

ASSEMBLY BILL

No. 2067

Introduced by Assembly Member Harper

February 17, 2016

An act to amend Section 2263 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2067, as introduced, Harper. Voter registration: California New Motor Voter Program.

Existing law requires the Department of Motor Vehicles to issue driver's licenses and state identification cards to applicants who meet specified criteria and provide the department with the required information. Existing law generally requires an applicant for an original driver's license or state identification card to submit satisfactory proof to the department that the applicant's presence in the United States is authorized under federal law.

Existing law, the California New Motor Voter Program, requires the Department of Motor Vehicles to electronically provide to the Secretary of State the records of each person who is issued an original or renewal of a driver's license or state identification card or who provides the department with a change of address, as specified. The person's motor vehicle records will then constitute a completed affidavit of registration and the person will be registered to vote, unless certain conditions are satisfied.

This bill would require the Department of Motor Vehicles to electronically provide records of a person to the Secretary of State pursuant to this program only if the person has submitted proof that he or she is a citizen of the United States, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2263 of the Elections Code is amended
2 to read:
3 2263. (a) The Department of Motor Vehicles, in consultation
4 with the Secretary of State, shall establish a schedule and method
5 for the department to electronically provide to the Secretary of
6 State the records specified in this section.
7 (b) (1) The department shall provide to the Secretary of State,
8 in a manner and method to be determined by the department in
9 consultation with the Secretary of State, the following information
10 associated with each person who submits an application for a
11 driver’s license or identification card pursuant to Section 12800,
12 12815, or 13000 of the Vehicle Code, or who notifies the
13 department of a change of address pursuant to Section 14600 of
14 the Vehicle Code, ~~if the proof that the person is required to~~
15 ~~submit to prove that his or her presence in the United States is~~
16 ~~authorized under federal law also establishes that the person is a~~
17 ~~citizen of the United States:~~
18 (A) Name.
19 (B) Date of birth.
20 (C) Either or both of the following, as contained in the
21 department’s records:
22 (i) Residence address.
23 (ii) Mailing address.
24 (D) Digitized signature, as described in Section 12950.5 of the
25 Vehicle Code.
26 (E) Telephone number, if available.
27 (F) Email address, if available.
28 (G) Language preference.
29 (H) Political party preference.
30 (I) Whether the person chooses to become a permanent vote by
31 mail voter.
32 (J) Whether the person affirmatively declined to become
33 registered to vote during a transaction with the department.

1 (K) A notation that the applicant has attested that he or she
2 meets all voter eligibility requirements, including United States
3 citizenship, specified in Section 2101.

4 (L) Other information specified in regulations implementing
5 this chapter.

6 (2) (A) The department may provide the records described in
7 paragraph (1) to the Secretary of State before the Secretary of State
8 certifies that all of the conditions set forth in subdivision (e) of
9 this section have been satisfied. Records provided pursuant to this
10 paragraph shall only be used for the purposes of outreach and
11 education to eligible voters conducted by the Secretary of State.

12 (B) The Secretary shall provide materials created for purposes
13 of outreach and education as described in this paragraph in
14 languages other than English, as required by the federal Voting
15 Rights Act of 1965 (52 U.S.C. Sec. 10503).

16 (c) The Secretary of State shall not sell, transfer, or allow any
17 third party access to the information acquired from the Department
18 of Motor Vehicles pursuant to this chapter without approval of the
19 department, except as permitted by this chapter and Section 2194.

20 (d) The department shall not electronically provide records of
21 a person who applies for or is issued a driver's license pursuant to
22 Section 12801.9 of the Vehicle Code because he or she is unable
23 to submit satisfactory proof that his or her presence in the United
24 States is authorized under federal law.

25 (e) The Department of Motor Vehicles shall commence
26 implementation of this section no later than one year after the
27 Secretary of State certifies all of the following:

28 (1) The State has a statewide voter registration database that
29 complies with the requirements of the federal Help America Vote
30 Act of 2002 (52 U.S.C. ~~Section~~ *Sec.* 20901 et seq.).

31 (2) The Legislature has appropriated the funds necessary for
32 the Secretary of State and the Department of Motor Vehicles to
33 implement and maintain the California New Motor Voter Program.

34 (3) The regulations required by Section 2270 have been adopted.

35 (f) The Department of Motor Vehicles shall not electronically
36 provide records pursuant to this section that contain a home address
37 designated as confidential pursuant to Section 1808.2, 1808.4, or
38 1808.6 of the Vehicle Code.

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