

1 HB227
2 114411-1
3 By Representatives Allen, Hammon, Wood, Bridges, Sanderford,
4 McCutcheon, Hill, Ison, Mask, Grimes, McClendon, Davis,
5 Clouse, Beck, Moore (P), Treadaway, Drake, Wren, Thomas (E),
6 Canfield, Love, Ball, Williams (P), McClurkin, McMillan,
7 Shiver, Fincher, Oden and Collier
8 RFD: Constitution and Elections
9 First Read: 12-JAN-10

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8 SYNOPSIS: This bill would require proof of photo
9 identification with limited exceptions for persons
10 wishing to vote.

11 This bill would require the Department of
12 Public Safety to issue photo identification cards
13 at no charge to individuals who have no valid photo
14 identification.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 To amend Section 17-9-30, Code of Alabama 1975,
21 relating to the identification of voters at elections; to
22 provide that a voter must provide proof of a valid photo
23 identification, as defined, with certain limited exceptions;
24 and to require the Department of Public Safety to issue
25 identification cards at no cost to individuals who have no
26 valid photo identification.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The Legislature finds that preserving the
2 integrity and reliability of the electoral process in Alabama
3 is of paramount concern to the state. To that end, this bill
4 is enacted to combat and deter voter fraud, and to safeguard
5 voter confidence of the election system of this state.

6 Section 2. Section 17-9-30, Code of Alabama 1975, is
7 amended to read as follows:

8 "§17-9-30.

9 "(a) As used in this section, the term "valid photo
10 identification" ~~may include in addition to governmentally~~
11 ~~produced~~ is defined as a photo identifications, identification
12 ~~cards containing the photo of the elector produced by~~
13 ~~employers for employees and identification cards containing~~
14 ~~the photo of the elector produced by a public or private~~
15 ~~college, university, or postgraduate technical or professional~~
16 ~~school located within the state.~~ identification card that
17 satisfies all of the following:

18 "(1) It contains the name of the individual to whom
19 the card was issued, and the name conforms to the name in the
20 poll book, and is the name of the person bearing the card and
21 casting the vote.

22 "(2) It contains a photograph of the individual to
23 whom the card was issued.

24 "(3) It contains the expiration date of the card,
25 unless it is a nondriver identification card issued pursuant
26 to Section 32-6-4 or 36-6-4.1.

1 "(4) It has not expired or expired after the date of
2 the most recent general election for federal, state, and
3 county offices.

4 "(5) It has been issued by the United States, the
5 State of Alabama, or any other U.S. state or territory.

6 "(b) Each elector shall provide valid photo
7 identification to an appropriate election official prior to
8 voting in person. ~~A voter required to show identification when~~
9 ~~voting in person shall present to the appropriate election~~
10 ~~official either of the following forms of identification:~~

11 ~~"(1) A current valid photo identification.~~

12 ~~"(2) A copy of a current utility bill, bank~~
13 ~~statement, government check, paycheck, or other government~~
14 ~~document that shows the name and address of the voter. The~~
15 ~~term "other government document" may include, but is not~~
16 ~~limited to, any of the following:~~

17 ~~"a. A valid identification card issued by a branch,~~
18 ~~department, agency, or entity of the State of Alabama, any~~
19 ~~other state, or the United States authorized by law to issue~~
20 ~~personal identification.~~

21 ~~"b. A valid United States passport.~~

22 ~~"c. A valid Alabama hunting or fishing license.~~

23 ~~"d. A valid Alabama permit to carry a pistol or~~
24 ~~revolver.~~

25 ~~"e. A valid pilot's license issued by the Federal~~
26 ~~Aviation Administration or other authorized agency of the~~
27 ~~United States.~~

1 ~~"f. A valid United States military identification~~
2 ~~card.~~

3 ~~"g. A certified copy of the elector's birth~~
4 ~~certificate.~~

5 ~~"h. A valid Social Security card.~~

6 ~~"i. Certified naturalization documentation.~~

7 ~~"j. A certified copy of court records showing~~
8 ~~adoption or name change.~~

9 ~~"k. A valid Medicaid card, Medicare card, or an~~
10 ~~Electronic Benefits Transfer Card (formerly referred to as a~~
11 ~~"food stamp card").~~

12 "(c) Voters voting an absentee ballot shall submit
13 with the ballot a copy of ~~one of the forms of identification~~
14 listed in subsection (b) ~~valid photo identification.~~ Prior to
15 any election in this state, any voter may obtain one free
16 photocopy of his or her valid photo identification at any
17 absentee election manager's office or at any courthouse of
18 this state for the purposes of voting pursuant to this
19 subsection.

20 "(d) Notwithstanding subsection (c), a voter who is
21 entitled to vote by absentee ballot pursuant to the Uniformed
22 and Overseas Citizens Absentee Voting Act (subchapter I-G of
23 Chapter 20 of Title 42 U.S.C.); Section 3(b)(2)(B)(ii) of the
24 Voting Accessibility for the Elderly and Handicapped Act
25 (subchapter I-F of Chapter 20 of Title 42 U.S.C.); or any
26 other federal law, shall not be required to produce
27 identification prior to voting.

1 "(e) Notwithstanding subsection (b), a voter who
2 votes in person at a precinct polling place that is located at
3 a state-licensed facility where the voter resides such as a
4 nursing home is not required to provide valid photo
5 identification, but must provide a form of identification as
6 follows before voting in an election:

7 "(1) A valid photo identification.

8 "(2) A copy of a current bank statement, government
9 check, paycheck, or other government document that shows the
10 name and address of the voter. The term "other government
11 document" as used in this subdivision may include:

12 "a. A valid identification card issued by a branch,
13 department, agency, or entity of the State of Alabama, any
14 other state, or the United States authorized by law to issue
15 personal identification.

16 "b. A valid United States passport.

17 "c. A valid United States military identification
18 card.

19 "d. A certified copy of the elector's birth
20 certificate.

21 "e. A valid Social Security card.

22 "f. Certified naturalization documentation.

23 "g. A certified copy of court records showing
24 adoption or name change.

25 "h. A valid Medicaid card, Medicare card, or an
26 Electronic Benefits Transfer Card (formerly referred to as a
27 "food stamp card").

1 ~~"(e)(f)~~ An individual required to present
2 identification in accordance with this section who is unable
3 or unwilling because of a genuine religious objection to being
4 photographed to meet the identification requirements of this
5 section shall be permitted to vote by a provisional ballot, as
6 provided for by law.

7 ~~"(f) In addition, an individual who does not have~~
8 ~~identification in his or her possession at the polls shall be~~
9 ~~permitted to vote if the individual is positively identified~~
10 ~~by two election officials as a voter on the poll list who is~~
11 ~~eligible to vote and the election official signs the voters~~
12 ~~list by where the voter signs.~~

13 "(g) Notwithstanding any law to the contrary, the
14 Department of Public Safety shall not charge a fee for the
15 issuance of an original, renewal, or a duplicate of a
16 nondriver identification card for an individual without a
17 valid driver's license or valid photo identification under
18 this section, who is at least 18 years of age at the next
19 primary, general, municipal, or special election.

20 "(h) The Department of Public Safety shall
21 promulgate rules for the implementation of this act."

22 Section 3. The provisions of this act are subject to
23 compliance with the federal Voting Rights Act.

24 Section 4. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.