

2021 -- H 5753

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO ELECTIONS - REGISTRATION OF VOTERS

Introduced By: Representatives Tobon, Barros, Edwards, Diaz, Fellela, and Casey

Date Introduced: February 24, 2021

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 17-9.1-7 of the General Laws in Chapter 17-9.1 entitled "Registration  
2 of Voters" is hereby amended to read as follows:

3           **17-9.1-7. Registration at the division of motor vehicles -- Additional agencies.**

4           (a) Every person applying at the division of motor vehicles for a driver's license or a  
5 renewal of the license, or personal identification document issued by the division of motor vehicles,  
6 and who is or may be by the next general election qualified to vote, shall be registered to vote, or  
7 if previously registered, be afforded the opportunity to change their address for voting purposes.

8           **(b)(1) The division of motor vehicles shall identify each person applying for a driver's**  
9 **license or renewal of it or a personal identification document, who provides an identification**  
10 **document with such application, that demonstrates United States citizenship and who is of**  
11 **sufficient age to register to vote. Submission of such a document shall be considered a certification**  
12 **of citizenship, pursuant to § 17-9.1-11.**

13           **(2) Each such applicant's name, residence address, mailing address, if different from**  
14 **residence address, date of birth, and registrant's signature and date of affixation of signature, and**  
15 **any other information requested by the state board, shall be transmitted by the division of motor**  
16 **vehicles to the central voter registration system, mandated pursuant to § 17-6-1.2, not later than the**  
17 **next business day after the date of acceptance of the provided information by the division of motor**  
18 **vehicles. Transmission shall be made by electronic means, as prescribed by the secretary of state,**  
19 **and shall be in an electronic form compatible with the voter registration system maintained by the**

1 secretary of state. The secretary of state shall determine, upon receipt of such record, if the person  
2 is registered to vote at the address which appears on the electronic record, and if not, forward such  
3 electronic record to the local board of the city or town of the applicant's residence.

4 (3) The local board shall send by mail to each such applicant, a notice that the applicant  
5 shall be registered to vote or, if already registered, then the address on the registration record shall  
6 be updated. The notice shall include information on how the applicant may decline to become  
7 registered to vote or decline to update their registration address. Any applicant who does not so  
8 decline within fourteen (14) days of such mailing, shall be registered or the registration record shall  
9 be updated. The mailing required by this section, may be combined with an acknowledgement of  
10 registration or change of address, pursuant to § 17-9.1-25, and if so combined, shall serve as  
11 acknowledgement of registration or change of address if the recipient does not decline to register  
12 to vote within fourteen (14) days of such mailing. Any person who declines to register under this  
13 subsection, shall be removed from the central voter registration system and deemed not to have  
14 submitted an application to register to vote.

15 ~~(b)~~(c) The division of motor vehicles shall identify each person applying for a driver's  
16 license or renewal of it or a personal identification document, who provides an identification  
17 document with such application, that does not demonstrate United States citizenship but does not  
18 demonstrate lack of United States citizenship, and who is of sufficient age to register to vote, and  
19 shall provide such person with an application to register to vote. The application to register to vote  
20 must be offered simultaneously with the application for the driver's license or renewal of it or  
21 personal identification document. Division of motor vehicles employees must provide to applicants  
22 for driver's licenses, license renewal, or personal identification documents the same level of  
23 assistance and instruction with respect to the application to register to vote as is provided with  
24 respect to the application for driver's licenses, renewal of the license, or personal identification  
25 documents; provided, that one signature may be sufficient on the application for driver's license,  
26 renewal of the license, or personal identification document and the application to register to vote.  
27 The applicant shall be afforded the opportunity to ~~decline to~~ certify their United States citizenship  
28 and choose to register to vote. If previously registered, the applicant shall be afforded the  
29 opportunity to change his or her address for voting purposes. In order to protect the privacy of those  
30 who do not wish to register to vote for any reason, the failure of an applicant for a driver's license  
31 or renewal of it or a personal identification document to register to vote may not be used for any  
32 purposes other than to determine the person's voter registration status.

33 ~~(e)~~(d)(1) The voter registration application, pursuant to subsection (c) of this section, shall  
34 contain the registrant's name, residence address, mailing address if different from residence

1 address, date of birth, and registrant's signature and date of affixation of signature, and may include  
2 any other information, certifications, and declarations, including those made under the penalty of  
3 perjury, that may be required by the state board in order to administer a single and unified system  
4 of voter registration in accordance with applicable state and federal laws that shall enable duly  
5 registered voters to vote in all elections in their respective voting districts including, elections for  
6 federal officers. The voter registration application must also include, in print identical to that used  
7 in the attestation portion of the form, the following:

- 8 (i) The penalties provided by law for submitting a false voter registration;
- 9 (ii) A statement that, if the applicant declines to register to vote, his or her decision will  
10 remain confidential and be used only for voter registration purposes; and
- 11 (iii) A statement that, if the applicant does register to vote, information regarding the office  
12 or branch of the division of motor vehicles to which the application was submitted will remain  
13 confidential, to be used only for voter registration purposes.

14 (2) It shall be the responsibility of the division of motor vehicles to print and to have  
15 available at all times a sufficient number of voter registration forms in order to carry out the  
16 provisions of this section.

17 ~~(d)~~(e) The completed voter registration application, pursuant to subsection (c) of this  
18 section, shall be transmitted by the division of motor vehicles to the central voter registration  
19 system mandated pursuant to § 17-6-1.2 not later than the next business day after the date of  
20 acceptance by the division of motor vehicles. Transmission shall be made by electronic means as  
21 prescribed by the secretary of state, and shall be in an electronic form compatible with the voter  
22 registration system maintained by the secretary of state.

23 ~~(e)~~(f) Any person who has fully and correctly completed an application to register to vote  
24 at the division of motor vehicles or whose record has been transferred, pursuant to subsection (b)  
25 of this section, is presumed to be registered as of the date of the acceptance of the registration by  
26 the division of motor vehicles, subject to verification of the registration by the local board as  
27 provided in § 17-9.1-25.

28 ~~(f)~~(g) Pursuant to § 17-9.1-11, the division of motor vehicles shall not transmit the voter  
29 registration of any applicant who fails to certify that they are a citizen of the United States or  
30 provide an identification document that demonstrates citizenship. Any applicant who provides an  
31 identification document that demonstrates a lack of United States citizenship, shall not be offered  
32 an opportunity to register to vote, and the division of motor vehicles shall not transfer the record of  
33 such applicant, pursuant to subsection (b) of this section.

34 ~~(g)~~(h) If a person who is ineligible to vote becomes registered to vote pursuant to this

1 section, that person's registration shall be presumed to be deemed officially authorized and not be  
2 deemed attributable to or the fault of that person. Notwithstanding the foregoing, anyone who  
3 knowingly and willfully provides false information pursuant to this section shall be subject to  
4 prosecution under § 17-9.1-12.

5 ~~(h)~~(i) The state board of elections shall have the authority to adopt regulations to implement  
6 and administer the provisions of this section, including all registrations taken at the division of  
7 motor vehicles.

8 ~~(i)~~(j)(1) ~~In accordance with Section 7 of the National Voter Registration Act of 1993, 52~~  
9 ~~U.S.C. § 20506, other~~ Other applicable state, local, or education ~~government~~ agencies that the  
10 secretary verifies already collect documents that would provide proof of eligibility, including age,  
11 citizenship, and residence address, may follow the procedures for automatic voter registration  
12 enumerated for the division of motor vehicles as described in subsections (b) through ~~(h)~~(f) of this  
13 section, except that such agencies may verify citizenship by database matching or other means  
14 deemed reliable by the secretary, instead of verifying documents provided during a transaction.

15 (2) Any additional agencies that are designated for automatic registration must follow the  
16 rules and protocols established in this section for the division of motor vehicles.

17 (3) Any additional agency that collects sufficient information to register to vote multiple  
18 individuals through one application for service, shall follow the procedures described in subsections  
19 (b) through (f) of this section for each eligible individual on an application, except that each  
20 individual shall be provided with a notice pursuant to subsection (b)(3) of this section.

21 (k) Other applicable state, local, or education agencies that do not fall under subsection (j)  
22 of this section, but that the secretary verifies collect sufficient information to update the address on  
23 existing registration records, may follow the procedures for automatic voter registration,  
24 enumerated for the division of motor vehicles, as described in subsections (b) through (f) of this  
25 section for address updates only.

26 ~~(h)~~(l) Effective date. The provisions of this section shall take effect thirty (30) days after  
27 the administrator of the division of motor vehicles certifies in writing to the general assembly that  
28 the Rhode Island motor vehicle licensing system (RIMS) computer system is capable of meeting  
29 the requirements set forth in this act. The administrator of the division of motor vehicles shall  
30 consult with the secretary prior to making this determination about the computer system.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1           This act would increase the role of the division of motor vehicles in the voter registration
- 2           and address verification process, by establishing very specific obligations.
- 3           This act would take effect upon passage.

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