Voter ID Differences

- SEC 1 - Disability Definition - House better, but...
- SEC 5 - Voter ID identification target at low-income voters (OAG dislikes)
  - SEC 9 - Hochberg amendment - Governor veto of HB 1457
  - SEC 9 - Davis amendment - Provisional ballot counted...SOS says hard to administrate
- SEC 9 - Over 70 as of 1-1-12 exemption (Two class of voters?)
- SEC 9 - Disability exemption (Two class of voters?/If you can make it to polls, why can't you make it to DPS?)
- SEC 9 - Eiland amendment - natural disaster - too broad...who leaves without id?
- SEC 9 - Giddings amendment - stolen identity does NOT mean stolen id
- SEC 14 - Tribal ID - too broad and easy to be faked
- SEC 14 - ID approved by state - too broad and easy to be faked
- SEC 15 - Gonzalez amendment - GUTS photo-id at the polling place
- SEC 17 - 6 Day option to cast provisional ballot
  - Senate - exemption for indigent (is it necessary?)/religious (OAG likes)
  - House - bring photo-id back (Senate filed language)
- SEC N - Tied to decision in SEC 17
- SEC _ - Lucio amendment - One day temporary ID -- too expensive / easy to fake
- SEC _ - Anchia amendment - Not necessary / too expensive
- SEC _ - Bonnen amendment - Severability (OAG likes)
About More Restrictive Bill

What are you trying to accomplish with this bill?
This bill is about restoring integrity in our election process and returning public confidence that their legitimate vote counts. It will help deter and detect in-person voter fraud, and it will modernize our election process.

Why is this bill different from the bills last session?
We have had two additional years to see Photo ID working in other states and two additional years to hear continued public concern on the integrity of the ballot box. Only a true photo ID bill can deter and detect fraud at the polls and can protect the public's confidence in elections. Plus, I believe that Photo ID is simpler and less confusing for the voters.

Why doesn't this bill phase-in over two election cycles?
The bill would not take effect until January 2012 (the first election would be March 2012), and the bill requires education efforts by the counties and the Secretary of State. Also, over 80 percent of voters support this change in law. That tells me that voters do not need a phase-in in order to be compliant with the law. Plus, we do allow for a provisional ballot to be cast and counted so voters have two opportunities to get their ballot cast.

More restrictive different bill?
2 additional years to see Photo ID working in other states and 2 additional years to hear from my constituents that a photo voter ID bill is something they expect this legislative body to pass.
FLOOR AMENDMENT NO. ____  BY: ____________

1 Amend C.S.S.B. No. 14 (house committee printing) as
2 follows:
3 (1) In SECTION 9 of the bill, in added Section 63.001(h),
4 Election Code (page 6, line 20), strike "or".
5 (2) In SECTION 9 of the bill, following added Section
6 63.001(h)(2), Election Code (page 6, line 23), between
7 "15.001(c)" and the period, insert the following:
8 or
9 (3) executes an affidavit under penalty of perjury
10 that asserts the voter does not have identification meeting the
11 requirements of Subsection (b) as a result of a natural disaster
12 declared by the president of the United States or the governor
Amend C.S.S.B. No. 14 (House committee printing) as follows:

(1) Strike SECTION 17 of the bill (page 11, line 24, through page 12, line 20) and substitute the following:

SECTION 17. Section 65.054(b), Election Code, is amended to read as follows:

(b) A provisional ballot shall [may] be accepted [only if] the board determines that:

(1) [r] from the information in the affidavit or contained in public records, the person is eligible to vote in the election and has not previously voted in that election; and

(2) the person meets the identification requirements of Section 63.001(b) at the time the ballot was cast or in the period prescribed under Section 65.0541.

(2) In SECTION 18 of the bill, strike added Section 65.0541(a), Election Code (page 12, line 24, through page 13, line 4) and substitute the following:

(a) A voter who is accepted for provisional voting under Section 63.011 because the voter does not meet the identification requirements of Section 63.001(b) may, not later than the sixth day after the date of the election, present a form of identification described by Section 63.0101 to the voter registrar for examination.
FLOOR AMENDMENT NO.____

Amend C.S.S.B. No. 14 by adding the following appropriately numbered section and by renumbering the existing sections as appropriate:

SECTION __. Section 521.424, Transportation Code, is amended to read as follows:

Sec. 521.424. DUPLICATE LICENSE OR CERTIFICATE FEE. (a) Except as provided by Subsection (b), the [The] fee for a duplicate driver's license or duplicate personal identification certificate is $10.

(b) The department may not collect a fee for a duplicate personal identification certificate from a person who meets the requirements of Section 521.422(d).
Colby Beuck

From: Trumble, Rhonda [Rhonda.Trumble@txdps.state.tx.us]
Sent: Thursday, March 24, 2011 11:27 AM
To: Colby Beuck
Cc: Davio, Rebecca; Arriaga, Amanda
Subject: FW: SB 14 Question

Colby,

Below is the information Assistant Director Rebecca Davio asked me to forward to you. As I told you on the phone, if you need anything further, just let us know.

Thank you,

Rhonda S. Trumble
Assistant Chief
Office of Government Relations
Texas Department of Public Safety
(512) 424-2037

From: Riemenschneider, Brian
Sent: Thursday, March 24, 2011 09:29 AM
To: Davio, Rebecca
Subject: RE: SB 14

Although the fee provision in SB 14 (TRC § 521.422) that allows for a free ID for voting purposes is different than the statute for duplicate transactions (TRC § 521.424), the provision in SB 14 is specific enough to require the Department to not charge a fee for a duplicate ID in which the applicant "states that the person is obtaining the ID for the purpose of satisfying Section 63.001(b), Election Code" and registers to vote again under the new address. (See Gov’t Code § 311.026).

Brian J. Riemenschneider
Assistant General Counsel
Texas Department of Public Safety
(512) 424-7679

From: Davio, Rebecca
Sent: Wednesday, March 23, 2011 7:39 PM
To: Adkins, Phillip; Riemenschneider, Brian
Cc: Arriaga, Amanda; DPS Government Relations; Terry, Michael; Smith, Janie
Subject: SB 14

Rep. Harless called me tonight and asked a question about an amendment that they are adding to Voter ID.

The question is "If someone needs a duplicate ID because they have moved or changed their name, do they still get a free ID, if they don’t have any other form of acceptable identification?"

I told them I would need to get some legal feedback before I could answer definitively.

HIGHLY CONFIDENTIAL
FLOOR AMENDMENT NO._____ BY: [Signature]

1 Amend C.S.S.B. No. 14 on page 5, line 14, by inserting
2 "under standards adopted by the secretary of state" between
3 "list" and the comma.
Amend C.S.S.B. No. 14 (house committee printing) in SECTION 9 of the bill, in added Section 63.001(h), Election Code (page 6, lines 17-21), by striking the following:

(1) was 70 years of age or older on January 1, 2012, as indicated by the date of birth on the voter’s voter registration certificate; or

(2)
FLOOR AMENDMENT NO.______  BY:  

1 Amend C.S.S.B. No. 14 (House committee printing) by
2 striking lines 12 through 14 of page 6 and substituting the
3 following:
4
(D) includes notice that if all procedures are
5 followed and the voter is found to be eligible to vote in the
6 election, the voter's provisional ballot will be counted.

HIGHLY CONFIDENTIAL
FLOOR AMENDMENT NO.______ BY: Dukes

1 Amend C.S.S.B 14 on page 13, line 27, by striking "may" and
2 substituting "shall".
FLOOR AMENDMENT No. ____

Amend C.S.S.B. No. 14 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION ____. Every provision in this Act and every application of the provisions in this Act are severable from each other. If any application of any provision in this Act to any person or group of persons or circumstances is found by a court to be invalid, the remainder of this Act and the application of the Act's provisions to all other persons and circumstances may not be affected. All constitutionally valid applications of this Act shall be severed from any applications that a court finds to be invalid, leaving the valid applications in force, because it is the legislature's intent and priority that the valid applications be allowed to stand alone. Even if a reviewing court finds a provision of this Act invalid in a large or substantial fraction of relevant cases, the remaining valid applications shall be severed and allowed to remain in force.