



Los Angeles County Registrar-Recorder/County Clerk

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Preliminary Impact Statement for moving Primary Election September 5, 2021

As the elections official for the County of the Los Angeles, the Registrar-Recorder/County Clerk ("RR/CC") submits this preliminary impact statement regarding item 6.d.iv on the Citizens Redistricting Commission's February 24, 2021 agenda.

Any proposal to move the Primary Election to September 5, 2022 would present legal, operational, financial, and technological issues for the RR/CC as the elections official. The delay in the Primary Election would also substantially impact the General Election on November 8, 2022. Additionally, moving the Primary Election to an existing holiday would create unintended budgetary impacts during an already existing budget crises due to the ongoing COVID-19 pandemic and could lead to voter confusion.

If the Primary Election were to be moved to September 5, the Official Canvass and Election certification would take place on approximately October 4, 2022, when the election activities are concluded and results are made official. Primary Election results determine candidates for certain contests in the General Election and certification must be concluded before the RR/CC can finalize ballot materials for the General Election.

A September 5 Primary Election would conflict with legal deadlines for the General Election, including:

- Candidate filing begins July 18, 2022, which would be before the Primary Election had occurred and the results were certified.
- Candidate statements are due August 12, 2022, before the Primary Election results are certified.
- Federal Law requires that Military and Overseas Ballots must be mailed not sooner than 60 days and not later than 45 days before the election, between September 9, 2022 and September 24, 2022. (42 U.S.C. 1973ff-1 (MOVE Act) and California Elections Code section 3114.)
- Sample Ballots must be mailed to all registered voters between September 29 – October 18. (California Elections Code section 4005.)
- Official Vote by Mail Ballots must be sent out to all other voters beginning October 10, 2022.
- Vote Centers Open October 23, 2022. (California Elections Code section 4005.)

In addition to the statutory deadlines listed above, consideration must also be given to the operational efforts and logistics required of the RR/CC to accomplish those tasks. For example, the programming of voting equipment, the layout and printing of ballots, and the retention of vote center locations requires months of lead time to complete. Further, the RR/CC must deprocess equipment and supplies from the Primary Election, which takes approximately two months. Reducing that time period would prevent the preparation and programming of the equipment and supplies for the General Election and could create significant logistical challenges, including lack of space, staff, supplies and equipment.

Moving the Primary Election date to September 5, 2022 would require a significant financial investment from the RR/CC and the County of Los Angeles. Some additional financial costs could include:

- Significant voter education and outreach associated with moving the Primary Election to a Monday since elections are always held on Tuesdays.
- Holiday pay for all County employees as a result of moving the Primary Election to a Federal Holiday, which would dramatically increase the cost of the election.
- US Postal Service processing of vote by mail ballots on a Federal Holiday since ballots must be postmarked by Election Day. The US Postal Service offices are closed on Labor Day, ballots delivered to USPS on September 5, 2022 would be processed as being received September 6, 2022, making it impossible to be in compliance with the Election Code.

Thank you for taking into consideration the legal, operational, technological and financial impacts on the RR/CC and the County of Los Angeles that would result from a delayed Primary Election.