

CONCURRENCE IN SENATE AMENDMENTS

AB 1392 (Sharp-Collins and Flora)

As Amended September 5, 2025

Majority vote

SUMMARY

Original Committee of Reference: L. & E.

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

Current Committee Recommendation: Concur

The 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 from the person's voter registration affidavit made confidential.
- 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) Protect a county or county elections official from liability for taking or failing to take the actions required by this bill due to the receipt of erroneous information from the SOS.
- 7) Prohibit an action in negligence against any government entity, officer, or employee as a result of the disclosure of information that is confidential under this bill, except by a showing of gross negligence or willfulness.
- 8) 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.

9) Add double-jointing language to avoid chaptering problems with AB 827 (Berman) of the current legislative session.

10) 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. In light of the substantive Senate amendments, this bill was re-referred to the Assembly Elections Committee for further consideration pursuant to Assembly Rule 77.2. On September 12, 2025, the Assembly Elections Committee recommended, by a 7-0 vote, that the Senate amendments be concurred in.

In June of this year, two Minnesota legislators—Senator John Hoffman and Representative Melissa Hortman—were shot in their homes. Senator Hoffman and his wife survived the attack, but were hospitalized following the shooting. Representative Hortman and her husband were killed. The suspect was apprehended and faces federal and state murder charges. Minnesota Governor Tim Walz called the shooting an "act of targeted political violence."

According to *The New York Times*, in response to these shootings, legislators and officials across the country began to reexamine their practices relating to privacy and security. This includes increased security for lawmakers in Ohio, security briefings for legislators in Michigan, increased patrols around lawmakers' homes in Fairfax County, Virginia, and the removal of home addresses from biographies of legislators in North Dakota.

Under current law, all voter registration information is confidential, though certain information from voter registration records may be released for approved election, scholarly, journalistic, political, or governmental purposes. In certain situations, state law provides a higher level of confidentiality for voter registration records, prohibiting the release of a voter's residence address, phone number, and email address even for election, scholarly, journalistic, political, or governmental purposes.

The number of voters who have confidential voter registrations pursuant to these provisions is small; according to information from the SOS, fewer than 2,500 voters statewide currently have confidential voter registration status, including approximately 1,100 voters who have confidential voter registration status as part of the Safe at Home program.

This bill creates a new procedure for public officials and candidates for office to prevent the residence addresses, telephone numbers, and email addresses in their voter registration records from being disclosed for election, scholarly, or political purposes. Unlike existing confidentiality procedures, this protection would be provided to *all* public officials and candidates without a need to show or attest to a life-threatening circumstance. This procedure also differs in that the residence addresses, phone numbers, and emails of public officials and candidates granted

confidentiality under this program would still be available for bona fide journalistic or governmental purposes, as specified.

This bill likely will significantly expand the number of people whose voter registration records are subject to heightened confidentiality requirements. Given the number of elected officials and candidates at all levels—federal, state, and local—several thousand people will qualify for these protections unless they choose to opt out.

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 in support, "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

None received to the current version of the bill. All prior opposition to this bill has been removed.

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: 7-0-0

YES: Ortega, Flora, Chen, Elhawary, Kalra, Lee, Ward

ASSEMBLY FLOOR: 67-0-12

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Irwin, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Bauer-Kahan, Calderon, Carrillo, Chen, Gallagher, Garcia, Hoover, Jackson, Papan, Petrie-Norris, Quirk-Silva, Celeste Rodriguez

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ASM ELECTIONS: 7-0-0

YES: Pellerin, Macedo, Bennett, Berman, Solache, Stefani, Tangipa

UPDATED

VERSION: September 5, 2025

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FN: 0002122