



Legal and Legislative Update

LAWSUIT:

EIPCa's amended lawsuit, filed in March of 2021, is now on appeal before the Ninth Circuit Court of Appeals. This is a promising step.

There is no way to predict a timeline, but ultimately the court will either re-refer the case to the original court that issued a dismissal, mandating that they hear the evidence, or uphold the dismissal, giving us a clear path to the Supreme Court of the United States. Either way, it's a step in the right direction.

In its complaint, EIPCa challenges the constitutionality of 20+ election laws that have incrementally eroded election integrity since 1998. You may read the complaint [HERE](#). It's a powerful suit supported by 11 years of EIPCa data research and citizen observer documentation.

Lawsuits are expensive and for the benefit of not only all Californians but also for citizens of all 50 U.S. states, we MUST prevail.

Please consider sending us tangible evidence of your support as often as you can. All contributions to EIPCa are tax deductible.

ADDING INSULT TO INJURY:

Since the suit was filed, California's legislature has been hard at work, piling on more laws that challenge the patience of those dedicated to election integrity.

AB 29

Under cover of continuing COVID concerns, AB 29 was passed and signed into law, extending the mandate to mail all active registrants a mail-in ballot through January 1, 2022. With the voter rolls in worse disarray than ever, this mandate released hundreds of thousands of gubernatorial recall ballots into the mail with no legitimate voter at the other end to receive them. Coupled with the nebulous and weak signature verification regulations, this law virtually guaranteed that untold numbers of fraudulently-cast ballots could be cast and would be counted.

AB 37

Ignoring the inevitable electoral chaos caused by AB 29 and emboldened to adopt the demonstratively false narrative that the 2020 election was "the most successful and transparent election in modern history", the legislature recently passed AB 37, making the mandates of AB 29 permanent.



Note: This does NOT make CA an all vote by mail state. California voters still have the right to go to the polls and vote in person!

In addition, AB 37 permanently extends [Remote Access Vote by Mail](#), originally created to address the needs of handicapped voters and deployed military, to all voters upon request.

Remote Access voters use their computer or tablet to download a “ballot,” mark their selections electronically, and then print and return the “ballot” either by mail or by dropping it off at a voting location.

Opening this voting method to *all* voters unleashes untold potential for further electoral mischief. Every one of these “ballots” must be copied over by elections office workers onto an official ballot, a process with inadequate protection against human error, carelessness or intentional wrongdoing. Since voters with no special need for this accommodation are already having a ballot delivered to their doorstep, there is no arguable upside or justification. Aside from the duplicating process, there is also potential for illegitimate votes to be cast.

SB 503

Making worse the problem of expanding an already too-permissive vote by mail program, the legislature also passed SB 503, weakening signature verification standards. This gives voters less protection from having their vote cancelled out by one fraudulently cast.

THE GOVERNOR ENTHUSIASTICALLY SIGNED ALL OF THE ABOVE.

And that’s not all. California’s legislature/governor combination continues to erode integrity in the election process in plenty of time for the 2022 Primary and General elections.

Further final actions to date:

- **AB 796—additions to the New Motor Voter law**
 - establishes an interagency agreement for transmission of information from DMV to the Secretary of State
 - even if license application is incomplete
 - even if the person affirmatively declined registration
 - not if person doesn’t have sufficient proof of legal presence
 - absolves the DMV of responsibility to establish voting eligibility, even though they are the only ones with access to citizenship information
 - establishes



- NVRA coordinator in DMV to administer the new regulations and train DMV staff
 - NVRA coordinator in the SOS office to train staff
 - big new SOS bureaucracy—a “task force” to advise SOS on effective implementation
- **SB 35**
 - Expands “no electioneering” zone designation to area around drop boxes
 - Requires gubernatorial candidates to submit 5 years of tax forms
 - puts limitations on ballot harvesting receptacles
 - **SB 714**
 - Allows non-citizens to be elected to a Democrat Central Committee

There are many more laws in the queue. Rest assured the legislature and governor will continue passing laws with an eye to “unrestricted access to registration and voting” and “positive voter experience”, both excellent goals **if coupled with the precautions necessary to preserve election integrity** (a concept that appears to be off the legislative radar entirely).

EIPCa stands for election integrity. We are supportive of laws that make it easier for citizens to register and to vote **while creating and preserving common sense safeguards** so that elections will be demonstrably fair, honest and transparent.

Apparently the California legislature and governor have different priorities. More’s the pity.