

CONCURRENCE IN SENATE AMENDMENTS

AB 1392 (Sharp-Collins and Flora)

As Amended September 5, 2025

Majority vote

SUMMARY

Makes the voter registration records of elected officials and candidates for elective office confidential, thereby making information from those records unavailable for election, scholarly, or political purposes, as specified.

Senate Amendments

Delete the Assembly-approved version of the bill, and instead:

- 1) Provide that an elected official or candidate shall have the residence address, telephone number, and email address appearing on the person's voter registration affidavit made confidential, as specified.
- 2) Require the Secretary of State (SOS) and local elections officials to provide the county elections official with a list identifying each elected official or candidate residing in the county whenever a person files nomination papers for an elected federal, state, or local office. Require the county elections official to make the information from the elected official's or candidate's voter registration affidavit confidential within five business days of receipt of this information.
- 3) Require an elected official or candidate to contact their county elections official to ensure their voter registration record has been made confidential, and require such an individual, within 60 days of moving to a new county, to contact the elections official in that county to apply for confidential voter status under this bill.
- 4) Require an elected official or candidate's residence address, telephone number, and email address to remain confidential until the elected official no longer holds the office or, in the case of a candidate, until the winning candidate takes office.
- 5) Permit a candidate to opt out of the confidential voter status provided by this bill, as specified.
- 6) Provide that a county or county elections official shall not be liable for taking or failing to take the actions required by this bill if the county or county elections official received erroneous information from the SOS.
- 7) Provide that 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 bill, except by a showing of gross negligence or willfulness.
- 8) Require an elected official or candidate holding office as of the effective date of this bill to contact their county elections official to ensure their voter registration record has been made confidential.

- 9) Provide that information made confidential under this bill shall *not* be provided as part of any request for voter registration affidavit information that is made by a candidate for office, a committee for or against any initiative or referendum measure, or by any person for election, scholarly, or political purposes, as specified. Permit an elected official or candidate's residence address, telephone number, and email address made confidential pursuant to this bill to be disclosed for bona fide journalistic or governmental purposes, as specified.
- 10) Add double-jointing language to avoid chaptering problems with AB 827 (Berman) of the current legislative session.
- 11) Makes corresponding changes.

COMMENTS

As approved by the Assembly, this bill would have authorized employers to distribute specified information to employees by mail, in addition to physically displaying that material. Subsequent to the Assembly's approval, this bill was amended in the Senate to delete the Assembly-approved provisions and to add the current provisions. The provisions added in the Senate have not been heard in a policy committee in the Assembly during this legislative session.

According to the Author

"Public service should not come with threats, violence and potential harm to the elected official or their family. Unfortunately, these threats are on the rise. AB 1392 is a common sense measure that requires county officials to make confidential the address and other sensitive information of state and federal elected officials and candidates in order to improve safety."

Arguments in Support

The sponsor of this bill, Secretary of State Shirley N. Weber, Ph.D., writes, "I am proud to sponsor Assembly Bill 1392, which strengthens the privacy of elected officials and candidates for federal, state, and local office by safeguarding sensitive voter registration information. The bill ensures the confidentiality of residence addresses, phone numbers, and email addresses listed on voter registration records. County elections officials are required to protect this information within five business days of receiving a list of candidates from the Secretary of State or the filing of nomination papers. This protection will remain in place through the duration of an elected official's service or, for unsuccessful candidates, until the winning candidate takes office. In light of increasing threats and harassment targeting public officials, AB 1392 provides timely and necessary protection."

Arguments in Opposition

In a joint letter of opposition to a prior version of this bill, the First Amendment Coalition and the Freedom of the Press Foundation wrote, "Existing law generally makes voter registration records confidential... However, journalists are among a select few with a right of access to select pieces of information contained in voter registration affidavits... The narrow transparency protection is essential for a wide range of important public service journalism, including public corruption reporting. Access to politicians' voter registration affidavits, including their full residential addresses, enables journalists to probe their fitness and eligibility for office, in addition to general truthfulness. It also allows journalists to inform readers about newsworthy activities at public officials' residences, such as calls for police service; investigate matters of public importance, such as acceptance of controversial public benefits; and perform watchdog functions on a range of important topics, from bribery scandals to other breaches of public

trust... We appreciate the stated intent to address safety concerns following acts of political violence around the country, but we must oppose AB 1392 because it will not contribute to greater security for those choosing to perform public service. Instead, if enacted, this law would reduce checks on politicians and have a number of unintended consequences that hurt trust in government and elections."

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) By adding specified duties to local elections officials, this bill creates a state-mandated local program. To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs. The magnitude is unknown, but potentially in excess of \$50,000 annually (General Fund).
- 2) SOS indicates that it would incur minor and absorbable costs to implement the provisions of the bill.

VOTES:

ASM LABOR AND EMPLOYMENT: VOTES NOT RELEVANT

YES:

ASSEMBLY FLOOR: VOTES NOT RELEVANT

YES:

ABS, ABST OR NV:

UPDATED

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