

SENATE THIRD READING  
SB 3 (Cervantes)  
As Amended July 17, 2025  
Majority vote

## **SUMMARY**

Makes various changes to state law governing the process for verifying signatures on vote by mail (VBM) ballot return envelopes. Increases the frequency at which elections officials are required to post updated election results during the official canvass from a minimum of once per week to twice per week.

### **Major Provisions**

- 1) Requires VBM ballot return envelopes, and forms used by voters to resolve issues with the signatures on their VBM ballot return envelopes (hereinafter referred to as "signature cure forms"), to include a statement that the voter's signature will be compared to signatures in the voter's registration record.
- 2) Prohibits an elections official from considering the following factors when verifying signatures on VBM ballot return envelopes:
  - a) A voter's party preference, race, or ethnicity.
  - b) A voter's identifying information including gender, name, or address, except to confirm the identity of the voter.
  - c) The amount of time spent reviewing a signature.
- 3) Requires the Secretary of State (SOS) to post a uniform signature cure form and instructions on its website, and prohibits a county elections official from accepting signature cure forms that were not developed by the SOS or an elections official.
- 4) Requires an elections official to use the signature from a completed signature cure form to update the voter's registration record for use in future elections.
- 5) Requires that VBM ballot processing observers be allowed sufficiently close access to observe whether the individuals processing signature cure forms are following established procedures for verifying signatures.
- 6) Requires a county elections official to update election results at least twice weekly beginning the Thursday following the election, as specified, instead of once per week as required by existing law, and requires information about the number of unprocessed ballots to use standardized categories established by the SOS.

## **COMMENTS**

Under California law, a VBM ballot must be verified by the elections official before it can be counted. That verification includes a comparison of the signature on the VBM ballot return envelope with the signatures that are part of the voter's registration record to confirm that the voter who was issued the VBM ballot is the voter who completed and returned the ballot.

It is not uncommon for a VBM ballot to be returned in an envelope that is missing the voter's signature or with a signature that doesn't compare to signatures in the voter's record. At the November 2024 statewide general election, for instance, more than 71,000 VBM ballots that were returned by voters to elections officials were unable to be counted because the signature on the return envelope did not compare to the signatures on file, and more than 13,000 VBM ballots were rejected because the return envelope was not signed by the voter. In the last several years, the Legislature has taken a number of steps to reduce the number of VBM ballots that are rejected for these reasons.

Notably, AB 477 (Mullin), Chapter 726, Statutes of 2015, and SB 759 (McGuire), Chapter 446, Statutes of 2018, created processes for a voter to verify their VBM ballot if the voter failed to sign the VBM ballot return envelope, or if the signature on that envelope did not compare to the signatures in the voter's registration record. These processes are commonly referred to as "cure processes," and the forms used by voters to verify their ballots as a part of these processes are commonly referred to as "signature cure forms." Existing law provides that a voter must be permitted to complete either cure process until at least 5 p.m. two days prior to the certification of the election.

On March 18, 2025, the Senate Committee on Elections and Constitutional Amendments held an informational hearing on the signature curing process. The hearing was intended to inform the Senate on the different ways counties verify a signature on a VBM return envelope and contact a voter to cure a signature issue. The goal was to learn ways to improve VBM ballot processing, thereby enhancing the voter experience and helping counties expedite the overall vote count. The hearing included perspectives, insight, and recommendations from the SOS's office, county elections officials, stakeholders, and political attorneys. These panelists provided insights and thoughts about the role of the SOS and county elections officials in the signature curing process. This bill was developed by the author based on testimony and feedback received at that hearing.

### **According to the Author**

"Recent experience has shown that signature curing is rapidly becoming an integral part of political campaigns in California. However, as this area of campaign practice develops, it is clear that the existing laws governing signature curing contain several areas of ambiguity that threaten to create confusion for voters, invite abuse of the rules by bad actors, and undermine public confidence in our election results. Senate Bill 3 will help provide clarity and guidance to political campaigns, as well as consistency and transparency to the public, about the signature curing process by making several reforms to how the process works. This includes mandating that the only forms that voters across the state can use to cure their signatures is a standard form created by the Secretary of State or a form created by a county registrar. The bill will also require county registrars to upload the voter signatures they receive from signature curing forms to their databases for use when comparing signatures in future elections. SB 3 will also build upon the work of my Assembly Bill 63 from 2023 by making clarifications about how and how often county registrars must report election results to the public online."

### **Arguments in Support**

In support of a prior version of this bill, Disability Rights California wrote, "SB 3 offers thoughtful improvements. We especially appreciate the provision requiring vote-by-mail envelopes to include a clear statement that the elections official must compare the voter's signature to those in the voter's registration record, including signatures on file with the Department of Motor Vehicles. In our experience voters are often unaware that their signature on

the envelope will be compared to signatures in the voter's registration record. We also support the requirement that the Secretary of State publish a uniform signature verification and unsigned ballot statement form online, and that counties must use and post this standardized form. A single form available statewide will help reduce confusion and provide a consistent, fair process for voters needing to cure their ballots. These improvements build on existing protections and will make California's elections more accessible and inclusive."

### **Arguments in Opposition**

None received.

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee:

- 1) Ongoing per election costs of approximately \$5,000 to the SOS to develop and translate signature cure forms (General Fund).
- 2) Costs of an unknown, but potentially significant amount, in excess of \$150,000, across 58 counties to require an elections official to revise identification envelopes, modify signature curing processes, and provide more frequent election result updates. While some counties anticipate minor and absorbable per-election costs, other counties anticipate per-election costs in the tens of thousands of dollars. The magnitude of costs depends on the number of voters whose VBM ballots require signature curing. If the Commission on State Mandates determines this bill's requirements to be a reimbursable state mandate, the state would need to reimburse these costs to counties (General Fund).

## **VOTES**

### **SENATE FLOOR: 39-0-1**

**YES:** Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

**ABS, ABST OR NV:** Reyes

### **ASM ELECTIONS: 7-0-0**

**YES:** Pellerin, Macedo, Bennett, Berman, Solache, Stefani, Tangipa

### **ASM APPROPRIATIONS: 15-0-0**

**YES:** Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache, Ta, Tangipa

## **UPDATED**

VERSION: July 17, 2025