



Voter Mandates Costly to Taxpayer

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The Pennsylvania House of Representatives is considering legislation that would require every citizen to present photo identification as a condition for voting in primary and general elections. House Bill (HB) 934 (Metcalfe) requires each voter to provide a form of identification issued by the Commonwealth or the United States Government. HB 647 (Cruz) would designate a photo ID issued by the county board of elections as the only acceptable form of identification for voting purposes.

Many recently enacted voter ID laws have been subject to legal challenges, and states considering voter ID laws, anticipating challenges, have included safeguards to eliminate impediments to citizens' constitutional right to vote.

The U.S. Supreme Court has upheld the constitutionality of voter ID laws, but left open the possibility of challenges by groups burdened by the requirement. Based on a review of recent court cases, the Brennan Center at NYU has identified three principles for state photo ID laws that can withstand legal challenges¹:

- Photo IDs must be available **free of charge for all who ask for them**. States cannot limit access to free ID to the poor or indigent.
- Photo IDs must be **readily accessible** to all who ask for them without undue burden. States have increased the number of ID-issuing locations to meet this test.
- States must undertake **substantial voter outreach** and public education efforts to ensure that voters are apprised of the law's requirements.

| Pennsylvania Voter ID Cost Estimate | |
|---|----------------------|
| Free Voter ID Cards | \$ 1,945,944 |
| Lost Revenue PennDOT | \$ 1,182,975 |
| Public Education | \$ 4,200,000 |
| Voter Notification (Households)+ | \$ 2,719,680 |
| Photo ID Equipment | \$ 376,540 |
| Election Day Staff* | \$ 576,840 |
| Total | \$ 11,002,029 |
| * Election day staff costs incurred by localities | |
| + Cost rises to \$4.6 million for individual notification | |

Meeting these tests can impose substantial financial burdens on cash-strapped states. **Indiana**, with about half as many registered voters as Pennsylvania, adopted a voter ID law in 2005 and spent **\$12.2 million** over four years implementing it.² **Missouri** has estimated voter ID legislation would cost **\$17.4 million** over three years to inform its 4.1 million registered voters of the new requirements.³ Independent estimates for a proposed **North Carolina** law range from **\$18 million to \$25 million** over three years.⁴

VOTER ID COST TO PENNSYLVANIA

HB 934 creates new requirements for both the state and local governments. It mandates that the Commonwealth disseminate information to the public about photo identification requirements to vote and provide free identification to individuals who cannot otherwise obtain or afford ID. It also requires county boards of elections to inform voters that free ID is available.

¹Agraharker, Vishal, Wendy Weiser, Adam Skaggs: "The Cost of Voter ID Laws: What the Courts Say." Feb. 17 2011. The Brennan Center, http://www.brennancenter.org/content/resource/the_cost_of_voter_id_laws_what_the_courts_say/.

²http://www.iowaauditors.org/index_files/ISACAVoterIDReport020211final.pdf

³Common Cause: "The High Cost of Voter ID Mandates." March, 2010, <http://www.commonblog.com/2011/03/23/the-high-cost-of-voter-id-mandates/>.

⁴Facing South/Institute for Southern Studies: <http://www.southernstudies.org/ISS%20Cost%20NC%20Voter%20ID.pdf>.

A survey of state implementation reports and estimates from legislative fiscal notes provides an indication of the likely cost to Pennsylvania of a state voter ID program. In order to meet the requirements set forth in the legislation and avoid potential litigation, PBPC estimates first-year costs for a voter identification program of approximately **\$11 million**. These costs are estimated as follows.

Voter ID cards. To prevent a legal challenge, a state must provide free voter identification cards, and case law suggests that states cannot limit free identification to voters willing to attest to hardship or indigence. States may incur costs for providing underlying identification; for example, Indiana pays the cost for obtaining a birth certificate.

National studies suggest that 11% of the voting-age population lacks a current valid photo ID, with the rates among subgroups significantly higher: approximately 18% of seniors, 25% of African Americans and 15% of individuals with incomes under \$35,000 lack photo IDs.⁵

This analysis uses a 2006 Pennsylvania Department of Transportation (PennDOT) estimate of the number of Pennsylvanians without photo ID, 691,909, as its basis⁶. We assume 50% will apply for identification and of these, 75% will request free ID by October 2012 at a cost of \$7.50 per ID. This yields a total cost of **\$1.9 million**, although the number could be higher. There are additional ongoing costs for new voters and for photo ID renewals.

Lost revenue to PennDOT. States expect that individuals currently purchasing non-photo IDs will instead request identification for free. Using an estimate from Missouri, we expect that 25% of the 350,511 individuals who currently purchase identification for \$13.50 per card will request free ID for a loss of **\$1.2 million**.

Voter Education. All states with voter ID laws have developed paid media campaigns to educate voters about the requirement. Looking across states, Missouri spent \$1.37 per voter on its campaign, while Texas spent the least, \$0.15 per voter.⁷ Pennsylvania spent \$2.1 million on advertising on the Help America Vote Act requirements. Our estimate doubles that to account for both primary and general elections for a total cost of **\$4.2 million**.⁸ The cost amounts to \$0.50 per voter.

Voter Notification. All states with voter ID laws notify voters by mail of the photo requirement. We estimate the cost of mailing to 4,532,800 *households*⁹ for both primary and general election at \$0.30 per piece would total **\$2.7 million**. To notify each *voter* in the general election and 80% of voters in the primary would cost \$4.6 million.

Additional Photo ID equipment and Staff. In order to make photo identification readily available, states have had to purchase and use new ID equipment, and some have set up temporary and mobile ID stations. This analysis estimates the cost of new ID machines at 67 county boards of elections at \$5,620 per county. It is also estimated that one-third of the state's 9,200 precincts will require an additional worker (at a cost of \$95 per day) for both primary and general elections. The total cost of the additional equipment is estimated at **\$376,540** and additional polling staff is **\$576,840**. Some of the costs to county election boards could be paid from the balance of a Help America Vote Grant to the Commonwealth.

Experience from other states suggests that voter ID laws are a burden for voters and an expense that cash-strapped states can ill afford, particularly when the need has not been justified. To quote recent legislative testimony by the County Commissioners Association: "Were fraudulent voting an issue, we would be calling for legislation such as these proposals and perhaps other measures to deal with the problem. But we find no evidence—substantiated by a search of case records and anecdotal evidence from counties—that this is an issue."¹⁰

⁵ Citizens Without Proof: A Survey Of Americans' Possession Of Documentary Proof of Citizenship And Photo Identification, Brennan Center for Justice, November 2006

⁶ PA House Appropriations Committee, February 14, 2006. Fiscal Note HB1318 P.N.3587

⁷ <http://www.southernstudies.org/ISS%20Cost%20NC%20Voter%20ID.pdf>

⁸ Phone conversation, Ian Harlow, Pennsylvania Department of State May 6, 2011

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¹⁰ Testimony of Douglas M Hill, County Commissioners Association of Pennsylvania, to the House State Government Committee, March 18, 2011.