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CONTACT:

SOS Press Office

(916) 653-6575

California Senate Approves Every Vote Counts Act To Give Voters The Opportunity To Correct Mismatched Mail Ballots

SACRAMENTO, CA – Today, the California State Senate approved SB 759, the Every Vote Counts Act authored by Senator Mike McGuire (D-North Coast) and sponsored by Secretary of State Alex Padilla. SB 759 will provide voters an opportunity to verify or correct signature mismatches on their mail ballots. The bill received bipartisan support, passing on a 27-11 vote.

“A vibrant democracy requires that voters have faith in our electoral system,” said Secretary Padilla. “Our signatures may change over time, but that shouldn’t jeopardize our right to have our votes counted. SB 759 will provide voters an opportunity to correct a signature mismatch on their mail ballot, so they can be assured that their votes are counted. SB 759 is also critical to ensuring that California voters can take full advantage of the conveniences of voting by mail.”

“It’s a principle of our democracy — every vote counts,” Senator Mike McGuire said. “Unfortunately, we have come to find out this old adage doesn’t always ring true. Tens of thousands of votes are thrown out without any notification to the individual voter here in California because of a discrepancy with their signature. We’ve been grateful to work with Secretary Padilla, the ACLU and local election officials to ensure all votes count here in the Golden State.”

Every registered voter in California may vote by mail (VBM) by completing an application that requires their signature. When elections officials receive a VBM ballot, they are required to compare the signature on the ballot with a signature on the voter’s current or previous voter registration application, or a signature from the voter’s registration record, or a facsimile of their signature. If the elections official determines that the signatures do not match, then the ballot is thrown out and not counted.

A voter’s signature on their VBM ballot, however, may not match their signature on their vote-by-mail application or voter registration. For many, signatures change over time. Voters with disabilities or unexpected injuries and health issues may have trouble signing their ballot properly.

Current law does not require an election official to notify or allow the voter to remedy the situation.

SB 759 requires elections officials to notify voters of mismatched signatures at least 8 days prior to the certification of an election. Ballots would be counted by elections officials if a signature verification statement is returned no later than 5:00 p.m. two days prior to the certification of the election.

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