



Legislative Action Bulletin

April 27, 2011

An Update of State Legislative Activity on Election Policy



2011 By the Numbers

states currently in session	36
states adjourned for the year	14
states with no session in 2011	0
election bills introduced	2,080
—enacted	99
—pending in chamber of origin	1,375
—pending in second chamber	112
—awaiting gubernatorial action	33
—failed to pass	366
—pending conference/concurrence	20
—vetoed	3
—carried over to 2012	27

NCSL Resources

[H2011 Election Bills Database](#)

[H2001-2010 Bills Database](#)

[H2011 Session Calendar](#)

[HNCSL Elections Home Page](#)

[HThe Canvass Newsletter](#)

NCSL Elections Staff

Jennie Bowser, Tim Storey and
Wendy Underhill

Contact Us

Helections-info@ncsl.org

(303) 364-7700

Kansas Voter ID Bill Signed

Governor Sam Brownback (R) signed [HB 2067](#) last week, making Kansas the 28th state to require voters to show identification at the polls. The photo ID requirement takes effect on January 1, 2012, and a requirement that new registrants show proof of citizenship in 2013.

Kansas was one of 20 states considering a new voter ID requirement this year. Many observers expected Iowa to pass voter ID this year, but [HF 95](#) failed to win Senate committee approval by last Friday's deadline.

Thirteen of the 27 states that already have voter ID laws are considering strengthening their requirements this year. Those to keep an eye on include [Montana](#), where a bill is on its way to the governor (although observers expect a veto) and [Tennessee](#), where a bill is awaiting concurrence. In [South Carolina](#) and [Texas](#) bills have gone to conference committee. Disagreement in South Carolina centers on whether early voting should be included in the voter ID bill. In Texas, the House amendments made the ID requirements in the original Senate bill much stricter.

Arizona Governor Vetoes Candidate Citizenship Bill

Arizona Governor Jan Brewer (R) last week vetoed [HB 2177](#), which would have required candidates for President and Vice-President to document their U.S. citizenship. Similar legislation has been introduced in 16 other states.

Vermont Adopts National Popular Vote

The Vermont General Assembly last week gave final approval to [S 31](#) and Governor Peter Schumlin (D) signed it days later, making Vermont the seventh state (plus D.C.) to join the National Popular Vote compact and bringing the total number of electoral votes in the compact to 77. The legislature passed a similar bill in 2008, only to see it vetoed by then-Governor Jim Douglas. Lawmakers have introduced National Popular Vote legislation in 35 states this year, including bills in four states to withdraw from the compact.

Voter Registration

The governor in [Montana](#) vetoed an attempt to repeal Election Day registration, while the [California](#) Assembly approved a bill to allow new citizens to register and vote on Election Day. A bill approving electronic voter registration is awaiting gubernatorial action in [Maryland](#), and a similar proposal is in conference committee in [Hawaii](#).

Washington Moves to All-Mail Voting

The governor signed [SB 5124](#), requiring all counties to conduct all elections by mail ballot. Since 2003, mail voting has been an option, and the lone holdout was Pierce County. Washington becomes the second state, after Oregon, to move to all-mail voting.

Military and Overseas Voters

The number of states with legislation to comply the federal Military and Overseas Voter Empowerment Act (MOVE) has grown from 29 to 31 since the [last issue](#) of the LAB, and the bills continue to pass through legislatures with relative ease. Recent enactments include [Arkansas](#), [Kansas](#), [Montana](#) and [North Dakota](#).

In [Arizona](#), [Maryland](#), [Tennessee](#) and [Washington](#), MOVE bills are awaiting gubernatorial action. HB 1615 is pending concurrence in Oklahoma. A bill in [Hawaii](#) to change the date of the state primary to meet MOVE's timelines has gone to conference committee. Bills that have moved to the second chamber this month include [HB 176](#) in Alabama, [AB 293](#) in California, [HB 1219](#) and [SB 189](#) in Colorado and [SB 100](#) in Texas.

Primary Elections

An [Idaho](#) bill allowing political parties to restrict participation in their primaries to voters registered with the party sailed through the legislature in record time. Introduced on April 6, it was signed by the governor just one week later. Bills to change primary dates have seen recent action in:

- [California](#), moving the presidential primary from February to June, consolidating it with the state primary
- [District of Columbia](#), moving the presidential primary from February to April
- [Georgia](#), moving the state primary from August to July
- [Georgia](#), moving the presidential primary from February to a date selected by the secretary of state
- [Missouri](#), moving the presidential primary to seven days after the New Hampshire primary
- Oklahoma, moving the presidential primary from February to March (HB 1614) and the state primary from July to June (HB 1615)
- [Tennessee](#), moving the presidential primary from February to March
- [Washington](#), canceling the 2012 presidential primary and making the state primary two weeks earlier (on the governor's desk)

Session News

Legislatures in all 50 states will hold regular sessions this year. So far, fourteen already have adjourned. The **Louisiana** Legislature convened on April 25.

By the end of May, more than half of state legislatures will have concluded their 2011 regular sessions. Upcoming adjournments include:

- April 29: **Indiana**
- Late April/early May: **Arkansas, Iowa, Montana** and **North Dakota**
- May 6: **Florida**
- May 11: **Colorado**

View a complete [2011 session calendar](#) on NCSL's website.