

1 HB19
2 126440-5
3 By Representative Rich
4 RFD: Constitution, Campaigns and Elections
5 First Read: 01-MAR-11
6 PFD: 02/25/2011

1 ~~"(a) As used in this section, the term "valid photo~~
2 ~~identification" may include in addition to governmentally~~
3 ~~produced photo identifications, identification cards~~
4 ~~containing the photo of the elector produced by employers for~~
5 ~~employees and identification cards containing the photo of the~~
6 ~~elector produced by a public or private college, university,~~
7 ~~or postgraduate technical or professional school located~~
8 ~~within the state.~~

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

15 ~~"(1) A current valid photo identification. A valid~~
16 ~~Alabama driver's license or nondriver identification card~~
17 ~~which was properly issued by the appropriate state or county~~
18 ~~department or agency.~~

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

24 ~~"a. A valid identification card issued by a branch,~~
25 ~~department, agency, or entity of the State of Alabama, any~~
26 ~~other state, or the United States authorized by law to issue~~
27 ~~personal identification.~~

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

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

3 ~~"d. A valid Alabama permit to carry a pistol or~~
4 ~~revolver.~~

5 ~~"e. A valid pilot's license issued by the Federal~~
6 ~~Aviation Administration or other authorized agency of the~~
7 ~~United States.~~

8 ~~"f. A valid United States military identification~~
9 ~~card.~~

10 ~~"g. A certified copy of the elector's birth~~
11 ~~certificate.~~

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

13 ~~"i. Certified naturalization documentation.~~

14 ~~"j. A certified copy of court records showing~~
15 ~~adoption or name change.~~

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

19 "(2) A valid Alabama photo voter identification card
20 issued under subsection (f) or other valid identification card
21 issued by a branch, department, agency, or entity of the State
22 of Alabama, any other state, or the United States authorized
23 by law to issue personal identification, provided that such
24 identification card contains a photograph of the elector.

25 "(3) A valid United States passport.

26 "(4) A valid employee identification card containing
27 the photograph of the elector and issued by any branch,

1 department, agency, or entity of the United States government,
2 this state, or any county, municipality, board, authority, or
3 other entity of this state.

4 "(5) A valid student or employee identification card
5 issued by a public or private college, university, or
6 postgraduate technical or professional school located within
7 the state, provided that such identification card contains a
8 photograph of the elector.

9 "(6) A valid United States military identification
10 card, provided that such identification card contains a
11 photograph of the elector.

12 "(7) A valid tribal identification card containing a
13 photograph of the elector.

14 ~~"(c)(b)~~ Voters voting an absentee ballot shall
15 submit with the ballot a copy of one of the forms of
16 identification listed in subsection ~~(b)(a)~~.

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

25 ~~"(e)(d)~~ An individual required to present valid
26 photo identification in accordance with this section who is
27 unable to meet the identification requirements of this section

1 shall be permitted to vote by a provisional ballot, as
2 provided for by law.

3 ~~"(f)(e)~~ In addition, an individual who does not have
4 valid photo identification in his or her possession at the
5 polls shall be permitted to vote if the individual is
6 positively identified by two election officials as a voter on
7 the poll list who is eligible to vote and the election
8 ~~official signs the voters list by where the voter signs~~
9 officials sign a sworn affidavit so stating.

10 ~~"(g) Notwithstanding any provision of law to the~~
11 ~~contrary, the provisions of subsection (f) shall not apply to~~
12 ~~municipal elections.~~

13 "(f) The Secretary of State shall issue, upon
14 application, an Alabama photo voter identification card to
15 registered Alabama electors which shall under state law be
16 valid only for the purposes of voter identification under
17 subsection (a) and available only to registered electors of
18 this state. No fee shall be charged or collected for the
19 application for or issuance of an Alabama photo voter
20 identification card.

21 "(g) No person shall be eligible for an Alabama
22 photo voter identification card if such person has a valid
23 unexpired driver's license, nondriver identification card, or
24 any other photo identification described in subsection (a).

25 "(h) The Alabama photo voter identification card
26 shall be captioned ALABAMA PHOTO VOTER IDENTIFICATION CARD and
27 shall contain a prominent statement that under Alabama law the

1 card is valid only as identification for voting purposes. The
2 Alabama photo voter identification card shall be laminated,
3 shall contain a digital color photograph of the applicant,
4 shall have the signature of the Secretary of State, and shall
5 include the following information:

6 "(1) Full legal name.

7 "(2) Address as reflected in the person's voter
8 registration record.

9 "(3) Date of birth.

10 "(4) Eye color.

11 "(5) Gender.

12 "(6) Height.

13 "(7) Weight.

14 "(8) Date identification card was issued.

15 "(9) Other information as required by rule of the
16 Secretary of State.

17 "(i) The application for an Alabama photo voter
18 identification card shall elicit the information required
19 under subparagraphs, inclusive, of subsection (h) of 1 to 7.
20 The application shall be signed and sworn to by the applicant,
21 and any falsification or fraud in the making of the
22 application shall constitute a Class C felony.

23 "(j) The Secretary of State shall require
24 presentation and verification of the following information
25 before issuing an Alabama photo voter identification card to a
26 person:

1 "(1) A photo identity document, except that a
2 non-photo identity document is acceptable if the document
3 includes both the person's full legal name and date of birth.

4 "(2) Documentation showing the person's date of
5 birth.

6 "(3) Documentation showing the person is registered
7 to vote in this state.

8 "(4) Documentation showing the person's name and
9 address as reflected in the voter registration record.

10 "(k) An Alabama photo voter identification card
11 shall remain valid so long as the person resides at that same
12 address and remains qualified to vote. It shall be the duty of
13 a person who moves his or her residence within the State of
14 Alabama to surrender his or her card to the Secretary of
15 State, and such person may after such surrender apply for and
16 receive a new card if the person is otherwise eligible under
17 this section. It shall be the duty of a person who moves his
18 or her residence outside the State of Alabama or who ceases to
19 be qualified to vote to surrender his or her card to the
20 Secretary of State.

21 "(l) The Secretary of State is authorized to
22 contract with a private provider for the production of the
23 Alabama photo voter identification card pursuant to any
24 applicable state bid laws.

25 "(m) The expenses for the production of the Alabama
26 photo voter identification card shall be paid from funds

1 appropriated in the state General Fund for Registration of
2 Voters.

3 "(n) The Secretary of State is directed to inform
4 the public regarding the requirements of subsection (a)
5 through whatever means deemed necessary by the Secretary of
6 State.

7 "(o) The Secretary of State is granted rule making
8 authority for the implementation of this section under the
9 Alabama Administrative Procedure Act."

10 Section 2. The photo identification requirements of
11 this act shall be operative in the first statewide primary for
12 2014. The voter identification requirements prior to the
13 effective date of this act shall continue to apply in any
14 election prior to that election.

15 Section 3. The provisions of this act are severable.
16 If any part of this act is declared invalid or
17 unconstitutional, that declaration shall not affect the part
18 which remains.

19 Section 4. Although this bill would have as its
20 purpose or effect the requirement of a new or increased
21 expenditure of local funds, the bill is excluded from further
22 requirements and application under Amendment 621, now
23 appearing as Section 111.05 of the Official Recompilation of
24 the Constitution of Alabama of 1901, as amended, because the
25 bill defines a new crime or amends the definition of an
26 existing crime.

1 Section 5. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Constitution,
Campaigns and Elections..... 01-MAR-11

Read for the second time and placed
on the calendar with 1 substitute
and 1 amendment..... 03-MAR-11

Read for the third time and passed
as amended..... 22-MAR-11

Yeas 64, Nays 31, Abstains 0

Greg Pappas
Clerk