

## SENATE THIRD READING

SB 851 (Committee on Elections and Constitutional Amendments)

As Introduced September 3, 2025

Majority vote

**SUMMARY**

Makes various minor changes to the Elections Code.

**Major Provisions**

- 1) Allows a local district, city, or other local political subdivision to file their resolution requesting that their election be consolidated with a statewide election with *only* the elections official, instead of to the board of supervisors and a copy to the county elections official, if at least 88 days before the date of the election, either of the following requirements are met:
  - a) The elections official provides the resolution to the board of supervisors.
  - b) The board of supervisors authorizes the elections official to receive resolutions and consolidate elections without seeking new approval by the board of supervisors for each election.
- 2) Provides that a local jurisdiction's governing body may authorize the county elections official, rather than the board of supervisors, to canvass the returns of an election for the jurisdiction that is consolidated with an election held in the county.
- 3) Deletes provisions of law that limit an elections official to provide not more than 12 instruction cards to each polling place.
- 4) *Makes other technical and conforming changes.*

**COMMENTS**

Current law requires a local political subdivision to file a resolution with the county board of supervisors and a copy with the county elections official to request that its election be consolidated with a statewide election. According to county elections officials, while jurisdictions may only deliver one resolution to one of the two locations, delivering to both may be a burden and confusing to jurisdictions as the entities may exist in separate buildings. As a result, a jurisdiction delivering a resolution to only one of the two entities could be legally challenged even if accepted by an elections official. This bill streamlines this process by allowing a local jurisdiction to file the resolution only with an elections official, as specified.

Existing law allows a local governing body with an election that has been consolidated with an election held in the county or counties in which the political subdivision is situated to authorize the county board of supervisors to canvass the returns of the election. These provisions, however, are in conflict with other provisions of the Elections Code that give the responsibility for canvassing elections to the county elections official. Accordingly, this bill makes conforming changes and permits the governing body of a political subdivision to authorize the elections official, rather than the board of supervisors, to canvass the returns of a consolidated election.

Existing law requires an elections official to provide each polling location with specified materials, including at least six and not more than 12 instruction cards to guide voters in obtaining and marking their ballot. This bill amends this 1945 year old requirement and removes the 12 instruction card limit, thereby allowing an elections official to provide as many instruction cards as appropriate.

### **According to the Author**

"This bill is a Senate Committee on Elections and Constitutional Amendments' omnibus bill. This bill contains changes requested by the California Association of Clerks and Election Officials and by committee staff. The bill contains noncontroversial, but needed, changes to the Elections Code."

### **Arguments in Support**

In support of a previous version of this bill, the California Association of Clerks and Election Officials, wrote: "Current law requires a local political subdivision, at least 88 days before an election, to file a resolution with the county board of supervisors and a copy [to] the county elections official to request that its election be consolidated with a statewide election. SB 851 would allow the political subdivision to file the resolution with only the elections official if, at least 88 days before the election, the elections official provides the resolution to the board of supervisors, or the board of supervisors has authorized the elections official to receive resolutions and consolidate elections without seeking new approval by the board of supervisors for each election.

"Additionally, SB 851 would require that the governing body of the political subdivision authorize the county elections official, rather than the county board of supervisors, to canvass the returns of the consolidated election."

### **Arguments in Opposition**

None received.

## **FISCAL COMMENTS**

None. This bill is keyed non-fiscal by the Legislative Counsel.

## **VOTES**

### **SENATE FLOOR: 38-0-2**

**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, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

**ABS, ABST OR NV:** Padilla, Reyes

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

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

**UPDATED**

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