

# Testimony For SB0567

Honorable Senators

Please enter a favorable report for SB0567.

I support

- Requiring an election judge to establish a voter's identity by requiring
  - the voter to present a valid government-issued photo identification or
  - a valid non-government-issued photo identification, and
    - a current bill,
    - statement, or
    - check that states the voter's name and address as proof of identity;
- requiring a voter to vote a provisional ballot if the voter is unable to provide certain proof of identity; and
- prohibiting a person from knowingly and willfully voting or attempting to vote under a false form of identification.

From what I have read, a majority of Marylanders support supplying a photo ID when they vote, and they find it insulting when opponents of this bill (and the Federal equivalent) state that people of color and married women will not be able to obtain photo IDs. This bill would even allow the few who do not have a photo ID or forgot their photo ID to cast a provisional ballot. Thus, no one would be disenfranchised as opponents claim. The rest of my testimony is copied from the Secure the Vote Website.

The proposed Voter ID bill is a vital step toward ensuring the integrity, security, and transparency of Maryland's elections. By requiring all in-person voters to present a valid photo identification, this legislation strengthens election security, helps prevent voter fraud, and reinforces public confidence in the democratic process. Voter ID laws are a common-sense safeguard supported by most Americans and reflect standard practices used in everyday life—from cashing a check to boarding a plane. Notably, Maryland is one of only 14 states that currently do not require photo identification to vote, leaving our elections more vulnerable to inconsistencies and errors. This bill addresses those concerns while also ensuring accessibility by requiring the State Board of Elections to provide free voter photo identification cards to any registered voter upon request. With clear guidelines, compassionate exceptions, and practical implementation strategies, this proposal ensures fair and equal voting standards across the state while protecting every eligible citizen's right to vote.

## **Why voter identification requirement is essential to accurate and trustworthy elections:**

- **Enhances Election Security:** Requiring photo identification helps ensure that only eligible voters cast ballots, reducing the potential for voter impersonation and fraud.
- **Promotes Public Confidence:** Voters are more likely to trust the integrity of the electoral process when measures like photo ID requirements are in place.
- **Widely Accessible IDs:** Photo IDs are commonly used in daily life for activities like banking, travel, and accessing government services, making compliance straightforward for most voters.
- **Safeguards Against Errors:** Photo ID verification can help reduce clerical or administrative errors in identifying voters at polling places.

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- **Consistent Voter Identification:** Establishing a uniform requirement ensures equal standards across all voting locations, preventing discrepancies.
- **Supports Accurate Outcomes:** By verifying identity, photo ID requirements help ensure that only legitimate votes are counted, protecting the integrity of election results.
- **Broad Public Support:** Polls consistently show that most Americans, across political affiliations, support voter ID laws as a common-sense measure. *Maryland is one of only 14 states not to require photo identification to vote.*

## **OVERVIEW:**

*The below text outlines the requirements for photo identification to vote in person in Maryland including a new requirement for the State Board of Elections to provide, upon request, a Voter Photo Identification Card.*

*It specifies acceptable forms of ID, verification processes, provisional ballot procedures, and exceptions for those unable to provide ID due to religious objections, reasonable impediments, or natural disasters.*

*It also details the review process for exceptions and the purpose of the ID requirement.*

*Finally, the selected text outlines the procedures and regulations for issuing voter photo identification cards in accordance with Maryland Election Law **§ 10-315**.*

## **Photo Identification Required to Vote**

- Voters must present a valid photo ID to vote in person.
- Acceptable IDs include MD driver's license, special ID cards, US passport, MD voter photo ID, student and employee IDs, out-of-state driver's licenses (if registered within 90 days of the election), military IDs, Veterans ID cards, tribal enrollment cards, and government-issued IDs for public assistance programs.
- Expired IDs are acceptable for voters aged 65 or older if the ID was valid on their 65th birthday.

## **Verification of Photo Identification**

- Precinct officials will compare the photo on the ID with the person presenting to vote.
- If there is a dispute, a challenge will be conducted, and the voter can vote unless all election judges unanimously agree the ID does not resemble the voter.

## **Provisional Ballot Required Without Photo Identification**

- Voters without acceptable ID can cast a provisional ballot, which will be counted if they present an acceptable ID to the county board of elections by the deadline.
- Voters will receive an information sheet on acceptable IDs and the deadline for submission.

## **Exceptions**

- **Religious Objection:** Voters with religious objections to being photographed can complete an affidavit and cast a provisional ballot.

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- Reasonable Impediment: Voters with reasonable impediments preventing them from obtaining an ID can complete an affidavit and a reasonable impediment declaration form to cast a provisional ballot.
- Natural Disaster: Voters affected by a natural disaster within 100 days before the election can complete an affidavit and cast a provisional ballot.

## Reasonable Impediment Declaration Form

- The form includes options for lack of transportation, disability or illness, lack of required documents, work schedule, family responsibilities, lost or stolen ID, ID applied for but not yet received, and other reasonable impediments.

## County Board Review of Exceptions

- The county board will validate provisional ballots cast due to inability to provide ID if the required affidavit is submitted, unless there are grounds to believe the affidavit is false.

## Purpose

- The purpose of the ID requirement is to confirm the voter's identity, not their residence, which is determined by other means.
- **10-315. Requirement for Photo Identification to Vote in Person**

### (a) Photo Identification Required to Vote.

When a registered voter presents to vote in person, the voter shall produce any of the following forms of identification that contain a photograph of the voter:

(1) Any of the following that is valid and unexpired, or has been expired for one year or less:

- a. A Maryland driver's license.
- b. A special identification card for non-drivers issued by the Maryland Motor Vehicle Administration (MVA).
- c. A United States passport.
- d. A Maryland voter photo identification card issued by the State Board of Elections.
- e. A student identification card issued by a college or university in Maryland, provided the card is issued in accordance with the rules established by the State Board of Elections.
- f. An employee identification card issued by a state or local government entity in Maryland.
- g. A driver's license or special identification card for non-drivers issued by another state, the District of Columbia, or a United States territory, but only if the voter registered within 90 days of the election.

(2) Any of the following forms of identification, regardless of whether the identification contains an expiration date:

- a. A military identification card issued by the United States government.
- b. A Veterans Identification Card issued by the United States Department of Veterans Affairs.
- c. A tribal enrollment card issued by a federally or state-recognized tribe.

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d. An identification card issued by a federal or Maryland state agency for a government program of public assistance.

(3) Any expired form of identification listed in this subsection, if presented by a registered voter who is 65 years or older, provided that the identification was valid on the voter's sixty-fifth birthday.

## **(b) Verification of Photo Identification.**

Precinct officials shall compare the photograph on the identification with the individual presenting to vote. If the officials dispute the voter's identity based on the photograph, a challenge shall be conducted in accordance with Maryland Election Law § 10-312. A voter shall be allowed to vote unless election judges unanimously agree that the photo identification does not reasonably resemble the voter.

## **(c) Provisional Ballot Without Photo Identification.**

If a voter cannot produce photo identification as required, they may cast a provisional ballot. The ballot will be counted if the voter presents acceptable photo identification to the local board of elections by the close of business on the day before the canvass of provisional ballots. The State Board of Elections shall provide the voter with information on deadlines and acceptable forms of identification.

## **(d) Exceptions.**

### **(1) Religious Objection.**

If a voter cannot provide photo identification due to a religious objection to being photographed, they may complete an affidavit under penalty of perjury at the voting location affirming their identity and religious objection. Upon completion of the affidavit, the voter may cast a provisional ballot.

### **(2) Reasonable Impediment.**

If a voter cannot provide photo identification due to a reasonable impediment, they may complete an affidavit under penalty of perjury and a reasonable impediment declaration form, affirming their identity and the nature of the impediment. Acceptable impediments include:

- a. Lack of transportation.
- b. Disability or illness.
- c. Lack of necessary documents.
- d. Work schedule.
- e. Family responsibilities.
- f. Lost or stolen identification.
- g. Identification applied for but not yet received.
- h. Other impediments as described by the voter.

### **(3) Natural Disaster.**

A voter affected by a natural disaster declared by the President of the United States or the Governor of Maryland within 100 days of the election may complete an affidavit to cast a provisional ballot.

## **(e) County Board Review.**

If the local board of elections determines that a provisional ballot was cast due to the lack of photo identification and the required affidavit was completed, the ballot shall be considered valid unless the board has reason to believe the affidavit is false.

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## **(f) Purpose.**

The purpose of photo identification is to confirm that the individual presenting to vote is the registered voter on the voter rolls. The address on the identification is not determinative of residence for voting purposes. Residency for voting is determined pursuant to Maryland Election Law § 3-202.

**In addition, we believe in order to strengthen this bill and dispel any resistance to the voter id requirement based on access to proper identification, we encourage an additional required duty of the State Board of Elections to provide, upon request, a voter photo identification card to all registered voters.**

Here's our best attempt at the language we might use to add the requirement of the BOEs to issue, upon request, Voter Photo Identification Cards to all voters.

- - **§ 3-205. Voter Photo Identification Cards**

## **(a) Issuance of Voter Photo Identification Cards.**

The local boards of elections in each county, in accordance with this section, shall issue voter photo identification cards upon request to registered voters without charge. The voter photo identification cards shall:

1.
  1. Contain a photograph of the registered voter, the name of the registered voter, and the voter registration number of the registered voter.
1.
  1. Be used solely for voting purposes.
1.
  1. Expire 10 years from the date of issuance.

The expiration of a voter photo identification card does not affect the validity of the voter's registration status, nor shall a voter's registration be rendered inactive solely due to the expiration of the voter photo identification card.

## **(b) Equipment for Voter Photo Identification Cards.**

The Maryland State Board of Elections shall provide the necessary equipment for printing voter photo identification cards to the local boards of elections. The local boards of elections shall be responsible for operating and maintaining the equipment.

## **(c) Secure Database Maintenance.**

The local boards of elections, or the Maryland State Board of Elections, shall maintain a secure database containing the photographs of registered voters taken for the purpose of issuing voter photo identification cards.

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### (d) Procedures for Issuance of Voter Photo Identification Cards.

The Maryland State Board of Elections shall adopt rules to ensure the following minimum procedures are implemented:

1. **A registered voter seeking a voter photo identification card must provide their name, date of birth, and the last four digits of their Social Security number.**
2. **Voter photo identification cards shall be issued year-round, except during the period beginning at the close of early voting for a primary or general election and ending on election day.**
3. **If a voter loses or damages their photo identification card, they may request a duplicate card without charge from the local board of elections. Requests may be made in person, by telephone, or by mail.**
4. **If a voter's name changes and the voter updates their voter registration to reflect the change, the voter may request a replacement card. The request may be made in person, by telephone, or by mail and requires the voter's date of birth and the last four digits of their Social Security number.**
5. **All voter photo identification cards shall include the following disclaimer:  
*"Expiration of this voter photo identification card does not automatically result in the voter's registration becoming inactive."***

**Ninety (90) days prior to the expiration of a voter photo identification card, the local board of elections shall notify the voter of the impending expiration.**

Source, see [Voter ID - Secure The Vote MD](#)

Please enter a favorable report for SB0567.

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February 23, 2026