



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 934

PRINTERS NO. 3166

PRIME SPONSOR: Metcalfe

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
General Fund	\$256,664	\$1,026,654
Motor License Fund	\$0	\$0
County Funds	\$0	\$0

SUMMARY: Requires each voter to present proof of identification at every election in which he or she appears to vote and to submit proof of identification with an absentee ballot application.

ANALYSIS: Requires each voter to present proof of identification at every election in which he or she appears to vote and to submit proof of identification with an absentee ballot application, if he or she intends to vote by absentee ballot in a given election.

Proof of Identification for Voters who Appear at the Polling Place to Vote: For a voter who appears at the polling place, "proof of identification" includes the following:

- 1) In the case of a voter who has a religious objection to being photographed, a valid without-photo driver's license or ID card, issued by PennDOT
- 2) For all other voters, a document that satisfies all of the following:
 - Shows the name of the individual, and the name on the document must substantially conform to the name of the individual as it appears on the district register (aka voter rolls);
 - Shows a photograph of the individual to whom the document was issued;
 - Have been issued by the United States government, the Commonwealth of PA, a municipality of the Commonwealth to an employee of a municipality, an accredited Pennsylvania public or private institution of higher learning or a PA care facility;
 - Includes an expiration date and must not be expired, except:
 - a military identification card that includes a designation that the expiration date is indefinite; and
 - a PennDOT-issued document (driver's license or non-driver's identification card) which is not more than 12 months past the expiration date

Proof of Identification for Absentee Voters: For a qualified absentee voter, “proof of identification” includes the following:

- 1) The voter’s driver’s license number for a voter with a driver’s license
- 2) The voter’s last four digits of their social security number if no driver’s license
- 3) A copy of a valid- without-photo driver’s license or ID card issued by PennDOT
- 4) In the case of a voter who has not been issued a current and valid driver’s license or a social security number a document that satisfies all of the following:
 - Shows the name of the individual. The name on the document must substantially conform to the name of the individual as it appears on the district register
 - Shows a photograph of the individual to whom the document was issued;
 - Have been issued by the United States government, the Commonwealth of PA, a municipality of the Commonwealth to an employee of a municipality, an accredited Pennsylvania institution of higher learning or a PA care facility.
 - Includes an expiration date and must not be expired, except for:
 - a military ID card that designates that the expiration date is indefinite
 - a PennDOT-issued document (driver’s license or non-driver’s identification card which is not more than 12 months past the expiration date

Upon receipt of an absentee ballot application, the applicable county board of elections will verify the proof of identification and compare all information in the application, including the proof of identification, with information in the voter’s registration record.

If a voter who applies for an absentee ballot fails to include proof of ID with the application, the county board of elections must send notice to the voter, along with the absentee ballot, that the voter is required to provide proof of ID when he or she returns the absentee ballot to the board.

Duties of the Department of State and PennDOT: This legislation would require the Secretary of the Commonwealth to prepare and disseminate information to the public regarding the proposed proof of identification requirements. Additionally, the bill requires PennDOT to issue a non-driver identification card, at no charge, to any voter who signs a statement declaring under oath or affirmation that he or she does not possess proof of identification and requires proof of identification for voting purposes.

Provisional Ballots: This legislation would permit a voter who is indigent and unable to obtain proof of identification without payment of a fee or otherwise unable to provide proof of identification for any reason to cast a provisional ballot.

A voter who casts a provisional ballot because he or she is unable to provide proof of identification must execute an affirmation that he or she is the same person who appeared to vote on election day and do one of the following within six calendar days after the election:

- Appear in person at the county board of elections to complete the affirmation and present proof of identification;
- Submit an electronic, facsimile or paper copy of the affirmation and the proof of identification

A voter who is indigent and unable to obtain proof of identification without payment of a fee must submit an affirmation that he or she is the same person who appeared to vote on election day and that he or she is indigent in the same time frame and manner as described above.

Miscellaneous Provisions: This legislation would create a new section 1854 in the Election Code, which establishes that the Attorney General and the county district attorneys have concurrent prosecutorial jurisdiction over all Election Code violations.

Applicability and Effective Date: This legislation would take effect immediately. Local election officials would be required to ask each voter in an election after Jan. 1, 2012 and before Sept. 17, 2012 to provide proof of identification. If a qualified voter does not provide proof of identification at an election during this time frame he or she will be permitted to cast a ballot. Full implementation of the mandatory in-person and absentee voter proof of identification provisions of this bill will be in effect for all elections held on or after Sept. 17, 2012.

FISCAL IMPACT: This legislation would have an estimated fiscal impact of \$1,026,654 on the General Fund in the next 12-month period. Assuming this legislation is signed into law before the end of March, it is possible that 25% of the cost could be incurred in Fiscal Year 2011-12 (\$256,664). The estimated citizen population in the Commonwealth is 9,642,277 as of Jan-12. According to PennDOT, 9,552,700 adults have a PennDOT issued ID or 99.07% of the citizen population. Applying that percentage to all registered voters (8,186,052 as of Mar-12) to the cost to produce a photo ID (\$13.50) would total \$1,026,654 (76,048 ID's).

It is important to note that PennDOT also estimates that 74,000 ID's will be issued for this purpose in Fiscal Year 2012-13 and the 4 years thereafter. The Governor's proposed 2012-13 budget appropriates \$1 million for photo ID for non-voting purposes. The legislation would have no adverse impact on the Motor License Fund.

According to the Department of State, the absentee ballot changes would increase printing costs by 30%; however, the Department indicates that the absentee ballot process will be online by this summer, thus not creating an adverse fiscal impact on the counties if they chose to utilize this function. The Department also indicates they will handle all the 2012 dissemination requirements and are recommending that counties publish the new requirements in their mandated newspaper proclamations before every election, therefore creating no new additional costs to the counties. The Department of State intends to utilize Help America Vote Act funds (federal funds) to fund the cost of the dissemination provision in calendar year 2012. That cost would total \$3,837,500 and would include mailings, radio ads, television ads, and robocalls.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: March 10, 2012

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.

