

Amendment ID: H4671-2

Amendment 2

Technical Amendment

Ms. Spilka moves to amend the bill in section 3, by inserting after the word “resides”, in line 14, the following words:- “; provided, however, that an automatic voter registration agency that collects and transmits applicant data electronically shall ensure that the applicant data is transmitted to the state secretary, who shall transmit such information to the board of registrars or election commission of the city or town where the applicant resides”; and

in said section 3, by inserting, in line 16, after the word “transmission” the following words:- “, the frequency and nature of such transmissions”; and

in section 4, by striking out, in lines 29 and 30, the words “location where eligible citizens may register as voters, provided they are state agencies” and inserting in place thereof the following words:- “state agency where an eligible citizen may register as a voter”; and

in said section 4, by striking out first sentence of proposed paragraph (1) of proposed subsection (b) of proposed section 42G½ of chapter 51 of the General Laws, and inserting in place thereof the following sentence:- “The state secretary shall enter into memoranda of understanding with the registry of motor vehicles and with the division of medical assistance and commonwealth health insurance connector authority who shall serve as automatic voter registration agencies; provided, however, that the terms of such memoranda shall include, without limitation, the timeline for the establishment or enhancement of interfaces and the schedule for data to be shared between the secretary’s office and the automatic voter registration agencies; provided further, that only information obtained by the registry of motor vehicles from driver’s license transactions and identification card transactions shall be used for automatic voter registration purposes.”; and

in said section 4, by striking out proposed subsection (c) of proposed section 42G½ of chapter 51 of the General Laws, and inserting in place thereof the following subsection:-

“(c) An agency that has entered into a memorandum of understanding to become an automatic voter registration agency shall: (i) conduct automatic voter registration, as specified by subsections (d) to (g), inclusive; (ii) work

with the state secretary to implement this chapter and meet the goals of automatic voter registration enumerated in section 65; and (iii) provide notice to each applicant: (A) explaining that the agency application shall serve as an attestation to eligibility and an application to register to vote unless the person declines to be registered; (B) informing the applicant of the eligibility requirements to register to vote; and (C) advising the applicant that non-citizens are ineligible to register, and that the agency must decline to register an applicant unless the applicant is a United States citizen and is otherwise eligible to register to vote.”; and

in said section 4, by striking out, in line 65, the word “Each” and inserting in place thereof the following words:- “In accordance with the memorandum of understanding required by subsection (b), each”; and

in said section 4, by inserting after the figure “65”, in line 68, the following:- “; provided, however, that an applicant who meets the qualifications to register to vote, does not decline to register to vote and completes a qualifying transaction with an automatic voter registration agency not less than 21 days prior to an election shall be entitled to vote in that election”; and

in said section 4, in proposed subsection (d) of proposed section 42G½ of chapter 51 of the General Laws, by striking out the last sentence; and

in said section 4, by striking out proposed subsection (e) of proposed section 42G ½ of chapter 51 of the General Laws, and inserting in place thereof the following subsection:-

“(e) For each applicant, an automatic voter registration agency shall transmit electronic records containing information on the applicant’s legal name, age, residence, citizenship and the applicant’s electronic signature to the state secretary who shall transmit the same to the board of registrars or election commission of the city or town in which the person resides in a manner prescribed by the state secretary. An automatic voter registration agency may consult with the registry of motor vehicles or other agencies to augment data to be transmitted in a manner prescribed by the state secretary. An automatic voter registration agency shall not transmit a record that contains: (i) a home address designated as confidential pursuant to section 8 of chapter 9A, or (ii) any record that does not clearly and consistently contain both the applicant’s electronic signature and sworn or verified information for the applicant’s: (A) legal name; (B) age; (C) residence; and (D) citizenship.”; and

in said section 4, by striking out, in line 97, the words “as the state secretary deems necessary or”; and

in section 7, by striking out proposed subsection (a) of proposed section 65 of chapter 51 of the General Laws and inserting in place thereof the following subsection:- “(a) For purposes of this section, the term ‘automatic voter registration’ shall have the meaning assigned to it in section 42G ½ and the term ‘Registrars’ or ‘registrars of voters’ shall have the meaning assigned to it in section 1 of chapter 50.”; and

in said section 7, by striking out proposed clause (5) of proposed subsection (b) of proposed section 65 of chapter 51 of the General Laws and inserting in place thereof the following subsection:- “(5) determining the extent to which automatic voter registration materials should be provided in languages other than English and Spanish, if necessary to comply with the National Voting Rights Act; and”; and

by striking out section 10; and

by striking out section 12 and inserting in place thereof the following section:-

“SECTION 12. Sections 2, 3, 4, 7 and 8 shall take effect on January 1, 2020.”