

2023 -- H 6274

LC002791

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Introduced By: Representatives Messier, J. Brien, Alzate, Solomon, and Casey

Date Introduced: April 07, 2023

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, 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. The division of motor vehicles may identify such persons
12 by reviewing records of identification documents maintained by the division of motor vehicles that
13 demonstrates United States citizenship provided as part of a previous licensing application.
14 Submission of such a document shall be considered a certification of citizenship, pursuant to § 17-
15 9.1-11.

16 (2) Each such applicant's name, residence address, mailing address, if different from their
17 residence address, date of birth, and registrant's signature and date of affixation of signature, and
18 any other information requested by the secretary of state, shall be transmitted by the division of
19 motor vehicles to the statewide central voter registration system, mandated pursuant to § 17-6-1.2,

1 not later than the next business day after the date of acceptance of the provided information by the
2 division of motor vehicles. Transmission shall be made by electronic means, as prescribed by the
3 secretary of state, and shall be in an electronic form, compatible with the voter registration system
4 maintained by the secretary of state. If the person is not registered to vote at the address which
5 appears in the electronic record, the secretary of state shall forward such electronic record to the
6 local board of the city or town of the applicant's residence. The secretary of state may adopt rules
7 to facilitate the administration of voter registration under this section.

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

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

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

1 [forth in subsection \(c\) of this section.](#)

2 [\(6\) The division of motor vehicles, in consultation with the secretary of state, may provide](#)
3 [applicants under subsection \(b\) of this section with appropriate notices and instructions regarding](#)
4 [the voter registration procedures set forth in subsection \(b\) of this section.](#)

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

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

- 33 (i) The penalties provided by law for submitting a false voter registration;
- 34 (ii) A statement that, if the applicant declines to register to vote, his or her decision will

1 remain confidential and be used only for voter registration purposes; and

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

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

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

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

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

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

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

34 ~~(j)~~(j)(1) ~~In accordance with Section 7 of the National Voter Registration Act of 1993, 52~~

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

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

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

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

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

24 (m) The division of motor vehicles shall not offer an opportunity to register to vote pursuant
25 to subsections (b) and (c) of this section to an applicant for a driver privilege card or driver privilege
26 permit under chapter 10.4 of title 31.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

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 that
3 must be followed before offering an individual an application to register to vote.

4 This act would take effect upon passage.

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