

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 89

**DATE:** April 19, 2011

**Version:** Third engrossment

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**Subject:** Voter Identification

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### Overview

This bill requires voters to present proof of identity and residence prior to cast a ballot in a polling place. A system of provisional balloting is established for voters unable to meet the identification requirements on election day.

The bill also provides for free voter identification cards to be issued to voters who do not possess other identification sufficient to prove identity and residence as allowed in the bill, and eliminates vouching as a mechanism for voter registration in a polling place.

- 1** **Voter identification cards.** Requires the Department of Public Safety to provide a free voter identification card to eligible voters who do not possess a Minnesota driver's license or state identification card

A voter identification card would be valid only for purposes related to voting in Minnesota. The format and content requirements for the card are provided in the bill.

- 2** **Expiration.** Provides that a voter identification card expires on the birthday of the applicant in the fourth year following issuance of the card. A voter identification card issued to an individual who is 65-years-old or older does not have an expiration date.

- 3** **Improved security.** Requires voter identification cards to have the same security features as driver's license and state identification cards.

- 4** **Documentation of identity and residence.** Establishes a list of identification documents that may be presented by a voter to prove identity and residence. Consistent with modifications made elsewhere in the bill, a voter would be required to present proof of identity and residence using this list of approved documents when registering to vote in a polling place on election day, or when seeking to have a provisional ballot counted in the certified results of the election.

Documents that would be accepted include a current, valid Minnesota driver's license or identification card, certain tribal identification cards, a Minnesota postsecondary institution identification card as long as a list of students from the institution has been provided to the county auditor, or a receipt for a Minnesota driver's license or identification card along with one of several listed photo identification documents.

To prove residence and identity, a student would also be permitted to present a driver's license or identification card of their home state. The license would be sufficient if the student's name is on a residential housing list submitted by the school. If the student is not included on such a list, the license must be accompanied by a student fee statement listing their valid address of residence in the precinct.

This section would also permit a resident of a shelter for battered women to present a certification of residence in the shelter, signed by the shelter administrator, as proof of residence in the precinct.

- 5 State-subsidized voter identification card account.** Establishes a state-subsidized voter identification card account in the special revenue fund. Funds in the account would be used to issue voter identification cards, as provided in section 2. The commissioner of public safety is required to make a report to the legislature at least monthly on expenditures from the account. A report to the legislature on total expenditures from the account is required by January 31 of each year.
- 6 Election day registration.** Eliminates vouching as a mechanism for election day registrants to prove residency in the precinct.

This section also eliminates the existing list of identification documents that may be used for election day registration, and instead references the new proof of residency and identity section established earlier in the bill (many of the documents that appear to be eliminated here were moved to the new section). The secretary of state would no longer be permitted to approve additional documents as identification beyond those contained in statute.

- 7 Notice of registration.** Requires a notice already provided for in law to be mailed to all newly-registered voters. The notice must include information on acquiring a photo identification card and the requirements for photo identification when voting.
- 8 Procedures for polling place rosters.** Provides that a polling place roster must include a voter's address of residence, unless the voter is a judge, law enforcement, or corrections officer who has requested that an alternate mailing address be printed on the roster.
- 9 Verification of registration; Photo ID requirement.** Requires voters to present photo identification to the election judge prior to signing the polling place roster. Confirmation of the voter's name, address, and date of birth is also required.

Acceptable photo identification would include: (1) a valid Minnesota driver's license or identification card with the voter's current address; (2) an original receipt for a Minnesota driver's license or identification card along with a license or identification card that is expired, invalidated, or does not contain the voter's current address; or (3) an identification card issued by a recognized tribal government that contains the same items of data as are included on a Minnesota identification card.

A resident of a shelter for battered women is permitted to present a certification of residence in the shelter, signed by the shelter administrator, along with a driver's license that contains the voter's photograph and the voter's prior address.

A student is permitted to present a driver's license or identification card of their home state. The license would be sufficient if the student's name is on a residential housing list submitted by the school. If the student is not included on such a list, the license must be accompanied by a student fee statement listing their valid address of residence in the precinct.

If a voter is unable to produce an acceptable form of photo identification, the voter is permitted to cast a provisional ballot, following procedures established later in the bill.

- 10 Challenged voters; determination of residence.** Permits a voter whose eligibility to vote is challenged in the polling place to cast a provisional ballot, if the challenge is not withdrawn after the

voter is questioned by an election judge regarding the voter's eligibility and residence. A challenged voter is not permitted to cast a ballot other than a provisional ballot, following new procedures established later in the bill.

This section also eliminates an obsolete reference to "unopened" ballots.

- 11** **Provisional ballots.** Establishes a new system of provisional balloting, to be used for pre-registered voters who are unable to provide sufficient photo identification in the polling place, and voters whose eligibility to vote or residency is challenged either in the statewide voter registration system, or by another person in the polling place.

*Casting of provisional ballots.* Voters casting a provisional ballot are required to complete a color-coded provisional ballot envelope, containing basic identifying information and an oath that the voter is eligible, has not voted previously in the same election, and meets the criteria for voting in the precinct. Provisional ballots are the same as "live" ballots cast in the polling place on election day, except that they must be sealed in the provisional ballot envelope and segregated in a separate ballot box.

*Counting of provisional ballots.* A provisional ballot must be counted if the voter who cast the ballot appears before the appropriate county auditor or municipal clerk within seven calendar days of the election and presents sufficient proof of residence and identity, as permitted by the new list of documentation established earlier in the bill, and the voter's record in the statewide registration system is not listed as challenged (if challenged, the voter must also present proof of eligibility to vote). If the provisional voter does not appear within this timeline, or does not satisfy the documentation requirements, the provisional ballot must not be counted. The county auditor or municipal clerk is required to send written notice to provisional voters whose ballots were not counted because of their failure to comply with these requirements.

*Reconciliation.* This section also requires the county auditor to reconcile the number of signatures contained on the provisional ballot roster with the number of provisional ballots cast in the precinct prior to counting any provisional ballots from that precinct, including the random removal of excess ballots, if necessary.

- 12** **Canvassing dates; state primary.** Modifies the meeting dates of the state and county canvassing boards to conform to the new provisional ballot verification period established earlier in the bill.
- 13** **Canvassing dates; county canvass of general election.** Modifies the meeting date of each county canvassing board after a state general election to conform to the new provisional ballot verification period established earlier in the bill.
- 14** **County canvassing; reports.** Modifies certain timelines for providing canvassing reports to the secretary of state, to conform to the new provisional ballot verification period established earlier in the bill.
- 15** **Canvassing dates; municipal primary.** Modifies the meeting date of the municipal canvassing board after a municipal primary election, to conform to the new provisional ballot verification period established earlier in the bill.
- 16** **Canvassing dates; municipal general election.** Modifies the meeting date of the municipal canvassing board after a municipal general election, to conform to the new provisional ballot verification period established earlier in the bill.
- 17** **Canvassing dates; school district primary.** Modifies the meeting date of the school district canvassing board after a school district primary election, to conform to the new provisional ballot verification period established earlier in the bill.

- 18**      **Canvassing dates; school district general election.** Modifies the meeting date of the school district canvassing board after a school district general election, to conform to the new provisional ballot verification period established earlier in the bill.
- 19**      **Appropriation.** Appropriates funds for FY 2012 and 2013 to be used for providing state-subsidized identification cards to qualifying eligible voters.
- 20**      **Effective date.** Provides that the bill is effective July 1, 2011, and applies to elections held on or after that date.