

HB 1104 -- Photo Identification Requirements for Voters

Sponsor: Schoeller

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.