

1 HB19
2 125434-1
3 By Representative Rich
4 RFD: Constitution, Campaigns and Elections
5 First Read: 01-MAR-11
6 PFD: 02/25/2011

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8 SYNOPSIS: This bill would require a government issued
9 photo identification for persons wishing to vote.

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

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 To amend Section 17-9-30, Code of Alabama 1975, as
20 amended by Act 2010-687, 2010 Regular Session (Acts 2010, p.
21 1660), relating to the identification of voters at elections;
22 to provide that a voter must provide proof of a valid photo
23 identification, as defined; and to require the Department of
24 Public Safety to issue photo identification cards at no cost
25 to individuals who have no valid photo identification.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 17-9-30, Code of Alabama 1975, as
2 amended by Act 2010-687, 2010 Regular Session (Acts 2010, p.
3 1660), is amended to read as follows:

4 "§17-9-30.

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

14 "(1) Contains the name of the individual to whom the
15 card was issued, and the name conforms to the name in the poll
16 book and is the name of the person bearing the card and
17 casting the vote.

18 "(2) Contains a photograph of the individual to whom
19 the card was issued.

20 "(3) Has been issued by the United States, the State
21 of Alabama, or any other U.S. state or territory.

22 "(b) Each elector shall provide valid photo
23 identification to an appropriate election official prior to
24 voting in person. ~~A voter required to show identification when~~
25 ~~voting in person shall present to the appropriate election~~
26 ~~official either of the following forms of identification:~~

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

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

6 ~~"a. A valid identification card issued by a branch,~~
7 ~~department, agency, or entity of the State of Alabama, any~~
8 ~~other state, or the United States authorized by law to issue~~
9 ~~personal identification.~~

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

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

12 ~~"d. A valid Alabama permit to carry a pistol or~~
13 ~~revolver.~~

14 ~~"e. A valid pilot's license issued by the Federal~~
15 ~~Aviation Administration or other authorized agency of the~~
16 ~~United States.~~

17 ~~"f. A valid United States military identification~~
18 ~~card.~~

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

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

22 ~~"i. Certified naturalization documentation.~~

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

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

1 "(c) Voters voting an absentee ballot shall submit
2 with the ballot a copy of ~~one of the forms of identification~~
3 ~~listed in subsection (b)~~ valid photo identification. Prior to
4 any election in this state, any voter may obtain one free
5 photocopy of his or her valid photo identification at any
6 absentee election manager's office or at any courthouse of
7 this state for the purposes of voting pursuant to this
8 subsection.

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

17 "(e) An individual required to present
18 identification in accordance with this section who is unable
19 to meet the identification requirements of this section shall
20 be permitted to vote by a provisional ballot, as provided for
21 by law.

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

1 ~~"(g) Notwithstanding any provision of law to the~~
2 ~~contrary, the provisions of subsection (f) shall not apply to~~
3 ~~municipal elections.~~

4 "(f) (1) The Department of Public Safety shall issue
5 photo identification cards required under this section.

6 "(2) Notwithstanding any law to the contrary, the
7 Department of Public Safety shall not charge a fee for the
8 issuance of a photo identification under this section to any
9 person who will be at least 18 years of age at the next
10 scheduled primary, general, municipal, or special election.

11 "(g) The Department of Public Safety shall verify
12 the identity of the applicant through the federal E-verify
13 program and shall promulgate rules for the implementation of
14 this act."

15 Section 2. The provisions of this act are subject to
16 compliance with the federal Voting Rights Act.

17 Section 3. This act shall become effective on the
18 first day of the third month following its passage and
19 approval by the Governor, or its otherwise becoming law.