

SENATE THIRD READING
SB 1360 (Cervantes)
As Amended August 13, 2026
Majority vote

SUMMARY

Increases circumstances under which the Secretary of State (SOS) and county elections officials are required to provide translated election materials and specified language services.

Major Provisions

- 1) Requires the SOS, on or before December 15, 2027, and on or before December 15 of each year ending in 1 or 7, to determine which counties meet one or more of the following criteria below, and to publish a list of the counties and the languages determined for each county on the SOS's internet website:
 - a) Ten thousand or more citizens of voting age in a county are limited English proficient (LEP) individuals and are either members of a single language minority group or speak a shared language.
 - b) Five percent or more of the citizens of voting age in a county are LEP individuals and are either members of a single language minority group or speak a shared language.
 - c) In the case of a political subdivision that contains all or any part of an Indian reservation, the number of voting-age American Indian or Alaska Native citizens within the Indian reservation who are LEP individuals is more than 5% of all residents of the reservation.
- 2) Requires the SOS, if interested citizens or entities provide a preponderance of evidence that a language group in a county meets any of the criteria in 1) above notwithstanding the fact that the SOS did not identify that language as applying to that county, to include that language among those listed for the county.
- 3) Requires an elections official to provide translated election materials, including ballots, sample ballots, voter registration forms, voter education and outreach publications, election notices and signage, and a sufficient number of bilingual election workers at each election for each language identified by the SOS pursuant to 1) or 2), above. Requires the SOS or any state agency that provides election-related forms, materials, or services to an identified political subdivision to translate those materials into those languages.
- 4) Requires an elections official, from January 1, 2027, until the SOS makes the determinations pursuant to 1) above, to provide translated election materials in languages pursuant to existing determinations made under Section 203 of the federal Voting Rights Act (VRA), and in any language identified pursuant to 2) above.
- 5) Requires an elections official to begin providing assistance in a language no later than 180 days after the date that a language is determined to be a covered language. Requires a county, if compliance to provide a translated ballot requires certification or recertification of a county's voting system or related election technology, to begin providing translated ballots no later than 18 months from the date the determination was made, as specified.

- 6) Permits the SOS to adopt any rules or regulations necessary to implement this bill.
- 7) Requires an elections official, beginning January 1, 2027, to provide facsimile copies of the ballot and related instructions in a language for a precinct when the SOS determines that 3% or more of the voting-age residents in a single language minority group lack sufficient English proficiency to vote without assistance in *more than two precincts* within the county, instead of in any precinct in the county.

COMMENTS

The 15th Amendment to the United States (US) Constitution and the VRA prohibit the denial of a citizen's right to vote on account of the voter's race or color. The VRA also requires certain jurisdictions with significant populations of voting age citizens in a language minority community to provide all voting materials in that language. Pursuant to Section 203 of the VRA, California, as well as 28 of California's 58 counties, must provide bilingual voting assistance to Spanish speakers. Additionally, nine counties must provide assistance in at least one more language.

In addition to the federal language assistance requirements, existing state law requires a county elections official to provide a translated facsimile ballot and related instructions in precincts where 3% or more of the voting-age residents are members of a single language minority and lack sufficient skills in English to vote without assistance.

Under federal law, when elections officials provide language assistance, they must translate all election-related materials, including ballots and voter information guides. By contrast, when elections officials are required to provide language assistance under existing state law, the type of assistance required is more limited. As a result, although California's state law covers more languages than federal law, it requires translation of a narrower set of election materials.

This bill expands language translation and assistance requirements by establishing a state law framework that is similar to Section 203 of the VRA. Under Section 203, language assistance requirements apply when LEP voting-age US citizens make up at least 5% of a county's voting-age citizen population or exceed 10,000 individuals. This bill codifies a similar state-level language assistance framework into state law.

However, the language requirements in the VRA define language minorities as persons who are Asian, Native American, Alaskan Native, or of Spanish-heritage. Federal law does not cover other language minority groups. This bill provides for translated election materials and language assistance to be triggered in all language groups, not just the four categories identified in federal law. Language groups that are not covered by federal law, including European, Middle Eastern, and African languages, could be covered under this bill's requirements.

Under the new state-level language assistance requirements proposed by this bill, the required assistance in any covered language would be similar to what is required under federal law. Specifically, elections officials would be required to translate ballots, voter registration forms and instructions, voter education and outreach materials, election notices and signage, and provide bilingual poll workers.

This bill also maintains the requirement in state law for counties to provide translated facsimile ballots and related instructions in precincts where 3% or more of the voting-age residents are

members of a language minority group, with some modifications. Notably, this bill would provide that this requirement applies in a county only if the SOS determines that more than two precincts in the county meets the 3% threshold for a given language.

Please see the policy committee analysis for a full discussion of this bill.

According to the Author

"Section 203 of the federal Voting Rights Act of 1964 guarantees language access assistance to lawfully registered voters in the United States who speak Spanish, an Asian language, or a native language if the population in a jurisdiction exceeds certain thresholds. However, barring congressional action to reauthorize it, Section 203 is set to expire in 2032. Whatever might happen in Washington, D.C. in the future, lawfully registered voters in California should have a voice in our government, regardless of whether they are fluent in English or have limited English proficiency. Senate Bill 1360, which is part of the California Voting Rights Act of 2026, will help the more than 3.2 million lawfully registered voters in California who self-identify as limited-English proficient cast a ballot by making translated election materials more available and accessible. It will accomplish this by codifying Section 203 protections in state law and expanding on Section 203 to provide language access assistance beyond the group of languages required by federal law."

Arguments in Support

In support of a previous version of this bill, the sponsors, California Democracy Partnership, wrote, "Voting rights are under active attack at the federal level...SB 1360 is a direct response that will guarantee the federal VRA's language assistance requirements under state law by codifying Section of the VRA...and expand upon Section 203's language minority categories to include all language groups. It will also streamline and clarify the steps for language groups to receive assistance in voting when they are not adequately captured in the Census.

"Californians believe that language should not be a barrier to participation in our democracy. A June 2025 poll showed that 70% of California registered voters agree that eligible voters who speak limited English should have translated voting materials in their preferred language. The poll also showed that 87% limited-English voters polled would be more likely to vote in future elections if they had an in-language ballot. This is in line with a 2025 study that coverage under Section 203 significantly increased Latino voter registration rates and Asian American turnout."

Arguments in Opposition

With an oppose unless amended position of a prior version of this bill, the California Association of Clerks and Election Officials (CACEO), wrote, "We write to express concern that the proposed state policy does not fully address language assistance needs, and for that reason respectfully oppose Senate Bill 1360, unless amended...CACEO looks forward to discussions with the bill author and advocates to address these concerns:

- 1) Eliminate inequitable and unreliable determination models. EC 14201's precinct-based determination formula is inequitable and based on data inferences that are not reliable...CACEO seeks an amendment to eliminate the precinct-based approach to determining language coverage. CACEO supports a county-wide formula to ensure counties are dedicating limited resources to serving the greatest need with the most reliable data.
- 2) Set a new California Voting Rights Act Standard based on the VRA. The California VRA language determination standard should be set at 5% or 10,000 CVAP countywide to align

with the VRA. The expansion in SB 1360 would include an expansion to all languages, beyond the 4 language minority groups. This would set a clear and achievable standard, while expanding coverage to new languages.

3) Eliminate or better define the petition process. SB 1360 creates a petition process that can trigger additional language requirements, without any set threshold and applicable to any political subdivision. The current language outlines the types of evidence to be presented but provides no language on the determination standard, creating the potential for inconsistent and unworkable outcomes.

4) Allocate a budget appropriation to enhance services to voters with language needs. Counties require a substantial amount of planning; recruitment and training of bilingual staff to translate votable ballots, voter information guides, signage; and recruitment and training of bilingual election workers to provide oral assistance at voting locations and through hotlines. Allocating funding in the budget, as opposed to requiring counties to seek reimbursement, will ensure a higher quality of provision of language services."

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Costs of an unknown amount, potentially in the low tens of millions of dollars (General Fund). Such translation costs include contracted translation services, procurement, website translations, Voter Hotline voicemail updates, printing, and working with vendors to recertify systems (including VoteCal, the statewide voter registration database) with the new language requirements.
- 2) One-time costs in the low millions of dollars to the Department of Motor Vehicles (DMV) for information technology updates to include covered languages when a person registers to vote at the DMV and ongoing costs in the mid-to-high hundreds of thousands of dollars to update covered languages quarterly by voter district and provide quality assurance (General Fund). The California Motor Voter program automatically registers eligible applicants to vote, unless the applicant chooses to opt-out, and forms currently allow an applicant to select one of 10 languages in which to receive election materials.
- 3) By increasing the translation duties of local elections officials, this bill may create a state-mandated local program. If the Commission on State Mandates determines the provisions of this bill create a new program or impose a higher level of service for which the state must reimburse local costs, counties may seek reimbursement from the state (General Fund). The magnitude of costs depends on language diversity and concentration within each county.

VOTES**SENATE FLOOR: 28-0-12**

YES: Archuleta, Arreguín, Ashby, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Allen, Alvarado-Gil, Becker, Dahle, Grove, Hurtado, Jones, Niello, Padilla, Seyarto, Stern, Strickland

ASM ELECTIONS: 6-0-2

YES: Pellerin, Bennett, Berman, Elhawary, Solache, Stefani

ABS, ABST OR NV: Johnson, Ellis

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

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