

Voter Identification

Ensuring Constitutional Compliance

THE THREAT OF FRAUD IS REAL

- Deceased voters, felons, duplicate registrations, and non-residents remain on the voter rolls (*2007 State Auditor Report found over 49,000 of these possible ineligible voters*)
- Fraudulent registration applications are rampant (*over 6,000 applications by non-citizens rejected in Harris County from 2004-2007, and 2008 ACORN registration scandal made national news*)
- Texas Election Administration Management system is improving, but continues to have accuracy problems
- Current election system is inadequate to catch in-person voting fraud

SB 362 PROTECTS TEXAS VOTERS

- Deters and detects fraud
- Improves and modernizes election procedures
- Counts only eligible voters' votes
- Protects public confidence in elections
- Protects against fraud enabled by inaccurate registration rolls

(These points are taken directly from Supreme Court opinion describing Indiana's "legitimate state interests")

SB 362 REPRESENTS A COMPROMISE TO ENSURE EVERY ELIGIBLE VOTER CAN VOTE WHILE COUNTING BALLOTS ONLY OF LEGITIMATE VOTERS

- Allows both photo and non-photo forms of ID
- Not as restrictive as Indiana and Georgia laws (both upheld by federal courts)
- Requires statewide voter education efforts before law takes effect
- Allows voters without ID to vote a provisional ballot

SB 362 - Voter Identification

"Polls show that voters are losing confidence in the integrity of our elections, and that people are more likely to vote if they believe their ballot will be fairly counted."

"A poll in October 2008 showed that 88 percent of Texas voters - 95 percent of Republicans and 80 percent of Democrats - think a voter should present a photo ID to vote."

"Voter ID is simply putting into practice the intent of the current Election Code – and that is that the person who shows up at the polls is who he claims to be."

"Voter impersonation is a serious crime, but without a Voter ID requirement we do not have the tools to know if this crime is being committed."

"Photo ID laws are considered one of the most basic and necessary election safeguards by a host of countries including Canada, Mexico, France, Germany, Italy, Poland, Britain, India, and South Africa. But less than half of the U.S. states have any kind of photo ID laws."

"Why do we so easily require photo ID to board a plane or to buy beer and cigarettes while leaving the ballot box so undefended?"

Americans are frequently (but not always) asked to show identification for even the most mundane activities:

- to rent a DVD
- to check out a library book
- to board an airplane
- to buy alcohol or tobacco
- to belong to bulk retail clubs such as Sam's Club
- to purchase cold medication such as Sudafed

"If passed, it is our responsibility to educate voters on requirements of law."

"SB 362 simply requires that on offering to vote, a voter must present either one form of photo identification or two different forms of non-photo identification. If the person fails to meet these standards, they may still vote upon completion of a provisional ballot affidavit. Nobody will walk away from a polling place without having cast a ballot."

"Voter identification secures the voting process in Texas without disenfranchising voters because under the provisions of SB362 there are infinite types of identification that can be used."

Current Voter Identification Law	SB 362, Filed
<p>May present one of the following at the polling place instead of a voter registration card:</p> <ul style="list-style-type: none"> • driver's license (TX or other state; expiration allowed) • ID card (TX or other state; expiration allowed) • any photographic ID • birth certificate or other document confirming birth that is admissible in court • US citizenship papers • US passport • official mail from a governmental entity • utility bill, bank statement, government check, paycheck or other government document with name and address • any other form prescribed by the SOS 	<p>Must present one of the following at the polling place, in addition to a voter registration card or in addition to an affidavit stating the voter does not have their registration card in their possession at the polling place:</p> <ul style="list-style-type: none"> • Texas driver's license (expired less than 2 years) • TxDPS ID card (expired less than 2 years) • US military ID that contains a photo • US citizenship certificate that contains a photo • US passport • TxDPS concealed handgun license • photo ID issued by a federal, state or local governmental entity <p>In place of the above, may present two of the following at the polling place, in addition to a voter registration card or in addition to an affidavit stating the voter does not have their registration card in their possession at the polling place</p> <ul style="list-style-type: none"> • utility bill, bank statement, government check, paycheck or other government document with name and address • official mail from a governmental entity • certified copy of a birth certificate or other document confirming birth that is admissible in court • US citizenship papers • original or certified copy of marriage license or divorce decree • court records of adoption, name change or sex change • federal or state ID card issued for the purpose of obtaining public benefits • TxDPS issued temporary driving permit • FAA issued pilot's license • library card • Tx Parks & Wildlife hunting or fishing license