



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
County Counsel



DATE: September 30, 2015
BOARD MEETING DATE: October 6, 2015
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Supervisor Warren Slocum

SUBJECT: Temporary Waiver of Fee for Obtaining Voter Information File in
Relation to the November 3, 2015 Consolidated Election

RECOMMENDATION:

Adopt a resolution temporarily waiving the fee associated with obtaining the Voter Information File from the San Mateo County Registration & Elections Division only in relation to the November 3, 2015, Consolidated Municipal, School, and Special District All-Mailed Ballot Election.

BACKGROUND:

The Registration & Elections Division of the San Mateo County Clerk-Assessor-Recorder-Elections Office maintains information about registered voters for each election, including information about whether registered voters have returned a vote-by-mail ballot during the period leading up to election day. Pursuant to Sections 2188 and 2194 of the Elections Code, information maintained by the Registration & Elections Division about registered voters, may be provided, upon request and subject to certain restrictions, to any candidate for federal, state, or local office, to any committee for or against any initiative or referendum measure for which legal publication is made, and to any person for election, scholarly, journalistic, or political purposes, or for governmental purposes, as determined by the Secretary of State. Such information, which is kept in a Voter Information File, is often requested during each election cycle in order for campaigns and other entities to contact voters with information about the upcoming election.

Section 2.90.030 of the San Mateo County Ordinance Code sets a fee of \$125.00 for obtaining a copy of such information contained in the Voter Information File. Completion of an application and payment of the fee allows the requesting party one-time access to the Voter Information File. The Board of Supervisors is authorized by Section 2.90.030 to adjust by resolution the fee for obtaining the Voter Information File, and such an adjustment is not otherwise prohibited by law.

Also, all jurisdictions within the County that have matters set for election on November 3, 2015, will participate in an all-mailed-ballot pilot election pursuant to Section 4001 of the Elections Code.

DISCUSSION:

Although upwards of 75% of voters in San Mateo County typically vote by mail, a large portion of the electorate is not accustomed to voting by mail . Accordingly, the success of the November 3, 2015, Consolidated Municipal, School, and Special District All-Mailed Ballot Election may be enhanced by allowing authorized individuals and entities to access information in the Voter Information File with minimal burden and expense. Specifically, allowing access to this information without a fee and on an ongoing basis leading up to the election for those who complete the required application should facilitate outreach to individuals who do not return their ballots early in the process, thus encouraging more voters to participate in the election. In addition, allowing ongoing access to this information may help reduce automated calls and mailings to those voters who vote early, potentially saving resources and reducing unwanted communications.

The Registration & Elections Division supports waiving the fee and granting on-going access for the November 2015 election cycle as long as the Voter Information File is provided via File Transfer Protocol (FTP) access. The Registration & Elections Division has indicated that nearly all requests for the Voter Information File already involve FTP transfers of the information, and providing ongoing access via this method as opposed to via hardcopy or CD-ROM will minimize the impact in terms of time and resources during the busy week leading up to the election.

Given the pilot nature of the upcoming election, the proposed fee waiver would apply only during and for a period of two weeks after the election, and the waiver would only cover FTP access to the information.

County Counsel has reviewed the attached resolution and has approved it as to form.

FISCAL IMPACT:

There will be a minor fiscal impact to the Registration & Elections Division associated with approving this resolution. The Registration & Elections Division reports that in recent elections, the amount of fees collected for access to the Voter Information File is approximately \$3,000.

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