

INFORMATION AND GUIDELINES: VOTER REGISTRATION FILE REQUEST

(CALIFORNIA ELECTIONS CODE §§ 2188, 2194, 18109; GOVERNMENT CODE § 6254.4; CALIFORNIA CODE OF REGULATIONS §§ 19001-19013)



County of Monterey

Monterey County Elections
1441 Schilling Place- North
Building Salinas, CA 93901
(831) 796-1499
www.montereycountyelections.us

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 Monterey County Elections at 1441 Schilling Place-North Building Salinas, CA 93901.

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 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

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.

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 19001-19013.

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. Monterey County Elections 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 2-3 business days to review and process. Monterey County Elections will determine whether the application is complete and whether state law permits the proposed use of the voter registration information. Applicant will be contacted to discuss the cost of the request.

Data format: If the application is approved, requests are distributed on a secure thumb drive or a secure downloadable file. Please note that some districts may not be included in the file if we are in the process of redistricting at the time the data was extracted.

End use: Once the requested information is received, Monterey County Elections 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. A detailed description of the specific intended use(s) of the data is required in order for Monterey County Elections to determine if such use is permissible. Any application that refers to "any other lawful use" will be rejected.

Prohibitions:

- Using the data for an unapproved purpose;
- 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 or Monterey County Elections;
- Using the data to harass any voter or voter's household;
- Using the data for any commercial, advertising, or marketing purposes; or
- Leaving the voter data unsecured and publicly available Online or offline.

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

If the application is denied, Monterey County Elections will send a letter to the applicant explaining why the request was denied and return all application materials.

Questions can be directed to:

Monterey County Elections
Phone: (831) 796-1499
Email: elections@co.monterey.ca.us

APPLICATION: CALIFORNIA VOTER REGISTRATION FILE REQUEST



County of Monterey
 Monterey County Elections
 1441 Schilling Place- North
 Building Salinas, CA 93901
 (831) 796-1499
 www.montereycountyelections.us

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

Provide (1) a detailed description of the specific intended use(s) of this information/data (any application that refers to "any other lawful use" will be rejected) and (2) describe 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"/> Scholarly Research
<input type="checkbox"/> Initiative/Referendum | <input type="checkbox"/> Recall
<input type="checkbox"/> Governmental
<input type="checkbox"/> Other _____ |

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 records will be used for the approved purposes, consistent with state law, as defined by Elections Code section 2194, California Code of Regulations section 19001-19013, and Government Code section 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. (Elections Code section 18109)

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

For Office Use Only

Date Complete

Identification Provided

Verified By

Amount Due

Receipt/ Check Number

Date Paid

Date Picked Up

VOTER FILE CODES AND REGULATIONS

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. (Not Full Text)

- (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.

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 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.

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.

Government Code 6254.4. Voter Registration Information; Confidentiality.

- a) The home address, telephone number, email address, precinct number, or other number specified by the Secretary of State for voter registration purposes, and prior registration information shown on the affidavit of registration, is confidential and shall not be disclosed to any person, except pursuant to Section 2194 of the Elections Code.
- (b) For purposes of this section, "home address" means street address only, and does not include an individual's city or post office address.
- (c) 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 (42 U.S.C. Sec. 15301 et seq.), are confidential and shall not be disclosed to any person.
- (d) The signature of the voter that is shown on the affidavit of registration is confidential and shall not be disclosed to any person.

Elections Code 18540.

- (a) Every person who makes use of or threatens to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.
- (b) Every person who hires or arranges for any other person to make use of or threaten to make use of any force, violence, or tactic of coercion or intimidation, to induce or compel any other person to vote or refrain from voting at any election or to vote or refrain from voting for any particular person or measure at any election, or because any person voted or refrained from voting at any election or voted or refrained from voting for any particular person or measure at any election is guilty of a felony punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.

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.
 - (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.
- (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.
 - (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.
 - (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.

VOTER FILE CODES AND REGULATIONS

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; and Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188 and 2194, Elections Code.

19007. Penalties (Repealed)

19008. Application(Text Omitted)

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. Request 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; and Sections 6254.4 and 12172.5, Government Code. Reference: Sections 2188 and 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.

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) Obtain 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.

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.