

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
SB 73 (Cervantes) – As Amended April 27, 2026

SENATE VOTE: (vote not relevant)

SUBJECT: Elections: inspection of voting systems.

SUMMARY: Restricts law enforcement agencies and officers from engaging in specified conduct related to elections. Prohibits a person who is observing the processing of vote by mail (VBM) ballots from challenging whether signatures compare. Specifically, **this bill:**

- 1) Requires an elections official to notify the Secretary of State (SOS) and the Attorney General (AG) immediately if a court order is being executed to search or seize voting technology, materials, or equipment, as specified.
- 2) Requires the AG to provide guidance to county elections officials regarding how election personnel should respond to requests by law enforcement agencies (including federal agencies) to access areas where ballots are being cast, processed, or otherwise handled, as specified. Requires the AG to provide similar guidance to building owners and employers. Requires this guidance to be consistent with state and federal law.
- 3) Prohibits a peace officer (a term that does not include federal law enforcement) from doing any of the following, in connection with an election in the state:
 - a) Establishing or attempting to establish voter qualifications contrary to state law.
 - b) Imposing or attempting to impose election rules or practices contrary to state law.
 - c) Interfering with the conduct of the election and the discharge of duties of election personnel, except as necessary to respond to urgent threats to public health and safety.
- 4) Permits the AG, the SOS, or a county elections official to bring a civil action to enforce 3) above. Requires the court to expedite the scheduling of such an action that is brought during the period beginning 30 days before the election and ending with the completion of the canvass of the election. Makes a violation of 3) above subject to imprisonment in county jail for up to 12 months, or in state prison.
- 5) Prohibits an observer of VBM ballot processing from challenging whether the signature on a form to verify a VBM ballot compares to a signature in the voter's registration record.
- 6) Prohibits any person from allowing an agent of a law enforcement agency (including a federal agency), as specified, to serve as an observer of VBM ballot processing in their official capacity unless authorized by a court order. Specifies that this provision does not prohibit an elections official from providing written authorization for law enforcement

personnel to provide logistical or security support at a voting location or a county elections office, as specified.

- 7) Prohibits any person from permitting an agent of a law enforcement agency (including a federal agency), as specified, to access, disrupt, modify, or take possession of rosters, combined rosters, or voter lists unless authorized by a court order or to investigate a violation of state law prohibiting double voting.
- 8) Prohibits non-uniformed peace officers, private guards, and security personnel from being stationed at a voting location without the elections official's authorization. Prohibits a person from hiring or arranging for military personnel (whether uniformed or not), and non-uniformed law enforcement officers, private guards, and security personnel to be stationed at a voting location or county elections office without the elections official's authorization.
- 9) Allows the SOS or the AG to override a county's decision to authorize peace or law enforcement officers, private guards, or security personnel to be stationed at a voting location or county elections office.
- 10) Permits the SOS, the AG, or a county elections official to bring a civil action against any person who, in violation of existing law, takes a package containing voted ballots from the custody of the elections official. Makes it a crime, punishable by a \$1,000 fine, imprisonment for up to three years, or by both, for a person to knowingly take a package containing voted ballots from the custody of the elections official.
- 11) Prohibits any person from allowing an agent of a law enforcement agency (including a federal agency), as specified, to access, disrupt, modify, or take possession of a voting system machine or device, software, or source code, unless authorized by a court order.
- 12) Contains a severability clause. Contains an urgency clause, allowing this bill to take effect immediately upon enactment. Specifies that the need for the urgency clause is so that the bill can apply to the June 2, 2026, statewide primary election.

EXISTING LAW:

- 1) Requires a state or local agency or political subdivision to provide notice to the SOS and AG within three court days of filing or being served with a court action relating to an election-related claim under federal law, and at least 14 court days before entering into a settlement, consent decree, or other court-approved agreement in such an action. (Elections Code §21)
- 2) Requires a county elections official to verify the signature on a VBM ballot envelope against signatures in the voter's registration record, count the ballot if the signatures compare, and provide voters a way to fix missing signatures or signatures that do not compare. Makes VBM ballot processing open to public observation and allows observers to challenge whether individuals handling VBM ballots are following established procedures. (Elections Code §§3019, 15104)
- 3) Makes it a crime for a person to do any of the following:

- a) Interfere with the officers holding an election or conducting a canvass or with voters lawfully voting in an election, as specified. (Elections Code §18502)
 - b) Use, or threaten to use, force, violence, intimidation, or coercion (or to have someone else do so) to influence how a person votes, whether they vote at all, or to punish them for how or whether they voted. (Elections Code §18540)
 - c) Place a sign relating to voters' qualifications, speak to a voter related to their qualifications, record a voter entering or exiting a voting location, or obstruct ingress, egress, or parking, within 100 feet of a voting location or ballot drop-off location with the intent of dissuading a person from voting. (Elections Code §§18370, 18541)
 - d) Knowingly challenge a person's right to vote without probable cause or on fraudulent grounds. (Elections Code §18543)
 - e) Be stationed at a voting location without the written authorization of the elections official while in possession of a firearm; as a uniformed peace officer, private guard, or security personnel; or while wearing a uniform of a peace officer, guard, or security personnel, except as specified. (Elections Code §18544)
 - f) Hire or arrange for a person to be stationed at a voting location without the written authorization of the elections official while in possession of a firearm; as a uniformed law enforcement officer, private guard, or security personnel; or while wearing a uniform of a law enforcement officer, guard, or security personnel, except as specified. (Elections Code §18545)
 - g) Tamper with, interfere with, or damage voting technology, as specified. Provides, for these purposes, that interfering with voting technology includes providing unauthorized access to or breaking the chain of custody of certified voting technology, as specified. (Elections Code §18564)
 - h) Tamper with ballots, poll lists, ballot containers, or election returns, as specified. (Elections Code §18568)
 - i) Act as an election officer or perform any of an election officer's duties without first having been appointed as such, as specified. (Elections Code §18575)
- 4) Prohibits a person other than a poll worker or other official responsible for conducting an election from challenging or questioning a voter at a voting location regarding their qualifications to vote. (Elections Code §14240)
 - 5) Establishes a civil cause of action against a person who intimidates, threatens, or coerces another person, or attempts to do any of those things, for voting, attempting to vote, urging or aiding another person in voting or attempting to vote, or exercising powers or duties to administer elections. (Elections Code §§18580 et seq.)
 - 6) Prohibits sealed packages containing voted ballots from an election from being taken from the custody of an elections official. (Elections Code §15551)

- 7) Establishes rules governing the collection of ballots from VBM drop boxes. Provides that only designated ballot retrievers and law enforcement identified by the county elections official may transport VBM ballots retrieved from drop boxes. (2 Code of California Regulations §20137)
- 8) Prohibits any election observer from interfering with the conduct of the election or wearing the uniform of a peace officer, private guard, or security personnel. (2 Code of California Regulations §20878)
- 9) Permits the SOS, the AG, or a county elections official to bring a civil action against any person who tampers with voting technology, as specified. (Elections Code §18564.5)
- 10) Requires an elections official who uses a voting system to inspect the machines or devices at least once every two years to determine their accuracy. (Elections Code §19230)

FISCAL EFFECT: Unknown. State-mandated local program; contains a crimes and infractions disclaimer; contains reimbursement direction.

COMMENTS:

- 1) **New Bill:** As approved by the Senate, this bill would have prohibited local election officials from permitting a federal government agency or its employees from inspecting a voting system machine or device, unless authorized by a federal court order. While a modified version of that proposal remains in this bill, all other substantive provisions of this bill were recently added to the bill at the author's request. As a result, prior votes and analyses are not relevant. The current version of this bill proposes many substantive policy changes that have not been heard in an Assembly or Senate policy committee during this legislative session.

- 2) **Purpose of the Bill:** According to the author:

Democracy in California is under attack, not only by the Trump Administration but also by some officials in our state, including Riverside County Sheriff Chad Bianco. We have a responsibility to protect the voices of California voters and we will not stand by as outside forces seek to undermine our electoral process. Senate Bill 73 builds on the foundation established by my Senate Bill 851 from 2025, strengthening California's safeguards against election interference in time for the June 2 statewide primary election.

- 3) **Seizure of Ballots in Riverside County:** In February, the Riverside County Sheriff's Department applied to the Superior Court for a search warrant authorizing a search of the Riverside County Registrar of Voters' office and the seizure of all ballots from the November 2025 statewide special election.

The affidavit supporting the warrant stated that a local election watchdog group had conducted an audit and concluded that the number of ballots cast differed from the official total reported by the Registrar of Voters by nearly 46,000 ballots. However, the affidavit does not indicate that the Sheriff's Department contacted the Registrar's office to seek a response or took any other steps to attempt to substantiate these allegations. It also does not

identify any specific individual suspected of wrongdoing or any particular crime believed to have been committed.

Instead, just three days after receiving an email from the watchdog group alleging discrepancies, the Sheriff's Department sought a warrant to seize the ballots "in order to prove or disprove any criminal conduct." This request was made even though the department acknowledged that the Registrar of Voters was scheduled to present information addressing the alleged discrepancies to the Board of Supervisors the following day. At that presentation, the Registrar disputed the watchdog group's figures, stating that the difference between ballots cast and ballots counted, based on official results, was 103 ballots.

The Sheriff's Department later obtained two additional search warrants: one to seize additional election materials (beyond ballots) and another to appoint a special master to oversee the department's counting of ballots. By the time the third warrant was requested, the department had already opened boxes of ballots and had begun counting them, despite state laws generally requiring election materials to remain sealed and in the custody of the elections official during the retention period.

In March, Attorney General Rob Bonta filed a petition in Appellate Court seeking an immediate stay of the Sheriff's investigation and the warrant appointing a special master. The AG's office expressed "grave concerns about the legal sufficiency" of the search warrants and stated that it had directed the Sheriff's Department to pause its investigation while the state reviewed the matter and determined next steps. According to the petition, the Sheriff indicated he would comply. That, however, did not occur and the Sheriff continued to take actions related to the investigation, including obtaining the third warrant without notifying the AG.

The Appellate Court denied the requested relief, concluding that the AG should have first sought relief in the Riverside County Superior Court. The AG subsequently petitioned the California Supreme Court for relief. Last month, the Supreme Court granted review, ordered a pause in the investigation into the November 2025 statewide special election, and directed that all seized materials be preserved. Proceedings remain ongoing, and the Court has indicated it will consider the matter on an expedited basis.

Regardless of the current procedural posture, the fact that the Sheriff's Department obtained a warrant and seized election ballots without identifying a specific crime or suspect raises significant concerns about the security and chain of custody of election materials. The ballots from the 2025 statewide special election are no longer in the county elections official's custody but instead are held by the Sheriff's Department.

- 4) **Federal Demands for Election Records and Access to Equipment:** There have been various reports that the United States (US) Department of Justice (DOJ) has requested election records or access to voting equipment in various states. According to the Brennan Center for Justice, last year, the federal administration sought access to voting equipment in Colorado, Missouri, and Minnesota.

In January, the Federal Bureau of Investigation (FBI) raided election offices in Fulton County, Georgia and seized more than 600 boxes of ballots and other election materials from the 2020 election pursuant to a search warrant. In addition to physical ballots from the 2020 general election, the warrant sought tabulator tapes for every voting machine and ballot images that were created from ballot scanning from the 2020 General Election in Fulton County. Additionally, the warrant targeted voter rolls from the 2020 General Election including lists of voters who were issued and returned absentee ballots or who participated in advanced voting or election day voting. In February, Fulton County officials filed an emergency motion in federal court seeking the return of the election records seized by the FBI, and in April, a federal judge ordered the US DOJ to turn over key details behind its seizure of 2020 election records in Fulton County, Georgia. The case is pending.

Additionally, in April, the New York Times reported that the US DOJ sent a letter to the chief elections officer in Wayne County, Michigan requesting election records—including ballots—from the November 2024 federal election.

- 5) **Threats of Federal Interference in Elections:** Although federal law prohibits federal troops or law enforcement from interfering with voting, multiple media reports indicate that allies of the Trump administration have floated the possibility of deploying immigration agents or other federal personnel to polling locations this fall. In response, the White House and a senior Department of Homeland Security official have stated that there are no plans to send US Immigration and Customs Enforcement agents to polling sites.

Despite these denials, the mere possibility of federal agents being stationed at or near polling places has heightened concerns about voter intimidation. Some dismiss these concerns by arguing that only citizens are eligible to vote. However, this reasoning overlooks the reality that the visible presence of immigration or other federal law enforcement officers can deter even eligible voters. This concern is amplified by documented cases of large numbers of US citizens being stopped by immigration authorities, and smaller numbers being detained notwithstanding their citizenship.

For instance, a report by *ProPublica*, a nonprofit investigative news organization, identified more than 170 cases during the first nine months of President Trump's second administration in which US citizens were detained by immigration agents.¹ More than 20 of those individuals reported being held for over a day without access to family members or legal counsel. *ProPublica* also indicated that these totals were almost certainly incomplete, because the federal government does not track the number of cases where US citizens are detained by immigration agents. The report also highlights a broader historical pattern of US citizens being wrongfully detained—and, in some cases, even deported—across multiple presidential administrations.

- 6) **Court Orders, Elections Officials, Related Legislation, and Suggested Amendments:** This bill is partially motivated by recent situations, described in detail above, where elections officials were presented with court orders to turn over election materials (including ballots).

¹ <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>, accessed 5/1/26.

Under state law, these materials generally are required to be kept in the custody of the elections official under specific conditions to ensure their integrity and maintain the chain of custody. Following the execution of those court orders, significant questions have arisen about the sufficiency of law enforcement's applications to seize the materials, and whether the courts should have granted those applications based on the information provided.

Although the applications for the search warrants in these cases have been unsealed and are publicly available, the elections officials who were served with the warrants did not have access to that information at the time. Even if they had, and even if they believed the applications were insufficient, the officials were faced with court orders compelling them to hand over the ballots. Short of defying a court order and risking considerable legal liability, elections officials have limited options to resist such seizures, even when state law requires the materials to remain in their custody. Once those materials are seized, officials can no longer guarantee their chain of custody or ensure that they have not been altered or tampered with.

This bill acknowledges the difficult position of elections officials in these situations and seeks to provide guidance and support. It requires the AG to advise elections officials on how to respond to these types of requests from law enforcement. Given that the SOS is the chief elections officer of the state, elections officials would also benefit from that office's involvement in preparing the advice. Accordingly, committee staff recommends that this bill be amended to require the AG to develop this guidance in consultation with the SOS.

Additionally, this bill requires prompt notification to the AG and the SOS whenever such situations arise. This could enable state officials to intervene quickly. However, other pending legislation establishes more robust procedures for state intervention. Specifically, AB 1664 (Jackson) not only requires prompt notification to the AG and SOS but also ensures the AG can intervene in relevant court proceedings or initiate proceedings to seek appropriate relief, with priority in court scheduling. AB 1664 was approved by this committee last month on a 6-2 vote and is pending in the Assembly Appropriations Committee.

In light of the foregoing, the author and the committee may wish to consider amending this bill to delete Section 1 in favor of the more comprehensive protections offered by AB 1664.

- 7) **Risks to an Ongoing Election:** The author intends for this bill to take effect in time for next month's statewide primary election. However, as of this committee hearing, that election is already underway. California counties were required to begin mailing ballots to all voters earlier this week, and ballots for military and overseas voters were sent more than two weeks ago. In person voting is already available at county elections offices, with expanded voting locations opening across much of the state in about two and a half weeks. Election officials have also begun pre-election testing and are permitted to process returned VBM ballots. Meanwhile, election materials have already been produced or are in production.

Most provisions of this bill were made public only last week, and this hearing is the first policy committee review of those proposals. If approved here, the bill must still pass additional committees, be approved by both legislative chambers, and be signed by the Governor before taking effect. As a result, many voters will likely have already cast their

ballots before this bill could be implemented, and legislative consideration of this bill will need to be expedited considerably for it to apply to the primary election.

Although this bill is unlikely to directly affect most voters' experience, implementing it during the primary election could complicate election administration. State and county officials would need to quickly understand the legal changes and their operational impact. That task will be made more difficult by the limited time that the public has had to review these proposed changes. At a minimum, some jurisdictions will need to revise election observation procedures and educate observers on those changes. Officials may also need to reassess partnerships with local law enforcement, such as those related to facility security or equipment transport, to ensure compliance, and adjust practices where necessary.

Additionally, the bill introduces new criminal liability on individuals who allow law enforcement personnel to take certain actions. Because elections officials are the most likely individuals to be in a position to allow those actions to occur, they will need to evaluate these provisions carefully to understand their obligations.

Addressing these issues will require time and resources in the critical days leading up to the election, potentially diverting attention from core election operations. The compressed timeline also increases the risk of confusion, inconsistent implementation, and limited access to legal guidance on unclear provisions. Together, these factors could interfere with effective election administration.

At the same time, the activities this bill seeks to restrict could disrupt election operations or threaten voters' rights, potentially in more serious ways. For that reason, action to address genuine risks to election integrity may be warranted despite the challenges of mid-election implementation.

However, as discussed elsewhere in this analysis, existing state law already appears to address some of the conduct targeted by this bill. While a "belt-and-suspenders" approach can help close even theoretical gaps, it is less clear whether the benefits of adding potentially duplicative provisions during an ongoing election outweigh the risks posed by rushed implementation.

- 8) **Existing Protections Against Election Interference:** California law has long included robust protections against election interference, and the Legislature has strengthened these protections in recent years in response to escalating hostility and contentious discourse surrounding elections. Many of these protections are described in more detail in the "Existing Law" section of this analysis.

This bill seeks to add further safeguards against potential interference by the federal government or other actors, beginning with next month's statewide primary election. However, some provisions appear duplicative of existing law, and for others, it is unclear whether they are appropriately targeted to address the potential threats identified by the author. As a result, certain parts of the bill may add complexity and create new civil and criminal liabilities without meaningfully increasing protections for California elections.

- a) **Restrictions on Peace Officers and Suggested Amendments:** Section 3 of this bill proposes adding Section 15007 to the Elections Code, specifying certain actions that peace officers are prohibited from taking, including attempting to establish the qualifications of voters, attempting to impose rules for conducting elections, and interfering with the conduct of elections.

It is unclear whether these restrictions are necessary. Their inclusion could create ambiguity regarding the scope of existing protections against election interference, which apply broadly to all individuals.

For example, state law already prohibits anybody other than a poll worker or elections official from challenging a voter's qualifications at a polling place and makes it a crime to speak to a voter about the voter's qualifications near a voting location. It is also a crime to challenge a voter without probable cause, to use force or intimidation to influence how a person votes or whether they vote, to perform the duties of an elections official without being appointed as an elections official, or to interfere with officers holding an election or with voters lawfully voting in an election. State law also establishes a civil cause of action for intimidating or threatening people for voting or administering elections.

Moreover, nothing in the Elections Code grants peace officers authority to determine voter qualifications or establish elections policies. Voter qualifications are set by law, and elections policies are established by elections officials or are specified by law.

As a result, it is unclear whether Section 15007 addresses a real gap in protections. Additionally, by explicitly singling out peace officers, it could imply that the prohibited conduct is permissible for others, which would be misleading.

In light of the foregoing, the author and the committee may wish to consider deleting the criminal penalties associated with violations. Such an amendment would maintain the ability to bring a civil action for enforcement while avoiding the creation of new crimes that are duplicative of existing law.

- b) **Restrictions on VBM Ballot Observers and Suggested Amendments:** Section 5 of this bill prohibits an individual from allowing an agent of a law enforcement agency who is acting in their official capacity from serving as an observer of VBM ballot processing, unless authorized by a court order. According to the author, this provision aims to protect election workers from potential intimidation by armed, uniformed officers.

Existing law, however, already prohibits election observers from wearing uniforms of peace officers, private guards, or security personnel. If an agent is not in uniform, it is unclear whether the elections official would know if the person was an agent of a law enforcement agency, much less whether the person was acting in their official capacity. Accordingly, it is unclear whether this new restriction could be effectively enforced. Furthermore, this provision departs from California's long-standing policy of allowing any individual to observe election processes.

In light of the foregoing, the author and the committee may wish to consider amendments to delete Section 5 of the bill.

- c) **Restrictions on Permitting Law Enforcement Agencies to Engage in Specified Conduct and Suggested Amendments:** In addition to the provisions of Section 5 of this bill, Sections 7 and 12 of this bill similarly prohibit an individual from permitting agents of law enforcement agencies to engage in specified conduct, including accessing or taking possession of voter rosters or lists or voting machines or devices, unless authorized by a court order.

As drafted, these sections could be read to criminalize longstanding partnerships between elections officials and law enforcement agencies to provide security and support to elections operations. For instance, many county elections officials work with their county sheriffs to transport election materials from voting locations to the county elections office after the polls close on election day. This is especially common in geographically large counties, where county elections officials have sheriffs transport materials from voting locations in remote areas of the county by helicopter in order to expedite the elections official's receipt of those materials.

While some provisions of this bill expressly allow elections officials to work with law enforcement agencies to provide logistical or security support, those exceptions do not apply to Sections 7 and 12.

In light of the foregoing, committee staff recommends amendments to Sections 7 and 12 of this bill to expressly specify that those provisions do not prohibit agreements between the county elections official and a law enforcement agency for the transport of election materials.

- d) **Restrictions on Stationing of Non-Uniformed Officers at Voting Locations:** Under current law, uniformed law enforcement, private guards, and security personnel may not be stationed at a voting location or county elections office without the authorization of the elections official. This bill proposes extending those restrictions to include non-uniformed and unarmed law enforcement, private guards, and security personnel. The bill also allows the AG or the SOS to override an elections official's decision to authorize law enforcement, private guards, or security personnel at a voting location or county elections office.

The benefit of restricting non-uniformed and unarmed personnel is unclear. If law enforcement or security personnel are present near a voting location without a uniform or visible weapons, it may be difficult for anyone to know their role. This raises questions about how the restriction could be effectively enforced. The lack of visible identifiers could also lead to false reports of law enforcement presence, which could divert election staff from other election responsibilities.

Additionally, the provision allowing the AG or SOS to override an elections official's authorization could benefit from clearer language.

Committee staff recommends amendments to (1) reinstate the term “uniformed” so that the restriction applies only to uniformed personnel (and individuals with firearms), and (2) rewrite the language regarding the AG and SOS’s authority to object, to ensure that the provision is clear and actionable.

- 9) **VBM Ballot Signature Comparison and Suggested Amendments:** Under California law, a VBM ballot must be verified by the elections official before it can be counted. That verification includes comparing the signature on the VBM ballot identification envelope with signatures that are part of the voter’s registration record to confirm that the ballot was completed and returned by the correct voter. If the elections official determines that the signatures do not compare, or if the voter did not sign the envelope, state law includes a process for the voter to correct that issue by submitting a signed statement, commonly referred to as a “cure form,” verifying that they cast the ballot.

State law generally allows the public to observe the processing of VBM ballots, including the signature verification process. Observers may challenge whether election workers who are handling VBM ballots are following established procedures. However, the law does not explicitly allow VBM observers to challenge an election worker’s determination of whether signatures compare. Despite this, some counties do permit observers to challenge those determinations, with disputes typically resolved by senior elections staff.

To promote greater uniformity statewide and to protect against politically motivated challenges to VBM ballots, this bill expressly prohibits observers from challenging an election worker’s determination about whether signatures compare during VBM ballot processing. As currently drafted, however, that restriction applies only to signature comparisons from cure forms and does not extend to the comparison of signatures on VBM ballot identification envelopes.

To ensure consistency and uniformity, committee staff recommends an amendment to apply that restriction to signature comparisons on VBM ballot identification envelopes.

- 10) **Voting Equipment and Suggested Amendments:** To protect the security, integrity, and chain of custody of election equipment, this bill prohibits an individual from allowing an agent of a law enforcement agency to take possession of specified equipment without a court order. The equipment that is included in that restriction, however, may be less than comprehensive and may exclude certain equipment that should similarly be protected. Accordingly, committee staff recommends an amendment to make that provision applicable to all certified voting technology, as defined by subdivision (b) of Section 17600 of the Elections Code, or any portion thereof.
- 11) **Sunset Date:** As detailed above, the text of this bill has been publicly available only for a few days, and enactment of this bill in time for this year’s primary election, as intended by the author, necessarily requires expedited legislative consideration. In turn, it is unlikely that the contents of this bill will receive the consideration and deliberation of a proposal that went through the normal legislative process.

In light of the foregoing, and consistent with a provision that is included in AB 1664

(Jackson), the author and the committee may wish to consider an amendment to this bill to add a January 1, 2030, sunset date. Such an amendment would allow this bill to take effect immediately to respond to any imminent threat to elections, while ensuring that its contents are revisited in the future under a process that allows for more thorough deliberation.

- 12) **Arguments in Support:** In support of this bill, the League of Women Voters of California writes:

SB 73 restricts law enforcement access to voting system machines, devices, software, source code, rosters, combined rosters, and voter lists; strengthens ballot custody protections; requires immediate notice to the Secretary of State and Attorney General when court ordered searches or seizures of election materials are executed; and bars peace officers from interfering with election administration.

The legislation is designed to address federal overreach - a real and escalating threat to California's elections. Under our constitutional system, states play the principal role in administering elections, subject to Congress's authority over federal elections, and California has built a rigorous framework to test, certify and monitor voting systems used in this state...

The legislation is especially important because the threat is no longer hypothetical. In a climate where federal officials are openly criminalizing the routine work of election administration, seeking sensitive voter data from states, and testing the limits of federal authority over election administration, local election officials need clear legal footing to resist ad hoc law enforcement demands for access to California's election infrastructure - and to ensure that armed or uniformed personnel cannot be deployed at polling places or county elections offices without proper authorization.

- 13) **Related Legislation:** AB 2230 (Ávila Farías) expands an existing law that makes it a crime for a peace officer to be stationed at or near a voting location without authorization from the elections official such that the prohibition would also apply to an officer or agent of a federal law enforcement agency, among other provisions. AB 2230 was approved by this committee by a 6-2 vote and is pending in the Assembly Appropriations Committee.
- 14) **Previous Legislation:** SB 851 (Cervantes), Chapter 238, Statutes of 2025, requires a state or local agency or political subdivision to provide written notice to the SOS and AG after it files or is served a court action relating to elections which contains a claim arising under federal law, and makes it a crime for a person to hire or arrange for an officer or agent of a federal law enforcement agency to be stationed at or near a voting location without authorization from the elections official, among other provisions.
- 15) **Double Referral:** This bill is double referred to the Assembly Public Safety Committee. If this bill is approved in this committee today, it is scheduled to be heard in the Assembly Public Safety Committee this afternoon. If this bill were amended in this committee today, however, it would not be able to be heard in the Assembly Public Safety Committee today as

scheduled. In light of this fact, should the committee wish to amend this bill, committee staff recommends that any motion to approve this bill be to approve it without amendments at this time, but with the author's commitment to take these amendments subsequent to passage by this committee.

REGISTERED SUPPORT / OPPOSITION:

Support

League of Women Voters of California
SEIU California

Opposition

None on file.

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