

UNFINISHED BUSINESS

Bill No: SB 884
Author: Umberg (D) and Cervantes (D), et al.
Amended: 8/21/26
Vote: 27 - Urgency

SENATE JUDICIARY COMMITTEE: 11-0, 4/21/26

AYES: Umberg, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern, Wahab,
Weber Pierson, Wiener

NO VOTE RECORDED: Niello, Valladares

SENATE ELECTIONS & C.A. COMMITTEE: 4-1, 4/21/26

AYES: Wiener, Allen, Cervantes, Umberg

NOES: Choi

SENATE APPROPRIATIONS COMMITTEE: 5-2, 5/14/26

AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

SENATE FLOOR: 30-9, 5/19/26

AYES: 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

NOES: Alvarado-Gil, Choi, Dahle, Grove, Jones, Ochoa Bogh, Seyarto,
Strickland, Valladares

NO VOTE RECORDED: Niello

ASSEMBLY FLOOR: 57-18, 8/31/26 - See last page for vote

SUBJECT: Elections in 2026 through 2029

SOURCE: Author

DIGEST: This bill extends the time vote by mail (VBM) drop off locations are open and modifies the type and range of prohibited activities near a polling location for elections held or proclaimed in 2026, 2027, 2028, and 2029.

Assembly Amendments remove the requirement for additional VBM ballot drop off locations, remove the extended VBM ballot receipt deadline, and remove the encouragement for the Governor to use law enforcement to enforce the provisions of this bill. The amendments also extend the sunset date to January 1, 2031, and make technical changes.

ANALYSIS:

Existing law:

- 1) Requires every active registered voter to receive a VBM ballot for any election. Election officials must begin mailing VBM ballots no later than 29 days before Election Day.
- 2) Requires counties using the vote center model, pursuant to the Voter's Choice Act (VCA), to provide at least two VBM ballot drop-off locations or one VBM ballot drop-off location for every 15,000 registered voters, whichever results in more locations. For counties using the polling place or all-mail election models, at least two VBM ballot drop-off locations or one VBM ballot drop-off location for every 30,000 registered voters, whichever results in more locations, must be provided. All VBM ballot drop-off locations must be open 28 days prior to and through Election Day.
- 3) Prohibits a person, any time a voter may be casting a ballot, within the 100 feet to the entrance to a building that contains a polling location, an election official's office, a satellite location, or an outdoor site where a voter may cast or drop off a ballot from doing any of the following:
 - a) Circulating an initiative, referendum, recall, or nomination petition or any other petition.
 - b) Soliciting a vote or speaking to a voter on the subject of marking the voter's ballot.
 - c) Placing a sign relating to voters' qualifications or speaking to a voter on the subject of the voter's qualifications, except as provided in existing law.
 - d) Displaying a candidate's name, likeness, or logo.

- e) Displaying a ballot measure's number, title, subject, or logo.
 - f) Wearing or using buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information.
 - g) Disseminating audible electioneering information.
 - h) Obstructing access to, loitering near, or disseminating visible or audible electioneering information at VBM ballot drop boxes.
- 4) Prohibits a candidate or representative of a candidate, and a proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, from soliciting the vote of a VBM voter, or from doing any electioneering, while in the residence or in the immediate presence of the voter, and during the time the person knows the VBM voter is voting.
- 5) Provides that any person in violation of 3) or 4) is guilty of a misdemeanor.
- 6) Requires the polls to remain open if voters are in the polling location or are in line at the door, but have not been able to cast their vote. If the time for closing the polls is extended pursuant to a court order, all votes cast during the time that the polling location is extended must be by provisional ballot. Any provisional ballots cast must be separated and held apart from other provisional ballots cast by voters prior to the time the closing of the polls was extended.

This bill:

- 1) Provides, for any regular or special election, beginning with the November 3, 2026, statewide general election through elections held or proclaimed in 2029, the following:
- a) All VBM ballot drop-off locations must be open, at a minimum, during regular business hours beginning not less than 30 days before and through Election Day.
 - b) A prohibition for law enforcement officers from arresting any person within 200 feet of a polling location on Election Day, except for crimes related to disrupting the operation of the polling location, a crime against a person, or a crime against property. This prohibition does not provide legal amnesty for any crime committed within this zone on Election Day.

- c) The option to extend the electioneering prohibition from 100 feet to 200 feet from either the entrance of a building that contains a polling place, an elections official's office, or a satellite location or any outdoor site at which a voter may cast or drop off a ballot, if approved by the county's Board of Supervisors. The approved distance must be uniform at every voting location within the county.
 - d) A requirement for a law enforcement officer to notify the Secretary of State (SOS) and Attorney General (AG) of any suspected, planned, or actual violation of b), c), or electioneering.
 - e) A county elections official may extend the time for closing of a polling location if the county elections official determines that voting was disrupted as a result of a violation of b), c), or electioneering. All votes cast during any extension of polling place hours must be by provisional ballots.
 - f) The option for the state or local government to place reasonable restrictions on a polling location on their government property.
- 2) Provides the provisions of this bill remain in effect until January 1, 2031.
- 3) Contains findings, declarations, a severability clause, and an urgency clause to take effect immediately.

Background

Vote by Mail Drop-off Locations. For the November 5, 2024, presidential general election, counties conducted elections using one of three models: vote centers, polling places, or all-mail. Each election model provides a different set of services for voters. For VBM ballots drop-off locations, counties using the vote center model needed to provide at least two VBM ballot drop-off locations or one VBM ballot drop-off location for every 15,000 registered voters, whichever resulted in more locations. For counties using the polling place or all-mail model, at least two VBM ballot drop-off locations or one VBM ballot drop-off location for every 30,000 registered voters, whichever resulted in more locations. All VBM ballot drop-off locations needed to be open 28 days prior to and through Election Day.

Electioneering. The earliest reference to a 100-foot electioneering prohibition dates back to at least 1891 where the Political Code stated, "No officer of election, nor any person, shall do any electioneering on election day within one hundred feet of any polling place."

More recently, SB 35 (Umberg and McGuire, Chapter 318, Statutes of 2021), among other provisions, modified the distance prohibiting electioneering and other prescribed political activities to within the 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. Prior to the bill, the electioneering prohibition zone extended from the voting room instead of the building.

Interference in California's Elections. SB 73 (Cervantes, Chapter 10, Statutes of 2026), which took effect on May 27, 2026, restricts law enforcement agencies and officers from interfering or engaging in specific conduct related to elections. Among the provisions of the measure, the bill required the AG to provide guidance for county election officials and managers of election sites regarding how to respond to requests for access by law enforcement agencies for election-related materials and locations. The bill also prohibited a peace officer from interfering in any manner with the administration of any election in this state, including the seizure of specified voter data and voting technology, unless certain conditions are met. SB 1418 (Cervantes) of 2026 makes it a crime to take specified election materials or voting technology from the custody of election officials and requires the preservation of election materials and voting technology if an election contest or criminal proceeding is ongoing.

AB 1664 (Jackson) of 2026 requires a local agency, political subdivision, or elections official to provide notice to the SOS and the AG immediately, but no later than one calendar day, after becoming aware of any warrant, subpoena, or active law enforcement investigation pertaining to the search, seizure, or retention of any election records or certified voting technology.

SB 851 (Cervantes, Chapter 238, Statutes of 2025), among other provisions, expanded the prohibition for a person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling location to include an officer or agent of a federal law enforcement agency, unless certain conditions are met. The author sought to "ensure that federal agents are treated the same way as state and local law enforcement so that it is a crime to hire or arrange for law enforcement to be posted at or near a voting location or county registrar's office without authorization."

Comments

Author's Statement. California has both the constitutional right and responsibility to run our own safe and secure elections, and the state intends to do exactly that. 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 person or property. This bill will protect our voters, defend local control, and uphold our democracy regardless of whether the federal government chooses to respect those principles.

Related/Prior Legislation

SB 73 (Cervantes, Chapter 10, Statutes of 2026) restricts law enforcement agencies and officers from interfering or engaging in specific conduct related to elections, prohibits a person who is observing the processing of VBM ballots from challenging whether signatures compare, and makes other changes related to the oversight of elections.

SB 1418 (Cervantes) of 2026 makes it a crime to take specified election materials or voting technology from the custody of elections officials and requires the preservation of election materials and voting technology if an election contest or criminal proceeding is ongoing.

AB 1664 (Jackson) of 2026 requires a local agency, political subdivision, or elections official to provide notice to the SOS and the AG immediately, but no later than one calendar day, after becoming aware of any warrant, subpoena, or active law enforcement investigation pertaining to the search, seizure, or retention of any election records or certified voting technology.

SB 851 (Cervantes, Chapter 238, Statutes of 2025), among other provisions, expanded the prohibition for a person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, to be stationed in the immediate vicinity of, or posted at, a polling location to include an officer or agent of a federal law enforcement agency, unless certain conditions are met.

SB 35 (Umberg and McGuire, Chapter 318, Statutes of 2021), among other provisions, modified the distance prohibiting electioneering and other prescribed political activities to within the 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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Committee on Appropriations:

- 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 creates 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) Cost pressures of an unknown amount to state and local law enforcement to the extent this bill's provisions stating the "Governor is encouraged to use law enforcement to enforce this act" and requiring a law enforcement officer to enforce the prohibition on arrests and electioneering activities, with a violation of the latter being a misdemeanor, result in law enforcement reprioritizing resources on criminal enforcement of the misdemeanor. Additional misdemeanor prosecutions would also create ongoing cost pressures to the courts for adjudication and counties for incarceration (Trial Court Trust Fund, GF, local funds).
- 3) 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 clearer and consistent election administration.
- 4) Minor and absorbable costs to the SOS and AG to receive notices from law enforcement.

SUPPORT: (Verified 8/30/26)

California State Treasurer Fiona Ma, CPA
California Community Foundation
California Federation of Labor Unions, AFL-CIO
California School Employees Association, AFL-CIO
Disability Rights California
Latino Community Foundation
League of Women Voters of California
No ICE in Marin Coalition
UnidosUS
One individual

OPPOSITION: (Verified 8/30/26)

California Association of Highway Patrolmen
Peace Officers' Research Association of California
Several individuals

ASSEMBLY FLOOR: 57-18, 8/31/26

AYES: Addis, Aguiar-Curry, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa

NO VOTE RECORDED: Ahrens, Krell, Michelle Rodriguez, Wallis

Prepared by: Scott Matsumoto / E. & C.A. / (916) 651-4106
9/22/26 11:51:57

**** **END** ****