

HCS#2 SB 3 -- ELECTIONS

(Vetoed by the Governor)

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

(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 which is reasonably distributed throughout the county. 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 voting procedures and ballots including the casting and counting of ballots and the appointment of election judges and polling places. 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 provisions of state law regarding the appointment of election judges and polling places and the procedures for casting and counting ballots 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, but not limited to, 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 the implementation of advance voting 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 identity and eligibility to vote as a United States citizen lawfully residing in this state by presenting to election officials one of the specified forms of personal identification which contains his or her photograph. 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 a physical or mental disability or handicap, the inability to pay for a birth certificate or other documentation necessary to obtain the identification required to vote, or a sincere religious belief

against these forms of personal identification or the person was born on or before January 1, 1941;

(4) Allows an individual to vote by casting 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;

(5) 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; and

(6) Removes the provision allowing a disabled or elderly person to obtain a nondriver's license photo identification through a mobile processing system operated by the Department of Revenue.

The provisions of the bill are nonseverable; and if any provision is found to be invalid for any reason, the remaining provisions will be invalid. The bill will become effective only upon voter approval of a constitutional amendment that authorizes the General Assembly to enact laws regarding photo identification requirements for elections and advance voting.