

The complete guide to

# Absentee Voting

in **CALIFORNIA**

---

# 1998



<b>Where to Get More Information</b>	<b>8</b>
<b>How to Distribute Absentee Ballot Applications</b>	<b>12</b>
<b>Commonly Asked Questions</b>	<b>4</b>

# TABLE OF CONTENTS

<b>I.</b>	<b>WHO MAY VOTE BY ABSENTEE BALLOT?</b>	<b>3</b>
<b>II.</b>	<b>HOW TO APPLY FOR AN ABSENTEE BALLOT</b>	<b>3</b>
	A. Where can I obtain an application for an absentee ballot?	3
	B. When must I apply for an absentee ballot?	3
	C. What information must be included in my application?	3
<b>III.</b>	<b>HOW TO VOTE BY ABSENTEE BALLOT</b>	<b>3</b>
	A. How do I vote my ballot?	3
	B. Do I have to sign the absentee ballot return envelope?	4
	C. When must I return the voted ballot?	4
<b>IV.</b>	<b>COMMONLY ASKED QUESTIONS ABOUT ABSENTEE VOTING</b>	<b>4</b>
	A. If I lose the absentee ballot sent to me, can I get another one?	4
	B. Can I give my voted absentee ballot to someone else to return for me?	4
	C. I have a medical disability. Do I have to apply for an absentee ballot for each election?	4
	D. I will be out of the country for an election and am concerned that the mail is slow and I may not receive my absentee ballot in time to complete it and return it by election day. Is there any way I can apply earlier than the normal 29 days?	5
	E. If I request an absentee ballot, can I change my mind and still vote at my regular polling place?	5
	F. How are absentee ballots counted?	5
	G. Are there circumstances under which a voter can be required to vote by mail?	5
<b>V.</b>	<b>INFORMATION FOR INDIVIDUALS, GROUPS AND ORGANIZATIONS DISTRIBUTING APPLICATIONS FOR ABSENTEE BALLOTS</b>	<b>6</b>
	A. Before you do anything else, contact your local elections official	6
	B. Uniform Absentee Voting Application	6
	C. Important Information	6
	D. For Further Information	7
<b>VI.</b>	<b>PENALTIES FOR FRAUDULENT ABSENTEE VOTING</b>	<b>8</b>
	A. Voting more than once	8
	B. Interfering with the absent voting process	8
	C. Other penalties	8
<b>VII.</b>	<b>WHERE TO FIND MORE INFORMATION CONCERNING THE ABSENTEE VOTING PROCESS</b>	<b>8</b>
	A. Absentee voting in general	8
	B. Special absentee voting	8
	C. Permanent absentee voting	8
	D. Penalties related to absentee voting or voting in general	8
<b>VIII.</b>	<b>WHAT DOES AN APPLICATION FOR AN ABSENTEE BALLOT LOOK LIKE?</b>	<b>9</b>
	A. County Form	9
	B. Statewide Form (English and language translations)	9

<b>IX.</b>	<b>INSTRUCTIONS FOR THE USE OF THE UNIFORM FORMAT FOR ABSENTEE BALLOT APPLICATIONS</b>	<b>9</b>
<b>X.</b>	<b>INSTRUCTIONS FOR ELECTIONS OFFICIALS</b>	<b>9</b>
	A. Elections Officials shall provide form	9
	B. Required information	9
	1. The name and date of the election	9
	2. The deadline for receipt of the completed application by the elections official	9
	3. The name of the county in which the applicant resides	10
	4. The name, address and telephone number of the organization providing the form	10
	5. The name, address and telephone number of the elections official	10
	6. The phone number of the elections official	10
	C. Elections officials may authorize the following changes to the uniform format without requesting the approval of the Secretary of State	10
	1. Size of the application	10
	2. Middle name or initial	10
	3. Residence address	10
	4. Mailing address	10
	5. Date of birth	10
	6. Telephone number	11
	7. For official use only	11
	8. Type fonts and sizes	11
	9. Ink or Paper Color	11
	10. Multiple applications	11
<b>XI.</b>	<b>INSTRUCTIONS FOR INDIVIDUALS, GROUPS AND ORGANIZATIONS DISTRIBUTING APPLICATIONS FOR ABSENTEE BALLOTS</b>	<b>12</b>
	A. Uniform format required to be used	12
	B. Where to obtain the Uniform Format	12
	C. Information which may be preprinted	12
	1. The name of the applicant	12
	2. The address of the applicant	12
	3. Voter identification number	12
	4. Other information	12
	D. Information which may not be preprinted	12
	1. Mailing address	12
	2. Signature	12
	E. Statement Required	13
	F. Distributor Information	13
	G. Return of Applications	13
	H. Applications must be non-forwardable	13
	I. Absentee Ballot may not be sent to Campaign Address	13
<b>XII.</b>	<b>INSTRUCTIONS FOR INDIVIDUALS, GROUPS OR ORGANIZATIONS CONDUCTING STATEWIDE OR MULTI-COUNTY ABSENTEE BALLOT APPLICATION DRIVES</b>	<b>13</b>
	A. Prior Sections Apply	13
	B. Reminder	13

## **I. WHO MAY VOTE BY ABSENTEE BALLOT?**

Any registered voter may vote by “absentee” ballot. Prior to 1978, only persons who had a certified medical excuse or who could demonstrate that they would be out of town on election day were allowed to vote absentee. Since 1978, however, any registered voter may apply for and vote an absentee ballot, making “voting by mail” accessible to everyone (Elections Code §3003).

## **II. HOW TO APPLY FOR AN ABSENTEE BALLOT.**

### **A. Where can I obtain an application for an absentee ballot?**

You must apply in writing to your local elections official (Elections Code §3001). You can find the telephone number and address of your county elections official by looking in the front of your telephone directory in the white pages, government listings section, under county offices. It will be listed under either “Elections,” “Registrar of Voters,” “County Clerk,” or “Voting.”

An application for an absentee ballot is also included in the sample ballot and voter information pamphlet sent to you by the county elections official prior to each election (Elections Code §3022).

### **B. When must I apply for an absentee ballot?**

Elections officials process applications and mail absentee ballots in the period 29-7 days prior to an election (Elections Code §3001). You may submit an application prior to this time, but the elections official will hold it until the 29th day.

The elections official cannot accept any applications received less than seven (7) days prior to an election.

However, if during the final week before an election you become ill or disabled or for some unforeseen reason find that you will be away from your polling place on election day, you may request (in writing and signed under penalty of perjury) that an absentee ballot be delivered to you. You may authorize another person to bring you the ballot and to return it to the elections officials after you have voted it (Elections Code §3021).

### **C. What information must be included in my application?**

Your application must include your printed name, your residence address, the address you want the absentee ballot sent to (if different from your residence address), and the name and date of the election you are applying for (e.g. November 3, 1998 General Election). In addition, you must sign and date your application (Elections Code §3006).

## **III. HOW TO VOTE BY ABSENTEE BALLOT.**

Once you have obtained your ballot by following the steps outlined above, you can vote your ballot and return it by mail or personally.

### **A. How do I vote my ballot?**

Follow the instructions which accompany your ballot provided by the elections official. Failure to complete your ballot correctly could jeopardize your vote. If you have any questions, call your county elections official.

You will receive all the supplies necessary for the use and return of the ballot (Elections Code §3010).

## **B. Do I have to sign the absentee ballot return envelope?**

YES. The elections official, by comparing this signature to the signature on your voter registration card, can determine that you are the authorized voter (Elections Code §3019). This is an important protection for you. Your signature will not allow anyone to determine how you voted. To preserve the secrecy of your ballot, once the signature comparison is made, the ballot is separated from the envelope and the ballot becomes as anonymous and secret as any other ballot. If, when you apply for an absentee ballot, you omit any of the required information from your application, the elections official will send you a ballot, but will also include a notice that the missing information must be provided in order for the ballot to be counted (Elections Code §3009 and §3019).

## **C. When must I return the voted ballot?**

In order to be counted, your ballot must be **received** by the elections official no later than the close of the polls on Election Day (Elections Code §3017 and §3020). The polls close in California at 8:00 p.m. You can mail it or bring it to the elections office or to any worker at a polling place within the county. Ballots received after close of polls cannot be counted regardless of postmarks.

If you return your voted ballot by mail, don't forget to put the required postage on the envelope. The post office will not deliver it without the required postage.

# **IV. COMMONLY ASKED QUESTIONS ABOUT ABSENTEE VOTING**

## **A. If I lose the absentee ballot sent to me, can I get another one?**

Yes. However, you must sign a statement under penalty of perjury that you have lost or did not receive the first absentee ballot (Elections Code §3014). The elections official maintains a record of each request, and provides a list of these requests to the polling place to ensure that each voter only casts one ballot. If you vote twice by absentee ballot, even if by mistake, neither ballot will be counted (Elections Code §3013 and §3014).

## **B. Can I give my voted absentee ballot to someone else to return for me?**

If you are ill, or have a physical disability, you may designate a relative (spouse, child, parent, grandparent, grandchild, brother, or sister) to return your voted ballot for you. Your relative may return it in person to the elections official or to a polling place in your county, or may place it in the mail for return to the elections official. Contact your county elections official for more information (Elections Code §3017).

## **C. I have a medical disability. Do I have to apply for an absentee ballot for each election?**

No, not necessarily. If you have a medical disability which substantially impairs your mobility, or if you are the primary caregiver for such a voter, you may qualify as a "permanent absentee voter." Such voters are automatically sent an absentee ballot for every election. To become a permanent absentee voter, you must apply to your county elections official (Elections Code §3201).

Once a voter is approved for status as a permanent absentee voter, he or she will retain this status as long as he or she casts a ballot in all **statewide** elections (Elections Code §3206). If a permanent absentee voter fails to cast a ballot in a statewide election, he or she will be removed from the permanent absentee voter list and will need to reapply in order to have this status restored.

**D. I will be out of the country for an election and am concerned that the mail is slow and I may not receive my absentee ballot in time to complete it and return it by Election Day. Is there any way I can apply earlier than the normal 29 days?**

Yes. If you are in the military or temporarily living overseas you may qualify as a “special absentee voter.” Elections officials may process special absentee ballot applications as many as **60 days** prior to an election (Elections Code §3103). An application for a special absentee ballot for a primary election is also good for the subsequent general election (Elections Code §3104).

**E. If I request an absentee ballot, can I change my mind and still vote at my regular polling place?**

Yes, but you must bring your unvoted absentee ballot and give it to the polling place worker before voting a regular ballot (Elections Code §3015).

If you are unable to surrender your absentee ballot, however, you may still cast a “provisional” ballot at your polling place which will not be counted until it can be determined that you have not also voted by absentee ballot (Elections Code §3016 and §14310).

**F. How are absentee ballots counted?**

In general, absentee ballots are counted the same as regular ballots cast at a polling place. Once it is determined that the signature on the absentee ballot return envelope matches the signature of the voter on his or her registration form, and that the voter has not voted at a polling place, the ballot and the envelope are separated. The ballot is then intermingled anonymously with other ballots in order to preserve the voter’s right to secrecy (Elections Code §15006). If the right of a voter to cast an absentee ballot is challenged, and that challenge is upheld, the ballot remains in the envelope, is not counted, and the reason is indicated on the envelope (Elections Code §15007).

The first results you are likely to hear reported on election night usually reflect votes cast on absentee ballots. These, however, are not complete totals and reflect only those absentee ballots returned **prior** to Election Day. Those ballots received prior to Election Day can be “processed” (i.e. check the signature, etc.) as many as seven (7) days prior to an election (Elections Code §15000). These ballots are then ready to be counted as soon as the polls close on Election Day, and this accounts for why absentee ballots are the first reported in election night returns.

However, a substantial number of additional absentee ballots are returned **on Election Day** either to the polling place or to the county elections office (Elections Code §3017 and §3020). These ballots, because they require the extra handling of checking the voter’s signature to ensure that the voter did not also vote at the polling place, are usually the **last** ballots counted, and are not likely to be reported in the vote totals until several days after the election.

**G. Are there circumstances under which a voter can be required to vote by mail?**

Yes, there are two circumstances under which a voter can be required to vote by mail.

First, if an election precinct has fewer than 250 registered voters on the 88th day prior to an election, that precinct can be declared by the elections official to be a “mail ballot precinct” and all voters in that precinct will automatically be sent absentee ballots (Elections Code §3005). This is usually a very small number of precincts.



Second, certain elections can be declared by the governing board to be “all mail ballot elections.” In this case, all voters in the election choosing to vote must vote by mail. The types of elections which can be conducted by mail are very limited, generally only applying to very small elections or elections in specified special districts throughout the state (Elections Code §4000).

## V. INFORMATION FOR INDIVIDUALS, GROUPS AND ORGANIZATIONS DISTRIBUTING APPLICATIONS FOR ABSENTEE BALLOTS.

There are some “do’s” and “don’ts” you should be aware of if you are distributing applications for absentee ballots.

### A. Before you do anything else, contact your local elections official.

The local elections official can assist you in your absent voter drive. He or she can provide information to ensure that your application format is correct, as well as other important details. Failure to make early contact with the elections official could result in delays or problems which might interfere with your intended goal of enabling people to vote absentee.

### B. Uniform Absentee Voting Application

Pursuant to Elections Code §3007, the Secretary of State has prepared a uniform application format for an absentee ballot for use by all individuals, organizations and groups distributing absent voter applications. Failure to conform your applications with the uniform format is a misdemeanor. (Elections Code §18402)

### C. Important Information

Some of the important points you need to be aware of in regard to your effort to distribute applications for absentee ballots include:

- In order to ensure accuracy, the voter should fill out all the information on the application himself or herself. Elections Code §3006 does, however, permit the following information to be preprinted on the application form prior to distribution to the voter:
  - a The voter’s name and residence address as they appear on the voter’s affidavit of registration;
  - b The name and date of the election for which the absentee ballot is being requested; and,
  - c The deadline date by which the application must be received by the elections official.
- There is a separate section of the form for the voter to indicate a “mailing address” if he or she receives mail at an address other than his or her residence address. **This section of the form may only be completed by the voter.** (Put another way, this information may not be preprinted by the person, group or organization distributing the applications.)
- The voter must personally affix his or her signature.
- The mailing address to which an absentee ballot is requested to be sent may **not** be the address of any political party, political campaign headquarters, or a candidate’s residence. This provision, of course, does not apply to the candidate or the candidate’s immediate family members or housemates who request that an absentee ballot be mailed to the candidate’s residence address.

**Any application containing preprinted information shall contain the following statement (verbatim):**

- **You have the legal right to mail or deliver this application directly to the local elections official of the county where you reside.**
- This statement must be conspicuously printed on the application form (Elections Code §3006).
- The name, address and telephone number of any organization, individual or group which authorizes the distribution of applications shall be printed on the application (Elections Code §3008).
- Any individual, organization or group who/which distributes applications for absent voter ballots and receives completed application forms back from voters shall deliver the forms to the appropriate elections official **within 36 hours** of receiving the completed forms, or the deadline for application, whichever is sooner (Elections Code §3008). Note that Elections Code §18576 makes it a misdemeanor to delay the proper return of an absent voter application.
- Any application for an absentee ballot which is sent by a group or organization to a voter shall be sent by nonforwardable mail (Elections Code §3008).
- Any individual, group or organization who/which knowingly distributes any application for an absent voter's ballot which does not conform to the requirements of the absentee voting provisions is guilty of a misdemeanor. (Elections Code §18402)
- Voters who use an absentee ballot application provided by an individual, group or organization must attest to the truth and correctness of the contents of the application and sign the application under penalty of perjury (Elections Code §3006).
- Elections Code §3006 requires that the absentee ballot application contain information about California's permanent absentee voter provisions.

**D. For Further Information**

Sample forms, for applying for an absentee ballot are attached, in English, Chinese, Japanese, Spanish, Tagalog, and Vietnamese, including detailed instructions for the use of these forms. Please refer to these instructions for answers to your specific questions.

The size of this sample statewide form (within the dotted lines) is 8½" x 5½". You may use this sample form or construct your own form according to the requirements described in this booklet. However, you must remember to complete the following fields of information prior to distribution: election date, election type (primary or general), the date the application must be returned to the elections official and the name, address and telephone number of the organization distributing the application.

To ensure that voters are not disenfranchised during upcoming elections, we urge individuals, groups or organizations that plan to conduct absent ballot application drives, when printing the applications for distribution to please include the return address of the appropriate county elections official to return the completed application. The voter has the right to return his or her own completed absentee ballot application to the appropriate county elections official if he or she chooses to do so. Denying a voter that right could result in criminal prosecution.

Absentee ballot applications may not be returned to the Secretary of State's Office.



## VI. PENALTIES FOR FRAUDULENT ABSENTEE VOTING

### A. Voting more than once.

It is a crime to vote more than once in any election (Elections Code §18560).

### B. Interfering with the absent voting process.

It is a misdemeanor to willfully interfere with the prompt delivery to the elections official of a completed application for an absentee ballot (Elections Code §18576).

A third party may not (without the voter's authorization) retain a completed application for an absentee ballot for more than 36 hours (excluding weekends and holidays) or beyond the deadline for applying, whichever is earlier (Elections Code §3008).

No one can deny a voter the right to return his or her application for an absentee ballot to the elections official (Elections Code §18576).

It is a crime to interfere with the prompt return of a voted absentee ballot (Elections Code §18577), or to vote or attempt to vote a fraudulent absentee ballot (Elections Code §18578).

It is a misdemeanor to do any electioneering, or otherwise attempt to influence a voter, at the time he or she is voting an absentee ballot (Elections Code §18371).

Absentee ballot return envelopes are signed under penalty of perjury, a violation of which can result in a prison term (Penal Code §126).

### C. Other penalties.

It is a crime to interfere with anyone's right to vote (Elections Code §18502).

It is a crime to pay, or offer to pay, a person any amount of money or to give them anything of value in exchange for their vote for a particular person or issue. Similarly, it is against the law to pay someone to not vote (Elections Code §18521, §18522, and §18524).

It is a crime to violate the secrecy of the ballot, or otherwise tamper with ballots or the voting system (Elections Code §18562, §18564).

## VII. WHERE TO FIND MORE INFORMATION CONCERNING THE ABSENTEE VOTING PROCESS

**A. Absentee voting in general:** See the California Elections Code, beginning with section 3000.

**B. Special absentee voting:** See the California Elections Code, beginning with section 3100.

**C. Permanent absentee voting:** See the California Elections Code, beginning with section 3200.

**D. Penalties related to absentee voting or voting in general:** See Elections Code sections 18371, 18402, 18520-18540, 18560-18564, 18569, and 18576-18578.

## VIII. WHAT DOES AN APPLICATION FOR AN ABSENTEE BALLOT LOOK LIKE?

Attached, for your reference and convenience, are “examples” of two applications for absentee ballots which have been approved by the Secretary of State for distribution (refer to Appendix Section at the back of this guide). It is important to note that the actual application forms themselves must be 8½”x5½”, unless specifically authorized by the elections official to be a different size.

The two forms are substantially similar. The major difference between the two is that the return address of the elections official is required to be printed on the front side of the “County Form,” while this information, although desirable, is not required to be printed on the “State-wide Form.”

### A. County Form

The “County Form” is, as its name implies, for distribution within a single county. Individuals or groups wishing to distribute this form must obtain approval from the local elections official.

### B. Statewide Form (English, Chinese, Japanese, Spanish, Tagalog, Vietnamese)

The “Statewide Form” is for use in those elections which involve more than one county, and does not require the preprinting of the return address of the county elections official on the front side of the application. It is important to note, however, we recommend including the address of the elections official to assist the voter in correctly returning the application to the appropriate county elections official. **Approval for use of this form must be obtained from the Secretary of State.**

## IX. INSTRUCTIONS FOR THE USE OF THE UNIFORM FORMAT FOR ABSENTEE .. BALLOT APPLICATIONS

Elections Code §3007 requires the Secretary of State to prepare a uniform format for absentee ballot applications. This format is to be used by all individuals, groups and organizations distributing these applications. These instructions are deemed to be a part of the format.

This format is **not** required to be used on absentee ballot applications printed on sample ballots by elections officials, nor by individuals who write directly to the elections office and are not a part of an organized effort to solicit applications.

## X. INSTRUCTIONS FOR ELECTIONS OFFICIALS

### A. Elections Officials shall provide form:

Elections officials shall provide a copy of the attached uniform format to all individuals, groups or organizations wishing to distribute applications.

### B. Required information:

Elections officials may **either** print the following information on the uniform format **prior** to releasing the application form to any individual, group or organization distributing applications, **or** require the individual, group or organization to print this information:

- 1. The name and date of the election.**  
(NOTE: This information will have to be changed for all subsequent elections.)
- 2. The deadline for receipt of the completed application by the elections official.**  
(NOTE: This information will have to be changed for all subsequent elections.)

**3. The name of the county in which the applicant resides.**

Line three of this form must include the name of the county in which the applicant is registered to vote. For example, if the application form is provided by the Los Angeles County elections office, this line on the application form should be printed to read, "RESIDENCE ADDRESS IN LOS ANGELES COUNTY." This should reduce any confusion voters with more than one residence have regarding the proper information to complete in this portion of the application.

**4. The name, address and telephone number of the organization providing the form.**

This information should be printed in the indicated space at the bottom of the enclosed format and will permit the applicant to contact the individual, group or organization distributing the form should any questions arise.

**5. The name, address and telephone number of the elections official.**

This information is printed in the "NOTICE" box. Please note that the words in parentheses ("name," "address," "phone") should be deleted and replaced with the appropriate information.

**6. The phone number of the elections official.**

Elections Code section 3006 requires that an application include information concerning the procedure for a registered voter to obtain the status of a permanent absentee voter. Although the phone number of the elections official is already listed on the form, it should also be included in this space, at least on the county form. It may also be convenient to list separate phone numbers, if inquiries regarding permanent absentee voting are handled by different staff than routine requests regarding "regular" absentee voting.

**C. Elections officials may authorize the following changes to the uniform format without requesting the approval of the Secretary of State:**

**1. Size of the application:**

The uniform format approved by the Secretary of State is 8 1/2" x 5 1/2". Elections officials may approve different sizes to meet local needs.

**2. Middle name or initial:**

Rather than asking the applicant to supply either his or her middle name or initial, the form may be modified to request only the middle initial.

**3. Residence address:**

In some areas it may be necessary to include "Section, Range, and Township" to completely describe an applicant's address.

**4. Mailing address:**

Again, the elections official may include "Section, Range and Township" if necessary.

**5. Date of birth:**

This information is not required by law to be included on the application, and may be omitted at the option of the elections official.

**6. Telephone number:**

The applicant's phone number is also not required by law, and may be omitted at the option of the elections official.

**7. For official use only:**

The dimensions of the "FOR OFFICIAL USE ONLY" box may be increased or decreased to meet local needs.

**8. Type fonts and sizes:**

The elections official may authorize a change in type fonts and/or sizes. However, in no case may a type size be smaller than 6 point, and all approved type fonts must be clear and easily readable.

**9. Ink or Paper Color:**

Elections officials may authorize (but not require) printing of the form in more than one color. For example, important information (such as the signature arrow, the perjury warning, etc.) may be printed in red ink to emphasize its importance and draw the applicant's attention to this information.

**10. Type of Paper:**

It is advisable to check with the United States Post Office for paper weight mailing requirements to be used for the application.

**11. Multiple applications:**

- At the option of the elections official, an application for an absent voter ballot may contain spaces for more than one registered voter to indicate he or she wishes to be sent an absentee ballot. An application form for multiple request for absentee ballots **must** contain all the information required by law to be included on the application. If each applicant does not sign the form, the non-signer's application(s) must be treated as defective, and no ballot sent to that voter.
- County elections officials may approve a "two for one" application in which a voter applies simultaneously for an absentee ballot for both a primary and general election **only** if the election is a special election to fill a legislative or congressional vacancy, or other special election in which a candidate may be elected at the "primary" election.
- Elections officials may authorize other changes to this uniform format only with the express permission of the Secretary of State.
- Elections officials may require individuals, groups or organizations who preprint name and address information of applicants to also preprint a voter identification number or bar code information in the box labeled "FOR OFFICIAL USE ONLY."
- If an application for an absent voter ballot which does not contain all of the required information, including the signature of the applicant, is received by the elections official, the application shall be treated as an "incomplete" application and processed according to the procedures in Elections Code §3009. (NOTE: If the application form is preprinted and contains a request by more than one voter for an absentee ballot, as permitted in Section 10 above, the application of any voter who does **not** provide a signature shall be treated as a "defective" application and no ballot shall be issued to that voter.)

## **XI. INSTRUCTIONS FOR INDIVIDUALS, GROUPS AND ORGANIZATIONS DISTRIBUTING APPLICATIONS FOR ABSENTEE BALLOTS.**

### **A. Uniform format required to be used**

Any individual, group or organization distributing applications for absentee ballots must use the uniform format approved by the Secretary of State. Failure to conform to this format may result in criminal prosecution (Elections Code §18402).

### **B. Where to obtain the Uniform Format:**

The uniform format for absentee ballot applications must be obtained from the local elections official or the Secretary of State.

### **C. Information which may be preprinted**

The following information may be preprinted on the application form by the individual, group or organization distributing the applications:

- 1. The name of the applicant**  
This must be the name of the voter as it appears on the affidavit of registration.
- 2. The address of the applicant**  
This must be the address indicated on the affidavit of registration.
- 3. Voter identification number**  
The number (or bar code equivalent) used by the local elections official to identify a voter (affidavit of registration number, or other number) may be required by that official to be preprinted in the box labeled "FOR OFFICIAL USE ONLY" if the individual, group or organization distributing the forms is preprinting the name and/or residence address of the applicant. If the individual, group or organization is **not** preprinting the name and/or residence address of the applicant, this requirement does not apply.
- 4. Other information**  
The elections official may or may not preprint the information specified in section X.B.1, B.2, B.3, B.4 B.5 and B.6 starting on page 13. If the elections official does not preprint this information, the individual, group or organization distributing the applications should preprint these items prior to distributing the applications to voters.

### **D. The following information may not be preprinted on the application form, but must be completed by the applicant:**

- 1. Mailing address:**  
The address to which the actual absentee ballot shall be sent, if different than the residence address, may not be preprinted. This information **must** be completed by the voter.
- 2. Signature:**  
The applicant must sign the application for an absentee ballot.

### **E. Statement Required:**

Any application which is preprinted must contain the following statement: "You have the legal right to mail or deliver this application directly to the local elections official of the county in which you reside" (Elections Code §3006).

#### **F. Distributor Information:**

The name, address and telephone number of the individual, group or organization distributing the application must be printed on the application form.

#### **G. Return of Applications:**

Any individual, group or organization that distributes applications for absent voter ballots and receives completed application forms from voters shall return the forms to the appropriate elections official within 36 hours of receiving the completed forms, or by the deadline for return of absent voter ballot applications, whichever is earlier (Elections Code §3008).

Failure to return completed applications in a timely manner to the appropriate elections official is a misdemeanor (Elections Code §18576).

#### **H. Applications must be nonforwardable:**

Any absent voter ballot application which is mailed to a voter by an individual, group or organization shall be nonforwardable (Elections Code §3008).

#### **I. Absentee Ballot may not be sent to Campaign Address:**

The mailing address to which an absentee ballot is requested to be sent may not be the address of any political party, political campaign headquarters, or a candidate's residence. Candidates, as well as their families and other household members, are, of course, exempted from this prohibition, and may receive their own absentee ballots at the candidate's residence address.

## **XII. INSTRUCTIONS FOR INDIVIDUALS, GROUPS OR ORGANIZATIONS CONDUCTING STATEWIDE OR MULTI-COUNTY ABSENTEE BALLOT APPLICATION DRIVES**

#### **A. Prior Sections Apply**

All the information in the previous two sections of these instructions applies to your absentee campaigns. However, when conducting statewide or multi-county absentee ballot application drives you may omit the following from your forms.

- You may omit the name, address and phone number of the elections official in the box labeled "NOTICE" on the form. You **must**, however, print the "right to return directly to the local election official" wording verbatim as on the sample form attached.
- In the box advising applicants regarding status as a "permanent absentee voter" you may omit the phone number of the elections official.
- In the space for the name of the county in line three of the form, you may either: (1) leave it as it is on the "regular" form, and have the applicant fill in the proper county name, or (2) omit it, so that #3 reads, "RESIDENCE ADDRESS."

#### **B. Reminder**

Remember that you must provide the requested information at the bottom of the form, telling who provided the form (name, address and phone number).