

1 TO THE HONORABLE SENATE:

2 The Senate Committee on Government Operations to which was referred
3 Senate Bill No. 29 entitled “An act relating to election day registration”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 17 V.S.A. § 2142 is amended to read:

8 § 2142. REVISION OF CHECKLIST

9 (a) The town clerk shall call such meetings of the board of civil authority as
10 may be necessary before an election or at other times for revision of the
11 checklist. ~~At least one meeting shall take place after the deadline for filing~~
12 ~~applications and before the day of an election, unless no applications have been~~
13 ~~filed which could take effect before that election.~~

14 (b) Notice of a meeting, along with a copy of the most recent checklist and
15 a separate list of names which have been challenged and may be removed,
16 shall be posted in two or more public places within each voting district and in
17 the town clerk’s office.

18 (c) A quorum of the board of civil authority shall be as provided in
19 subdivision 2103(5) of this title, and written notice shall be provided to each
20 member as established in 24 V.S.A. § 801.

1 Sec. 2. 17 V.S.A. § 2144 is amended to read:

2 § 2144. ~~DEADLINE FOR~~ SUBMITTING APPLICATIONS

3 (a) ~~The town clerk shall not accept applications for persons' names to be~~
4 ~~placed on the checklist after 5:00 p.m. on the Wednesday preceding the day of~~
5 ~~the election. The town clerk's office shall be kept open on the Wednesday~~
6 ~~preceding the day of the election from no later than 3:00 p.m. until 5:00 p.m.,~~
7 ~~for the purpose of receiving applications for addition to the checklist. For~~
8 ~~purposes of this subsection, a mail application or an application submitted to~~
9 ~~the department of motor vehicles in connection with a motor vehicle driver's~~
10 ~~license or an application accepted by a voter registration agency shall be~~
11 ~~considered to have met the filing deadline established by this subsection if the~~
12 ~~application is postmarked, submitted, or accepted by 5:00 p.m. of the~~
13 ~~Wednesday preceding the day of the election~~ On any day other than the day of
14 an election, the town clerk shall accept a person's application for his or her
15 name to be placed on the checklist at the town clerk's office during all normal
16 business hours.

17 (b) ~~If a person is not eligible to register prior to the voter registration~~
18 ~~deadline, but expects to be eligible on or before election day, he or she may file~~
19 ~~with the town clerk a written notice of intention to apply for addition of his or~~
20 ~~her name to the checklist. The notice shall be filed prior to the voter~~
21 ~~registration deadline, and the town clerk shall then accept the person's~~

1 ~~application at any time before the close of the polls on election day, and act~~
2 ~~upon the application forthwith~~ On the day of an election:

3 (1) A person may submit an application for addition to the checklist to
4 the presiding officer at the polling place of the town in which the person seeks
5 to register during the hours of voting established by the board of civil authority
6 for that polling place. In towns with more than one polling place, the polling
7 place shall be that which covers the area in which the person resides.

8 (2) The presiding officer shall review all applications submitted at the
9 polling place and shall approve those applications that meet the requirements
10 of this chapter. Upon approval, the applicant's name shall be added to the
11 checklist at the polling place, and the applicant shall be provided with the
12 opportunity to vote in the election. The town clerk shall add the information in
13 the application to the statewide voter checklist within three days of the day of
14 the election.

15 (3) If the presiding officer cannot determine from an application
16 submitted on election day that an applicant meets the requirements of section
17 2121 of this chapter, the presiding officer shall immediately refer the
18 application to any members of the board of civil authority present at the polling
19 place who shall meet immediately and proceed under section 2146 of this
20 chapter to determine whether the applicant meets the requirements of section
21 2121 of this chapter. For purposes of adding applicant's names to the checklist

1 under this subdivision (3), a quorum shall consist of three members of the
2 board of civil authority. If the board rejects an applicant, it shall notify him or
3 her at the polling place.

4 (c) ~~If a person is not eligible to register prior to the voter registration~~
5 ~~deadline, and has submitted a written notice of intent to apply in accord with~~
6 ~~subsection (b) of this section, the clerk shall, upon application, allow the~~
7 ~~applicant to vote absentee. If the application is approved and the name added~~
8 ~~to the checklist prior to the close of the polls on election day, the early or~~
9 ~~absentee ballots cast by that voter shall be treated as other valid early or~~
10 ~~absentee ballots. [Repealed.]~~

11 (d) ~~In the case of annual meetings and towns that start their annual~~
12 ~~meetings on any day preceding the first Tuesday in March as authorized in~~
13 ~~subsection 2640(b) of this title, the “day of election” shall be the first Tuesday~~
14 ~~in March. [Repealed.]~~

15 Sec. 3. 17 V.S.A. § 2144a is amended to read:

16 § 2144a. REGISTRATION

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

19 (1) Simultaneously with his or her application for, or renewal of, a
20 motor vehicle driver’s license as provided in section 2145a of this ~~title~~ chapter.

1 (2) By completing a voter registration application at a voter registration
2 agency.

3 (3) By delivering, during regular hours, or mailing a completed
4 application form to the office of the clerk of the town in which the applicant
5 claims to be a resident.

6 (4) By completing a voter registration application and delivering it to the
7 presiding officer before the close of the polls at the polling place of the town in
8 which the person seeks to register. In towns with more than one polling place,
9 the polling place shall be that which covers the area in which the person
10 resides.

11 Sec. 4. 17 V.S.A. § 2145a is amended to read:

12 § 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR
13 VEHICLES

14 (a) An application for, or renewal of, a motor vehicle driver's license shall
15 serve as a simultaneous application to register to vote unless the applicant
16 declines to sign the voter registration portion of the application.

17 (b) The voter registration portion of the motor vehicle driver's license
18 application shall provide and request the information required to be provided
19 under section 2145 of this ~~title~~ chapter and shall be in the form approved by the
20 Secretary of State.

1 (c) An application for voter registration under this section shall update any
2 previous voter registration by the applicant. Any change of address form
3 submitted to the Department of Motor Vehicles in connection with an
4 application for a motor vehicle driver's license shall serve to update voter
5 registration information previously provided by the voter, unless the voter
6 states on the form that the change of address is not for voter registration
7 purposes.

8 (d) The Department of Motor Vehicles shall transmit voter registration
9 applications received under this section to the Secretary of State not later than
10 five days after the date the application was accepted by the Department, or
11 before the ~~close of the checklist for a~~ date of any primary or general election,
12 whichever is sooner.

13 (e) The Secretary shall promptly transmit applications received under this
14 section to the clerks of the appropriate municipalities.

15 Sec. 5. 17 V.S.A. § 2145b is amended to read:

16 § 2145b. VOTER REGISTRATION AGENCIES

17 (a) Each voter registration agency shall:

18 (1) ~~Distribute~~ distribute voter registration application forms approved
19 under section 2145 of this title-;

20 (2) ~~Assist~~ assist applicants in completing voter registration application
21 forms, unless the applicant refuses such assistance-; and

1 mistake and shall strike the names of persons not entitled to vote. The list so
2 corrected shall not be altered except by:

3 * * *

4 (3) adding the names of persons who present a copy of a valid
5 application for addition to the checklist of that town ~~that was submitted before~~
6 ~~the deadline for applications~~ and who otherwise are qualified to be added to the
7 checklist;

8 (4) ~~adding, at the polling place, the names of persons who sign a sworn~~
9 ~~affidavit prepared by the Secretary of State that they completed and submitted~~
10 ~~a valid application for addition to the checklist of that town before the deadline~~
11 ~~for applications and who otherwise are qualified to be added to the checklist;~~

12 [Repealed.]

13 * * *

14 (6) adding the names of persons who previously submitted an
15 incomplete application ~~before the deadline for application~~ and who provide
16 that information on or before election day.

17 (b) Any correction or transfer may be accomplished at any time until the
18 closing of the polls on election day. Each voter has primary responsibility to
19 ascertain that his or her name is properly added to and retained on the
20 checklist.

1 Sec. 8. 17 V.S.A. § 2563 is amended to read:

2 § 2563. ADMITTING VOTER

3 Before a person may be admitted to vote, he or she shall announce his or
4 her name and if requested, his or her place of residence in a clear and audible
5 tone of voice, or present his or her name in writing, or otherwise identify
6 himself or herself by appropriate documentation. The election officials
7 attending the entrance of the polling place shall then verify that the person's
8 name appears on the checklist for the polling place.

9 (1) If the name does appear, and if no one immediately challenges the
10 person's right to vote on grounds of identity or having previously voted in the
11 same election, the election officials shall repeat the name of the person and:

12 ~~(A)~~(i) If the checklist indicates that the person is a first-time voter in
13 the municipality who registered by mail and who has not provided required
14 identification before the opening of the polls, require the person to present any
15 one of the following: a valid photo identification; a copy of a current utility
16 bill; a copy of a current bank statement; or a copy of a government check,
17 paycheck, or any other government document that shows the current name and
18 address of the voter.

19 (ii) If the person is unable to produce the required information, the
20 person shall be afforded the opportunity to ~~cast a provisional ballot, as~~

1 ~~provided in subchapter 6A of this chapter~~ complete a new application for
2 addition to the checklist in accordance with section 2144 of this title.

3 (iii) The elections official shall note upon the checklist a first-time
4 voter in the municipality who has registered by mail and who produces the
5 required information, and place a mark next to the voter's name on the
6 checklist and allow the voter to proceed to the voting booth for the purpose of
7 voting.

8 ~~(2)(B)~~ If the voter is not a first-time voter in the municipality, no
9 identification shall be required, ~~the~~ The clerk shall place a check next to the
10 voter's name on the checklist and allow the voter to proceed to the voting
11 booth for the purpose of voting.

12 (2) If the name does not appear, the person shall be afforded the
13 opportunity to complete an application for addition to the checklist in
14 accordance with section 2144 of this title.

15 Sec. 9. 17 V.S.A. § 2545 is amended to read:

16 § 2545. RECEIPT OF MARKED BALLOTS BY TOWN CLERK;
17 DELIVERY TO ELECTION OFFICERS

18 (a) Upon receipt of the envelope containing the marked ballots of an early
19 or absentee voter, the town clerk shall record the fact on the list of early or
20 absentee voters and safely keep the envelope until election day. During the
21 hours that the polls are open, he or she shall deliver the envelope to the

1 presiding officer in the polling place where the early or absentee voter would
2 have voted if he or she had voted in person.

3 (b)(1) Notwithstanding the provisions of subsection (a) of this section that
4 require a town clerk to keep the envelope until election day and deliver it to the
5 polling place on election day, and notwithstanding any other provision of law
6 to the contrary, if a town uses vote tabulators for the registering and counting
7 of votes and the clerk of that town receives at least 25 early voter absentee
8 ballots prior to election day, on the day before the election he or she may
9 deposit those ballots into a vote tabulator.

10 (2) A town clerk who deposits early voter absentee ballots into a vote
11 tabulator as described in subdivision (1) of this subsection shall ensure that the
12 vote tabulator retains the count of those ballots for the day of the election and
13 shall otherwise comply with the provisions of this title.

14 Sec. 10. EFFECTIVE DATE

15 This act shall take effect on April 1, 2016.

16

17 (Committee vote: _____)

18

19

Senator _____

20

FOR THE COMMITTEE