

AMENDED IN SENATE APRIL 3, 2006

SENATE BILL

No. 1682

Introduced by Senator Cox

(Coauthors: Senators Ackerman, Battin, and Morrow)

(Coauthors: Assembly Members Benoit, Cogdill, DeVore, Harman, Haynes, Shirley Horton, Huff, La Suer, Leslie, Mountjoy, Spitzer, Strickland, and Walters)

February 24, 2006

An act to add Section 14218.3 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 1682, as amended, Cox. Elections: voting identification.

~~Existing~~

~~(1) Existing law requires a person desiring to vote to announce his or her name and address to a precinct board member and to write them on the roster of voters.~~

This bill would *additionally* require a voter, ~~in addition,~~ to present proof of his or her identity and residency to a member of the precinct board before receiving a ballot. It would specify the documents that may be used for this purpose and would authorize any other form of identification that the Secretary of State ~~determines to be~~ *deems* appropriate. It would permit a voter who is unable to present proof of identity or residency to cast a provisional ballot.

~~This~~

~~The bill, by requiring the county elections official officials to develop procedures to implement this bill in a manner that imposes the least burdensome requirements upon voters these provisions,~~ would impose a state-mandated local program.

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(2) *The* California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14218.3 is added to the Elections Code,
- 2 to read:
- 3 14218.3. (a) A voter shall present proof of his or her identity
- 4 and residency to a member of the precinct board before receiving
- 5 a ballot.
- 6 (b) (1) Proof of identity may be established by presenting any
- 7 of the following documents:
- 8 (A) A California driver’s license.
- 9 (B) A California identification card.
- 10 (C) A valid voter registration card.
- 11 (D) A sample ballot pamphlet for the election with the voter’s
- 12 name and address printed thereon by the county elections
- 13 official.
- 14 (E) A military identification card.
- 15 (F) A Certification of Citizenship issued by the Bureau of
- 16 Citizenship and Immigration Services.
- 17 (G) A copy of a birth certificate.
- 18 (H) Any other form of identification that the Secretary of State
- 19 ~~determines to be~~ *deems* appropriate.
- 20 (2) Proof of residency may be established by presenting any of
- 21 the following documents:
- 22 (A) A California driver’s license.
- 23 (B) A California identification card.
- 24 (C) A valid voter registration card.

1 (D) A sample ballot pamphlet for the election with the voter's
2 name and address printed thereon by the county elections
3 official.

4 (E) A current utility or telephone bill or stub showing the
5 correct name and address.

6 (F) Any other form of identification that the Secretary of State
7 ~~determines to be~~ *deems* appropriate.

8 (c) The county elections official shall develop procedures to
9 implement this section in a manner that imposes the least
10 burdensome requirements upon voters.

11 (d) A voter who is unable to present proof of his or her
12 identity or residency as required by this section shall be entitled
13 to vote a provisional ballot, as provided in Section 14310.

14 SEC. 2. (a) The Legislature finds that the procedure under
15 current law requiring a voter to announce his or her name to a
16 precinct board member before receiving a ballot and allowing a
17 precinct board member to challenge a potential voter on specified
18 grounds is insufficient to ensure against voting fraud because the
19 potential for, and consequences of, abuse are too great.

20 (b) The Legislature has investigated many other methods to
21 eliminate voting fraud, and finds that each of the other methods
22 is more drastic than the method proposed by this act. Because the
23 current law is ineffective to ensure against voting fraud, the
24 Legislature finds that the method proposed by this act is the least
25 drastic means available.

26 (c) The Legislature finds that Section 1 of this act is necessary
27 to protect the integrity of the voting process, and by establishing
28 additional procedures to reduce voting fraud, this act serves a
29 compelling state interest and its provisions are narrowly tailored
30 to achieving these objectives.

31 SEC. 3. If the Commission on State Mandates determines that
32 this act contains costs mandated by the state, reimbursement to
33 local agencies and school districts for those costs shall be made
34 pursuant to Part 7 (commencing with Section 17500) of Division
35 4 of Title 2 of the Government Code.

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