

APPLICATION FOR CONFIDENTIAL VOTER REGISTRATION INFORMATION

CALIFORNIA ELECTIONS CODE §§ 2188, 2194, 18109; GOVERNMENT CODE § 7924.000; CALIFORNIA
CODE OF REGULATIONS §§ 19001-19013; BUSINESS AND PROFESSIONS CODE § 17538.41



COUNTY OF SAN LUIS OBISPO OFFICE OF THE CLERK-RECORDER

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 Office of the Clerk-Recorder at 1055 Monterey St Suite D160, San Luis Obispo, CA 93408 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:** for any person to communicate with voters in connection with an election. CCOR § 19003(a)(1)
- **Scholarly:** students working on theses, professors researching voting patterns, and other academics involved in research related to political or election activities. CCOR § 19003(a)(2)
- **Journalistic:** members of the press for any purpose related to political or election activities. CCOR § 19003(a)(3)
- **Political:** for any person to communicate with voters to influence public opinion related to political or election activities. CCOR § 19003(a)(4)
- **Governmental:** Any request from a governmental agency or for a use related to a governmental function. CCOR § 19003(a)(5)
- **Record Review:** For any person to conduct an audit of voter. CCOR § 19003(a)(6)
- **Vendor:** By any vendor to compile and/or organize voter registration information for another person's use. CCOR § 19003(a)(7)

3. The Application **MUST** include an **ORIGINAL** signature and **ORIGINAL** initials.

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

4. Payment **MUST** be made prior to the confidential voter information being sent. **APPROVAL OF THE APPLICATION CAN TAKE UP TO 2 BUSINESS DAYS.** It is recommended you complete a credit card authorization form for payment to be ready after approval.

The cost of the file will be determined after approval of the application.

- A flat fee of \$52.00 dollars is applied to all confidential voter registration files.
- A fee of \$.50 per 1000 registered voters is applied after the flat fee.
- Data can be provided on a DVD for an additional \$1.00 fee and will take additional time to prepare and deliver.

5. A password **MUST** be provided to allow the file to be sent securely to the email address provided on the application after approval.

Data Format and Delivery: After approval of the application, the confidential voter registration file will be provided by email in an encrypted WinZip attachment. The password you provided on the application will open the encrypted WinZip attachment.

Minimizing Cyber Risk: You are receiving confidential voter information from the County of San Luis Obispo. It is your responsibility to keep this information secure. Review the Minimizing Cyber Risk – Receiving a Confidential Voter File Form attached to the application to ensure you are keeping this data secure.

End Use: Once the requested information is received, the San Luis Obispo County Clerk-Recorder is not responsible for end-user technical support for processing data (.txt) 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 San Luis Obispo County Clerk-Recorder.
- 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. EC § 18109

If the application is denied or missing any required information, the San Luis Obispo County Clerk-Recorder will reach out by email to explain why the request was denied or what information is missing.

Questions can be Directed to:

San Luis Obispo County Clerk-Recorder Elections Division
Phone: (805) 781-5228
Email: voterdatarequests@co.slo.ca.us

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COUNTY OF SAN LUIS OBISPO OFFICE OF THE CLERK-RECORDER

CONTACT INFORMATION OF APPLICANT:

Full Name of Applicant (First, Middle, Last)

Applicant's Email Address

Applicant's Phone Number

Applicant's Residence or Business Address (No PO Box)

Mailing Address (If Different than Above)

Driver's License or State Identification Card (ID #, State & Expiration Date)
A photocopy of the applicant's ID must be included with the application

IF OBTAINING INFORMATION ON BEHALF OF SOMEONE ELSE:

Full Name of Person/Group/Company/Committee/Organization/Association*

Full Name of Person Authorizing or Requesting Applicant to Obtain Voter Information

Email Address

Phone Number

Residence or Business Address (No PO Box)

*If you are obtaining information on behalf of someone else, check off the box(es) to the right indicating the type of business, organization or committee you represent

☐ Political Campaign/Committee

☐ Media

☐ Legal

☐ Investigation

☐ Academic

☐ Private Vendor

☐ Governmental

☐ Other _____

PURPOSE OF INFORMATION REQUESTED:

☐ ELECTION - CCOR § 19003(a)(1)

☐ SCHOLARLY - CCOR § 19003(a)(2)

☐ JOURNALISTIC - CCOR § 19003(a)(3)

☐ POLITICAL - CCOR § 19003(a)(4)

☐ GOVERNMENTAL - CCOR § 19003(a)(5)

☐ RECORD REVIEW - CCOR § 19003(a)(6)

☐ VENDOR - CCOR § 19003(a)(7)

EXPLAIN IN DETAIL THE INTENDED USE OF THIS INFORMATION IN ACCORDANCE WITH CCOR § 19003

(If more space is needed, attach an additional page to application)

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COUNTY OF SAN LUIS OBISPO OFFICE OF THE CLERK-RECORDER

ALL files with voter information will be password protected. Please provide a password that you will remember. PASSWORD: _____

☐ VOTER DATA EXTRACT - MVMJ004 (.TXT FILE)

☐ ALL PARTIES

☐ SPECIFIC PARTY/PARTIES: _____

JURISDICTION (Specify Countywide, District Name, City Name/District, Precincts(s))

INCLUDE VOTER HISTORY:

☐ SINGLE FILE (Up to 5 Elections ONLY)

☐ SEPARATE FILES (For ALL History)

SPECIFIC ELECTION(S) REQUESTED (Specify Election(s) or 5 Most Recent Elections)

☐ VOTE BY MAIL EXTRACT - AVMJ010 - GENERATE BY ISSUE DATE (.TXT FILE)

☐ VOTE BY MAIL EXTRACT - AVMJ011 - GENERATE BY RETURN DATE (.TXT FILE)

☐ ALL PARTIES

☐ SPECIFIC PARTY/PARTIES: _____

JURISDICTION (Specify Countywide, District Name, City Name/District, Precincts(s))

☐ INCLUDE MAIL BALLOT PRECINCT VOTERS

☐ EXCLUDE RETURNS (This ONLY Applies to AVMJ010)

SPECIFIC ELECTION(S) REQUESTED

OTHER EXTRACTS/JOBS/REPORTS AVAILABLE:

☐ PRECINCT INDEX BY DISTRICT - WALKING LIST - MVMR010 (.PDF FILE)

☐ CHALLENGED SIGNATURE FILE - AVMR171 (.PDF FILE)

JURISDICTION (Specify Countywide, District Name, City Name/District, Precincts(s))

SPECIFIC ELECTION(S) REQUESTED

IF UNSURE OR WANTING A CONFIDENTIAL VOTER REGISTRATION INFORMATION FILE NOT LISTED ABOVE, PLEASE USE THE SPACE BELOW TO DESCRIBE IN DETAIL INFORMATION REQUESTED:

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COUNTY OF SAN LUIS OBISPO OFFICE OF THE CLERK-RECORDER

(initial here) Applicant and beneficiary, if applicable, hereby agree that the information set forth in the voter registration records will be used for the approved purposes, consistent with state law, as defined by California Elections Code § 2194, California Code of Regulations § 19003, and Government Code § 6254.4.

(initial here) Applicant and beneficiary, if applicable, further agree not to sell, lease, loan, or deliver possession of the registration information, or a copy thereof, or any portion thereof, in any form or format, to any person, organization, or agency without first submitting a new application and receiving written authorization from the Secretary of State to release such registration information.

(initial here) Applicant and beneficiary, if applicable, agree to maintain information in a secure and confidential manner and notify the Secretary of State immediately of any violation or breach.

(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 as permitted by law. California Elections Code § 18109

(initial here) Applicant and beneficiary, if applicable, agree to pay to the State of California, as compensation for any unauthorized use of each individual's registration information, an amount equal to the sum of fifty cents (\$.50) multiplied by the number of times each registration record is used by the applicant and/or the beneficiary, if applicable, in an unauthorized manner. California Code of Regulations §§ 19001-19009

(initial here) Applicant and beneficiary, if applicable, has received and read the applicable **Elections Codes**, the applicable **California Code of Regulations** and **Minimizing Cyber Risk – Receiving a Confidential Voter File** document attached to this application.

FOR OFFICE USE ONLY

California Code of Regulations § 19009(2) states applicants must include a clear copy of their ID with application.

ID CHECKED BY: _____

RECEIPT #: _____

NUMBER OF VOTERS: _____

TOTAL COST: _____

☐ Approved

☐ Denied

DATE COMPLETED: _____

VERIFIED BY: _____

The aforementioned voter registration information set forth in Affidavits of Registration or derived from computer terminals, electronic data processing tapes or disks, printed labels, and/or computer-printed listings will be used only for election, scholarly, journalistic, political, or governmental purposes as determined by the Secretary of State and in accordance with Elections Code §§ 2188 and 2194. The information (or a portion or copy thereof) will not be sold, leased, loaned, or given to any person, organization, or agency, without first receiving written authorization to do so from the Secretary of State or the County Elections Official.

I certify, under penalty of perjury, that the information on this form is true and correct under the laws of the State of California:

DATE: _____

PLACE OF SIGNING: _____

SIGNATURE (of Applicant): _____

APPLICABLE ELECTIONS CODE SECTIONS – CALIFORNIA ELECTIONS CODE

California Elections Code § 2188:

- (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 § 2188.3:

A person or entity who has received voter registration information pursuant to an application made under Section 2188 shall, following discovery or notification of a breach in the security of the storage of the information, disclose the breach in security to the Secretary of State. The disclosure shall be made in the most expedient time possible and without unreasonable delay.

California Elections Code § 2188.5:

- (a) A person who requests voter information pursuant to Section 2188 or who obtains signatures or other information collected for an initiative, referendum, political party qualification, or recall petition shall not send that information outside of the United States or make it available in any way electronically to persons outside the United States, including, but not limited to, access over the Internet.
- (b) For purposes of this section, "United States" includes each of the several states of the United States, the District of Columbia, and the territories and possessions of the United States.

California Elections Code § 2194:

- (a) Except as provided in Section 2194.1, the affidavit of voter registration information identified in Section 6254.4 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:

(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 6254.4 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. (Amended by Stats. 2015, Ch. 728, Sec. 85. Effective January 1, 2016. Conditionally operative as prescribed by Stats. 2015, Ch. 728, Sec. 88.)

California Elections Code § 18110:

(a) For purposes of this section, "home address" means only street address and does not include an individual's city or post office address. (b) Any person or public entity who, in violation of Section 2194, discloses the home address or telephone number listed on a voter registration card of any of the following individuals is guilty of a misdemeanor: (1) An active or retired peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code. (2) An employee of a city police department or a county sheriff's office. (3) The spouse or children of the individuals specified in paragraphs (1) and (2) who live with those individuals. (c) Any person or public entity, who in violation of Section 2194, discloses the home address or telephone number listed on a voter registration card of any individual specified in paragraph (1), (2), or (3) of subdivision (b), and that violation results in bodily injury to any of those individuals, is guilty of a felony. (Added by Stats. 1994, Ch. 1207, Sec. 9. Effective January 1, 1995.)

APPLICABLE ELECTIONS CODE SECTIONS – CALIFORNIA CODE OF REGULATIONS

CALIFORNIA CODE OF REGULATIONS TITLE 2. ADMINISTRATION DIVISION 7. SECRETARY OF STATE CHAPTER 1. VOTER REGISTRATION

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).

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188 and 2194, Elections Code.

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.

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4, 12172.5, Government Code. Reference: Sections 2188, 2194, Elections Code.

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.

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

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

4. 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.

5. 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 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.

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188 and 2194, Elections Code.

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.

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.

Note: Authority cited: Sections 2188.2 and 2188.5, Elections Code; Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188 and 2194, Elections Code.

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.

19005. Transfers.

1. An agent may only use the voter registration information for the purposes specified in the approved application.

APPLICABLE ELECTIONS CODE SECTIONS – CALIFORNIA CODE OF REGULATIONS

2. LA 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.

4. 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.

5. 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.

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188 and 2194, Elections Code.

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).

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4, 12172.5, Government Code. Reference: Sections 2188, 2194, Elections Code.

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.

Note: Authority cited: Sections 2188.2 and 2188.3, Elections Code; Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188, 2194, and 18109, Elections Code.

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.

APPLICABLE ELECTIONS CODE SECTIONS – CALIFORNIA CODE OF REGULATIONS

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.

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188 and 2194, Elections Code.

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.

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4, 12172.5, Government Code. Reference: Sections 2188, 2194, Elections Code.

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.

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4 and 12172.5, Government Code. Reference: Section 2194, Elections Code.

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:

(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 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 unknown weaknesses.

(I) Use application whitelisting on all endpoints and systems.

Note: Authority cited: Section 2188.2, Elections Code; Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188 and 2194, Elections Code.

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.

Note: Authority cited: Section 2188.3, Elections Code. Reference: Sections 2188 and 2194, Elections Code.

APPLICABLE ELECTIONS CODE SECTIONS – OTHER APPLICABLE CODES

California Business and Professions Code § 17538.41

(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

(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.

MINIMIZING CYBER RISK – RECEIVING A CONFIDENTIAL VOTER FILE

You are receiving confidential voter information from the County of San Luis Obispo. Please note that the provided information is confidential and may only be used for election, scholarly, journalistic, political or governmental purposes. Please be aware that you are responsible for keeping this information secure.

Political parties, candidates and elections administrators cannot be alone in the fight against malicious actors who seek to undermine our elections. As political campaigns and organizations are targets of cyber threats, they too have a role and responsibility in defending our democracy. **Your actions are critical in maintaining public trust in our elections** and minimizing the threat of cyber incidents.

As an integral part of protecting our democracy, we wish to remind you to take preventative measures to reduce the likelihood and severity of cyber incidents.

Recognized Best Practices for Minimizing Risk:

1. Establish an information security framework that allows your team to identify threats, create safeguards, detect incidents, respond quickly, and recover with resilience.
2. Control access to data and information systems; monitor vendors, contractors, and employees; and know what your users are doing with your data.
3. Beware of social engineering attempts, such as phishing emails, aimed at acquiring confidential or personal information from phone, email or other communications.
4. Educate your employees and volunteers on cybersecurity best practices, including how to recognize a phishing email, creating and maintaining strong passwords or passphrases, utilizing two-factor authentication, and avoiding dangerous applications.
5. Ensure your software and hardware security is up to date and properly configured.
6. Monitor user activity.
7. Back up your data.
8. Run regular security audits, assessments, and penetration testing; and
9. Monitor social media for false or misleading election information. Report such posts to social media platforms to the **California Secretary of State's Office of Election Cybersecurity** at cybersecurity.sos.ca.gov.

Other Resources:

- Harvard Kennedy School's Belfer Center for Science and International Affairs published **The Cybersecurity Campaign Playbook** in 2018, which provides information and strategies for keeping campaigns secure.
- The Department of Homeland Security's (DHS) Cybersecurity and Infrastructure Security Agency (CISA) provides services such as cybersecurity assessments, detection and prevention of threats, and information sharing and awareness. <https://www.dhs.gov/cisa/election-security>.
- The Global Cyber Alliance (GCA) offers several free toolkits to help election officials mitigate cyber risks. <https://gcatoolkit.org/elections/>.

If You Detect Suspicious Activity:

In the event you observe or detect any suspicious activity, please alert law enforcement officials immediately and please contact the San Luis Obispo County Clerk-Recorder's office or the Secretary of State's office with any important information. As a reminder, state law requires any entity that has access to voter data from the Secretary of State's office to report a breach of this information to the appropriate office as quickly as possible.



COUNTY OF SAN LUIS OBISPO
OFFICE OF THE CLERK-RECORDER

County Clerk-Recorder

CREDIT CARD AUTHORIZATION FORM

Credit Cards Accepted: Visa, MasterCard, Discover

I hereby authorize the Office of the County Clerk-Recorder to charge the following credit card for payment of the following requested service:

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Birth Record | <input type="checkbox"/> Death Record | <input type="checkbox"/> Marriage Record | <input type="checkbox"/> Voter Information |
| <input type="checkbox"/> Official Records | <input type="checkbox"/> Fictitious Business Name Statement | <input type="checkbox"/> Other | |

Applicant Name: _____

Phone Number: (_____) _____ E-mail: _____
(optional)

Card Holder Information:

Name as it appears on Credit Card: _____

Credit Card #: _____ Exp Date: ____ / ____
(mm/yy)

Billing Address: _____

City: _____ State: _____ Zip: _____

Cardholder's Contact Phone Number: (_____) _____

Cardholder Signature: _____ Date: ____ / ____ / ____
(mm/dd/yyyy)

**** \$1.49 service charge fee per transaction ****

Note: This credit card authorization form will be kept on file for 60 days from the date of service. Any disputed charges in conjunction with this request, shall be made within 45 days from the date of service.

OFFICE USE ONLY
RECEIPT #: _____