

HOUSE BILL NO. 162

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE LYNN

Introduced: 2/18/11

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring all voters at the polls to exhibit a permitted form of photo**
2 **identification; relating to the counting of absentee and questioned ballots; and providing**
3 **for a voter photo identification card to be furnished to certain voters."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 15.07 is amended by adding a new section to read:

6 **Sec. 15.07.058. Voter photo identification cards.** (a) The director shall
7 establish procedures by which persons who satisfy the requirements of (b) of this
8 section are furnished voter photo identification cards free of charge.

9 (b) To obtain a voter photo identification card under (a) of this section, a
10 person shall file an application with the division, on a form provided by the director,
11 containing

12 (1) a statement under oath that the person desires the identification
13 card in order to vote in an election in the state, that the person does not have a form of
14 identification that is acceptable under AS 15.15.225(a) for identification at the polls in

1 order to vote, and that the person is indigent as defined by regulations adopted under
2 AS 44.62 (Administrative Procedure Act); and

3 (2) evidence that the person is registered to vote in the state.

4 (c) The director may enter into agreements with any state department or
5 agency to effect the purposes of this section.

6 * **Sec. 2.** AS 15.15.225(a) is repealed and reenacted to read:

7 (a) Before being allowed to vote, each voter shall exhibit to an election official
8 one form of personal identification that contains a photograph. Under this section,
9 permitted forms of personal identification include a valid and current

10 (1) Alaska driver's license;

11 (2) identification card issued by a branch, department, agency, or
12 entity of the state, any other state, or the United States government;

13 (3) United States passport;

14 (4) employee identification card issued by any branch, department,
15 agency, or entity of the United States government, the state, or a municipality of the
16 state;

17 (5) United States military identification card;

18 (6) student identification card issued by a high school or an accredited
19 institution of higher education, as that term is defined under AS 23.20.520, located in
20 the state; or

21 (7) tribal identification card.

22 * **Sec. 3.** AS 15.20.203(b) is amended to read:

23 (b) An absentee ballot may not be counted if

24 (1) the voter has failed to properly execute the certificate;

25 (2) an official or the witnesses authorized by law to attest the voter's
26 certificate fail to execute the certificate, except that an absentee ballot cast in person
27 and accepted by an absentee voting official or election supervisor may be counted
28 despite failure of the absentee voting official or election supervisor to properly sign
29 and date the voter's certificate as attesting official as required under AS 15.20.061(c);

30 (3) the ballot is not attested on or before the date of the election;

31 (4) the ballot, if postmarked, is not postmarked on or before the date of

1 the election;

2 (5) after the day of election, the ballot was delivered by a means other
3 than mail; or

4 (6) the voter voted

5 (A) in person and is a

6 (i) first-time voter who initially registered by mail or by
7 facsimile or other electronic transmission approved by the director
8 under AS 15.07.050, has not provided the identification required by
9 AS 15.15.225(a) [, WAS NOT ELIGIBLE FOR WAIVER OF THE
10 IDENTIFICATION REQUIREMENT UNDER AS 15.15.225(b)], and
11 has not provided the identifiers required in AS 15.07.060(a)(2) and (3)
12 that can be verified through state agency records described in
13 AS 15.07.055(e); or

14 (ii) voter other than a voter [ONE] described in (i) of
15 this subparagraph, did not provide identification described in
16 AS 15.15.225(a) [, WAS NOT PERSONALLY KNOWN BY THE
17 ELECTION OFFICIAL], and has not provided the identifiers required
18 in AS 15.07.060(a)(2) and (3); or

19 (B) by mail or electronic transmission, is a first-time voter who
20 initially registered by mail or by facsimile or other electronic transmission
21 approved by the director under AS 15.07.050 to vote, has not met the
22 identification requirements set out in AS 15.07.060, and does not submit with
23 the ballot a copy of a

24 (i) driver's license, state identification card, current and
25 valid photo identification, birth certificate, passport, or hunting or
26 fishing license; or

27 (ii) current utility bill, bank statement, paycheck,
28 government check, or other government document; an item described
29 in this sub-subparagraph must show the name and current address of
30 the voter.

31 * **Sec. 4.** AS 15.20.207(b) is amended to read:

- 1 (b) A questioned ballot may not be counted if the voter
2 (1) has failed to properly execute the certificate;
3 (2) is a first-time voter who initially registered by mail or by facsimile
4 or other electronic transmission approved by the director under AS 15.07.050, has not
5 provided the identification required by AS 15.15.225(a) [, WAS NOT ELIGIBLE
6 FOR WAIVER OF THE IDENTIFICATION REQUIREMENT UNDER
7 AS 15.15.225(b)], and has not provided the identifiers required in AS 15.07.060(a)(2)
8 and (3) that can be verified through state agency records described in AS 15.07.055(e);
9 or
10 (3) is a voter other than a voter [ONE] described in (2) of this
11 subsection, did not provide identification described in AS 15.15.225(a) [, WAS NOT
12 PERSONALLY KNOWN BY THE ELECTION OFFICIAL], and has not provided
13 the identifiers required in AS 15.07.060(a)(2) and (3).
14 * **Sec. 5.** AS 15.15.225(b) is repealed.