



# Registrar of Voters

## Application for Pre-Election Recurring Vote By Mail File

### 1. Personal information

Name: \_\_\_\_\_  
*Last Name* *First Name* *Middle Initial*

Driver's License or ID: \_\_\_\_\_  
*Number* *State* *(Verified by)*

Residence Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_  
*Personal* *Business*

### 2. If this request is on behalf of another person or organization, complete this section

Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Person Authorizing Request: \_\_\_\_\_ Phone Number: \_\_\_\_\_

### 3. Statement of Intended Use

Intended Use of Information Requested: \_\_\_\_\_

I certify, under penalty of perjury, that the information provided in this application is true and correct. I further agree that the information obtained:

- Shall be used for election, political, scholarly, journalistic or governmental purposes only.
- Shall not be used for any personal, private, or commercial purposes.
- Shall not be sold, leased, or loaned to any other person without written authorization from the Elections Office.
- Shall not be sent or made available in any way to persons outside of the United States, including, but not limited to, access over the internet.

Any person who knowingly discloses, uses, or permits the use of all or any part of this information for any purpose other than as permitted by law is guilty of a misdemeanor, or potentially a felony, and may be subject to fines, imprisonment, or both.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ City where signed: \_\_\_\_\_

## 4. Recurring Vote by Mail Request Form

A. Select product

**Countywide Pre-Election Recurring Vote by Mail File:**

A list of mail ballot voters in San Bernardino County who have been issued or returned a mail ballot for a specific election.

- o Price: \$ 101.00 (all files created for the entire election cycle)

**Customized Pre-Election Recurring Vote by Mail File:**

A list of mail ballot voters in a particular jurisdiction who have been issued or returned a mail ballot for a specific election.

- o Price: \$ 30.51 (each file created for the election cycle)

\_\_\_\_\_  
*District/Jurisdiction Requesting*

B. Select preferred method to receive file

CD     E-Mail Address \_\_\_\_\_     FTP Address \_\_\_\_\_

C. Select report type

VBM returns only     VBM issued only     VBM All (issued & returns)

		OFFICIAL USE ONLY		
Starting Date*	Ending Date	Voter Count	Cost	Balance
* Starting Date can be no sooner than <u>29 days before</u> the election.			+/- Residual Amount	

Date \_\_\_\_\_

Purchaser's Signature \_\_\_\_\_

Order received by (Print) \_\_\_\_\_

## 5. Payment information

Payment must be made prior to delivery of services. *Pre-Election Recurring Vote by Mail Files* are generated after ballots have been processed each day.

Total amount due \$ \_\_\_\_\_      Payment type:  Cash     Check number: \_\_\_\_\_

Credit card # \_\_\_\_\_      Expiration date \_\_\_\_\_

## CODE REFERENCES

### **Government Code § 6254.4**

- (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 § 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.

### **Elections Code § 2188.2**

- (a) The Secretary of State shall adopt regulations that describe the best practices for storage and security of voter registration information received by an applicant pursuant to Section 2188.
- (b) The Secretary of State may require an applicant to take a training course regarding data security as a condition for the receipt of voter registration information if that course is made available to the applicant at no cost to the applicant.

### **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.

### **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, 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.

### **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 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 matches 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 match the voter's signature on file shall be treated as confidential voter registration information pursuant to this section and Section 6254.4 of 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 voter, and be provided in a searchable electronic format.

#### **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.

#### **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.

#### **Election 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 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.
- (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 § 19002**

Registration information obtained by any person from a source agency shall be used solely for election and governmental purposes.

#### **California Code of Regulations § 19003**

Permissible uses of information obtained from a source agency shall include, but shall not be limited to, the following:

- (a) Using registration information for purposes of communicating with voters in connection with any election.
- (b) Sending communications, including but not limited to, mailings which campaign for or against any candidate or ballot measure in any election.
- (c) Sending communications, including but not limited to, mailings by or in behalf of any political party; provided however, that the content of such communications shall be devoted to news and opinions of candidates, elections, political party developments and related matters.
- (d) Sending communications, including but not limited to, mailings, incidental to the circulation or support of, or opposition to any recall, initiative, or referendum petition.
- (e) Sending of newsletters or bulletins by any elected public official, political party or candidate for public office.
- (f) Conducting any survey of voters in connection with any election campaign.
- (g) Conducting any survey of opinions of voters by any government agency, political party, elected official or political candidate for election or governmental purposes.
- (h) Conducting an audit of voter registration lists for the purpose of detecting voter registration fraud.
- (i) 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.
- (j) Any official use by any local, state, or federal governmental agency.

#### **California Code of Regulations § 19004**

The following uses of registration information obtained from a source agency shall be deemed other than for election and governmental purposes:

- (a) Any communication or other use solely or partially for any commercial purpose.
- (b) Solicitation of contributions or services for any purpose other than on behalf of a candidate or political party or in support of or opposition to a ballot measure.
- (c) Conducting any survey of opinions of voters other than those permitted by Sections 19003(f) and (g).

**California Code of Regulations § 19005**

No person who obtains registration information from a source agency shall make any such information available under any terms, in any format, or for any purpose, to any person without receiving prior written authorization from the source agency. The source agency shall issue such authorization only after the person to receive such information has executed the written agreement set forth in Section 19008.