

**Support Legislation Related to Vote by Mail and Sample Ballots**

The midterm elections have concluded and Los Angeles County (County) saw almost 60% voter turnout. The office of the Registrar-Recorder/County Clerk has ensured that all eligible votes that were cast were counted accurately and timely.

This election saw the first use of the County’s newly designed Vote by Mail (VBM) ballot, which provided a more usable voting experience and a more streamlined tally function. While initial feedback of the new VBM design has been favorable, there were many voters who were displeased that they received their VBM ballot before receiving their Official Sample Ballots.

Current California law governs when the Official Sample Ballots and VBM ballots can enter the mail system. Both of these events have dates triggered by an upcoming election. Sample Ballots *can* enter the mail 40 days prior to an election and *must* be in the mail by 21 days prior to an election for a 19-day window of time. VBM ballots *must* be in the mail 29 days before the election, so there is an eight-day overlap in the two mailings.

MOTION

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RIDLEY-THOMAS \_\_\_\_\_

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Even though there are almost three weeks to send out Sample Ballots, roughly 2 million, or 50% of those, were mailed in the final two days of the mailing window on October 15<sup>th</sup> and 16<sup>th</sup>. While many voters could read their Sample Ballots in anticipation of going to the polls on Election Day, there were many voters who did not get a chance to see the Sample Ballot before receiving their VBM ballot. Informed voters make better decisions and many were left to vote early without considering the full scope of the Sample Ballot, including candidate statements.

In addition to the statutory timelines related to distribution, the Sample Ballot production process is highly complex and involves various inputs that also can have strict deadlines, like candidate statements and measure arguments/rebuttals. Given all of these timeframes, which include the resolution of any legal issues with the ballot statements/measure text, it is not feasible to have all 5.2 million books completed and dropped at the front end of the legal timeframe.

Without increased regulatory flexibility though the Department will continue to be challenged with providing Sample Ballots to VBM voters before they receive their VBM ballots. To enhance the timely dissemination of election materials, the County should explore and advocate for legislation that seeks to align the mailing dates for Sample Ballots with the mailing dates for VBM ballots, and modify other submission deadlines, as needed, that could delay the production of the Sample Ballot.

**I, THEREFORE MOVE** that the Board of Supervisors:

1. Direct the Chief Executive Officer to add the following policy to the County's 2019-2020 State Legislative Agenda, under section 3.15 Elections and Voting:

- Support or sponsor legislation which seeks to align the mailing dates for Sample Ballots with the mailing dates for Vote by Mail ballots, and modify other submission deadlines, as needed, that could delay the production of the Sample Ballot to enhance the timely dissemination of election materials.
2. Direct the Chief Executive Officer and Sacramento Advocates, in coordination with the Registrar-Recorder/County Clerk, to pursue County-sponsored legislation that will address the changes needed in State law to enhance the alignment of the timeframes for VBM Ballot delivery and Sample Ballot mailing; and
  3. Direct the Registrar-Recorder/County Clerk to work with their new Sample Ballot vendor(s) prior to the March 2020 Presidential Primary Election to take all reasonable steps to ensure the timely dissemination of election materials.

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JH:mb