

HB 1104 -- PHOTO IDENTIFICATION REQUIREMENTS FOR VOTERS

SPONSOR: Schoeller

COMMITTEE ACTION: Voted "do pass" by the Committee on Elections by a vote of 7 to 3.

This bill changes the laws regarding elections by requiring a voter to provide photo identification. In its main provisions, the bill:

(1) Specifies that a person seeking to vote in a public election must establish his or her qualifications as a United States citizen lawfully residing in this state by presenting a form of personal identification containing his or her photograph to election officials. All costs incurred by an election authority to implement the photo identification requirement must be reimbursed by the state. If there is no 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 the inability to pay for a birth certificate or other documentation necessary to obtain the identification;

(3) 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;

(4) Allows an individual to vote using 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; and

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

All provisions of the bill are nonseverable. If any portion of the bill is held invalid for any reason, the entire bill will be invalidated. The bill will become effective only upon voter approval of a constitutional amendment that authorizes the General Assembly to require the photo identification by law.

FISCAL NOTE: Estimated Net Effect on General Revenue Fund of an

income of \$0 or Unknown to a cost of Unknown greater than \$3,267,692 in FY 2013, an income of \$0 or Unknown to a cost of Unknown greater than \$2,001,202 in FY 2014, an income of \$0 or Unknown to a cost of Unknown greater than \$2,022,699 in FY 2015. Estimated Net Income on Other State Funds of \$0 or Unknown in FY 2013, FY 2014, and FY 2015.

PROPOSERS: Supporters say that the bill will help prevent voter fraud and contains exceptions allowing any registered voter to vote by provisional ballot even if he or she lacks photographic identification.

Testifying for the bill was Representative Schoeller.

OPPOSERS: Those who oppose the bill say that the bill will disenfranchise many qualified and registered voters and that it is very expensive. Victims of natural disasters may be disqualified from voting since they have no documentation whatsoever. Fiscal conservatives and libertarians should oppose the bill because it is another example of a serious regulatory burden enacted by the state which does not address any serious problem of voter impersonation fraud.

Testifying against the bill were Secretary of State; Denise Lieberman of the Advancement Project; ACLU of Eastern Missouri; AARP Missouri; Farilyn Hale, National Council of Jewish Women - St. Louis; Parquad, Incorporated; and Mark Richards, Missouri Civil Liberties Association.

OTHERS: Others testifying on the bill say that the absence of recent arrests and convictions for voter impersonation fraud does not logically entail the conclusion that there is no voter impersonation fraud in Missouri.

Testifying on the bill was Missouri Family Network.