



May 28, 2026

25-LDM-07

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RE: Legislatively Determined Mandate  
Elections: Official Canvass  
(Assembly Bill 5; Statutes 2025, Chapter 250)

Dear Director Stephenshaw and Executive Director Gmur:

Rural County Representatives of California (RCRC), a statewide association of California's rural counties, hereby requests to initiate a Joint Request for Legislatively Determined Mandate (LDM) pursuant to Government Code section 17573 regarding the above-captioned statute. The Department's bill analysis dated July 2, 2025 (attached) acknowledges that this statute "may create a potentially significant state-reimbursable mandate," and we are looking forward to working with the Department to follow the process set forth in Section 17573 to develop a Joint Request for presentation to the Legislature.

By copy of this letter to the Commission on State Mandates, RCRC requests acknowledgement that the statute of limitations to file a test claim is tolled as of the date of this notice pursuant to Government Code section 17573, subdivision (b). While this matter is pending, RCRC or the Department shall notify the Commission of actions taken as set forth below, in accordance with subdivision (g) of Section 17573:

- Provide the Commission with a copy of any communications regarding development of a joint request under this section and a copy of a joint request when it is submitted to the Legislature.
- Notify the Commission of the date of (A) the Legislature's action on a joint request in the Budget Act, or (B) the Department's decision not to submit a joint request.

Please do not hesitate to contact us if you have any questions, or would like to schedule a meeting to discuss the next steps in the LDM process.

Very truly yours,

TAYLOR W. KAYATTA, Deputy General Counsel  
Rural County Representatives of California

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 07/02/2025  
POSITION: Oppose

BILL NUMBER: AB 5  
AUTHOR: Berman, Marc

**BILL SUMMARY: Elections: official canvass.**

This bill requires election officials to finish counting ballots, except as specified, and release the vote count on or before the thirteenth day following the election or file a notice of extension with the Secretary of State.

**FISCAL SUMMARY**

The Secretary of State estimates unknown, but potentially significant, fiscal costs to develop regulations, work with 58 county election officials to establish standards and guidelines, determine and maintain procedures for granting extensions, and provide notice to affected voters.

The California Constitution requires the state to reimburse local entities for increased costs associated with any new program or higher level of service imposed by the state on local entities if the Commission on State Mandates determines that the new program or higher level of service is reimbursable and a state mandate. This bill may create a potentially significant state-reimbursable mandate because it requires a higher level of services to be provided by county election officials.

**COMMENTS**

The Department of Finance is opposed to this bill because it would incur General Fund costs not included in the 2025 Budget and would likely create a potentially significant state reimbursable mandate.

The Secretary of State also notes significant policy concerns with imposing a 13-day deadline for completion of the vote canvass on all counties, regardless of their size, voter turnout, or feasibility for individual counties. Currently, signature verification of timely cast vote-by-mail ballots is performed in multiple rounds by elections officials to ensure the accuracy of the vote count. The Secretary of State contends that 13 days is not enough time for the multiple rounds of signature verification necessary, especially for larger counties.

Existing law requires election officials to post specified updated information regarding the election on their internet website at least once per week, beginning no later than the Thursday following an election. Existing law also requires election officials to prepare a certified statement of the results of an election and submit it to the governing body within 30 days of the election, as specified.

This bill requires election officials to finish counting ballots and release the vote count on or before the thirteenth day following the election, except for the following ballots:

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Analyst/Principal	Date	Program Budget Manager	Date
Romine, Jessie		Jarvis, Amy	

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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

Berman, Marc

07/02/2025

AB 5

**COMMENTS** (continued)

- Duplicative ballots prepared for specified reasons.
- Vote by mail ballots forwarded from one county to the county of origin.
- Vote by mail ballots containing an issue with the voter's signature.
- Provisional ballots.
- Ballots cast by conditional voter registration.
- Ballots received after the fourth day following the election.

This bill also requires an election official to file a notice of extension with the Secretary of State if the official will not meet the deadline. The notice of extension must include the reason for the extension and be posted on both the election official's and Secretary of State's websites.

According to the author's office, this bill aims to establish a framework where the public will know that most ballots will be counted by a certain date and therefore more election results will be known sooner.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)						Fund Code	
	LA	(Dollars in Thousands)							
	CO RV	PROP 98	FC	2025-2026 FC	2026-2027 FC	2027-2028 FC			
8885/Comm St Mndt	SO	No	C	1-1,000	C	1-1,000	C	1-1,000	0001
0890/Secty State	SO	No	C	1-1,000	C	1-1,000	C	1-1,000	0001

## DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On June 3, 2026, I served the:

- **Current Mailing List dated June 3, 2026**
- **Notice of Receipt of Letter of Intent to Initiate a Joint Request for a Legislatively Determined Mandate and Tolling of the Statute of Limitations issued June 3, 2026**
- **Letter of Intent to Initiate a Joint Request for a Legislatively Determined Mandate filed by the Rural County Representatives of California (RCRC) on May 28, 2026**

*Elections: Official Canvas, 25-LDM-07*

Statutes 2025, Chapter 250 (AB 5)

Rural County Representatives of California, Requester

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on June 3, 2026 at Sacramento, California.



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Jill Magee  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 6/3/26

**Claim Number:** 25-LDM-07

**Matter:** Elections: Official Canvass

**Requester:** Rural County Representatives of California

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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