

WHAT'S WRONG WITH THIS PICTURE?

NH	HB365, SB129	The bill would require non-expired photo ID from all voters, including state or federally issued ID, and ID from certain educational institutions that are licensed by the post-secondary education commission.. The bill would allow those without ID to cast provisional ballots, which will be counted only if the voter returns within ten days with acceptable ID. The state estimates it would lose about \$250,000 in fees for ID cards to provide them without cost for voting.	Passed Senate on 3/30/11; amended to include provision for those without ID to have photo taken at the polls.
NJ	A264	Requires that those registering to vote include with their registration materials a form of valid identification. Requires the voter to present ID to vote, but includes a range of acceptable forms of ID, including non-photo, such as a utility bill.	Carried over; in committee on state government.
NM	HB577	Requires photo ID to vote, but allows tribal documents as acceptable ID. The state must provide ID without cost to those who sign an affidavit attesting to indigence.	Bill was introduced on 2/17/11 but withdrawn from Committee on Consumer and Public Affairs on 3/1/11.
NV	AB 327, AB425, AB431, AB434, SB373	Requires voters to show photo ID to vote and requires county clerks to offer free IDs to those who do not have one	Introduced on 3/21/11.
NY	A3373	Requires photo ID when voting.	A3373 is sitting in Assembly committee on Election Law.
OH	HB159	Would voters to show only one of the following to vote: Ohio driver's license or state ID; Military ID or US passport. It would not allow student IDs or tribal IDs. The bill requires the state to provide ID only to those who attest they cannot afford one. A state ID in Ohio costs \$25. The fiscal note fails to include costs of education and other implementation. The state is facing an \$8 billion budget shortfall.	Bill was introduced on 3/15/11 and heard and passed out of the House Committee on State Government and Elections on 3/22/11 and passed the House of Representatives on 3/23/11. Pending in the Senate Committee on State and Local Government Affairs.
PA	HB934	Requires a non-expired Pennsylvania or federally-issued photo ID to vote. Requires the Secretary of State to engage in education campaign to notify voters, and requires state to provide ID at no cost as long as the voter attests that he or she cannot obtain another form of ID and cannot afford one.	HB934 was introduced on 3/4/11 and is in the House Committee on State Government.
RI	HB5525 / SB400	Beginning on Jan. 1, 2012, would require voters to show ID with a photo to vote, but it includes a range of ID including state or federally-issued photo ID, a voter identification card, a student ID, a military ID, or a debit or credit card with a photo. Requires the state to issue voter identification cards without cost to all voters. Voters without ID can cast provisional ballots that will be counted if the signature matches that on the voter's registration.	HB 5525 was introduced on 3/2/11 and sent to the House Judiciary Committee. SB400 was introduced on 3/10/11 and is in the Senate Judiciary Committee, which has recommended that it be held for further review. Bill withdrawn on 3/22/11.

WHAT'S WRONG WITH THIS PICTURE?

SC	H 3003	Requires photo ID issued by state of South Carolina, a passport, or US military ID to vote. Those with religious objections or disabilities are exempted but made to cast provisional ballots. Requires state to prepare list of those without acceptable ID, and provide free ID cards. It allows those without ID to cast provisional ballots that will count only if voter returns with valid ID. The state has estimated \$720,000 in implementation costs.	Passed the House on 1/27/11; passed the Senate on 2/23/11; now the versions are being reconciled back in the House.
TN	SB 16/HB7	Allows only state-issued ID or a US passport or military ID to vote, though allows a valid employee photo ID from Tennessee or any other state as acceptable ID. Those without ID can cast provisional ballots that will be counted only if the voter returns within two days with acceptable ID. The provisions would not apply to those in nursing homes. Those who attest they are indigent or have a religious objection can complete an affidavit to vote.	Passed Senate on 2/14/11; has been read second time in the House.
TX	SB 14	Requires voters to show a non-expired Texas driver's license, state ID card, military ID, US passport or citizenship ID to vote photo ID when voting. Legislation was amended to also include a concealed handgun license as acceptable ID. The bill exempts those over age 70, who would only have to show a voter identification card. Requires the Secretary of State to issue an education campaign. Those seeking exemption due to disability would have to provide a doctor's certification. The fiscal impact is estimated at \$2 million the first year.	Passed Senate on 1/26/11; Passed the House on 3/23/11.
TX	HB1005, HB186, HB250, HB401, HB624, SB178	Requires photo ID when voting and allows those without one to cast a provisional ballot.	Legislature is moving forward on similar legislation, SB14.
VA	HB1650	Replaces sworn statements with provisional ballots to be offered in lieu of ID.	1/26: Passed House and assigned to Senate committee; As of 2/22/11 was left in committee and failed.
WA	SJM 8001	Resolution requesting that any federal mandate regarding voting makes funding contingent upon the adoption of photo ID and proof of citizenship requirements.	1/20/11: in committee.
WI	SB6	Requires DOT-issued photo ID when voting. Grants limited exceptions. Makes available provisional ballots. Requires the State to offer free identification cards to those who don't have one. Accounts for additional changes following implementation of REAL ID. The fiscal note estimates about \$5 million to provide free IDs and to implement the legislation.	Passed out of committee and has had third reading in the Senate; has been placed on Senate Calendar and is poised for a floor vote.

END NOTES

- 1 BLOG: New voter laws draw Dems to Union - *The UWM Post* <http://org2.democracyinaction.org/dia/track.jsp?v=2&c=TAVWMSCWYi8nZ1u2k%2B5Ev5HetDcyzgt%2B> (Amidst the furor created by the state's controversial budget showdown, the advance of the Voter Identification Act in the legislature has flown under the radar.)
- 2 "In Wisconsin, Real Struggle is Over Power," *Washington Post*, Feb. 21, 2011, <http://www.washingtonpost.com/wp-dyn/content/article/2011/02/21/AR2011022104415.html>. In Wisconsin, Republican lawmakers set a swift hearing on the state's Photo ID proposal in order to lure back Senate Democrats who had fled the state in protest of the governor's collective bargaining legislation. In Ohio, House Democrats charge that Photo ID is being swiftly pushed in time to be implemented for an anticipated November popular vote on a collective bargaining bill that has yet to be passed. Jim Seigel, "Ohio House moving fast on voter photo ID bill," *The Columbus Dispatch*, March 23, 2011, http://www.dispatchpolitics.com/live/content/local_news/stories/2011/03/23/copy/ohio-house-gop-moving-fast-on-voter-photo-id-bill.html?adsec=politics&sid=101
- 3 "In 5-Year Effort, Scant Evidence of Voter Fraud," *New York Times*, April 12, 2007.
- 4 Photo ID proposals are the most numerous of a number of measures states are considering this year that scale back voting access. Eleven states are also considering requirements that voters provide proof of citizenship, several states are considering proposals to eliminate same-day registration, and recently the Florida Clemency board announced new guidelines reversing processes put in place to facilitate restoration of voting rights for non-violent offenders. The National Journal described a "multi-part national campaign to fight supposed fraud by erecting new barriers to voting. These include proposed photo IDs and proof-of-citizenship bills; plans to eliminate same-day voter registration, and efforts to restrict voting access for students and felons." Eliza Newlin Carney, "Voting: The Rising Degree of Difficulty," *National Journal*, March 13, 2011, <http://nationaljournal.com/columns/rules-of-the-game/voting-the-rising-degree-of-difficulty-20110313>
- 5 Colorado, Iowa, Kansas, Missouri, Montana, South Carolina, Tennessee, Texas, and Virginia.
- 6 See, "Governor gives voter ID bill emergency status in legislative session," *Star-Telegram*, Jan. 20, 2011, <http://www.star-telegram.com/2011/01/20/2785084/governor-gives-voter-id-bill-emergency.html#ixzz1CkoLJhcz>
- 7 In a much-publicized effort, Texas State Representative Debbie Riddle was so eager to pre-file her photo ID bill that she camped out inside the Capitol to be first in line to file voter ID legislation.
- 8 In Colorado, SOS Scott Gessler characterized Photo ID as a top priority during his campaign. In Iowa, SOS Matt Schultz said that his electoral victory was based on his promise to implement photo ID. In Kansas, newly elected SOS Kris Kobach promoted photo ID as one of the first measures he would take up as the state's top elections official; In New Mexico, SOS candidate Dianna Duran promised to lobby for photo ID; and in Texas, the Governor designated photo ID as a legislative emergency.
- 9 The Brennan Center for Justice at New York University School of Law found as many as 11 percent of US citizens – 21 to 30 million individuals – do not have government-issued photo identification. See: Brennan Center for Justice at NYU School of Law, *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification*, (Nov. 28, 2006) http://www.brennancenter.org/page/-/d/download_file_39242.pdf

- 10 See, Spencer Overton, *Stealing Democracy: The New Politics of Voter Suppression*, (W. W. Norton 2006)
- 11 See, "In States, parties clash over voting laws that would affect college students, others," *Washington Post*, March 7, 2011, describing voter ID proposals in New Hampshire as "among dozens of voting-related bills being pushed by newly empowered Republican state lawmakers across the country," <http://www.washingtonpost.com/wp-dyn/content/article/2011/03/06/AR2011030602662.html>.
See, Tova Wang, "Misidentified Priorities, Newly Elected Republicans are pushing state-level voter ID laws designed to disenfranchise minority voters," *The American Prospect*, http://www.prospect.org/cs/articles?article=misidentified_priorities ("With Republicans taking control of state legislatures and governorships across the country this month, newly emboldened GOP lawmakers in places like North Carolina, Minnesota, Wisconsin, and Kansas are pushing laws that would require photo identification for all voters."); See, "Republican Majorities Pushing Photo ID Voter Requirements Across Country," *TPM Muckraker*, Jan. 31, 2011, http://tpnmuckraker.talkingpointsmemo.com/2011/01/little_evidence_of_voter_fraud_-_but_new_anti-fra.php?ref=fpb
- 12 "NH GOP Seeks to Disenfranchise Students Who 'Just Vote Their Feelings'," *TalkingPointsMemo*, March 7, 2011, <http://tpmdc.talkingpointsmemo.com/2011/03/nh-gop-seeks-to-disenfranchise-students-who-just-vote-their-feelings-video.php?ref=fpb>
- 13 "'Respect My Vote': Backlash Grows Against Voter ID Push," Institute for Southern Studies, Feb. 17, 2011, <http://www.southernstudies.org/2011/02/respect-my-vote-backlash-grows-against-voter-id-push.html>
- 14 "Conservative Corporate Advocacy Group ALEC Behind Voter Disenfranchisement Efforts," *CampusProgress.org*, March 8, 2011, http://campusprogress.org/articles/conservative_corporate_advocacy_group_alec_behind_voter_disenfranchise/ (".....Many of the state proposals appear to stem from model legislation known as the Voter ID Act (also known as Photo ID) that was developed by the American Legislative Exchange Council." . . . "Tea Party organizations, like the Wisconsin Patriot Coalition, also look to ALEC for guidance. The group lists the Voter ID Act in its legislative agenda and directly links back to ALEC as its source.")
- 15 Josh Dorner, "Right Wing Forments Voter Fraud Conspiracies, Hatches 'Voter Caging' Plot to Suppress Minority Vote in Wisconsin," *Think Progress*, Sept. 21, 2010, <http://thinkprogress.org/2010/09/21/wisconsin-voter-caging/>; Colby Hall, "Wisconsin Progressive Group Alleges Joint GOP and Tea Party Voter Suppression Conspiracy," Sept. 21, 2010, *Mediaiate*, <http://www.mediaite.com/online/progressive-group-alleges-gop-and-tea-party-effort-to-suppress-wisconsin-vote/>
- 16 "King Street Patriots Aim to Recruit 1 Million Volunteers to Monitor 2012 Elections," *The American Independent* (italic), March 27, 2011, <http://www.americanindependent.com/175736/king-street-patriots-aim-to-recruit-1-million-voter-to-monitor-2012-elections> > <http://www.americanindependent.com/175736/king-street-patriots-aim-to-recruit-1-million-voter-to-monitor-2012-elections>
- 17 Eliza Newlin Carney, "Voting: The Rising Degree of Difficulty," *National Journal*, March 13, 2011, <http://nationaljournal.com/columns/rules-of-the-game/voting-the-rising-degree-of-difficulty-20110313> ("Many GOP-controlled legislatures are working from model legislation produced by the American Legislative Exchange Council, a conservative group that has received funding from the Charles G. Koch Charitable Foundation, the progressive group Campus Progress recently disclosed.")
- 18 Lorraine Minnite and David Callahan, "Securing the Vote: An Analysis of Election Fraud" (2003),

- http://www.michiganelectionreformalliance.org/EDR_Securing_the_Vote.pdf ; See also, Lorraine Minnite, "An Analysis of Voter Fraud In the United States," (2007) <http://www.demos.org/pubs/Analysis.pdf>
- 19 Help America Vote Act of 2002, Pub. L. No. 107-252, 42 U.S.C. § 15301 et seq, (2002)
- 20 "In 5-Year Effort, Scant Evidence of Voter Fraud," *New York Times*, April 12, 2007.
- 21 See, Lorraine C. Minnite, *The Myth of Voter Fraud*, Cornell Univ. Press (2010), showing that allegations of widespread voter impersonation fraud at the polls are unsupported by empirical evidence.
- 22 "In 5-Year Effort, Scant Evidence of Voter Fraud," *The New York Times*, April 12, 2007, http://www.nytimes.com/2007/04/12/washington/12fraud.html?_r=1
- 23 "In 5-Year Effort, Scant Evidence of Voter Fraud," *The New York Times*, April 12, 2007, http://www.nytimes.com/2007/04/12/washington/12fraud.html?_r=1
- 24 Justin Levitt, Analysis of Alleged Fraud in Briefs Supporting Crawford Respondents, Brennan Center for Justice, December 31, 2007, p. 1
- 25 "In Indiana, Top Official is Accused of Vote Fraud," *New York Times*, March 3, 2011, <http://www.nytimes.com/2011/03/04/us/04indiana.html>
- 26 Brennan Center for Justice at NYU School of Law, *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification*, (Nov. 28, 2006), http://www.brennancenter.org/page/-/d/download_file_39242.pdf
- 27 *Democratic Party of Georgia v Purdue, et al.*, (Case No. S09A0201) (Ga Supreme Court, March 7, 2011) Benham, J. dissenting, "This country has a long history of denying the franchise to certain groups of citizens—non-property owners, members of certain religions, African-Americans, women, Native Americans, young adults aged 18 to 21, etc. It is unfortunate that over the course of the last 13 years, this State has placed ever increasing restrictions on its citizens' ability to cast regular, non-provisional ballots at their local polling precincts."
- 28 Brennan Center for Justice at NYU School of Law, *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification*, (Nov. 28, 2006), http://www.brennancenter.org/page/-/d/download_file_39242.pdf
- 29 *Id.* In addition, an earlier 1994 Justice Department study found that blacks in Louisiana were four to five times less likely than whites to have photo IDs. A June 2005 study in Wisconsin found that the rate of driver's license possession among African Americans was half of that for whites. Among Wisconsin men ages eighteen to twenty-four, 36 percent of whites, 57 percent of Latinos, and 78 percent of African Americans lacked a valid driver's license.
- 30 Matt A. Barreto, Stephen A. Nuno, Gabriel R. Sanchez, Voter ID Requirements and the Disenfranchisement of Latino, Black, and Asian Voters , presented at the American Political Science Association Annual Conference (9/1/2007), http://faculty.washington.edu/mbarreto/research/Voter_ID_APSA.pdf, "Controlling for age, income, and education, we find that immigrant and minority voters are significantly less likely to be able to provide multiple forms of identification, such as a copy of their original birth certificate, or a recent bank statement. In full, we asked respondents about their ability to provide approximately six unique forms of identification, and immigrant and minority voters were consistently less likely to have each form of identification. Because our data reflects the identification trends of actual voters, not just adult citizens, the

- findings go far to suggest that voter identification laws could immediately disenfranchise many Latino, Asian and African American citizens”
- 31 Brennan Center for Justice at NYU School of Law, *Citizens Without Proof: A Survey of Americans’ Possession of Documentary Proof of Citizenship and Photo Identification*, (Nov. 28, 2006), http://www.brennancenter.org/page/-/d/download_file_39242.pdf
 - 32 Democracy North Carolina, “Who Doesn’t Have Photo ID?” <http://www.democracy-nc.org/downloads/voteriddadabyraceexagepartysumm.doc>
 - 33 Brief of *Amicus Curiae* Rock The Vote, National Black Law Students Association, National Black Graduate Student Association, The Feminist Majority Foundation And The Student Association For Voter Empowerment Supporting Petitioners in *Crawford v. Marion County Election Board*, http://brennan.3cdn.net/b16ac2f120969adc76_rlm6i6v8w.pdf
 - 34 John Mark Hansen, Coordinator, Task Force on the Federal Election System, Report, p. VI-4 in Task Force Reports to Accompany the Report of the National Commission on Election Reform (Aug. 2001); National Commission on Election Reform, To Assure Pride and Confidence in the Electoral Process, p. 32 (Aug. 2001).
 - 35 Spencer Overton, “Voter ID Supporters Lack Hard Evidence,” *Atlanta Journal Constitution*, April 8, 2005, http://docs.law.gwu.edu/facweb/soverton/ajc_april8_2005.pdf
 - 36 “Legislators bicker over voter ID,” *Farmington New Mexico Daily Times*, March 13, 2011, http://www.daily-times.com/ci_17604177
 - 37 In Tennessee, only one-third of counties even have a license bureau.
 - 38 For example, under legislation pending in Kansas, voters must present proof of age, proof of identity and proof of lawful presence, as well as identification with a photo in order to get a photo ID for voting. Those without a photo ID can provide other ID as long as it contains the person’s full legal name, date of birth, documentation showing the person’s name and address, and the applicant’s social security number. See, HB2067 (KS 2011) http://kslegislature.org/li/b2011_12/year1/measures/documents/hb2067_02_0000.pdf
 - 39 *Weinschenk v. State*, 203 S.W.3d 201 (Mo. 2006) (found: “[I]n addition to the monetary costs imposed on persons seeking to obtain the proper photo ID, the process to do so imposes additional practical costs, including navigating state and/or federal bureaucracies, and travel to and from the Department of Revenue and other government agencies. One of these practical costs is the time it takes to receive the appropriate documentation. In Missouri, the waiting period for a birth certificate alone is six to eight weeks. In Louisiana, the birthplace of many Katrina refugees who have taken shelter in Missouri, the processing period is eight to ten weeks. Should citizens need additional documents, the bureaucratic hurdles and waiting periods would increase.”)
 - 40 “ID law keeps nuns, students from polls,” *Los Angeles Times*, May 7, 2008, <http://articles.latimes.com/2008/may/07/nation/na-voterid7>; see also, “Elderly Nuns, Sec. of State Charlie White and a Rare Encounter with Voter Fraud,” *Ideas and Action*, March 4, 2011, <http://www.ideasactionblog.org/2011/03/elderly-nuns-sec-of-state-charlie-white.html>
 - 41 “ID law keeps nuns, students from polls,” *Los Angeles Times*, May 7, 2008, <http://articles.latimes.com/2008/may/07/nation/na-voterid7>

- 42 “Nuns with Dated IDs Turned Away at Ind. Polls,” *Associated Press*, May 6, 2008, http://www.msnbc.msn.com/id/24490932/ns/politics-decision_08/
- 43 HB3003 (SC 2011), http://www.scstatehouse.gov/sess119_2011-2012/prever/3003_20110126.htm
- 44 “Guess Who?,” *The Party Insider*, Jan. 26, 2011, <http://www.txdemocrats.org/2011/01/26/guess-who/>
- 45 Stephen Ansolobehere, “Effects of Identification Requirements on Voting: Evidence from the Experiences of Voters on Election Day,” *PS: Political Science & Politics* (2009), 42:127-130 Cambridge University Press, The American Political Science Association 2009
- 46 Terrence Studz, “Texas House OKs bill requiring voters to show ID,” *Dallas Morning News*, March 23, 2011, <http://www.dallasnews.com/news/politics/texas-legislature/headlines/20110323-texas-house-oks-bill-requiring-voters-to-show-id.ece>.
- 47 “After lecturing D.C. on his ‘prudent fiscal decisions,’ Perry’s deficit more than twice what he thought,” <http://thinkprogress.org/2011/01/10/perry-lectures/>
- 48 SB0014 (TX 2011), <http://www.capitol.state.tx.us/tlodocs/82R/billtext/html/SB00014E.htm>
- 49 “Voter ID Passes House Committee,” KXAN, March 7, 2011, <http://www.kxan.com/dpp/news/politics/voter-id-passes-tx-house-committee>. In 2009, House Democrats stalled with numerous, lengthy questions in order to kill the bill.
- 50 Terrence Studz, “Texas House OKs bill requiring voters to show ID,” *Dallas Morning News*, March 23, 2011, <http://www.dallasnews.com/news/politics/texas-legislature/headlines/20110323-texas-house-oks-bill-requiring-voters-to-show-id.ece>.
- 51 *Weinschenk v. State*, 203 S.W.3d 201 (Mo. 2006)
- 52 SJR2 (MO 2011), http://www.senate.mo.gov/11info/BTS_Web/Bill.aspx?SessionType=R&BillID=4065296
- 53 SB3 (MO 2011), http://www.senate.mo.gov/11info/BTS_Web/Bill.aspx?SessionType=R&BillID=4065294
- 54 Missouri Secretary of State, “Carnahan Identifies Nearly 230,000 Voters that Risk Being Disenfranchised by Legislation,” April 28, 2009, <http://www.sos.mo.gov/news.asp?id=808>; See, “Missouri’s Proposed Voting Requirement Could Disenfranchise More Than 200,000 U.S. Citizens; Rural, Low-Income, And African American Residents Among Most Affected,” Center for Budget and Policy Priorities, (May 15, 2008), <http://www.cbpp.org/cms/index.cfm?fa=view&id=282>.
- 55 Missouri Committee on Legislative Research Oversight Division, Fiscal Note L.R. No. 0283-01, SB3, February 15, 2011, <http://www.moga.mo.gov/oversight/OVER11/fispdf/0283-01P.ORG.PDF>
- 56 Testimony of Advancement Project in Opposition to SJR 2 and SB 3, on file with Advancement Project.
- 57 See, “Editorial: Concessions on voter ID bill appreciated,” *Green Bay Press Gazette*, March 9, 2011, <http://www.greenbaypressgazette.com/article/20110310/GPG0602/103100586/1269/GPG06/Editorial-Concessions-voter-ID-bill-appreciated> (Quoting Sara Rinfret, asst professor of political science at University of Wisconsin-Green Bay, who said that the photo ID law could cause Wisconsin to lose its no. 2 standing among states with a high youth vote.). See, “Jauch Says Voter ID Bill Disenfranchises Voters,” *Ashland Current*, Jan. 27, 2011, <http://ashlandcurrent.com/article/11/01/27/jauch-says-voter-id-bill-disenfranchises-voters>

- 58 HB 2067 (KS 2011), http://kslegislature.org/li/b2011_12/year1/measures/hb2067/
- 59 See, "Sec of State Race Heating Up," Associated Press, *University Daily Kansan*, June 13, 2010, <http://www.kansan.com/news/2010/jun/13/sec-state-race-heating/> (Biggs quoted as saying, "Voter fraud in this state is not a major problem.")
- 60 See, "Kris Kobach tells us why he is running for Sec of State," *The Pitch*, May 27, 2009, http://blogs.pitch.com/plog/2009/05/kris_kobach_tells_us_why_hes_r.php. Thornburgh's aid called voter fraud in Kansas "very minimal."
- 61 Id., ("according to the secretary's election division, there have been 20 claims of voter fraud -- in the past 10 years.")
- 62 "Dems call Kobach bill voter suppression," *The Topeka Capital-Journal*, Feb. 26, 2011, <http://cjonline.com/news/2011-02-26/dems-call-kobach-bill-voter-suppression>, (quoting John Carmichael, chairman of the 4th Congressional District for the Kansas Democratic Party)
- 63 "Republican, Democratic Students Team Up Against Attacks on Voting Rights in New Hampshire," *Campus Progress*, Feb. 25 2011, http://campusprogress.org/articles/republican_democratic_students_team_up_against_attacks_on_voting_right/
- 64 "In States, parties clash over voting laws that would affect college students, others," *Washington Post*, March 7, 2011 <http://www.washingtonpost.com/wp-dyn/content/article/2011/03/06/AR2011030602662.html>.
- 65 "Report: Voter ID Law 'unaffordable' for North Carolina," Institute for Southern Studies, Feb. 2, 2011, <http://www.southernstudies.org/2011/02/report-voter-id-law-unaffordable-for-north-carolina.html>; See: <http://www.southernstudies.org/ISS%20Cost%20NC%20Voter%20ID.pdf>
- 66 Democracy North Carolina, "Who Doesn't Have Photo ID?", <http://www.democracy-nc.org/downloads/voteriddatabyracesexagepartysumm.doc>
- 67 "Opponents Speak Out Against Voter ID Bill," WRAL, Feb. 16, 2011, <http://www.wral.com/news/state/nccapitol/story/9122183/>
- 68 "New SC voter ID requirements clears Senate," WCBD TV, Feb. 24, 2011, <http://www2.counton2.com/news/2011/feb/24/sc-voter-id-law-passes-ar-1502939/>
- 69 Nick McCormac, "Voter ID debate continues," *The Item*, Feb. 3, 2011, http://www.theitem.com/news/article_004c7d56-0093-5b2d-87b2-44e153d8ac15.html
- 70 *Id.*
- 71 "Election Officials Oppose Requiring ID to Vote," *Des Moines Register*, Feb. 14, 2011, <http://www.desmoinesregister.com/article/20110215/NEWS10/102150347/Election-officials-oppose-requiring-ID-to-vote>
- 72 Jennifer Jacobs, "Is the election system being politicized?" *Des Moines Register*, March 19, 2011, <http://www.desmoinesregister.com/article/20110320/NEWS10/103200337/Is-election-system-being-politicized-> Holly Fokkena, president of the state association of county election officials said that while it is very rare for the association to oppose an elections bill, the photo ID proposals is worrisome because it would disenfranchise voters.
- 73 HF95 (Iowa 2011), http://coolice.legis.state.ia.us/linc/84/external/hf95_Reprinted.pdf

WHAT'S WRONG WITH THIS PICTURE?

- 74 Jennifer Jacobs, "Is the election system being politicized?" *Des Moines Register*, March 19, 2011, <http://www.desmoinesregister.com/article/20110320/NEWS10/103200337/Is-election-system-being-politicized->
- 75 SB16 (TN 2011) <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0016>
- 76 "Senate passes bill requiring photo ID to vote," *Times Free Press*, Feb. 15, 2011, <http://timesfreepress.com/news/2011/feb/15/senate-passes-bill-requiring-photo-id-to-vote/>
- 77 See, "Gessler's fair-elections wish list: photo ID and proof of Citizenship," Nov. 17, 2010, <http://www.whosaidyousaid.com/2010/11/gesslers-fair-elections-wish-list-photo-i-d-and-proof-of-citizenship/>; See, "Gessler to push for photo I.D. to vote in Colorado," <http://www.youtube.com/watch?v=IX1KFi3eQI4>
- 78 Colorado General Assembly, House Journal, Feb. 22, 2011, <http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/BillFoldersHouse?openFrameset>
- 79 See HB1003reeng (includes all amendments) http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/5F9322A686D879C88725780100602FB5?Open&file=HB1003_r1.pdf
- 80 Advancement Project Talking Points on CO HB 1003, on file with Advancement Project.
- 81 "County Attorneys: Minnesota Majority reports on voter fraud 'frivolous'," *The Minnesota Independent*, Nov. 29, 2010, <http://minnesotaindependent.com/74516/county-attorneys-say-minnesota-majority-reports-on-voter-fraud-frivolous>
- 82 Id., ("Not one single government-issued identification confirms all the requirements to vote," the report's authors wrote. "In fact, in reviewing all types of government-issued identification (i.e. passports, military IDs, driver's licenses, state-issued IDs), the only type of election fraud a photo identification requirement would prevent is voter impersonation.")
- 83 "Voter ID could disenfranchise voters, groups tell committee" *Twin Cities Daily Planet*, Feb. 7, 2011, <http://www.tcdailyplanet.net/news/2011/02/07/voter-id-could-disenfranchise-voters-groups-tell-committee>
- 84 "Dayton Cool to Photo ID for Voters," *Star Tribune*, Feb. 8, 2011, <http://www.startribune.com/politics/blogs/115581789.html?cfr=KArksLckD8EQDUoaEyqyP4O:DW3ckUiD3aPc:Yyc:aUvckD8EQDUI>
- 85 Jim Seigel, "Ohio House moving fast on voter photo ID bill," *The Columbus Dispatch*, March 23, 2011, http://www.dispatchpolitics.com/live/content/local_news/stories/2011/03/23/copy/ohio-house-gop-moving-fast-on-voter-photo-id-bill.html?adsec=politics&sid=101
- 86 HB 159 (Ohio 2011), see, http://www.legislature.state.oh.us/BillText129/129_HB_159_I_Y.pdf
- 87 See, Testimony of Advancement Project in Opposition to HB 159, March 22, 2011, on file with Advancement Project.
- 88 HB63 / SB86 (AL 2011), <http://alisondb.legislature.state.al.us/acas/ACTIONViewFrameMac.asp?TYPE=Instrument&INST=HB63&DOCPATH=searchableinstruments/2011RS/Printfiles/&PHYDOCPATH=//alisondb/acas/searchableinstruments/2011RS/PrintFiles/&DOCNAMES=HB63-int.pdf>
- 89 HB162 (AK 2011), <http://www.legis.state.ak.us/PDF/27/Bills/HB0162A.PDF>
- 90 HB1797 (AR 2011), <http://www.arkleg.state.ar.us/assembly/2011/2011R/Pages/BillInformation.aspx?measureno=hb1797>
- 91 A663, http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0651-0700/ab_663_bill_20110217_introduced.pdf

- 92 HB5231 and SB604 (CT 2011); http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=5231& See, http://www.ct.gov/sots/lib/sots/releases/2008/2.14.11_merrill_unveils_election_reform_agenda.pdf
- 93 HB1359 (HI 2011), http://www.capitol.hawaii.gov/session2011/bills/HB1359_.pdf
- 94 HB3058 / SB2035 (IL 2011) <http://www.ilga.gov/legislation/BillStatus.asp?DocNum=2035&GAID=11&DocTypeID=SB&LegId=58180&SessionID=84&GA=97>
- 95 HP176 (ME 2011); <http://www.txdemocrats.org/2011/01/26/guess-who/> ; see, “Bill would require Maine voters to show ID,” *Sun-Journal*, March 1, 2011, <http://www.sunjournal.com/approved/story/993810>
- 96 HB288 (MD 2011), <http://mlis.state.md.us/2011rs/billfile/hb0288.htm> ; see, <http://marylandreporter.com/2011/02/09/delegates-debate-requiring-photo-id-to-vote/>
- 97 HB1113 (MA 2011), <http://www.malegislature.gov/Bills/187/House/H01113>
- 98 HB152 (MT 2011) <http://data.opi.mt.gov/bills/2011/billhtml/HB0152.htm>
- 99 LB239 (NE 2011), <http://nebraskalegislature.gov/FloorDocs/Current/PDF/Intro/LB168.pdf>
- 100 A264 (NJ 2011), http://www.njleg.state.nj.us/2010/Bills/A0500/264_11.HTM
- 101 <http://www.nmlegis.gov/lcs/session.aspx?Chamber=H&LegType=B&LegNo=308&year=11>
- 102 HB934 (PA 2011), <http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?syear=2011&sind=0&body=H&type=B&BN=0934>
- 103 HB5525 (RI 2011), <http://www.rilin.state.ri.us/BillText11/HouseText11/H5525.pdf>
- 104 HB1650 (VA 2011), <http://www.collegiatetimes.com/stories/16788/recent-bill-in-virginia-legislature-deserves-student-attention>
- 105 *Crawford v. Marion County Board of Elections* 553 U.S. 181 (2008)
- 106 *Democratic Party of Georgia v Purdue, et al.*, (Case No. S09A0201) (Ga Supreme Court, March 7, 2011), <http://www.gasupreme.us/sc-op/pdf/s10a1517.pdf>
- 107 See, “The Cost of Voter ID Laws: What the Courts Say,” Brennan Center for Justice, Feb. 17, 2011, http://brennan.3cdn.net/2f0860fb73fd559359_zzm6bhnd.pdf
- 108 “10 States with the largest budget shortfalls,” *U.S. News & World Report*, Jan. 14, 2011, <http://www.usnews.com/news/articles/2011/01/14/10-states-with-the-largest-budget-shortfalls> (“40 states project shortfalls for their 2012 budgets, with a total that equals 19 percent—nearly one-fifth—of their 2011 budgets.”)
- 109 Brad Bumsted, Lawmakers, advocates debate Photo ID in elections, *Pittsburgh Tribune*, March 21, 2011, http://www.pittsburghlive.com/x/pittsburghtrib/news/breaking/s_728442.html#ixzz1HHDJH93v. Douglas Hill, the executive director of the Pennsylvania County Commissioners Association, called it an “unfunded mandate for counties” to develop photo ID cards in testimony on the legislation.
- 110 Committee on Legislative Research, Fiscal Note, HJR64 (Feb. 8, 2010), <http://www.moga.mo.gov/Oversight/OVER10/fishtm/4082-02N.ORG.htm>

- 111 HB1003 Fiscal note, 2/14/11, http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont3/5F9322A686D879C88725780100602FB5?Open&file=HB1003_r1.pdf
- 112 “Using HAVA Funds for Photo-ID Laws is Not as Simple as it Sounds” <http://fairelectionsnetwork.blogspot.com/2011/02/using-hava-funds-for-photo-id-laws-is.html>
- 113 Ohio Legislative Service Commission, Fiscal Note and Local Impact Statement, HB159 (March 21, 2011), <http://www.lsc.state.oh.us/fiscal/fiscalnotes/129ga/hb0159in.pdf>. The fiscal note estimates that it will cost the state just \$1.14 each to provide ID to voters, even though the state charges Ohio residents \$25 to get an ID. See also, Testimony of Advancement Project in Opposition to HB159, on file with Advancement Project.
- 114 Fiscal Note, TX SB 15, (Jan. 24, 2011), <http://www.capitol.state.tx.us/tlodocs/82R/fiscalnotes/html/SB000141.htm>
- 115 Fiscal Note, NE LB 239 (Jan. 26, 2011) <http://nebraskalegislature.gov/FloorDocs/Current/PDF/FN/LB239.pdf>
- 116 *Democratic Party of Georgia v Purdue, et al.*, (Case No. S09A0201) (Ga Supreme Court, March 7, 2011), <http://www.gasupreme.us/sc-op/pdf/s10a1517.pdf> (“A registered voter who does not possess a photo ID and who desires to vote in person can obtain a free photo ID at one or more locations in the county of his or her residence.”)
- 117 HB 159 (Ohio 2011), http://www.legislature.state.oh.us/BillText129/129_HB_159_I_Y.pdf; HB934 (PA 2011), <http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?syear=2011&sind=0&body=H&type=B&BN=0934>
- 118 *Democratic Party of Georgia v Purdue, et al.*, (Case No. S09A0201) (Ga Supreme Court, March 7, 2011), <http://www.gasupreme.us/sc-op/pdf/s10a1517.pdf>; *Harper v. Virginia State Board of Elections*, 383 U.S. 663, (1966),
- 119 Sean Greene, Debate over photo ID at the polls shifts to costs, Electiononline.org, (March 17, 2011), http://www.pewcenteronthestates.org/uploadedFiles/wwwpewcenteronthestatesorg/Reports/Electionline_Reports/electionlineWeekly03.17.11.pdf
- 120 <http://WI%202009%20Voter%20ID%20Fiscal%20Note.pdf>
- 121 <http://MO%202010%20Voter%20ID%20Fiscal%20Note.pdf>
- 122 LR 108 Preliminary Fiscal Impact Statement, 3/3/11, http://www.mainelegislature.org/legis/bills/bills_125th/fiscalpdfs/FN019901.pdf
- 123 H.3003, Statement of Fiscal Impact, Jan. 26, 2011, http://www.scstatehouse.gov/sess119_2011-2012/prever/3003_20110126.htm
- 124 Kris Kromm, “Report, N.C. Voter ID Law Could Cost State \$20 million or more,” Institute for Southern Studies, Feb. 2, 2011, <http://www.southernstudies.org/ISS%20Cost%20NC%20Voter%20ID.pdf>
- 125 HB3003 (SC 2011), http://www.scstatehouse.gov/sess119_2011-2012/prever/3003_20110126.htm
- 126 Tova Wang, “Voter Identification Talking Points and Fact Sheet,” Demos, Jan. 5, 2011, <http://www.demos.org/pubs/voterIDtalkingpoints.pdf>, citing, “Handel Begins Phase Three of Voter ID Outreach,” AccessNorthGA.com, January 21, 2008
- 127 *Weinschenk v. State*, 203 S.W.3d 201 (Mo. 2006)

- 128 *Common Cause/Georgia v. Billups*, 439 F.Supp2d 1294, 1351, 1360 (N.D. Ga. 2006)
- 129 *Id.* at 1351.
- 130 <http://MO%202010%20Voter%20ID%20Fiscal%20Note.pdf>
- 131 H.3003, Statement of Fiscal Impact, Jan. 26, 2011, http://www.scstatehouse.gov/sess119_2011-2012/prever/3003_20110126.htm
- 132 Kris Kromm, "Report, N.C. Voter ID Law Could Cost State \$20 million or more," Institute for Southern Studies, Feb. 2, 2011, <http://www.southernstudies.org/ISS%20Cost%20NC%20Voter%20ID.pdf>
- 133 Kris Kromm, "Report, N.C. Voter ID Law Could Cost State \$20 million or more," Institute for Southern Studies, Feb. 2, 2011, <http://www.southernstudies.org/ISS%20Cost%20NC%20Voter%20ID.pdf>
- 134 See Testimony of Advancement Project in Opposition to SJR2 and SB3, on file with Advancement Project.
- 135 Testimony of Kathleen Weinschenk before Missouri House Elections Committee, Feb. 15, 2011.
- 136 *Democratic Party of Georgia v Purdue, et al*, (Case No. S09A0201) (Ga Supreme Court, March 7, 2011), <http://www.gasupreme.us/sc-op/pdf/s10a1517.pdf>
- 137 For example, Missouri's state constitution, unlike the federal constitution, expressly provides that the right to vote is fundamental, leading the Missouri Supreme Court to conclude, that "[t]hese rights are at the core of Missouri's constitution and, hence, receive state constitutional protections even more extensive than those provided by the federal constitution." *Weinschenk v. State*, 203 S.W.3d 201 (Mo. 2006)
- 138 "10 States with the largest budget shortfalls," *U.S. News & World Report*, Jan. 14, 2011, <http://www.usnews.com/news/articles/2011/01/14/10-states-with-the-largest-budget-shortfalls> ("40 states project shortfalls for their 2012 budgets, with a total that equals 19 percent—nearly one-fifth—of their 2011 budgets.")
- 139 See, "Gessler's fair-elections wish list: photo ID and proof of Citizenship," Nov. 17, 2010, <http://www.whosaidyousaid.com/2010/11/gesslers-fair-elections-wish-list-photo-i-d-and-proof-of-citizenship/>; See, "Gessler to push for photo I.D. to vote in Colorado," <http://www.youtube.com/watch?v=IX1KFi3eQI4>
- 140 Colorado General Assembly, House Journal, Feb. 22, 2011, <http://www.leg.state.co.us/CLICS/CLICS2011A/csl.nsf/BillFoldersHouse?openFrameset>
- 141 Alabama (HB91, HB63); Arkansas (HB1797) and Pennsylvania (HB934).
- 142 In that time period, Colorado, HB 1003 passed out of the House and was sent to the Senate, where it appears stalled. In Illinois, HB 3058 was referred to committee. In Kansas HB 2067 passed out of the House and was slated for a hearing in the Senate on March 10. In Massachusetts, HB 2731 was sent to committee. In Missouri, SJR 2 and SB 3 passed the Senate and were sent to the House, which passed them out of committee on March 9. In Texas, where the photo ID bill passed early out of the Senate, the measure was approved by a house committee on March 7 and heads to the floor for a full vote. In Maine, the photo ID bill passed out of committee.