



SHIRLEY N. WEBER, PH.D.
CALIFORNIA SECRETARY OF STATE

October 27, 2023

The Honorable Cathy Darling Allen
Shasta County Registrar of Voters
1450 Court Street
Redding, CA 96001

The Honorable Kevin Crye
Shasta County Supervisor, District 1
1450 Court Street, Suite 308B
Redding, CA 96001-1673

The Honorable Tim Garman
Shasta County Supervisor, District 2
1450 Court Street, Suite 308B
Redding, CA 96001-1673

The Honorable Mary Rickert
Shasta County Supervisor, District 3
1450 Court Street, Suite 308B
Redding, CA 96001-1673

The Honorable Patrick Jones
Shasta County Supervisor and Board Chair,
District 4
1450 Court Street, Suite 308B
Redding, CA 96001-1673

The Honorable Chris Kelstrom
Shasta County Supervisor, District 5
1450 Court Street, Suite 308B
Redding, CA 96001-1673

RE: Shasta County November 7, 2023, Election

Dear Registrar of Voters Cathy Darling Allen, Supervisor Kevin Crye, Supervisor Tim Garman, Supervisor Mary Rickert, Supervisor Patrick Jones, and Supervisor Chris Kelstrom:

I write to you in response to recent questions concerning the applicability of Assembly Bill (AB) 969 (Chapter 300, Statutes of 2023), which was signed into law on October 4, 2023. As you are aware, AB 969 contained an urgency clause which means it became effective immediately.

My office has been informed that some members of the Shasta County Board of Supervisors have claimed that AB 969 limitations on a manual vote count, as set forth in Elections Code Section 15270.1, are not applicable to Shasta County's upcoming November 7, 2023, election. The claim is based on an unfounded theory that Shasta County is "grandfathered" in and may still implement a hand count as the Board of Supervisors "made this decision before the legislature acted." Such a claim is wholly without merit and has no basis in law.

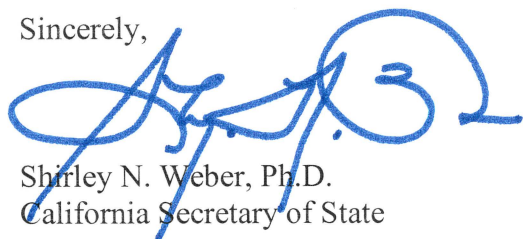
To be clear, Shasta County is subject to all provisions enacted and signed into law by AB 969. The provisions of Elections Code Section 15270.1 et seq became operative immediately on October 4, 2023, and no legal basis or statutory authority exists to support any claim that Shasta County is exempted from complying with AB 969. (Elec. Code, § 15270.1, subd. (b).) Any actions to the contrary would violate state law.

The plain language of AB 969 and the legislative record clearly apply its requirements to “any election.” (Elec, § 15270.1, subd. (a).) The prohibitions contained in AB 969 encompass any election after the effective date regardless of whether the election was declared before the enactment of the bill. The author of AB 969 and the committee analyses made it clear that they were aware that, as an urgency bill, it would apply to the upcoming November 7th election in Shasta County. The Legislature, in passing AB 969, did not create any explicit or implied exception that would “grandfather in” Shasta County.

As California’s chief elections officer, my responsibility as Secretary of State is to ensure that elections are efficiently conducted and that state election laws are enforced. (Gov. Code, § 12172.5, subd. (a).) Likewise, as the County Registrar of Voters and the County Board of Supervisors, you are required to discharge your duties in adherence with the law.

I expect that you will uphold your obligation to comply with the law. Failing that, my office stands ready to take any actions necessary to ensure that Shasta County conducts all elections in accordance with state law.

Sincerely,



Shirley N. Weber, Ph.D.
California Secretary of State

cc: The Honorable Gavin Newsom, California Governor
The Honorable Rob Bonta, California Attorney General
The Honorable Gail Pellerin, Chair, California State Assembly Committee on Elections
The Honorable Steven M. Glazer, Chair, Senate Committee on Elections and
Constitutional Amendments