1	H.624
2	Introduced by Representative Giambatista of Essex
3	Referred to Committee on
4	Date:
5	Subject: Elections; statewide voter checklist; federal registry or database;
6	personally identifying information
7	Statement of purpose of bill as introduced: This bill proposes to:
8	(1) add a person's information maintained in the statewide voter
9	checklist to the list of personally identifying information that cannot be
10	disclosed to the federal government; and
11	(2) add a registered voter's telephone number to the information in the
12	statewide voter checklist that shall be kept confidential and exempt from public
13	inspection and copying under the Public Records Act.
14 15	An act relating to the protection of information in the statewide voter checklist

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1	It is hereby enacted by the General Assembly of the State of Vermont:
2	Sec. 1. 20 V.S.A. § 4651 is amended to read:
3	§ 4651. PROHIBITED DISCLOSURE OF PERSONALLY IDENTIFYING
4	INFORMATION
5	(a) As used in this section:
6	(1) "Personally identifying information" means information concerning
7	a person's sex, sexual orientation, gender identity, marital status, race, color,
8	religion, national origin, immigration status, age, or disability or a person's
9	information maintained in the statewide voter checklist.
10	(2) "Public agency" has shall have the same meaning as in 1 V.S.A.
11	§ 317 and shall include all officers, employees, agents, and independent
12	contractors of the public agency.
13	(b) A public agency shall not:
14	(1) collect information regarding the religious beliefs, practices, or
15	affiliation of any individual for the purpose of registration of an individual
16	based on his or her religious beliefs, practices, or affiliations;
17	(2) knowingly disclose personally identifying information to any federal
18	agency or official for the purpose of registration of an individual based on his
19	or her personally identifying information; or
20	(3) use public agency money, facilities, property, equipment, or

personnel to assist in creating or enforcing any federal government program for

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1	the registration of an individual based on his or her personally identifying
2	information.
3	(c) Any section, term, or provision of an agreement in existence on the
4	effective date of this section that conflicts with subsection (b) of this section
5	shall be invalidated on that date to the extent of the conflict.
6	(d) Nothing in this section is intended to prohibit or impede any public
7	agency from complying with the lawful requirements of 8 U.S.C. §§ 1373 and
8	1644. To the extent any State or local law enforcement policy or practice
9	conflicts with the lawful requirements of 8 U.S.C. §§ 1373 and 1644, said the
10	policy or practice is, to the extent of such conflict, abolished.
11	(e) Nothing in this section is intended to prohibit or impede any public
12	agency from disclosing or exchanging aggregated information that cannot be
13	used to identify an individual with any other public agency or federal agency
14	or official.
15	Sec. 2. 17 V.S.A. § 2154 is amended to read:
16	§ 2154. STATEWIDE VOTER CHECKLIST
17	(a) The Secretary of State shall establish maintain a uniform and

nondiscriminatory, statewide voter registration checklist. This checklist shall

serve as the official voter registration list for all elections in the State. In

establishing maintaining the statewide voter checklist, the Secretary shall:

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1	(1) limit the $\underline{a}$ town clerk to adding, modifying, or deleting applicant and
2	voter information on the portion of the checklist for that clerk's municipality;
3	(2) limit access to the statewide voter checklist for a local elections
4	official to verifying if the applicant is registered in another municipality in the
5	State by a search for the individual voter;
6	(3) notify a local elections official when a voter registered in that
7	official's district registers in another voting district so that the voter may be
8	removed from that district's official's district checklist;
9	(4) provide adequate security to prevent unauthorized access to the
10	checklist; and
11	(5) ensure the compatibility and comparability of information on the
12	checklist with information contained in the Department of Motor Vehicles'
13	computer systems.
14	(b) A registered voter's month and day of birth, driver's license or
15	nondriver identification number, telephone number, e-mail address, and the
16	last four digits of his or her Social Security number shall be kept confidential
17	and are exempt from public eopying and inspection and copying under the
18	Public Records Act.

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1	Sec. 3. 1 V.S.A. § 317 is amended to read:
2	§ 317. DEFINITIONS; PUBLIC AGENCY; PUBLIC RECORDS AND
3	DOCUMENTS
4	* * *
5	(c) The following public records are exempt from public inspection and
6	copying:
7	* * *
8	(31) Records of a registered voter's month and day of birth, driver's
9	license or nondriver identification number, telephone number, e-mail address,
10	and the last four digits of his or her Social Security number contained in an
11	application to the statewide voter checklist or the statewide voter checklist
12	established under 17 V.S.A. § 2154 or the failure to register to vote under
13	17 V.S.A. § 2145a.
14	* * *
15	Sec. 4. EFFECTIVE DATE
16	This act shall take effect on passage.