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April 13, 2017

Honorable Henry Stern
Chair, Elections and Constitutional Amendments Committee
California State Senate
Capitol Building, Room 3070
Sacramento, CA 95814

RE: SB 682 (NIELSEN) – OPPOSE UNLESS AMENDED

Dear Senator Stern:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, opposes SB 682 unless amended. This bill is scheduled for hearing in the Senate Elections and Constitutional Amendments Committee on April 18, 2017.

We request removal of the proposed Elections Code Sections 2196(c)(3) and (c)(4). Section 2196(c)(3) requires the Department of Motor Vehicles (DMV) to provide the Secretary of State (SOS) with a list of all recipients of an AB 60 driver's license whose information the DMV previously provided electronically to the SOS. Section 2196(c)(4) requires revocation of the voter registration for the individuals identified on the list required by Section 2196(c)(3), unless the SOS has received actual proof of the individual's eligibility to vote.

Such provisions are unnecessary to protect the integrity of California's online voter registration system. Section 2196(c)(4) is also contrary to existing law because it impermissibly requires the SOS to conduct a lookback at voter registration records, pull any voter with an AB 60 driver's license who may be registered to vote, cancel their registration, and then force them to re-register. This process will be a hardship for numbers of

people with disabilities, particularly if they will need to travel to complete a new registration form. This procedure violates the Federal National Voter Registration Act of 1993, which outlines clear procedures for cancellation of a voter's registration.ⁱ SB 682's failure to delineate what documentation constitutes "actual proof of an individual's eligibility to vote" also raises concerns that such a provision may violate the NVRA's prohibition on states imposing proof of citizenship requirements during voter registration.ⁱⁱ

For these reasons, we oppose this bill unless amended to remove the proposed Elections Code Sections 2196(c)(3) and (c)(4). Please contact me if you have any questions about our position on this bill.

Very truly yours,

A handwritten signature in black ink, appearing to read "Margaret Johnson", written over a horizontal line.

Margaret Johnson, Esq.
Advocacy Director
Disability Rights California

cc: Honorable Jim Nielsen, California State Senate
Lauren Prichard, Legislative Aide, Office of Senator Nielsen
Honorable Members, Senate Elections and Constitutional
Amendments Committee
Frances Tibon-Estoista, Consultant, Senate Elections and
Constitutional Amendments Committee

ⁱ 52 U.S.C. § 20507 (c). "Return to Main Document"

ⁱⁱ See *Arizona v. Inter Tribal Council of Arizona, Inc.*, 133 S. Ct. 2247, 2257 (2013); *Kobach v. U.S. Election Assistance Comm'n*, 772 F.3d 1183 (10th Cir. 2014). "Return to Main Document"