



April 14, 2023

Members Assembly Committee on Elections
Assembly Member Isaac Bryan, Chair

AB 292: Primary Elections: Ballots
OPPOSE

Esteemed Members of the Assembly Committee on Elections,

Election Integrity Project *California*, Inc. (EIPCa) **Opposes AB 292:** Primary Elections: Ballots, as written and amended as of the date of this letter.

AB 292 proposes the state, through the counties' elections department budgets, spend unnecessary and unspecified quantities of money to offer no party preference (NPP) voters a superfluous opportunity to write in a partisan candidate preference on their Presidential Primary ballot and have it accepted if that party allows crossover voting.

Under current CA statute and procedures, NPP voters already receive multiple mailings and notifications from their county elections office in advance of the vote by mail ballot mailing, giving them ample opportunity to request the legal ballot of their choice—**at substantial cost to the taxpayers.**

NPP voters who fail to make such a request and consequently receive an NPP ballot in the mail also receive notification that they have the right to call their elections office to request the replacement ballot of their choice should they wish to vote a crossover ballot—**again with taxpayers footing the bill for all subsequent mailings and ballot printing.**

If NPP voters make a cross-over decision at the last minute, they have the option to vote in person and request the partisan ballot of their choice at their county elections office, at their precinct polling location or at the vote center of their choice.

One more method of cross-over voting is not necessary.

Particularly disturbing is the section of AB 292 that states, *(2) A voter who writes in the name of a presidential candidate pursuant to subdivision (b) shall mark the box indicating the party of the candidate for whom they voted, and complete, sign, and return the document with the voter's ballot.*

This mandate is a potential **breach of the voter's right to a secret ballot** unless a clear procedure for the separation of ballot and identifying information is designated, **which the bill does not do.** Without the assurance of ballot privacy, the State has **NO right** to impose a requirement for voters to disclose their ballot choices on any document that identifies the voter!!

EIPCa is also cautious about the submission of any ballot that will require additional processing, since the more handling a ballot requires, the larger the chances something could go wrong. Ballots containing a write-in vote must be subjected to the additional process of ballot duplication or adjudication, which will cause unnecessary time, labor and risk of error

to the counting of those ballots. This in turn adds more stress to the Elections Office and more uncertainty to the accuracy of elections results.

But, **IF** the State were to decide to place a write-in space on the NPP ballot with accompanying instructions regarding legal cross-over voting, then it **must also eliminate** the redundant multiple mailings of notifications and substitute ballots. Streamlining and simplifying a system which is mystifying to voters, time and labor-intensive for the Elections Offices and highly costly to the State is SO much better than adding another layer of complexity. Such a move would save the State hundreds of thousands of dollars, or more.

AB 292 has the potential to save substantial public moneys and make voting much less complicated for NPP voters if properly amended.

EIPCa urges a NO vote on AB 292 as currently written.

Thank you.

Sincerely,

ELECTION INTEGRITY PROJECT® *CALIFORNIA*, INC

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