

INFORMATION AND GUIDELINES: CALIFORNIA VOTER REGISTRATION FILE REQUEST

(CALIFORNIA ELECTIONS CODE §§ 2188, 2194, 18109; GOVERNMENT CODE § 7924.000; CALIFORNIA CODE OF REGULATIONS §§ 19001-19013; Business and Professions Code § 17538.41)



SECRETARY OF STATE

Elections Division
1500 11th Street, 5th Floor
Sacramento, CA 95814
(916) 657-2166 / www.sos.ca.gov

Voter registration information is NOT public data and state laws govern how and by whom voter registration information may be used.

WARNING: The authorized recipients of the voter registration information are responsible for the security of all voter registration information provided through this request.

Please carefully read the following instructions to request the voter registration file or a specific voter's registration information.

1. Applicant MUST complete and return the attached application to the Secretary of State at 1500 11th Street, 5th Floor, Sacramento, CA 95814. Emailed and faxed applications are NOT accepted.

2. Applicant MUST provide as much detailed information as possible for the specified use of the voter registration records.

- **Election:** information identifying the California candidate(s) or California ballot measure(s)
- **Candidate:** information identifying federal, state, or local office
- **Committee for/against any initiative or referendum measure:** information identifying the California initiative or referendum for which legal publication is made
- **Political:** documentation establishing compliance with Section 19003(a)(4), which includes an affiliation with the political organization
- **Scholarly:** letter from a representative of the institution (professor, administrator, etc.) on the institution's letterhead stating that the applicant is authorized to receive the data
- **Journalistic:** a clear photocopy of press pass or other evidence that the applicant is a journalist.

3. The application MUST include an ORIGINAL signature.

4. The application MUST include a clear copy of the applicant's current driver license or state identification card.

5. The fee MUST be included with the application. The fee to purchase registration data from the Secretary of State is \$15.00 per thousand records, up to a maximum of \$100.00.

Specific voter record request: Applicant MUST provide sufficient details of why a specific voter's information is needed and how it will be used in conformance with California Code of Regulations sections 19001-19010. Applicant MUST also attach as much detail as possible about the voter whose record they are trying to obtain (first name, last name, date of birth, expected county of residence, address, etc.) in the designated area of the application. The Secretary of State will only use the exact information provided to identify specific voter registration requests. The Secretary of State will reach out to the applicant if there are not sufficient details to locate a single voter record. Applicant can request up to 10 specific voter records per application.

Processing time: Requests will be processed in the order received. Once received, requests can take 7-14 business days to review and process. The Secretary of State will determine whether the application is complete and whether state law permits the proposed use of the voter registration information.

Data format: If the application is approved, county/statewide/district requests are distributed on an encrypted DVD in three plain text tab-delimited files: a voter data file, a voting history file, and a district file. Please note that some districts may not be included in the file if counties are in the process of redistricting at the time the data was extracted. Specific voter record requests will be provided by email in an encrypted WinZip attachment.

End use: Once the requested information is received, the Secretary of State is not responsible for end-user technical support for processing data (text) files that are purchased and does not provide training or assistance on converting the data for usage. Once the voter registration information has been sent to the applicant, no refunds will be issued.

Authorized/Prohibited use: State law strictly governs how voter record data may be used. Use of the data is only authorized for the purpose approved on the application.

Prohibitions:

- Using the data for an unapproved purpose;
- Unless the applicant or beneficiary is a vendor, sharing or transferring the data to any other party without the submission of a new application and the express written approval of the Secretary of State;
- Using the data to harass any voter or voter's household;
- Using the data for any commercial, advertising, or marketing purposes;
- Leaving the voter data unsecured and publicly available online or offline; or
- Using a phone number to send a text message if the message advertisement does not include an opt-out provision.

A violation of the above constitutes a misdemeanor, subject to significant fines. (Elections Code section 18109)

If the application is denied, the Secretary of State will send a letter to the applicant explaining why the request was denied and return all application materials.

Questions can be directed to:

VoteCal Help Desk
(888) 868-3225
votecalhelp@sos.ca.gov

APPLICATION: CALIFORNIA VOTER REGISTRATION FILE REQUEST



SECRETARY OF STATE
Elections Division
1500 11th Street, 5th Floor
Sacramento, CA 95814
(916) 657-2166 / www.sos.ca.gov

CONTACT INFORMATION

| | | | |
|---|---|-------|-----|
| Full name of applicant | If applicable, the full name of the beneficiary, i.e., business, organization, or committee | | |
| Applicant's phone | Applicant's email | | |
| Applicant's business address (street name and number) | City | State | Zip |
| Applicant's mailing address (if different than above) | City | State | Zip |
| Beneficiary's (business, organization, or committee) business address | City | State | Zip |

REQUESTING QUALIFICATIONS

What type(s) of business, organization, or committee do you represent?

- | | |
|---|--|
| <input type="checkbox"/> Political Campaign/Committee | <input type="checkbox"/> Academic |
| <input type="checkbox"/> Media | <input type="checkbox"/> Private Vendor |
| <input type="checkbox"/> Legal | <input type="checkbox"/> Governmental |
| <input type="checkbox"/> Investigation | <input type="checkbox"/> Other (specify) _____ |

Explain in detail (1) your intended use of this information and (2) how the information will be maintained securely and confidentially. If more space is needed, continue on another sheet of paper.

For what purpose(s) are you requesting this information?

| | |
|-------------------------------------|---|
| California candidate(s) (list each) | Proposed California ballot measure(s) (list each) |
| _____ | _____ |
| _____ | _____ |

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Political Research | <input type="checkbox"/> Recall |
| <input type="checkbox"/> Scholarly Research | <input type="checkbox"/> Governmental |
| <input type="checkbox"/> Initiative/Referendum | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Record Review | |

ORDER FORM

All applications must be received with an original signature, a clear copy of applicant's current valid driver license or state identification card, any accompanying documentation, and payment before the application will be reviewed. Applications must be hand-delivered or mailed to the Secretary of State at 1500 11th Street, 5th Floor, Sacramento, CA 95814. Applications will not be accepted by fax or email.

Data Format

The data is sent on an encrypted DVD in three plain text tab-delimited files. In many cases, the file is too large to save on a DVD; therefore, our office uses the encrypted zipped file to compress the files onto one disk. Since voter registration data can be large and exceed record limitations of many applications, it is strongly suggested that you use a large database system to open and compile this information. In most cases, you will not be able to open this information with MS Excel or MS Access. Requests for specific voter records are sent by email in an encrypted and zipped file. The Secretary of State is not responsible for end-user technical support for processing data (text) files and does not provide training or assistance on converting the data for usage. Once data has been extracted and sent to the applicant, no refunds will be issued.

Type of Data Requested

Would you like inactive voter registration records included? Yes No

Would you like available Voting History data included? Yes No

Would you like Precinct to District data included? Yes No

For what location(s) do you want registration information?

- State
- County (or counties): _____
- Specific voter records. Up to 10 per application. Please fill out record details in the next section (full name, date of birth, and county of residence, address, etc.)
- Other _____

NOTE: Please allow 7-14 business days to process the data once an application has been submitted and approved.

SHIPPING INFORMATION

Ship to (full name) _____ Phone _____

Address _____

City _____ State _____ Zip _____

Ship via:

- US Mail (no fee)
- Pick Up at SOS Office (no fee)
- Secure FTP

Include proper forms/labels and additional fee. Other _____

SPECIFIC VOTER RECORDS

If requesting specific voter records, please specify the following information for the voter(s) below. The Secretary of State will ONLY use the exact information provided: full name, date of birth, county of residence, and residence address.

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

AGREEMENT

All information furnished on this application is subject to verification.

Initial here

Applicant and beneficiary, if applicable, hereby agree that the information set forth in the voter registration information will be used for the approved purposes, consistent with state law, as defined by Elections Code section 2194, Sections 19001 through 19013 of the California Code of Regulations, Government Code section 7924.000, and Business and Professions Code section 17538.41.

Initial here

Applicant and beneficiary, if applicable, further agree not to sell, lease, loan, or deliver possession of the r egistration information, or a copy thereof, in any form or format, to any person, organization, or agency except as prescribed in Section 19005 of the California Code of Regulations.

Initial here

Applicant and beneficiary, if applicable, agree to maintain information in a secure and confidential manner using the best practices identified in Section 19012 of the California Code of Regulations, and will notify the Secretary of State immediately of any violation, exposure, and/or breach of voter registration information or suspected violation, exposure, and/or breach of voter registration information and will cooperate with the Secretary of State's office or any investigative agency efforts related to any resulting investigation.

Initial here

Applicant and beneficiary, if applicable, understand that it is a misdemeanor for a person in possession of voter registration information to use or permit the use of all or any part of the information for any purpose other than is permitted by law.

I certify under penalty of perjury, under the laws of the State of California, that all of the information provided on this application is true and correct.

Executed at:

Signature of applicant or beneficiary

Date

City

State

Zip

Print name of applicant or beneficiary

Driver license number (include state if not CA)

Residence address

City

State

Zip

Title or position

Email address

Home phone

Mobile phone

California Elections Code 2188. Application for voter registration information.

- (a) Any application for voter registration information available pursuant to law and maintained by the Secretary of State or by the elections official of any county shall be made pursuant to this section.
- (b) The application shall set forth all of the following:
 - (1) The printed or typed name of the applicant in full.
 - (2) The complete residence address and complete business address of the applicant, giving street and number. If no street or number exists, a postal mailing address as well as an adequate designation sufficient to readily ascertain the location.
 - (3) The telephone number of the applicant, if one exists.
 - (4) The number of the applicant's driver's license, state identification card, or other identification approved by the Secretary of State if the applicant does not have a driver's license or state identification card.
 - (5) The specific information requested.
 - (6) A statement of the intended use of the information requested.
- (c) If the application is on behalf of a person other than the applicant, the applicant shall, in addition to the information required by subdivision (b), set forth all of the following:
 - (1) The name of the person, organization, company, committee, association, or group requesting the voter registration information, including their complete mailing address and telephone number.
 - (2) The name of the person authorizing or requesting the applicant to obtain the voter registration information.
- (d) The elections official shall request the applicant to display his or her identification for purposes of verifying that identifying numbers of the identification document match those written by the applicant on the application form.
- (e) The applicant shall certify to the truth and correctness of the content of the application, under penalty of perjury, with the signature of his or her name at length, including given name, middle name or initial, or initial and middle name. The applicant shall state the date and place of execution of the declaration.
- (f) Completed applications for voter registration information shall be retained by the elections official for five years from the date of application.
- (g) This section shall not apply to requests for information by elections officials for election purposes or by other public agencies for governmental purposes.
- (h) The Secretary of State may prescribe additional information to be included in the application for voter registration information.
- (i) A county may not provide information for any political subdivision that is not wholly or partially contained within that county.

California Elections Code 2194. Access to voter registration information. Limited Confidentiality.

- (a) Except as provided in Section 2194.1, the affidavit of voter registration information identified in Section 7924.000 of the Government Code:
 - (1) Shall be confidential and shall not appear on any computer terminal, list, affidavit, duplicate affidavit, or other medium routinely available to the public at the county elections official's office.
 - (2) Shall not be used for any personal, private, or commercial purpose, including, but not limited to:
 - (A) The harassment of any voter or voter's household.

- (B) The advertising, solicitation, sale, or marketing of products or services to any voter or voter's household.
- (C) Reproduction in print, broadcast visual or audio, or display on the internet or any computer terminal unless pursuant to paragraph (3).
- (3) Shall be provided with respect to any voter, subject to the provisions of Sections 2166, 2166.5, 2166.7, and 2188, to any candidate for federal, state, or local office, to any committee for or against any initiative or referendum measure for which legal publication is made, and to any person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the Secretary of State.
- (4) May be used by the Secretary of State for the purpose of educating voters pursuant to Section 12173 of the Government Code.

- (b) (1) Notwithstanding any other law, the California driver's license number, the California identification card number, the social security number, and any other unique identifier used by the State of California for purposes of voter identification shown on the affidavit of voter registration of a registered voter, or added to voter registration records to comply with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), are confidential and shall not be disclosed to any person.
 - (2) Notwithstanding any other law, the signature of the voter shown on the affidavit of voter registration or an image thereof is confidential and shall not be disclosed to any person, except as provided in subdivision (c).
- (c) (1) The home address or signature of any voter shall be released whenever the person's vote is challenged pursuant to Sections 15105 to 15108, inclusive, or Article 3 (commencing with Section 14240) of Chapter 3 of Division 14. The address or signature shall be released only to the challenger, to elections officials, and to other persons as necessary to make, defend against, or adjudicate the challenge.
 - (2) An elections official shall permit a person to view the signature of a voter for the purpose of determining whether the signature compares with a signature on an affidavit of registration or an image thereof or a petition, but shall not permit a signature to be copied.
- (d) A governmental entity, or officer or employee thereof, shall not be held civilly liable as a result of disclosure of the information referred to in this section, unless by a showing of gross negligence or willfulness.
- (e) For the purposes of this section, "voter's household" is defined as the voter's place of residence or mailing address or any persons who reside at the place of residence or use the mailing address as supplied on the affidavit of registration pursuant to paragraphs (3) and (4) of subdivision (a) of Section 2150.
- (f) Notwithstanding any other law, information regarding voters who did not sign a vote by mail ballot identification envelope or whose signature on the vote by mail ballot identification envelope did not compare with the voter's signature on file shall be treated as confidential voter registration information pursuant to this section and Section 6254.4 of the Government Code. This information shall not be disclosed to any person except as provided in this section. Any disclosure of this information shall be accompanied by a notice to the recipient regarding Sections 18109 and 18540. Voter information provided pursuant to this subdivision shall be updated daily, include the name of the voter, and be provided in a searchable electronic format.

California Elections Code 18109. Misuse of Information; Misdemeanor.

- (a) It is a misdemeanor for a person in possession of information identified in Section 2138.5, or obtained pursuant to Article 5 (commencing with Section 2183) of Chapter 2 of Division 2 of this code or Section 7924.000 of the Government Code, knowingly to use or permit the use of all or any part of that information for any purpose other than as permitted by law.
- (b) It is a misdemeanor for a person knowingly to acquire possession or use of voter registration information from the Secretary of State or a county elections official without first complying with Section 2188.

California Business and Professions Code 17538.41. Advertising; Particular Offenses.

- (a) (1) Except as provided in subdivision (b), (c), (d), or (e), no person, entity conducting business, candidate, or political committee in this state shall transmit, or cause to be transmitted, a text message advertisement to a mobile telephony services handset, pager, or two-way messaging device that is equipped with short message capability or any similar capability allowing the transmission of text messages. A text message advertisement is a message, the principal purpose of which is to promote the sale of goods or services, or to promote a political purpose or objective, to the recipient, and consisting of advertising material for the lease, sale, rental, gift offer, or other disposition of any realty, goods, services, or extension of credit, or advertising material for political purposes.
- (2) This section shall apply when a text message advertisement is transmitted to a number assigned for mobile telephony service, pager service, or two-way messaging service to a California resident.
- (b) This section shall not apply to text messages transmitted at the direction of a person or entity offering mobile telephony service, pager service, or two-way messaging service if the subscriber is offered an option to not receive those text messages.
- (c) This section shall not apply to text messages transmitted by a business, candidate, or political committee that has an existing relationship with the subscriber if the subscriber is offered an option not to receive text messages from that business, candidate, or political committee.
- (d) This section shall not apply to text messages transmitted by an affiliate of a business that has an existing relationship with the subscriber, but only if the subscriber has provided consent to the business with which he or she has that relationship to receive text messages from affiliates of that business. "Affiliate" means any company that controls, is controlled by, or is under common control with, another company.
- (e) This section shall not apply to electronic mail messages that are forwarded, without the knowledge of the sender, to a mobile telephony services handset, pager, or two-way messaging device.
- (f) Subdivision (a) shall not impose an obligation on a person or entity offering mobile telephony service, pager service, or two-way messaging service to control the transmission of a text message unless the message is transmitted at the direction of that person or entity.
- (g) For purposes of this section, "mobile telephony service" means commercially available interconnected mobile phone services that provide access to the public switched telephone network (PSTN) via mobile communication devices employing radiowave technology to transmit calls, including cellular radiotelephone, broadband Personal Communications Services (PCS), and digital Specialized Mobile Radio (SMR).

California Government Code 7924.000. Voter Registration Information; Confidentiality.

(a) Except as provided in Section 2194 of the Elections Code, both of the following are confidential and shall not be disclosed to any person:

- (1) The home address, telephone number, email address, precinct number, or other number specified by the Secretary of State for voter registration purposes.
- (2) Prior registration information shown on an affidavit of registration.

(b) The California driver's license number, the California identification card number, the social security number, and any other unique identifier used by the State of California for purposes of voter identification shown on an affidavit of registration, or added to the voter registration records to comply with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), are confidential and shall not be disclosed to any person.

(c) The signature of the voter that is shown on an affidavit of registration is confidential and shall not be disclosed to any person.

(d) For purposes of this section, "home address" means street address only, and does not include an individual's city or post office address.

California Code of Regulations Title 2, Division 7, Chapter 1, Article 1. Access To Voter Registration Information

19001. Definitions.

As used in this Article, the following terms have the following meanings:

(a) "Agent" means a person authorized by a beneficiary to use voter registration information on that person's behalf including, but not limited to, employees and volunteers.

(b) "Applicant" means a person who completes and submits an application to a source agency for the purpose of obtaining voter registration information. If an applicant submits the application on their own behalf, they are also the beneficiary. If an applicant submits the application on behalf of another person, the other person is the beneficiary.

(c) "Beneficiary" means a person, including a vendor, who receives voter registration information either directly or indirectly from a source agency.

(d) "Person" includes any individual, firm, association, organization, partnership, business trust, committee, political organization, corporation, or company.

(e) "Source agency" means the Secretary of State or a county elections official, both of which maintain voter registration information and provide access to such information pursuant to Elections Code sections 2188 and 2194.

(f) "Specific voter registration record" means voter registration information of an individual named voter for whom the applicant provides all required identifying information such as date of birth. Specific voter registration information does not include requests of unidentified individuals meeting certain criteria, such as any voters living on a certain street in a certain city.

(g) "Vendor" means a person that obtains voter registration information from a source agency for another person's use, including, but not limited to, political parties, political campaigns, political committees, and data aggregators that prepare voter registration information for beneficiaries.

(h) "Voter registration information" means information on registered voters that may be provided to an authorized applicant by a source agency under the provisions of this Article, Elections Code section 2194, and Government Code section 6254.4. This information includes the following for each voter, to the extent that it is included in any individual voter's record: registration county, unique registration identification number, name, residential address, mailing address, phone number, email address, language preference, date of birth, gender, party preference, registration status, registration date, precinct, registration method, place of birth, registration status reason (reason for the most recent update to the registration), voting assistance request status, permanent vote-by-mail status, county voter identification number, and voting participation history (election date and voting method).

19002. Application of this Article.

(a) This Article shall apply to any person who directly or indirectly receives voter registration information from any source agency.

(b) This Article shall not apply to any voter requesting their own voter registration information through a publicly available voter record lookup tool. However, when a voter requests additional information about their own specific voter record than is available on such a tool, they must submit an application for specific voter registration record pursuant to this Article.

19003. Permissible Uses.

(a) Voter registration information obtained from a source agency shall be used solely for the following purposes:

(1) Election: for any person to communicate with voters in connection with an election by means that shall include, but shall not be limited to, the following:

- (A) Communicating with voters for or against any candidate or ballot measure in any election;
- (B) Communicating with voters regarding the circulation or support of, or opposition to, any recall, initiative, or referendum petition;
- (C) Surveying voters in connection with any specific election campaign or specific potential election campaign in which any voter registered to vote may vote;
- (D) Surveying voters in connection with an election-related exploratory committee;
- (E) Soliciting contributions or services as part of any election campaign on behalf of any candidate for public office or any political party or in support of or opposition to any ballot measure, initiative, or referendum petition.

(1) Scholarly: students working on theses, professors researching voting patterns, and other academics involved in research related to political or election activities.

(2) Journalistic: members of the press for any purpose related to political or election activities.

(3) Political: for any person to communicate with voters to influence public opinion related to political or election activities. The content of such communications shall include, but shall not be limited to: news and opinions of candidates, elections, education related to political matters, political party developments, ballot measures, initiatives, referendum positions, and related political matters.

(4) Governmental: Any request from a governmental agency or for a use related to a governmental function by means including, but not limited to:

- (A) Encouraging participation in the United States Census;
- (B) Conducting any survey of opinions of voters by any government agency or its contractors;
- (C) Any official use by any local, state, or federal governmental agency, which shall include use in connection with any judicial proceeding or investigation involving or being conducted by any local, state, or federal governmental agency.

(6) Record review: For any person to conduct an audit of voter

(b) The California driver's license number, the California identification card number, the social security number, and any other unique identifier used by the State of California for purposes of voter identification shown on an affidavit of registration, or added to the voter registration records to comply with the requirements of the federal Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.), are confidential and shall not be disclosed to any person.

(c) The signature of the voter that is shown on an affidavit of registration is confidential and shall not be disclosed to any person.

(d) For purposes of this section, "home address" means street address only, and does not include an individual's city or post office address.

registration lists for election, scholarly, journalistic, political, or governmental purposes. Record review includes, but is not limited to, detecting voter registration fraud, evaluating voter registration information accuracy, and evaluating compliance with applicable Federal and California laws.

(7) Vendor: By any vendor to compile and/or organize voter registration information for another person's use consistent with this Article.

(b) Requests for voter registration information for a purpose not specifically listed in subdivision (a), and not prohibited by section 19004, shall be evaluated for compliance with the Elections Code by the source agency.

(c) A source agency shall review each application for compliance with the Elections Code and this Article independent of decisions made on other applications.

19004. Impermissible Uses.

(a) Using voter registration information in a manner contrary to the authorized uses specified in Elections Code section 2194 is impermissible. Impermissible uses include, but shall not be limited to:

(1) Any communication for any personal, private, or commercial purpose other than for those purposes permitted by Section 19003.

VOTER FILE CODES AND REGULATIONS

- (2) Solicitation of contributions or services for any personal, private, or commercial purpose.
- (3) Conducting any survey of opinions of voters other than for those purposes permitted by Section 19003, subdivision (a).
- (4) Using the voter registration information to harass any voter or the voter's household, including, but not limited to, any conduct prohibited by Elections Code sections 18540 and 18543.
- (b) Voter registration information shall not be sent outside of the United States, as specified in Elections Code section 2188.5.
- (c) Notwithstanding section 19003, a source agency may reject a request for voter registration information based on a reasonable belief or determination that it is being requested for use in a manner prohibited by law, including, but not limited to, uses contrary to the prohibitions or authorized uses specified in Elections Code sections 2188.5 and 2194 or that is contrary to Elections Code section 10. An impermissible purpose may include requests for voter registration information for an impermissible purpose submitted for fraudulent purposes or in bad faith or for the purpose of harassing or defrauding a person or entity. In such instances, the source agency shall provide the applicant its reasons for refusal. An applicant whose application is rejected shall not be prohibited from filing a new application.

19005. Transfers.

- (a) Only a vendor may transfer voter registration information to another person, as described in subdivision (c).
- (b) A beneficiary, including a vendor, may share voter registration information with their agent(s) without prior written authorization from a source agency.
- (1) An agent may only use the voter registration information for the purposes specified in the approved application.
- (2) A beneficiary sharing voter registration information with an agent must exercise reasonable care that the agent uses the voter registration only for purposes approved by the source agency and report any unauthorized use as described in Section 19012 of this Article.
- (3) A beneficiary remains responsible for the actions of their agent with respect to the use of the voter registration information.
- (c) A vendor may provide voter registration information to another person, other than its agent as described in subdivision (b), only upon providing written notification to the Secretary of State.
- (1) This is intended to mean that the Secretary of State can approve the transfer of voter registration information obtained from both the Secretary of State and other source agencies.
- (2) This notification shall include the name, address, phone number, and email address of the person to whom the information is provided. If applicable, the notification shall also include the business name and address of the person to whom the information is provided.
- (3) A vendor that provides voter registration information to another person must share, in writing, the information security requirements in Section 19012 with that person and acknowledge, in writing, that they provided this information in the notification.

A vendor who fails to provide the notification or transfers voter registration information to another person for an impermissible purpose shall be issued a warning by the Secretary of State for the first violation. For a second violation, a vendor will be barred from providing voter registration information to any person for the remainder of that presidential election cycle, defined as the period beginning on a presidential election day through the next presidential election day.

1. This Article shall apply to any person who receives voter registration information from a vendor, as if that person had received the voter registration information directly from a source agency.

19006. Charges; Deposits.

- (a) The fee to obtain voter registration information from the Secretary of State is \$15.00 per one thousand records, up to a maximum of \$100.00. The minimum fee is \$15.00.
- (b) The fee to obtain a specific voter registration record is \$30.00 per record, up to a maximum of \$100.00. Each request for specific voter registration records is limited to 10 records.
- (c) A source agency (other than the Secretary of State) may designate the fee to obtain voter registration information and specific voter registration record(s).

19008. Application.

- (a) Every applicant shall execute and deliver to the source agency an application that contains all of the following information:
- (1) The full name of the applicant, and, if applicable, the full name of the beneficiary of the requested voter registration information.
- (2) The applicant's telephone and email address.
- (3) The applicant's complete business address.
- (4) The applicant's complete mailing address, if different from the business address.
- (5) If applicable, the complete business address of the beneficiary of the requested voter registration information.
- (6) The purpose(s) or type(s) of business, organization, or committee that the applicant represents.
- (7) The purpose(s) for which the request for voter registration information is made and the specific intended use(s) of this information or data in accordance with Section 19003.
- (A) If the intended use of the requested voter registration information is for political purposes, the applicant shall submit documentation establishing compliance with section 19003(a)(4), for example a letter establishing an affiliation with a political organization.
- (B) If the intended use of the requested voter registration information is for scholarly purposes, the applicant shall submit a letter from the representative of the institution (professor, administrator, etc.) on the institution's letterhead stating that the applicant is authorized to receive the information.

(C) If the intended use of the requested voter registration information is for journalistic purposes, the applicant shall submit a clear copy of the applicant's press pass or media credential. In the event the applicant does not have a press pass or media credential, the applicant shall submit other evidence that they are a journalist. The source agency shall determine whether submitted press passes, media credentials, or other evidence properly establish a journalistic purpose.

(8) A detailed explanation of how the requested voter registration information will be maintained securely and confidentially consistent with Section 19012.

(9) The type of information requested. Examples include voter history, precinct to district information, whether voter registration information is requested for a specific jurisdiction, and specific voter registration information.

(10) Shipping instructions for the source agency to deliver the requested voter registration information.

(11) If applicable, detailed identifying information on a specific voter for a request of a single voter's voter registration information.

(12) A completed agreement section, which contains spaces where the applicant must place their initials acknowledging the following statements:

(A) Applicant and beneficiary, if applicable, hereby agree that the information set forth in the voter registration information will be used for the approved purposes, consistent with state law, as defined by Elections Code section 2194, this Article, and Government Code section 6254.4.

(B) Applicant and beneficiary, if applicable, further agree not to sell, lease, loan, or deliver possession of the registration information, or a copy thereof, in any form or format, to any person, organization, or agency except as prescribed in Section 19005.

(C) Applicant and beneficiary, if applicable, agree to maintain information in a secure and confidential manner using the best practices identified in Section 19010 of this Article, and will notify the Secretary of State immediately of any violation, exposure, and/or breach of voter registration information or suspected violation, exposure, and/or breach of voter registration information and will cooperate with the Secretary of State's office or any investigative agency efforts related to any resulting investigation.

(D) Applicant and beneficiary, if applicable, understand that it is a misdemeanor for a person in possession of voter registration information to use or permit the use of all or any part of the information for any purpose other than is permitted by law.

(E) Applicant and beneficiary, if applicable, agree to pay the State of California, as compensation for any unauthorized use of each individual's registration information, a penalty as described in Section 19007 of this Article.

(b) The applicant shall certify the content of the application as to its truthfulness and correctness, under penalty of perjury, with the applicant's signature and the date and place of signing.

19009. Application Submission and Processing.

(a) The applicant must submit the completed application for voter registration information in the following manner:

(1) The applicant must deliver it to the source agency in person or by U.S. mail or other delivery/courier service. A wet signature is required on the application; therefore, a source agency shall not accept emailed and faxed applications for voter registration information.

(2) The applicant must include a clear copy of their current photo identification issued by a federal or state government agency with the completed application.

(3) The applicant must submit the appropriate fee with the completed application.

(b) All source agencies, including the Secretary of State, shall process applications in the following manner:

(1) The source agency shall process requests for voter registration information in the order received.

(2) The source agency shall log all applications received, including whether each application was approved or denied and the contact information of each applicant, and maintain in this log all applications received, at a minimum, in the past five years.

(3) If the application is denied, the source agency shall inform the applicant of the reasons for denial, and shall return all application materials, including any payment. Payment will not be processed for denied applications.

(A) The Secretary of State shall inform the applicant of the reasons for denial in writing. Other source agencies may, but are not required to inform the applicant of the reasons for denial in writing.

(c) Applicants may re-submit denied applications after addressing the reason(s) for denial.

19010. Requests for Specific Voter Records.

(a) If specific voter registration record(s) are requested, the source agency shall only use the exact information provided by the applicant to locate the record(s). The applicant shall provide as much detail as is possible, including, but not limited to, the full name, date of birth, and present and/or former residence address of the specific voter that is the subject of the request.

(b) The source agency will only use the exact information provided (full name, date of birth, county of residence, and residence address, etc.) to identify specific voter registration record(s).

(c) In the event there are insufficient details for the source agency to fulfill the request for a specific voter registration record, the source agency shall communicate that fact to the applicant to determine if additional criteria to identify the voter(s) is available.

(d) If the request cannot be filled, the source agency shall send a letter to the applicant stating such. Payment will not be processed for requests that cannot be filled.

(e) An applicant may request up to 10 specific voter registration records per application. A variant of a name shall be considered a part of one request.

19011. End User Technical Support

A source agency that provides voter registration information under this Article is not responsible for end-user technical support for processing purchased data or for assistance on converting provided data for usage.

19012. Requirements for Storage and Security of Voter Registration Information

(a) Any person who has directly or indirectly obtained voter registration information from a source agency must exercise due diligence in maintaining and securing the voter registration information in order to reduce the risk of information exposure and/or breach.

(b) Any person who has directly or indirectly obtained voter registration information from a source agency shall:

(1) Use a strong and unique password ("strong password hygiene") per account with access to the voter registration information or privileges to grant access.

(2) Apply security best practices, which includes the following:

for its retention and sanitized following National Institute of Standards and Technology (NIST) 800-88 Guidelines for media sanitization.

(F) Restrict physical access by not leaving your computer in places unlocked and unattended.

(G) Limit the use of portable devices. If a portable device is used, strong storage encryption procedures must be applied utilizing Federal Information Processing Standards (FIPS) 197, commonly referred to as "Advanced Encryption Standard" or "AES."

(H) Use wireless technology securely with Wi-Fi Protected Access 2 (WPA2) or better.

(c) In addition to the requirements set forth in (b) above, any vendor shall:

(1) Apply additional security best practices, which include the following:

(A) Use strong identity and access management, preferring multi-factor authentication for any and all privilege accounts and/or accounts with access to voter registration data.

(B) Initiate an account lockout after a pre-defined number of failed attempts, no more than 10. Any automated account unlock actions must wait no less than 30 minutes from the lockout event.

(C) Force password changes on a pre-defined basis, but not less than 365 days.

(D) Backups of voter registration information shall be securely stored separately and utilizing FIPS 197 encryption at rest.

(2) Implement security log management, which includes the following:

(A) Enable logging on all systems and network devices with sufficient information collection that answers the following:

(i) What activity was performed?

(ii) Who or what performed the activity, including where or on what system the activity was performed?

(iii) What activity was the action performed on?

(iv) What tool(s) were used to perform or performed the activity?
(v) What was the status, outcome, or results of the activity?

(B) Review log(s) regularly for any errors, abnormal activities and any system configuration changes.

(C) Securely store log files separately from the systems monitored, archived, and protect from unauthorized modification, access, or destruction.

(D) Use log monitoring tools to send real-time alerts and notifications.
(E) Utilize multiple synchronized United States-based time sources.

(3) Employ system hardening techniques, which include the following:
(A) Update and install all firmware and patches from a trusted and verifiable source.

(B) Use only the most up-to-date and certified version of vendor software.

(C) Install and maintain active malware and anti-virus software.

(D) Implement firewalls, also known as host-based firewalls, and/or port filtering tools with host-based intrusion protection services.

(E) Encrypt voter registration information using FIPS 197 at rest.

(F) Encrypt voter registration information in transit such as Transport Layer Security (TLS) 1.2 or better with a valid certificate and certificate chain.

(G) Do not use self-signed certificates.

(H) Conduct regular vulnerability scanning and testing for known or

(A) Obtaining training on security awareness to avoid social engineering and phishing attacks.

(B) Practice the principles of "least privilege" By restricting user access to the minimum need based on users' job necessity.

(C) Ensure user accounts are logged off or the session is locked after a period of inactivity, which shall be no more than 15 minutes.

(D) Remove, deactivate, or disable accounts or default credentials.

(E) Erase or wipe voter registration information that is no longer needed unknown weaknesses.

(I) Use application whitelisting on all endpoints and system

19013. Reporting Requirement for Unauthorized Use and Data Breaches

Any person who has obtained voter registration information from a source agency shall report detected unauthorized use, suspected breach, or denial of service attack on the voter registration information or the system containing the voter registration information to the Secretary of State Elections Division Help Desk within twenty-four (24) hours of discovery.