

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4611

BY DELEGATES HOWELL, STEELE, PAYNTER, LINVILLE,
AND HAMRICK

[By Request of the Secretary of State]

[Introduced February 10, 2022; Referred to the
Committee on Government Organization then the
Judiciary]

1 A BILL to amend and reenact §3-1-34 and §3-1-41 of the Code of West Virginia, 1931, as
 2 amended; and to amend and reenact §3-2-11 of said code, all relating to providing an
 3 exception to the requirements for voters to present a valid identifying document when
 4 appearing in person to vote at the polls; permitting the transfer by the Division of Motor
 5 Vehicles to the Secretary of State of electronic images of registered voters issued a
 6 driver's license or other photographic identification card; and requiring poll worker to
 7 permit voters whose respective images in the poll books are truly an image of the voter
 8 appearing in person to vote at the polls without challenge.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.

§3-1-34. Voting procedures generally; identification; assistance to voters; voting records; penalties.

1 (a) A person desiring to vote in an election shall, upon entering the election room:
 2 ~~clearly~~ (1) Clearly state his or her name and residence to one of the poll clerks who shall
 3 thereupon announce the same in a clear and distinct tone of voice;

4 ~~For elections occurring on or after January 1, 2018, the~~ (2) The person desiring to vote
 5 shall present to one of the poll clerks a valid identifying document meeting the requirements of
 6 subdivisions ~~(1) or (2)~~ (5) or (6) of this subsection: Provided, That the person shall not be required
 7 to present a valid identifying document if the person satisfies one or more exceptions set forth in
 8 subdivision (7) of this subsection.

9 ~~and the~~ (3) The poll clerk shall inspect and confirm that the name on the valid identifying
 10 document conforms to the name in the individual's voter registration record and that, if the valid
 11 identifying document contains a photograph, the image displayed is truly an image of the person
 12 presenting the document.

13 (4) If that person is found to be duly registered as a voter at that precinct, he or she shall
 14 sign his or her name in the designated location provided at the precinct. If that person is physically

15 or otherwise unable to sign his or her name, his or her mark shall be affixed by one of the poll
16 clerks in the presence of the other and the name of the poll clerk affixing the voter's mark shall be
17 indicated immediately under the affixation. No ballot may be given to the person until he or she
18 signs his or her name on the designated location or his or her signature is affixed thereon.

19 ~~(4)~~ (5) A document shall be deemed to be a valid identifying document if it:

20 (A) Has been issued either by the State of West Virginia, or one of its subsidiaries, or by
21 the United States Government; and

22 (B) Contains the name of the person desiring to vote.

23 ~~(2)~~ (6) Notwithstanding the provisions of subdivision ~~(4)~~ (5) of this subsection, the following
24 documents, if they contain the voter's name, shall be considered valid identifying documents, and
25 a person desiring to vote may produce any of the following:

26 (A) A valid West Virginia driver's license or valid West Virginia identification card issued
27 by the West Virginia Division of Motor Vehicles;

28 (B) A valid driver's license issued by a state other than the State of West Virginia;

29 (C) A valid United States passport or passport card;

30 (D) A valid employee identification card with a photograph of the eligible voter issued by
31 any branch, department, agency, or entity of the United States Government or of the State of
32 West Virginia, or by any county, municipality, board, authority, or other political subdivision of
33 West Virginia;

34 (E) A valid student identification card with a photograph of the eligible voter issued by an
35 institution of higher education in West Virginia, or a valid high school identification card issued by
36 a West Virginia high school;

37 (F) A valid military identification card issued by the United States with a photograph of the
38 person desiring to vote;

39 (G) A valid concealed carry (pistol/revolver) permit issued by the sheriff of the county with
40 a photograph of the person desiring to vote;

- 41 (H) A valid Medicare card or Social Security card;
- 42 (I) A valid birth certificate;
- 43 (J) A valid voter registration card issued by a county clerk in the State of West Virginia;
- 44 (K) A valid hunting or fishing license issued by the State of West Virginia;
- 45 (L) A valid identification card issued to the voter by the West Virginia Supplemental
46 Nutrition Assistance (SNAP) program;
- 47 (M) A valid identification card issued to the voter by the West Virginia Temporary
48 Assistance for Needy Families (TANF) program;
- 49 (N) A valid identification card issued to the voter by West Virginia Medicaid;
- 50 (O) A valid bank card or valid debit card;
- 51 (P) A valid utility bill issued within six months of the date of the election;
- 52 (Q) A valid bank statement issued within six months of the date of the election; or
- 53 (R) A valid health insurance card issued to the voter.
- 54 ~~(3)~~ (7) In lieu of providing a valid identifying document, as required by this section:
- 55 a (A) A registered voter may vote without presenting a valid identifying document if that
56 person is ~~be~~ accompanied at the polling place by an adult known to the registered voter for at
57 least six months. ~~That~~ , which adult ~~may sign~~ signs an affidavit on a form provided ~~to clerks and~~
58 ~~poll workers~~ by the Secretary of State, which states under oath or affirmation that the adult has
59 known the registered voter for at least six months, and that in fact the registered voter is the same
60 person who is present for the purpose of voting. For the affidavit to be considered valid, the adult
61 shall present a valid identifying document with his or her name, address, and photograph; or
- 62 ~~(4)~~ (B) A poll worker may allow a voter, whom the poll worker has known for at least six
63 months, to vote without presenting a valid identifying document; or
- 64 (C) A registered voter whose electronic image of their face appearing in the poll book is
65 truly an image of the person appearing in person to vote shall be permitted to vote without
66 presenting a valid identifying document.

67 ~~(5)~~ (8) If the person desiring to vote is unable to furnish a valid identifying document and
 68 does not satisfy an exception provided in subdivision (7) of this subsection, or if the poll clerk
 69 determines that the proof of identification presented by the voter does not qualify as a valid
 70 identifying document, the person desiring to vote shall be permitted to cast a provisional ballot
 71 after executing an affidavit affirming his or her identity pursuant to paragraph (B) of this
 72 subdivision.

73 (A) The provisional ballot is entitled to be counted once the election authority verifies the
 74 identity of the individual by comparing that individual's signature to the current signature on file
 75 with the election authority and determines that the individual was otherwise eligible to cast a ballot
 76 at the polling place where the ballot was cast.

77 (B) The affidavit to be used for voting shall be substantially in the following form:

78 "State of West Virginia
 79 County of.....

80 I do solemnly swear (or affirm) that my name is; that I
 81 reside at.....; and that I am the person listed in the precinct register under this name
 82 and at this address.

83 I understand that knowingly providing false information is a violation of law and subjects
 84 me to possible criminal prosecution.

85

86 Signature of voter

87 Subscribed and affirmed before me this..... day of, 20....

88

89 Name of Election Official

90

91 Signature of Election Official".

92 ~~(6)~~ (9) A voter who votes in person at a precinct polling place that is located in a building

93 which is part of a state licensed care facility where the voter is a resident is not required to provide
94 proof of identification as a condition before voting in an election.

95 ~~(7)~~ (10) The person entering voter information into the centralized voter registration
96 database shall cause the records to indicate when a voter has not presented a valid identifying
97 document and has executed a voter identity affidavit.

98 ~~(8)~~ (11) If a voter participating in the Address Confidentiality Program established by §48-
99 28A-103 of this code, executes a voter identity affidavit, the program participant's residential or
100 mailing address is subject to the confidentiality provisions of §48-28A-108 of this code and shall
101 be used only for those statutory and administrative purposes authorized by this section.

102 ~~(9)~~ (12) Prior to the primary and general elections to be held in calendar year 2018, the
103 Secretary of State shall educate voters about the requirement to present a valid identifying
104 document and develop a program to help ensure that all eligible voters are able to obtain a valid
105 identifying document.

106 (b) The clerk of the county commission is authorized, upon verification that the precinct at
107 which a handicapped person is registered to vote is not handicap accessible, to transfer that
108 person's registration to the nearest polling place in the county which is handicap accessible. A
109 request by a handicapped person for a transfer of registration must be received by the county
110 clerk no later than thirty days prior to the date of the election. A handicapped person who has not
111 made a request for a transfer of registration at least 30 days prior to the date of the election may
112 vote a provisional ballot at a handicap accessible polling place in the county of his or her
113 registration. If during the canvass the county commission determines that the person had been
114 registered in a precinct that is not handicap accessible, the voted ballot, if otherwise valid, shall
115 be counted. The handicapped person may vote in the precinct to which the registration was
116 transferred only as long as the disability exists or the precinct from which the handicapped person
117 was transferred remains inaccessible to the handicapped. To ensure confidentiality of the
118 transferred ballot, the county clerk processing the ballot shall provide the voter with an unmarked

119 envelope and an outer envelope designated "provisional ballot/handicapped voter". After
120 validation of the ballot at the canvass, the outer envelope shall be destroyed and the handicapped
121 voter's ballot shall be placed with other approved provisional ballots prior to removal of the ballot
122 from the unmarked envelope.

123 (c) When the voter's signature is properly marked and the voter has presented a valid
124 identifying document, the two poll clerks shall sign their names in the places indicated on the back
125 of the official ballot and deliver the ballot to the voter to be voted by him or her without leaving the
126 election room. If he or she returns the ballot spoiled to the clerks, they shall immediately mark the
127 ballot "spoiled" and it shall be preserved and placed in a spoiled ballot envelope together with
128 other spoiled ballots to be delivered to the board of canvassers and deliver to the voter another
129 official ballot, signed by the clerks on the reverse side. The voter shall thereupon retire alone to
130 the booth or compartment prepared within the election room for voting purposes and there
131 prepare his or her ballot. In voting for candidates in general and special elections, the voter shall
132 comply with the rules and procedures prescribed in §3-6-5 of this code.

133 (d) It is the duty of a poll clerk, in the presence of the other poll clerk, to indicate by a check
134 mark, or by other means, inserted in the appropriate place on the registration record of each voter
135 the fact that the voter voted in the election. In primary elections the clerk shall also insert on the
136 registration record of each voter a distinguishing initial or initials of the political party for whose
137 candidates the voter voted. If a person is challenged at the polls, the challenge shall be indicated
138 by the poll clerks on the registration record, together with the name of the challenger. The
139 subsequent removal of the challenge shall be recorded on the registration record by the clerk of
140 the county commission.

141 (e) (1) No voter may receive any assistance in voting unless, by reason of blindness,
142 disability, advanced age or inability to read and write, that voter is unable to vote without
143 assistance. Any voter so qualified to receive assistance in voting may:

144 (A) Declare his or her choice of candidates to an Election Commissioner of each political

145 party who, in the presence of the voter and in the presence of each other, shall prepare the ballot
146 for voting in the manner provided in this section and, on request, shall read to the voter the names
147 of the candidates selected on the ballot;

148 (B) Require the Election Commissioners to indicate to him or her the relative position of
149 the names of the candidates on the ballot, the voter shall then retire to one of the booths or
150 compartments to prepare his or her ballot in the manner provided in this section;

151 (C) Be assisted by any person of the voter's choice, other than the voter's present or
152 former employer or agent of that employer, the officer or agent of a labor union of which the voter
153 is a past or present member or a candidate on the ballot or an official write-in candidate; or

154 (D) If he or she is handicapped, vote from an automobile outside the polling place or
155 precinct by the absentee balloting method provided in §3-3-5(e) of this code in the presence of
156 an Election Commissioner of each political party if all of the following conditions are met:

157 (i) The polling place is not handicap accessible; and

158 (ii) No voters are voting or waiting to vote inside the polling place.

159 (2) The voted ballot shall then be returned to the precinct officials and secured in a sealed
160 envelope to be returned to the clerk of the county commission with all other election materials.
161 The ballot shall then be tabulated using the appropriate method provided in section eight of this
162 chapter as it relates to the specific voting system in use.

163 (3) A voter who requests assistance in voting but who is believed not to be qualified for
164 assistance under the provisions of this section shall nevertheless be permitted to vote a
165 provisional ballot with the assistance of any person herein authorized to render assistance.

166 (4) One or more of the Election Commissioners or poll clerks in the precinct may challenge
167 the ballot on the ground that the voter received assistance in voting it when in his, her or their
168 opinion the person who received assistance in voting is not so illiterate, blind, disabled or of such
169 advanced age as to have been unable to vote without assistance. The Election Commissioner or
170 poll clerk or commissioners or poll clerks making the challenge shall enter the challenge and the

171 reason for such challenge on the form and in the manner prescribed or authorized by §3-3-1 *et*
172 *seq.* of this code.

173 (5) An Election Commissioner or other person who assists a voter in voting:

174 (A) May not in any manner request or seek to persuade or induce the voter to vote a
175 particular ticket or for a particular candidate or for or against any public question and must not
176 keep or make any memorandum or entry of anything occurring within the voting booth or
177 compartment and must not, directly or indirectly, reveal to any person the name of a candidate
178 voted for by the voter, which ticket he or she had voted or how he or she had voted on any public
179 question or anything occurring within the voting booth, compartment, or voting machine booth
180 except when required by law to give testimony as to the matter in a judicial proceeding; and

181 (B) Shall sign a written oath or affirmation before assisting the voter on a form prescribed
182 by the Secretary of State stating that he or she will not override the actual preference of the voter
183 being assisted, attempt to influence the voter's choice or mislead the voter into voting for someone
184 other than the candidate of voter's choice. The person assisting the voter shall also swear or
185 affirm that he or she believes that the voter is voting free of intimidation or manipulation. No person
186 providing assistance to a voter is required to sign an oath or affirmation where the reason for
187 requesting assistance is the voter's inability to vote without assistance because of blindness as
188 defined in §5-15-3 of this code and the inability to vote without assistance because of blindness
189 is certified in writing by a physician of the voter's choice and is on file in the office of the clerk of
190 the county commission.

191 (6) In accordance with instructions issued by the Secretary of State, the clerk of the county
192 commission shall provide a form entitled "list of assisted voters", on a form as prescribed by the
193 Secretary of State. The commissioners shall enter the name of each voter receiving assistance
194 in voting the ballot, together with the poll slip number of that voter and the signature of the person
195 or the commissioner from each party who assisted the voter. If no voter has been assisted in
196 voting, the commissioners shall make and subscribe to an oath of that fact on the list.

197 (f) After preparing the ballot, the voter shall fold the ballot so that the face is not exposed
198 and the names of the poll clerks on it are seen. The voter shall announce his or her name and
199 present his or her ballot to one of the commissioners who shall hand the same to another
200 commissioner, of a different political party, who shall deposit it in the ballot box if the ballot is the
201 official one and properly signed. The commissioner of election may inspect every ballot before it
202 is deposited in the ballot box to ascertain whether it is single; but without unfolding or unrolling it
203 so as to disclose its content. When the voter has voted, he or she shall retire immediately from
204 the election room and beyond the sixty-foot limit and not return except by permission of the
205 commissioners.

206 (g) Following the election, the oaths or affirmations required by this section from those
207 assisting voters, together with the "list of assisted voters", shall be returned by the Election
208 Commissioners to the clerk of the county commission along with the election supplies, records
209 and returns. The clerk of the county commission shall make the oaths, affirmations and list
210 available for public inspection and preserve them for a period of 22 months or until disposition is
211 authorized or directed by the Secretary of State or court of record. The clerk may use these
212 records to update the voter registration records in accordance with §3-2-18(d) of this code.

213 (h) Any person making an oath or affirmation required under the provisions of this section
214 who knowingly swears falsely or any person who counsels, advises, aids or abets another in the
215 commission of false swearing under this section, is guilty of a misdemeanor and, upon conviction
216 thereof, shall be fined not more than \$1,000 or confined in jail for a period of not more than one
217 year, or both fined and confined.

218 (i) Any Election Commissioner or poll clerk who authorizes or provides unchallenged
219 assistance to a voter when the voter is known to the Election Commissioner or poll clerk not to
220 require assistance in voting, is guilty of a felony and, upon conviction thereof, shall be fined not
221 more than \$5,000 or imprisoned in a state correctional facility for a period of not less than one
222 year nor more than five years, or both fined and imprisoned.

§3-1-41. Challenged and provisional voter procedures; counting of provisional voters' ballots; ballots of election officials.

1 (a) It is the duty of the members of the receiving board, jointly or severally, to challenge
2 the right of any person requesting a ballot to vote in any election:

3 (1) If the person's registration record is not available at the time of the election;

4 (2) If the signature written by the person in the poll book does not correspond with the
5 signature purported to be his or hers on the registration record;

6 (3) If the image of the person displayed in the poll book, when provided, is not truly an
7 image of the person appearing to vote;

8 ~~(3)~~ (4) If the registration record of the person indicates any other legal disqualification;

9 ~~(4)~~ (5) If the person fails to present a valid identifying document pursuant to §3-1-34 of this
10 code; or

11 ~~(5)~~ (6) If any other valid challenge exists against the voter pursuant to §3-3-10 of this code.

12 (b) Any person challenged shall nevertheless be permitted to vote in the election. He or
13 she shall be furnished an official ballot not endorsed by the poll clerks. In lieu of the
14 endorsements, the poll clerks shall complete and sign an appropriate form indicating the
15 challenge, the reason thereof and the name or names of the challengers. The form shall be
16 securely attached to the voter's ballot and deposited together with the ballot in a separate box or
17 envelope marked "provisional ballots".

18 (c) At the time that an individual casts a provisional ballot, the poll clerk shall give the
19 individual written information stating that an individual who casts a provisional ballot will be able
20 to ascertain under the free access system established in this section whether the vote was
21 counted and, if the vote was not counted, the reason that the vote was not counted.

22 (d) Before an individual casts a provisional ballot, the poll clerk shall provide the individual
23 written instructions, supplied by the board of ballot commissioners, stating that if the voter is
24 casting a ballot in the incorrect precinct, the ballot cast may not be counted for that

25 election: *Provided*, That if the voter is found to be in the incorrect precinct, then the poll worker
26 shall attempt to ascertain the appropriate precinct for the voter to cast a ballot and immediately
27 give the voter the information if ascertainable.

28 (e) Provisional ballots may not be counted by the election officials. The county
29 commission shall, on its own motion, at the time of canvassing of the election returns, sit in
30 session to determine the validity of any challenges according to the provisions of this chapter. If
31 the county commission determines that the challenges are unfounded, each provisional ballot of
32 each challenged voter, if otherwise valid, shall be counted and tallied together with the regular
33 ballots cast in the election. The county commission, as the board of canvassers, shall protect the
34 privacy of each provisional ballot cast. The county commission shall disregard technical errors,
35 omissions or oversights if it can reasonably be ascertained that the challenged voter was entitled
36 to vote.

37 (f) Any person duly appointed as an Election Commissioner or clerk under the provisions
38 of §3-1-28 of this code who serves in that capacity in a precinct other than the precinct in which
39 the person is legally entitled to vote may cast a provisional ballot in the precinct in which the
40 person is serving as a commissioner or clerk. The ballot is not invalid for the sole reason of having
41 been cast in a precinct other than the precinct in which the person is legally entitled to vote. The
42 county commission shall record the provisional ballot on the voter's permanent registration
43 record: *Provided*, That the county commission may count only the votes for the offices that the
44 voter was legally authorized to vote for in his or her own precinct.

45 (g) The Secretary of State shall establish a free access system, which may include a toll-
46 free telephone number or an Internet website, that may be accessed by any individual who casts
47 a provisional ballot to discover whether his or her vote was counted and, if not, the reason that
48 the vote was not counted.

ARTICLE 2. REGISTRATION OF VOTERS.

§3-2-11. Registration in conjunction with driver licensing.

1 (a) The Division of Motor Vehicles or other division or department that may be established
2 by law to perform motor vehicle driver licensing services shall obtain as an integral and
3 simultaneous part of every process of application for the issuance, renewal, or change of address
4 of a motor vehicle driver's license, or official identification card pursuant to the provisions of §17B-
5 2-1 *et seq.* of this code, when the division's regional offices are open for regular business, the
6 following information from each qualified registrant:

7 (1) Full name, including first, middle, last, and any premarital names;

8 (2) Date of birth;

9 (3) Residence address and mailing address, if different;

10 (4) The applicant's electronic signature;

11 (5) The applicant's electronic image of their face, if available;

12 ~~(5)~~ (6) Telephone number, if available;

13 ~~(6)~~ (7) Email address, if available;

14 ~~(7)~~ (8) Political party membership, if any;

15 ~~(8)~~ (9) Driver's license number and last four digits of Social Security number;

16 ~~(9)~~ (10) A notation that the applicant has attested that he or she meets all voter eligibility
17 requirements;

18 ~~(10)~~ (11) United States citizenship status;

19 ~~(11)~~ (12) Whether the applicant affirmatively declined to become registered to vote during
20 the transaction with the Division of Motor Vehicles;

21 ~~(12)~~ (13) Date of application; and

22 ~~(13)~~ (14) Any other information specified in rules adopted to implement this section.

23 (b) Unless the applicant affirmatively declines to become registered to vote or update their
24 voter registration during the transaction with the Division of Motor Vehicles, the Division of Motor
25 Vehicles shall release all of the information obtained pursuant to subsection (a) of this section to
26 the Secretary of State, who shall forward the information to the county clerk for the relevant county

27 to process the newly registered voter or updated information for the already-registered voter
28 pursuant to law. The Division of Motor Vehicles shall notify the applicant that by submitting his or
29 her signature, the applicant grants written consent for the submission of the information obtained
30 and required to be submitted to the Secretary of State pursuant to this section.

31 (c) By no later than January 1, 2020, the Division of Motor Vehicles shall create a regular
32 process that allows the Secretary of State to fulfill his or her duties as provided by §3-2-3 of this
33 code to confirm that persons who are noncitizens of the United States have not and cannot
34 register to vote via the Online Voter Registration portal.

35 (d) Information regarding a person's failure to sign the voter registration application is
36 confidential and may not be used for any purpose other than to determine voter registration.

37 (e) A qualified voter who submits the required information or update to his or her voter
38 registration, pursuant to the provisions of subsection (a) of this section, in person at a driver
39 licensing facility at the time of applying for, obtaining, renewing, or transferring his or her driver's
40 license or official identification card and who presents identification and proof of age at that time
41 is not required to make his or her first vote in person or to again present identification in order to
42 make that registration valid.

43 (f) A qualified voter, who submits by mail or by delivery by a third party an application for
44 registration on the form used in conjunction with driver licensing, is required to make his or her
45 first vote in person and present identification as required for other mail registration in accordance
46 with the provisions of §3-2-10(g) of this code. If the applicant has been previously registered in
47 the jurisdiction and the application is for a change of address, change of name, change of political
48 party affiliation, or other correction, the presentation of identification and first vote in person is not
49 required.

50 (g) An application for voter registration submitted pursuant to the provisions of this section
51 updates a previous voter registration by the applicant and authorizes the cancellation of
52 registration in any other county or state in which the applicant was previously registered.

53 (h) A change of address from one residence to another within the same county which is
54 submitted for driver licensing or nonoperator's identification purposes in accordance with
55 applicable law serves as a notice of change of address for voter registration purposes if requested
56 by the applicant after notice and written consent of the applicant.

57 (i) Completed applications for voter registration or change of address for voting purposes
58 received by an office providing driver licensing services shall be forwarded to the Secretary of
59 State within five days of receipt unless other means are available for a more expedited
60 transmission. The Secretary of State shall remove and file any forms which have not been signed
61 by the applicant and shall forward completed, signed applications to the clerk of the appropriate
62 county commission within five days of receipt.

63 (j) Voter registration application forms containing voter information which are returned to
64 a driver licensing office unsigned shall be collected by the Division of Motor Vehicles, submitted
65 to the Secretary of State, and maintained by the Secretary of State's office according to the
66 retention policy adopted by the Secretary of State.

67 (k) The Secretary of State shall establish procedures to protect the confidentiality of the
68 information obtained from the Division of Motor Vehicles, including any information otherwise
69 required to be confidential by other provisions of this code.

70 (l) A person registered to vote pursuant to this section may cancel his or her voter
71 registration at any time by any method available to any other registered voter.

72 (m) This section does not require the Division of Motor Vehicles to determine eligibility for
73 voter registration and voting.

74 (n) Except for the changes made to subsection (b) of this section during the 2017 regular
75 legislative session, the changes made to this section during the 2016 regular legislative session
76 become effective on July 1, 2021, and any costs associated therewith shall be paid by the Division
77 of Motor Vehicles. The Commissioner of the Division of Motor Vehicles, the Secretary of the
78 Department of Transportation, and the Secretary of State shall each appear before the Joint

79 Committee on Government and Finance and the Joint Standing Committee on the Judiciary,
80 during the first interim meetings of such committees occurring after September 1, 2019, to present
81 written reports containing a full and complete list of any infrastructure each agency requires to
82 achieve the purposes of this section. Along with the report required by this subsection, the Division
83 of Motor Vehicles shall submit a written schedule to both committees outlining how the division
84 will implement the requirements of this section by July 1, 2021.

85 (o) The Secretary of State shall propose rules for legislative approval in accordance with
86 the provisions of §29A-3-1 *et seq.* of this code to implement the requirements of this section.

NOTE: The purpose of this bill is to provide an exception to the requirements for voters to present a valid identifying document when appearing in person to vote at the polls. The bill permits the transfer by the Division of Motor Vehicles to the Secretary of State of electronic images of registered voters issued a driver's license or other photographic identification card. Finally, the bill requires poll worker to permit voters whose respective images in the poll books are truly an image of the voter appearing in person to vote at the polls without challenge.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.