HB209

103737-1

By Representative Allen

RFD: Constitution and Elections

First Read: 03-FEB-09

PFD: 01/30/2009
SYNOPSIS: This bill would require proof of identification with certain limited exceptions for persons wishing to vote.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 17-9-30, Code of Alabama 1975, relating to the identification of voters at elections, to provide that a voter must provide proof of identification, as defined, with certain limited exceptions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-9-30, Code of Alabama 1975, is amended to read as follows:

"§17-9-30.

"(a) As used in this section, the term "valid photo identification" may include in addition to governmentally produced photo identifications, identification cards containing the photo of the elector produced by employers for
employees and identification cards containing the photo of the
elector produced by a public or private college, university,
or postgraduate technical or professional school located
within the state. "proof of identification" refers to a
document that satisfies all the following:

"(1) The document shows the name of the individual
to whom the document was issued, and the name conforms to the
name in the individual's voter registration record.

"(2) The document shows a photograph of the
individual to whom the document was issued.

"(3) The document includes an expiration date, and
the document either is not expired or the document expired
after the date of the most recent general election.

"(4) The document was issued by the United States or
the State of Alabama.

"(b) Each elector shall provide proof of
identification to an appropriate election official prior to
voting. A voter required to show identification when voting in
person shall present to the appropriate election official
either of the following forms of identification:

"(1) A current valid photo identification.

"(2) A copy of a current utility bill, bank
statement, government check, paycheck, or other government
document that shows the name and address of the voter. The
term "other government document" may include, but is not
limited to, any of the following:
"a. A valid identification card issued by a branch, department, agency, or entity of the State of Alabama, any other state, or the United States authorized by law to issue personal identification.

"b. A valid United States passport.

c. A valid Alabama hunting or fishing license.

d. A valid Alabama permit to carry a pistol or revolver.

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

f. A valid United States military identification card.

g. A certified copy of the elector's birth certificate.

h. A valid Social Security card.

i. Certified naturalization documentation.

j. A certified copy of court records showing adoption or name change.

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

(c) Voters voting an absentee ballot shall submit proof of identification with the ballot a copy of one of the forms of identification listed in subsection (b).

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

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

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

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

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