The factual basis and rationale of the following sections of the proposed regulations are modified as follows:

These comments address updates to the Proposed Regulation Text, which was originally submitted for a 45-day public comment on November 27, 2021, and for which a public hearing was held on January 11, 2021. Changes to the Proposed Regulation Text were made based upon comments received during the 45-day public comment period. Those changes to the Proposed Regulation Text were issued for an additional comment period from March 5, 2021, through March 22, 2021. Additional changes to the Proposed Regulation Text have been made based upon the 15-day public comment period that ended on March 22, 2021. Further additional changes were made to the provisions below based on the public comments received between the public comment period from June 30, 2021, through July 15, 2021.

19003. Permissible Uses.

Subdivision (a)(2). This subdivision is modified for clarity. We have deleted the word “and” and added the word “or.” We have made this change based on the public comments we received during the 15-day public comments (June 30, 2021, through July 15, 2021). The original text used the word “and” when describing the research related to political and elections activities. The word “and” is limiting in its scope. It would put an additional burden on the applicant of the voter registration information under the “Scholarly” category to show that their research is both “political” and “election” related activities. This was not our intent. Therefore, we have deleted the word “and” and replaced it with the word “or.” Now, a person seeking voter registration information under the “Scholarly” category would only have to show that their research is either related to political activity or election activity. This change is necessary to ensure that the language of this subdivision reflects the Secretary of State's true intent and ensure that the applicants for the voter registration information are not required to submit more than necessary information.

Subdivision (a)(3) and (4). We have removed the phrase “journalistic” and added additional language that says, “purpose related to political and election activities.” We have modified this subdivision to clarify that members of the press can get the voter registration information not for any journalistic purpose but only for the purpose related to political or elections related activities. This modification was done to satisfy the concerns raised during the 15-day public comment
period (June 30, 2021, through July 15, 2021). This modification is necessary to clarify that the dissemination of voter registration information under the “journalistic” category is not for any or all journalistic purpose, rather it is subject to reasonable limitations i.e., any purpose related to political or election activities.

Similarly, we have added additional language in to subdivision (a)(4) to clarify that the voter registration information obtained from a source agency under the “political” category is for any person to communicate with voters to influence public opinion related to political or election activities and not for any other activity.