A bill for an act

relating to elections; requiring proof of citizenship on filing for certain offices; requiring certain voters to provide picture identification; providing for the issuance of certain identification cards at no charge; establishing a procedure for unverified ballots; amending Minnesota Statutes 2006, sections 204C.10; 204C.13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 204B; 204C.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[204B.115] CITIZENSHIP REQUIREMENTS FOR CANDIDATES.**

A person who files for the state legislature or a constitutional office shall provide proof of United States citizenship in the form of a passport, birth certificate, or naturalization document.

Sec. 2. Minnesota Statutes 2006, section 204C.10, is amended to read:

204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.

(a) An individual seeking to vote shall sign a polling place roster which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, maintains residence at the address shown, is not under a guardianship in which the court order revokes the individual's right to vote, has not been found by a court of law to be legally incompetent to vote or has the right to vote because, if the individual was convicted of a felony, the felony sentence has expired or been completed or the individual has been discharged from the sentence, is registered and has not already voted in the election. The roster must also state:

"I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than $10,000, or both."

(b) ~~A judge may,~~ Before the applicant signs the roster, a judge:

(1) may confirm the applicant's name, address, and date of birth~~.~~; and

(2) except when the voter resides in a residential facility as defined by section 201.061, subdivision 3, or has a religious objection to being photographed, shall require the voter to provide a picture identification card or document.

(c) After the applicant signs the roster, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

Sec. 3. **[204C.105] NO CHARGE FOR CERTAIN IDENTIFICATION.**

(a) The Department of Public Safety shall provide to each eligible applicant at no charge a Minnesota identification card or Under-21 identification card as described in section 171.07, subdivision 3, to anyone eligible to vote who presents verification of a household income below the federal poverty level and demonstrates a need. This free identification card can only be applied for at one of the 16 regional state-run Department of Motor Vehicle driver's license facilities. The secretary of state's office shall reimburse the Department of Public Safety for the cost of providing the free Minnesota identification card or Under-21 identification card issued under this section.

(b) The applicant must present verification of eligibility when applying for an initial identification card or Under-21 identification card and when applying for any renewal or, as a result of a change of address, for a duplicate of an identification card or Under-21 identification card.

(c) All costs and implementation procedures must be agreed upon by the secretary of state and the commissioner of public safety before implementation of this section.

(d) The secretary of state and the commissioner of public safety shall reevaluate the costs of this program prior to the 2008-2009 biennium and report to the legislature their findings for possible inclusion in the budget for that biennium.

Sec. 4. Minnesota Statutes 2006, section 204C.13, is amended by adding a subdivision to read:

Subd. 6a. **Unverified ballots.** A voter who is unable to provide required photo identification or who exercises the religious objection exception may mark a ballot, which the election judges must receive and mark as "unverified." The election judges must

maintain a list of the names and addresses of voters who cast such ballots. The unverified ballots must be counted unless they equal three percent or more of the ballots cast in the precinct. In that case, the election judges must not count the unverified ballots unless the eligibility of the voters can be determined as provided by this subdivision. Within two days after the election, the county auditor must notify each voter whose ballot was marked "unverified" that the voter's ballot must be counted if the voter provides photo identification or a copy of a valid and accepted form of Minnesota identification to the county auditor within three days.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective July 1, 2008.