

# FAIR ELECTIONS LEGAL NETWORK

Working to remove barriers to voting and improve election administration across the United States.

## Restrictive Voting Laws and Legislation in 2011-2012

*\*States in green indicate legislation that has not yet passed\**

*\*States in blue indicate laws that are currently suspended or our pending pre-clearance from the U.S. Department of Justice\**

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
Alabama	<p>The law is scheduled to take effect in the 2014. Acceptable ID's (must contain a photo) include:</p> <ul style="list-style-type: none"> <li>Alabama driver's license or state ID card;</li> <li>Any state or federal government issued valid ID;</li> <li>Valid U.S. passport;</li> <li>Valid government employee ID;</li> <li>Valid student or employee ID card issued by a college or university in the state;</li> <li>Valid U.S. military ID;</li> <li>Valid tribal ID card.</li> </ul> <p>If a voter does not have an ID, they must vote a provisional ballot or, if two election officials can identify the voter as an eligible voter and sign a sworn affidavit stating so, they may vote a regular ballot.</p>	The law requires a person to show proof of citizenship for new voter registrations.			
Florida			The law reduces the early voting period from 14 days to 8 days. It also eliminates early voting the Sunday before the election – a day that many African-American and Hispanic voters voted in past elections.	<b>***Parts of this provision have been blocked. The provisions that are blocked include requiring organizations to turn in completed voter registration forms in 48 hours. The previous requirement of turning in voter registration forms within 10 days is in effect. Also, the provision requiring registration agents to sign an affidavit detailing penalties of filing false</b>	Voters can no longer update their voter registration at the polls if they have moved within the state. Voters can still update their address if they had moved within the county.

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
				registrations was blocked. The state is not appealing. Voter registration groups are required to register with the state, all volunteers and employees that will be registering voters to sign an affidavit detailing penalties of false registrations, and all completed registration forms must be submitted within 48 hours or face fines up to \$1,000. The new law went into effect last year.	
Georgia			The early voting period was reduced from 45 days to 21 days.		
Kansas	<p>The law went into effect on January 1, 2012. The law requires an unexpired photo ID that includes the voter's name. Voters 65 and older can show an expired ID. Exempted include voters unable to obtain a voter ID because of a permanent physical disability, on active duty, or because of religious beliefs. Acceptable ID's (must contain a photo) include:</p> <ul style="list-style-type: none"> <li>• Driver's license issued by any state;</li> <li>• State ID card;</li> <li>• Government-issued concealed carry handgun or weapon license;</li> <li>• Valid U.S. passport;</li> <li>• Government employee badge or document;</li> <li>• Student issued by a postsecondary institution in Kansas;</li> <li>• U.S. military ID;</li> <li>• Government-issued public assistance ID card.</li> </ul> <p>If a voter does not show proper ID, they must vote by provisional ballot. The ballot will be counted if the voter shows a valid ID to the county election officer before the meeting of the county board of canvassers.</p>	The law requires a person to show proof of citizenship in order to register to vote for the first time or re-register if they have moved out of state and moved back.			
Michigan	<b>Vetoed by the governor. Legislature appears to be</b>	<b>Vetoed by the</b>		<b>Vetoed by the governor.</b>	<b>Signed into law. SB</b>

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
	<p><b>reconsidering the bill.</b> SB 754 would require a person registering to vote in person to show a photo ID to register to vote. If they fail to show a photo ID, their registration will be treated as a mail-in registration and the voter will need to vote in-person the first time they vote and show a photo ID.</p>	<p><b>governor. Legislature appears to be reconsidering the bill. Also, Secretary of State Ruth Johnson, through implementing an administrative rule, is requiring a citizenship checkbox on ballot applications but does not require it to be checked in order to vote.</b> SB 803 requires voters to check a box affirming they are a U.S. citizen in order to vote.</p>		<p><b>Legislature appears to be reconsidering the bill.</b> The legislation (SB 754) would require groups conducting voter registration drives to register with the state and have a “registered agent” of the organization attend a training provided and designed by the secretary of state and in turn train employees and volunteers that will participate in the registration drive. Those employees and volunteers will also have to sign an affidavit affirming they understand the penalties for turning in a false registration.</p> <p>Completed forms must be turned in 15 days after completion. The 7 days before the end of the voter registration period for the next election (registration closes 30 days before Election Day), registration forms must be submitted within 2 days of completion or before close of registration.</p>	<p>751 allows for a voter to be removed entirely from the registration list if the Department of State “believes” they have moved out of the state, the voter does not respond within 30 days to a postcard seeking verification of their residency and then does not vote in the next 2 general elections.</p> <p>Also, if the voter hasn’t voted for 6 consecutive years and vote by absentee ballot, their ballot will be automatically challenged. It will not be challenged if they turn in their absentee ballot in person and show a photo ID.</p>
Minnesota	<p>The legislature passed legislation to put on the November ballot a constitutional amendment to require voters to show a government-issued photo ID in order to vote. If approved by voters, the legislature in 2013 will be charged with passing photo ID legislation. The ballot amendment is currently being challenged in court.</p>				
Mississippi	<p>Mississippi voters passed a constitutional amendment in November 2011. The language states “government-issued photo identification” to vote unless the voter lives and votes in a state-licensed care facility. The Mississippi legislature passed enabling legislation that will require voters</p>				

**Requires preclearance by the U.S. Department of**

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
<b><i>Justice before taking effect.</i></b>	<p>to present a photo ID. Acceptable ID's include a current and valid (must contain a photo):</p> <ul style="list-style-type: none"> <li>• Mississippi driver's license;</li> <li>• identification card issued by a branch, department, agency or entity of the State of Mississippi;</li> <li>• United States passport;</li> <li>• employee identification card issued by any branch, department, agency or entity of the United States government, Mississippi, or any county, municipality, board, authority or other entity of Mississippi;</li> <li>• Mississippi license to carry a pistol or revolver;</li> <li>• tribal identification card;</li> <li>• United States military identification card;</li> <li>• student identification card containing a photo issued by any accredited Mississippi higher education institution; and</li> <li>• official Mississippi voter identification card.</li> </ul> <p>Those voters that do not present an ID will be allowed to cast a provisional ballot which will be counted if the voter, within five days, shows an approved ID to the county circuit clerk.</p>				
New Hampshire	<p>The law requires voters to show an ID to cast a ballot.</p> <p>For this year, the voter ID bill will require voters to show one of the following IDs to cast a ballot: a driver's license, a New Hampshire non-driver ID card, military ID, U.S. passport, a valid student ID card, or any other valid photo identification issued by federal, state, county, or municipal government. Voters that do not present an acceptable photo ID can fill out a voter affidavit and then cast a ballot.</p> <p>Beginning in September 2013, student IDs and the category of "other" IDs issued by federal, state, county, or municipal governments will no longer be accepted. All IDs will have to either be valid or, if expired, list an expiration date within the last five years. Voters will be required to announce their name and address, for election clerks to record</p>				<p>A law was passed that requires anyone who registers to vote in New Hampshire must follow the laws that apply to all residents of New Hampshire, including applying for a New Hampshire drivers license and registering their motor vehicle within 60 days. The law was challenged and is blocked pending further litigation.</p>

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
	<p>out-of-state drivers' licenses on the checklist, and to photograph those without identification to be attached to affidavits swearing to their domicile. Those with religious objections to being photographed will be exempted from having their picture taken.</p> <p>New Hampshire will provide free non-drivers ID's to those that do not have acceptable ID to vote.</p>				
Ohio			<p>The law shortens the early voting period from 35 days to 17 days and eliminates early voting three days before an election. It also reduces mail absentee voting from 35 days to 21 days. The legislature recently voted to repeal the law but still eliminated early voting the last three days before an election. <b>A court ordered the state to allow early voting the last three days before the election.</b></p>		<p>The law removes the requirement for poll workers to direct voters to the correct precinct when they go to the wrong precinct. The legislature recently voted to repeal the law.</p>
Pennsylvania	<p>The law goes in effect for the November 2012 election. It requires voters to present one of the following forms of identification at the polls in order to vote:</p> <ul style="list-style-type: none"> <li>• A valid driver's license, or one that is not more than a year past its expiration date; or for those with religious objections to being photographed, a valid-without-photo driver's license, or a valid-without-photo card issued by PennDot.</li> </ul>				

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
	<ul style="list-style-type: none"> <li>• Identification from the armed forces, including the Pennsylvania National Guard, that establishes whether a voter is a current or veteran member, and designates that the ID's expiration date is indefinite.</li> <li>• U.S. government identification.</li> <li>• A valid U.S. passport.</li> <li>• Pennsylvania state or municipal government ID.</li> <li>• Student ID from a public or private institution of higher learning that is accredited in Pennsylvania.</li> <li>• Identification from a personal care facility.</li> </ul> <p>Voters who do not have an acceptable photo ID can get one free at any PennDot driver's license center. Voters who arrive at the polls with no acceptable ID may cast a provisional ballot. They have six days following Election Day to submit acceptable identification to election officials.</p>				
Rhode Island	<p>The law takes effect January 1, 2012. <i>Before</i> January 1, 2014, voters, besides the ID's required in 2014, can provide their birth certificate, social security card, or a government-issued medical card without a photo as ID. <i>After</i> January 1, 2014, the only acceptable forms of ID (must contain a photo) include valid and current:</p> <ul style="list-style-type: none"> <li>• Rhode Island driver's license or voter ID card;</li> <li>• U.S. passport;</li> <li>• ID issued by any U.S. educational institution;</li> <li>• Any U.S. or Rhode Island government issued ID;</li> <li>• Government-issued medical card.</li> </ul> <p>If a voter does not show acceptable ID, they will vote a provisional ballot. The ballot will be counted if the signature on the provisional ballot application matches the signature in the voter registration file.</p>				
South Carolina  <b>The U.S. Department of</b>	<p>Under the new law, acceptable ID's (must contain a photo) include:</p> <ul style="list-style-type: none"> <li>• South Carolina driver's license or voter ID card;</li> <li>• Photo ID issued by the South Carolina</li> </ul>				

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
<i>Justice decided the law was in violation of the Voting Rights Act because it would disproportionately impact minority voters. The state has filed a lawsuit to allow the law to take effect.</i>	<p>Department of Motor Vehicles;</p> <ul style="list-style-type: none"> <li>• U.S. passport;</li> <li>• Military ID;</li> <li>• South Carolina voter registration card.</li> </ul> <p>If a voter does not show proper ID, they must vote by provisional ballot. The ballot will be counted if the voter shows a valid ID to the county election officer before the meeting of the county board of canvassers.</p>				
Tennessee	<p>The law took effect for the March 6, 2012 primary election. Acceptable ID's (must contain a photo) include:</p> <ul style="list-style-type: none"> <li>• Tennessee driver's license;</li> <li>• Valid photo ID issued by any state;</li> <li>• Valid photo ID issued by the Tennessee Department of Safety;</li> <li>• Valid U.S. passport;</li> <li>• Valid Military ID.</li> </ul> <p>If a voter does not show proper ID, they must vote by provisional ballot. The voter must show the administrator of elections proper ID within six days after the election.</p>	<p>The law requires a person to show proof of citizenship only if flagged by state officials as potential non-citizens based on a database check.</p>	<p>The early voting period was shortened by two days.</p>		
Texas	<p><i>The U.S. Department of Justice decided the law was in violation of the Voting Rights Act because it would disproportionately impact minority voters. The state has filed a lawsuit to allow the law to take effect.</i></p> <p>Acceptable ID's (must contain a photo) include:</p> <ul style="list-style-type: none"> <li>• Driver's license;</li> <li>• Election identification certificate;</li> <li>• Department of Public Safety personal ID card</li> <li>• License to carry a concealed handgun;</li> <li>• Valid U.S. passport;</li> <li>• U.S. citizenship certificate;</li> <li>• U.S. military ID.</li> </ul> <p>If a voter does not show proper ID, they must vote by provisional ballot. The voter must show the voter registrar proper ID within six days after the election unless they sign an affidavit stating</p>			<p>Under the new laws, anyone registering voters must be a Texas resident and a qualified voter. They also cannot be paid by the number of voter registration forms completed. Additionally, anyone that registers voters must be deputized and attend a training developed by the secretary of state that may include an exam at the end of the training.</p>	

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
	religious objections or does not have an ID because of a natural disaster declared by the governor or president.				
Virginia	<p>In 2012, SB 1 and HB 9 were signed into law. The law requires voters to present some form of identification or vote a provisional ballot. Acceptable ID's include a:</p> <ul style="list-style-type: none"> <li>• Virginia voter registration card;</li> <li>• Social Security card;</li> <li>• valid Virginia driver's license;</li> <li>• valid student ID from a Virginia higher education institution;</li> <li>• valid photo ID card from employer;</li> <li>• a current utility bill, bank statement, government check or paycheck showing the name and address of the voter.</li> </ul> <p>If the voter does not present an acceptable ID, they can vote by provisional ballot. The provisional ballot will be counted if the voter shows the electoral board an acceptable ID by noon the third day following the election.</p>				
West Virginia			Early voting was shortened by 5 days but early voting on Saturdays is now allowed.		
Wisconsin	<p>The law went into effect for the February 2012 primary but is temporarily halted.</p> <p>Under the new law, acceptable ID's (must contain a photo and a name that conforms to the poll list) include:</p> <ul style="list-style-type: none"> <li>• Wisconsin driver's license or state ID card;</li> <li>• Certificate of naturalization not issued more than 2 years before the election;</li> <li>• U.S. passport;</li> <li>• Military ID;</li> <li>• ID card issued by a federally recognized tribe in Wisconsin</li> <li>• Student ID card with a signature, an issue date, and an expiration date not longer two years</li> </ul>				The new law extends the residency requirement in order to register to vote from 10 days to 28 days.
	<p><b>Several groups have filed lawsuits. In two separate cases filed in state court, one Dane County judge issued a temporary injunction that prohibits the law from taking effect pending a hearing that was held on</b></p>				

State	Voter ID Requirements	Proof of Citizenship	Shortening Early Voting	Restrictions on Voter Registration Drives	Other Restrictions
<p><i>April 16. A second Dane County Judge, in a separate case, issued a permanent injunction. The state will appeal.</i></p>	<p>after issuance. If a voter does not show proper ID, they must vote by provisional ballot. The ballot will be counted if the voter shows a valid ID to the election inspectors before the polls close or to the municipal clerk by 4pm the Friday after the election.</p>				

Updated 11.1.2012