

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House
3 Bill No. 624 entitled “An act relating to the protection of information in the
4 statewide voter checklist” respectfully reports that it has considered the same
5 and recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 20 V.S.A. § 4651 is amended to read:

8 § 4651. PROHIBITED DISCLOSURE OF PERSONALLY IDENTIFYING
9 INFORMATION

10 (a) As used in this section:

11 (1) “Personally identifying information” means information concerning
12 a person’s sex, sexual orientation, gender identity, marital status, race, color,
13 religion, national origin, immigration status, age, or disability or a person’s
14 information maintained in the statewide voter checklist.

15 (2) “Public agency” ~~has~~ shall have the same meaning as in
16 1 V.S.A. § 317 and shall include all officers, employees, agents, and
17 independent contractors of the public agency.

18 (b) A public agency shall not:

19 (1) collect information regarding the religious beliefs, practices, or
20 affiliation of any individual for the purpose of registration of an individual
21 based on his or her religious beliefs, practices, or affiliations;

1 (2) knowingly disclose personally identifying information to any federal
2 agency or official for the purpose of:

3 (A) registration of an individual based on his or her personally
4 identifying information;

5 (B) publicly disclosing an individual's personally identifying
6 information maintained in the statewide voter checklist; or

7 (C) comparing an individual's personally identifying information
8 maintained in the statewide voter checklist to personally identifying
9 information contained in other federal or state databases; or

10 (3) use public agency money, facilities, property, equipment, or
11 personnel to assist in creating or enforcing any federal government program for
12 the registration of an individual based on his or her personally identifying
13 information.

14 (c) Any section, term, or provision of an agreement in existence on the
15 effective date of this section that conflicts with subsection (b) of this section
16 shall be invalidated on that date to the extent of the conflict.

17 (d) Nothing in this section is intended to prohibit or impede any public
18 agency from complying with the lawful requirements of 8 U.S.C. §§ 1373 and
19 1644. To the extent any State or local law enforcement policy or practice
20 conflicts with the lawful requirements of 8 U.S.C. §§ 1373 and 1644, ~~said~~ the
21 policy or practice is, to the extent of such conflict, abolished.

1 (e) Nothing in this section is intended to prohibit or impede any public
2 agency from disclosing or exchanging aggregated information that cannot be
3 used to identify an individual with any other public agency or federal agency
4 or official.

5 Sec. 2. 17 V.S.A. § 2154 is amended to read:

6 § 2154. STATEWIDE VOTER CHECKLIST

7 (a) The Secretary of State shall ~~establish~~ maintain a uniform and
8 nondiscriminatory, statewide voter ~~registration~~ checklist. This checklist shall
9 serve as the official voter registration list for all elections in the State. In
10 ~~establishing~~ maintaining the statewide voter checklist, the Secretary shall:

11 (1) limit ~~the~~ a town clerk to adding, modifying, or deleting applicant and
12 voter information on the portion of the checklist for that clerk's municipality;

13 (2) limit access to the statewide voter checklist for a local elections
14 official to verifying if the applicant is registered in another municipality in the
15 State by a search for the individual voter;

16 (3) notify a local elections official when a voter registered in that
17 official's district registers in another voting district so that the voter may be
18 removed from that ~~district's~~ official's district checklist;

19 (4) provide adequate security to prevent unauthorized access to the
20 checklist; and

1 established under 17 V.S.A. § 2154 or the failure to register to vote under
2 17 V.S.A. § 2145a.

3 * * *

4 Sec. 4. EFFECTIVE DATE

5 This act shall take effect on passage.

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9 (Committee vote: _____)

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Representative _____

FOR THE COMMITTEE