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## FISCAL IMPACT REPORT

SPONSOR Larrañaga DATE TYPED 1/25/05 HB 63

SHORT TITLE Require Voter Identification SB \_\_\_\_\_

ANALYST Medina

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to elections  
 Relates to HB20, HB41, HB208, SB40  
 Duplicates HB18

#### SOURCES OF INFORMATION

LFC Files  
 Secretary of State

#### SUMMARY

##### Synopsis of Bill

House Bill 63 amends sections of the Election Code; specifically Section 1-4-5.1; 1-5-10; 1-6-5; 1-6-9; 1-12-8 NMSA 1978; to require photo identification or other form of identification, such as a utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter or applicant for absentee ballot.

House Bill 18 requires that current and valid photo identification or other documentation showing the address of the voter be presented upon in-person voting, and that a copy of the same be submitted with a request for a mail-in absentee ballot.

House Bill 18 requires the display of such identification when a person votes in person or as an absentee voter. If a voter does not submit the required form of identification to vote either in person or by mail-in absentee ballot the voter shall be given and instructed to cast a provisional paper ballot. Voting by provisional paper ballot, requires the same forms of identification as in-person and absentee ballots along with the requirement that the name and address of the voter match the name and address on the voter's certificate of voter registration.

### Significant Issues

A driver's license, arguably the most widely used and accepted form of photo identification is valid for four years. Voters in a less favorable socioeconomic situation and/or young voters, especially newly established legal immigrants and college students tend to change residences often enough that the voter would not be able to provide the required form of identification in time to vote in an election. Registered voters with a form of photo identification indicating a previous address could also be living in a situation in which they are not the head of household and have no utility bill or other required documentation of residence at their current address.

### **PERFORMANCE IMPLICATIONS**

The provisions of this bill will significantly increase the number of provisional ballots cast at every election, potentially creating a backlog. According to the Secretary of state, the provisions of this bill will make the voting process much more cumbersome for precinct officials.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

This bill is identical to HB18.

### **OTHER SUBSTANTIVE ISSUES**

According the Secretary of State:

The Help America Vote Act (HAVA) allows states to go beyond the federal requirement of requiring only first-time voters who register by mail to have to show ID. This proposal would require all voters to have to show ID. Current law states a voter who has to show ID must present a document that "matches" the name and address on the voter's certificate of registration. Thus, a student with a driver's license from home in Santa Fe but who is registered to vote in Las Cruces cannot use that license as an acceptable document. The case is the same with numerous rural voters who have a mailing address that is different from their physical address. This proposal will continue to require first-time registrants to show ID when registering and again, under this bill, before voting.

A very important aspect of this bill is the requirement of voter identification to voters voting by absentee ballot.

Due to the aforementioned instances where precinct judges need to see a 'match,' this proposal may disenfranchise many voters who do not wish to vote provisionally."

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?**

According the Secretary of State, voters will be allowed to continue to state their name and sign the signature roster without formally displaying their photo identification or other form of identification before being allowed to vote.

**DXM/yr:lg**