

Date of Hearing: July 15, 2025

ASSEMBLY COMMITTEE ON MILITARY AND VETERANS AFFAIRS

Pilar Schiavo, Chair

SB 621 (Grove) – As Amended March 24, 2025

**SENATE VOTE:** 38-0

**SUBJECT:** Voter registration: military and overseas voters.

**SUMMARY:** Allows the vote by mail (VBM) ballot of a military or overseas voter to arrive up to three days after the election and still be counted, provided that the ballot is postmarked by the United States Postal Service or the Military Postal Service Agency on or before election day.

**EXISTING LAW:**

- 1) Defines conditional voter registration (CVR) to mean a properly executed affidavit of registration that is delivered by the registrant to the county elections official during the 14 days immediately preceding an election or on election day and which may be deemed effective after the elections official processes the affidavit, determines the registrant's eligibility to register, and validates the registrant's information, as specified. (Elections Code (EC) §2170(a))
- 2) Provides that a CVR is deemed effective if the county elections official is able to determine before or during the canvass period of the election that the registrant is eligible to register to vote and that the information provided by the registrant on the affidavit matches information contained in a database maintained by the Department of Motor Vehicles or the federal Social Security Administration. Requires the registrant, if the information provided by them on the affidavit of registration cannot be verified, but the registrant is otherwise eligible to vote, to be issued a unique identification number, as specified, and requires the CVR to be deemed effective. (EC §2170)
- 3) Requires an elections official to provide CVR at all permanent and satellite offices of the county elections official and all polling places in the county. (EC §2170(d)(1))
- 4) Defines a "military or overseas voter" to mean an elector absent from the county in which they are otherwise eligible to vote who is any of the following:
  - a) A member of the active or reserve components of the United States (US) Army, Navy, Air Force, Marine Corps, or Coast Guard; a Merchant Marine; a member of the US Public Health Service Commissioned Corps; a member of the National Oceanic and Atmospheric Administration Commissioned Corps of the US; or a member on activated status of the National Guard or state militia;
  - b) A citizen of the US living outside of the territorial limits of the US or the District of Columbia; or,
  - c) A spouse or dependent of a person described in a) above. (EC §300(b))

- 5) Permits a qualified military or overseas voter to apply in person to the voter's elections official for permission to register after the closing date of registration under the following conditions:
  - a) The voter is released from service after the closing date of registration for the election, returns to the county of the voter's residence, and is not a registered voter. Requires the elector to furnish documentary proof that they were released from service after the closing date of registration for the election to register; or,
  - b) The military or overseas voter is required to move under official active duty military orders after the closing date of registration. Requires the elector to furnish a copy of their official military orders to register. (EC §3108)
- 6) Requires an elections official, on or before the day of the election, or the first day a vote center opens, to deliver to the precinct board a list of military or overseas voters who registered in person under the provisions in 5) above. (EC §3108)
- 7) Defines a "remote accessible vote by mail (RAVBM) system" to mean a mechanical, electromechanical, or electronic system and its software that is used for the sole purpose of marking an electronic VBM ballot for a voter who prints the paper cast vote record to be submitted to the elections official. Prohibits a RAVBM system from being connected to a voting system at any time. (EC §303.3)
- 8) Requires a county elections official to permit *any* voter to cast a ballot using a certified RAVBM system, regardless of whether the voter is a voter with disabilities or a military or overseas voter. (EC §3016.7)

**FISCAL EFFECT:** None.

**COMMENTS:**

- 1) **PURPOSE OF THIS BILL.** According to the author, current law imposes requirements representing an unnecessary burden on military and overseas voters. Eliminating these requirements supports our courageous military members and Americans abroad by easing their participation in our democracy.

- 2) **BACKGROUND.**

- a) **Conditional Voter Registration.** CVR, also known as "same day registration," under which a person is allowed to register or re-register to vote and vote within 14 days of an election, including election day, if specific requirements are met. A voter's ballot is processed and counted once the county elections office has completed the voter registration verification process.

In counties that conduct elections under the California Voter's Choice Act (CVCA), CVR is required to be available at every vote center. In 2019, the Legislature expanded CVR and required it to be made available at all polling places. In practice, CVR serves as a safety net for Californians who miss the deadline to register to vote or update their voter registration information for an election. Generally, all eligible citizens who need to

register or re-register to vote within 14 days of an election can complete this process at their county elections office, polling place, or vote center to register and vote. This process is accomplished in person. However, because certain voters may have difficulty taking advantage of a process that currently can only be performed in person, specifically, military and overseas voters and voters with disabilities, SB 504 (Becker), Chapter 14, Statutes of 2022, was signed into law and requires an elections official to make CVR available to military and overseas voters and voters with disabilities, and to allow those voters to vote after registering using CVR, through a certified RAVBM system.

According to the author and their sponsor California Secretary of State Dr. Shirley Weber (SoS), with the enactment of SB 504, existing provisions of law that require military or overseas voters to provide specified documentary proof when registering to vote after the regular voter registration deadline are outdated and unnecessary. Accordingly, this bill repeals these provisions, streamlining voter registration for military and overseas voters, eliminating unnecessary procedural hurdles, and ensuring uniformity in the CVR process for all voters.

- b) Remote Accessible Vote by Mail Voting and Previous Legislation:** Generally, RAVBM systems approved for use in California utilize electronic delivery to provide a voter with a ballot that the voter can mark using their computer, including any assistive device they use with that computer. After marking the ballot, the voter must print and return it to their county elections official by mail or drop-off (existing law also permits military and overseas voters to return their ballots by facsimile transmission under certain circumstances). In California, RAVBM systems allow voters to download and mark their ballots using personal devices; however, these systems are specifically designed so that completed ballots cannot be electronically transmitted to election officials.

AB 2252 (Ting), Chapter 75, Statutes of 2016, allowed a military or overseas voter or a voter with disabilities to electronically receive and mark their VBM ballot using a RAVBM system, among other provisions. Subsequently, AB 1013 (Low), Chapter 906, Statutes of 2018, required a county elections official to permit a voter with a disability, or a military or overseas voter, to cast their ballot using a certified RAVBM system. While AB 1013 did not apply to counties conducting elections under the CVCA, the CVCA separately requires counties to have a process for sending or delivering a VBM ballot that voters with disabilities can read and mark privately and independently—a requirement that counties generally have met through the use of RAVBM systems. AB 37 (Berman), Chapter 312, Statutes of 2021, requires a county elections official to permit *any* voter to cast a ballot using a certified RAVBM system for any election.

Because RAVBM systems involve the electronic delivery of a blank VBM ballot from the elections official to the voter, these systems can significantly reduce the time required to deliver a ballot to a voter after the voter requests one.

- 3) SUPPORT.** The SoS sponsored this bill, aiming to simplify voter registration for military and overseas voters by eliminating outdated legal requirements. The SoS states that the 2022 enactment of SB 504 made the requirement for extra documentation from military and overseas voters outdated, as it imposes unnecessary voting barriers by demanding proof of release for military voters after registration closes, affects those relocating under military

orders, and requires county election officials to submit voter lists to precinct boards. The SoS indicates that this bill brings the EC in line with SB 504, eases voting for service members and citizens abroad, standardizes the CVR process, and lightens the load for county election officials. The SoS concludes that this bill respects our military's sacrifices to safeguard our democracy by eliminating outdated barriers to their fundamental right to vote.

#### **4) PREVIOUS LEGISLATION.**

- a) SB 504 requires an elections official to make CVR available to military and overseas voters, as well as to voters with disabilities, and to allow those voters to vote after registering using CVR through a certified RAVBM system.
- b) AB 37 requires county elections officials to mail a ballot to every active registered voter for all elections, and makes changes to VBM processes, procedures, and requirements, as specified.
- c) SB 72 (Umberg), Chapter 565, Statutes of 2019, requires CVR to be made available at all polling places, as specified.
- d) AB 1013 requires a county elections official to permit a voter with a disability, or a military or overseas voter, to cast their ballot using a certified remote accessible VBM system. Provides that these provisions do not apply to a county that conducts an election using vote centers, instead of polling places, pursuant to the CVCA.
- e) AB 1403 (Oberholte), Chapter 797, Statutes of 2017, permit a military or overseas voter to apply in person to the voter's elections official for permission to register after the closing date of registration if the military or overseas voter is required to move under official active duty military orders after the closing date of registration.
- f) AB 2252 allows a voter with disabilities to electronically receive and mark their VBM ballot using a remote accessible VBM system, as defined. Establishes processes and procedures for the review and approval of remote accessible VBM systems, as specified.
- g) AB 269 (Grove) of 2013 was substantially similar to this bill; it was scheduled for a hearing in the Senate Appropriations Committee, but the hearing was cancelled at the author's request.
- h) AB 1436 (Feuer), Chapter 497, Statutes of 2012, permits CVR, also known as "same day registration," under which a person is allowed to register or re-register to vote and vote within 14 days of an election, including on election day, if certain requirements are met.
- i) AB 477 (Valadao) of 2011 was also substantially similar to this bill; it was held on the Senate Appropriations Committee's suspense file.

#### **5) DOUBLE REFERRAL.** This bill is double referred, it passed the Assembly Elections Committee with a vote of 7-0 on July 2, 2025.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Secretary of State Dr. Shirley N. Weber (sponsor)  
California Association of Clerks & Election Officials  
League of Women Voters of California  
Portrait of a Warrior Gallery Kern County & Honor Flight Kern County  
Wounded Heroes Fund

**Opposition**

None on file.

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