



# County of Fresno

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## Legislation Text

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**File #:** 19-0089, **Version:** 1

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**DATE:** February 12, 2019

**TO:** Board of Supervisors

**SUBMITTED BY:** Brandi Orth, Fresno County Clerk/Registrar of Voters

**SUBJECT:** Voter's Choice Act Legislation

### RECOMMENDED ACTION(S):

**Consider and advise the County Clerk/Registrar of Voters on options related to the Voter's Choice Act to modernize elections and expand voter participation.**

Legislation now provides all California counties the optional opportunity to transition to the Voter's Choice Act (VCA) in 2020. The VCA authorizes a county to automatically mail every voter a ballot, provide additional secure ballot drop-off boxes located throughout the County and to establish neighborhood Voting Assistance Centers, replacing multiple polling locations, that are accessible and open for four to ten days prior to the election. This item discusses the legislative changes to the voting process and offers the opportunity for comments regarding the potential change. Concurrently the Fresno County Clerk/Registrar of Voters is completing a Request for Proposal process for a new voting system, which will be brought to your Board this year. The legislature has also moved the traditional June 2020 Presidential Primary election date to a March 2020 Presidential Primary election date.

### ALTERNATIVE ACTION(S):

The Board may choose to remain neutral as to advising the County Clerk/Registrar of Voters on the Voter's Choice Act at this time.

### FISCAL IMPACT:

The recommended action does not require additional Net County Cost. Separate agenda items will be brought forward regarding purchase of voting equipment or other implementation costs. The Department has HAVA (Help America Vote Act), Prop. 41 State grant money and Voting Systems Replacement Grant funds for improvements to the election process. The initial implementation of the California Voter's Choice Act will include additional outreach costs to alert voters to the changes. For the long term it is anticipated that election costs will be reduced if the Voters Choice Act is fully implemented.

### DISCUSSION:

The County Clerk/Registrar of Voters must decide whether or not to implement the Voter's Choice Act in Fresno County. Her options are:

1. Make no changes in the voting process. Continue to utilize the traditional polling place model at this time.
2. Implement the Voters Choice Act for the March 2020 election by mailing ballots to every voter; operating approximately 50 Voting Assistance Centers (10 to 4 days plus election day); installing 30

drop boxes, eliminating traditional polling places, and provide the required public engagement and voter education.

3. Continue to utilize the traditional polling places and mail ballots to those voters who request them while beginning a transition to the Voters Choice Act by providing a small number of Voting Assistance Centers for several days before election day and installing some additional drop boxes. In addition, study the changes by forming a Community Elections Advisory Committee to fully explore the Voters Choice Act and assist the County Clerk in voter outreach and determining voter opinions related to these potential changes.

The “California Voter’s Choice Act” (Senate Bill 450) adding Sections 4005, 4006 and 4007; amending Sections 3017 and 15320; and repealing Section 4008 of the Elections Code was chaptered into legislation in 2016. It authorized specific identified counties to conduct their 2018 elections under this model. Five counties (Napa, Sacramento, San Mateo, Nevada and Madera) took advantage of this optional opportunity. Beginning January 1, 2020 this optional opportunity is now available to all counties.

The traditional polling place model used in Fresno County today, traces back to the early eighteen hundreds, when community-based polling stations were established in population centers. The advances of technology, and the behaviors of voters, have caused the traditional polling place model to fall behind the needs and expectations of the voter. Assigning voters to a specific polling location, available only on one day, may limit voter participation if it is inconvenient for a voter to be at that polling place on election day. If a voter attempts to vote at another polling place (such as near their work place) it can result in confusion to the voters, and more provisional ballots. Provisional ballots must be individually researched to permit counting, which delays the certification of the election.

Voters are slowly changing the way they vote to accommodate their own schedule and lifestyle.

In the November 2018 Gubernatorial General Election, compared to the 2006 Gubernatorial General Election:

- 65.38% of ballots cast were voted by mail in 2018 versus 31.72% voted by mail in 2006.
- 56.58% of all voters are registered as permanent vote by mail, compared to 31.72% in 2006.
- 27,839 additional voters requested a vote by mail ballot in 2018, compared to 19,170 in 2006.
- Since 2006, a large number of voters have shifted to voting by mail. The number of voters casting their ballots at the polling place has decreased by almost 36%.

The Voter’s Choice Act provides many innovations to better serve the electorate:

- All voters would automatically be sent a vote-by-mail ballot approximately 29 days in advance of the election. The voter could, at their leisure, research and vote the ballot at their home. The voter can return their voted ballot by mailing, depositing in a ballot drop box, Voting Assistance Center or main Elections office; or authorizing another individual to return their ballot.
- Voters would not be restricted to vote in person only at their specifically assigned polling location. Approximately 50 Voting Assistance Centers would be located throughout Fresno County and every voter could avail themselves of the services at any Voting Assistance Center. It might be the one closest to where they work, or shop or visit friends or family.
- Voting Assistance Centers would be located after analysis of the 14 points listed in the bill, such as

areas with historically low vote by mail usage; population centers; language minority communities; voters with disabilities; low rates of household vehicle ownership, etc.

- The Voting Assistance Centers would be open for multiple days. Approximately 9 Voting Assistance Centers would be open for 10 days, including election day (countywide) and approximately 40 additional Voting Assistance Centers would be open for 4 days, including election day (countywide).
- Locked drop boxes (approximately 30 countywide) convenient to voters where they shop, work or play, available 29 days in advance of election.
- Requires community outreach, advertising, working with all stakeholders, culminating in the creation of an Election Administration Plan which must be approved by the Secretary of State's office.

CAO ANALYST:

Yussel Zalapa