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AB-1392 Elections: voter registration information: elected officials and candidates. (2025-2026)





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Assembly Bill No. 1392

CHAPTER 300

An act to amend Sections 2194, 2227, 8040, 8600, and 10226.3 of, and to add Section 2166.9 to, the Elections Code, relating to elections.

[Approved by Governor October 03, 2025. Filed with Secretary of State October 03, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1392, Sharp-Collins. Elections: voter registration information: elected officials and candidates.

Under existing law, the residence address, telephone number, and email address of a registered voter is confidential, except that under certain circumstances a county elections official must provide that information to any candidate for federal, state, or local office, to any committee for or against any initiative or referendum measure, and to any person for election, scholarly, journalistic, political, or governmental purposes.

This bill would exempt the residence address, telephone number, and email address of a federal, state, or local elected official or candidate from that disclosure requirement, except that the information may be disclosed for journalistic or governmental purposes under specified conditions. The bill would require the Secretary of State to provide each county elections official with a list identifying each federal and state elected official or candidate residing in the county, require the county elections official to add each local elected official or candidate to that list, and require the county elections official to make the elected official or candidate's information confidential within 5 business days. The bill would require the county elections official to exclude the elected official or candidate's confidential information when producing any list, roster, or index. The bill would require an elected official or candidate to contact their county elections official to ensure their voter registration record has been made confidential. The bill would authorize an elected official or candidate to opt out of making their residence address, telephone number, and email address confidential. By adding new duties for county elections officials, this bill would create a state-mandated local program.

This bill would incorporate additional changes to Section 2194 of the Elections Code proposed by AB 827 to be operative only if this bill and AB 827 are enacted and this bill is enacted last.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 2166.9 is added to the Elections Code, to read:

- **2166.9.** (a) For purposes of this section, "elected official or candidate" means a federal, state, or local elected official or a candidate for an elected federal, state, or local office.
- (b) An elected official or candidate shall have their residence address, telephone number, and email address appearing on the affidavit of registration made confidential in accordance with the terms and conditions of this section.
- (c) (1) When a person files nomination papers for an elected federal or state office, the Secretary of State shall provide to each county elections official a list identifying each elected official or candidate residing in each respective county.
 - (2) When a person files nomination papers for an elected local office, the county elections official shall add that individual's name to a list identifying each elected official or candidate residing in that county. The county elections official shall periodically update the list for each election cycle.
 - (3) Within five business days of receipt of the list described in paragraph (1) or, for an office for which nomination papers are filed with the county elections official, within five business days of the filing of nomination papers with the county elections official, the county elections official shall make confidential that elected official or candidate's residence address, telephone number, and email address appearing on the affidavit of registration.
- (d) (1) The county elections official, in producing any list, roster, or index, shall exclude voters with a confidential voter status pursuant to this section.
 - (2) Within 60 days of moving to a new county, if available in the new county, the elected official or candidate shall apply for confidential voter status pursuant to this section. The elections official of the new county, upon notice of the confidential voter moving into the county, shall do all of the following:
 - (A) Contact the confidential voter and provide information regarding the application for confidential voter status in the new county.
 - (B) Honor the confidential voter status from the former county for 60 days from the date of notice.
 - (C) Pursuant to paragraph (1), exclude the confidential voter in any list, roster, or index during the 60-day period.
 - (D) Remove the confidential voter status if the new voter has not obtained or cannot obtain confidential voter status pursuant to this section in the new county during the 60-day period.
- (e) An elected official or candidate shall contact their county elections official to ensure their voter registration record has been made confidential in accordance with the terms and conditions of this section.
- (f) An elected official or candidate's residence address, telephone number, and email address shall remain confidential until, for an elected official, the official no longer holds the office or, for a candidate, the winning candidate takes office.
- (g) A county or county elections official shall not be liable for taking or failing to take the actions described in this section when the county or county elections official has received erroneous information from the Secretary of State.
- (h) An action in negligence shall not be maintained against any government entity or officer or employee thereof as a result of the disclosure of the information that is the subject of this section, except by a showing of gross negligence or willfulness.
- (i) An elected official or candidate holding office as of the effective date of this section shall contact their county elections official to ensure their voter registration record has been made confidential in accordance with the terms and conditions of this section. County elections officials shall make the elected official's information confidential when contacted by the elected official or candidate.
- (j) (1) A candidate who does not wish to have confidential voter status may opt out when completing their candidate filing statement provided by a county elections official.
 - (2) (A) An elected official who wishes to opt out of confidential voter status may submit a letter to the county elections official declaring their decision to be exempt from the requirements of this section.

- (B) A request pursuant to subparagraph (A) shall include the elected official's full name, voter registration address, and a clear statement that they wish to opt out of having their residence address, telephone number, and email address made confidential pursuant to this section.
- (C) Upon receipt of the request, the county elections official shall remove the confidential designation from the individual's voter registration record within five business days.
- (D) The county elections official shall notify the Secretary of State and any other relevant local elections officials of the decision to opt out within five business days of processing the request.
- (E) An elected official who opts out may reapply for confidential voter status at any time while serving in or running for office, and confidential voter status shall be reinstated in accordance with this section upon receipt of the request.
- (k) (1) Notwithstanding any other law, an elected official or candidate's residence address, telephone number, and email address made confidential pursuant to this section may be disclosed only for bona fide journalistic or governmental purposes. A person seeking an elected official or candidate's confidential residence address, telephone number, and email address for a journalistic purpose pursuant to this section shall apply to the Secretary of State or to a county elections official as specified in paragraph (2).
 - (2) (A) A person seeking a federal or state elected official or candidate's confidential residence address, telephone number, and email address for journalistic purposes shall submit all of the following to the Secretary of State:
 - (i) A completed California Voter Registration File Request application.
 - (ii) A letter of authorization or affiliation from the media outlet that the person represents. If the person submitting the request is a member of the media, a press pass may be submitted in lieu of a letter of authorization.
 - (iii) A declaration under penalty of perjury attesting to the intended journalistic use of the information.
 - (B) A person seeking a local elected official or candidate's confidential residence address, telephone number, and email address for journalistic purposes shall submit requests to the county elections official or other local elections official.
 - (C) A county elections official shall process a request for a local elected official or candidate's confidential residence address, telephone number, and email address for journalistic purposes consistent with the requirements of regulations promulgated by the Secretary of State.
 - (D) The county elections official shall retain records of all requests for, and disclosures of, a local elected official or candidate's confidential residence address, telephone number, and email address for journalistic purposes. The county elections official may reject a request that does not clearly adhere to the requirements of this subdivision.
 - (3) For purposes of this chapter, "journalistic purposes" shall be interpreted in a manner consistent with subdivision (b) of Section 2 of Article I of the California Constitution.
- SEC. 2. Section 2194 of the Elections Code is amended to read:
- **2194.** (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, 2166.8, 2166.9, 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 7924.000 of the Government Code. This information shall be provided with respect to any voter, subject to the provisions of Sections 2166, 2166.5, 2166.7, 2166.8, 2166.9, 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, but otherwise shall not be disclosed to any person. 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.
- SEC. 2.5. Section 2194 of the Elections Code is amended to read:
- **2194.** (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, 2166.8, 2166.9, 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 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) (1) 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 7924.000 of the Government Code. This information shall be provided with respect to any voter, subject to the provisions of Sections 2166, 2166.5, 2166.7, 2166.8, 2166.9, 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, but otherwise shall not be disclosed to any person. Any disclosure of this information shall be accompanied by a notice to the recipient regarding Sections 18109 and 18540.
 - (2) 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. The daily update shall also include, as applicable, information regarding whether a form has been received from the voter to verify their signature pursuant to subdivision (d) of Section 3019, whether a form has been received or the voter has otherwise provided a signature pursuant to subdivision (e) of Section 3019, and whether the signature provided pursuant to subdivision (d) or (e) of Section 3019 did or did not compare.
- SEC. 3. Section 2227 of the Elections Code is amended to read:
- **2227.** (a) In lieu of mailing a residency confirmation postcard, as prescribed in subdivision (a) of Section 2220, the county elections official may contract with a consumer credit reporting agency or its licensees to obtain use of change-of-address data in accordance with this section.
- (b) If the county elections official contracts with a consumer credit reporting agency or its licensees pursuant to subdivision (a), all of the following shall occur:
 - (1) For each registered voter in the county, the county elections official shall initiate a search for change-of-address data with the consumer credit reporting agency or its licensees by providing the name and residence address of each registered voter in the county to the consumer credit reporting agency or its licensees.
 - (2) The consumer credit reporting agency or its licensees shall search their databases for each name and address provided by the county elections official and shall report to the county elections official any information indicating that the registered voter changed the voter's residence address.
- (c) (1) Notwithstanding Section 2194 of this code or Section 7924.000 of the Government Code, and except as provided in paragraph (2), a county elections official may disclose a registered voter's name and residence address to a consumer credit reporting agency or its licensees pursuant to, and in accordance with, this section.
 - (2) A county elections official shall not disclose to a consumer credit reporting agency or its licensees the name and residence address of a registered voter if that information is deemed confidential pursuant to Section 2166, 2166.5, 2166.7, 2166.8, or 2166.9 of this code, or Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code.
- (d) A consumer credit reporting agency or its licensees shall use the information provided by a county elections official only pursuant to paragraph (2) of subdivision (b), and shall not retain any information received from the county elections official pursuant to this section.

(e) Based on change-of-address data received from a consumer credit reporting agency or its licensees, the county elections official shall send a forwardable notice, including a postage-paid and preaddressed return form, which may be in the form of a postcard, to the registered voter to enable the voter to verify or correct address information. The forwardable notice shall be in substantially the following form:
"We have received notification that you have moved to a new residence address in County. You will remain registered to vote at your old address unless you notify our office that the address to which this card was mailed is a change of your permanent residence. Please notify our office in writing by returning the attached postage-paid postcard. If this is not a permanent residence, and you do not wish to change your address for voting purposes, please disregard this notice."
(f) The county elections official shall take all of the following actions as appropriate:
(1) If a voter responds to the forwardable notice sent pursuant to subdivision (e) or otherwise verifies in a signed writing that the voter has moved to a new residence address in California, the county elections official shall verify the signature on the response by comparing it to the signature on file for the voter and, if appropriate, immediately update the voter's registration record with the new residence address.
(2) If a voter does not respond to the forwardable notice sent pursuant to subdivision (e) and does not otherwise verify in a signed writing that the voter has moved to a new residence address, the elections official shall not update the status of the voter's registration to inactive or cancel the voter registration.
(g) For purposes of this section, "consumer credit reporting agency" has the same meaning as set forth in subdivision (d) of Section 1785.3 of the Civil Code. SEC. 4. Section 8040 of the Elections Code is amended to read:
8040. (a) The declaration of candidacy by a candidate shall be substantially as follows:
DECLARATION OF CANDIDACY
I hereby declare myself a candidate for nomination to the office of District Number to be voted for at the primary election to be held, 20, and declare the following to be true: My name is . I want my name and occupational designation to appear on the ballot as follows:
Addresses: Residence
Business
Mailing
Telephone numbers: Day Evening
Internet website:
I meet the statutory and constitutional qualifications for this office (including, but not limited to, citizenship, residency, and party preference, if required).
I am at present an incumbent of the following public office
(if any)
If nominated, I will accept the nomination and not withdraw, except as permitted by state law.
Signature of candidate
A candidate for voter-nominated office shall also complete all of the following:
(1) I hereby certify that:
(a) At the time of presentation of this declaration, as shown by my current affidavit of registration, I have disclosed the following political party preference, if any:
(b) My complete voter registration and party affiliation/preference history, from [10 years prior to current year] through the date of signing this document, is as follows:

(A) Candidate's name.

(B) Residence address.

(C) A declaration stating that they are a write-in candidate.

- (D) The title of the office for which they are running.
- (E) The party nomination which they seek, if running in a partisan primary election.
- (F) The date of the election.

County of

) ss.

- (G) A certification of the candidate's complete voter registration and party affiliation/preference history for the preceding 10 years, or for as long as they have been eligible to vote in the state if less than 10 years, if running for a voter-nominated office.
- (H) For any of the offices described in Section 13.5, a statement that the candidate meets the statutory and constitutional requirements for that office as described in that section.
- (2) The requisite number of signatures on the nomination papers, if any, required pursuant to Sections 8062, 10220, and 10510, or, in the case of a special district not subject to the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10), the number of signatures required by the principal act of the district.
- (b) Notwithstanding any other provision of law, a person may not be a write-in candidate at the general election for a voter-nominated office.
- (c) A write-in candidate shall have their residence address, telephone number, and email address appearing on the affidavit of registration made confidential in accordance with the terms and conditions of Section 2166.9. If a candidate does not state the candidate's residence address on the statement of write-in candidacy, the elections official shall verify whether the candidate's address is within the appropriate political subdivision and add the notation "verified" where appropriate on the declaration.

SEC. 6. Section 10226.3 of the Elections Code is amended to read:

10226.3. (a) The declaration of candidacy by a candidate shall be substantially as follows:

DECLARATION OF CANDIDA	CY		
election to be held, My name is .	idate for nomination to the office of		
Addresses: Residence			
Business			
Mailing			
Telephone numbers: Day			
I meet the statutory and consti	tutional qualifications for this office (includin	g, but not limited to, citiz	enship, and residency).
I am at present an incumbent of	of the following public office		
(if any)			
If nominated, I will accept the r	nomination, and if elected, I will accept the o	office.	
Signature of candidate			
A Notary Public or other officer completing this certificate verifically the identity of the individual who signed the document to withis certificate is attached, and the truthfulness, accuracy, or validity of that document.	es al hich		
State of California)			

Subscribed and sworn to before me this da	ay of, 20)
Signature of Notary Public (or other official) Notary Public Seal		
Examined and certified by me this da	ay of, 20	D
County Elections Official		

)

WARNING: Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any declaration of candidacy in the person's possession which is entitled to be filed under the provisions of the Elections Code Section 18202.

- (b) At the discretion of the elections official, a candidate for any office whose voter registration information is confidential under Section 2166, 2166.5, 2166.7, 2166.8, or 2166.9 may withhold the candidate's residence address from the declaration of candidacy. If a candidate does not state the candidate's residence address on the declaration of candidacy, the elections official shall verify whether the candidate's address is within the appropriate political subdivision and add the notation "verified" where appropriate on the declaration.
- (c) If a candidate will not be within the State of California within the entire nomination period and is unable to appear before a notary public appointed by the Secretary of State or other state official to complete their declaration of candidacy, the candidate may appear before a notary public in another state to complete the declaration of candidacy. The candidate shall attach to their declaration of candidacy a notarial certificate from the out-of-state notary that complies with the law of the notary's state.
- **SEC. 7.** Section 2.5 of this bill incorporates amendments to Section 2194 of the Elections Code proposed by both this bill and Assembly Bill 827. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 2194 of the Elections Code, and (3) this bill is enacted after Assembly Bill 827, in which case Section 2 of this bill shall not become operative.
- **SEC. 8.** The Legislature finds and declares that Section 1 of this act, which adds Section 2166.9 to the Elections Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

In order to ensure the safety of elected officials and candidates for elective office, it is necessary to make the residence address, telephone number, and email address listed on the affidavit of voter registration for an elected official or candidate confidential.

SEC. 9. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.