

California Secretary of State
Proposed Regulatory Action: Statewide Voter Registration System
Second Addendum to the Initial Statement of Reasons

The factual basis and rationale the following sections of the proposed regulations are modified as follows:

These comments address updates to the Amended Proposed Regulation Text, which was submitted for a 15-day public comment on June 29, 2020. This second amendment to the proposed regulation text were submitted for a 15-day public comment on July 17, 2020.

19076. Voter Registration Effective Dates

Subdivision (m) – This subdivision is modified to state that the effective date of a signed request from a voter to change their address within the same county or add or change their political preference shall be the close of registration, unless the request is delivered on Election Day, in which case the effective date will be Election Day. We made these modifications to address the following comment submitted by a county elections official: “These voters will be removed from the official list provided by [the statewide voter registration system] unless counties “backdate” the effective date to the registration cut-off date... If you accept the form with the date received, the official list produced by [the statewide voter registration system] (or supplement lists produced by the local EMS) will not contain these updates as both those systems are designed to produce a list based on information provided on or before the Registration Deadline.” The modifications to this subdivision address those concerns by backdating such requests unless they are delivered on Election Day, ensuring updated voter information appears on all official lists. This fulfills the intent of the statutory provisions that allow this type of registration update, Section 2199.5 and 2152 of the Elections Code, preventing voters from voting a conditional or provisional ballot. The legislation that implemented these provisions was specifically implemented so that party and address changes could be made without conditional voter registration. Without these proposed changes, the voter information on the supplemental official lists created will show the voter’s party or address as of the close of registration, not based on the update. With respect to the effective date of such registration updates delivered on Election Day, these take the date of delivery because if voter came in on election day, the county elections official would issue the ballot to cast at that time, and therefore the official list would not be an issue, as it would not be rerun on Election Day, therefore they could document the actual date. These modifications are necessary to achieve the goals of this legislation and to address the concerns raised by the county elections official quoted above.