

Assembly Joint Resolution

No. 36

Introduced by Assembly Member Fong

February 19, 2010

Assembly Joint Resolution No. 36—Relative to the Voter Registration Modernization Act of 2009.

LEGISLATIVE COUNSEL'S DIGEST

AJR 36, as introduced, Fong. Voter Registration Modernization Act of 2009.

This measure would urge the Congress and President of the United States to enact the Voter Registration Modernization Act of 2009.

Fiscal committee: no.

1 WHEREAS, California and the nation have begun to facilitate
2 the modernization of the voter registration process; and

3 WHEREAS, Nearly three million registered voters could not
4 cast a ballot during the 2008 presidential election because, in part,
5 of a problem with the voter registrations and an additional two
6 million registered voters who went to the polls during the 2008
7 presidential election encountered other problems with their
8 registration; and

9 WHEREAS, House Resolution 1719, the Voter Registration
10 Modernization Act of 2009, would amend the Voter Registration
11 Modernization Act of 1993 (42 U.S.C. Sec. 1973gg); and

12 WHEREAS, The Voter Registration Modernization Act of 2009,
13 if enacted into law, would allow all eligible citizens to register to
14 vote or to update their voter registrations on the Internet; and

1 WHEREAS, By allowing voters to update and check their
2 registration information on the Internet, the Voter Registration
3 Modernization Act of 2009 would reduce the need for provisional
4 ballots on election day, minimize errors created by third-party
5 registration efforts, reduce the cost associated with preparing for
6 elections, protect against fraud, and assure that voters receive
7 timely and accurate information related to voting; and

8 WHEREAS, The Voter Registration Modernization Act of 2009
9 would prohibit the states from purging a voter from the rolls
10 because he or she has not voted and would allow a state to remove
11 a voter's name from the rolls only for reason of the voter moving
12 out of the state, the death of the voter, or loss of eligibility to vote
13 by the voter because of the commission of a felony; and

14 WHEREAS, The Voter Registration Modernization Act of 2009
15 would provide voters with the option to be notified electronically
16 of the addresses and hours of operation of the voter's polling place
17 on election day; and

18 WHEREAS, The Voter Registration Modernization Act of 2009
19 would permit the states to make available to voters a
20 telephone-based voter registration system in addition to the Internet
21 registration system that would be required by the act; and

22 WHEREAS, The Voter Registration Modernization Act of 2009
23 would require online voter registration systems to capture a voter's
24 signature for verification through appropriate databases and, if the
25 voter's signature is not accessible using appropriate databases,
26 would require the voter to provide his or her signature when voting;
27 and

28 WHEREAS, The Voter Registration Modernization Act of 2009
29 would require that a voter who is registering online for the first
30 time within a jurisdiction meet the individual state's requirements
31 for first-time mail voter registrations, as required by the Help
32 America Vote Act of 2002 (HAVA) (42 U.S.C. Sec. 15301 et
33 seq.); and

34 WHEREAS, If the Voter Registration Modernization Act of
35 2009 is enacted, the states would be able to begin using funds
36 provided by HAVA to carry out the requirements of the act in the
37 2010 federal fiscal year, voters would be able to use the Internet
38 to update their voter registration information beginning in 2012,
39 and the requirement for each state to allow for online voter
40 registration would go into effect for 2016; now, therefore, be it

1 *Resolved by the Assembly and the Senate of the State of*
2 *California, jointly,* That the Legislature of the State of California
3 supports the Voter Registration Modernization Act of 2009 and
4 respectfully memorializes the Congress of the United States to
5 promptly pass the act and President Barack Obama to sign the act;
6 and be it further

7 *Resolved,* That the Chief Clerk of the Assembly transmit copies
8 of this resolution to the President and Vice President of the United
9 States, the Speaker of the United States House of Representatives,
10 the Majority Leader of the United States Senate, and each Senator
11 and Representative representing California in the Congress of the
12 United States.

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