

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
SB 73 (Cervantes) – As Amended May 11, 2026

Policy Committee: Elections Vote: 6 - 1

Urgency: Yes State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill restricts law enforcement agencies and officers from engaging in certain conduct related to elections, prohibits a person who is observing the processing of vote by mail (VBM) ballots from challenging whether signatures compare, and makes other changes related to the oversight of elections.

Specifically, this bill:

- 1) Requires the Attorney General (AG) to provide guidance, developed in consultation with the Secretary of State (SOS), to county elections officials regarding how election personnel should respond to requests by law enforcement agencies (including a federal agency) to access areas where ballots are being cast, processed, or otherwise handled, and requires the AG to provide similar guidance to building owners and employers.
- 2) Prohibits a peace officer (not including federal law enforcement) from establishing or attempting to establish voter qualifications contrary to state law, imposing or attempting to impose election rules or practices contrary to state law, or interfering with the conduct of an election and the discharge of duties of election personnel.
- 3) Authorizes the AG, SOS, or a county elections official to bring a civil action to enforce these peace officer prohibitions and requires a court to expedite the scheduling of such an action brought beginning 30 days before an election through the completion of the canvass.
- 4) Prohibits an observer of VBM ballot processing from challenging whether the signature to verify a VBM ballot compares to the signature in the voter's registration record.
- 5) Expands an existing crime to additionally prohibit a person from hiring or arranging for uniformed military personnel stationed at a voting location or county elections office without the election official's authorization and allows the AG or SOS to override a county's decision to authorize uniformed military personnel, as well as uniformed peace officers and other security personnel, to be stationed at a voting location or county elections office.
- 6) Subjects such uniformed guards, as well as the person who hires or arranges for their presence, to criminal penalties if the AG's or SOS's objection is known and the uniformed guard still remains at the voting location or county elections office or the person who hired or arranged for the uniformed guard permits the guard to remain stationed.

- 7) Authorizes the AG, SOS, or a county elections official to bring a civil action against a person who, in violation of existing law, takes a package containing voted ballots from the custody of the elections official, and also makes it a crime punishable by a \$1,000 fine, imprisonment for up to three years, or both.
- 8) Prohibits a person from allowing an agent of a law enforcement agency (including a federal agency) to access, disrupt, modify, or take possession of certified voting technology or rosters or voter lists unless authorized by a court order, but does not prohibit a written agreement between an elections official and a law enforcement agency for logistical, transportation, or security support during the voting period, on election day, or during the canvass of the vote.
- 9) Contains a severability clause and urgency clause to take effect and apply to the June 2, 2026, statewide primary election.

FISCAL EFFECT:

- 1) Ongoing costs of an unknown, but potentially significant amount, in excess of \$150,000, to the AG to provide guidance to local elections officials, building owners, and employers; override a county's decision to utilize uniformed guards at voting locations, and bring civil actions to enforce specified peace officer and chain of custody prohibitions (General Fund (GF) or special fund). The Department of Justice (DOJ) reports no significant impact from this bill. However, actual costs will depend on the scope of such training and oversight, how often the AG pursues legal intervention, and the level of additional staffing DOJ may need to handle the related workload. In light of heightened political distrust and hostility in our nation and state, such interventions may become increasingly common. If DOJ hires staff to handle interventions authorized by this bill, DOJ would incur significant costs, likely in the low hundreds of thousands of dollars annually at a minimum.
- 2) Ongoing costs of an unknown amount to the SOS to develop guidance with the AG, override a county's decision to utilize uniformed guards at voting locations, and bring civil actions to enforce specified peace officer and chain of custody prohibitions (GF).
- 3) Ongoing cost pressures of an unknown amount to the courts in additional workload by allowing the AG, SOS, or a county elections official to file a civil action to enforce specified peace officer and chain of custody prohibitions, some of which also receive precedence when filed in court, and by creating various new elections-related crimes, for which a defendant is entitled to no-cost legal representation and a jury trial (GF or Trial Court Trust Fund (TCTF)). It is unclear how many actions or prosecutions may commence statewide and how much court time may be needed to resolve each case, but it generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court funding from the GF. The state budget provides annual GF backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in fiscal year 2025-26.
- 4) Potential incarceration costs of an unknown amount to the counties and California Department of Corrections and Rehabilitation to the extent criminal prosecutions of this bill's elections-related crimes result in convictions (local funds, GF). Actual incarceration costs

will depend on the number of convictions, the length of each sentence, and whether each sentence is served in county jail or state prison.

- 5) By requiring a county elections official to follow certain procedures related to conducting an election, 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 could seek reimbursement from the state (General Fund). However, any such costs are likely minor and absorbable.

The Legislative Analyst's Office recently warned of GF structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

COMMENTS:

- 1) **Purpose.** 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. [SB 73] builds on the foundation established by my [SB 851] from 2025, strengthening California's safeguards against election interference in time for the June 2 statewide primary election.

- 2) **Background. *Seizure of Ballots in Riverside County.*** In February 2026, the Riverside County Sheriff's Department applied to the Riverside County 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. In March 2026, AG Rob Bonta filed a petition in the California Court of Appeal, Fourth Appellate District, Division Two, seeking an immediate stay on the sheriff's investigation and warrant. The Court of Appeal 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, which granted review, ordered a pause in the investigation, and directed all seized materials be preserved. Proceedings remain ongoing, and court has indicated the matter will be considered on an expedited basis.

In light of this event and others around the country where elections officials were presented with court orders to turn over election materials, this bill acknowledges the difficult position of elections officials in these situations and seeks to provide guidance and support. This bill requires the AG to advise elections officials on how to respond to such requests from law enforcement, prohibits law enforcement officers from engaging in certain activities, and provides for civil or criminal enforcement of these various prohibitions.

VBM Signature Comparison. A VBM ballot must be verified by an elections official before the ballot may be counted. The verification process includes comparing the signature on the VBM ballot identification envelope with the signature that is part of the voter's registration record. Existing law generally allows the public to observe the processing of VBM ballots, including the signature verification process. Observers may challenge whether an elections

worker is following established procedures. However, existing law does not explicitly allow a VBM observer to challenge an election worker's determination of whether signatures compare, although some counties do permit such challenges with disputes typically resolved by senior elections staff. This bill expressly prohibits an observer from challenging an elections worker's determination about whether signatures compare to promote greater uniformity statewide and protect against politically motivated challenges to VBM ballots.

- 3) **Support and Opposition.** This bill is supported by voter empowerment groups, with the League of Women Voters of California arguing this bill “ensures that local elections officials are not put in the position of yielding to politically charged demands from law enforcement without a clear legal basis” and “reinforces state authority, protects ballot security, and helps ensure that every vote is counted through systems free from improper influence.”

This bill is opposed by the California State Sheriffs' Association, which argues this bill imposes “new restrictions and enhances existing provisions with the specter of civil remedies (potentially including damages) and/or criminal penalties related to law enforcement investigations, which is especially problematic given our statutory mandate to investigate crimes.”

- 4) **Related Legislation.** SB 851 (Cervantes), Chapter 238, Statutes of 2025, requires a state or local agency to provide written notices to the AG and SOS after the agency files or is served a court action related to an elections claim arising under federal law and makes it a crime for a person to hire or arrange for a federal law enforcement agent to be stationed at or near a voting location without authorization from the elections official, among other provisions.

AB 1664 (Jackson) requires certain local entities to provide written notice to the SOS and AG within one business day of becoming aware of a legal investigation of the entity's election records or voting systems and authorizes the AG to intervene in court. AB 1664 is pending on the Assembly Floor.

AB 2230 (Ávila Farías) expands the crime of a uniformed peace officer, private guard, or security personnel being stationed at a voting location or county elections office without authorization from the elections official to include a federal law enforcement agent and prohibits an employee of a licensed child daycare facility from allowing an immigration enforcement agent to enter a nonpublic area without a valid judicial warrant, subpoena, or court order. AB 2230 is pending on this committee's suspense file.

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