

---

THIRD READING

---

Bill No: AB 930  
Author: Ward (D)  
Amended: 6/16/25 in Senate  
Vote: 21

---

SENATE ELECTIONS & C.A. COMMITTEE: 4-1, 7/1/25  
AYES: Cervantes, Allen, Limón, Umberg  
NOES: Choi

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 59-16, 5/19/25 - See last page for vote

---

**SUBJECT:** Elections and voting procedures

**SOURCE:** California Association of Clerks and Election Officials

---

**DIGEST:** This bill makes various changes relating to voter-requested recounts of election results and standardizes provisions for the receipt of vote by mail (VBM) ballots.

**ANALYSIS:**

Existing law:

- 1) Permits a voter to request a recount of the votes cast for candidates for any office, slates of presidential electors, or ballot measure. The request for the recount needs to be filed within five days following the completion of the official canvass. In the case of a recount of the votes cast for an election held in more than one county (including statewide elections), the request must be made within five days beginning on the 31st day after the election.
- 2) Permits a voter's request for a recount to specify the order in which the precincts will be recounted.

- 3) Requires the voter requesting a recount, or the campaign committee represented by the voter filing the recount request, to deposit a sum as required by the elections official to cover the cost of the recount for that day before the recount is commenced and at the beginning of each day. The money is refunded to the depositor if the recount changes the outcome of the election.
- 4) Requires a voter-requested recount to be conducted under the supervision of the elections official by special recount boards consisting of four voters of the county appointed by the elections official. Each recount board member is required to receive the same compensation as the jurisdiction pays to members of precinct boards, unless certain conditions are met. The local governing body is required to appoint an officer other than the elections official to appoint and supervise the recount boards in any case where the office of the elections official is the subject of the recount.
- 5) Requires a voter-requested recount to begin not more than seven days following the elections official's receipt of the recount request and may not begin until a day after specified individuals are notified.
- 6) Permits the voter requesting a recount to decide whether the recount is conducted manually or by means of the voting system used originally. Only one method of recount may be used for all ballots cast or tabulated by the same type of voting system.
- 7) Requires an elections official to notify all of the following persons about the date and place of a voter-requested recount at least one day before beginning the recount either in-person or by federally regulated overnight mail service:
  - a) All candidates for any office the votes for which are to be recounted.
  - b) Authorized representatives of presidential candidates to whom electors are pledged, if the votes to be recounted were cast for presidential electors.
  - c) Proponents of any initiative or referendum or persons filing ballot arguments for or against any initiative, referendum, or measure placed on the ballot by the governing body for which votes are to be recounted.
  - d) The Secretary of State (SOS) in the case of a recount of the votes cast for candidates for any state office, presidential electors, House of Representatives, United States Senate, delegates to a national convention, or on any state measure.

- 8) Permits all relevant material to be examined as part of any recount, if the voter filing the declaration requesting the recount so requests.
- 9) Provides that the results of a recount are the official election results for a contest, but only if all the votes cast in the contest are recounted.
- 10) Requires a copy of the results of any voter-requested recount to be posted conspicuously in the office of the elections official.
- 11) Provides generally that a VBM ballot is timely cast if it is received by the elections official via the United States Postal Service (USPS) or a bona fide private mail delivery company no later than seven days after Election Day if the ballot was mailed by Election Day. In the case of a mail ballot election, a VBM ballot is timely cast if it is received by the elections official via the USPS or a bona fide private mail delivery company no later than three days after Election Day if the ballot was mailed by Election Day.

This bill:

- 1) Specifies that a voter requesting a recount may specify the order in which batches of ballots are recounted and the order that counties will conduct the recount in a multi-county contest.
- 2) Permits a designee of the voter who requested a recount to make the required payment to cover the costs of the recount.
- 3) Provides for members of a recount board to be individuals eligible to vote, instead of voters, appointed by and at the discretion of the elections official.
- 4) Repeals requirements that the members of a recount board receive the same compensation as poll workers, and instead specifies that the requester of the recount reimburse the county for the cost of each member of a recount board.
- 5) Requires a person who is appointed to oversee a recount in lieu of the elections official, in a situation where the office of the elections official is the subject of the recount, to have experience necessary to conduct the recount.
- 6) Extends, from seven days to seven business days, the latest point after a recount request is received by the elections official before that recount must begin. If the office of the elections official is the subject of the recount, the recount must begin within seven business days following the appointment of an alternative qualified officer to oversee the recount.

- 7) Permits a manual recount to be conducted either by the use of paper ballots or by official ballot images, as determined by the voter requesting the recount.
- 8) Permits election officials to notify affected individuals about the date and place of a recount via email.
- 9) Modifies provisions of law that allow any relevant material to be examined as part of a recount, if the voter requesting the recount so requests, and instead allows for any relevant materials to be examined, provided that the request is made in writing and that it specifies the relevant materials before the commencement of the recount. A person would be prohibited from accessing any part of the voting system or from photographing or distributing an image of material with voters' personal identifying information during a recount.
- 10) Requires recount results be posted on the election official's website for a period of 30 days following the final day of the recount, in lieu of posting the results in the official's office.
- 11) Standardizes the seven-day deadline for the receipt of VBM ballots and the rules for determining when a VBM ballot was mailed for all elections held in the state.

## **Background**

*Voter-Requested Recounts.* State law allows any voter to request a recount of an election contest once the official canvass of results from the election is complete. Voter-initiated recounts are fairly uncommon in California, in part, because a voter who requests a recount must pay for the recount in advance. The voter's money is refunded only if the recount changes the outcome of the election in favor of the candidate or position of a ballot measure on which the recount was conducted. A voter-requested recount cannot change the outcome of an election, unless every vote cast in the contest is part of the recount. State law also allows the elections official, a superior court, or the governor to order a recount in specified circumstances.

*Order of Recounting.* Existing law allows the voter who requests the recount to specify the order in which precincts should be recounted. This policy allows a voter to begin a recount in those areas of the jurisdiction that are most favorable to the voter's preferred candidate or ballot measure position, which can then allow the voter to determine whether it makes sense to continue the recount in additional precincts at their expense. In many circumstances, voters end requested recounts

relatively quickly after the first few precincts when it becomes apparent that a full recount will not change the outcome of the election.

Due to changes in voting technology and in the way that elections are conducted, ballots are not necessarily tabulated by precinct. Ballots are tabulated in batches, which generally contain ballots from multiple precincts. Recount regulations adopted by the SOS allow the voter who requests a recount to prioritize certain batches of ballots as part of the recount, but the Elections Code does not expressly permit a voter who is requesting a recount to specify the order in which batches of ballots should be recounted.

## Comments

*Author's Statement.* This bill ensures every vote counts by streamlining the recount process. This bill improves transparency, increases efficiency, and strengthens trust in our elections, especially for overseas voters, including military personnel, whose ballots are often the last to be counted but deserve just as much protection in close contests.

*Manual Recounts.* Existing law allows the voter who is requesting the recount to decide whether the recount is conducted by re-running the ballots through the voting system that originally tabulated the ballots or by manually tallying the ballots. Recounts that involve re-running the ballots through the voting system generally are considerably less expensive than manual recounts.

Some voting systems capture images of ballots as they are counted by the system. It is unclear under existing law whether a voter can request a recount that involves a human review and tabulation of those ballot images, rather than re-running the ballots through the voting system or doing a recount via a manual tally of the actual paper ballots cast in the election. In many circumstances, a manual tally of the ballot images is likely to be less resource- and labor-intensive (and thus, less costly) than a manual tally of the actual paper ballots, though more resource-intensive than re-running the ballots through the voting system. It is also possible that a tally of the ballot images could be less definitive than a manual tally of the paper ballots themselves if the ballot images captured by the voting system are not very high quality representations of the paper ballots.

*Syncing Up VBM Deadlines.* Prior to 2015, VBM ballots cast in California had to be received by the elections official by the close of the polls on Election Day in order for those ballots to be counted. Concerns that delays in mail delivery would increase the number of rejected VBM ballots led to the passage and chaptering of SB 29 (Correa, Chapter 618, Statutes of 2014). SB 29 allowed VBM ballots to be

counted if they were cast by Election Day and received by mail no later than three days after the election. SB 29 also allowed a VBM ballot to be counted if the return envelope had no postmark, a postmark with no date, or an illegible postmark. This meant that ballots were accepted if the ballot was (1) received by the elections official no later than three days after the election, (2) received from the USPS or a bona fide private mail delivery company, (3) date stamped by the elections official upon receipt from the USPS or bona fide private mail delivery company, and (4) the VBM ballot envelope was signed and dated by the voter on or before Election Day.

AB 37 (Berman, Chapter 312, Statutes of 2021) extended the deadline for county elections officials to receive VBM ballots in the mail to the seventh day after the election, due in part to concerns that changes in delivery standards by the USPS could slow the delivery of voters' completed VBM ballots.

The Elections Code includes two different code sections that outline rules for the receipt of VBM ballots: one section which applies generally, and a second section that applies only to certain types of mailed ballot elections. While SB 29 made changes to both of those code sections, AB 37 amended the generally-applicable code section only and did not amend the provision that applies only to certain mailed ballot elections. Those omissions appear to be inadvertent. This bill conforms the two code sections to each other.

### **Related/Prior Legislation**

SB 406 (Choi, 2025) prohibits a VBM ballot from being counted if it was received by the elections official after the close of polls on Election Day. SB 406 was heard by the Committee on Elections and Constitutional Amendments was held without recommendation.

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

**SUPPORT:** (Verified 7/14/25)

California Association of Clerks and Election Officials (source)  
CFT – A Union of Educators and Classified Professionals, AFT, AFL-CIO

**OPPOSITION:** (Verified 7/14/25)

Real Impact  
Four individuals

**ASSEMBLY FLOOR:** 59-16, 5/19/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, 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: Alanis, Castillo, Chen, Davies, DeMaio, Ellis, Gallagher, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Dixon, Flora, Jeff Gonzalez, Papan

Prepared by: Scott Matsumoto / E. & C.A. / (916) 651-4106  
7/15/25 16:23:46

\*\*\*\* END \*\*\*\*