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# Costs of Voter Identification

Like all legislation, strict voter identification (ID) laws come with costs.

Strict voter ID laws require a voter who does not have the required ID to vote on a provisional ballot. That ballot will not be counted unless the voter returns to an elections office within a few days of the election to show the required ID. Costs associated with these laws are generally higher than for less strict voter ID laws.

Costs are among the primary factors that lawmakers — and voters — consider when evaluating legislative proposals. This overview is intended to help legislators assess the potential expenses that might accompany new voter ID laws. In it we answer:

- What types of costs could legislators and administrators expect to see? Are these costs one-time expenditures or will they recur with each election?
- How and why might cost estimates for the same law differ from each other?
- Who bears the costs of implementing a new ID law?

## TYPES OF COSTS

This section describes universal vs. possible costs and initial vs. recurring costs.

### UNIVERSAL VS. POSSIBLE COSTS

Some of the costs associated with voter ID laws are essentially universal; all states that enact voter ID laws should expect to incur them. Others are more limited in scope; they may apply to some states but not others.

#### *Universal Costs*

Universal costs are described below under the following topics:

- Free voter ID cards
- Voter education and public outreach
- Revised and additional election materials
- Expanded poll worker training and wages

**FREE VOTER ID CARDS:** In 2005, Georgia passed a voter ID law that included a fee for voter identification cards. A federal court found that this version of the law was vul-

nerable to a poll tax–based legal challenge. While the case was pending in the courts, Georgia lawmakers revised the law to eliminate the fee. This revision neutralized the poll tax challenge; when the court took the case back up after the revision, it upheld the law.

Since then, states have consistently included provisions for free ID cards in their voter ID laws.

The provision of free ID was also a part of the U.S. Supreme Court’s decision in [Crawford v. Marion County Election Board \(2008\)](#). The decision upheld Indiana’s voter ID law but noted that, “The fact that most voters already possess a valid driver’s license, or some other form of acceptable identification, would not save the statute under our reasoning in *Harper* [v. *Virginia Board of Elections*], if the State required voters to pay a tax or a fee to obtain a new voter identification.”

Providing ID cards free of charge involves the expense of producing and distributing them. It also means a drop in revenues, because some who might have opted to obtain a state-issued non–driver’s license will now be able to do so without a fee. According to a report released in 2011, Indiana [estimated spending \\$13 to produce each free ID card](#), for a total of between \$2 million and \$3 million per year, for an overall total of \$10,023,221 between 2007 and 2010.

**VOTER EDUCATION AND PUBLIC OUTREACH:** To ensure that eligible voters are aware of new ID requirements, states typically run voter education campaigns. For example, the Mississippi secretary of state [budgeted \\$40,000 for a series of TV ads about its new ID law](#). (The Mississippi Legislature [appropriated approximately \\$220,000 total for implementation of the law](#).) In Kansas, the secretary of state’s office [spent \\$310,000 on a](#)

[website about the new law](#) — [Got Voter ID?](#) — and the secretary conducted a “[voter tour](#)” that visited various locations throughout the state.

States [may also have to offer public outreach programs](#), to ensure that members of vulnerable populations, such as seniors in assisted living facilities and voters with disabilities, can obtain acceptable ID.

Voter education and public outreach can be costly. As of 2011, Indiana [estimated that it had spent \\$2.2 million on voter education and outreach since 2005](#). More than one-quarter of this spending — \$600,000 — was in 2010.

**REVISED AND ADDITIONAL ELECTION MATERIALS:** States that enact voter ID laws may have to revise and reissue election materials to reflect the change in the law. For example, states may have to create new absentee ballots and voter information pamphlets.

In states with strict voter ID laws, voters without acceptable ID who try to vote at the polls on Election Day can only vote by provisional ballot. States with such laws may see an uptick in provisional ballots. To meet increased demand, election administrators may need to increase the number of provisional ballots they print for each election.

**EXPANDED POLL WORKER TRAINING AND WAGES:** To ensure that voter ID laws are administered fairly, accurately and efficiently, elections officials may want to supplement existing poll worker training with ID-specific materials and guidelines. This may require increasing overall poll worker training time.

ID laws can add extra steps to Election Day procedures. These can include reviewing IDs at voter

check-in and an increased use of provisional ballots, both of which add time to the voting process. To avoid long lines or lengthy ballot processing times, elections officials may choose to hire additional poll workers.

### **Possible Costs**

Possible costs are described below under the following topics:

- Litigation
- Expanded access to ID cards
- Miscellaneous

**LITIGATION:** More than half of the voter ID laws that have been enacted have faced legal scrutiny. Given this litigation rate, states that enact ID laws should be prepared to defend them in court.

Legal fees for defending an ID law can be expensive — especially if a case goes through multiple rounds of appeals, as many ID cases have. For instance, South Carolina’s voter ID lawsuit [was expected to cost the state approximately \\$1 million](#) but [ended up costing more than \\$3.5 million](#) (though the federal government was ordered to cover part of the cost). A recent estimate [placed Wisconsin’s cost for its voter ID lawsuits at more than \\$1 million](#).

**EXPANDED ACCESS TO ID CARDS:** As noted above, courts have been receptive to the argument that fees for voter ID cards constitute poll taxes. So far, they have been less sympathetic to arguments that the indirect costs of obtaining ID are legally problematic. These costs includes fees for the documents required to obtain ID or the costs of traveling to ID-issuing agencies. For example, in the lead opinion in *Crawford*, the U.S. Supreme Court [said that](#) “the inconvenience of going to the

Bureau of Motor Vehicles, gathering required documents, and posing for a photograph does not qualify as a substantial burden on most voters’ right to vote, or represent a significant increase over the usual burdens of voting.”

However, some courts have found these types of costs troubling. For example, a federal [court recently struck down Wisconsin’s voter ID law](#), in part due to concerns about the obstacles voters would encounter when attempting to obtain acceptable ID. For instance, in rural parts of the state, there are relatively few locations where ID cards can be obtained. The Missouri Supreme Court in 2006 [similarly found that fees for documents required to obtain ID, such as birth certificates, count as an undue burden on voters](#).

Given such rulings, states may need to take additional steps to reduce or eliminate obstacles to obtaining ID, such as providing documents required to obtain ID at reduced or no cost. This was the position taken by an advisory group formed by the Iowa State Association of County Auditors, [which recommended that the state include provisions for free birth certificates in any ID proposal](#).

**MISCELLANEOUS:** Special provisions of particular voter ID laws or conflicts with existing election laws can generate additional costs in some states. Minnesota and New Hampshire provide examples of such additional costs:

- Minnesota’s 2012 proposed voter ID amendment, which was not enacted, would have required all voters to be subject to “substantially equivalent” identity verification. Voter ID opponents [claimed this would have required revision or elimination of Election Day registration in the state](#), which might have rendered

Minnesota ineligible for exemption from the National Voter Registration Act (NVRA). They argued that this would have introduced a number of new costs for elections administrators and other state officials. (ID supporters [responded that the ID law would not have required any changes to Election Day registration](#) — or any of the related costs.) This consideration is unique to a small handful of states that are exempt from the NVRA.

- In New Hampshire, elections officials are required to send confirmation postcards to all voters who sign an affidavit in lieu of showing ID. The state [estimates that it spent \\$16,272 on these mailings for the 2012 general election](#).

## INITIAL VS. RECURRING COSTS

Some of the costs associated with voter ID requirements are front-loaded, and will diminish over time. Examples include:

- **Voter education and outreach:** As voters become familiar with ID requirements, less education and outreach around ID laws may be required. In most cases, states can expect these types of outlays to decrease in future election cycles. However, the tapering of costs may take a few election cycles to be realized. As noted above, Indiana [continued to see high public education expenses years after first implementing its ID law](#).
- **Technology:** Typically, the most substantial technology-associated expenses will be initial acquisition costs for additional equipment. This might include electronic poll books, additional equipment to produce voter identification cards and perhaps equipment to “swipe” drivers’ licenses at the polling place. While these purchases are not integral to voter ID policy, they are common. Once states have

purchased new ID-related technology, these types of expenses should drop off. However, they will not disappear completely. States can expect some recurring technological expenses, in the form of maintenance and equipment replacement costs.

Other costs will recur each election cycle. Some such costs include:

- **Additional provisional ballots:** If demand for provisional ballots increases as a result of a new ID requirement, extra ballots will have to be produced each election cycle.
- **Poll worker training and wages:** If elections officials choose to hire additional poll workers to check ID cards and process additional provisional ballots or increase poll worker training time to include extra ID-related training, they will incur these extra costs each election.

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## COST ESTIMATES

Oftentimes, legislative staff have released cost estimates for implementing proposed voter ID laws. In some cases, interested outside parties such as nonprofit organizations have also produced estimates. These cost estimates often differ quite substantially from each other. There are at least four reasons for these disparities, described below.

**DIFFERENCES IN DETAILS OF THE LEGISLATION:** Sometimes, a state will consider multiple voter ID proposals. Differences in the details of these proposals can generate different cost estimates. For example, some versions of ID legislation might require a greater investment in technology (e.g., mandated electronic poll books) than others.

**LACK OF IMPLEMENTATION DETAILS:** Estimates of the costs of voter ID in Minnesota were based on the constitutional amendment on the November 2012 ballot. The language of the ballot measure was broad; specific details about exactly how the ID requirement would be implemented was to be determined by the state legislature, if the ballot measure had passed. In cases like this, cost estimators have to make educated guesses about how the law might be implemented. This was at least part of the reason why cost estimates in Minnesota ranged from [\\$2.9 million for the first general election the law was in place, dropping to \\$915,000 in the second and further in subsequent elections to between \\$36.5 million and \\$77.6 million.](#)

**FAILURE TO ACCOUNT FOR ALL LIKELY COSTS:** As detailed above, implementing a voter ID law can involve many different types of costs. In some cases, cost estimators fail to account for one or more of these costs. For example, fiscal notes provided by state legislatures do not always include allocations for voter education and they rarely, if ever, include estimates of the cost of litigation.

**FAILURE TO ACCOUNT FOR ABSORPTION OF COSTS:** Some states project that certain costs of voter ID laws, such as the expenses associated with providing free ID cards, can be absorbed in the operating budgets of state agencies or offset by federal funding such as the funds provided via the [Help America Vote Act of 2002.](#)

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## WHO BEARS THE COST

Decisions about whether to enact voter ID laws are typically made by state lawmakers. And yet, the actual administration of elections occurs primarily at the local level. Costs are borne at the local level as well.

Some local election officials believe additional administration costs can be absorbed into existing budgets. But others think they will add costs at the local level. Some states, such as Missouri, [require state lawmakers to provide funding for new local mandates.](#) Legislators in other states may want to think about whether and how to share voter ID expenses between state and local governments.