

California State Senate

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September 18, 2019

The Honorable Gavin Newsom
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

RE: Recommended Veto of SB 523 (McGuire)

Dear Governor Newsom:

I respectfully write to request your veto of SB 523, which requires county election officials up to 8 days before the certification of the election to track down and notify every individual (if the individuals exists and can be found) whose vote by mail (VBM) ballot envelope is missing a signature. It also requires county elections officials to accept missing signatures on VBM ballot envelopes via a "signature verification statement" up to 2 days before the certification of the election while also specifying that a person wishing to submit a missing signature can do so by submitting a signature statement at a polling place within the county or a ballot drop off box in addition to sending it in by mail, email or fax.

California's electoral system has become basically an honor system, where the person voting is relied upon to verify his or her own eligibility and identity. The only independent verification of identity that does occur is in the comparison of signatures on VBM ballot envelopes with signatures in voter registration files. This is essentially the last remaining safeguard to protect against voter identity fraud. SB 523 proposes to further undermine this safeguard by prohibiting election officials from setting aside those VBM ballots in which no signatures are provided until the persons who cast the ballots, if they exist, are essentially tracked down and given an opportunity to provide a signature.

This would place a significant additional burden on election officials during a critical period, i.e. the postelection canvas period. This is the 30 day window where elections officials must process and count all ballots, including all provisional and late arriving VBM ballots. SB 29 (Correa) from 2012 and SB 759 (McGuire) from 2018 already make this period more difficult as SB 29 allows for ballots to arrive and be counted

up to three days after the election and SB 759 creates a 28 day cure period for ballots with mismatched signatures. SB 523 will only make the job of processing and counting ballots in time to meet the 30 day canvassing deadline even more difficult, as it will extend the period required for the diversion of scarce resources to the tracking down of individuals who more than likely do not even exist. We ought not further interfere with elections officials in doing their primary job after an election, which is the counting of legally cast ballots.

Finally, this measure could further delay the reporting of election results as it would essentially delay the discarding of VBM ballots with missing signatures until two days before the end of the 30 day postelection canvas period.

For these reasons, I respectfully request your veto.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Grove". The signature is written in a cursive style with a large initial "S".

Shannon Grove
Senate Republican Leader