballot be sent to every active registered voter prior to an election. Consequently, all voters now receive a VBM ballot and can choose to return it by mailing it back to the elections official, placing it in a ballot drop-off box/location, or dropping it off at a polling location. If a VBM ballot is mailed, the ballot needs to be postmarked by Election Day and received within seven days of Election Day.

In 2024, the Legislature enacted AB 3184 (Berman), which made various changes to the signature curing process, such as creating a combined signature verification form and clarifying what information about voters needing to cure a signature was made available. Among the provisions of the bill, it prohibited county election officials from certifying the results of the election prior to the 28th calendar day following the election, unless certain conditions were met. As a result and keeping with the existing practice of

having a signature cure form deadline two days before certification of an election, county election officials were required to accept a completed signature verification statement, unsigned identification envelope statement, or combined signature verification, until 5 p.m. on the 26th calendar day following the election.

Election officials determine a voter's identity by comparing the signature on the VBM ballot return envelope with the signature from the voter's registration or from a form issued by the elections official containing the voter's signature. The accepted signature becomes part of the voter's registration record.

In addition to the parameters specified in the Elections Code surrounding the comparison of signatures, the SOS provides counties additional parameters when comparing signatures, including: (1) permitting the elections official to consider specified characteristics when visually comparing a signature to determine whether the signatures are from the same signer, and (2) requiring election officials to consider specified discrepancies as explanations, including evidence of trembling or shaking in a signature could be health-related or the result of aging, the voter's signature style may have changed over time, and the surface of the location where the signature was made.

If the signature on the VBM envelope compares, then the VBM ballot is counted. Alternatively, if the elections official makes the determination that the signature does not compare and two additional election officials find beyond a reasonable doubt that the signature does not compare, then the voter is contacted and provided an opportunity to remedy the situation.

If a signature from the VBM identification envelope is missing or does not compare to the signature on the voter's file, then the elections official notifies the voter that they may fix or "cure" their signature. On or before the next business day, the elections official mails a notice, a statement, and a return envelope to the voter. The statement could be one of three options: (1) signature verification statement for noncomparing signatures, (2) unsigned verification envelope statement, or (3) a combined statement. Additionally, if the elections official has a phone number or email address on file for the voter, then the official is required to call, text, or email the voter. The elections official has until eight days prior to certification of the election to mail these notices and cure statements.

The voter has until two days before certification to return the cure statement to the elections official. If the voter's signature on the cure form compares to the signature(s) on file, then the form is accepted and the VBM ballot is counted. The elections official also updates the signature for future elections, even if the voter returns the form after the deadline.

Specific processes and deadlines are ultimately left to each of California's 58 counties, because each county administers its own elections. Though the process is similar throughout the state, there are 58 different ways elections are conducted. The signature cure process is not an exception. This includes, but is not limited to, how and when VBM ballots are processed, how voters are notified, how many times a voter is notified, what types of forms are used (single versus combined form), and what type of follow-up with voters occurs after the election is certified.

A number of VBM ballots are rejected at every election for various reasons, including a missing signature, a noncomparing signature, the ballot was missing from the envelope, multiple ballots were returned in one envelope, the ballot was not received on time, the voter already voted, or there is a missing or incorrect address on the envelope. A ballot can also be rejected if a voter did not provide their driver's license number, identification card number, or last four digits of their social security number when registering to vote and did not provide a form of identification when voting for the first time. In the 2024 general election, a total of 122,480 ballots were rejected; 33,016 of which reflected late arriving ballots.

**Proposed Law:** This bill would, among other things, do the following:

- Change the deadline for election officials to send notifications to voters who failed to sign their VBM ballot return envelope, or whose signature from the VBM ballot return envelope did not compare with signatures in the voter's registration record, from the 8th day before the election is certified to the 14th day after the election.
- Change the date until which a county elections official must accept a completed signature cure form from a voter from two days before the election is certified until the 22nd day following the election unless certain conditions are met.
- Establish a notification deadline of eight days and a receipt deadline of two days for signature cure forms for an election that is not a regularly schedule statewide election.
- Require election officials who place a VBM ballot drop box at their office location to allow that drop box to receive signature cure forms, provided that the drop box is clearly and conspicuously labeled that it is to be used for this limited purpose and not for the acceptance of ballots.
- Prohibit an elections official, when receiving signature cure forms from voters, from delaying the comparison of signatures on those forms with signatures that are part of the voters' registration records until later in the official canvass.
- Provide that the deadline for sending, processing, and submission of signature cure forms is not continued to the next business day if the deadline falls on a holiday.
- Require the California's VBM ballot tracking system, when it notifies a voter that the voter's ballot cannot be counted because the voter's signature did not compare or the identification envelope is missing a signature and that voter opted in to receive notifications by text or email, to include an internet link to the signature cure form with instructions for completion.
- Require daily updates from election officials about voters who did not sign a VBM ballot identification envelope or whose signature on the envelope did not compare with the voter's signature on file.

- Require an elections official who receives a completed unsigned identification envelope statement that is not timely submitted to compare the voter's signature on the statement with the signatures that are part of the voter's registration record and, if the elections official determines that the signatures compare, to add the signature from the unsigned identification envelope statement to the voter's registration record for use in future elections.
- Provide that a county elections official is not required to continue the official canvass of the election for at least six hours per day if the only ballots that a county elections official has left to count as part of the official canvass are VBM ballots for which a voter has an opportunity to verify or provide their signature in order for the ballot to be counted.

**Related Legislation:**

- SB 3 (Cervantes) would make changes to signature curing process, including signature cure forms, for VBM ballots. The bill is pending in the Assembly Committee on Elections.
- AB 3184 (Berman, Chapter 312, Statutes of 2024) made various changes to the signature curing process, such as creating a combined signature verification form and clarifying what information about the voter needing to cure a signature was made available. The bill prohibited a county elections official from certifying the results of the election prior to the 28th calendar day following the election as well as establishing a uniform deadline of 26 days after the election for signature cure forms for the 2024 November general election.
- SB 77 (Umberg, Chapter 701, Statutes of 2023) required election officials to notify a voter by telephone, text message, or email of the opportunity for a voter to verify their signature if the voter's signature did not compare to the signature on file, or to provide a signature if the voter's signature was missing.
- AB 63 (Cervantes, Chapter 514, Statutes of 2023) required election officials to update election results at least once a week until the results are complete.
- SB 503 (Becker, Chapter 319, Statutes of 2021) required election officials to apply certain presumptions about a voter's signature when comparing a signature on a VBM ballot envelope.
- SB 523 (McGuire, Chapter 568, Statutes of 2019) required counties to notify a voter whose signature is missing on a VBM identification envelope and aligned the timeline for notices and the submission of an unsigned VBM ballot envelope with the deadlines established for mismatching signatures.
- SB 759 (McGuire, Chapter 446, Statutes of 2018, permitted a voter whose signature on their VBM ballot identification envelope does not match the signature on file in the voter's record to return a completed signature verification statement in order to have their ballot counted.