

SB

192

<TARGET><BILL>SB 192</BILL><SUBJECT>SB
192</SUBJECT><COMM>SSTA30</COMM></TARGET>

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 2/19/18

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 3/2/18

State Affairs Committee considered SENATE BILL NO. 192

SB 192-VOTER ADDRESS CONFIDENTIALITY

"An Act relating to the confidentiality of voters' addresses; and relating to the fees charged by the division of elections for providing a copy of the state's master voter registration list or a copy of the list of individuals who voted in an election."

and recommends:

- be replaced with CS SB 192 (STA) Same Title New Title
- adopt previous CS _____ (_____) Same Title New Title
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
GOV			✓	1

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Wilson			✓	
	Giessel			✓	
	Coghill	✓			
	EAR			✓	
CHAIR:	MEYER	✓			

30-LS1354\D
Bullard
3/8/18

CS FOR SENATE BILL NO. 192(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR MACKINNON

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to the confidentiality of voters' addresses; and relating to the fees**
2 **charged by the division of elections for providing information from the state's master**
3 **voter registration list or from the list of individuals who voted in an election."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 15.07.060(a) is amended to read:

6 (a) Each applicant who requests registration or reregistration shall supply the
7 following information:

- 8 (1) the applicant's name and sex;
- 9 (2) if issued, the applicant's State of Alaska driver's license number or
10 State of Alaska identification card number, or the last four digits of the applicant's
11 social security number;
- 12 (3) the applicant's date of birth;
- 13 (4) the applicant's Alaska residence address;
- 14 (5) a statement of whether the applicant has previously been registered

1 to vote in another jurisdiction, and, if so, the jurisdiction and the address of the
2 previous registration;

3 (6) a declaration that the applicant will be 18 years of age or older
4 within 90 days after the date of registration;

5 (7) a declaration that the applicant is a citizen of the United States;

6 (8) the date of application;

7 (9) the applicant's signature or mark;

8 (10) any former name under which the applicant was registered to vote
9 in the state;

10 (11) an attestation that the information provided by the applicant in (1)
11 - (10) of this subsection is true; [AND]

12 (12) a certification that the applicant understands that a false statement
13 on the application may make the applicant subject to prosecution for a misdemeanor
14 under this title or AS 11; and

15 (13) the applicant's decision as to whether the applicant's
16 residential and mailing addresses will be made confidential to the extent
17 permitted under AS 15.07.195.

18 * **Sec. 2.** AS 15.07.060 is amended by adding a new subsection to read:

19 (g) An applicant, or a person acting on behalf of an applicant under
20 AS 15.07.070(b), may indicate the applicant's decision under (a)(13) of this section
21 that the applicant's address or addresses remain confidential to the extent provided
22 under AS 15.07.195 by

23 (1) making a statement to a registration official or agent of a voter
24 registration agency; or

25 (2) marking a box on the registration form prepared by the director
26 under AS 15.07.070.

27 * **Sec. 3.** AS 15.07.064(g) is amended to read:

28 (g) Notwithstanding (a) - (f) of this section, the director may substitute a
29 mailing address provided by the voter for the permanent fund dividend program under
30 AS 43.23 as the mailing address for the voter on the registration records of the director
31 under procedures specified in regulations of the director if necessary to maintain

1 accuracy of voting registration records. The division shall maintain the
2 confidentiality of a mailing address substituted by the director under this
3 subsection to the same extent that the voter requested that the voter's address be
4 kept confidential under AS 15.07.195.

5 * **Sec. 4.** AS 15.07.127 is amended to read:

6 **Sec. 15.07.127. Preparation of master register.** The director shall prepare
7 both a statewide list and a list by precinct of the names and addresses of all persons
8 whose names appear on the master register and their political party affiliation. Subject
9 to the limitations and address confidentiality provisions of AS 15.07.195, a [ANY]
10 person may obtain a copy of the list, or a part of the list, or an electronic record
11 [FORMAT] containing both residence and mailing addresses of voters, by applying to
12 the director and paying a fee of

13 (1) \$100 for each senate district; or

14 (2) \$1,500 for the statewide list [TO THE STATE TREASURY A
15 FEE AS DETERMINED BY THE DIRECTOR].

16 * **Sec. 5.** AS 15.07.195(b) is amended to read:

17 (b) In addition to the information in (a) of this section, a voter may elect in
18 writing to keep the voter's residential and mailing addresses [ADDRESS]
19 confidential and not open to public inspection [IF THE VOTER PROVIDES A
20 SEPARATE MAILING ADDRESS]. However, notwithstanding an election under this
21 subsection, a voter's residential address may be disclosed to

22 (1) a watcher appointed under AS 15.10.170 and, in the case of a
23 watcher appointed by an organization or group sponsoring or opposing an initiative,
24 referendum, or recall group, authorized by the director;

25 (2) an observer of a recount provided under AS 15.20.440(b) by a
26 candidate, political party, or organized group having a direct interest in the recount; or

27 (3) the subject of a recall election if the voter voted in the recall
28 election.

29 * **Sec. 6.** AS 15.15.400 is amended to read:

30 **Sec. 15.15.400. Preparation of voter list.** The director shall prepare both a
31 statewide list and a list by precinct of the names and addresses of all persons who

1 voted in the election and their political party affiliation. Subject to the voter address
2 confidentiality provisions of AS 15.07.195, a [ANY] person may obtain a copy of
3 the list, or a part of the list, or an electronic record [A COMPUTER TAPE]
4 containing both residence and mailing addresses of voters, by applying to the director
5 and paying a fee of

6 (1) \$100 for each senate district; or

7 (2) \$1,500 for the statewide list [TO THE STATE TREASURY A
8 FEE AS DETERMINED BY THE DIRECTOR].

SENATE BILL NO. 192

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY SENATOR MACKINNON

Introduced: 2/19/18

Referred: State Affairs, Finance

*Coghill: don't know what is the best solution.
Potential Amendment
Allow data to be sold.*

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the confidentiality of voters' addresses; and relating to the fees
2 charged by the division of elections for providing a copy of the state's master voter
3 registration list or a copy of the list of individuals who voted in an election."

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

5 * Section 1. AS 15.07.060(a) is amended to read:

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10 State of Alaska identification card number, or the last four digits of the applicant's
11 social security number;
- 12 (3) the applicant's date of birth;
- 13 (4) the applicant's Alaska residence address;
- 14 (5) a statement of whether the applicant has previously been registered

1 to vote in another jurisdiction, and, if so, the jurisdiction and the address of the
2 previous registration;

3 (6) a declaration that the applicant will be 18 years of age or older
4 within 90 days after the date of registration;

5 (7) a declaration that the applicant is a citizen of the United States;

6 (8) the date of application;

7 (9) the applicant's signature or mark;

8 (10) any former name under which the applicant was registered to vote
9 in the state;

10 (11) an attestation that the information provided by the applicant in (1)
11 - (10) of this subsection is true; [AND]

12 (12) a certification that the applicant understands that a false statement
13 on the application may make the applicant subject to prosecution for a misdemeanor
14 under this title or AS 11; **and**

15 **(13) the applicant's decision as to whether the applicant's**
16 **residential and mailing addresses will be made confidential to the extent**
17 **permitted under AS 15.07.195.**

what about licensing? DMV? property tax records?

18 * Sec. 2. AS 15.07.060 is amended by adding a new subsection to read:

19 (g) An applicant, or a person acting on behalf of an applicant under
20 AS 15.07.070(b), may indicate the applicant's decision under (a)(13) of this section
21 that the applicant's address or addresses remain confidential to the extent provided
22 under AS 15.07.195 by

23 (1) making a statement to a registration official or agent of a voter
24 registration agency; or

now we check for fraud?

25 (2) marking a box on the registration form prepared by the director
26 under AS 15.07.070.

27 * Sec. 3. AS 15.07.064(g) is amended to read:

28 (g) Notwithstanding (a) - (f) of this section, the director may substitute a
29 mailing address provided by the voter for the permanent fund dividend program under
30 AS 43.23 as the mailing address for the voter on the registration records of the director
31 under procedures specified in regulations of the director if necessary to maintain


Plc of previous PFD

1 accuracy of voting registration records. The division shall maintain the
2 confidentiality of a mailing address substituted by the director under this
3 subsection to the same extent that the voter requested that the voter's address be
4 kept confidential under AS 15.07.195.

5 * Sec. 4. AS 15.07.127 is amended to read:

6 **Sec. 15.07.127. Preparation of master register.** The director shall prepare
7 both a statewide list and a list by precinct of the names and addresses of all persons
8 whose names appear on the master register and their political party affiliation. Subject
9 to the limitations and address confidentiality provisions of AS 15.07.195, any
10 person may obtain a copy of the list, or a part of the list, or an electronic record
11 [FORMAT] containing both residence and mailing addresses of voters, by applying to
12 the director and paying a fee of \$1,000 to the state treasury [A FEE AS
13 DETERMINED BY THE DIRECTOR].

14 * Sec. 5. AS 15.07.195(b) is amended to read:

15 (b) In addition to the information in (a) of this section, a voter may elect in
16 writing to keep the voter's residential and mailing addresses [ADDRESS] 
17 confidential and not open to public inspection [IF THE VOTER PROVIDES A
18 SEPARATE MAILING ADDRESS]. However, notwithstanding an election under this
19 subsection, a voter's residential address may be disclosed to

20 (1) a watcher appointed under AS 15.10.170 and, in the case of a
21 watcher appointed by an organization or group sponsoring or opposing an initiative,
22 referendum, or recall group, authorized by the director;

23 (2) an observer of a recount provided under AS 15.20.440(b) by a
24 candidate, political party, or organized group having a direct interest in the recount; or

25 (3) the subject of a recall election if the voter voted in the recall
26 election.

27 * Sec. 6. AS 15.15.400 is amended to read:

28 **Sec. 15.15.400. Preparation of voter list.** The director shall prepare both a
29 statewide list and a list by precinct of the names and addresses of all persons who
30 voted in the election and their political party affiliation. Subject to the voter address
31 confidentiality provisions of AS 15.07.195, a [ANY] person may obtain a copy of

1 the list, or a part of the list, or an electronic record [A COMPUTER TAPE]
2 containing both residence and mailing addresses of voters, by applying to the director
3 and paying a fee of \$1,000 to the state treasury [A FEE AS DETERMINED BY THE
4 DIRECTOR].

*not copyrighted
so one group or
pld can share
like parties.*

SB 192 Voting; Address Confidentiality; Fees
Senator MacKinnon

CS for SB 192

CSSB 192 Version D changes the fee from \$1,000 for the statewide voter registration list to \$100 per Senate District (two House Districts) and \$1,500 for the statewide voter list.

This can be found on page 3, section 4, lines 12-13 and on page 4, lines 6-7

Rationale:

This was discussed extensively in terms of the cost of the voter registration list which is currently \$20.00. The sponsor has pointed out that in many states the cost was even higher. The committee had a concern about local, non-affiliated candidates being able to obtain the voter list. The thought was that a candidate running for a seat in the state legislature would most likely affiliate with a party and could obtain voter registration by their affiliation. However, a more local candidate may not be affiliated nor have the funds to purchase a list. The change in the bill would allow a local candidate for school board, city council, borough assembly, or some other municipal seat obtain a Senate District for \$100. There were other options discussed, even a per address system that is done in other states. This CS effectively makes the cost affordable to the local candidate while raising the cost to anyone who would want a statewide list.

AMENDMENT:

Offered by Senator Coghill, amendment 1 basically establishes an Address Confidentiality Program (ACP). This six-page amendment which Sen. Coghill can explain in detail to the committee allows someone to keep their address confidential if they participate in this program if they are a victim and have been granted a protective order issued or filed for themselves or a minor in their care. The address then listed for the person would be a department/organization that deals with sexual assault or domestic violence and would be good for three years.

Some of the issues with this amendment include the higher bar for participation. Also, any costs to enroll and administer this program. However, a number of organizations that deal with domestic violence and sexual assault have

researched the other 36 states that have similar program and have been consulting with Sen. Coghill's office on the amendment.

Fiscal Impact:

Fiscal note is zero but the CS would provide some revenue generation with the increased fee. Unfortunately, the ACP program itself would probably cost money to both initiate and administrate.

AMENDMENT # 1

OFFERED IN THE SENATE

BY SENATOR COGHILL

TO: CSSB 192(STA), Draft Version "D"

1 Page 1, line 1:

2 Delete "**relating to the confidentiality of voters' addresses**"

3 Insert "**establishing the Alaska address confidentiality program**"

4

5 Page 1, line 5, through page 3, line 4:

6 Delete all material.

7

8 Page 3, line 5:

9 Delete "**Sec. 4**"

10 Insert "**Section 1**"

11

12 Renumber the following bill sections accordingly.

13

14 Page 3, lines 16 - 28:

15 Delete all material and insert:

16 **"* Sec. 2.** AS 15.07.195(b) is amended to read:

17 (b) In addition to the information in (a) of this section, the address of a voter
18 participating in the Alaska address confidentiality program established under
19 AS 44.23.100 - 44.23.104 may not be disclosed. A voter who is not a participant in
20 the Alaska address confidentiality program may elect in writing to keep the voter's
21 residential address confidential and not open to public inspection if the voter provides
22 a separate mailing address. However, notwithstanding a voter's participation in the
23 Alaska address confidentiality program or [AN] election under this subsection, a

1 voter's residential address may be disclosed to

2 (1) a watcher appointed under AS 15.10.170 and, in the case of a
3 watcher appointed by an organization or group sponsoring or opposing an initiative,
4 referendum, or recall group, authorized by the director;

5 (2) an observer of a recount provided under AS 15.20.440(b) by a
6 candidate, political party, or organized group having a direct interest in the recount; or

7 (3) the subject of a recall election if the voter voted in the recall
8 election."
9

10 Page 4, following line 8:

11 Insert a new bill section to read:

12 **** Sec. 4.** AS 44.23 is amended by adding new sections to read:

13 **Article 2. Alaska Address Confidentiality Program.**

14 **Sec. 44.23.100. Alaska address confidentiality program.** (a) The Alaska
15 address confidentiality program is established in the Department of Law. Under the
16 program, an individual who is eligible under this section may use an address
17 designated by the department under AS 44.23.102 as the individual's own address,
18 designate the department to receive mail, legal process, and voter registration or
19 absentee ballots on behalf of the individual, and provide that the department forward
20 the mail, legal process, and voter materials to the individual's actual mailing address.
21 The department may not charge a fee to apply for or participate in the program.

22 (b) An individual is eligible for the program if the individual

23 (1) is a resident of the state and

24 (A) a victim, or a parent or guardian of a minor child who is a
25 victim, of stalking, domestic violence, or sexual assault or a crime in another
26 jurisdiction with elements substantially similar to stalking, domestic violence,
27 or sexual assault, that was reported to a criminal justice agency in good faith;
28 or

29 (B) has been granted, or has been granted on behalf of a minor,
30 a protective order issued or filed under AS 18.65.850 - 18.65.870 or
31 AS 18.66.100 - 18.66.180; and

1 (2) files a completed application under (c) of this section.

2 (c) An individual may apply to the department to participate in the program.
3 The department shall approve an application that is filed in the manner and on the
4 form prescribed by the department. The application must contain

5 (1) the applicant's name;

6 (2) the applicant's actual residential and mailing addresses;

7 (3) if applicable, identification of a state or municipal agency that
8 employs the individual against whom an allegation of abuse against the applicant or
9 member of the applicant's household is made;

10 (4) evidence satisfactory to the department of the applicant's eligibility
11 under (b)(1) of this section; and

12 (5) a sworn statement by the applicant that

13 (A) the applicant resides or will reside at a location in this state
14 that is not known to the individual or individuals who are the subject of a
15 report or order described in (b)(1)(A) or (B) of this section;

16 (B) the applicant agrees not to disclose the applicant's actual
17 residential or mailing address to the individual or individuals who are the
18 subject of a report or order described in (b)(1)(A) or (B) of this section; and

19 (C) the applicant understands and consents to the following
20 attributes and requirements of the program:

21 (i) a participant will be enrolled in the program for a
22 period of three years unless the participant submits notice of
23 cancellation under (vii) of this subparagraph or is disenrolled under (ii)
24 of this subparagraph;

25 (ii) a participant is required to notify the department
26 when the participant's actual address or legal name changes; if the
27 participant fails to notify the department under this subparagraph, the
28 department may disenroll the participant from the program;

29 (iii) a participant is required to develop a safety plan in
30 consultation with department personnel; *Dept. LAW*

31 (iv) by participating in the program, a participant

1 authorizes the department to notify state and municipal agencies and
2 units of government that the individual is a program participant;

3 (v) the department will notify a program participant
4 when the participant's three-year period is about to expire under (i) of
5 this subparagraph or if the department is set to disenroll the participant
6 under (ii) of this subparagraph;

7 (vi) a participant who receives a notification under (v)
8 of this paragraph may timely update the participant's information or
9 may re-enroll in the program within six months after the date the
10 department issues the notification;

11 (vii) a participant may discontinue participation in the
12 program at any time by submitting a written notice of cancellation to
13 the department; and

14 (viii) a participant must certify the department as the
15 participant's designated agent for service of process.

16 (d) Upon the filing of a properly completed application by an eligible
17 applicant, the department shall certify the applicant as a program participant.

18 (e) The department shall adopt regulations necessary to implement and
19 administer AS 44.23.100 - 44.23.104.

20 **Sec. 44.23.102. Use of designated address; confidentiality.** (a) The
21 department shall provide each participant with a designated address. A participant may
22 request that state and municipal agencies use the address designated by the department
23 as the participant's address. When creating a new public record, state and municipal
24 agencies shall use the address designated by the department as the participant's
25 substitute address, unless the department determines that the

26 (1) agency has a bona fide statutory or administrative requirement for
27 the use of the participant's actual address that would otherwise be confidential under
28 AS 44.23.100 - 44.23.104; and

29 (2) participant's actual address will be used only for the statutory and
30 administrative purposes identified in (1) of this subsection.

31 (b) A participant may use the address designated by the department as the

1 participant's work address.

2 (c) The department shall forward all mail received at a participant's designated
3 address to the participant's actual address and provide the notices described in
4 AS 44.23.100(c)(5)(C).

5 (d) At the request of a participant or a state or municipal agency or unit of
6 government, the department shall provide to another person confirmation of the
7 participant's status as a program participant.

8 (e) A state or municipal agency or unit of government shall use a participant's
9 address designated under this section for official business unless the use of the
10 participant's actual address is specifically required by statute. A state or municipal
11 agency or unit of government may request confirmation from the department of an
12 individual's status as a program participant.

13 (f) A person who has received confirmation of an individual's participation in
14 the program under this section may not

15 (1) refuse to use the address designated by the department for the
16 participant;

17 (2) require a participant to disclose the participant's actual address; or

18 (3) intentionally disclose to another person the actual address of a
19 participant.

20 (g) Notwithstanding (a) of this section, a participant shall provide the
21 participant's actual residential address for voter registration and voter verification
22 purposes under AS 15 and AS 29. However, state and municipal officials and other
23 persons to whom the participant's actual address is disclosed shall keep the address
24 confidential, except upon court order, and the address may not be disclosed under
25 AS 40.25.110 or 40.25.120.

26 **Sec. 44.23.104. Definitions.** In AS 44.23.100 - 44.23.104,

27 (1) "criminal justice agency" has the meaning given in AS 12.62.900;

28 (2) "department" means the Department of Law;

29 (3) "domestic violence" has the meaning given in AS 18.66.990;

30 (4) "participant" means an individual enrolled in the Alaska address
31 confidentiality program established in AS 44.23.100;

1 (5) "program" means the Alaska address confidentiality program
2 established in AS 44.23.100;

3 (6) "sexual assault" has the meaning given in AS 18.66.990;

4 (7) "stalking" has the meaning given in AS 18.65.870."

SB 192 Voting; Address Confidentiality; Fees Senator MacKinnon

SB 192 Voting; Address Confidentiality; Fees

This bill would amend AS 15.07.060 to allow an opt out for a voter applicant to keep their residential and mailing addresses confidential. Additionally, this bill would also amend AS 15.07.127(b), increasing the fee to obtain the voter registry to \$1,000. Previously that has been set by the Division of Elections at \$20.

Potential Issues:

This is a constituent driven bill for Senator MacKinnon.

There are problems and issues with the bill.

- 1) Confidentiality: You can get someone's residential/ mailing address from a number of places—hunting/fishing licenses, property tax payment registers, the court, etc. Google any service to find an address and there are a number of ways you can find people.
 - a. According to legislative research services, 39 states have established at Address Confidentiality Program (ACP) that allows survivors of domestic violence to keep their addresses confidential.
- 2) The fee. While the sponsor will argue that this is an average, Senator Coghill's staff could argue that this is not the case and not the norm. Going from \$20 (what the fee is currently) to \$1,000 suddenly does a few things:
 - a. Puts the cost out of reach for someone not affiliated with a political party. Borough Assembly, City Councils, Mayoral seats.
 - b. Makes all list services such as Motznik, or anyone who might have a list to sell that much more valuable.

Fiscal Impact:

Fiscal note is zero but wouldn't there be some revenue generation with the increased fee?

QUESTIONS:

- Where are other places that you can find out someone's address from the State of Alaska? Hunting licenses? Camping site registration? Court documents?

- So this bill would allow any applicant to keep their address confidential?
- How could you check for fraud? If someone purchased the list and noted that there was someone on there that shouldn't be (like they had died or were in prison) how could you check if they opted to keep the address confidential?
- In order to really protect people's confidentiality wouldn't we need to institute a statewide program at every level of government service? Or at the very least some guidelines as to who should use confidentiality such as what 39 other states use an "ACP" or Address Confidentiality Program.
- The cost is a big jump from people who are used to paying \$20 to suddenly pay \$1,000. For legislative seats I would imagine that the party would pay the \$1,000 fee but what about for non-partisan seats such as borough assembly, city council, or mayoral races?
- Shouldn't we limit who can buy the voter registration list or at least have whoever buying it is going to use it for campaign, research, and other similar type activities instead of spammers or junk mail?

ALASKA STATE LEGISLATURE

SENATOR ANNA MACKINNON

Session: January - April
Alaska State Capitol, Room 516
Juneau, Alaska 99801-1182
Phone: (907) 465-3777



Interim: May – December
12641 Old Glenn Hwy., Ste. 201
Eagle River, Alaska 99577
Phone: (907) 694-8944

Sen.Anna.MacKinnon@akleg.gov

Sponsor Statement

SB 192

Article I, Section 22 of the state constitution states, "The right of the people to privacy is recognized and shall not be infringed."

Senate Bill 192 proposes to strengthen the privacy rights of Alaskans by providing an opt-out provision that ensures confidentiality of their physical and mailing address and increases the fee charged by the Division of Elections for the voter registration list and the list of individuals who voted in an election.

Currently in Alaska, anyone can request a voter registration list from the Division of Elections for a nominal fee of \$20. That list includes a voter's full name, residence or mailing address, party affiliation, district, precinct, gender, and a 10-year voter history. In some instances, this information is being used to track individuals and placing them in unsafe situations.

This legislation aims to protect all Alaskans, especially vulnerable citizens, survivors of domestic violence and sexual assault, individuals serving the public such as healthcare providers, law enforcement officers, military service members, judges and court personnel, and elected officials from potential threats, stalking, or even violence. Certain local, state, and federal government agencies will continue to have access to this information to maintain specific programs and services.

Thirty-nine other states have varying forms of protection for their voter information. Alaska state statute allows for a physical address to remain confidential if a separate mailing address is provided, such as a post office box. However, a post office box can still indicate a voter's community of residence, further hindering some of your constituents and mine from registering and exercising their right to vote to protect their privacy. Senate Bill 192 seeks to address this issue by providing Alaskan voters an opt-out provision to keep their physical and mailing addresses private.

Thank you in advance for your support of this important legislation.

ALASKA STATE LEGISLATURE SENATOR ANNA MACKINNON

State Capitol, Room 516
Juneau, Alaska 99801-1182
Phone: (907) 465-3777



12641 Old Glenn Hwy. Ste. 201
Eagle River, Alaska 99801-1182
Sen. Anna.MacKinnon@akleg.gov

Sectional Analysis Senate Bill 192

Section 1: AS 15.07.060

Each voter applicant must indicate whether or not they want their residential and mailing addresses to be made confidential.

Section 2: AS 15.07.060

Establishes how an applicant, or a person acting on behalf of the applicant, may indicate that they desire to keep their address or addresses confidential; by making a statement to a registration official or by marking a box on the registration form.

Section 3: AS 15.07.064

Requires that the Division of Elections use the address provided on the Permanent Fund Application, if it is different from their current registration address, but the Division must also keep that address confidential if the voter requested their address to be confidential.

Section 4: AS 15.07.127

Increases the fee for the state's master voter registration list and a list by precinct to \$1,000. This section also requires that the voter's address be kept confidential from this list, if the voter has requested confidentiality.

Section 5: AS 15.07.195

Allows a voter to elect to keep the voter's mailing address confidential. Eliminates a requirement that a voter may only request that the voter's residential address be kept confidential if the voter provided a separate mailing address.

Section 6: AS 15.15.400

Provides that copies of the statewide list and a list by precinct, may be purchased from the division for \$1,000. This section also makes such copies of the list subject to the address confidentiality provisions.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 20, 2018

SUBJECT: Sectional summary of SB 192
(Work Order No. 30-LS1354\A)

TO: Senator Anna MacKinnon
Attn: Brittany Hartmann

FROM: Alpheus Bullard *ALB*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Requires an applicant for registration as an Alaska voter to indicate whether the individual wants the Division of Elections (division) to keep the individual's residential and mailing addresses confidential to the extent permitted by AS 15.07.195.

Section 2. Establishes how an applicant for registration as an Alaska voter, or a person acting on behalf of the applicant, may indicate that the applicant desires to keep the applicant's address or addresses confidential to the extent permitted by AS 15.07.195.

Section 3. Requires that the division keep a mailing address provided by the voter to the permanent fund dividend program and substituted by the Director of the division for the voter's address on file with the division, confidential to the extent that the voter requested of the mailing address the voter provided the division.

Section 4. Provides that copies of the state's master voter registration list, or a portion of that list, may be purchased from the division for \$1,000. Makes such copies of the list subject to the address confidentiality provisions of AS 15.07.195

Section 5. Allows a voter to elect to keep the voter's mailing address confidential to the extent permitted by AS 15.07.195. Eliminates a requirement that a voter may only request that the voter's residential address be kept confidential if the voter provided a separate mailing address.

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Section 6. Provides that copies of the state's voter list, or a portion of that list, may be purchased from the division for \$1,000. Makes such copies of the list subject to the address confidentiality provisions of AS 15.07.195.

TLAB:mlp
18-116.mlp

LEGISLATIVE RESEARCH SERVICES

30th Alaska Legislature
LRS Report 17.169
March 20, 2017



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Voter Information Privacy

Timothy Lash, Legislative Analyst

You asked for a comparison of the privacy of voter information in Alaska and other states.

In general, all 50 states and the District of Columbia allow some sort of access to voter records. However, many states have taken steps to restrict access to voter information or otherwise shield voter records—or at least the records of some voters—from public view. All states permit access to voter information by political parties and candidates for elected office. Other than those requests, some states restrict, to varying degrees, which other entities or individuals may obtain voter information. In comparison to other states, Alaska is less protective of voter information than many others, doing little to restrict access to, or otherwise shield, the personal information of registered voters in the state.¹ Below, we identify areas of comparison between Alaska and other states.

Restricting Public Access to Voter Records

Many states have enacted various measures that restrict access to voter information to narrow audiences and/or for narrow purposes. For example, California restricts the release of voter information to election-related, political, scholarly, journalistic, or governmental purposes and expressly prohibits “any personal, private, or commercial purpose.”² Similarly, Virginia limits access to certain individuals for certain purposes and charges \$5,000 for that privilege.³ According to the National Conference of State Legislatures (NCSL), “Eleven states do not allow members of the public to access voter data. Several other states restrict access to state residents (11), other registered voters (7), non-profit organizations (6), and those doing research (9).”⁴

According to our review, Alaska does not provide similar safeguards. Regardless of who may be asking, the state’s voter records are relatively accessible to other individuals or entities who seek it. Upon receipt of a request form and a \$20 fee—an amount 250 times less than Virginia’s fee—the Alaska Division of Elections will provide an electronic or hard copy of the Voter

¹ As of March 2017, seven states have enacted automatic voter registration—Alaska, California, Colorado, Connecticut, Oregon, Vermont, and West Virginia—along with the District of Columbia. Among these, California is especially protective of voter information. While other states have linked automatic voter registration to an application for, or renewal of, a driver’s license, automatic voter registration in Alaska is tied to the permanent fund dividend (PFD) application. For an overview of automatic voter registration by the National Conference of State Legislatures (NCSL), see “Automatic Voter Registration,” March 3, 2017, <http://www.ncsl.org/research/elections-and-campaigns/automatic-voter-registration.aspx>.

² California Elections Code, Sec. 2194, http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=2194. Also, California Assembly Bill No. 1461, a 2015 law establishing automatic voter registration and “procedures to safeguard the confidentiality of information,” as well as prohibiting the digital display of voter records, is accessible at https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1461. California’s voter information policies are favorably compared to other states in other reports, e.g. “Publishing voter registration data must balance privacy with transparency,” Sunlight Foundation, June 12, 2016, <https://sunlightfoundation.com/2016/06/16/publishing-voter-registration-data-must-balance-privacy-with-transparency/>.

³ Alongside Virginia, “Several states charge \$5,000 and Wisconsin charges \$12,500. Alabama and Arizona got creative with setting their fees by charging one cent per voter, resulting in a cost of upwards of \$30,000.” “It’s a Presidential Election Year: Do You Know Where Your Voter Records Are?” National Conference of State Legislatures, February 2016, <http://www.ncsl.org/research/elections-and-campaigns/the-canvass-february-2016.aspx>.

⁴ NCSL, “It’s a Presidential Election Year: Do You Know Where Your Voter Records Are?” <http://www.ncsl.org/research/elections-and-campaigns/the-canvass-february-2016.aspx>.

List, a file disclosing the full name, 10-year voting history, district, precinct, party affiliation, sex, residential address (if not maintained as confidential as discussed below), and mailing address of every individual registered to vote in the state.⁵ Evidently, the state makes it both convenient and affordable to obtain those records.⁶

Providing Confidentiality for Certain Voter Records

Beyond restricting access to voter records, many states have taken special steps to shield voter information, in whole or in part, for certain registered voters who may not want to be identified, located, or subjected to threats, stalking, or violence through the disclosure of their personal information in state voter records. A number of states provide privacy protections for certain residents, or certain types of residents, through opt-in address confidentiality programs and other measures. These protections usually cover, but are not necessarily limited to, voter records.

For example, with regard to domestic violence, overall, the National Network to End Domestic Violence (NNEDV) notes that some survivors of domestic violence may choose not to vote at all, rather than risk the disclosure of one's full name, location, and other information through voter records. At the same time, other survivors may not be aware that, in states without sufficient privacy protection, "their personal information may be obtainable by the public, accessible online, or available for purchase."⁷ Because Alaska provides relatively little protection or confidentiality, a resident who does not want to risk public disclosure of their identity, location, and other data may have good reason to abstain from voting. Or, if the resident is not aware of the ease of access to Alaska's voter records, the resident may vote or may become registered to vote—either automatically through applying for the PFD, or otherwise—without realizing that their information may be accessed for \$20.

According to the NNEDV's Safety Net Project, 39 states have established Address Confidentiality Programs (ACPs) that allow survivors of domestic violence (DV) and other crimes to keep their current address confidential in public and official processes and records. Of the 39 states with ACPs, 29 states specifically prevent the sharing of their participant's voter records to keep the addresses of DV survivors from being sold and accessible in voter lists. Alaska is in the minority of states, neither having an ACP, nor providing specific protection for the voter records of DV survivors or any others, according to our review.

Apparently, Alaska's only noteworthy measure to safeguard the personal information of a registered voter is that, when a resident registers to vote, the Alaska Division of Elections allows the resident to opt out of disclosing a residential address by substituting a mailing address. While valuable to some individuals, this option falls well short of the protections afforded to residents of other states. Because a mailing address and other personal information are readily available to members of the public through the release of voter records, in effect, Alaska's handling of voter information does not allow any registered voters to keep their personal information (with the exception of a residential address) private.

⁵ Voting history is an indication of when and whether, rather than how, a person voted. Alaska Division of Elections, "Index of Resources," <http://www.elections.alaska.gov/doc/forms/H23.pdf>.

⁶ For a brief look across state legislatures, see the NCSL's "It's a Presidential Election Year: Do You Know Where Your Voter Records Are?" at <http://www.ncsl.org/research/elections-and-campaigns/the-canvass-february-2016.aspx>. See also the 50-state review, "Voter List Information," U.S. Elections Project, <http://voterlist.electproject.org/states/>. However, please note that not all restrictions to voter information access appear in those sources, or in any other sources of which we are aware.

⁷ "Voter Registration and Privacy," Safety Net Project, National Network to End Domestic Violence (NNEDV), 2016, <https://www.techsafety.org/voter-registration-privacy/>. As the NNEDV's report goes on to say: "Many people do not realize that their voter registration record may be publicly available online and that it may include identifying information. Voters should also be given more options to maintain their privacy when registering to vote. These options should either be created or enhanced so they are easily accessible and available to eligible voters. Currently, survivors who have high privacy risks have few options and may consider choosing not to register to vote to keep their address from becoming publicly available. Lack of privacy is an extremely unfortunate reason for someone to not be able to vote and something that should be addressed so that all citizens can exercise their constitutional right and engage in the political process. If your state currently does not offer any type of privacy options for individuals, it's important to explore these options."

Additional Examples of Privacy Protections in Other States

Below, we provide additional examples from states that have passed laws to further protect state records and/or voter records.

- Maryland provides the benefits of the Maryland Safe at Home Address Confidentiality Program (ACP) to victims of human trafficking, as well as to DV survivors. Among other privacy protections, Maryland's ACP requires the local board of elections to use a participant's actual address for voter registration and other election-related purposes, yet the program prohibits the board from making the participant's actual address, as held in voter records, available for public inspection or copying (with limited exceptions for law enforcement or court orders).⁸
- Utah allows a registered voter to request that the voter's personal information be kept private, if disclosure may either put the voter or a member of the voter's household's life or safety at risk, or put the voter or a member of the voter's household at risk of being stalked or harassed.⁹
- Alabama omits the residential *and* mailing address of certain registered voters from the state's voter records for victims of DV, custodians of minor victims of DV, and those protected by a DV order.¹⁰
- Louisiana prohibits the disclosure of voter information for anyone participating in the Louisiana Address Confidentiality Program, as well as for law enforcement officers engaged in hazardous activities to the extent that it is necessary for their names and addresses to be kept private.¹¹
- Florida extends the public records exemption to the names, addresses, and telephone numbers of victims of stalking, in the same manner by which the state protects residents who participate in the State of Florida Address Confidentiality Program (ACP) for Victims of Domestic Violence, exempting the personal information of those residents from public disclosure.¹²
- Texas specifically restricts the residential address of any judge in the state.¹³

Finally, and especially notably, California—a state that is highly regarded for the lengths to which it goes to restrict access to voter records and to safeguard the personal information of residents in general—provides confidentiality to the following registered voters under law:

- A victim of domestic violence, sexual assault, or stalking;
- A reproductive health care service provider, employee, volunteer, or patient;
- A public safety officer; or

⁸ Maryland SB 818, 2014.

⁹ Utah SB 36, 2014, <http://le.utah.gov/~2014/bills/static/SB0036.html>.

¹⁰ Alabama SB 280, 2014.

¹¹ Louisiana HB 383, 2014.

¹² Florida S 7034, 2015, <https://www.flsenate.gov/Session/Bill/2015/7034>.

¹³ NCSL, "It's a Presidential Election Year: Do You Know Where Your Voter Records Are?" <http://www.ncsl.org/research/elections-and-campaigns/the-canvass-february-2016.aspx>.

- A person with a life-threatening circumstance.¹⁴

While the above examples are not exhaustive, they represent the range of privacy protections available to registered voters in various states. Alaska, in comparison, provides minimal, if any, protection. For example, Alaska's handling of voter records does not appear to address the needs of DV survivors or other residents whose personal information is widely accessible, with few restrictions or other protections, at this time.

We include, in Attachment A, the NNEDV's "Address Confidentiality Laws by State," which lists confidentiality programs and establishing legislation in the 39 states that have passed those laws.¹⁵

We hope this is helpful. If you have questions or need additional information, please let us know.

¹⁴ California AB 1461, 2015, http://www.leginfo.ca.gov/pub/15-16/bill/asm/ab_1451-1500/ab_1461_bill_20150505_amended_asm_v95.html.

¹⁵ The NNEDV's table is also accessible at <http://nnedv.org/resources/safetynetdocs/155-privacy/923-acp-state-by-state.html?highlight=WyJhY3AiXQ==>.

Address Confidentiality Laws by State

State	ACP Protections	Legislation	Program Information
Alabama		None	
Alaska		None	
Arizona	Confidential Motor Vehicle Registration	AZ ST § 41-166 (2014)	All programs listed at: http://www.azcourts.gov/selfservicecenter/Self-Service-Forms#PersonalInfo Address Confidentiality Program 1901 W. Madison St. Phoenix, AZ 85009-5287 (602) 542-1653 Email: acpinfo@azsos.gov ; website: http://www.azsos.gov/services/acp
	Confidential Voter Registration	AZ ST § 16-153 (2014)	
	County Assessor & Treasurer Confidentiality	AZ ST § 11-484 (2014)	
	County Recorder Confidentiality	AZ ST § 11-483 (2014)	
	Address Confidentiality Program	HB-2302 signed into law 4/19/2011; amended 2014 Ariz. Legis. Serv. Ch. 130 (H.B. 2100) Eligibility: Victim of domestic violence, sexual offense (such as rape, sexual assault, molestation), or stalking; Is in fear of her or his safety; Has moved in the past 90 days to a place unknown by the perpetrator or is planning to move to a place unknown to the perpetrator in the near future within Arizona; Has documentation to support victimization; and Is an adult, or a parent or guardian acting on behalf of a minor or incapacitated person. ACP: §41-141 to §41-169	
Arkansas	Confidential License Registration	Ark. Code Ann. § 27-16-811 (2008)	Revenue Division – DL Services Dept. of Finance and Admin. PO Box 1272, Little Rock AR 72203 (501) 682-7052
California	"Safe at Home" Address Confidentiality Program	Cal. Gov't Code §§ 6205 - 6211 (2009) Includes: Confidential Voter Registration, DMV Records Suppression, and Internet Disclosure Prohibition Services domiciled (reside) in California; Eligibility: Must be in fear for safety or the safety of a minor or incapacitated person for whom you are applying; and a victim of domestic violence, stalking, or sexual assault; or a reproductive healthcare employee, patient, or volunteer.	Safe At Home Program PO Box 846 Sacramento, CA 95812-0846 (877) 322-5227 www.sos.ca.gov/safeathome
Colorado	Address Confidentiality Program	CO ST §§ 24-30-2101-115, CO ST § 1-2-213 Eligibility: survivors of DV, sexual offenses, stalking, must have evidence of the victimization and must have moved within the past 90 days or be planning to relocate Includes: confidential DL and state identification documents, motor vehicle and registrations, school enrollment and school record, human services, police reports, court records, local recreation centers, bank accounts, libraries, voter registration records	Address Confidentiality Program 1001 E. 62nd Ave. Denver, CO 80216 (303) 866-2208 www.colorado.gov/acp
Connecticut	Address Confidentiality Program	Conn. Gen. Stat. § 54-240 et seq. (2008) Eligibility: victim of family violence, injury or risk of injury to a	Address Confidentiality Program PO Box 150469

		<p>child, sexual assault or stalking, who has permanently and confidentially moved away from abuser. Participants complete applications through a community based domestic violence or sexual assault crisis program located throughout the state. Application process involves meeting with an application assistant and receiving orientation information about the program. Includes: Confidential Address for Voter Registration and Confidential Marriage Records</p>	<p>30 Trinity Street Hartford, CT 06115-0469 (860) 509-6006 www.ct.gov/sots/cwp/view.asp?a=3177&q=391912</p>
Delaware	Confidential Motor Vehicle Registration	21 Del.C. § 305 (2015)	<p>Address Confidentiality Program Office of Attorney General 820 N. French St Wilmington, DE 19801 (800) 870-1790 http://delcode.delaware.gov/title11/c096/sc02/index.shtml</p>
	Confidential Voter Registration	15 Del.C. § 1303 (2011)	
	Address Confidentiality Program	11 Del.C. § 9612 (2011)	
		<p>Eligibility: victim of domestic violence, sexual assault or stalking who has filed for a protection from abuse or who is or was named as a victim in any criminal or delinquency proceeding brought for the purpose of determining liability for the commission of any crime or offense, or a person who has an agreement with the DOJ or a person who is a member of the same household as a program participant or a person who has obtained or is seeking relief from a domestic violence program or service.</p>	
District of Columbia	None		
Georgia	None		
Guam	None		
Hawaii	None		
	Address Confidentiality Program that included voter records was proposed in legislation in 2015 but did not pass (2015 HI H.B. 446).		
Idaho	Address Confidentiality Program	<p>Idaho Code Ann. § 19-5701 to §19-5708 (2008)</p> <p>Includes: Confidential Voter Registration, confidential address for driver's license</p> <p>Applicant must have Protective Order or can have letter from prosecuting attorney that person is a victim of DV, SA, etc. and that abuser charged with the crime; applicants apply directly through program, not through assistants</p>	<p>Address Confidentiality Program PO Box 1737 Boise, ID 83701-1737 (208) 334-2852 http://sos.idaho.gov/ACP/index.html</p>
Illinois	None		
	ACP exists ONLY in statute; Program is not funded and legislation calls for funding in order to implement program http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2101&ChapterID=59		
Indiana	Address Confidentiality Program	<p>IC 5-26.5-1-1 to IC 5-26.5-5-5</p> <p>Program Requirements: (1) Valid Protective Order; (2) Be a victim of DV, SA, or stalking; (3) Be in fear of safety; and (4) Be 18 years of age or have an adult/parent/guardian apply on behalf of minor</p>	<p>Address Confidentiality Program 302 W. Washington St. 5th Floor Indianapolis, IN 46204 (800) 321-1907 http://www.in.gov/attorneygeneral/legal/victim/address_confidentiality.html Email: confidential@atg.in.us</p>
Iowa	"Safe at Home" Address Confidentiality Program	<p>I.C.A. § 9E.3 (2016)</p> <p>Includes: Confidential voter registration</p> <p>Eligibility: One of the following: 1) victim of domestic abuse,</p>	<p>Safe at Home 899 E. 12th St. PO Box 959</p>

		domestic abuse assault, sexual abuse, stalking or human trafficking, 2) person fears for person's safety, safety of another who lives in the same household, or safety of the persons on whose behalf the application is made.	Des Moines, IA 50319 https://safeathome.iowa.gov/
Kansas	"Safe at Home" Address Confidentiality Program	Kan. Stat. Ann. §§ 75-451 to -458. (2008) Eligibility: victim of domestic violence, sexual assault, stalking and/or human trafficking or an adult family member residing with a program participant; a parent acting on behalf of a minor; or a guardian acting on behalf of an incapacitated person. Located at or planning relocation to an address unknown to the perpetrator; and willing to make the secretary of state's office their legal agent for service of process and recipient of first-class and certified mail.	Safe at Home PO Box 798 Topeka, KS 66601-0798 (785) 296-3806 www.sos.ks.gov/safeathome
Kentucky	Address Confidentiality Program Note: currently just for confidential voter registration	KRS § 14.260 (2015), note: 2016 KY H.B. 59 (NS) would require, despite funding, for the program to be implemented and create for a lower standard of proof for victims in proving they are, indeed, victims, would allow residency requirement to be fulfilled easier, and would expand program to include DL registration, P.O. box assignments Who is eligible: 1) those who have a current emergency protective order or domestic violence order under KRS Chapter 403, 2) victims of a specified offense (eg. domestic violence and buse, stalking, a sex crime, or a crime against a minor victim) in an ongoing criminal case or a criminal case that resulted in a conviction)	Address Confidentiality Program c/o Office of the Secretary of State 700 Capital Ave., Ste. 152 Frankfort, KY 40601 (844) 292-KACP (toll-free) KACP@ky.gov
Louisiana	Address Confidentiality Program	La. Rev. Stat. Ann. §§ 44:51 – 44:57 (2008) Eligibility: victim of abuse, sexual assault or stalking; be concerned for the safety of yourself, your children or your household members; be a resident of Louisiana or plan to relocate to an address unknown to your abuser in which you have not made any public record (e.g., telephone number, utilities, driver's license, etc.) and live in a residence that the victim does not own (the ACP cannot protect a victim if a house has been purchased in their name); and be 18 years of age or older, a parent or guardian acting on behalf of a minor or a parent or guardian acting on behalf of an incapacitated individual.	Address Confidentiality Program PO Box 91301 Baton Rouge, LA 70821 (225) 925-4792 http://www.sos.la.gov/OurOffice/AddressConfidentialityProgram/Pages/default.aspx
Maine	Address Confidentiality Program	Me. Rev. Stat. Ann. tit. 5, § 90-B (2008) 5 M.R.S.A. § 90-B Eligibility: Victim of domestic violence, sexual assault or	Address Confidentiality Program 148 Statehouse Station Augusta, ME 04333-0418 (207) 626-8400

		<p>stalking relocates or has plans to relocate to an address unknown to the perpetrator and not contained in any public record.</p> <p>Victim completes ACP application with an Application Assistant certified by the Secretary of State. The applicant must declare that disclosure of the applicant's address threatens the safety of the applicant or applicant's children.</p>	<p>http://www.maine.gov/sos/acp/index.html</p>
Maryland	<p>"Safe at Home" Address Confidentiality Program</p>	<p>Md. Code Ann., Fam. Law §§ 4-519 to -530 (West 2009)</p> <p>Eligibility: victim of domestic violence or human trafficking, a parent or guardian of a minor child who fears for the safety of the child, the guardian of a disabled person.</p> <p>Note: does NOT include voter registration, ACP urges participants who are eligible as voters to apply to vote as absentee voter, and to not use Motor Voter system.</p>	<p>Safe at Home PO Box 2995 Annapolis, MD 21404 (800) 633-9657 Ext 3875 http://www.sos.state.md.us/acp/safeathome.aspx http://sos.maryland.gov/SoS%20Forms/SafeAtHomeBrochure.pdf</p>
Massachusetts	<p>Address Confidentiality Program</p>	<p>Mass. Gen. Laws ch. 9A, §§ 1 - 7 (2008)</p> <p>Note: Protective Order Required</p> <p>Eligibility: the applicant must show that disclosure of his or her address threatens the safety of the applicant or the applicant's children. ACP permits program participants to use a substitute mailing address when interacting with government agencies. Substitute address is used as the participant's legal residence, as well as work and/or school address. Consequently, government records may be disclosed to the public without identifying the victim's new location.</p>	<p>Address Confidentiality Program PO Box 9120 Chelsea, MA 02150-9120 (866) 723-3233 http://www.sec.state.ma.us/acp/acpidx.htm</p>
Michigan	<p>None</p> <p>HOUSE BILL No. 5654, introduced on June 11, 2014, sent to Judiciary Committee, introduced again in 2015 as H.B. No. 4413</p>		
Minnesota	<p>"Safe at Home" Address Confidentiality Program</p>	<p>Minn. Stat. §§ 5B.01- 5B.09 (2008)</p> <p>Eligibility: must reside in Minnesota; and be afraid for their personal safety, or be afraid for the safety of their child or ward, or be afraid for the safety of another person with whom they reside.</p>	<p>Safe at Home PO Box 17370 Saint Paul, MN 55117-0370 (866) 723-3035 http://www.sos.state.mn.us/safe-at-home</p>
Mississippi	<p>Address Confidentiality Program</p>	<p>Miss. Code Ann. § 99-47-1 (2008)</p> <p>Eligibility: Participants must provide a statement of any existing or pending court order or court action involving the applicant that is related to divorce proceedings, child support, child custody, or child visitation; the court that issued each order or</p>	<p>Address Confidentiality Program PO Box 220 Jackson, MS 39205 (800) 829-6766 http://www.ago.state.ms.us/index.php/sections/victims/</p>

		has jurisdiction over an action shall be noted and evidence that the applicant is a victim of domestic violence, sexual assault, or stalking. This evidence shall include at least one (1) of the following: Law enforcement, court or other local, state or federal agency records or files; Documentation from a domestic violence shelter or rape crisis center; or other form of evidence as determined by the Office of the Attorney General. Note: Participant can face fine or imprisonment for fraudulent application	address_confidentiality_program
Missouri	"Safe at Home" Address Confidentiality Program	Mo. Ann. Stat. §§ 589.660 – 589.683 (2009), amended by 2016 Mo. Legis. Serv. H.B. 1562 (VERNON'S) (West's No. 34) (expanded for victims of human trafficking) Eligibility: victim of domestic abuse, rape, sexual assault or stalking and fears further violent acts from assailant; Has relocated or is about to relocate to an address unknown to the assailant and that is not already part of any public record; Is a resident of Missouri or is about to become a resident; Has a valid Missouri address where she or he can immediately begin receiving mail; Is an adult person (age 17 years or older) or a parent or guardian acting on behalf of a minor (age 16 years or younger) or incapacitated person; Is willing to designate the secretary of state as her or his legal agent to receive legal documents, service of process and first-class and certified mail; and understands there will be a 5- to 7-day mail delay as mail first comes to Safe at Home and is then forwarded to her or his confidential mailing address.	Safe at Home PO Box 1409 Jefferson City, MO 65102-1409 (866) 509-1409 (Toll-free) SafeAtHome@sos.mo.gov http://www.MoSafeAtHome.com
Montana	"Substitute Address" Address Confidentiality Program	Mont. Code Ann. §§ 40-15-115 to 40-15-120 (2008) Eligibility: Application must be notarized and applicant must establish residence in order to apply to program	Address Confidentiality Program PO Box 201410, Helena, MT 59620 (406) 444-5803 https://doj.mt.gov/victims/address-confidentiality-program/
Nebraska	Address Confidentiality Program	Neb. Rev. St. §§ 42-1201 to 42-1210 (2008) Eligibility: (1) a victim of abuse, sexual assault or stalking who fears for his or her safety, or a parent or guardian applying on behalf of a minor or incapacitated person and (2) a Nebraska resident who has recently relocated to a place unknown to his or her abuser or is planning to move in the near future.	Address Confidentiality Program PO Box 92921, Lincoln, NE 68509 (866) 227-6327 http://www.sos.ne.gov/business/acp_menu.html
Nevada	Confidential Address Program	Nev. Rev. Stat. § 217.462 (2008) Eligibility: Must provide an application that can produce a copy of an applicable record of conviction, a temporary restraining order or other protective order, that the adult, child or incompetent person has been a victim of domestic violence, sexual assault or stalking before the filing of the application. Includes: Confidential Voter Registration Records; Participants exempt from Jury Duty	Confidential Address Program PO Box 2743 Carson City NV 89702-2743 Toll Free: 888-432-6189 Local: 775-684-5707 http://ag.nv.gov/Hot_Topics/Victims/NVCAP/Confidential_Address_Program/

New Hampshire	Address Confidentiality Program	<p>N.H. Rev. Stat. Ann. §§ 7:41 – 7:48 (2008)</p> <p>Eligibility: Should have recently moved or is planning on moving in near future. Should not have created any local or state records using new address they wish to keep confidential. Any adult person, a parent or guardian acting on behalf of a minor or guardian acting on behalf of an incapacitated person, may apply if they are a victim of domestic violence, sexual assault or stalking and meet the eligibility guidelines. Having a restraining order, criminal charges pending or even reporting the abuse to law enforcement are not required in order to participate in the ACP. The law mandates that anyone interested in applying for the program access one of the 14 crisis centers in NH for assistance. Note: Class B misdemeanor for false/fraudulent applications.</p> <p>Includes Confidential Voter Registration and allows eligible voters to vote absentee</p>	<p>Address Confidentiality Program 33 Capital St., Concord, NH 03301-6397 (603) 271-1240 http://www.doj.state.nh.us/victim-assistance</p>
New Jersey	Address Confidentiality Program	<p>N.J. Stat. Ann. §§ 47:4-1 to 47:4-6 (2009) N.J.A.C. 5:61 (2014)</p> <p>Two services: substitute address and protected records service §5:61-11.1 Confidentiality of voter records information</p> <p>All information related to voter records of program participants shall be confidential and shall not be released without the program participant's expressed written authorization, except as otherwise provided in N.J.S.A. 47:4-1 et seq.</p> <p>Eligibility: a) must be 18 years of age or over, an emancipated minor, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person. b) All applicants shall complete a standard application form and an authorization form, which may be obtained from a local domestic violence program.</p>	<p>Address Confidentiality Program Department of Children and Families PO Box 207 Trenton, NJ 08625 1-877-218-9133 http://www.state.nj.us/njcbw.org</p>
New Mexico	Confidential Address Program	<p>N.M. Stat. §40-13-11 (2008)</p> <p>\$25 Application fee may be waived depending on income</p> <p>Voter registration requests are deemed a permanent absentee ballot request. After becoming participant in CAP, need to register in person in County Clerk's office.</p>	<p>Confidential Address Program Post Office Box 1888 Santa Fe, NM 87504</p> <p>Secretary of State (888) 432-5469 http://www.sos.state.nm.us/Voter_Information/confidential-address-program-summary.aspx</p>
New York	Address Confidentiality Program	<p>McKinney's Executive Law § 108, NY EXEC § 108</p> <p>Note: 2015 New York Assembly Bill No. 5563 would extend to voter registration</p>	<p>Address Confidentiality Program P.O. Box 1110 Albany, NY 12201-1110 (518) 474-7306; (855) 350-4595</p>

		<p>Eligibility: Victims of domestic violence and who have moved or are planning to move to a new location for safety reasons and anyone living in the same household as the victim, such as children, parents or siblings. Once a minor in the household becomes 18, he or she becomes an adult and must complete a new application to continue with the program.</p>	<p>acp@dos.ny.gov http://www.dos.ny.gov/acp/index.html</p>
North Carolina	Address Confidentiality Program	<p>N.C. Gen. Stat. § 15C-1 et seq. (2008)</p> <p>Voting not covered by ACP, but in some cases is covered by N.C. Gen. Stat. §163-7A G.S.163-82.10</p> <p>Registered voter submit to county board of elections a copy of protective order or ACP card, that voter's name, precinct, and the other data contained in that voter's registration record shall remain a public record; that voter's signed statement submitted under this subsection is a public record but shall be kept confidential as long as the protective order remains in effect or the voter remains a certified program participant in the Address Confidentiality Program; The voter's actual address shall be used for any election-related purpose by any board of elections</p>	<p>Address Confidentiality Program 9099 Mail Service Center Raleigh, NC 27699-9099 (919) 716-6785 http://www.ncdoj.gov/acp</p>
North Dakota	Voter Confidentiality	<p>N.D. Election Law § 16.1-02-07</p> <p>Any individual who has obtained a protection order under section 14-07.1-03 or who is protected by a disorderly conduct restraining order under section 12.1-31.2-01 must be listed in the central voter file with a "secured active" designation. A "secured active" designation means a record maintained as an active voter for pollbook purposes, but otherwise is an exempt record (won't be released as part of pollbook). Designation is removed when order is no longer in effect. Courts translate the orders of protection to the Secretary of State.</p>	<p>Secretary of State State of North Dakota 600 E Boulevard Avenue Dept 108 Bismarck ND 58505-0500 Telephone: 701-328-2900 Toll Free: 800-352-0867 http://sos.nd.gov/office-secretary-state/contact-us</p>
Ohio	Address Confidentiality Program (effective September 8, 2016)	<p>2016 Ohio Laws File 82 (Sub. H.B. 359)</p> <p>Eligibility: victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery and to allow wireless service account transfer in a domestic violence situation.</p> <p>Includes: confidential voter registration (note: person with a confidential address can only vote via absentee ballot)</p>	<p>Secretary of State's Office Release here: https://www.legislature.ohio.gov/download?key=5528&format=pdf</p>
Oklahoma	Address Confidentiality Program	<p>Okla. Stat. tit. 22, § 60.14 (2008)</p> <p>Includes: Confidential Voter Registration; Public Schools required to accept ACP address as valid residential address</p> <p>Participation in the program allows eligible voters to apply to vote as an absentee voter. Neither the participant's name nor address will appear on any list of registered voters made available to the public.</p>	<p>Address Confidentiality Program ACP PO Box 60189 Oklahoma City, OK 73146-0189 Toll Free:(405) 557-1700 1-866-227-7784 (Oklahoma Only) https://www.ok.gov/oag/Public_Safety/Victim_Services/Address_Confidentiality_Program.html</p>

Oregon	Address Confidentiality Program	Or. Rev. Stat. §§ 192.820 – 192.868 (2008) Can apply to register to vote with confidential address in certain cases, like if part of ACP (http://sos.oregon.gov/voting/Pages/homeless-confidential.aspx) Eligibility: lives in Oregon, and a) Is over 18 years old*, and b) Is a victim of domestic violence, sexual assault, stalking, or human trafficking, and c) Has recently relocated (or is about to relocate) to an address unknown to the perpetrator or any government agencies. *Parents or guardians may apply on behalf of incapacitated adults and minor children.	Address Confidentiality Program PO Box 1108, Salem, OR 97308 (503) 373-1323 or toll-free within Oregon only: 1-888-559-9090 http://www.doj.state.or.us/victims/confidentiality.shtml
Pennsylvania	Address Confidentiality Program	23 Pa. Cons. Stat. Ann. §§ 6701 - 6713 (2008) Can be used for voter registration: Participants cannot register to vote at the Pennsylvania Department of Transportation (PennDOT) or with other state agencies; program works directly with the county voter registration office. Before an election, ACP participants will receive a ballot and use this ballot to vote. The participant returns the ballot to the director at the county voter registration office. Note: Penalties for providing false information/fraud.	Address Confidentiality Program 1101 S. Front St. Ste 5200 Harrisburg, PA 17104 (800) 563-6399 http://www.paacp.state.pa.us
Puerto Rico	None Puerto Rico has received some funding and is in the process of attempting to implement a program through the Department of Justice. The hope is implement a program soon.		
Rhode Island	Confidential Voter Registration	R.I. Gen. Laws §§ 17-28-1 to 17-28-8 (2008) http://webserver.rilin.state.ri.us/Statutes/TITLE17/17-28/INDEX.HTM Note: Must have active RO against someone (either in state or out of state) or a domestic violence no contact order to be a part of program	Elections Division- Secretary of State 148 W. River St., Providence, RI 02904 (401) 222-2340 http://www.sos.ri.gov/divisions/Elections/Voters/voter-registration (Confidentiality information at bottom of site)
South Carolina	None		
South Dakota	None		
Tennessee	Confidential Address for Obtaining Utilities	Tenn. Code Ann. §10-7-504 subdivision (a)(15)(B) [2013] Eligibility requires a valid Protection Order.	Eligible participants should contact their local utility company to apply.
Texas	Address Confidentiality Program	Tex. Code Crim. Proc. Ann. art. 56.81 - 56.93 (2008) Note: May be required to have a protective order if Attorney General requires pursuant to §56.83. May use ACP address for voter registration but must register in person and present ID. Can then receive ballots in mail.	Address Confidentiality Program PO Box 12199 MC-069 (888) 832-2322 https://www.texasattorneygeneral.gov/victims/acp.shtml
Utah	None		

Vermont	"Safe at Home" Address Confidentiality Program	<p>Vt. Stat. Ann tit. 15, § 1150-1160 (2008)</p> <p>See Vt. Stat. Ann tit. 18, § 5083 (Birth records) & § 5132 (Marriage Certificates); Vt. Stat. Ann tit. 17, § 2122 (Voting) & § 2126 (Village Checklist) for participants of the ACP</p> <p>Note: Subject to prosecution for knowingly providing false or incorrect information; Participants can vote as Blind Ballot Absentee Voter</p> <p>Eligibility: Victim of domestic violence, sexual assault, or stalking; who has: Relocated or is about to relocate to an address unknown to the perpetrator; Not created any government records with their new address; Is a resident of VT or is about to become a resident; Is at least 18 years old, an emancipated minor, or a parent or guardian acting on behalf of a minor or incapacitated person; Is willing to designate the secretary of state as their agent to receive legal documents and first-class mail; and can manage with a two- to five-day mail delay (since mail first comes to Safe at Home and is then forwarded).</p>	<p>Safe at Home PO Box 1568 Montpelier, VT 05601-1568 (802) 828-0586 800-439-8683 (Vermont only) https://www.sec.state.vt.us/safe-at-home.aspx</p>
Virginia	Address Confidentiality Program	<p>Va. Code. Ann. § 2.2-515.2.(2011)*</p> <p>May apply to voting (http://www.oag.state.va.us/images/DomViolence/DV_2014/SummaryofACPforjuly01_2014.pdf) "Participant may request that the ACP substitute P.O. Box address in lieu of his/her actual street address on public voting records. The ACP participant should be cautioned that, although the residential address will not be made readily available on certain publicly available lists, the residential address may still appear on other voter documents, including the application itself, that may be subject to public inspection, as permitted by law."</p> <p>To apply for participation in the ACP, you must complete an application through your local domestic violence program. To access ACP application online, must have password.</p>	<p>Address Confidentiality Program P.O. Box 1133 Richmond, Virginia 23218-1133 804-786-2071 http://www.oag.state.va.us/programs-initiatives/domestic-violence/address-confidentiality-program</p> <p>Attorney General's Office 202 North Ninth Street Richmond, Virginia 23219</p>
Virgin Islands	None		
Washington	Address Confidentiality Program	<p>Wash. Rev. Code §§ 40.24.010 – 40.24.090 (2008)</p> <p>Includes: Confidential Voter Registration and Confidential Marriage License Records</p>	<p>Address Confidentiality Program PO Box 257, Olympia, WA 98507-0257 (360) 753-2972 (800) 822-1065 (Washington only) http://www.sos.wa.gov/acp/</p>
West Virginia	Address Confidentiality Program	<p>W.Va. Code §§ 48-28A-101 to 48-28A-110 (2008)</p> <p>Participants may use the ACP substitute address for: Voting, West Virginia driver's licenses or ID cards, applying for and receiving child support, & enrolling their children in public school; Application is made in person at a local domestic violence, sexual assault or victim service program located throughout the state by an approved application assistant. Misdemeanor crime to provide false information.</p>	<p>Address Confidentiality Program PO Box 5399, Charleston, WV 25361-0399 (304) 558-6000 (Sec of State office) or (866) 767-8683 (for ACP office) http://www.sos.wv.gov/public-services/acp/Pages/acp.aspx acp@wvsos.com</p>

Wisconsin	Confidential Voter Registration Address Confidentiality Program (effective April 1, 2017 through Office of the Attorney General)	Wis. Stat. § 6.47 (2010)* Must make written request in-person at office of municipal clerk; need at least one of 4 documents, each of which have their own time constraints: 1) copy of restraining order/injunction, 2) affidavit from sheriff/police, 3) statement from shelter agent, 4) statement from authorized domestic violence/sexual assault representative	For Mail: Wisconsin Government Accountability Board P.O. Box 7984 Madison, Wisconsin 53707-7984 Physical address: Wisconsin Government Accountability Board 212 East Washington Avenue, Third Floor Madison, Wisconsin 53703 (608) 266-8005 http://gab.wi.gov/elections-voting/voters/confidential
Wyoming	None		
Greater Boston Legal Services & National Network to End Domestic Violence Updated: NNEDV, Sept 2016 Original: Valenda Applegarth, 2009			

Voter Databases/Confidentiality in Similar States

North Dakota:

Any individual who has obtained a protection order under section 14-07.1-03 or who is protected by a disorderly conduct restraining order under section 12.1-31.2-01 must be listed in the central voter file with a “secured active” designation. A “secured active” designation means a record maintained as an active voter for pollbook purposes, but otherwise is an exempt record (won’t be released as part of pollbook). Designation is removed when order is no longer in effect. You need to prove your protection status by a protective order or restraining order. Courts translate the orders of protection to the Secretary of State.

Wyoming:

Your name, address and party affiliation are public information. Voter registration data is provided to persons who sign an oath affirming that they will not use the data for commercial purposes.

Montana:

“Substitute Address” by using an Address Confidentiality Program (ACP). This sets up a place for all mail to go, for the protected individuals and they each get their own private mailbox number (PMB#). They have a form to fill out and they must select if they are a victim of: domestic violence, sexual offense, or stalking. This must be evidenced by: cord order, domestic violence or sexual assault program, or a religious, medical or other professional from whom you have sought assistance from regarding alleged domestic violence, a sexual offense or stalking.

Montana’s Right to Privacy:

- Article 2 Section 10: The right of individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest.

Director's Office
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P.O. Box 110017
Juneau, Alaska 99811-0017
☎ 907-465-4611 📠 907-465-3203
elections@alaska.gov



Elections Offices ☎
Absentee-Petition 907-270-2700
Anchorage 907-522-8683
Fairbanks 907-451-2835
Juneau 907-465-3021
Nome 907-443-5285
Mat-Su 907-373-8952

STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

March 1, 2018

The Honorable Kevin Meyer, Chair
Senate State Affairs Committee
Alaska State Legislature
State Capitol, Room 103
Juneau, AK 99801

Dear Senator Meyer:

At the February 27, 2018, Senate State Affairs committee hearing on Senate Bill 352, there was a question from the committee regarding the number of statewide and district voter lists that the Division of Elections provides per year. Attached is a spreadsheet with the number of lists sold by region and the various types of lists that would also be impacted by Senate Bill 192.

If you have further questions or need additional information, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josie Bahnke".

Josie Bahnke
Director

Cc: Senate State Affairs Committee Members
Senator Anna MacKinnon

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: SB 192
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB192-OOG-DOE-2-23-18
Title: VOTING: ADDRESS CONFIDENTIALITY; FEES
Sponsor: MACKINNON
Requester: Senate State Affairs

Department: Office of the Governor
Appropriation: Elections
Allocation: Elections
OMB Component Number: 21

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Not applicable, initial version

Prepared By: Josephine Bahnke, Director
Division: Division of Elections
Approved By: Shawn Henderson, Administrative Director
Agency: Division of Administrative Services, Office of the Governor

Phone: (907)465-2644
Date: 02/23/2018 03:56 PM
Date: 02/23/2018

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2018 LEGISLATIVE SESSION**

BILL NO. SB 192

Analysis

This bill provides an opt-out provision that ensures confidentiality of voters' physical and mailing addresses and increases the fee charged by the Division of Elections for the voter registration list and the list of individuals who voted in an election.

This change has no impact on the financial costs associated with the division's conduct of state and federal elections. Nor will any additional staff be required to implement the proposed law. The cost of updating the Voter Registration and Election Management System Database to allow for voter files to be marked confidential and related reporting would be absorbed into the operating budget for the Division of Elections.