

## **VOTE BY MAIL APPLICATIONS / BALLOTS**

Any registered voter may vote by vote-by-mail 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 a vote-by mail ballot. Since 1978, however, any registered voter may apply for and vote a vote-by-mail ballot, making voting by mail accessible to any registered voter. (Elections Code Section 3003)

No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of a vote by mail voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows the vote by mail voter is voting. (Elections Code Section 18371).

Vote-by-mail ballots must be **personally** mailed or returned by the **voter** to the Monterey County Election Department or any polling place within Monterey County. Vote-by-mail ballots must be received by 8:00 p.m. on November 4, 2008.

Vote-by-mail ballots may be delivered by a spouse, child, parent, grandparent, grandchild, brother, sister or person residing in the same household **only** if the voter is unable to return the ballot personally because of illness or other physical disability and the name and relationship is entered on the vote by mail ballot envelope. (Elections Code Section 3017 and Calif. Supreme Court)

Any individual, organization, or group that distributes applications for vote by mail voter ballots and receives completed application forms shall return the forms to the appropriate elections official within 72 hours of receiving the completed forms, or before the deadline for application, whichever is sooner. The name, address, and telephone number of any organization that authorizes the distribution of the applications shall be included on the application. (Elections Code Section 3008). Failure to return completed applications in a timely manner to the appropriate elections official is punishable as a misdemeanor. (Elections Code Section 18576). **Candidates and committees may not collect, receive or handle vote by mail ballots.**

### **Uniform Application for an Vote By Mail Ballot:**

1. Elections Code Section 3007 requires that all individuals, groups, and organizations distributing applications for vote-by-mail ballots must use the format for this application which has been approved by the Secretary of State.

Please request a copy of the Secretary of State publication entitled "A Guide to Voting By Mail in California" (2008) for further details. Available at Monterey County Elections Department or online at [http://www.sos.ca.gov/elections/elections\\_m.htm](http://www.sos.ca.gov/elections/elections_m.htm).

2. Preprinting of the voter's name and address on application forms is not recommended, but Elections Code Section 3006 specifically permits preprinting of the voter's name, residence address, and the name and date of the election for which the application is being made.
3. The portion of the application which asks the address to which the voter wishes the vote by mail ballot to be mailed must, if it is different from the voter's residence address, is to be completed by the voter.

**This mailing address may not be the address of any political party, candidate, or political campaign headquarters.**

4. If the voter's name, address, or the return address for the application are preprinted on the application, the application must contain a conspicuously placed notice stating that:

"You have the legal right to mail or deliver this application directly to the local elections official of the county where you reside."

5. Only the voter may sign the application.
6. If applications are distributed through the mail, they must be non-forwardable.
7. Bar-coded affidavit numbers on applications **must** meet approval of the Registrar of Voters prior to distribution. To avoid possible problems with affidavit numbers, candidates and committees are advised to obtain voter information directly from the Registrar of Voters. Files may be downloaded from the Internet.
8. The following information must be preprinted on the application form by the individual, group or organization providing the form:
  - A. Election Title and Date.
  - B. Return Date for Application.
  - C. Name of Individual, Group or Organization Providing Application with Address and Telephone Number.

Please contact the Monterey County Election Department for a camera-ready sample.

Important: Please send proof copy to the Elections Department before printing the applications. Proof copies may be faxed to (831) 755-5485 for review.