

HCS HBs 48 & 216 -- Photo Identification Requirement for Elections

Sponsor: Cox

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Elections by a vote of 8 to 4.

This substitute requires a person to submit a specified form of photo identification in order to vote in a public election. In its main provisions, the substitute:

(1) Specifies that a person seeking to vote in a public election must establish his or her identity and eligibility to vote as a United States citizen lawfully residing in this state by presenting to election officials one of the specified forms of personal identification that contains his or her photograph. All costs incurred by an election authority to implement the photo identification requirement must be reimbursed by the state. If there is no state appropriation and distribution of funds, the election authority must not enforce the photo identification requirement;

(2) Allows an individual to vote by casting a provisional ballot after signing an affidavit if he or she does not possess a required form of personal identification because of a physical or mental disability or handicap, the inability to pay for a birth certificate or other documentation necessary to obtain the identification required to vote, or a sincere religious belief against these forms of personal identification or the person was born on or before January 1, 1941;

(3) Allows an individual to vote by casting a provisional ballot if he or she lacks photographic identification and then return to the election authority within three days after the election with a valid form of identification so that the provisional ballot may be counted;

(4) Requires the state and all fee offices to provide at no cost at least one form of personal identification required to vote to a qualified individual who does not already possess the required identification and desires the identification in order to vote; and

(5) Removes the provision allowing a disabled or elderly person to obtain a nondriver's license photo identification through a mobile processing system operated by the Department of Revenue.

The substitute will become effective only upon voter approval of a constitutional amendment that authorizes the General Assembly to

enact laws regarding photo identification requirements for elections.

PROPONENTS: Supporters say that the bill will help prevent fraud. Voter identification cards are often lost or sent to the wrong address.

Testifying for the bill was Representative Dugger.

OPPONENTS: Those who oppose the bill say that the legislation has been modified but will still likely result in voter disenfranchisement and costs to the state without preventing voter fraud. Signature matching does not work to count provisional ballots in many instances. College identifications and expired identifications are not allowed which will prevent many college students and elderly persons from voting. The right to vote is fundamental and should not be undermined through a change to the Missouri Constitution. Ballot titles are generally misleading and do not explain to the voters the drastic change to the Missouri Constitution that the bill makes.

Testifying against the bill were Office of the Secretary of State; ACLU of Eastern Missouri; Denise Lieberman; AFL-CIO; AARP; Missouri National Education Association; Eric Banna; Robert Haslag; Mary Hussman; and Wade Lee.