

HCS HB 1044 -- ELECTIONS

SPONSOR: May (Deeken)

COMMITTEE ACTION: Voted "do pass" by the Committee on Elections by a vote of 6 to 4.

This substitute changes the laws regarding elections. In its main provisions, the substitute:

(1) Repeals the provisions authorizing the state to conduct and pay for presidential primary elections;

(2) Allows voters, for elections held on or before September 1, 2007, to provide photographic identification issued by Missouri, any other state, or the United States which conforms to certain requirements unless they can provide a copy of a current utility bill, bank statement, government check, or other government document containing the voter's name and address. Documents containing photos issued by the United States armed forces, Missouri National Guard, or the United States Department of Veteran Affairs will be sufficient to allow an individual to vote. Individuals may also vote if they have a disability, a religious belief prohibiting photographic identification, were born on or before January 1, 1941, or could not obtain photographic identification because of the cost or time constraints;

(3) Prohibits voters from using utility bills, bank statements, government checks, and other nonphotographic documents as a means of identification for elections held after September 1, 2007. However, exemptions regarding disability, age, religious belief, and failure to obtain photographic identification because of the cost and time constraints will be allowed;

(4) Allows voters in all elections to return to the polling place with the required form of identification and vote a regular ballot. An individual may also vote a regular ballot if personally identified by two election judges. If a voter lacks the required form of identification, he or she may vote a provisional ballot which will be counted if it conforms to the requirements of Section 115.430, RSMo. Affidavits will be used for provisional ballots and exceptions to the voter identification requirements to ensure that a voter is entitled to vote. The falsification of affidavits may result in a criminal penalty. However, even if an individual declines to sign an affidavit, he or she will be allowed to vote a provisional ballot under Section 115.430; and

(5) Requires the Secretary of State to pay for all forms of

identification necessary in order to vote using funds from the newly created Voter Identification Fund. Notification of the new voting requirements through multiple channels of media is required, and mobile processing units will be used to provide identification to the elderly.

The substitute contains an emergency clause.

FISCAL NOTE: Estimated Effect on General Revenue Fund of an Income of Unknown to a Cost of \$6,931,441 in FY 2008, an Income of Unknown to a Cost of \$8,777,605 in FY 2009, and an Income of Unknown to a Cost of \$4,159,487 in FY 2010. Estimated Income on Other State Funds of Unknown in FY 2008, FY 2009, and FY 2010.

PROPOSERS: Supporters say that photographic identification will help ensure the integrity of the electoral process. Everyone will be allowed to vote by either regular or provisional ballot, and the state will pay the full costs of all photographic identification. Eliminating the presidential primary will save money.

Testifying for the bill was Representative Deeken.

OPPOSERS: Those who oppose the bill say that Missouri has no voter fraud, and the bill may impose unfunded mandates. Physically disabled individuals might not be able to sign affidavits to vote provisional ballots. Presidential primaries should remain in place so that citizens rather than party caucuses choose the presidential candidates.

Testifying against the bill were Office of the Secretary of State; Kathleen Weinschenk; and Service Employees' International Union, Local 50.

OTHERS: Others testifying on the bill say that it is difficult for many disabled individuals to obtain photographic identification.

Testifying on the bill was Whole Person Incorporated.