

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1254

Introduced by

Representatives Onstad, Keiser, Kerzman

Senators Fairfield, Warner

1 A BILL for an Act to amend and reenact section 16.1-05-07 of the North Dakota Century Code,
2 relating to approved forms of identification for voting purposes.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 16.1-05-07 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **16.1-05-07. Poll clerks to check identification and verify eligibility - Poll clerks to**
7 **request, correct, and update incorrect information contained in the pollbook.**

8 1. Before delivering a ballot to an individual according to section 16.1-13-22, the poll
9 clerks shall request the individual to show ~~a driver's license issued by the state,~~
10 ~~another form of identification displaying a photograph of the individual and the~~
11 ~~individual's date of birth, or another appropriate form of identification prescribed by~~
12 ~~the secretary of state, which includes the individual's residential address and date~~
13 ~~of birth.~~ The identification may include:

- 14 a. An official form of identification issued by the state;
15 b. An official form of identification issued by a tribal government;
16 c. A form of identification prescribed by the secretary of state; or
17 d. A combination of any of the forms of identification under subdivisions a
18 through c.

19 2. If an individual offering to vote ~~fails~~ does not have or refuses to show an
20 appropriate form of identification, the individual may be allowed to vote without
21 being challenged according to section 16.1-05-06 if the individual provides to the
22 election board the individual's date of birth and if a member of the election board or
23 a clerk knows the individual and can personally vouch that the individual is a
24 qualified elector of the precinct. ~~After verifying that the individual's name is~~

- 1 ~~contained in the pollbook generated from the central voter file, poll clerks shall~~
2 ~~verify the individual's residential address and mailing address, if different from the~~
3 ~~individual's residential address.~~
- 4 2. ~~If the individual's name is not contained in the pollbook generated from the central~~
5 ~~voter file, the individual may be challenged according to section 16.1-05-06 and~~
6 ~~the individual's name must be recorded in the pollbook. The poll clerks shall~~
7 ~~request and obtain any additional information for the individual required to be~~
8 ~~included in the pollbook.~~
- 9 3. If an individual offering to vote does not meet either of the options set forth in
10 subsection 1 or 2, the election board shall challenge the individual's right to vote
11 and the individual may not vote unless the individual executes a voter's affidavit, as
12 provided in section 16.1-05-06.
- 13 4. a. When verifying an individual's eligibility or when entering the name of an
14 individual into the pollbook, poll clerks shall request, correct, and update any
15 incorrect or incomplete information about an individual ~~that is~~ required to be
16 ~~contained~~ included in the pollbook generated from the central voter file.
- 17 b. If the individual's name is contained in the pollbook generated from the central
18 voter file, the poll clerks shall verify the individual's residential address and
19 mailing address, if different from the individual's residential address.
- 20 c. If the individual's name is not contained in the pollbook generated from the
21 central voter file but the individual is determined eligible to vote, the poll clerks
22 shall record the individual's name in the pollbook. The poll clerks shall
23 request and obtain any additional information for the individual required to be
24 included in the pollbook.
- 25 4. 5. Poll clerks shall direct an individual who is attempting to vote in the incorrect
26 precinct to the proper precinct and voting location.