

SENATE THIRD READING
SB 884 (Umbert and Cervantes)
As Amended August 13, 2026
2/3 vote. Urgency

SUMMARY

Modifies election procedures for an election held on November 3, 2026, as well as subsequent elections held through 2029.

Major Provisions

- 1) Provides that the following provisions apply to any regular or special election held in 2026, beginning with the November 3, 2026, statewide general election, through 2029, or for any election proclaimed in 2029:
 - a) Requires ballot drop-off locations to be open two days earlier than under existing law (beginning at least 30 days, instead of 28 days, before the election).
 - b) Prohibits a law enforcement officer from making an arrest within 200 feet of an open polling place on election day, unless the crime relates to disrupting the operation of the polling place or is against a person or property.
 - c) Authorizes a county board of supervisors to expand the existing prohibition on electioneering activities within 100 feet of a voting location to a perimeter of up to 200 feet, and provides that a violation of the expanded perimeter is also a misdemeanor.
 - d) Requires a law enforcement officer to: (a) abide by the prohibition on arrests and electioneering activities at applicable voting locations, and (b) notify the Secretary of State (SOS) and Attorney General (AG) of a suspected, planned, or actual violation.
 - e) Encourages county election officials to use public buildings for polling places and allows state and local governments to place reasonable restrictions on polling places located on government property to implement these provisions.
 - f) Authorizes a county elections official to extend polling place hours if the official determines in consultation with county counsel that voting at the polling place was disrupted due to a violation of the prohibition on arrests and electioneering activities, with extended-hours votes cast by provisional ballot.
- 2) Contains a sunset date of January 1, 2031.
- 3) Contains a severability clause.

COMMENTS

In an effort to address potential federal inference in California's elections, SB 851 (Cervantes), Chapter 238, Statutes of 2025, expanded an existing crime and made it illegal to hire or arrange for an officer or agent of a federal law enforcement agency, or any person acting on behalf of a federal law enforcement agency, to be stationed in the immediate vicinity of, or posted at a polling place without authorization of the appropriate elections official or written authorization

by a federal court. Additionally, SB 73 (Cervantes), Chapter 10, Statutes of 2026, builds on the foundation established by Senate Bill 851 and prohibits a peace officer (a term that does not include federal law enforcement) from interfering with the administration of an election and allows the SOS or AG to override a county's decision to authorize a peace officer, private guard, or security personnel to be stationed at a voting location.

This bill prohibits a law enforcement officer from arresting a person within 200 feet of a polling place on Election Day, except for a crime related to disrupting the polling place or against a person or property.

SB 35 (Umberg and McGuire), Chapter 318, Statutes of 2021, modified the distance where electioneering and other prescribed political activities are prohibited to within 100 feet from the entrance of a building that contains a polling location, an elections official's office, a satellite location, or from an outdoor voting area where a voter may cast their ballot or drop off a ballot, among other provisions. This bill authorizes a county board of supervisors to expand that zone in which electioneering is prohibited from 100 feet to 200 feet. This extension may be confusing and challenging to enforce for elections officials and law enforcement as they would need to communicate, mark and monitor different electioneering distances from past elections.

Please see the policy committee analysis for a full discussion of this bill.

According to the Author

"We know that the President Trump's allies seek to suppress voter turnout, especially among minority communities, by deploying ICE and military forces on election day. California has both the constitutional right and responsibility to run our own safe and secure elections, and we intend to do exactly that. These threats serve as a reminder that voting is a fundamental right that must be protected from intimidation and interference. In the interest of protecting this fundamental right and ensuring voters feel safe participating in our democracy, no law enforcement presence, including state or local, should be permitted near voting areas unless necessary to address a crime against persons or property. Given the expected federal interference with California's elections, SB 884 would also increase options to avoid physical polls by extending vote center service hours... SB 884 will protect our voters, defend local control, and uphold our democracy regardless of whether the federal government chooses to respect those principles."

Arguments in Support

In support of a prior version of this bill, Disability Rights California (DRC), wrote, "DRC...supports the expansion of the electioneering buffer zone to 200 feet, especially around curbside voting areas. The bill has been amended to now make the expansion from 100 feet to 200 feet merely optional at the discretion of a county board of supervisors. While a standard expansion is preferable this still provides county elections officials with additional flexibility when selecting and ensuring the accessibility of voting locations.

"Based on DRC's poll monitoring work, electioneering and other disruptive activity can still occur uncomfortably close to voters using curbside voting under the current 100 foot buffer. Voters with disabilities who rely on curbside voting may be particularly vulnerable to intimidation or interference at these locations. Expanding the buffer zone will provide a more meaningful protective space and help ensure that voters with disabilities can cast their ballots free from pressure or harassment."

Arguments in Opposition

In opposition to a prior version of this bill, the Peace Officers' Research Association of California (PORAC), wrote: "PORAC opposes SB 884 because it unnecessarily restricts law enforcement operations near polling places and limits officer discretion. The bill prohibits peace officers from making arrests within 200 feet of a polling place on election day, except under limited circumstances, regardless of the facts confronting officers in the field.

"The bill also requires officers to report suspected, planned, or actual violations of the polling place restrictions to the Secretary of State and Attorney General, creating additional administrative burdens and uncertainty regarding compliance. Additionally, the measure could place California peace officers in the difficult position of evaluating and responding to the actions of federal law enforcement personnel operating near polling places, creating unnecessary conflict and confusion between state and federal authorities."

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) By requiring a county elections official to open all ballot drop-off locations two days earlier, this bill likely creates a state-mandated local program. Per county costs will depend on when the elections official actually begins mailing ballots to voters and the impact on schedule changes to retrieve ballots from drop-off locations, with one larger county estimating costs of approximately \$11,000 per election. Thus, this bill may result in costs in excess of \$150,000 across the state's 58 counties.

Additionally, by requiring a law enforcement officer to provide specified notices to the SOS and AG, this bill likely creates 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, the local agency may seek reimbursement from the state (General Fund (GF)).

- 2) Absorbable costs to the SOS to provide additional guidance and respond to inquiries to help the public understand varying county electioneering distance requirements. The SOS notes that allowing counties to establish different electioneering perimeters of up to 200 feet may result in inconsistent rules throughout the state, increasing the potential for confusion among voters, candidates, campaign staff, elections officials, and law enforcement agencies. Thus, the SOS recommends establishing a statewide uniform electioneering distance to promote more clear and consistent election administration.

- 3) Minor and absorbable costs to the SOS and AG to receive notices from law enforcement.

VOTES

SENATE FLOOR: 30-9-1

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Niello

ASM PUBLIC SAFETY: 7-1-1

YES: Schultz, Mark González, Haney, Harabedian, Nguyen, Ramos, Sharp-Collins

NO: Lackey

ABS, ABST OR NV: Alanis

ASM ELECTIONS: 6-2-0

YES: Pellerin, Bennett, Berman, Elhawary, Solache, Stefani

NO: Johnson, Ellis

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Ta, Tangipa

UPDATED

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