

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House
3 Bill No. 458 entitled “An act relating to automatic voter registration through
4 motor vehicle driver’s license applications” respectfully reports that it has
5 considered the same and recommends that the Senate propose to the House that
6 the bill be amended by striking out all after the enacting clause and inserting in
7 lieu thereof the following:

8 Sec. 1. 17 V.S.A. § 2145a is amended to read:

9 § 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR
10 VEHICLES

11 (a) An application for, or renewal of, a motor vehicle driver’s license or
12 nondriver identification card shall serve as a simultaneous application to
13 register to vote unless the applicant ~~declines to sign the voter registration~~
14 ~~portion of the application~~ checks the box on the application designating that he
15 or she declines to use the application as a voter registration application.

16 (b)(1) ~~The voter registration portion of the~~ A motor vehicle driver’s license
17 or nondriver identification card application shall provide and request the
18 following information ~~required to be provided under section 2145 of this~~
19 ~~chapter~~ and shall be in the form approved by the Secretary of State:

20 (A) The applicant’s citizenship.

21 (B) The applicant’s place and date of birth.

1 (C) The applicant’s town of legal residence.

2 (D) The applicant’s street address or a description of the physical
3 location of the applicant’s residence. The description must contain sufficient
4 information so that the town clerk can determine whether the applicant is a
5 resident of the town.

6 (E) The voter’s oath.

7 (F) The applicant’s e-mail address, which shall be optional to
8 provide.

9 (2) A motor vehicle driver’s license or nondriver identification card
10 application shall provide the following statements:

11 (A) “By signing and submitting this application, you are authorizing
12 the Department of Motor Vehicles to transmit this application to the Secretary
13 of State for voter registration purposes. YOU MAY DECLINE TO
14 REGISTER. Both the office through which you submit this application and
15 your decision of whether or not to register will remain confidential and will be
16 used for voter registration purposes only.”

17 (B) “In order to be registered to vote, you must: (1) be a U.S. citizen;
18 (2) be a resident of Vermont; (3) have taken the voter’s oath; and (4) be
19 18 years of age or older. Any person meeting the requirements of (1)–(3) who
20 will be 18 years of age on or before the date of a general election may register
21 and vote in the primary election immediately preceding that general election.

1 Failure to decline to register is an attestation that you meet the requirements
2 to vote.”

3 (3) A motor vehicle driver’s license or nondriver identification card
4 application shall provide the penalties provided by law for submission of a
5 false voter registration application and shall require the signature of the
6 applicant, under penalty of perjury.

7 * * *

8 (d)(1) The Department of Motor Vehicles shall transmit ~~voter registration~~
9 motor vehicle driver’s license and nondriver identification card applications
10 received under this section to the Secretary of State not later than five days
11 after the date the application was accepted by the Department, or before the
12 date of any primary or general election, whichever is sooner.

13 (2) The Department of Motor Vehicles shall not transmit motor vehicle
14 driver’s license and nondriver identification card applications when the
15 applicant has designated that he or she declines to be registered.

16 (3) The Department of Motor Vehicles shall ensure confidentiality of
17 records as required by subdivision (b)(2)(A) of this section.

18 * * *

19 (f) In transmitting applications received under this section, the Secretary
20 shall ensure compliance with the requirements of 15 V.S.A. chapter 21,
21 subchapter 3.

1 (g) The Secretary shall take appropriate measures to educate the public
2 about voter registration under this section.

3 Sec. 2. 17 V.S.A. § 2145 is amended to read:

4 § 2145. APPLICATION FORMS

5 (a) The voter registration application shall be in the form approved by the
6 Federal Election Commission or by the Secretary of State. The application
7 form approved by the Secretary shall include:

8 * * *

9 (2) The voter's oath ~~and a space for a person administering the voter's~~
10 ~~oath to another to execute the written notification required by section 2124 of~~
11 ~~this title.~~

12 * * *

13 (4) The following statements:

14 (A) "If you were ~~provided with this form when you applied for, or~~
15 ~~renewed, a motor vehicle driver's license or~~ were provided with this
16 application form by a voter registration agency, you may decline to register. If
17 you decline to register, your failure to register will remain confidential and will
18 be used only for voter registration purposes."

19 (B) "If you are submitting this application ~~in connection with a motor~~
20 ~~vehicle driver's license application, or renewal,~~ or through a voter registration

1 agency, the office through which you submitted this application will remain
2 confidential and will be used only for voter registration purposes.”

3 (5) ~~The following statement on applications provided by the Department~~
4 ~~of Motor Vehicles: “Keep this receipt and take it to the polls when you go to~~
5 ~~vote. This is proof you submitted an application for registration.”~~ [Repealed.]

6 * * *

7 (f) A person who makes a false statement in completing a voter registration
8 application form or the voter registration portion of an application for a motor
9 vehicle driver’s license or nondriver identification card knowing the statement
10 to be false shall be subject to the penalties of perjury as provided in 13 V.S.A.
11 § 2901, except that a person who is not eligible to register to vote and who
12 otherwise completes the application accurately shall not be considered to have
13 made a false statement under this subsection by his or her failure to **decline to**
14 **register** on a motor vehicle driver’s license or nondriver identification card
15 application under section 2145a of this **chapter**.

16 * * *

1 Sec. 3. 17 V.S.A. § 2124 is amended to read:

2 § 2124. VOTER'S OATH OR AFFIRMATION; HOW ADMINISTERED;
3 APPLICATION

4 * * *

5 ~~(b) A person who administers the voter's oath or affirmation to another~~
6 ~~shall forthwith sign the appropriate place on the application or sign some other~~
7 ~~written notification giving the person's name and the date the oath or~~
8 ~~affirmation was administered. [Repealed.]~~

9 (c) At a minimum, the town clerk shall keep the completed applications for
10 addition to the checklist, or an electronic copy thereof, through the end of the
11 general election cycle that follows the one in which the application was
12 received. ~~If the written notification that a person has taken the oath or~~
13 ~~affirmation is submitted separately from the application, it shall be filed along~~
14 ~~with the application.~~ The town clerk shall verify, upon request, that a voter has
15 been given the oath or affirmation.

16 Sec. 4. 17 V.S.A. § 2144a is amended to read:

17 § 2144a. REGISTRATION

18 A person who desires to register to vote may apply in any of the following
19 ways:

1 (1) Simultaneously with his or her application for, or renewal of, a
2 motor vehicle driver's license or nondriver identification card as provided in
3 section 2145a of this chapter.

4 * * *

5 Sec. 5. 23 V.S.A. § 603(a)(4) is added to read:

6 (4) Any new or renewal application form shall provide for and request
7 the information required in 17 V.S.A. § 2145a.

8 Sec. 6. 1 V.S.A. § 317(c) is amended to read:

9 (c) The following public records are exempt from public inspection and
10 copying:

11 * * *

12 (31) Records of a registered voter's month and day of birth, motor
13 vehicle operator's license number, and the last four digits of the applicant's
14 Social Security number contained in an application to the statewide voter
15 checklist or the statewide voter checklist established under 17 V.S.A. § 2154 or
16 the failure to register to vote under 17 V.S.A. § 2145a.

17 * * *

18 Sec. 7. EFFECTIVE DATE

19 This act shall take effect on July 1, 2017.

20

21

1 (Committee vote: _____)

2

3

Senator _____

4

FOR THE COMMITTEE