

2013 VOTING LAW CHANGES: LEGISLATION MAKING IT HARDER TO VOTE

In 2013, state legislatures continue to introduce laws that could make it harder to vote. Below is a compilation of potentially restrictive laws proposed nationwide in the 2013 state legislative session or carried over from the 2012 session. These laws have been passed or remain pending as of April 29, 2013. For the most current status of any particular bill, click the provided link to each state legislative website.

Alabama

Pending Legislation

Advances Voter Registration Deadline

Bill: [S.B. 155](#) / [H.B. 162](#)

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Decreases the amount of time voters in counties with more than 600,000 inhabitants have to register to vote, moving the deadline from 10 days to 17 days prior to the election.

Arizona

Pending Legislation

Early Voting Restrictions

Bill: [H.B. 2568](#)

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- Reduces period of early ballot distribution from 26 days to 21 days before the election, subject to certain exemptions.
- Removes from permanent early voting list voters who appear at an Election Day polling place to vote, and the names of persons who are registered at addresses of foreclosed properties.

Requires Notarization of Early Ballot Requests

Bill: [H.B. 2350](#)

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Requires notarization of requests for early ballots and requests to be placed on the Permanent Early Voting List. No fee may be charged for such notarization.

Arkansas

Passed Legislation

Photo ID Requirement

Bill: [S.B. 2](#)

Acceptable Forms of Photo ID

“Proof of identity” means a document or ID card issued by United States, Arkansas, or an accredited postsecondary educational institution in Arkansas that shows voter’s name, photograph, contains an expiration date and expired no more than 4 years before date of election.

Acceptable proof of identity includes but is not limited to:

- Driver’s License
- Photo ID card
- Concealed handgun carry license
- U.S. Passport
- Employee badge or ID document
- A U.S. military ID document
- A student ID card issued by an accredit postsecondary educational institution in the State of Arkansas
- A public assistance ID card
- A voter ID Card

Non-photo ID for Absentee Voting

When voting by absentee ballot, voters must submit with the ballot a copy of one of the following:

- Current and valid photo ID
- Current utility bill
- Bank statement
- Government check
- Paycheck or
- Other government document showing voter’s name and address.

Exceptions

Residents of licensed nursing homes, residential care facilities, assisted-living facilities, or facilities that provide long-term care need not show ID, but must provide documentation from the facility administrator attesting to their residence in the facility.

Affidavit Alternative

Persons who are indigent or have a religious objection to being photographed who lack a photo ID may cast a provisional ballot and then execute an affidavit no later than noon the following Monday at the County Board of Elections. There is no affidavit alternative for voters without ID at the polling place.

Provisional Ballots Counted if ID Presented by Following Monday

Provisional ballots are given to any voter lacking acceptable ID, and will be counted if voter returns to the County Board of Elections by noon on the Monday following the election and (1) provides acceptable ID; or (2) executes affidavit stating voter is indigent or has religious objection to being photographed.

Free ID

Requires the Secretary to promulgate rules for issuance of a new voter ID card, to be provided free of charge by the County Clerk to anyone who signs an oath that he or she does not have another valid proof of identity.

Connecticut

Pending Legislation

Photo ID Requirement

Bill: [Proposed Bill 5153](#)

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Amends general statutes to require photo ID to vote (acceptable forms of ID not specified); no provision for free ID.

Bill: [Proposed Bill 5893](#)

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Requires ballot be treated as provisional ballot when voter does not produce photo identification but has signed affidavit attesting to their identity (acceptable forms of ID not specified). No provision for free ID.

Illinois

Pending Legislation

Photo ID Requirement

Bill: [H.B. 0976](#)

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Requires specified forms of photo ID to vote, subject to certain exemptions.

Bill: [S.B. 1393](#) (identical to [S.B. 1685](#))

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Requires specified forms of photo ID to vote, subject to certain exemptions. Requires State Board of Elections to implement voter education program.

Bill: [S.B. 1682](#) (identical to [H.B. 3007](#))

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Requires specified forms of photo ID to vote. No provisions for exceptions, free ID, or affidavit alternative.

Reduces Voting Hours on Election Day

Bill: [S.B. 1902](#)

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Changes poll closing time on Election Day to 6 pm from 7 pm.

Indiana

Passed Legislation

Authorizes Challengers to Request ID from Voters

Bill: [S.B. 518](#)

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Authorizes challengers to request voter show proof of identification and states voter shall produce the identification.

Iowa

Pending Legislation

Photo ID Requirement

Bills: [S.S.B. 1012](#) / [H.S.B. 23](#) / [H.F. 485](#)

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- Removes certain previously permissible proofs of residence for voting.
- Specifies acceptable forms of photo ID for voting on Election Day, registering on Election Day, and voting in person by absentee ballot, subject to certain exemptions.
- Specifies that voter may cast a provisional ballot if voter does not provide valid photo ID.

Louisiana

Pending Legislation

Restrictions on Voter Registration

Bill: [S.B. 69](#)

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Imposes additional verification requirements to register at NVRA-designated agencies. Election officials would subject voter registration applications received through DMVs and other agencies to the same verification requirements as mail registration forms, even if the applicant registered during an in-person transaction at those agencies.

Maine

Pending Legislation

Restoration of the Right to Vote

Bill: [L.D. 573](#)

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Proposing an amendment to the Maine Constitution to prohibit from voting persons currently incarcerated for crimes for which a sentence of imprisonment of more than 10 years may be imposed.

Massachusetts

Pending Legislation

Voter ID Requirement

Bill: [H.B. 572](#)

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Requires specified forms of documentary proof of identity to vote.

Photo ID Requirement

Bill: [H.B. 592](#)

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Requires specified forms of photo identification to vote.

Proof of Citizenship Requirement

Bill: [H.B. 589](#)

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Requires specified forms of documentary proof of citizenship at registration.

Missouri

Pending Legislation

Constitutional Amendment Authorizing Photo ID / Proof of Citizenship Requirements

Bills: [H.J.R. 5](#); [H.J.R. 12](#); [S.J.R. 6](#)

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Proposed constitutional amendment authorizing legislature to pass photo ID and documentary proof of citizenship laws.

Photo ID Requirement

Bill: [H.B. 48](#)

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Requires specified forms of photo ID to vote, subject to certain exemptions.

Bills: [S.B. 27](#) and [H.B. 216](#)

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Requires specified forms of photo ID to vote, subject to certain exemptions.

Proof of Citizenship at Registration and Photo ID Requirement

Bill: [H.B. 660](#)

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- Requires specified forms of documentary proof of citizenship to register, and establishes a State Election Board to assess person's proof of citizenship. Allows voters to sign affidavit with regard to any inconsistencies in evidence submitted as proof of citizenship.
- Requires state to provide birth certificates at no charge when requested for the purpose of meeting registration requirements.
- Requires specified forms of photo ID to vote, subject to certain exemptions.
- Requires specified copies of forms of photo ID for voting by absentee ballot.

Montana

Passed Legislation

Eliminates Election Day Registration

Bill: [S.B. 405](#)

Ends same-day registration at 5:00 pm the Friday before Election Day, rather than the current deadline of 8:00 p.m. on Election Day.

Nebraska

Passed Legislation

Early Voting Restrictions

Bill: [L.B. 271](#)

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Reduces Early Voting Period by at least 5 days. Currently, Nebraska allows for at least 35 days of early in-person voting. Bill reduces early voting period to no more than 30 days.

Pending Legislation

Photo ID Requirement

Bill: [L.B. 381](#)

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Requires specified forms of photo ID for Election Day voters and first time early voters.

Prohibits Same Day Registration for Early Voters

Bill: [L.B. 565](#)

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Requires unregistered voters who apply to vote early to be provided only a registration application, and prohibits providing voters a ballot or an application for a ballot on the same day they registered. Currently, an unregistered voter who applies to vote early is provided a registration application and a ballot at the same time, and a returned ballot will be counted if the registration application is completed and returned by the close of polls on Election Day.

New York

Pending Legislation

Photo ID Requirement

Bill: [A.B. 03789](#)

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Requires valid government-issued photo ID to vote in person and copy of such ID to vote by mail-in ballot (Includes list of acceptable forms of ID). Allows voters lacking ID to cast affidavit ballot.

Bill: [A.B. 03788](#)

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Requires specified forms of photo ID to vote in person and copy of such ID to vote by mail-in ballot, subject to certain exemptions. Allows voters lacking ID to cast affidavit ballot.

North Carolina

Pending Legislation

Photo ID Requirement

Bill: [S.B. 235](#) / [H.B. 253](#)

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- Requires specified forms of photo ID to vote.
- Allows voters lacking ID to have their photo taken at the polls and sign a corresponding “photo affidavit.”

Bill: [H.B. 589](#)

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- Requires specified forms of photo to vote, subject to certain exemptions.
- Permits challengers to challenge a voter for failure to present photo ID.
- Expands types of facilities offering voter registration services
- Creates Voter Information Verification Advisory Board to assist in election administration.

Photo ID Requirement, Early Voting Restrictions, Challengers, Restricts Voting for Persons with Criminal Convictions

Bill: [S.B. 721](#)

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- Requires specified forms of photo ID to vote, subject to certain exemptions.
- Permits challengers to challenge a voter for failure to present photo ID.
- Shortens the early voting period by 7 days. Eliminates early voting on the last Saturday before the election. Eliminates the option to have Sunday voting. Requires the county board of elections to designate five additional days of early voting between the second Tuesday and the last Thursday before the election.
- Eliminates automatic restoration of voting rights upon completing all terms of sentence. Imposes five-year waiting period after discharge of all terms of sentence before applicant may file a petition for restoration of voting rights, along with two affidavits, to local board of elections. Five-year period is restarted if person is charged with new felony, even if charge leads to acquittal. Requires board of elections to unanimously approve petition for restoration of rights.

Reduction in Early Voting, Eliminates Same Day Voter Registration & Other Voting Changes

Bill: [H.B. 451](#)

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- Eliminates one week from early voting period.
- Eliminates same day voter registration.
- Eliminates early voting on Sundays.
- Eliminates straight-party ticket voting.
- Eliminates public financing for judicial elections.

Eliminates Child Tax Exemption For Parents Whose Children are Registered at a Separate Address

Bill: [S.B. 667](#)

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Prohibits parents or legal guardians from claiming a tax exemption for a dependent if the dependent registers to vote at a different address from the parent, unless the dependent cancels his or her voter registration within 30 days of receiving notice under this bill.

Eliminates Child Tax Exemption For Parents Whose Children are Registered at a Separate Address; Reduction in Early Voting; Restriction on Election Judges to Remove Challengers; Elimination of Same-Day Registration

Bill: [S.B. 666](#)

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- Prohibits parents or legal guardians from claiming a tax exemption for a dependent if the dependent registers to vote at a different address from the parent, unless the dependent cancels his or her voter registration within 30 days of receiving notice under this bill.
- Restricts ability of election judges to expel or limit movement of observers, and penalizes election judges who are found to have done so without cause.
- Shortens the early voting period by 5 days. Eliminates option to hold early voting for an additional 4 hours on the last Saturday before the election. Eliminates satellite early voting sites.
- Eliminates same-day registration during early voting.

Elimination of Same Day Registration; Restrictions on Voter Registration (Regulation of Third Parties)

Bill: [H.B. 913](#)

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- Eliminates same-day registration during early voting.
- Prohibits compensation, whether based on the number of forms submitted or otherwise, for assisting persons in registering to vote (exempts government agencies).

Elimination of Same Day Registration

Bill: [S.B. 428](#)

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- Eliminates same-day registration during early voting.

North Dakota

Pending Legislation

Photo ID Requirement

Bill: [H.B. 1332](#)

[Status:](#) **Passed Legislature. Awaiting Governor's signature or veto.**

Requires photo ID or other forms of ID prescribed by the Secretary of State to vote in-person. No exceptions provided.

Ohio

Pending Legislation

Discourages Universities From Providing Proof of Residence to Students

Bill: [H.B. 59](#)

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Requires public universities to grant residency status—for purposes of determining eligibility for in-state tuition—to any student to whom it issues a letter or utility bill for voting purposes.

Oklahoma

Pending Legislation

Proof of Citizenship at Registration

Bill: [H.B. 1891](#)

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Requires specified documentary proof of citizenship to vote in person and copy of such documentation to vote by mail-in ballot.

More Restrictive Photo ID Requirement

Bill: [H.B. 2116](#)

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Eliminates non-photo voter ID option from list of acceptable proof of ID. Retains current exemptions for persons 65 or older. Retains affidavit option for persons who decline or are unable to produce ID.

Oregon

Pending Legislation

Proof of Citizenship at Registration

Bill: [H.B. 3428](#)

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Requires specified forms of documentary proof of citizenship to register to vote for the first time in Oregon.

South Carolina

Pending Legislation

Proof of Citizenship at Registration

Bill: [SB 227](#)

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Requires specified forms of documentary proof of citizenship to register.

Tennessee

Passed Legislation

More Restrictive Photo ID Requirement

Bill: [S.B. 125](#)

Bill further restricts Tennessee's photo ID law so that only ID issued by Tennessee or the United States can serve as acceptable ID. Under current law, photo ID issued by a "branch, department, agency, or entity" of Tennessee or of any other state can serve as acceptable ID. Bill provides that photo ID—including employee ID cards—must be issued by the United States or Tennessee, and not by "any county, municipality, or entity thereof, including a public library."

Texas

Pending Legislation

Restrictions on Voter Registration (Regulation of Deputy Registrars); Expands Types of Evidence Allowed to Challenge Registration.

Bill: [H.B. 927](#)

Bill: [H.B. 1253](#) (identical to H.B. 927)

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- Requires specific in-state residency duration for volunteer deputy registrars, and terminates volunteer deputy registrar appointment in event of specified violations.
- Permits challenges to a person's registration based on documentary evidence of ineligibility as opposed to current law, which permits challenges only based on personal knowledge of ineligibility.

Proof of Citizenship at Registration

Bill: [H.B. 3074](#)

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Requires specified forms of proof of citizenship to register for persons who register in person or receive notice from Department of Public Safety that citizenship status has not been verified.

Early Voting Restrictions

Bill: [H.B. 2106](#) / [H.B. 2093](#)

Click For Most Recent Status [H.B. 2016](#) / [H.B. 2093](#)

- Shortens early voting period by one week, resulting in a five-day reduction in the total number of early-voting days.
- Requires all counties to hold early voting on the last Saturday before the election (previously, only counties with more than 100,000 people were required to have early voting on the last Saturday).

Virginia

Passed Legislation

Restrictions on Voter Registration (Regulation of Third Parties)

Bills: [S.B. 1008](#)

Status: Signed into law.

Registration and Training Requirements

When the State Board, local electoral board, or general registrar's office furnishes individuals or groups with 25 or more copies of state voter registration applications, such individuals or groups must register with the State Board. Individuals or agents representing a group requesting 25 or more copies of the state applications are required to receive training as approved by the State Board and sign an affidavit attesting they will abide by all Virginia laws and rules regarding registration.

No pre-population of registration forms

Unless directed by the applicant, state voter registration applications may not be pre-populated with information.

Reduces Length of Time by Which Voter Reg. Applications must be Mailed by Volunteers

A person who agrees to mail or deliver a signed voter registration application must mail or deliver it within 10 days (currently 15) of the applicant's signature to be considered timely.

Photo ID Requirement

Bills: [S.B. 1256](#) / [H.B. 1337](#)

Status: H.B. 1337 was signed into law on 3/23/2013. S.B. 1256 was signed into law on 3/26/2013. The description below tracks S.B. 1256, the later-signed bill whose provisions likely supersede H.B. 1337 to the extent there is a conflict.

Acceptable Forms of Photo ID

An officer of election shall ask each person offering to vote to present any of the following forms of identification:

- Valid Virginia driver's license
- Valid U.S. Passport
- Other photo ID issued by Virginia, one of its political subdivisions, or the United States;
- Student ID card containing a photo and issued by an institution of higher education located in Virginia;
- Valid employee ID card containing a photo and issued by an employer of the voter in the ordinary course of the employer's business.

Eliminates the following ID from currently accepted ID:

- Voter registration card
- Social security card
- Concealed handgun permit
- Utility bills
- Bank statements
- Government checks

- Paychecks.

Photo ID Required for In-Person Absentee Voting

Bill requires in-person absentee ballot applicants to provide one of the forms of ID required for in-person voting.

Free ID

State Board must provide each general registrar with the equipment necessary to obtain a voter's photograph and signature, and no general registrar shall be required to purchase such equipment as his or her own expense. The State Board shall promulgate rules and regulations authorizing each general registrar to obtain a photograph and signature of a voter who does not have one of the forms of ID permitted, for the purpose of providing free voter registration cards to such voters. The Department of Motor Vehicles shall provide assistance as required in providing such voter registration cards.

Provisional Ballots

Voters who vote a provisional ballot and do not submit an acceptable form of ID may submit a copy of one of the forms of ID to the electoral board by fax, email, in-person submission, or timely mail delivery, to be received by the electoral board no later than noon on the third day after the election. Electoral boards may not count the provisional ballots of voters who have not provided one of the acceptable forms of ID.¹

Exceptions

None.

Wisconsin

Pending Legislation

Early Voting Restrictions

Bill: [A.B. 54](#)

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Reduces hours for casting in-person absentee ballots.

¹ See Va. Code Ann. § 24.2-653.