

H.670

Introduced by Representative Tagliavia of Corinth

Referred to Committee on

Date:

Subject: Elections; conduct of elections; process of voting; voter identification

Statement of purpose of bill as introduced: This bill proposes to require voters to present valid identification, based on proof of citizenship, when voting in person or by early or absentee ballot. This bill will also require the Commissioner of Motor Vehicles to provide free nondriver identification cards to all eligible voters in the State for the purpose of voting, upon presentation of documented proof of U.S. citizenship and proof of residency.

An act relating to requiring voters to present identification when voting

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 17 V.S.A. § 2563 is amended to read:

§ 2563. ADMITTING VOTER

(a) Before a person may be admitted to vote, ~~he or she~~ the person shall announce ~~his or her~~ the person's name and, if requested, ~~his or her~~ the person's place of residence in a clear and audible tone of voice, or present ~~his or her~~ the person's name in writing, or otherwise identify ~~himself or herself~~ by appropriate documentation. The election officials attending the entrance of the

1 polling place shall then verify that the person's name appears on the checklist
2 for the polling place.

3 (1) If the name does appear, and if no one immediately challenges the
4 person's right to vote on grounds of identity or having previously voted in the
5 same election, the election officials shall repeat the name of the person and:

6 (A)(i) If the checklist indicates that the person is a first-time voter in
7 the municipality who registered by mail or online, whose driver's license,
8 nondriver identification number, or last four digits of ~~his or her~~ the person's
9 Social Security number provided by the applicant have not been verified by the
10 Secretary of State, and who has not provided required identification before the
11 opening of the polls, require the person to present any one of the following: a
12 valid photo identification; a copy of a current utility bill; a copy of a current
13 bank statement; or a copy of a government check, paycheck, or any other
14 government document that shows the current name and address of the voter.

15 (ii) If the person is unable to produce the required information, the
16 person shall be afforded the opportunity to complete a new application for
17 addition to the checklist in accordance with section 2144 of this title.

18 (iii) The election officials shall note upon the checklist a first-time
19 voter in the municipality who has registered by mail and who produces the
20 required information, and place a mark next to the voter's name on the

1 checklist and allow the voter to proceed to the voting booth for the purpose of
2 voting.

3 (B) If the voter is not a first-time voter in the municipality, no
4 identification shall be required. The clerk shall place a check next to the
5 voter's name on the checklist and allow the voter to proceed to the voting
6 booth for the purpose of voting.

7 (2) If the name does not appear, the person shall be afforded the
8 opportunity to complete an application for addition to the checklist in
9 accordance with section 2144 of this title.

10 (b)(1) Notwithstanding any other provision of this section, for all voting
11 methods, including in person, early, or absentee voting, the voter shall present
12 a valid photo identification issued by a government agency using documented
13 proof of U.S. citizenship.

14 (2) The presented identification shall include:

15 (i) a photograph of the voter;

16 (ii) the voter's full legal name; and

17 (iii) the voter's current residential address.

18 (3) Auxiliary forms of identification for residency may be used if the
19 citizenship identification lacks a current address, such as a U.S. passport.

20 (4) The presented identification shall be current and unexpired.

1 (5) Identification issued exclusively to noncitizens shall not be
2 acceptable unless accompanied by separate proof of U.S. citizenship.

3 (6) Religious exemptions from the photo requirement shall be permitted
4 via a signed affidavit attesting to the voter's religious objection.

5 (7) If the voter does not present the required identification, the voter
6 shall be offered a provisional ballot in accordance with subchapter 6A of this
7 chapter.

8 Sec. 2. 17 V.S.A. § 2537a is amended to read:

9 § 2537a. MAILING OF GENERAL ELECTION BALLOTS

10 (a) For every general election, the Secretary of State's office shall mail a
11 general election ballot to all active voters on the statewide voter checklist
12 described in section 2154 of this title.

13 (1) The mailing of the ballots shall commence not later than 43 days
14 before the election and shall be completed not later than October 1.

15 (2) A postage-paid return envelope, pre-addressed to the town or city
16 clerk of the town or city where the voter is registered to vote, shall be included
17 with the ballot sent to every voter in which the ballot may be mailed back to
18 the clerk. All postage cost shall be paid by the Secretary of State's office.

19 (3) The address file to be used for the mailing shall be generated from
20 the statewide voter checklist as close as practicable to the date of the mailing
21 and in no case earlier than September 1.

1 (4) The Secretary of State's office shall include in the mailing to each
2 voter instructions for return of the voted ballot.

3 (b) General election ballots mailed by the Secretary of State's office under
4 this section shall be returned by the voter to the town or city clerk in the town
5 or city where that voter is registered in accordance with the procedures for
6 return of ballots described in this subchapter.

7 (c) To ensure verification of voter identity and citizenship, the return
8 envelope shall include:

9 (1) a photocopy of the voter's valid photo identification, as described in
10 subsection 2563(b) of this title; or

11 (2) the voter's full Social Security number or State-issued identification
12 number.

13 (d) Ballots returned without the required identification information under
14 subsection (c) of this section shall be deemed defective and processed in
15 accordance with section 2547 of this subchapter.

16 Sec. 3. 17 V.S.A. § 2546 is amended to read:

17 § 2546. RECEIPT OF BALLOTS BY CLERK; VOTER STATUS;

18 OPPORTUNITY TO CURE; PROCESSING ABSENTEE BALLOTS

19 (a) Town clerk; process generally. Beginning 45 days before the opening
20 of the polls on election day, upon receipt of a mailing envelope containing
21 ballots returned by a voter, the town clerk shall, within three business days or

1 on the next day the office is open for business, whichever is later, direct two
2 election officials working together to do all of the following:

3 (1) open the mailing envelope and sort early voter absentee ballots by
4 ward and district, if necessary; and

5 (2) determine that the certificate has been signed, the voted ballot was
6 placed in the certificate envelope, the required identification information under
7 subsection 2537a(c) of this title has been provided, and the ballot is not
8 defective for any other reason pursuant to section 2547 of this subchapter.

9 * * *

10 Sec. 4. FREE STATE-ISSUED VOTER IDENTIFICATION CARDS

11 The Commissioner of Motor Vehicles shall provide free nondriver
12 identification cards to all eligible voters in the State for the purpose of voting,
13 upon presentation of documented proof of U.S. citizenship and proof of
14 residency. Such cards shall meet the requirements for acceptable voter
15 identification under 17 V.S.A. § 2563 and shall indicate U.S. citizenship status.
16 The Commissioner shall adopt rules in accordance with 3 V.S.A. chapter 25
17 regarding the manner of accepting required documentation and issuance and
18 renewal of voter identification cards, including provisions for the expedited
19 issuance and renewal of voter identification cards, and the duration of validity
20 of the voter identification cards.

1 Sec. 5. APPROPRIATION

2 The sum of \$200,000.00 is appropriated from the General Fund to the
3 Secretary of State in fiscal year 2027 for training election officials, public
4 education on new voter identification requirements, and issuance of free voter
5 identification cards.

6 Sec. 6. EFFECTIVE DATE

7 This act shall take effect on passage.