



CONFIDENTIAL VOTER STATUS VERIFICATION

Elections Code §2166.9 requires all elected officials and candidates to become Confidential Voters. For any office for which nomination papers are filed with the Registrar of Voters' Office, the county elections official shall make confidential that elected official or candidate's residence address, telephone number, and email address appearing on the affidavit of registration within five business days of the filing of nomination papers.

What is a confidential voter: Confidential voters will become a permanent vote by mail voter for all subsequent elections until confidential status is terminated. The Roster of Voters is not publicly available in general. However, candidates and political agencies are permitted to receive a copy of voter data such as names, addresses, phone numbers, and email addresses (if such data is added by the voter during registration). Sensitive/private information is never provided and always confidential for all voters, such as signature image, date of birth, age, ID numbers, partial social security numbers, and other personal data. Confidential voters are not in the Roster of Voters and will not be permitted to cast a regular ballot in person on Election Day (as they are not in the Roster). Confidential voter ballots are manually issued and received separately from all voters. Confidential voters will also not be included in candidate or political mailings.

This law also provides an option for elected officials and candidates **to choose not to become confidential (opt out)**.

Letter of Exemption from EC 2166.9

If you wish to opt-out of Confidential Voter status, please check the box below, provide your information and sign.

☐ I am candidate in Imperial County, and I want to be exempt from the requirements of Elections Code §2166.9 to have my affidavit of registration made confidential.

****OR****

☐ I am an elected official in Imperial County, and I want to be exempt from the requirements of Elections Code §2166.9 to have my affidavit of registration made confidential.

Print Full name and title of Office held: _____

Voter registration address: _____

Statement: *I wish to opt-out of having my residence address, telephone number and email address made confidential pursuant to Elections Code §2166.9.*

(Sign / Date)

****OR****

Confirmation of Confidential Status – Elections Code §2166.9

☐ I hereby declare that **I wish to become a confidential voter** in Imperial County, and I want to have my affidavit of registration made confidential as allowed by Elections Code §2166.9. I have read and understand "what is a confidential voter" and Elections Code §2166.9, and if I re-register or visit the DMV, I need to contact the Registrar of Voters' Office to maintain my confidential status. I further understand that this only applies to me and no other voter registered at my address.

Print Full name and title of Office held: _____

Address where ballot is to be mailed: _____

(Should not be your residence address)

Statement: *I wish to be a confidential voter pursuant to Elections Code §2166.9*

(Sign / Date)

Online Candidate Information

Separate from the Roster of Voters, our office posts the name, phone number, and email address of all candidates for public use on our website once they have filed their Declaration of Candidacy form. As these are offices to provide public service, it is common for the public to want to ask candidates questions. As this information is now deemed confidential, we must have separate approval for this information to be publicly posted. A temporary email address may be created for candidacy purposes and for this use. **You are not required to provide us a number or email address for the online candidate list, in which case only your name will appear.**

Statement: *The telephone number and email provided on my Declaration of Candidacy form may be published on the Imperial County Registrar of Voters' website.*

(Sign / Date)

****OR****

Statement: *I do not want a telephone number or email address Published on the Imperial County Registrar of Voters' website.*

(Sign / Date)

Elections Code §2166.9

- a) For purposes of this section, “elected official or candidate” means a federal, state, or local elected official or a candidate for an elected federal, state, or local office.
- b) An elected official or candidate shall have their residence address, telephone number, and email address appearing on the affidavit of registration made confidential in accordance with the terms and conditions of this section.
- c)
 - 1) When a person files nomination papers for an elected federal or state office, the Secretary of State shall provide to each county elections official a list identifying each elected official or candidate residing in each respective county.
 - 2) When a person files nomination papers for an elected local office, the county elections official shall add that individual’s name to a list identifying each elected official or candidate residing in that county. The county elections official shall periodically update the list for each election cycle.
 - 3) Within five business days of receipt of the list described in paragraph (1) or, for an office for which nomination papers are filed with the county elections official, within five business days of the filing nomination papers with the county elections official, the county elections official shall make confidential that elected official or candidate’s residence address, telephone number, and email address appearing on the affidavit of registration.
- d)
 - 1) The county elections official, in producing any list, roster, or index, shall exclude voters with a confidential voter status pursuant to this section.
 - 2) Within 60 days of moving to a new county, if available in the new county, the elected official or candidate shall apply for confidential voter status pursuant to this section. The elections official of a new county, upon notice of the confidential voter moving into the county, shall do all of the following:
 - A. Contact the confidential voter and provide information regarding the application for confidential voter status in the new county.
 - B. Honor the confidential voter status from the former county for 60 days from the date of notice.
 - C. Pursuant to paragraph (1), exclude the confidential voter in any list, roster, or index during the 60-day period.
 - D. Remove the confidential voter status if the new voter has not obtained or cannot obtain confidential voter status pursuant to this section in the new county during the 60-day period.
- e) An elected official or candidate shall contact their county elections official to ensure their voter registration record has been made confidential in accordance with the terms and conditions of this section.
- f) An elected official or candidate’s residence address, telephone number, and email address shall remain confidential until, for an elected official, the official no longer holds the office or, for a candidate, the winning candidate takes office.
- g) A county or county elections official shall not be liable for taking or failing to take the actions described in this section when the county or county elections official has received erroneous information from the Secretary of State.
- h) 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 section, except by a showing of gross negligence or willfulness.
- i) An elected official or candidate holding office as of the effective date of this section shall contact their county elections official to ensure their voter registration record has been made confidential in accordance with the terms and conditions of this section. County elections officials shall make the elected official’s information confidential when contacted by the elected official or candidate.
- j)
 - 1) A candidate who does not wish to have confidential voter status may opt out when completing their candidate filing statement provided by a county elections official.
 - 2)
 - A. An elected official who wishes to opt out of confidential voter status may submit a letter to the county elections official declaring their decision to be exempt from the requirements of this section.
 - B. A request pursuant to subparagraph (A) shall include the elected official’s full name, voter registration address, and a clear statement that they wish to opt out of having their residence address, telephone number, and email address made confidential pursuant to this section.
 - C. Upon receipt of the request, the county elections official shall remove the confidential designation from the individual’s voter registration record within five business days.
 - D. The county elections official shall notify the Secretary of State and any other relevant local elections officials of the decision to opt out within five business days of processing the request.
 - E. An elected official who opts out may reapply for conditional voter status at any time while serving in or running for office, and confidential voter status shall be reinstated in accordance with this section upon receipt of the request.
- k)
 - 1) Notwithstanding any other law, an elected official or candidate’s residence address, telephone number, and email address made confidential pursuant to this section may be disclosed only for bona fide journalistic or governmental purposes. A person seeking an elected official or candidate’s confidential residence address, telephone number, and email address for a journalistic purpose pursuant to this section shall apply to the Secretary of State or to a county elections official as specified in paragraph (2).
 - 2)
 - A. A person seeking a federal or state elected official or candidate’s confidential residence address, telephone number, and email address for journalistic purposes shall submit all of the following to the Secretary of State:
 - 1) A completed California Voter Registration File Request application.
 - 2) A letter of authorization or affiliation from the media outlet that the person represents. If the person submitting the request is a member of the media, a press pass may be submitted in lieu of a letter of authorization.
 - 3) A declaration under penalty of perjury attesting to the intended journalistic use of the information.
 - B. A person seeking a local elected official or candidate’s confidential residence address, telephone number, and email address for journalistic purposes shall submit requests to the county elected officials or other local elections official.
 - C. A county elections official shall process a request for a local elected officials or candidate’s confidential residence address, telephone number, and email address for journalistic purposes consistent with the requirements of regulations promulgated by the Secretary of State.
 - D. The county elections official shall 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 the requirements of this subdivision.
 - 3) For purposes of this chapter, “journalist purposes” shall be interpreted in a manner consistent with subdivision (b) of Section 2 of Article I of the California Constitution.