

2022 -- S 2627 SUBSTITUTE A

LC004268/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Introduced By: Senators Cano, DiMario, Lawson, DiPalma, Kallman, Quezada,  
Anderson, Valverde, Zurier, and Pearson

Date Introduced: March 10, 2022

Referred To: Senate Judiciary

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, a license renewal, change of address, or a personal identification document, who provides  
10 an identification document with such application, that demonstrates United States citizenship and  
11 who is of sufficient age to register to vote. Submission of such a document shall be considered a  
12 certification of citizenship, pursuant to § 17-9.1-11.

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

1 maintained by the secretary of state. The secretary of state shall determine, upon receipt of such  
2 record, if the person is registered to vote at the address which appears on the electronic record and  
3 whether the person is a participant in the address confidentiality program set forth in §17-28-1. If  
4 the person is not a participant in the address confidentiality program and is not registered to vote at  
5 the address which appears in the electronic record, the secretary of state shall forward such  
6 electronic record to the local board of the city or town of the applicant's residence. If the person is  
7 a participant in the address confidentiality program, the secretary of state shall not forward the  
8 electronic record and shall process the information in a manner consistent with the address  
9 confidentiality program as set forth in chapter 28 of title 17. The secretary of state may adopt rules  
10 to facilitate the administration of voter registration under this section consistent with the address  
11 confidentiality program.

12 (3) Notice shall be sent by mail to each such applicant that the applicant shall be registered  
13 to vote or, if already registered, then the address on the registration record shall be updated. The  
14 notice shall include information on how the applicant may decline to become registered to vote or  
15 decline to update their registration address, and on how to affiliate with a political party or update  
16 their affiliation. Any applicant who does not so decline within fourteen (14) days of such mailing,  
17 shall be registered or the registration record shall be updated. The mailing required by this section,  
18 may be combined with the contents of an acknowledgement of registration or change of address,  
19 pursuant to § 17-9.1-25, and if so combined, shall serve as acknowledgement of registration or  
20 change of address, that shall be deemed to satisfy the requirements of § 17-9.1-25 if the recipient  
21 does not decline to register to vote or change their address within fourteen (14) days of such  
22 mailing. Any person who declines to register under this subsection, shall be removed from the  
23 central voter registration system and deemed not to have submitted an application to register to  
24 vote. The information transmitted pursuant to subsection (b)(2) of this section shall be deemed  
25 confidential and shall not be open to public inspection or copying or included on any public  
26 registration list, until after fourteen (14) days of such mailing.

27 (4) The division of motor vehicles may obtain information from the secretary of state  
28 regarding the voter registration status of persons applying for a driver's license or renewal or  
29 change of address of it or a personal identification document. If the information from the secretary  
30 of state is available to the division of motor vehicles during the licensing transaction, and the  
31 information indicates that such applicant is on the active or inactive voter list, the applicant's  
32 information shall be processed as a registration update by the division of motor vehicles and the  
33 secretary of state, under the procedures set forth in subsections (b)(2) and (b)(3) of this section  
34 whether or not the applicant satisfies the conditions of subsection (b)(1) of this section.

1           (5) The procedures set forth in subsections (b)(1) through (b)(4) of this section shall not  
2 apply to an applicant who is requesting or is renewing a license that contains the applicant's official  
3 business address, in lieu of a residence address, as provided in § 31-10-26(d). The division of motor  
4 vehicles shall provide such applicant with a voter registration opportunity, under the procedures set  
5 forth in subsection (c) of this section.

6           ~~(b)~~(c) The division of motor vehicles shall identify each person applying for a driver's  
7 license or renewal of it or a personal identification document, who provides an identification  
8 document with such application, that does not demonstrate United States citizenship but does not  
9 demonstrate lack of United States citizenship, and who is of sufficient age to register to vote, and,  
10 except as provided in subsection (b)(4) of this section, shall provide such person with an application  
11 to register to vote under the procedures set forth in this subsection. The application to register to  
12 vote must be offered simultaneously with the application for the driver's license or renewal of it or  
13 personal identification document. Division of motor vehicles employees must provide to applicants  
14 for driver's licenses, license renewal, or personal identification documents the same level of  
15 assistance and instruction with respect to the application to register to vote as is provided with  
16 respect to the application for driver's licenses, renewal of the license, or personal identification  
17 documents; provided, that one signature may be sufficient on the application for driver's license,  
18 renewal of the license, or personal identification document and the application to register to vote.  
19 The applicant shall be afforded the opportunity to ~~decline to~~ certify their United States citizenship  
20 and choose to register to vote. If previously registered, the applicant shall be afforded the  
21 opportunity to change his or her address for voting purposes. In order to protect the privacy of those  
22 who do not wish to register to vote for any reason, the failure of an applicant for a driver's license  
23 or renewal of it or a personal identification document to register to vote may not be used for any  
24 purposes other than to determine the person's voter registration status.

25           ~~(e)~~(d)(1) The voter registration application, pursuant to subsection (c) of this section, shall  
26 contain the registrant's name, residence address, mailing address if different from residence  
27 address, date of birth, and registrant's signature and date of affixation of signature, and may include  
28 any other information, certifications, and declarations, including those made under the penalty of  
29 perjury, that may be required by the state board in order to administer a single and unified system  
30 of voter registration in accordance with applicable state and federal laws that shall enable duly  
31 registered voters to vote in all elections in their respective voting districts including, elections for  
32 federal officers. The voter registration application must also include, in print identical to that used  
33 in the attestation portion of the form, the following:

- 34           (i) The penalties provided by law for submitting a false voter registration;

1 (ii) A statement that, if the applicant declines to register to vote, his or her decision will  
2 remain confidential and be used only for voter registration purposes; and

3 (iii) A statement that, if the applicant does register to vote, information regarding the office  
4 or branch of the division of motor vehicles to which the application was submitted will remain  
5 confidential, to be used only for voter registration purposes.

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

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

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

20 ~~(f)~~(g) Pursuant to § 17-9.1-11, the division of motor vehicles shall not transmit the voter  
21 registration of any applicant under the procedures set forth in subsection (c) of this section who  
22 fails to certify that they are a citizen of the United States. Notwithstanding any other provision of  
23 law to the contrary, any applicant who provides an identification document that demonstrates a lack  
24 of United States citizenship or who affirms that the applicant is not a United States citizen, shall  
25 not be offered an opportunity to register to vote, and the division of motor vehicles shall not transfer  
26 the record of such applicant, pursuant to subsections (b) or (c) of this section.

27 ~~(g)~~(h) If a person who is ineligible to vote becomes registered to vote pursuant to this  
28 section, that person's registration shall be presumed to be deemed officially authorized and not be  
29 deemed attributable to or the fault of that person. Notwithstanding the foregoing, anyone who  
30 knowingly and willfully provides false information pursuant to this section shall be subject to  
31 prosecution under § 17-9.1-12.

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

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

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

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

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

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

25           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 and responsibilities.

3           This act would take effect upon passage.

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