

1 H.671

2 Introduced by Representative Tagliavia of Corinth

3 Referred to Committee on

4 Date:

5 Subject: Elections; qualification and registration of voters; proof of U.S.  
6 citizenship

7 Statement of purpose of bill as introduced: This bill proposes to require  
8 documented proof of U.S. citizenship to register to vote. It also requires that  
9 the Secretary of State enter into a memorandum of agreement with the U.S.  
10 Department of Homeland Security to access and utilize the Systematic Alien  
11 Verification for Entitlements (SAVE) Program for the purposes of verifying  
12 citizenship status during voter registration and for ongoing voter roll  
13 maintenance.

14 An act relating to requiring proof of U.S. citizenship for voter registration

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 17 V.S.A. § 2121 is amended to read:

17 § 2121. ELIGIBILITY OF VOTERS

18 (a) Any person may register to vote in the town of ~~his or her~~ the person's  
19 residence in any election held in a political subdivision of this State in which  
20 ~~he or she~~ the person resides who, on election day:

1 (1) is a citizen of the United States;

2 (2) is a resident of the State of Vermont;

3 (3) has taken the voter's oath; and

4 (4) is 18 years of age or more.

5 (b) Any person meeting the requirements of subdivisions (a)(1)–(3) of this  
6 section who will be 18 years of age on or before the date of a general election  
7 may register and vote in the primary election immediately preceding that  
8 general election.

9 (c) No person shall be permitted to register to vote or cast a ballot in any  
10 election unless the person has provided documented proof of U.S. citizenship  
11 in accordance with section 2145 of this title.

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

13 § 2145. APPLICATION FORMS

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

17 (1) A place for the applicant to swear or affirm, by checking the  
18 appropriate box, that ~~he or she~~ the applicant meets all voter eligibility  
19 requirements set forth in section 2121 of this title and a place for the signature  
20 of the applicant affirming, under penalty of perjury, that all information

1 submitted by the applicant is accurate and truthful. The affirmation shall  
2 include the following information:

3 (A) The applicant's place and date of birth.

4 (B) The applicant's town of legal residence.

5 (C) The applicant's street address or a description of the physical  
6 location of the applicant's residence. The description must contain sufficient  
7 information so that the town clerk can determine whether the applicant is a  
8 resident of the town.

9 (D)(1) If the applicant has been issued a current and valid driver's  
10 license or nondriver's identification, the applicant's driver's license number or  
11 nondriver's identification number;

12 (2) If the applicant does not possess a driver's license number, the  
13 last four digits of the applicant's Social Security number; or

14 (3) If the applicant does not possess a Social Security number, the  
15 town clerk shall contact the Secretary of State and the Secretary shall assign a  
16 unique identifier for the applicant.

17 (E) The applicant's email address, which shall be optional to provide.

18 (2) The voter's oath.

19 (3) Space for the town clerk to document action on the application.

2 (A) "If you were provided with this application form by a voter  
3 registration agency, you may decline to register. If you decline to register,  
4 your failure to register will remain confidential and will be used only for voter  
5 registration purposes."

9           (5) A requirement for documented proof of U.S. citizenship, which must  
10       be submitted with the application and verified by the town clerk. Acceptable  
11       forms of proof include:

15                   (D) any other document issued by a government agency that verifies  
16                   U.S. citizenship.

(b) A town clerk shall record the proof of U.S. citizenship provided on the application form and, where feasible, verify the applicant's citizenship status using the Systematic Alien Verification for Entitlements (SAVE) Program administered by U.S. Citizenship and Immigration Services.

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

2       § 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR  
3                   VEHICLES

4           (a) An application for, or renewal of, a motor vehicle driver's license or  
5       nondriver identification card shall serve as a simultaneous application to  
6       register to vote if the applicant ~~attests to~~ provides proof of U.S. citizenship or  
7       the Department has proof of U.S. citizenship unless the applicant checks the  
8       box on the application designating that the applicant declines to use the  
9       application as a voter registration application.

10          (b)(1) A motor vehicle driver's license or nondriver identification card  
11       application shall provide and request the following information and shall be in  
12       the form approved by the Secretary of State:

13               (A) The applicant's citizenship.

14               (B) The applicant's place and date of birth.

15               (C) The applicant's town of legal residence.

16               (D) The applicant's E-911 street address or a description of the  
17       physical location of the applicant's residence. The description must contain  
18       sufficient information so that the town clerk can determine whether the  
19       applicant is a resident of the town.

1 (E) The voter's oath.

2 (F) The applicant's email address and phone number, which shall be  
3 optional to provide.

4 (2) A motor vehicle driver's license or nondriver identification card  
5 application shall provide the following statements:

6 (A) "By signing and submitting this application, you are authorizing  
7 the Department of Motor Vehicles to transmit this application to the Secretary  
8 of State for voter registration purposes. YOU MAY DECLINE TO  
9 REGISTER. ~~Both the office through which you submit this application and~~  
10 ~~your decision of whether or not to register will remain confidential and will be~~  
11 ~~used for voter registration purposes only."~~

12 (B) "In order to be registered to vote, you must: (1) be a U.S. citizen;  
13 (2) be a resident of Vermont; (3) have taken the voter's oath; and (4) be 18  
14 years of age or older. Any person meeting the requirements of (1)–(3) who  
15 will be 18 years of age on or before the date of a general election may register  
16 and vote in the primary election immediately preceding that general election.  
17 Failure to decline to register is an attestation that you meet the requirements to  
18 vote."

19 \* \* \*

20 (4)(A) An applicant who simultaneously applies to register to vote shall  
21 provide proof of U.S. citizenship. Acceptable forms of proof include:

6                   (B) The Department of Motor Vehicles shall record the proof of U.S.  
7                   citizenship provided on the application form and, where feasible, verify the  
8                   applicant's citizenship status using the Systematic Alien Verification for  
9                   Entitlements (SAVE) Program administered by U.S. Citizenship and  
10                  Immigration Services before processing the voter registration.

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

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Sec. 4. 17 V.S.A. § 2154 is amended to read:

§ 2154. STATEWIDE VOTER CHECKLIST

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

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

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

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

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

(5) ensure the compatibility and comparability of information on the checklist with information contained in the Department of Motor Vehicles' computer systems; ~~and~~



1           (6) make reasonable efforts on an ongoing basis to compare the  
2           information on the checklist with data or information contained in any State  
3           agency's database, a database administered by the federal government, or any  
4           database of another state or consortium of states, where possible, in an effort to  
5           maintain the accuracy and currency of the checklist; and

6           (7) direct town clerks to use the Systematic Alien Verification for  
7           Entitlements (SAVE) Program to verify the citizenship status of registered  
8           voters and remove any individuals confirmed to be noncitizens.

9           (b)(1) A registered voter's month and day of birth, driver's license or  
10          nondriver identification number, telephone number, email address, and the last  
11          four digits of ~~his or her~~ the voter's Social Security number shall be kept  
12          confidential and are exempt from public inspection and copying under the  
13          Public Records Act.

14          (2) A public agency as defined in 1 V.S.A. § 317 and any officer,  
15          employee, agent, or independent contractor of a public agency shall not  
16          knowingly disclose a copy of all of the statewide voter checklist, a  
17          municipality's portion of the statewide voter checklist, or any other municipal  
18          voter checklist to any foreign government ~~or to a federal agency or~~  
19          ~~commission~~ or to a person acting on behalf of a foreign government ~~or of such~~  
20          ~~a federal entity~~ for the purpose of:

1 (A) registration of a voter based on ~~his or her~~ the voter's information  
2 maintained in the checklist;

3 (B) publicly disclosing a voter's information maintained in the  
4 checklist; or

5 (C) comparing a voter's information maintained in the checklist to  
6 personally identifying information contained in other ~~federal or~~ state databases.

7 (c)(1) Any person wishing to obtain a copy of all of the statewide voter  
8 checklist must swear or affirm, under penalty of perjury pursuant to 13 V.S.A.  
9 chapter 65, that the person will not:

10 (A) use the checklist for commercial purposes; or

11 (B) knowingly disclose the checklist to any foreign government ~~or to~~  
12 ~~a federal agency or commission~~ or to a person acting on behalf of a foreign  
13 government ~~or of such a federal entity~~ in circumvention of the prohibited  
14 purposes for using the checklist set forth in subdivision (b)(2) of this section.

15 (2) The affirmation shall be filed with the Secretary of State.

16 (d) An elections official shall not access the portion of the statewide voter  
17 checklist that is exempt from public inspection pursuant to 1 V.S.A.

18 § 317(c)(31), except for elections purposes.

1       Sec. 5. SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS

2               (SAVE) PROGRAM; MEMORANDUM OF AGREEMENT

3               On or before January 1, 2027, the Secretary of State shall enter into a  
4       memorandum of agreement with the U.S. Department of Homeland Security to  
5       access and utilize the Systematic Alien Verification for Entitlements (SAVE)  
6       Program for the purposes of verifying citizenship status during voter  
7       registration and for ongoing voter roll maintenance. The Secretary shall  
8       implement bulk uploads and other available enhancements and shall report to  
9       the General Assembly on the status of this agreement and implementation  
10       within six months following the effective date of this act.

11       Sec. 6. APPROPRIATION

12               The sum of \$300,000.00 is appropriated from the General Fund to the  
13       Secretary of State in fiscal year 2027 for the purpose of integrating the  
14       Systematic Alien Verification for Entitlements (SAVE) Program into State and  
15       local systems and training town clerks.

16       Sec. 7. EFFECTIVE DATE

17               This act shall take effect on passage.