
THIRD READING

Bill No: AB 827
Author: Berman (D), et al.
Amended: 7/2/25 in Senate
Vote: 21

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

SENATE APPROPRIATIONS COMMITTEE: 5-0, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Seyarto, Dahle

ASSEMBLY FLOOR: 62-3, 6/2/25 - See last page for vote

SUBJECT: Voting: signature verification

SOURCE: Author

DIGEST: This bill makes changes to the procedures when processing vote by mail (VBM) ballots with a signature issue and modifies deadlines allowing voters to submit a VBM ballot signature verification statement or an unsigned identification statement, also known as “signature cure forms.”

ANALYSIS:

Existing law:

- 1) Provides that a United States citizen at least 18 years old, a resident of California, and not serving a state or federal prison term may register to vote and vote.
- 2) Requires every active registered voter to receive a VBM ballot for any election.
- 3) Requires election officials to begin mailing a VBM ballot no later than 29 days before Election Day.

- 4) Provides a VBM ballot is timely cast if it is received by the voter's elections official by mail no later than seven days after Election Day and is postmarked or time/date stamped on or before Election Day.
- 5) Requires election officials to compare the voter's signature on the identification envelope with the voter's signatures on file upon receiving a VBM ballot.
- 6) Provides the following are applicable when comparing signatures on VBM envelopes and VBM related forms:
 - a) A presumption exists that the signature is the voter's signature.
 - b) An exact match is not required for an elections official to determine that a voter's signature is valid. The fact that signatures share similar characteristics is sufficient to determine that a signature is valid.
 - c) The elections official shall consider explanations for discrepancies between signatures and characteristics of the written signature that are specified in regulations promulgated by the Secretary of State (SOS). Explanations include a variation in signature style over time and the haste with which a signature is written. Characteristics include the slant of the signature, letter formation, and whether the signature is printed or written in cursive.
 - d) When comparing signatures, an elections official shall not review or consider a voter's party preference, race, or ethnicity.
 - e) The variation of a signature caused by the substitution of initials for the first or middle name, or both, is not grounds for the elections official to determine that the signatures do not compare.
 - f) A signature made using a mark such as an "X," or made by a signature stamp, shall be presumed valid and shall be accepted if the signature meets specified requirements.
- 7) Permits election officials to use facsimiles of voters' signatures, provided that the method of preparing and displaying the facsimiles complies with the law. Election officials may also use signature verification technology.
- 8) Provides that if an elections official determines the signatures compare, then the ballot is processed and counted.
- 9) Provides that if two additional election officials determines the signature does not compare to the signature(s) on file, the ballot is not processed or counted.

- 10) Permits a voter to cure a missing or noncomparing signature on a VBM envelope. This cure process includes the following procedures:
- a) On or before the next business day after a determination that a voter's signature does not compare or is missing and no later than eight days prior to the certification of the election, the elections official shall send a mail notice to the voter of the opportunity to verify the voter's signature or provide a signature no later than 5 p.m. two days prior to the certification of the election. The notice shall include a return envelope, with postage paid, for the voter to return a signature verification statement.
 - b) If an elections official has a telephone number or email address on file for a voter whose signature does not compare or is missing, the elections official shall notify the voter by telephone, a text message, or email of the opportunity to verify the voter's signature. If an elections official calls the voter and the voter does not answer, the elections official shall attempt to leave a voicemail message.
 - c) The elections official may send additional written notices to a voter and may also notify the voter in person or by other means of the opportunity to verify the voter's signature.
 - d) If it is impracticable under the circumstances for the elections official to send the notice of a missing or noncomparing signature on or before the next business day, including in the event of technological failure, the elections official shall send the notice as soon as practicable, but not later than eight days prior to the certification of the election.
 - e) The elections official shall not reject a VBM ballot identified if each of the following conditions is satisfied:
 - i) The voter delivers, in person, by mail, by fax, by email, or by other means, a signature verification statement, an unsigned identification envelope statement, or a combined statement signed by the voter and the elections official receives the statement no later than 5 p.m. two days prior to the certification of the election, or the voter, before the close of the polls on election day, completes and submits a signature verification statement to a polling place within the county or a ballot drop-off box.
 - ii) If upon conducting the comparison of signatures and the elections official determines the signatures compare, then the ballot is processed and counted. If the elections official determines that the signatures compare,

the elections official shall use the signature in the signature verification statement, even if returned untimely, to update the voter's signature for future elections.

- f) If a determination is made that the signatures do not compare, the identification envelope shall not be opened and the ballot shall not be counted.
 - g) Requires election officials to post updated election information at least once per week as it pertains to results, the number of ballots processed, the number of unprocessed ballots, and when the next results will be posted.
- 11) Requires an official canvass of election results to commence no later than the Thursday following the election. The official canvass shall be open to the public and, for state elections, conclude in a report of results to the SOS. The official canvass must be continued daily (except for Saturdays, Sundays, and holidays) for not less than six hours each day until completed.

This bill:

- 1) Changes 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.
- 2) Changes 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.
- 3) Establishes 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.
- 4) Requires 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.
- 5) Prohibits 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.

- 6) Provides 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.
- 7) Requires 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.
- 8) Requires 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.
- 9) Requires 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.
- 10) Provides 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.

Background

Vote by Mail. AB 37 (Berman, Chapter 312, Statutes of 2021) made permanent COVID-era legislation that required a VBM ballot be sent to every active registered voter prior to an election. As a result, today, all voters receive a VBM ballot and can choose how to return it. The VBM ballot can be mailed back to the elections official, placed in a ballot drop-off box/location, or dropped 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.

2024 November General Election. In 2024, the Legislature passed and the governor signed AB 3184 (Berman, Chapter 437, Statutes of 2024). AB 3184 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.

Signature Verification and Voter Identity. Election officials determines 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.

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.

Signature Curing. 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.

Ballot Rejection. A number of VBM ballots are rejected at every election for various reasons. A rejected ballot is a ballot that was not counted because of 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 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.

Ballot Tracking. AB 2218 (Berman, Chapter 432, Statutes of 2018) required the SOS to establish a system that allows voters to track and receive information about their VBM ballots as they move through the mail system and are processed by county elections officials. Voters can sign-up to use California's system, commonly known as BallotTrax. The BallotTrax system is capable of providing the information via text message or email to a voter who has signed up for the tracking service.

Comments

Author's Statement. In November 2024 general election, over 69% of rejected VBM ballots were for either a missing or non-matching signature. That amounted to nearly 85,000 ballots. Current law provides that if there is a missing or non-matching signature on the vote by mail ballot envelope, election officials are required to notify the voter of the problem, how to correct the issue, and that the voter has until 5 p.m. two days prior to the certification of the election to correct. Because there is no uniform date when counties certify elections, a voter may not know the date by which to make the correction and could inadvertently miss the deadline. This bill provides voters with greater certainty if they are notified of a missing or non-matching signature, ensuring that everyone is operating on a level playing field. This bill makes a number of related improvements to the process and procedures for ballot cure, including authorizing use of a ballot drop box to collect verification statements and updating our ballot tracking system to provide better additional notice.

Related/Prior Legislation

SB 3 (Cervantes) of 2025 makes changes to signature curing process, including signature cure forms, for VBM ballots.

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.

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

According to the Senate Committee on Appropriations:

- 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).

SUPPORT: (Verified 8/29/25)

None received

OPPOSITION: (Verified 8/29/25)

None received

ASSEMBLY FLOOR: 62-3, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Gallagher, Macedo

NO VOTE RECORDED: Castillo, Chen, Dixon, Ellis, Flora, Jeff Gonzalez,
Hadwick, Hoover, Lackey, Patterson, Sanchez, Ta, Tangipa, Wallis

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