



Opposition to HB 312: Voter Identification
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Project Vote is a national nonpartisan, nonprofit organization that promotes voting in historically underrepresented communities. Through its research, advocacy, and direct legal services, Project Vote works to ensure that these constituencies are able to fully participate in American civic life by registering and voting. HB 312 requires a voter to present government-issued photographic identification upon voting. This bill constitutes a direct threat to the voting rights of many of New Mexico's most vulnerable citizens and will waste state funds.

Implementation of this unnecessary proposal will cost New Mexico's taxpayers. There will be costs related to the issuance of free identification and the provision of photographs at the polling place, which will require modifying the motor vehicle division (MVD) interface, voter file, and polling place voter rolls. There will be additional costs associated with the implementation, including poll worker training on the requirements, costs associated with voter education, and the administrative costs of processing thousands of additional provisional ballots necessitated by failures to produce the required identification. Other states that have considered such legislation estimate that implementation would cost upwards of \$20 million over the first three years. Finally, there will also be potential litigation costs. A fiscal analysis on 2015's House Bill 340/HJCS noted the legal vulnerability of such a proposal, which could cost taxpayer's up to \$160,000 to defend.

While the bill provides that MVD must issue a free identification card for the purpose of voting, the fact is that the underlying identification required for the issuance of such a card may still cost money. For example, a birth certificate may take six to 12 weeks to process and costs \$10.00 - \$26.00, a fee that is not trivial to young, minority, or low-income citizens. Obtaining such a document would be an additional burden to the voter, if indeed it could be accomplished at all. Many elderly voters, particularly those who have moved to New Mexico from other states, will have a difficult time accessing a birth certificate, and may find it impossible. Further, a replacement Naturalization/Citizenship Document requires a staggering \$345.00 fee.

HB 312 mandates that voters display government-issued photo identification or have a photograph on file. However, the photograph would come from MVD files and therefore requires that a voter has been issued state-issued identification or driver's license. As such, this proposal would curtail New Mexican's voting rights. Studies show that approximately 11% of Americans lack government-issued photo ID. In particular, social science research has proven that elderly, disabled, low income, and minority voters are less likely to have the kinds of photographic identification made mandatory by HB 312.

The promise that voters without proper ID will be able to vote a provisional ballot is cold comfort. The bill provides that a provisional ballot cast because of a failure to present acceptable ID may only be counted if the voter appears following the election to present acceptable proof of identification. Even if identification is obtained, the necessity of an extra trip to the election board during business hours—which may seem a minor annoyance to a voter with plenty of time and easy transportation—may be an insurmountable burden to a full-time worker or a voter with a

disability. For this reason, the ability to appeal provisional ballot rejection is also not a sufficient safety net.

In this era of tight state budgets, it is a gross misuse of state resources to spend the state's limited revenues to implement the proposed voter ID law. There is absolutely no evidence of a widespread problem of voter impersonation fraud in New Mexico. This solution to a non-problem is the height of folly, especially at a time in which there are so many real problems challenging our society and our citizens.

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