

ASSEMBLY BILL

No. 663

Introduced by Assembly Member Morrell

February 17, 2011

An act to add Section 14215.5 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 663, as introduced, Morrell. Elections: voter identification.

Existing law requires that a person desiring to vote announce his or her name and address to the precinct board member at the polling place and then write the information in the roster of voters, except for specified exceptions.

This bill would require a person desiring to vote to produce and show proof of identification, as defined, to the precinct worker at the polling place. This bill would also provide for a voter to cast a provisional ballot if the voter declines to provide, or is otherwise unable to provide, sufficient proof of identification. This bill would also provide exemptions from the requirement to provide proof of identification for voters residing in state-licensed care facilities that are used as polling places, vote by mail and special absentee voters who cast their ballots by mail, and voters who establish a religious objection to being photographed. This bill would also provide that, for purposes of complying with the proof of identification requirement, a registered voter could obtain a state-issued identification card from the Department of Motor Vehicles at no cost.

Because this bill would increase the duties of local elections officials regarding conducting elections, it would impose a state-mandated local program.

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 14215.5 is added to the Elections Code,
 2 to read:
 3 14215.5. (a) A person desiring to vote shall first provide to
 4 the precinct worker at the polling place proof of identification
 5 before being permitted to sign the roster of voters.
 6 (b) For purposes of this section, “proof of identification” refers
 7 to a document that satisfies all of the following:
 8 (1) The document shows the name of the individual to whom
 9 the document was issued and the name conforms to the name on
 10 the individual’s voter registration record.
 11 (2) The document shows a photograph of the individual to whom
 12 the document was issued.
 13 (3) The document includes an expiration date, and the document
 14 is either not expired, or expired after the date of the most recent
 15 general election.
 16 (4) The document was issued by the United States or the State
 17 of California.
 18 (c) If the voter is unable or declines to present proof of
 19 identification, or if a member of the precinct board determines that
 20 the proof of identification presented does not meet the requirements
 21 of subdivision (b), the voter may request and be issued a
 22 provisional ballot and be permitted to vote that ballot.
 23 (d) A provisional ballot cast under subdivision (c) shall only be
 24 counted if, within 10 days following the election, the voter provides
 25 proof of identification that meets the requirements of subdivision
 26 (b) to the county voter registration office or establishes that one
 27 of the exemptions in subdivisions (e), (f), and (g) applies to the
 28 voter.

1 (e) A voter who resides at a state-licensed care facility that is
2 being used as a polling place is not required to provide proof of
3 identification prior to being permitted to sign the roster of voters
4 or to cast his or her ballot.

5 (f) A vote by mail voter or special absentee voter who votes his
6 or her ballot by mail shall not be required to provide proof of
7 identification.

8 (g) A voter who executes a sworn affidavit before a superior
9 court clerk, or county election board, in a manner prescribed by
10 the board, to declare that the voter has a religious objection to
11 being photographed, shall be permitted to vote by providing a copy
12 of the signed affidavit and proof of identification that meets all of
13 the criteria of subdivision (b) except for the photograph.

14 (h) For purposes of complying with this section, a registered
15 voter may obtain a state-issued identification card from the
16 Department of Motor Vehicles at no cost once for each period of
17 validity of the card.

18 SEC. 2. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.