

THIRD READING

Bill No: AB 2573
Author: Sharp-Collins (D)
Amended: 8/21/26 in Senate
Vote: 21

SENATE ELECTIONS & C.A. COMMITTEE: 5-0, 6/30/26

AYES: Wiener, Choi, Allen, Cervantes, Umberg

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 78-0, 5/26/26 - See last page for vote

SUBJECT: Voter registration information: confidentiality

SOURCE: Secretary of State Shirley N. Weber, Ph.D.

DIGEST: This bill modifies the program that makes confidential an elected official's or a candidate's voter registration record.

Senate Floor Amendments of 8/21/26 redact a voter's entire registration record, unless certain conditions are met, when enrolled in programs where a voter's registration record is made confidential.

ANALYSIS:

Existing law:

- 1) Defines "elected official or candidate" as a federal, state, or local elected official or a candidate for an elected federal, state, or local office.
- 2) Requires an elected official or candidate to have their residence address, telephone number, and email address appearing on the affidavit of registration be made confidential, unless the elected official or candidate opts-out.

- 3) Requires the Secretary of State (SOS) to provide to each county elections official a list identifying elected officials and candidates residing in each respective county when a person files nomination papers for an elected federal or state office.
- 4) Requires the county elections official to add the individual's name to a list identifying elected officials and candidates residing in that county when a person files nomination papers for an elected local office. The county elections official must periodically update the list for each election cycle. Within five business days of receipt of the list from the SOS or within five business days of the filing of nomination papers with the county elections official, the county elections official must make confidential that elected official or candidate's residence address, telephone number, and email address appearing on the affidavit of registration.
- 5) Requires the county elections official, in producing any list, roster, or index, to exclude voters with a confidential voter status. An elected official or candidate must apply for confidential voter status within 60 days of moving to a new county, if available in the new county. The elections official of the new county, upon notice of the confidential voter moving into the county, must (1) contact the confidential voter and provide information regarding the application for confidential voter status in the new county, (2) honor the confidential voter status from the former county for 60 days from the date of notice, (3) exclude the confidential voter in any list, roster, or index during the 60-day period, and (4) remove the confidential voter status if the new voter has not obtained or cannot obtain confidential voter status in the new county during the 60-day period.
- 6) Requires an elected official or candidate to contact their county elections official to ensure their voter registration record has been made confidential. County election officials must make the elected official's information confidential when contacted by the elected official or candidate.
- 7) Provides an elected official or candidate's residence address, telephone number, and email address must remain confidential until the official no longer holds the office or, for a candidate, the winning candidate takes office.
- 8) Provides a county or county elections official is not liable for taking or failing to take the action when the county or county elections official has received erroneous information from the SOS.

- 9) Provides an action in negligence is not maintained against any government entity or officer or employee thereof as a result of the disclosure of specified information, except by a showing of gross negligence or willfulness.
- 10) Provides when a notification is received from an elected official or candidate about a request to opt-out of confidential voter status, the county elections official must remove the confidential designation from the individual's voter registration record within five business days and notify the SOS and any other relevant local election officials of the decision to opt-out within five business days of processing the request.
- 11) Provides 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 must be reinstated upon receipt of the request.
- 12) Provides, notwithstanding any other law, an elected official or candidate's residence address, telephone number, and email address made confidential may be disclosed only for bona fide journalistic or governmental purposes using a specified process. The county elections official must 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 specified requirements.

This bill:

- 1) Changes the ability for an elected official or candidate to have their voter registration record from the individual's affidavit of registration made confidential from an opt-out to an opt-in process. An elected official or candidate must submit a written request for confidential voter status to the county elections official.
- 2) Defines "election official or candidate" as a federal, state, or local elected official or candidate who has qualified to appear on the ballot for a federal, state, or local office. This definition does not include a member of a political party's county central committee or a candidate for that office.
- 3) Permits the voter registration record of an elected official's immediate family member be included in a written request for confidentiality, if the immediate family member is named in the request and the request is accompanied by a statement from the immediate family member confirming they want confidential voter status and understand the ramifications of being made

confidential. “Immediate family member” is an elected official’s spouse, domestic partner, parent, or child who lives at the same residence.

- 4) Provides, upon a written request for confidentiality, the county elections official must make the information confidential. The elections official must provide written notice to the household of the election official or candidate that persons whose information would be confidential would lose their ability to vote a nonprovisional ballot in person at a polling location.
- 5) Provides that the exclusion of voters with confidential voter status on any roster, voter list, or index produced by a county elections official applies to the voter’s entire voter registration, including voting history and voter registration information before the voter became a voter with confidential voter status. In addition to rosters, voter lists, or indexes, any other list created by an elections official, these lists must not include any confidential information of the elected official or candidate.
- 6) Requires an elected official’s information remain confidential until two years after the official leaves office. For candidates, the information remains confidential until the completion of the canvass for which the candidate was listed on the ballot. Candidates in a local special election must remain confidential until the vote for the special election has been certified by the local elections official.
- 7) Provides that a candidate who opts into confidential voter status and is elected to the office automatically retains confidential voter status after being sworn into office.
- 8) Requires the county elections official to determine and identify the federal, state, and local elected officials residing in their county.
- 9) Removes the 60-day timeframe for when an elected official or candidate must apply for confidential voter status when moving to a new county and the requirement for an elections official to make an elected official’s or candidate’s information confidential. Instead, the elections official must make the information confidential upon request by the elected official or candidate.
- 10) Permits an elected official to opt-out of and re-enroll in confidential voter status at any time while serving in the official’s current office or while running for another office. A candidate who opts-out may re-enroll in confidential voter status while as a candidate during the candidate’s eligibility period for confidential voter status.

- 11) Requires county election officials to notify the SOS on a form prescribed by the SOS when a county elections official adds or removes the confidential designation to a federal or state elected official's voter registration record.
- 12) Requires the county elections official to notify an elected official at least 60 days before removing the confidential designation from a federal, state, or local elected official's voter registration record.
- 13) Provides an elected official or candidate who opts-out of confidential voter status consents to the placement of their voter registration record in the roster of voters.
- 14) Provides the SOS and county election officials implement the remaining provisions of existing law, as it relates to confidential voter statuses and the provisions of this bill, immediately once the statewide voter registration database and county election management systems have made conforming changes.
- 15) Provides, for elections through December 31, 2028, county election officials may make best efforts to manually implement the provisions of existing law as it relates to confidential voter statuses and the provisions of this bill to the maximum degree possible before the completion of conforming changes to the statewide voter registration database and their own county election management systems. This is not to be construed to authorize any reduction in current, ongoing implementation efforts.
- 16) Provides that the confidential voter program does not override and cannot revoke confidentiality ordered by a county or confidentiality granted by another specified program.
- 17) Requires, notwithstanding any other law and no later than September 30, 2027, the SOS, in consultation with county election officials, to develop and implement a process that permits a person with confidential voter status to vote at a polling place or vote center and retain confidential voter status. The SOS may adopt regulations to ensure compliance and uniformity with the developed procedure.
- 18) Makes corresponding changes to other confidential voter programs for confidential voter status to apply to a voter's registration record unless certain conditions are met.

Background

Voter Registration Information. Under existing law, all voter registration information is confidential, except in specified circumstances. These circumstances include the release of voter registration records for approved election, scholarly, journalistic, political, or governmental purposes. A voter's driver's license number, ID number, partial Social Security number, and signature are not disclosed under these provisions.

To access permitted information, individuals or organizations must apply to the SOS or a county elections official, provide specific identifying information, the specific information requested, and include a statement of the intended use of the information. The elections official verifies the applicant's identity before providing any information and completed applications must be retained by the elections official for five years.

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. Individuals enrolled in California's Safe at Home program, which includes two address confidentiality programs for those at higher risk of threats or violence, are eligible for these protections. Additionally, a voter may request a court to declare their address and contact information confidential, if they can show that a life-threatening circumstance exists for the voter or a household member. Similar protections are also available to public safety officers and individuals who perform election-related work for state or county election officials who attest to such threats affecting them or their families.

Assembly Bill 1392 (Sharp-Collins). In response to increasing threats against public officials, including the shooting of two Minnesota legislators and their spouses in June of 2025, the Legislature approved and Governor Newsom signed AB 1392 (Sharp-Collins, Chapter 300, Statutes of 2025) making the voter registration records of elected officials and candidates for elective office confidential. The bill was largely structured as an "opt-out" program and eligible individuals are added to the program automatically unless they opt-out.

Comments

Author's Statement. As counties began administering the program, elections officials identified areas where additional statutory clarity was needed around eligibility, procedures, and timelines. At a time when threats and harassment

against public officials are increasing nationwide, it is critical that the protections authorized by the Legislature work as intended.

Definition of Immediate Family Member. This bill defines “immediate family member” as an elected official’s, but not a candidate’s, spouse, domestic partner, parent, or child who lives at the same residence. This bill permits an elected official’s immediate family, with the consent from each family member, living at the residence to have their voter registration made confidential. It is possible a family member outside of the definition prescribed by this bill lives at the elected official’s residence, such as an in-law or grandparent. This may create a situation where someone could still find an elected official’s residence through another family member.

Definition of “Elected Official or Candidate.” This bill redefines “elected official or candidate” as a federal, state, or local elected official or a candidate who has qualified to appear on the ballot for an elected federal, state, or local office. While this includes the vast majority of candidates, write-in candidates would no longer be included because they do not appear on a ballot. There are circumstances where a write-in would appear on a future ballot, such as in a two-top election, where the candidate would receive confidential voter status, but that would only happen after the candidate qualifies to appear on a ballot instead of qualifying as a candidate.

What Happens to the Current Program? Elected officials and candidates are currently enrolled in this confidential voter status program unless the individual opts-out. This bill changes the system from an opt-out to an opt-in system. It is unclear what happens to the individuals currently enrolled in the program when this bill takes effect because individuals currently enrolled in the program may not have taken the action required by this bill to opt-in. Coordination between the SOS and county elections officials is important to ensure there is a uniform and consistent transition for elected officials and candidates currently with confidential voter status to learn about the changes this bill prescribed should this bill become chaptered.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Committee on Appropriations:

- The SOS would incur one-time General Fund costs of \$134,000 modify (1) VoteCal, the statewide voter registration database system, and (2) the Election Management System, to ensure data synchronization between the two platforms needed to implement this bill's information sharing procedures with counties. SOS would incur unknown one-time costs,

potentially in the hundreds of thousands of dollars, to develop the process permits a person with confidential voter status to vote at a polling place or vote center and retain confidential voter status.

- By requiring counties to comply with this bill's information sharing procedures, 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, counties could claim reimbursement of those costs. The magnitude is unknown, but could exceed \$50,000 per year (General Fund).

SUPPORT: (Verified 8/21/26)

Secretary of State Shirley N. Weber, Ph.D. (source)

California Special District Association

CFT – A Union of Educators and Classified Professionals, AFT, AFL-CIO

OPPOSITION: (Verified 8/21/26)

None received

ASSEMBLY FLOOR: 78-0, 5/26/26

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

NO VOTE RECORDED: Muratsuchi, Celeste Rodriguez

Prepared by: Scott Matsumoto / E. & C.A. / (916) 651-4106
8/24/26 11:16:23

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