



HOUSE BILL 646: ID Approval/Flex Muni One-Stop.

2019-2020 General Assembly

Committee:		Date:	December 18, 2019
Introduced by:		Prepared by:	Erika Churchill Staff Attorney
Analysis of:	S.L. 2019-22		

OVERVIEW: *Effective June 3, 2019, S.L. 2019-22 made the following changes to the elections law:*

- *Allows a tribal enrollment card to be used for voting identification purposes, regardless of whether the card contains an expiration date.*
- *Clarifies the approval process for student and employee identification cards being used for voting identification.*
- *Establishes a time period during which any student or employee identification card denied approval for use in the 2020 elections may be resubmitted for approval.*
- *Authorizes a county board of elections to set hours and days for early one-stop voting in odd-numbered years at less than 12 hours per day for 13 workdays.*
- *Authorizes a county that is bounded by the largest sound on the East Coast and where the county seat is located at the intersection of two rivers that divide the county to open up to two early one-stop sites with days and hours that vary from the county board of elections, or its alternate, and other additional one-stop sites in that county.*

CURRENT LAW & BILL ANALYSIS:

Tribal Enrollment Cards for Voting Identification:

Current Law. – Statutes permit a valid and unexpired tribal enrollment card issued by a State or federal recognized tribe to be used as identification for voting in person.

S.L. 2019-22 allows a tribal enrollment card issued by a State or federal recognized tribe to be used for voting identification for voting in person, regardless of whether the card contains a printed expiration or issuance date.

Approval Process for Student and Employee Identification Cards:

Current Law. – The statutes provide that identification cards must be approved for use prior to being used for voting identification when voting in person. The process set forth includes information that must be compiled and submitted, under penalty of perjury, to the State Board. The State Board is to approve such ID's every four years, and produce a list of approved entities every four years.

S.L. 2019-22 made the following changes to the State Board's process for approving student and employee identification cards for voting identification:

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- Requires the chancellor, president or registrar of a university or college or the head elected official or lead human resources employee of a State or local government entity or charter school to submit sufficient documentation to satisfy the State Board that certain criteria have been met and will not knowingly be violated with regard to ID cards issued during the approval period.
- Amends the criteria the university, college, state or local government entity, or charter school must meet in order for the State Board to approve the use of ID cards issued by the entity, including:
 - To allow the ID cards to contain photos of students or employees that were obtained by the university, college, state or local government entity, or charter school, provided that the photo contains a frontal image that includes the individual's face and represents a clear, accurate likeness of the individual. The university, college, State or local government entity, or charter school would be required to certify in detail the process used to ensure the photograph is that of the student or employee to whom the identification card is issued and that the process is designed to confirm the identity of the student or employee to whom the identification card is issued.
 - To require that access to the equipment for producing ID cards be restricted through security measures.
 - For colleges and universities, to require the college or university to provide either a hard copy or an electronic link to a document detailing the requirements related to voting, including identification for voting and residency requirements.
- Requires the State Board to establish a schedule for submissions and approvals.
- Provides that approvals are valid for the period from January 1 of the odd-numbered year through December 31 of the even-numbered year. If a university, college, state or local government entity, or charter school has no changes the following approval period, the entity may submit a statement indicating no changes were made from the prior approval.
- Requires the State Board to produce a list of approved universities, colleges, state or local government entities, and charter schools every two years.
- Requires the State Board to publish sample student and employee identification cards for each participating university, college, State or local government entity, and charter school.

Additionally, S.L. 2019-22 does all of the following:

- Extends the deadline for the State Board to approve identification cards issued by a university, college, state or local government entity, or charter school for voting identification from March 15, 2019 to November 1, 2019, for use in the 2020 elections, as well as extends the deadline for temporary rule-making on reasonable security measures to September 15, 2019.
- Clarifies that for elections held in 2020 only, identification cards issued by a university, college, state or local government entity, or charter school may not be denied approval by the State Board solely due to a lack of a printed expiration date on the card.
- Provides that any identification card approved by the State Board by March 15, 2019, shall continue to be eligible for use in any election prior to December 31, 2022, without any further submission or approval. Any identification card denied approval by the State Board by March 15, 2019, would be able to submit a revised application for approval by November 15, 2019, with approval by the State Board by December 1, 2019, for use in the 2020 elections.

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Early One-Stop Voting in Odd-Numbered Year Elections:

Current Law. – Early one-stop voting begins no earlier than the third Wednesday before an election, and ends no later than 7:00 p.m. on the last Friday before the election. The hours for early one-stop voting sites to be open are as follows:

- Monday through Friday – 7:00 a.m. until 7:00 p.m.
- Saturday and Sunday – CBOE are able to set hours for early voting on these days. If a CBOE opens a one stop voting site on Saturdays or Sundays during the early voting period, then all sites are required to open for the same hours uniformly throughout the county on Saturdays or Sundays, respectively.
- Each one stop voting site across the county must be open at that same location throughout the early voting period.
- Each day that the voting sites are open, the sites must be open uniformly throughout the county.

With respect to early one-stop voting locations and hours, the act does both of the following:

- Allows any county board of elections, by unanimous vote, for any odd-numbered election year, to propose a Plan for Implementation providing for early one-stop sites in that county. The Plan shall provide for the county board office, or its alternate, to be open its regular business hours and the Plan may also specify the week days and hours on those week days of operation for additional sites which may vary from Monday to Friday, 7:00 am – 7:00 pm. However, that county must provide for uniform location, days, and hours for the additional sites throughout the early one-stop voting period. The Plan would apply to an election conducted in that county for that odd numbered year.
- Authorizes a county board of elections in a county that is bounded by the largest sound on the East Coast and where the county seat is located at the intersection of two rivers, which divide the county to open up to two early one-stop sites with days and hours that vary from the county board of elections, or its alternate, and other additional one stop sites in that county.

EFFECTIVE DATE: This act became effective June 3, 2019.