

ELECTRONIC SECRET BALLOT – AB2159

Sources:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2159

ECHO HOA Education: Community Conversation: Elections and New Election Laws Plus CTA

Adams | Stirrlng Webscast: CA Elections: Electronic Ballots, Challenges & Best Practices

Electronic Secret Ballot

- Effective 1/1/2025
- Permitted for secret balloting of board elections, governing documents amendments and other actions requiring HOA approval
 - Cannot be used for approval of increases to regular or special assessments
- Must be adopted in election rules
- Inspector of Elections must authenticate identity and verify accuracy of ballot
- Must allow for opt-out
- Various changes to civil code regarding HOA voting

Electronic Secret Ballot

Possible Benefits:

- Easier for owners to vote
 - Achieve quorum
 - Inspector of Elections report increase in voting
- Reduce costs of paper duplication and mailing
 - Governing document changes, especially

Possible Downsides:

- Costs to maintain two balloting processes (must opt-in)
- Costs of Inspector of Elections

Timing:

- Law will evolve
- First step – work with property management or attorney to amend election laws