

HB 660 -- Safe and Fair Elections Act

Sponsor: Marshall

The bill establishes the Safe and Fair Elections Act. In its main provisions the bill:

(1) Requires a person registering to vote to present a form of personal identification that provides evidence of United States citizenship. All forms presented must be kept confidential by the election authority. The acceptable forms of identification are specified in the bill. An applicant can provide other evidence of citizenship to the Secretary of State who must determine if the evidence is sufficient for registration;

(2) Allows an applicant who has been denied due to a marital or gender based name change to submit an affidavit stating the reason for the name change and affirming that the applicant is the person reflected in the document;

(3) Exempts a person who is registered to vote on the effective date of the bill from being required to present an identification to prove his or her citizenship;

(4) Establishes the State Election Board consisting of the Secretary of State, Attorney General, and Lieutenant Governor. The board will assess the information and documentation provided by an applicant as evidence of his or her citizenship. An applicant has the right to appeal the board's determination based on federal law 8 U.S.C. Section 1503 and the board's judgment of insufficient evidence will be reversed if the applicant obtains a declaratory judgment under that federal law;

(5) Requires the Department of Health and Senior Services to provide a free certified copy of a birth certificate upon the request of any person 17 years of age or older to meet the personal identification requirement. Each county must designate an office to help a person obtain a free certified copy of his or her birth certificate;

(6) Requires applicants for an absentee ballot to provide a current drivers or nondrivers license or a photocopy of any identification required for voting. An election authority is prohibited from providing an absentee ballot by mail unless the signature of the person requesting the ballot is verified. An election authority must contact an applicant if the absentee ballot request is denied to allow them to provide the correct identification or a matching signature;

(7) Allows a voter to have a designated person return an absentee ballot if the person is specified in writing at the time the voter requests an absentee ballot. Currently, a relative of the voter within the second degree of consanguinity or affinity may return the ballot. Any person designated by the voter to return the absentee ballot must sign a statement that he or she has not exercised any undue influence on the voting decisions of the voter than that he or she agrees to deliver the ballot as directed by the voter;

(8) Requires a voter to establish his or her identity at a polling place by providing specified documentation. Voters without the proper identification may vote a provisional ballot and then supply the correct identification to the verification board of the local election authority; and

(9) Exempts a person with a permanent disability: uniformed service and merchant marine members, their spouses, and dependants absent from the jurisdiction; and a person with religious beliefs opposed to photographic identification from the photographic identification requirement.