

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2025-2026 Regular Session**

SB 1310 (Choi)  
Version: April 8, 2026  
Hearing Date: April 21, 2026  
Fiscal: Yes  
Urgency: No  
ME

**SUBJECT**

Voter registration: prospective jurors

**DIGEST**

This bill would require jury commissioners to make determinations about people's citizenship and legal right to vote and to share that information with elections officials without privacy protections and without a meaningful process for a person to contest the determination.

**EXECUTIVE SUMMARY**

This bill would disenfranchise some Californians who are eligible to vote. Voting is a right of the people enshrined in our Constitution and affirmed through amendments to the Constitution because of this country's shameful history of trying to disenfranchise people. This Committee has not been provided with evidence that the stated problem which this bill seeks to remedy actually exists.<sup>1</sup> A substantially similar bill was introduced in 2020 as SB 994 (Bates) and died without a hearing in the Senate Judiciary Committee. This bill was introduced again in 2021 as SB 511 (Bates) and died without a hearing in the Senate Elections and Constitutional Amendments Committee. A similar bill, AB 301 (Wagner) failed passage in the Assembly Judiciary Committee in 2013. The narrative that noncitizen immigrants are voting in elections has been a talking point in recent elections. The attempted overthrow of the United States Capitol on January 6, 2021 and attempted overturning of that presidential election was premised on false assertions of voter fraud. The violence that took place on January 6, 2021 led to serious injuries and death.

This bill would remove eligible voters from voting rolls without an appeals process. There is no process to verify that there are no errors in the information the jury

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<sup>1</sup> *Fact checking Trump's false allegations of undocumented immigrants voting in L.A.*, Los Angeles Times (June 18, 2025) Karen Garcia. (available at: <https://www.latimes.com/california/story/2025-06-18/fact-checking-trumps-false-accusations-of-undocumented-immigrants-and-voting-in-los-angeles>).

commissioners would be required to forward to the elections officials. Erroneous information can be shared and lead to a voter wrongfully losing the opportunity to vote. There is no meaningful process for the voter to appeal the decision. There is no description of how notice must be given and no requirement that the notice needs to be received. This bill would, in essence, allow a person to be denied a constitutional right administratively and erroneously without a meaningful opportunity to receive notice of the decision or contest it. Jury commissioners are tasked with ensuring prospective jurors qualify for jury service not voting. This bill expands the role of jury commissioners with no training or guidance.

The bill is sponsored by Orange County Board of Supervisors. The bill is opposed by the American Civil Liberties Union California Action, Asian Law Caucus, Common Cause California, and the League of Women Voters. This bill passed the Senate Elections and Constitutional Amendments Committee with a vote of 4 to 0.

### **PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Entitles a person to register to vote if that person is a United States citizen, a resident of California, not in prison for the conviction of a felony, not found mentally incompetent to vote by a court, and at least 18 years of age at the time of the next election. Provides that any person may prove they are a citizen by their certification under penalty of perjury on the affidavit of registration. (Elec. Code § 2101, § 2111.)
- 2) Prescribes processes to maintain the voter rolls, through which election officials receive death notices from the Department of Public Health, conservatorship information from the superior courts, incarceration information from the state prisons, and change of address information from the United States Postal Service, their own mailings, and credit reporting agencies. (Elec. Code § 2208, § 2212, § 2222.)
- 3) Allows a jury commissioner to require a person to complete a questionnaire that asks questions related to, among other things, juror qualification, and permits this questionnaire to be used solely for qualifying prospective jurors and for management of the jury system. (Civ. Proc. Code § 205.)
- 4) Establishes that the jury commissioner shall be primarily responsible for managing the jury system under the general supervision of the court in conformance with the purpose and scope of this act. He or she shall have authority to establish policies and procedures necessary to fulfill this responsibility. (Civ. Proc. Code § 195, § 196.)
- 5) Provides that all persons are eligible and qualified to be prospective trial jurors, except the following:
  - a) Persons who are not citizens of the United States.

- b) Persons who are less than 18 years of age.
- c) Persons who are not domiciliaries of the State of California, as specified.
- d) Persons who are not residents of the jurisdiction wherein they are summoned to serve.
- e) Persons who have been convicted of malfeasance in office and whose civil rights have not been restored.
- f) Persons who are not possessed of sufficient knowledge of the English language, as specified.
- g) Persons who are serving as a grand or trial juror in any court of this state.
- h) Persons who are the subject of a conservatorship.
- i) Persons while they are incarcerated in any prison or jail.
- j) Persons who have been convicted of a felony and are currently on parole, postrelease community supervision, felony probation, or mandated supervision for the conviction of a felony.
- k) Persons who are currently required to register as a sex offender pursuant to Section 290 of the Penal Code based on a felony conviction.  
(Civ. Proc. Code § 203.)

This bill:

- 1) Requires a jury commissioner to provide information to the Secretary of State and the county elections official about a prospective juror who provides information in a juror affidavit that contains an attestation by the prospective juror under penalty of perjury that they are not qualified for jury service because the prospective juror is not a United States citizen or not a resident of the county.
- 2) Requires a jury commissioner to provide notice to the Secretary of State and the county elections official if the jury commissioner receives information from a juror affidavit that contains an attestation by the prospective juror under penalty of perjury that they are not qualified for jury service because the prospective juror is not a United States citizen or not a resident of the county.
- 3) Requires the notice to the Secretary of State to include the information received by the jury commissioner demonstrating that the prospective juror is ineligible to vote.
- 4) Requires an elections official who receives information about a registered voter pursuant to the above to determine if the person is ineligible to vote.
- 5) Requires the elections official to inactivate the voter's registration if the elections official makes the determination that the person is ineligible to vote. The elections official must also send a notice to the voter that provides them an opportunity to confirm their eligibility to vote.

- 6) Provides that if the elections official does not receive a response from the voter within 15 days of the date the notice is sent that demonstrates their eligibility to vote, the elections official shall cancel the voter's registration.
- 7) Provides that an elections official shall not cancel the voter's registration if all of the following requirements are met and shall instead update the person's registration with the person's current address: a) the person is a United States citizen; b) the jury commissioner informs the elections official that the person is not a resident of the county in which they are summoned; and c) the jury commissioner provides a current residence address for the person in another county.

### COMMENTS

#### 1. Stated need for the bill

According to the author:

Free and fair elections depend on accurate and reliable voter registration rolls. Currently, information provided during jury eligibility screening, often given under penalty of perjury, is not consistently shared with election officials even when it indicates a person may be ineligible to vote. SB 1310 establishes a commonsense process to ensure that relevant information from jury records can be used to help keep voter rolls up to date. By improving coordination between courts, the Secretary of State and election officials, this bill strengthens the integrity and public trust in California's elections. SB 1310 uses existing information more effectively while maintaining appropriate safeguards.

This bill is sponsored by the Orange County Board of Supervisors. The bill is the fourth attempt to pass this legislation. A substantially similar bill was introduced in 2020 as SB 994 (Bates) and died without a hearing in the Senate Judiciary Committee. This bill was introduced again in 2021 as SB 511 (Bates) and died without a hearing in the Senate Elections and Constitutional Amendments Committee.<sup>2</sup> According to the Orange County Board of Supervisors:

Jury questionnaires are utilized as an initial screening tool to gather preliminary information on potential jurors. The California Code of Civil Procedure (CCP) provides that if a jury commissioner requires a person to complete a questionnaire, the questionnaire shall only ask questions related to juror identification, qualification, and ability to serve as a prospective juror. Under CCP Section 203, there are 11 circumstances that can make a person ineligible

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<sup>2</sup> AB 310 (Wagner) was similar to these bills and failed passage in the Assembly Judiciary Committee in 2013.

for jury duty, including people who are not residents of the jurisdiction where they are summoned to serve.

Currently, when potential jurors attest that they are eligible to vote on a voter registration affidavit and subsequently attest on a juror questionnaire that they are not qualified to serve on a jury for a reason that would also affect their voter registration, the California Secretary of State and county elections officials are not required to be notified. As a result, potential inconsistencies in voter eligibility may go unnoticed.

SB 1310 would establish a data sharing process between jury commissioners, the Secretary of State, and county elections officials about registered voters who, when summoned for jury service, attest information on a juror questionnaire that could also affect their voter registration status.

After confirmation of a voter match, county elections officials would be required to update voter registration records when a voter has moved within California, initiate a verification process when eligibility is in question, and follow-up with voters to assist or update their voter registration. SB 1310 provides county elections officials with an additional tool to maintain accurate voter files, reduce potential errors, and reduce the risk that people not eligible to vote could cast a ballot in a local, state, or federal election.

## 2. Concerns

Before the passage of the federal Voting Rights Act of 1965, voters faced disenfranchisement through poll taxes, literacy tests, and other tactics intended to keep African Americans from the polls on election day. Because of the country's vile history of disenfranchising people of color and women, it is essential that decisionmakers be wary of proposals that would raise barriers for those eligible to vote to exercise their constitutional right to vote.

Indeed, a jury commissioner is not trained to determine whether a person is eligible to vote or is in fact a citizen of the United States. A jury commissioner is responsible for ensuring a person's qualification to serve on a jury. Under current statute there are several reasons a person would be rendered unqualified to serve on a jury. They are not the same criteria used to determine if a person is eligible to vote. For example, people who are subject to conservatorship are disqualified from jury service but may be able to vote if their conservatorship is due to a disability and if they have been permitted to register to vote. (Code Civ. Proc. § 203(a)(8).) A robust court process exists to ensure the conservatee's right to vote is not wrongly taken away. A person who has been convicted of a felony and is on parole, probation, or other type of supervised release may not serve as a juror but may be able to vote. (Code, Civ. Proc. § 203(a)(10).) This bill would require jury commissioners to expand their roles and make determinations they

are not trained to make with no guidance or criteria that may result in a person being wrongfully removed from voting rolls.

There are no privacy protections in the bill to protect the privacy of people's information. Additionally, there are no systems in place to ensure the information shared matches that of the person who will be removed from voter rolls. There is no court process in which to appeal the determination to remove the person from the voter rolls. There are no guidelines in the bill in which the jury commissioner would know how to adequately verify a person's citizenship. Disqualifying factors may change, such as a person turning 18 years old, a person returning from a short term move, a person becoming a citizen, as well as other situations.

The League of Women Voters writes the following in opposition to this bill:

California already has established voter registration list maintenance tools that are specifically designed for this purpose and already used by elections officials in compliance with state and federal law. Counties and the state rely on address confirmation mailers, National Change of Address data, Department of Motor Vehicles address updates, statewide duplicate checks and cross-county data sharing through VoteCal, and other established sources to maintain accurate voter rolls. This bill creates a new and unnecessary cancellation pathway based on court collected information even though California already has established tools for maintaining accurate voter rolls. SB 1310 is built on a source of information that is poorly suited to voter registration maintenance. Information provided in connection with jury service is not collected for election administration purposes, and it can reflect mistakes, misunderstandings, stale information, or assertions made for reasons unrelated to actual voter eligibility. [ . . . ] Requiring election officials to use jury affidavit information to trigger voter registration inactivation and cancellation means eligible voters could be flagged in error and forced to navigate a burdensome process just to remain registered.

That problem is especially serious for naturalized citizens and voters with limited English proficiency. A person may truthfully indicate on a jury form that they are not yet a citizen, later naturalize, and lawfully register to vote, yet still be drawn into a cancellation process based on outdated information. Jury materials can also be difficult to understand, making mistakes more likely -- particularly for voters with limited English proficiency, whose misunderstandings may then be treated as evidence of ineligibility. This approach threatens to burden voters who are already more vulnerable to erroneous removal.

SB 1310 would also impose new burdens on the courts. Similar proposals have raised concerns that courts do not currently have an automated system for

identifying, tracking, and transmitting this information for election purposes, and that requiring them to do so would create new administrative and fiscal burdens on an already strained branch. This bill again asks the courts to serve as a feeder system for voter roll maintenance even though that function properly belongs in election administration. The League is also concerned about privacy.

Jury records may contain sensitive personal information collected for purposes wholly unrelated to voter registration. SB 1310 would unnecessarily repurpose that court collected information for voter list maintenance even though California already has more appropriate tools for that purpose.

In their letter of opposition to a previous similar bill, the California Public Defenders Association wrote:

Jury commissioners receive information from election officials, and others, in order to create juror summons. This bill would require jury commissioners to send information from juror questionnaires (which potential jurors are required to answer by law and under penalty of perjury) to elections officials. This information is supposed to be used for “voter roll maintenance”, which is simply an attempt to cull the voter rolls. Any voter with conflicting information would be disenfranchised, even for something as simple as a mistake or typo.

It is critical to the entire criminal justice system that jurors present themselves for service. Our membership interacts with jurors and juror selection process on a daily basis and we know the comfort jurors take in having their information remain confidential and private. A basic and ubiquitous portion of a court’s jury welcome is telling them that their information is protected. Reducing these protections will only result in fewer jurors and a distrust of one of the most respected and proud American traditions ever created.

The American Civil Liberties Union California Action writes the following in opposition to the bill:

[ . . . ] SB 1310 raises serious concerns under federal voting rights law. Federal law requires voter list maintenance to be conducted in a uniform, nondiscriminatory manner and with safeguards to ensure that eligible voters are not removed in error. SB 1310 moves in the opposite direction by using jury affidavit information data collected for a different purpose and not designed for election administration – as a basis for voter registration action. That approach invites error and creates a substantial danger of wrongful disenfranchisement.

In opposition to a similar bill (AB 301 (Wagner) 2013) that failed passage in the Assembly Judiciary Committee, the Judicial Council of California wrote the following in opposition:

AB 301 would be financially and administratively burdensome on the courts, as it would require court clerks to manually review each juror questionnaire filled out by prospective juror to identify individuals who identify themselves as noncitizens. Courts do not currently have an automated process that captures information on jury questionnaires so this information is not quickly ascertainable. As a result, AB 301 would require courts to establish a new data tracking mechanism to identify individuals who state that they are not citizens on jury questionnaires in order to report that information to the chief elections official. AB 301 would require the court to divert scarce resources to support a function that is within the purview of the county elections official and not the Judicial Branch.

Common Cause California and the Asian Law Caucus write the following in opposition of this bill:

Accurate voter list maintenance is critical to elections. However, list maintenance must rest on reliable source data and meaningful safeguards. Bad data and infirm process wrongly purge eligible voters from the rolls. In recent years, the Legislature has moved carefully in the opposite direction from SB 1310. SB 504 (Becker, 2022) addressed wrongful cancellations caused by overinclusive court data by shifting felony imprisonment reporting to CDCR, the agency best positioned to know who is imprisoned and who is released. AB 2841 (Low, 2022) built a broader notice and cure framework so that voters receive notice and have a chance to correct the record before cancellation for mental incompetency, felony imprisonment, death, or certain address changes.

Taken together, these bills reflect a consistent, prudent legislative judgment to improve the source data, provide meaningful notice, and reduce the risk of erroneous removal. SB 1310 moves away from that approach by opening a new cancellation pathway built on juror affidavits — a source that was never designed for election administration. Furthermore, it pairs the use of this flawed source with a cure process that is weaker than the protections California applies elsewhere.

Juror affidavits are not a reliable source for voter list maintenance. They are collected for jury administration, using different forms, review procedures, and legal standards than election materials. Even when signed under penalty of perjury, they can reflect mistake, misunderstanding, stale citizenship information, or matching errors when names, addresses, and dates of birth are transferred from the courts to elections officials. A prospective juror may check

the wrong box on a form that lists several disqualifiers. Some prospective jurors may also falsely claim noncitizenship to avoid jury duty: the Brennan Center for Justice has reported that election officials told its researchers eligible voters have been known to assert they are noncitizens solely to evade jury service. While this behavior is unfortunate, such declarations are not good evidence that a noncitizen is actually on the voter rolls. Clerks transcribing and forwarding that information may confuse similar names and addresses across large voter files. The citizenship information itself may simply be out of date by the time an elections official acts on it. When California last considered a similar proposal in AB 301 (Wagner, 2013), the Assembly Judiciary Committee identified each of these failure modes, and none of them has been solved by SB 1310.

### **SUPPORT**

Orange County Board of Supervisors (sponsor)

### **OPPOSITION**

American Civil Liberties Union California Action  
Asian Law Caucus  
Common Cause California  
League of Women Voters

### **RELATED LEGISLATION**

Pending Legislation: None known.

Prior Legislation:

SB 511 (Bates, 2021) Was substantially similar to SB 994, below. The bill died in the Senate Elections and Constitutional Amendments Committee without a hearing.

SB 994 (Bates, 2020) Was substantially similar to SB 1310. The bill died in the Senate Judiciary Committee without a hearing.

AB 301 (Wagner, 2013) Among other things, would have required the clerk of the superior court to report the name, address, and date of birth of each person who has declared in response to a jury summons from the superior court that they are not qualified to serve as a juror because they are not a citizen of the United States. The bill would have required the cancelling of the affidavit of registration of each person listed by the clerk. This bill failed passage in the Assembly Judiciary Committee.

### **PRIOR VOTES:**

Senate Elections and Constitutional Amendments Committee (Ayes 4, Noes 0)

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