

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0193.01 Bob Lackner

HOUSE BILL 11-1003

HOUSE SPONSORSHIP

Summers and Szabo,

SENATE SPONSORSHIP

(None),

House Committees

State, Veterans, & Military Affairs
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE DEFINITION OF IDENTIFICATION FOR**
102 **ELECTION-RELATED PURPOSES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill requires the identification used for election-related purposes to be a valid, government-issued form of identification with a photograph of the eligible elector.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds, determines, and declares that:

4 (a) The foundation of our political system is best served by
5 elections that reflect the highest degree of integrity;

6 (b) It is of utmost importance to the continued health of our
7 republic that citizens function as active voters in the political process;

8 (c) A form of photographic identification is the best and most
9 widely accepted manner by which to verify an elector's actual identity;

10 (d) In the case of *Crawford v. Marion County Election Board*, 553
11 U.S. 181 (2008), the United States supreme court upheld an Indiana law
12 that required photographic identification for voting, finding that any
13 burden placed on voters by this requirement is limited and offset by the
14 legitimate state interest in protecting the integrity and reliability of the
15 electoral process by deterring voter fraud and protecting voter confidence
16 in elections; and

17 (e) By law, access to state-issued photographic identification is
18 available to senior citizens and low-income citizens.

19 **SECTION 2.** 1-1-104 (19.5) (a), Colorado Revised Statutes, is
20 amended to read:

21 **1-1-104. Definitions.** As used in this code, unless the context
22 otherwise requires:

23 (19.5) (a) "Identification" means:

24 (I) A valid Colorado driver's license;

25 (II) A valid identification card issued by the department of
26 revenue in accordance with ~~the requirements of~~ part 3 of article 2 of title
27 42, C.R.S.;

- 1 (III) A valid United States passport;
- 2 (IV) A valid employee identification card with a photograph of
- 3 the eligible elector issued by any branch, department, agency, or entity of
- 4 the United States government or of this state, or by any county,
- 5 municipality, board, authority, or other political subdivision of this state;
- 6 (V) ~~A valid pilot's license issued by the federal aviation~~
- 7 ~~administration or other authorized agency of the United States;~~
- 8 (VI) A valid United States military identification card with a
- 9 photograph of the eligible elector; ■
- 10 (VII) ~~A copy of a current utility bill, bank statement, government~~
- 11 ~~check, paycheck, or other government document that shows the name and~~
- 12 ~~address of the elector;~~
- 13 (VIII) A valid medicare or medicaid card issued by the United
- 14 States health care financing administration THAT HAS BEEN ISSUED TO AN
- 15 ELIGIBLE ELECTOR WHO IS A RESIDENT OF A STATE-LICENSED FACILITY; OR
- 16 (IX) ~~A certified copy of a birth certificate for the elector issued in~~
- 17 ~~the United States;~~
- 18 (X) ~~Certified documentation of naturalization; or~~
- 19 (XI) A valid student identification card with a photograph of the
- 20 eligible elector issued by an institution of higher education in Colorado,
- 21 as defined in section 23-3.1-102 (5), C.R.S. ESTABLISHED AND EXISTING
- 22 BY LAW AS AN AGENCY OF THE STATE OF COLORADO.

23 **SECTION 3. Act subject to petition - effective date -**
24 **applicability.** (1) This act shall take effect September 1, 2011; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within the ninety-day period after final adjournment of the general

1 assembly, then the act, item, section, or part shall not take effect unless
2 approved by the people at the general election to be held in November
3 2012 and shall take effect on the date of the official declaration of the
4 vote thereon by the governor.

5 (2) The provisions of this act shall apply to elections conducted
6 on or after the applicable effective date of this act.