
CONSENT

Bill No: SB 621
Author: Grove (R)
Amended: 3/24/25
Vote: 21

SENATE MILITARY & VETERANS COMMITTEE: 4-0, 4/28/25
AYES: Archuleta, McNerney, Menjivar, Umberg
NO VOTE RECORDED: Grove

SENATE ELECTIONS & C.A. COMMITTEE: 5-0, 4/29/25
AYES: Cervantes, Choi, Allen, Limón, Umberg

SUBJECT: Voter registration: military and overseas voters

SOURCE: Shirley N. Weber, California Secretary of State

DIGEST: This bill repeals the provision in Section 3108 of the Elections Code as obsolete due to the inclusion of military and overseas voters in the general conditional voter registration process.

ANALYSIS:

Existing law:

- 1) Authorizes an individual who registers to vote at least 15 days before an election day, to vote in that election by a regular ballot.
- 2) Permits an individual who is eligible to register to vote to complete a registration application during the 14 days immediately preceding an election or on the day of the election, and to vote by conditional ballot or regular ballot, as specified.
- 3) Provides that otherwise qualified military and overseas voters and voters with disabilities may complete a conditional voter registration and cast a provisional ballot or nonprovisional ballot under those provisions.

- 4) Permits a military or overseas voter to register after the closing date of registration if the voter is released from service after the closing date, returns to the voter's county of residence, and is not a registered voter in that county, or if the voter is required to move under official active duty military orders after the closing date.

This bill repeals the requirements imposed by Military and Veterans Code (MVC) Section 3108 which places additional requirements on military and overseas voters as well as county elections officials.

Background

In 2012, the Legislature passed and the Governor signed AB 1436 (Feuer, Chapter 497, Statutes of 2012), establishing the Conditional Voter Registration (CVR) process and became operative after the Secretary of State certified California's statewide voter registration database, VoteCal.

Even though AB 1436 was effective, Elections Code §3108 consisted of provisions applicable to military and overseas voters attempting to register after the traditional voter registration deadline. Voters seeking to utilize this process are required to provide documentation that they were released from service after the deadline or required to move under military active duty military orders.

Because AB 1436 applied to all voters, and not specifically for those in an official service capacity, the provisions in Elections Code §3108 are no longer needed. Any overseas voters, regardless of their duties, can use the current CVR process. Having this provision in statute has the possibility of creating confusion for military and overseas voters trying to register to vote and vote.

MVC 3108 requires:

- Military voters released from service after registration closes to provide proof of release.
- Those relocating under military orders to provide copies of those orders.
- County election officials to deliver lists of these voters to precinct boards.

SB 504 (Becker, Chapter 14, Statutes of 2022) clarified that military and overseas voters are eligible to use CVR without additional requirements. Upon passage of SB 504, the additional documentation requirements on military and overseas voters

registering after the standard 15-day close of registration found in MVC 3108 became barriers to voter participation.

Comments

Elections Code 3108 currently imposes requirements that impose an additional burden on military and overseas voters. Vote-by-mail options were first made available to out-of-state and deployed veterans, to ensure their representation despite physically being unable to participate in the voting process. Due to the vote-by-mail expansion to every person that may be eligible to vote in California, the election code that helped veterans now puts up a barrier.

According to the sponsor, by eliminating MVC 3108, SB 621 will:

- Align the Elections Code with SB 504.
- Remove barriers to voting for service members and overseas citizens.
- Create consistency in the Conditional Voter Registration process.
- Reduce administrative burdens on county election officials.

Related/Prior Legislation

SB 504 (Becker, Chapter 14, Statutes of 2022), among other provisions, permitted the Secretary of State to adopt emergency regulations to implement CVR.

AB 1436 (Feuer, Chapter 497, Statutes of 2012), established the CVR process and became operative after the Secretary of State certified California's statewide voter registration database, VoteCal.

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

SUPPORT: (Verified 4/30/25)

Shirley N. Weber, California Secretary of State (Source)
California Association of Clerks and Election Officials
League of Women Voters of California
Wounded Heroes Fund

OPPOSITION: (Verified 4/30/25)

None received

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