

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2781

BY DELEGATES BLAIR, ZATEZALO, HOUSEHOLDER,
AMBLER, HAMRICK, ANDERSON, MARTIN, MAYNARD AND
LEWIS

[Introduced March 3, 2017; Referred
to the Committee on the Judiciary.]

1 A BILL to amend and reenact §3-1-34 of the Code of West Virginia, 1931, as amended; and to
 2 amend and reenact §3-2-11 and §3-2-12 of said code, all relating to voting procedures;
 3 requiring a person desiring to vote to present documentation identifying the voter to one
 4 of the poll clerks; setting forth the requirements for that documentation; identifying
 5 acceptable documentation; directing the Secretary of State to educate voters about the
 6 identification requirement and develop a program to help ensure that all eligible voters
 7 obtain identification; providing for casting of provisional ballot by a person without
 8 adequate proof of identification; providing certain exemptions from the requirement to
 9 present a photo identification card; modifying provisional ballot procedures; providing for
 10 issuance of identification cards at no charge; establishing procedures for persons over a
 11 certain age and lacking certain documents to acquire photo identification cards; repealing
 12 the automatic voter's registration program concurrent with application for a driver's license;
 13 and repealing funding for that program.

Be it enacted by the Legislature of West Virginia:

1 That §3-1-34 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted; and that §3-2-11 and §3-2-12 of said code be amended and reenacted, all to read as
 3 follows:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

**§3-1-34. Voting procedures generally; identification; assistance to voters; voting records;
 penalties.**

1 (a) A person desiring to vote in an election shall, upon entering the election room, clearly
 2 state his or her name and residence to one of the poll clerks who shall thereupon announce the
 3 same in a clear and distinct tone of voice. For elections occurring on or after January 1, 2018, the
 4 person desiring to vote shall present to one of the poll clerks a valid identifying document meeting
 5 the requirements of subdivisions (1) or (2) of this subsection, and the poll clerk shall inspect and
 6 confirm that the name on the valid identifying document conforms to the name in the individual's

7 voter registration record and that, ~~if the valid identifying document contains a photograph,~~ the
8 image displayed on the identifying document is truly an image of the person presenting the
9 document. If that person is found to be duly registered as a voter at that precinct, he or she shall
10 sign his or her name in the designated location provided at the precinct. If that person is physically
11 or otherwise unable to sign his or her name, his or her mark shall be affixed by one of the poll
12 clerks in the presence of the other and the name of the poll clerk affixing the voter's mark shall be
13 indicated immediately under the affixation. No ballot may be given to the person until he or she
14 signs his or her name on the designated location or his or her signature is affixed thereon.

15 (1) A document shall be deemed to be a valid identifying document if it:

16 (A) Has been issued either by the State of West Virginia, or one of its subsidiaries, or by
17 the United States Government; and

18 (B) Contains the name of the person desiring to vote.

19 (2) Notwithstanding the provisions of subdivision (1) of this subsection, the following
20 documents, if they contain the voter's name, shall be considered valid identifying documents, and
21 a person desiring to vote may produce any of the following:

22 (A) A valid West Virginia driver's license or valid West Virginia identification card issued
23 by the West Virginia Division of Motor Vehicles;

24 (B) A valid driver's license issued by a state other than the State of West Virginia;

25 (C) A valid United States passport or passport card;

26 (D) A valid employee identification card with a photograph of the eligible voter issued by
27 any branch, department, agency, or entity of the United States Government or of the State of
28 West Virginia, or by any county, municipality, board, authority, or other political subdivision of
29 West Virginia; or

30 ~~(E) A valid student identification card with a photograph of the eligible voter issued by an~~
31 ~~institution of higher education in West Virginia, or a valid high school identification card issued by~~
32 ~~a West Virginia high school;~~

33 ~~(F) (E)~~ A valid military identification card issued by the United States with a photograph of
34 the person desiring to vote.

35 ~~(G) A valid concealed carry (pistol/revolver) permit issued by the sheriff of the county with~~
36 ~~a photograph of the person desiring to vote;~~

37 ~~(H) A valid Medicare card or Social Security card;~~

38 ~~(I) A valid birth certificate;~~

39 ~~(J) A valid voter registration card issued by a county clerk in the State of West Virginia;~~

40 ~~(K) A valid hunting or fishing license issued by the State of West Virginia;~~

41 ~~(L) A valid identification card issued to the voter by the West Virginia Supplemental~~
42 ~~Nutrition Assistance (SNAP) program;~~

43 ~~(M) A valid identification card issued to the voter by the West Virginia Temporary~~
44 ~~Assistance for Needy Families (TANF) program;~~

45 ~~(N) A valid identification card issued to the voter by West Virginia Medicaid;~~

46 ~~(O) A valid bank card or valid debit card;~~

47 ~~(P) A valid utility bill issued within six months of the date of the election;~~

48 ~~(Q) A valid bank statement issued within six months of the date of the election; or~~

49 ~~(R) A valid health insurance card issued to the voter.~~

50 ~~(3) In lieu of providing a valid identifying document, as required by this section, a registered~~
51 ~~voter may be accompanied at the polling place by an adult known to the registered voter for at~~
52 ~~least six months. That adult may sign an affidavit on a form provided to clerks and poll workers~~
53 ~~by the Secretary of State, which states under oath or affirmation that the adult has known the~~
54 ~~registered voter for at least six months, and that in fact the registered voter is the same person~~
55 ~~who is present for the purpose of voting. For the affidavit to be considered valid, the adult shall~~
56 ~~present a valid identifying document with his or her name, address, and photograph.~~

57 ~~(4) A poll worker may allow a voter, whom the poll worker has known for at least six~~
58 ~~months, to vote without presenting a valid identifying document.~~

59 ~~(5)~~ (3) If the person desiring to vote is unable to furnish a valid identifying document, or if
60 the poll clerk determines that the proof of identification presented by the voter does not qualify as
61 a valid identifying document, the person desiring to vote shall be permitted to cast a provisional
62 ballot after executing an affidavit affirming his or her identity pursuant to paragraph (B) of this
63 subdivision.

64 (A) The provisional ballot is entitled to be counted once the election authority verifies the
65 identity of the individual by comparing that individual's signature to the current signature on file
66 with the election authority and determines that the individual was otherwise eligible to cast a ballot
67 at the polling place where the ballot was cast.

68 (B) The affidavit to be used for voting shall be substantially in the following form:

69 "State of West Virginia
70 County of.....

71 I do solemnly swear (or affirm) that my name is; that I
72 reside at.....; and that I am the person listed in the precinct register under this name
73 and at this address.

74 I understand that knowingly providing false information is a violation of law and subjects
75 me to possible criminal prosecution.

76

77 Signature of voter

78 Subscribed and affirmed before me this..... day of, 20....

79

80 Name of Election Official

81

82 Signature of Election Official".

83 ~~(6)~~ (4) A voter who votes in person at a precinct polling place that is located in a building
84 which is part of a state licensed care facility where the voter is a resident is not required to provide

85 proof of identification as a condition before voting in an election.

86 ~~(7)~~ (5) If the voter objects to the photograph requirement because of religious beliefs, he
87 or she may execute an affidavit of religious exemption that shall be in the following form:

88 “State of West Virginia

89 County of

90 I,....., residing at, do hereby swear or affirm that
91 because of my religious beliefs, I object to having my photograph taken and that I do not possess
92 a form of identification that meets the requirements of the election laws of this state showing my
93 photograph.

94 I understand that knowingly providing false information is a violation of law and subjects
95 me to a fine of up to \$1,000 and/or confinement in jail for up to one year.

96 I hereby swear or affirm, under the penalties for providing false information, that I am the
97 identical person whom I represent myself to be and that to the best of my knowledge and belief
98 the information above is true and correct.

99

100 Signature of voter

101 Subscribed and affirmed before me this day of,

102 20....

103 Name of Election Official

104

105 Signature of Election Official”.

106 (6) The person entering voter information into the centralized voter registration database
107 shall cause the records to indicate when a voter has not presented a valid identifying document
108 and has executed a voter identity affidavit.

109 ~~(8)~~ (7) If a voter participating in the Address Confidentiality Program established by section
110 one hundred three, article twenty-eight-a, chapter forty-eight of this code, executes a voter identity

111 affidavit, the program participant's residential or mailing address is subject to the confidentiality
112 provisions of section one hundred eight, article twenty-eight-a, chapter forty-eight of this code and
113 shall be used only for those statutory and administrative purposes authorized by this section.

114 ~~(9)~~ (8) Prior to the primary and general elections to be held in calendar year 2018, the
115 Secretary of State shall educate voters about the requirement to present a valid identifying
116 document and develop a program to help ensure that all eligible voters are able to obtain a valid
117 identifying document.

118 (b) The clerk of the county commission is authorized, upon verification that the precinct at
119 which a handicapped person is registered to vote is not handicap accessible, to transfer that
120 person's registration to the nearest polling place in the county which is handicap accessible. A
121 request by a handicapped person for a transfer of registration must be received by the county
122 clerk no later than thirty days prior to the date of the election. A handicapped person who has not
123 made a request for a transfer of registration at least thirty days prior to the date of the election
124 may vote a provisional ballot at a handicap accessible polling place in the county of his or her
125 registration. If during the canvass the county commission determines that the person had been
126 registered in a precinct that is not handicap accessible, the voted ballot, if otherwise valid, shall
127 be counted. The handicapped person may vote in the precinct to which the registration was
128 transferred only as long as the disability exists or the precinct from which the handicapped person
129 was transferred remains inaccessible to the handicapped. To ensure confidentiality of the
130 transferred ballot, the county clerk processing the ballot shall provide the voter with an unmarked
131 envelope and an outer envelope designated "provisional ballot/handicapped voter". After
132 validation of the ballot at the canvass, the outer envelope shall be destroyed and the handicapped
133 voter's ballot shall be placed with other approved provisional ballots prior to removal of the ballot
134 from the unmarked envelope.

135 (c) When the voter's signature is properly marked and the voter has presented a valid
136 identifying document, the two poll clerks shall sign their names in the places indicated on the back

137 of the official ballot and deliver the ballot to the voter to be voted by him or her without leaving the
138 election room. If he or she returns the ballot spoiled to the clerks, they shall immediately mark the
139 ballot "spoiled" and it shall be preserved and placed in a spoiled ballot envelope together with
140 other spoiled ballots to be delivered to the board of canvassers and deliver to the voter another
141 official ballot, signed by the clerks on the reverse side. The voter shall thereupon retire alone to
142 the booth or compartment prepared within the election room for voting purposes and there
143 prepare his or her ballot. In voting for candidates in general and special elections, the voter shall
144 comply with the rules and procedures prescribed in section five, article six of this chapter.

145 (d) It is the duty of a poll clerk, in the presence of the other poll clerk, to indicate by a check
146 mark, or by other means, inserted in the appropriate place on the registration record of each voter
147 the fact that the voter voted in the election. In primary elections the clerk shall also insert on the
148 registration record of each voter a distinguishing initial or initials of the political party for whose
149 candidates the voter voted. If a person is challenged at the polls, the challenge shall be indicated
150 by the poll clerks on the registration record, together with the name of the challenger. The
151 subsequent removal of the challenge shall be recorded on the registration record by the clerk of
152 the county commission.

153 (e) (1) No voter may receive any assistance in voting unless, by reason of blindness,
154 disability, advanced age or inability to read and write, that voter is unable to vote without
155 assistance. Any voter so qualified to receive assistance in voting may:

156 (A) Declare his or her choice of candidates to an Election Commissioner of each political
157 party who, in the presence of the voter and in the presence of each other, shall prepare the ballot
158 for voting in the manner provided in this section and, on request, shall read to the voter the names
159 of the candidates selected on the ballot;

160 (B) Require the Election Commissioners to indicate to him or her the relative position of
161 the names of the candidates on the ballot, the voter shall then retire to one of the booths or
162 compartments to prepare his or her ballot in the manner provided in this section;

163 (C) Be assisted by any person of the voter's choice, other than the voter's present or
164 former employer or agent of that employer, the officer or agent of a labor union of which the voter
165 is a past or present member or a candidate on the ballot or an official write-in candidate; or

166 (D) If he or she is handicapped, vote from an automobile outside the polling place or
167 precinct by the absentee balloting method provided in subsection (e), section five, article three of
168 this chapter in the presence of an Election Commissioner of each political party if all of the
169 following conditions are met:

170 (i) The polling place is not handicap accessible; and

171 (ii) No voters are voting or waiting to vote inside the polling place.

172 (2) The voted ballot shall then be returned to the precinct officials and secured in a sealed
173 envelope to be returned to the clerk of the county commission with all other election materials.
174 The ballot shall then be tabulated using the appropriate method provided in section eight of this
175 chapter as it relates to the specific voting system in use.

176 (3) A voter who requests assistance in voting but who is believed not to be qualified for
177 assistance under the provisions of this section shall nevertheless be permitted to vote a
178 provisional ballot with the assistance of any person herein authorized to render assistance.

179 (4) One or more of the Election Commissioners or poll clerks in the precinct may challenge
180 the ballot on the ground that the voter received assistance in voting it when in his, her or their
181 opinion the person who received assistance in voting is not so illiterate, blind, disabled or of such
182 advanced age as to have been unable to vote without assistance. The Election Commissioner or
183 poll clerk or commissioners or poll clerks making the challenge shall enter the challenge and the
184 reason for such challenge on the form and in the manner prescribed or authorized by article three
185 of this chapter.

186 (5) An Election Commissioner or other person who assists a voter in voting:

187 (A) May not in any manner request or seek to persuade or induce the voter to vote a
188 particular ticket or for a particular candidate or for or against any public question and must not

189 keep or make any memorandum or entry of anything occurring within the voting booth or
190 compartment and must not, directly or indirectly, reveal to any person the name of a candidate
191 voted for by the voter, which ticket he or she had voted or how he or she had voted on any public
192 question or anything occurring within the voting booth, compartment, or voting machine booth
193 except when required by law to give testimony as to the matter in a judicial proceeding; and

194 (B) Shall sign a written oath or affirmation before assisting the voter on a form prescribed
195 by the Secretary of State stating that he or she will not override the actual preference of the voter
196 being assisted, attempt to influence the voter's choice or mislead the voter into voting for someone
197 other than the candidate of voter's choice. The person assisting the voter shall also swear or
198 affirm that he or she believes that the voter is voting free of intimidation or manipulation. No person
199 providing assistance to a voter is required to sign an oath or affirmation where the reason for
200 requesting assistance is the voter's inability to vote without assistance because of blindness as
201 defined in section three, article fifteen, chapter five of this code and the inability to vote without
202 assistance because of blindness is certified in writing by a physician of the voter's choice and is
203 on file in the office of the clerk of the county commission.

204 (6) In accordance with instructions issued by the Secretary of State, the clerk of the county
205 commission shall provide a form entitled "list of assisted voters", on a form as prescribed by the
206 Secretary of State. The commissioners shall enter the name of each voter receiving assistance
207 in voting the ballot, together with the poll slip number of that voter and the signature of the person
208 or the commissioner from each party who assisted the voter. If no voter has been assisted in
209 voting, the commissioners shall make and subscribe to an oath of that fact on the list.

210 (f) After preparing the ballot, the voter shall fold the ballot so that the face is not exposed
211 and the names of the poll clerks on it are seen. The voter shall announce his or her name and
212 present his or her ballot to one of the commissioners who shall hand the same to another
213 commissioner, of a different political party, who shall deposit it in the ballot box if the ballot is the
214 official one and properly signed. The commissioner of election may inspect every ballot before it

215 is deposited in the ballot box to ascertain whether it is single; but without unfolding or unrolling it
 216 so as to disclose its content. When the voter has voted, he or she shall retire immediately from
 217 the election room and beyond the sixty-foot limit and not return except by permission of the
 218 commissioners.

219 (g) Following the election, the oaths or affirmations required by this section from those
 220 assisting voters, together with the "list of assisted voters", shall be returned by the Election
 221 Commissioners to the clerk of the county commission along with the election supplies, records
 222 and returns. The clerk of the county commission shall make the oaths, affirmations and list
 223 available for public inspection and preserve them for a period of twenty-two months or until
 224 disposition is authorized or directed by the Secretary of State or court of record. The clerk may
 225 use these records to update the voter registration records in accordance with subsection (d),
 226 section eighteen, article two of this chapter.

227 (h) Any person making an oath or affirmation required under the provisions of this section
 228 who knowingly swears falsely or any person who counsels, advises, aids or abets another in the
 229 commission of false swearing under this section, is guilty of a misdemeanor and, upon conviction
 230 thereof, shall be fined not more than \$1,000 or confined in jail for a period of not more than one
 231 year, or both fined and confined.

232 (i) Any Election Commissioner or poll clerk who authorizes or provides unchallenged
 233 assistance to a voter when the voter is known to the Election Commissioner or poll clerk not to
 234 require assistance in voting, is guilty of a felony and, upon conviction thereof, shall be fined not
 235 more than \$5,000 or imprisoned in a state correctional facility for a period of not less than one
 236 year nor more than five years, or both fined and imprisoned.

ARTICLE 2. REGISTRATION OF VOTERS

§3-2-11. Registration in conjunction with driver licensing.

1 (a) The Division of Motor Vehicles or other division or department that may be established
 2 by law to perform motor vehicle driver licensing services shall ~~obtain~~, provide each qualified

3 registrant, as an integral and simultaneous part of every process of application for the issuance,
4 renewal or change of address of a motor vehicle driver's license or official identification card
5 pursuant to the provisions of article two, chapter seventeen-b of this code, an opportunity to
6 register to vote or update their voter registration when the division's regional offices are open for
7 regular business, and if the registrant opts to do so, the Division of Motor Vehicles shall obtain
8 the following information from each qualified registrant:

9 (1) Full name, including first, middle, last and any premarital names;

10 (2) Date of birth;

11 (3) Residence address and mailing address, if different;

12 (4) The applicant's electronic signature;

13 (5) Telephone number, if available;

14 (6) Email address, if available;

15 (7) Political party membership, if any;

16 (8) Driver's license number and last four digits of social security number;

17 ~~(9) A notation that the applicant has attested that he or she meets all voter eligibility~~
18 ~~requirements, including United States citizenship;~~

19 ~~(10)~~ (9) Whether the applicant affirmatively declined to become registered to vote during
20 the transaction with the Division of Motor Vehicles;

21 ~~(11)~~ (10) Date of application; and

22 ~~(12)~~ (11) Any other information specified in rules adopted to implement this section.

23 (b) ~~Unless~~ If the applicant affirmatively ~~declines~~ chooses to become registered to vote or
24 update their voter registration during the transaction with the Division of Motor Vehicles, the
25 Division of Motor Vehicles shall release all of the information obtained pursuant to subsection (a)
26 of this section, together with verification that the applicant has proven that he or she meets all
27 voter eligibility requirements, including United States citizenship, to the Secretary of State, who
28 shall forward the information to the county clerk for the relevant county to process the newly

29 registered voter or updated information for the already-registered voter pursuant to law.
30 ~~Notwithstanding any other provision of this code to the contrary, if the applicant affirmatively~~
31 ~~declines to become registered to vote, the Division of Motor Vehicles is required to release the~~
32 ~~first name, middle name, last name, premarital name, if applicable, complete residence address,~~
33 ~~complete date of birth of an applicant and the applicant's electronic signature, entered in the~~
34 ~~division's records for driver license or nonoperator identification purposes to the Secretary of State~~
35 ~~in order to facilitate any future attempt of the applicant to register to vote online, along with the~~
36 ~~notation that the applicant affirmatively declined to become registered at that time. The Division~~
37 ~~of Motor Vehicles shall notify that applicant that by submitting his or her signature, the applicant~~
38 ~~grants written consent for the submission of the information obtained and required to be submitted~~
39 ~~to the Secretary of State pursuant to this section.~~

40 (c) Information regarding a person's failure to sign the voter registration application is
41 confidential and may not be used for any purpose other than to determine voter registration.

42 (d) A qualified voter who submits the required information or update to his or her voter
43 registration, pursuant to the provisions of subsection (a) of this section, in person at a driver
44 licensing facility at the time of applying for, obtaining, renewing or transferring his or her driver's
45 license or official identification card and who presents identification and proof of age at that time
46 is not required to make his or her first vote in person or to again present identification in order to
47 make that registration valid.

48 (e) A qualified voter who submits by mail or by delivery by a third party an application for
49 registration on the form used in conjunction with driver licensing is required to make his or her
50 first vote in person and present identification as required for other mail registration in accordance
51 with the provisions of subsection (g), section ten of this article. If the applicant has been previously
52 registered in the jurisdiction and the application is for a change of address, change of name,
53 change of political party affiliation or other correction, the presentation of identification and first
54 vote in person is not required.

55 (f) An application for voter registration submitted pursuant to the provisions of this section
56 updates a previous voter registration by the applicant and authorizes the cancellation of
57 registration in any other county or state in which the applicant was previously registered.

58 (g) A change of address from one residence to another within the same county which is
59 submitted for driver licensing or nonoperator's identification purposes in accordance with
60 applicable law serves as a notice of change of address for voter registration purposes if requested
61 by the applicant after notice and written consent of the applicant.

62 (h) Completed applications for voter registration or change of address for voting purposes
63 received by an office providing driver licensing services shall be forwarded to the Secretary of
64 State within five days of receipt unless other means are available for a more expedited
65 transmission. The Secretary of State shall remove and file any forms which have not been signed
66 by the applicant and shall forward completed, signed applications to the clerk of the appropriate
67 county commission within five days of receipt.

68 (i) Voter registration application forms containing voter information which are returned to
69 a driver licensing office unsigned shall be collected by the Division of Motor Vehicles, submitted
70 to the Secretary of State and maintained by the Secretary of State's office according to the
71 retention policy adopted by the Secretary of State.

72 (j) The Secretary of State shall establish procedures to protect the confidentiality of the
73 information obtained from the Division of Motor Vehicles, including any information otherwise
74 required to be confidential by other provisions of this code.

75 (k) A person registered to vote pursuant to this section may cancel his or her voter
76 registration at any time by any method available to any other registered voter.

77 (l) This section shall not be construed as requiring the Division of Motor Vehicles to
78 determine eligibility for voter registration and voting.

79 ~~(m) The changes made to this section during the 2016 Regular Legislative Session shall~~
80 ~~become effective on July 1, 2017, and any costs associated therewith shall be paid by the Division~~

81 ~~of Motor Vehicles. If the Division of Motor Vehicles is unable to meet the requirements of this~~
 82 ~~section by February 1, 2017, it shall make a presentation to the Joint Committee on Government~~
 83 ~~and Finance explaining any resources necessary to meet the requirements or any changes to the~~
 84 ~~code that it recommends immediately prior to the 2017 Regular Legislative Session.~~

85 ~~(n) The Secretary of State shall propose rules for legislative approval in accordance with~~
 86 ~~the provisions of article three, chapter twenty-nine-a of this code in order to implement the~~
 87 ~~requirements of this section.~~

§3-2-12. Combined voter registration and driver licensing fund; transfer of funds.

1 (a) Fifty cents of each license fee collected pursuant to the provisions of section one,
 2 article three, chapter seventeen of this code shall be paid into the State Treasury to the credit of
 3 a special revenue fund to be known as the "Combined Voter Registration and Driver Licensing
 4 Fund." The moneys so credited to such fund may be used by the Secretary of State for the
 5 following purposes:

6 (1) Printing and distribution of combined driver licensing or other agency applications and
 7 voter registration forms, or for the printing of voter registration forms to be used in conjunction
 8 with driver licensing or other agency applications; ~~or for implementing the automatic voter~~
 9 ~~registration program authorized in section eleven of this article~~

10 (2) Printing and distribution of mail voter registration forms for purposes of this article;

11 (3) Supplies, postage and mailing costs for correspondence relating to voter registration
 12 for agency registration sites and for the return of completed voter registration forms to the
 13 appropriate state or county election official;

14 (4) Reimbursement of postage and mailing costs incurred by clerks of the county
 15 commissions for sending a verification mailing, confirmation of registration or other mailings
 16 directly resulting from an application to register, change or update a voter's registration through a
 17 driver licensing or other agency;

18 (5) Reimbursement to state funded agencies, with the exception of the Division of Motor

19 Vehicles, designated to provide voter registration services under this chapter for personnel costs
20 associated with the time apportioned to voter registration services and assistance;

21 (6) The purchase, printing and distribution of public information and other necessary
22 materials or equipment to be used in conjunction with voter registration services provided by state
23 funded agencies designated pursuant to the provisions of this article;

24 (7) The development and continued maintenance of a statewide program of uniform voter
25 registration computerization for use by each county registration office and the Secretary of State,
26 purchase of uniform voter registration software, payment of software installation costs and
27 reimbursement to the county commissions of not more than fifty percent of the cost per voter for
28 data entry or data conversion from a previous voter registration software program;

29 (8) Efforts to maintain correct voter information and conduct general list maintenance to
30 remove ineligible voters and ensure new residents receive voter registration information, including
31 collaborating with other states and non-profit corporations dedicated to improving the election
32 system;

33 (9) Payment of any dues or fees associated with a program to match and transfer data to
34 and from other states;

35 (10) Resources related to voter registration and list maintenance; and

36 (11) Payment or reimbursement of other costs associated with implementation of the
37 requirements of the National Voter Registration Act of 1993 (42 U. S. C. 1973gg): *Provided*, That
38 revenue received by the fund in any fiscal year shall first be allocated to the purposes set forth in
39 subdivisions (1) through (10), inclusive, of this subsection.

40 (b) The Secretary of State shall promulgate rules pursuant to the provisions of chapter
41 twenty-nine-a of this code to provide for the administration of the fund established in subsection
42 (a) of this section.

43 (c) Any balance in the fund created by subsection (a) of this section which exceeds
44 \$100,000 as of June 30, 2017, and on June 30 of each year thereafter, shall be transferred to the

45 General Revenue Fund.

NOTE: The purpose of this bill is to require voters to provide a photo identification when voting, to identify the requirements for those photo identifications, to set forth certain qualifying identification documents, to provide for provisional ballots to be cast by voters who do not possess the required photo identification, to allow for certain exemptions for those who live in nursing care facilities where precincts are located and those with religious objections to having their photograph taken, to update provisional ballot procedures, to provide for complimentary photo identification cards to a voter upon request and representation that the photo identification card is requested for the purpose of voting, to establish procedures for persons over a certain age and lacking certain documents to acquire photo identification cards. Additionally, the bill does away with automatic voter registration on the occasion of application for a driver's license.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.