

HCS#2 SB 3 -- ELECTIONS

SPONSOR: Stouffer (Diehl)

COMMITTEE ACTION: Voted "do pass" by the Committee on Elections by a vote of 8 to 2.

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

(1) Requires each local election authority to establish one advance voting center in each county in the state or at least one center for every 100,000 persons. Centers will be reasonably distributed in large counties requiring more than one voting center. Any registered voter may vote by advance ballot in person at any election for a federal or statewide office. Advance voting will begin on the third Saturday prior to the election until the Tuesday immediately preceding the election, excluding Sundays, using absentee ballots and those procedures. Advance voting centers will be open from 8:00 a.m. to 5:00 p.m. on weekdays and for a four-hour period between 8:00 a.m. and 4:00 p.m. on Saturdays. All current procedures for casting and counting absentee ballots and the appointment of election judges and polling places will apply to advance voting. The counting of votes may be done by automatic tabulating or electronic data processing equipment. The Secretary of State and each local election authority must provide adequate public notice of the advance voting centers and voting times including a posting at each local election authority's respective office and on the web site of each authority that maintains a web site. All costs associated with advance voting centers must be reimbursed by the state. If there is no appropriation and distribution of funds, an election authority must not conduct advance voting;

(2) 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;

(3) 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;

(4) Requires the state 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;

(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; and

(6) 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 with a valid form of identification so that the provisional ballot may be counted.

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

FISCAL NOTE: Estimated Net Effect on General Revenue Fund of an income of \$0 in FY 2012, an income of \$0 or Unknown to a cost of Unknown greater than \$6,857,860 in FY 2013, and an income of \$0 or Unknown to a cost of Unknown greater than \$3,216,482 in FY 2014. Estimated Net Income on Other State Funds of \$0 in FY 2012, \$0 or Unknown in FY 2013, and \$0 or Unknown in FY 2014.

PROPOSERS: Supporters say that the bill contains many safeguards and exemptions to ensure that every person may vote if he or she is a lawful resident of Missouri.

Testifying for the bill was Senator Stouffer.

OPPOSERS: Those who oppose the bill say that the exemptions to the voter identification requirements are not adequate because the signature matching process for counting provisional ballots is unreliable and excludes many elderly citizens. The bill does not protect against common forms of election fraud at the registration level.

Testifying against the bill were Office of the Secretary of State; Denise Lieberman, Washington University; AARP; League of Women Voters of Missouri; Jane Whitesides, Missouri Civic Engagement Table; and Kay Mills, Missouri Progressive Vote Coalition.

OTHERS: Others testifying on the bill say that the advance

voting provisions must be fully funded and that the use of electronic scans is more efficient than counting provisional ballots sealed in envelopes.

Testifying on the bill was Missouri Association of County Clerks and Election Authorities.