



## 2025 ASSEMBLY JOINT RESOLUTION 1

January 6, 2025 - Introduced by Representatives SNYDER, DONOVAN, ALLEN, ARMSTRONG, AUGUST, BEHNKE, BORN, BROOKS, CALLAHAN, DALLMAN, DITTRICH, DUCHOW, GOEBEN, GREEN, GUNDRUM, HURD, JACOBSON, KITCHENS, KNODL, KREIBICH, KRUG, MELOTIK, MOSES, MURPHY, MURSAU, NEDWESKI, GUSTAFSON, NEYLON, NOVAK, O'CONNOR, PENTERMAN, PETERSEN, PIWOWARCZYK, SORTWELL, SPIROS, STEFFEN, SUMMERFIELD, SWEARINGEN, TITTL, TUCKER, TUSLER, VOS, WICHGERS, WITTKE, ZIMMERMAN, MAXEY, KAUFERT, VANDERMEER, FRANKLIN, BRILL and KURTZ, cosponsored by Senators WANGGAARD, BRADLEY, CABRAL-GUEVARA, FELZKOWSKI, FEYEN, HUTTON, JACQUE, JAGLER, JAMES, KAPENGA, MARKLEIN, NASS, QUINN, TESTIN, TOMCZYK, WIMBERGER, STAFSHOLT and LEMAHIEU. Referred to Committee on Campaigns and Elections.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

**To create** section 1m of article III of the constitution; **relating to:** requiring photographic identification to vote in any election (second consideration).

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### *Analysis by the Legislative Reference Bureau*

#### **EXPLANATION OF PROPOSAL**

This proposed constitutional amendment, to be given second consideration by the 2025 legislature for submittal to the voters in April 2025, was first considered by the 2023 legislature in 2023 Senate Joint Resolution 73, which became 2023 Enrolled Joint Resolution 9.

This constitutional amendment provides that a qualified elector may not vote in any election unless the elector presents photographic identification issued by this state, by the federal government, by a federally recognized American Indian tribe or band in this state, or by a college or university in this state, that verifies the elector's identity. Acceptable forms of photographic identification must be specified by law. The amendment authorizes the legislature to pass laws establishing exceptions to the photographic identification requirement. Additionally, if an elector is unable to present valid photographic identification before voting on election day, the elector must be given the opportunity to cast a provisional ballot and present valid photographic identification at a later time and place, as provided by law.

## PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second consideration, it must also set the date for submitting the proposed constitutional amendment to the people for ratification and must determine the question or questions to appear on the ballot.

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Whereas, the 2023 legislature in regular session considered a proposed amendment to the constitution in 2023 Senate Joint Resolution 73, which became 2023 Enrolled Joint Resolution 9, and agreed to it by a majority of the members elected to each of the two houses, which proposed amendment reads as follows:

**SECTION 1.** Section 1m of article III of the constitution is created to read:

[Article III] Section 1m (1) No qualified elector may cast a ballot in any election unless the elector presents valid photographic identification that verifies the elector's identity and that is issued by this state, the federal government, a federally recognized American Indian tribe or band in this state, or a college or university in this state. The legislature shall by law establish acceptable forms of photographic identification, and the legislature may by law establish exceptions to the requirement under this subsection.

(2) A qualified elector who is unable to present valid photographic identification on election day shall be permitted to cast a provisional ballot. A provisional ballot may not be counted unless the elector presents valid photographic identification at a later time and place as provided by the legislature by law.

**SECTION 2. Numbering of new provision.** If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

*Now, therefore, be it resolved by the assembly, the senate concurring,*

**That** the foregoing proposed amendment to the constitution is agreed to by the 2025 legislature; and, be it further

**Resolved, That** the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the first Tuesday of April 2025; and, be it further

**Resolved, That** the questions concerning ratification of the foregoing proposed amendment to the constitution be stated on the ballot as follows:

**QUESTION 1: “*Photographic identification for voting.* Shall section 1m of article III of the constitution be created to require that voters present valid photographic identification verifying their identity in order to vote in any election, subject to exceptions which may be established by law?”**

**(END)**