

1 **H. B. 4408**

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3 (By Delegates Lawrence, Manchin and Miley)
4 [By Request of the Secretary of State]
5 [Introduced February 2, 2012; referred to the
6 Committee on the Judiciary then Finance.]
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10 A BILL to repeal §3-2-24 of the Code of West Virginia, 1931, as
11 amended; and to amend and reenact §3-2-5, §3-2-6, §3-2-7,
12 §3-2-10, §3-2-11 and §3-2-18 of said code, all relating to
13 online registration of voters.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §3-2-24 of the Code of West Virginia, 1931, as amended,
16 be repealed; and that §3-2-5, §3-2-6, §3-2-7, §3-2-10, §3-2-11 and
17 §3-2-18 of said code be amended and reenacted, all to read as
18 follows:

19 **ARTICLE 2. REGISTRATION OF VOTERS.**

20 **§3-2-5. Forms for application for registration; information**
21 **required and requested; types of application forms;**
22 **notices.**

23 (a) (1) All state forms for application for voter registration

1 shall be prescribed by the Secretary of State and shall conform
2 with the requirements of 42 U.S.C. §1973gg, *et seq.*, the National
3 Voter Registration Act of 1993 and the requirements of the
4 provisions of this article. Separate application forms may be
5 prescribed for voter registration conducted by the clerk of the
6 county commission, registration by mail, registration in
7 conjunction with an application for motor vehicle driver's license
8 and registration at designated agencies. These forms may consist
9 of one or more parts, may be combined with other forms for use in
10 registration by designated agencies or in conjunction with driver
11 licensing and may be revised and reissued as required by the
12 Secretary of State to provide for the efficient administration of
13 voter registration.

14 (2) Notwithstanding any provisions of subdivision (1) of this
15 subsection to the contrary, the federal postcard application for
16 voter registration issued pursuant to 42 U.S.C. §1973, *et seq.*, the
17 Uniformed and Overseas Citizens Absentee Voting Act of 1986, and
18 the mail voter registration application form prescribed by the
19 Federal Election Commission pursuant to 42 U.S.C. §1973gg, *et seq.*,
20 the National Voter Registration Act of 1993, shall be accepted as
21 a valid form of application for registration pursuant to the
22 provisions of this article.

23 (b) Each application form for registration shall include:

24 (1) A statement specifying the eligibility requirements for

1 registration and an attestation that the applicant meets each
2 eligibility requirement;

3 (2) Any specific notice or notices required for a specific
4 type or use of application by 42 U.S.C. §1973gg, *et seq.*, the
5 National Voter Registration Act of 1993;

6 (3) A notice that a voter may be permitted to vote the
7 partisan primary election ballot of a political party only if the
8 voter has designated that political party on the application for
9 registration unless the political party has determined otherwise;

10 (4) The applicant's driver's license number or an
11 identification number issued by the Division of Motor Vehicles. If
12 the applicant does not have a driver's license or an identification
13 card issued by the Division of Motor Vehicles, then the last four
14 digits of the applicant's social security number; and

15 (5) Any other instructions or information essential to
16 complete the application process.

17 (c) Each application form shall require that the following be
18 provided by the applicant, under oath, and any application which
19 does not contain each of the following shall be considered
20 incomplete:

21 (1) The applicant's legal name, including the first name,
22 middle or maiden name, if any, and last name;

23 (2) The month, day and year of the applicant's birth;

24 (3) The applicant's residence address, including the number

1 and street or route and city and county of residence except:

2 (A) In the case of a person eligible to register under the
3 provisions of 42 U.S.C. §1973ff, *et seq.*, the Uniformed and
4 Overseas Citizens Absentee Voting Act, the address at which he or
5 she last resided before leaving the United States or entering the
6 uniformed services, or if a dependent child of such a person, the
7 address at which his or her parent last resided; ~~and~~

8 (B) In the case of a homeless person having no fixed residence
9 address who nevertheless resides and remains regularly within the
10 county, the address of a shelter, assistance center or family
11 member with whom he or she has regular contact or other specific
12 location approved by the clerk of the county commission for the
13 purposes of establishing a voting residence; ~~and~~ or

14 (C) In the case of a participant in the Address
15 Confidentiality Program administered by the Secretary of State in
16 accordance with section one hundred three, article twenty-eight
17 (a), chapter forty-eight of this code, the designated address
18 assigned to the participant by the Secretary of State; and

19 (4) The applicant's signature, under penalty of perjury as
20 provided in section thirty-six of this article, to the attestation
21 of eligibility to register to vote and to the truth of the
22 information given: Provided, That the clerk may accept the
23 electronically-transmitted signature kept on file with another
24 approved state database for any applicant who applies to register

1 to vote using an approved electronic voter registration system, in
2 accordance with procedures promulgated by the Secretary of State.

3 (d) The applicant shall be requested to provide the following
4 information, but no application shall be rejected for lack of this
5 information:

6 (1) An indication whether the application is for a new
7 registration, change of address, change of name or change of party
8 affiliation;

9 (2) The applicant's choice of political party affiliation, if
10 any, or an indication of no affiliation: *Provided*, That any
11 applicant who does not enter any choice of political party
12 affiliation shall be listed as having no party affiliation on the
13 voting record;

14 (3) The applicant's residence mailing address if different
15 than the residence street address;

16 (4) The last four digits of the applicant's social security
17 number;

18 (5) The applicant's telephone number;

19 (6) The applicant's e-mail address;

20 ~~(7)~~ (7) The address at which the applicant was last registered
21 to vote, if any, for the purpose of canceling or transferring the
22 previous registration; and

23 ~~(8)~~ (8) The applicant's gender.

24 (e) The Secretary of State shall prescribe the printing

1 specifications of each type of voter registration application and
2 the voter registration application portion of any form which is
3 part of a combined agency form.

4 (f) Application forms prescribed in this section may refer to
5 various public officials by title or official position, but in no
6 case may the actual name of any officeholder be printed on the
7 voter registration application or on any portion of a combined
8 application form.

9 (g) No later than July 1 of each odd-numbered year, the
10 Secretary of State shall submit the specifications of the voter
11 registration application by mail for statewide bidding for a
12 contract period beginning September 1 of each odd-numbered year
13 and continuing for two calendar years. The successful bidder shall
14 produce and supply the required mail voter registration forms at
15 the contract price to all purchasers of the form for the period of
16 the contract.

17 **§3-2-6. Time of registration application before an election.**

18 (a) Voter registration before an election shall close on the
19 twenty-first day before the election, or on the first day
20 thereafter which is not a Saturday, Sunday or legal holiday.

21 (b) An application for voter registration, transfer of
22 registration, change of name or change of political party
23 affiliation submitted by an eligible voter by the close of voter
24 registration shall be effective for any subsequent primary, general

1 or special election if the following conditions are met:

2 (1) The application contains the information required by
3 subsection (c), section five of this article: *Provided*, That
4 incomplete applications for registration containing information
5 which are submitted within the required time may be corrected
6 within four business days after the close of registration if the
7 applicant provides the required information; and

8 (2) The application is received by the appropriate clerk of
9 the county commission no later than the hour of the close of
10 registration or is otherwise submitted by the following deadlines:

11 (A) If mailed, the application shall be addressed to the
12 appropriate clerk of the county commission and is postmarked by the
13 postal service no later than the date of the close of registration:
14 *Provided*, That if the postmark is missing or illegible, the
15 application shall be presumed to have been mailed no later than the
16 close of registration if it is received by the appropriate clerk of
17 the county commission no later than the third day following the
18 close of registration;

19 (B) If accepted by a designated agency or motor vehicle
20 licensing office, the application is received by that agency or
21 office no later than the close of registration;

22 (C) If accepted through a registration outreach program, the
23 application is received by the clerk, deputy clerk or registrar no
24 later than the close of registration;

1 (D) If accepted through an approved electronic voter
2 registration system, the application is received by the clerk of
3 the county commission or other entity designated by the Secretary
4 of State no later than the close of business on the final day of
5 registration; and

6 (3) The verification notice by the provisions of section
7 sixteen of this article mailed to the voter at the residence
8 indicated on the application is not returned as undeliverable.

9 **§3-2-7. Hours and days of registration in the office of the clerk**
10 **of the county commission; in-person application for**
11 **voter registration; identification required.**

12 (a) The clerk of the county commission shall provide voter
13 registration services at all times when the office of the clerk is
14 open for regular business.

15 (b) Any eligible voter who desires to apply for voter
16 registration in person at the office of the clerk of the county
17 commission shall complete a voter registration application on the
18 prescribed form and shall sign the oath required on that
19 application in the presence of the clerk of the county commission
20 or his or her deputy: Provided, That an individual may apply for
21 voter registration using an approved electronic voter registration
22 system available at the office of the clerk in participating
23 localities. The system may electronically transfer the voter's

1 signature stored in the database of another state agency in
2 accordance with procedures promulgated by the Secretary of State.

3 The applicant shall present valid identification and proof of age,
4 except that the clerk may waive the proof of age requirement if the
5 applicant is clearly over the age of eighteen.

6 (c) The clerk shall attempt to establish whether the residence
7 address given is within the boundaries of an incorporated
8 municipality and, if so, make the proper entry required for
9 municipal residents to be properly identified for municipal voter
10 registration purposes.

11 (d) Upon receipt of the completed registration application,
12 the clerk shall either:

13 (1) Provide a notice of procedure for verification and notice
14 of disposition of the application and immediately begin the
15 verification process prescribed by the provisions of section
16 sixteen of this article; or

17 (2) Upon presentation of a current driver's license or
18 state-issued identification card containing the residence address
19 as it appears on the voter registration application, issue the
20 receipt of registration.

21 **§3-2-10. Application for registration by mail.**

22 (a) Any qualified person may apply to register, change,
23 transfer or correct his or her voter registration by mail.
24 Application shall be made on a prescribed form as provided by

1 section five of this article.

2 (b) To the extent possible, with funds allocated annually for
3 such purpose, the Secretary of State shall make state mail
4 registration forms available for distribution through governmental
5 and private entities and organized voter registration programs. The
6 Secretary of State shall make a record of all requests by entities
7 or organizations for two hundred or more forms with a description
8 of the dates and locations in which the proposed registration drive
9 is to be conducted. The Secretary of State shall also require the
10 entity or organization requesting the forms to provide contact
11 information on a form prescribed by the Secretary of State. The
12 Secretary of State may limit the distribution to a reasonable
13 amount per group.

14 (c) The clerk of the county commission shall provide up to
15 four mail registration forms to any resident of the county upon
16 request. To the extent possible with funds allocated annually for
17 the purpose, the clerk of the county commission shall make state
18 mail registration forms available for distribution through
19 organized voter registration programs within the county. The clerk
20 of the county commission shall make a record of all requests by
21 entities or organizations for ten or more forms with a description
22 of the dates and locations in which the proposed registration drive
23 is to be conducted. The clerk may limit the distribution to a
24 reasonable amount per group.

1 (d) The applicant shall provide all required information and,
2 only after completing the information, sign the prescribed
3 applicant's oath under penalty of perjury as provided in section
4 thirty-six of this article. No person may alter or add any entry or
5 make any mark which would alter any material information on the
6 voter registration application after the applicant has signed the
7 oath: *Provided*, That the clerk of the county commission may correct
8 any entry upon the request of the applicant provided the request is
9 properly documented and the correction is dated and initialed by
10 the clerk.

11 (e) Completed applications shall be mailed or delivered to the
12 clerk of the county commission of the county in which the voter
13 resides. If a clerk receives a completed mail application form from
14 a voter whose residence address is located in another county, the
15 clerk shall forward that application within three days to the clerk
16 of the county commission of the county of the applicant's
17 residence.

18 (f) Upon receipt of the application for registration by the
19 appropriate clerk of the county commission, the clerk shall:

20 (1) Attempt to establish whether the residence address given
21 is within the boundaries of an incorporated municipality and, if
22 so, make the proper entry required for municipal residents to be
23 properly identified for municipal voter registration purposes; and

24 (2) Immediately begin the verification process required by the

1 provisions of section sixteen of this article.

2 (g) Any person who registers by mail pursuant to this section
3 and who has not previously voted in an election in the state shall
4 be required to present the following forms of identification to the
5 Secretary of State or clerk of the county commission:

6 (1) In the case of an individual who votes in person, a
7 current and valid photo identification; or a copy of a current
8 utility bill, bank statement, government check, paycheck or other
9 government document that shows the name and address of the voter;

10 (2) In the case of an individual who votes by mail, a copy of
11 a current and valid photo identification or a copy of a current
12 utility bill, bank statement, government check, paycheck or other
13 government document that shows the name and address of the voter,
14 submitted with the ballot.

15 (h) An individual who desires to vote in person or by mail,
16 but who does not meet the requirements of subsection (g) of this
17 section, may cast a provisional ballot.

18 (i) Subsection (g) of this section does not apply in the case
19 of a person:

20 (1) Who registers to vote by mail under 42 U.S.C. §1973gg-4,
21 *et seq.*, and submits as part of his or her registration either a
22 copy of a current and valid photo identification or a copy of a
23 current utility bill, bank statement, government check, paycheck or
24 government document that shows the name and address of the voter;

1 (2) (A) Who registers to vote by mail under 42 U.S.C.
2 §1973gg-4, *et seq.*, and submits with his or her registration either
3 a driver's license number or at least the last four digits of the
4 individual's social security number; and (B) with respect to whom
5 the Secretary of State or clerk of the county commission matches
6 the information submitted under paragraph (A) of this subdivision
7 with an existing state identification record bearing the same
8 number, name and date of birth as provided in the registration; or

9 (3) Who is: (A) Entitled to vote by absentee ballot under 42
10 U.S.C. §1973ff-1, *et seq.*, the Uniformed and Overseas Citizens
11 Absentee Voting Act; (B) provided the right to vote otherwise than
12 in person under 42 U.S.C. §1973ee-1(b)(2)(B)(ii); or 25 (iii),
13 section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly
14 and Handicapped Act; (C) entitled to vote otherwise than in person
15 under any other federal law: *Provided*, That any person who has
16 applied for an absentee ballot pursuant to the provisions of
17 subdivision (1), subsection (b), section one, article three of this
18 chapter; paragraph (B), subdivision (2) of said subsection;
19 subdivision (3) of said subsection; or subsection (c) of said
20 section may not have his or her ballot in that election challenged
21 for failure to appear in person or for failure to present
22 identification.

23 (j) Any person who submits a state mail voter registration
24 application to the clerk of the county commission in the county in

1 which he or she is currently registered for the purpose of entering
2 a change of address within the county, making a change of party
3 affiliation or recording a change of legal name shall not be
4 required to make his or her first vote in person or to present
5 identification or proof of age.

6 (k) On and after July 1, 2006, any person who agrees to mail
7 or to deliver a signed voter registration application to the
8 Secretary of State or the clerk of the county commission and who
9 intentionally interferes with the applicant's effort to register
10 either by altering or destroying the application or by failing to
11 mail or to deliver the application in a timely manner is guilty of
12 a misdemeanor and, upon conviction thereof, shall be fined not more
13 than \$1,000, or confined in a jail for not more than one year, or
14 both. For purposes of this subsection, the mailing or delivery of
15 an application is timely if it is mailed or delivered within
16 fifteen days after the applicant signs the application or in
17 accordance with the provisions of article two, chapter three of
18 this code for processing before the closing of the registration
19 records for the pending election, whichever comes first.

20 (l) On or after July 1, 2006, any person who intentionally
21 solicits multiple registrations from any one person or who
22 intentionally falsifies a registration application is guilty of a
23 misdemeanor and, upon conviction thereof, shall be fined not more
24 than \$1,000, or confined in jail for not more than one year, or

1 both.

2 (m) Any person who agrees to mail or to deliver a signed voter
3 registration application to the Secretary of State or to the clerk
4 of the county commission and who exerts improper influence on the
5 choice of party affiliation of an applicant or otherwise attempts
6 to improperly interfere with or intimidate an applicant relating to
7 that applicant's decision to register or not to register, is guilty
8 of a misdemeanor and, upon conviction thereof, shall be fined not
9 more than \$1,000 or confined in jail for not more than one year, or
10 both fined and confined.

11 (n) Any person who agrees to mail or to deliver a signed voter
12 registration application to the Secretary of State or to the clerk
13 of the county commission and who copies or causes to be copied,
14 manually or electronically, any information contained within the
15 registration document other than the name of the applicant and the
16 date of the applicants's signature is guilty of a misdemeanor and,
17 upon conviction thereof, shall be fined not more than \$1,000, or
18 confined in jail for not more than one year, or both fined and
19 confined.

20 **§3-2-11. Registration in conjunction with driver licensing.**

21 (a) The Division of Motor Vehicles or any other division or
22 department that may be established by law to perform motor vehicle
23 driver licensing services shall provide each qualified registrant,
24 as an integral and simultaneous part of every process of

1 application for the issuance, renewal or change of address of any
2 motor vehicle driver's license or official identification card,
3 pursuant to the provisions of article two, chapter seventeen-b of
4 this code, a voter registration application as prescribed in
5 section five of this article when the Division's regional offices
6 are open for regular business: Provided, That an individual may
7 apply for voter registration using an approved electronic voter
8 registration system if available at a Division of Motor Vehicles
9 regional office in participating localities.

10 (b) Notwithstanding any other provision of this code, the
11 Division of Motor Vehicles is required to release the personal
12 information of any applicant, including the electronic signature,
13 entered in its records for a driver's license or nonoperator's
14 identification purposes that is also required by the voter
15 registration laws to the West Virginia Secretary of State's Office
16 upon notice and written consent of the applicant. The notice and
17 consent shall be a required component of any online voter
18 registration application made available to the general public by
19 the West Virginia Secretary of State. The release of an
20 applicant's signature by the Division of Motor Vehicles to the
21 Office of the Secretary of State shall apply to any voter
22 registration application approved through an online voter
23 registration system promulgated by the Secretary of State,
24 regardless of the location of the online user and provided the user

1 grants written consent upon notice.

2 ~~(b)~~ (c) Any person who fails to sign the voter registration
3 application or who fails to return the voter registration
4 application to a driver licensing facility or to an appropriate
5 voter registration office shall be considered to have declined to
6 register. Information regarding any person's failure to sign the
7 voter registration application is confidential and may not be used
8 for any purpose other than to determine voter registration.

9 ~~(c)~~ (d) Any qualified voter who submits the application for
10 registration pursuant to the provisions of subsection (a) of this
11 section in person at a driver licensing facility at the time of
12 applying for, obtaining, renewing or transferring his or her
13 driver's license or official identification card and who presents
14 identification and proof of age at that time shall not be required
15 to make his or her first vote in person or to again present
16 identification in order to make that registration valid.

17 ~~(d)~~ (e) Any qualified voter who submits by mail or by delivery
18 by a third party an application for registration on the form used
19 in conjunction with driver licensing shall be required to make his
20 or her first vote in person and present identification as required
21 for other mail registration in accordance with the provisions of
22 subsection (g), section ten of this article: *Provided*, That if the
23 applicant has been previously registered in the jurisdiction and
24 the application is for a change of address, change of name, change

1 of political party affiliation or other correction, the
2 presentation of identification and first vote in person is not
3 required.

4 ~~(e)~~ (f) Any application for voter registration submitted
5 pursuant to the provisions of this section shall be considered as
6 updating any previous voter registration by the applicant and shall
7 authorize the cancellation of registration in any other county or
8 state in which the applicant was previously registered.

9 ~~(f)~~ (g) Any change of address from one residence to another
10 within the same county which is submitted for driver licensing or
11 nonoperator's identification purposes in accordance with applicable
12 law shall also serve as a notice of change of address for voter
13 registration purposes if requested by the applicant after notice
14 and written consent of the applicant. ~~unless the individual~~
15 ~~indicates on the form that the change of address is not for voter~~
16 ~~registration purposes.~~

17 ~~(g)~~ (h) Completed applications for voter registration or
18 change of address for voting purposes received by any office
19 providing driver licensing services shall be forwarded to the
20 Secretary of State within five days of receipt, unless other means
21 are available for a more expedited transmission. The Secretary of
22 State shall remove and file any forms which have not been signed by
23 the applicant and shall forward completed, signed applications to
24 the clerk of the appropriate county commission within five days of

1 receipt.

2 ~~(h)~~ (i) Voter registration application forms containing voter
3 information which are returned to a driver licensing office
4 unsigned shall be collected ~~and maintained~~ by the Division of Motor
5 Vehicles, submitted to the Secretary of State's Office, and
6 maintained by that office ~~for two years~~ according to ~~procedural~~
7 ~~rules promulgated~~ the retention policy adopted by the Secretary of
8 State.

9 **§3-2-18. Registration records; active, inactive, canceled, pending**
10 **and rejected registration files; procedure; voting**
11 **records.**

12 (a) For the purposes of this article:

13 (1) "Original voter registration record" means all records
14 submitted or entered in writing or electronically, where permitted
15 by law, for voter registration purposes, including:

16 (A) Any original application or notice submitted by any person
17 for registration or reinstatement, change of address, change of
18 name, change of party affiliation, correction of records,
19 cancellation, confirmation of voter information or other request or
20 notice for voter registration purposes; and

21 (B) Any original entry made on any voter's registration record
22 at the polling place, or made or received by the clerk of the
23 county commission relating to any voter's registration, such as
24 records of voting, presentation of identification and proof of age,

1 challenge of registration, notice of death or obituary notice,
2 notice of disqualifying conviction or ruling of mental incompetence
3 or other original document which may affect the status of any
4 person's voter registration.

5 (2) "Active voter registration files" means the files of
6 registration records, whether maintained on paper forms or in
7 digitized data format, containing the names, addresses, birth dates
8 and other required information for all persons within a county who
9 are registered to vote and whose registration has not been
10 designated as "inactive" or "canceled" pursuant to the provisions
11 of this article.

12 (3) "Inactive voter registration files" means the files of
13 registration records, whether maintained on paper forms or in
14 digitized data format, containing the names, addresses, birth dates
15 and other required information for all persons designated
16 "inactive" pursuant to the provisions of section twenty-seven of
17 this article following the return of the prescribed notices as
18 undeliverable at the address entered on the voter registration or
19 for failure of the contacted voter to return a completed notice of
20 address confirmation within thirty days of the mailing. ~~For the~~
21 ~~purposes of this chapter or of any other provisions of this code~~
22 ~~relating to elections conducted under the provisions of this~~
23 ~~chapter, whenever a requirement is based on the number of~~
24 ~~registered voters, including, but not limited to, the number of~~

~~1 ballots to be printed, the limitations on the size of a precinct,
2 or the number of petition signatures required for election
3 purposes, only those registrations included on the active voter
4 registration files shall be counted and voter registrations
5 included on the inactive voter registration files, as defined in
6 this subdivision, shall not be counted.~~

7 (4) "Canceled voter registration files" means the files
8 containing all required information for all persons who have been
9 removed from the active and inactive voter registration files and
10 who are no longer registered to vote within the county.

11 (5) "Pending application files" means the temporary files
12 containing all information submitted on a voter registration
13 application, pending the expiration of the verification period.

14 (6) "Rejected application files" means the files containing
15 all information submitted on a voter registration application which
16 was rejected for reasons as described in this article.

17 (7) "Confirmation pending files" means the files containing
18 all required information for persons who have been identified to be
19 included in the next succeeding mailing of address confirmation
20 notices as set forth by the "National Voter Registration Act of
21 1993." (42 USC 1973gg.)

22 (b) For the purposes of this chapter or of any other
23 provisions of this code relating to elections conducted under the
24 provisions of this chapter, whenever a requirement is based on the

1 number of registered voters, including, but not limited to, the
2 number of ballots to be printed, the limitations on the size of a
3 precinct, or the number of petition signatures required for
4 election purposes, only those registrations included on the active
5 voter registration files shall be counted and voter registrations
6 included on the inactive voter registration files, as defined in
7 this subdivision, shall not be counted.

8 ~~(b)~~ (c) Active voter registration files, confirmation pending
9 files and inactive voter registration files may be maintained in
10 the same physical location or database, providing the records are
11 coded, marked or arranged in such a way as to make the status of
12 the registration immediately obvious. Canceled voter registration
13 files, pending application files, and rejected application files
14 shall each be maintained in separate physical locations or
15 databases. However, all these records shall be maintained in the
16 statewide centralized voter registration database, subject to a
17 schedule of retention.

18 ~~(c)~~ (d) The effective date of any action affecting any voter's
19 registration status shall be entered on the voter record in the
20 appropriate file, including the effective date of registration,
21 change of name, address or party affiliation or correction of the
22 record, effective date of transfer to inactive status, return to
23 active status or cancellation. When any registration is designated
24 inactive or is canceled, the reason for the designation or

1 cancellation and any reference notation necessary to locate the
2 original documentation related to the change shall be entered on
3 the voter record.

4 ~~(d)~~ (e) Within ~~one hundred twenty~~ sixty days after each
5 primary, general, municipal or special election, the clerk of the
6 county commission shall ~~as evidenced by the presence or absence of~~
7 ~~signatures on the pollbooks for such election, correct any errors~~
8 ~~or omissions on the voter registration records resulting from the~~
9 ~~poll clerks erroneously checking or failing to check the~~
10 ~~registration records as required by the provisions of section~~
11 ~~thirty-four, article one of this chapter, or shall~~ enter the voting
12 records into the state uniform data system ~~if the precinct books~~
13 ~~have been replaced with printed registration books as provided in~~
14 ~~section twenty-one of this article.~~

NOTE: The purpose of this bill is to provide an electronic voter registration system allowing for greater utilization of the Statewide Voter Registration System (SVRS); allow for use of a designated address for voter registration purposes for participants in the Address Confidentiality Program; establish an offense and related penalty for tampering with or copying voter registration information collected by third-party registration drives; delete obsolete language related to manual voter registration systems; shorten the period of time during which county clerks may enter voter history data into the statewide, centralized voter registration database; clarify certain record-keeping requirements related to confirmation mailings required by the National Voter Registration Act of 1993; and restrict the public release of voter e-mail addresses.

Strike-throughs indicate language that would be stricken from

the present law, and underscoring indicates new language that would be added.