



May 12, 2025

Assembly Member Gail Pellerin, Chair
Assembly Election Committee
1020 N Street, Room 365
Sacramento, CA 95814

RE: AB 331 – duties of election officials, as amended April 21, 2025

Dear Chair Pellerin and Committee Members:

The California Voter Foundation is pleased to support AB 331, sponsored by California Attorney General Rob Bonta, which strengthens California law to ensure timely certification of election results, expands restrictions on the use of unofficial ballot collection methods, and provides official voter information to eligible voters in jails and jail facilities throughout California.

Beginning after the 2020 General Election, and over the past several election cycles, national news outlets have reported instances where the local elections governing authority refused to certify election results, without demonstrable proof of wrongdoing or error. Currently in California law, the task of certifying the vote by the local election official, and declaring local candidates elected by the local governing boards, is a ministerial task that is not explicit in statute. We applaud the language in AB 331 that makes it clear in several places in California election code that the duty of certifying and declaring the winners elected is purely ministerial, and importantly, non-discretionary. It is imperative that California not be added to the list of states where certification has been debated.

We also support the provision that requires the Secretary of State to contact local and/or state law enforcement authorities to take action if a county fails to certify its election results, and authorizes the Secretary of State to facilitate a lawful vote count if a California county is unable or unwilling to fulfill its legal duty to count its voters' votes.

This bill also strengthens and further restricts the use of unofficial ballot drop boxes to include the use of unofficial collection envelopes, a phenomenon that must be restricted to preserve the integrity of a voter's voted ballot. Ballots should only be returned in official envelopes to ensure they are able to be validated and signatures matched to the voter the ballot was issued to. They should be held in the custody of local election officials, postal representatives, voters, and voter's trusted designees - and no one else. In the 2020 election cycle, reports of local citizens creating ballot drop boxes and falsely labeling them "official" added to the larger problem of

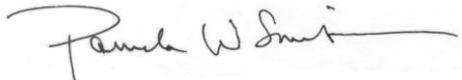
misinformation around the election. We welcome the language in AB 331 that adds to previous protective legislation to include unofficial ballot return envelopes, as the use of ballot envelopes missing official information could result in ballots being inadvertently invalidated.

AB 331 also provides that official voting information be made available to eligible voters in jail facilities in a format acceptable to jails in each county, and mandates that Sheriff Departments and county jail officials work in good faith with election officials to ensure delivery of both local county information and state-provided election information. This ensures that eligible voters in jail facilities have access to official information about each primary and general election when preparing to exercise their voting rights. California law differs from many other states that do not mandate or fund government-led efforts to educate voters. These resources are enormously beneficial to California voters and we are pleased to support this effort to ensure *all* eligible California voters are provided with the same neutral and informative written materials before casting a ballot. Thank you for introducing this important legislation.

Sincerely,



Kim Alexander, President & Founder
California Voter Foundation



Pamela Smith, President/CEO
Verified Voting