



VOTING RIGHTS INSTITUTE

THE REAL COST OF PHOTO ID:

AN UNNECESSARY, EXPENSIVE, AND
INTRUSIVE VOTER RESTRICTION IN A
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Before the 2010 elections, Republicans pledged to “stop out of control spending and reduce the size of government.”¹ Despite these promises of fiscal austerity, Republican legislators across the country are advancing an unnecessary and expensive government mandate: the requirement that voters obtain and produce certain specified government-issued photo identification at the polls on Election Day.

In 2011, Republicans have proposed photo ID legislation in at least 35 states even though these states collectively face over \$98 billion in budget shortfalls in the upcoming fiscal year.² As demonstrated in Indiana – the first state to enact a photo identification regime – these bills are extremely expensive; in just four years, Indiana spent more than \$10 million on providing identification cards alone.³

The self-proclaimed deficit hawks that support photo ID have downplayed the fiscal impact of this legislation. As the non-partisan Pew Center on the States reported, state-produced fiscal estimates on photo ID legislation “vary widely in content and scope” and hypothesize total costs that range from “not significant” in Tennessee to nearly \$10 million in Missouri over two fiscal years.⁴ These estimates are often dramatically low, and some states have not even produced an accompanying fiscal estimate in the rush to pass this legislation before the next election cycle.

Ignoring the real cost of photo ID may bolster the bills politically, but it will not soften their impact on state budget crises. Regulating the fundamental right to vote costs millions. In order for photo ID mandates to survive constitutional scrutiny, states must provide photo IDs free of charge, educate the public about the new requirement, undertake extensive outreach to voters who may lack identification, and implement changes through state bureaucracy – all of which is expensive and must be paid for with taxpayer dollars.⁵

The great majority of state estimates ignore at least some of these factors. Moreover, now that independent observers have thoroughly debunked the myth of widespread voter fraud, Republicans cannot justify these expensive bills with specious claims of an invented problem.⁶

In order to estimate the real cost of photo ID legislation, we analyzed the actual costs of implementing photo ID regimes in Indiana and Georgia⁷ alongside average costs predicted in 17 state fiscal notes.⁸ **We found that if each of these 35 states enacts photo ID legislation, taxpayers across the country will pay at least \$276 million and up to \$828 million for this unnecessary legislation.**

As this analysis demonstrates, photo ID mandates simply cannot be enacted without exacerbating state fiscal crises. State budgets are zero-sum games – a dollar spent on photo ID necessarily means one less for education and public safety. Republicans must decide whether they will enact an unnecessary regulation that will disproportionately burden the elderly, Americans with disabilities, citizens with limited means, and communities of color or whether they will fund public schools and police departments.





THE REAL COSTS OF PHOTO ID: EXECUTIVE SUMMARY

In 2011, state legislatures in 35 states have considered legislation requiring voters to present specified government-issued photo identification as a prerequisite to voting. By April 15, 2011, 17 of these states had issued fiscal notes estimating the cost of the legislation. These estimates, however, often fail to consider well-established costs of implementing photo ID in a constitutionally permissible manner.

Our analysis demonstrates that nearly all state estimates significantly undervalue the true cost of implementing photo ID requirements. On average, a state implementing a photo ID law will incur a cost of \$14.77 million over the first four fiscal years of implementation.

Figure 1 denotes budget shortfalls in 35 states where photo ID legislation was proposed in 2011, as well as the estimated cost of implementation over the first four fiscal years.

State	Budget Shortfall FY12 ⁹	Cost Estimate of Photo ID	
		Low	High
Alabama	\$979 million	\$6.10 million	\$18.30 million
Alaska	NA	\$1.22 million	\$3.67 million
Arkansas	NA	\$3.84 million	\$11.52 million
California	\$25.4 billion	\$37.86 million	\$113.58 million
Colorado	\$988 million	\$6.13 million	\$18.40 million
Connecticut	\$3.2 billion	\$4.45 million	\$13.35 million
Delaware	\$208 million	\$1.45 million	\$4.36 million
Hawaii	\$410 million	\$1.93 million	\$5.78 million
Illinois	\$4.9 billion	\$14.87 million	\$44.60 million
Iowa	\$186 million	\$4.07 million	\$12.22 million
Kansas	\$492 million	\$3.66 million	\$10.97 million
Maine	\$436 million	\$2.10 million	\$6.31 million
Maryland	\$1.4 billion	\$6.96 million	\$20.87 million
Massachusetts	\$1.8 billion	\$7.87 million	\$23.62 million
Minnesota	\$3.8 billion	\$6.67 million	\$20.00 million
Mississippi	\$634 million	\$3.93 million	\$11.80 million
Missouri	\$704 million	\$7.71 million	\$23.12 million
Montana	NA	\$1.61 million	\$4.82 million
Nebraska	\$314 million	\$2.48 million	\$7.44 million
Nevada	\$1.5 billion	\$3.28 million	\$9.83 million
New Hampshire	DK	\$2.05 million	\$6.14 million
New Jersey	\$10.5 billion	\$9.97 million	\$29.90 million
New Mexico	\$450 million	\$2.67 million	\$8.01 million
New York	\$10.0 billion	\$22.11 million	\$66.33 million
North Carolina	\$2.4 billion	\$11.42 million	\$34.25 million
Ohio	\$3.0 billion	\$14.37 million	\$43.12 million
Pennsylvania	\$4.2 billion	\$15.75 million	\$47.26 million
Rhode Island	\$331 million	\$1.64 million	\$4.93 million
South Carolina	\$877 million	\$5.90 million	\$17.70 million
Tennessee	DK	\$8.06 million	\$24.19 million
Texas	\$13.4 billion	\$26.07 million	\$78.22 million
Virginia	\$2.0 billion	\$9.73 million	\$29.18 million
Washington	\$2.5 billion	\$8.09 million	\$24.28 million
West Virginia	NA	\$2.70 million	\$8.11 million
Wisconsin	\$1.8 billion	\$7.34 million	\$22.03 million
Total	\$98.8 billion	\$276 million	\$828 million





A NOTE ON METHODOLOGY

In this report, we analyze the comprehensive cost of photo identification legislation, including the immediate costs of the legislation as well as the implementation necessary to satisfy constitutional scrutiny. We also note the estimated costs in all 35 states considering photo ID mandates, as well as those states' projected budget shortfalls for Fiscal Year 2012.

Cost estimates are based on actual costs from states that have implemented photo ID legislation (Georgia and Indiana) where this is available. Where this information is not available, cost estimates are based on state fiscal estimates. Each state's cost estimate in each cost category is divided by the number of voting-age citizens in the state to obtain a cost per voting-age citizen. This number is averaged across all states that provide cost estimates in that cost category to obtain an average cost per voting-age citizen. The source for citizen voting-age population by state is the United States Census Bureau.

The average cost in each cost category is multiplied by the total number of voting-age citizens in the state to obtain a total cost in each cost category. Costs are summed across cost categories to obtain a total cost. The "low" estimate is 50% lower than the average while the "high" estimate is 50% higher. This range is based on a comparison of state fiscal estimates across states. For more information on state fiscal estimates, please see the attached appendix.

CONCLUSION

The problem of voter impersonation, which is the only type of fraud photo ID could conceivably address, is less likely to occur than a person being struck by lightning.¹⁰ While the basis for photo ID laws is imaginary, the struggles of millions of Americans to find a secure job, enjoy safe streets, and send their kids to good public schools are too painfully real. Republicans must decide whether to spend limited state resources chasing the spectral claims of voter fraud for partisan gain or to invest tax dollars back into our communities, creating jobs and finding solutions to an ongoing fiscal crisis.





¹ Republicans in Congress, A Pledge to America: A New Governing Agenda Built on the Priorities of our Nation, the Principles We Stand for and America's Founding Values (September 23, 2010), 6. <http://www.gop.gov/pledge/downloads#body> (accessed 5/17/11).

² Elizabeth McNichol, Phil Oliff and Nicholas Johnson, "States Continue to Feel Recession's Impact." Center on Budget and Policy Priorities, 9 March 2011, <http://www.cbpp.org/cms/index.cfm?fa=view&id=711> (accessed 5/17/11).

³ Sean Greene, "Debate over Photo ID at the Polls Shifts to Costs." Electionline.org, 17 March 2011, 3. http://www.pewcenteronthestates.org/uploadedFiles/wwwpewcenteronthestatesorg/Reports/Electionline_Reports/electionlineWeekly03.17.11.pdf (accessed 5/17/11).

⁴ Greene, 1-2. http://www.pewcenteronthestates.org/uploadedFiles/wwwpewcenteronthestatesorg/Reports/Electionline_Reports/electionlineWeekly03.17.11.pdf (accessed 5/17/11).

⁵ Vishal Agraharkar, Wendy Weiser, and Adam Skaggs, "The Cost of Voter ID Laws: What the Courts Say." Brennan Center for Justice (2011), <http://www.brennancenter.org/page/-/Democracy/Voter%20ID%20Cost%20Memo%20FINAL.pdf> (accessed 5/17/11).

⁶ Editorial, "The Republican Threat to Voting." New York Times, 26 April 2011, http://www.nytimes.com/2011/04/27/opinion/27wed1.html?_r=1&scp=1&sq=republican%20threat%20to%20voting%20&st=cse (accessed 5/17/11). Note also that Indiana's photo ID law did not prevent Republican Secretary of State Charlie White from allegedly committing in-person voter fraud. See A. G. Sulzberger, "In Indiana, Top Official Is Accused of Vote Fraud," New York Times, 3 March 2011. <http://www.nytimes.com/2011/03/04/us/04indiana.html> (accessed 5/17/11).

⁷ Information on costs incurred in Indiana and Georgia can be found in Greene, 3. http://www.pewcenteronthestates.org/uploadedFiles/wwwpewcenteronthestatesorg/Reports/Electionline_Reports/electionlineWeekly03.17.11.pdf (accessed 5/17/11). Further information on the cost of providing identification in Indiana can also be found in ISACA Photo ID Exploratory Committee, A Report on Photo ID for Voting Purposes (February 2, 2011), 7. <http://www.lwwi.org/Portals/0/IssuesAdvocacy/PDF/ISACA%20Voter%20ID%20Report%20020211%20final2%5B1%5D.pdf> (accessed 5/17/11).

⁸ These 17 fiscal estimates were available as of April 7, 2011.

⁹ McNichol, Oliff and Johnson. The Center's "DK" indicates that the state is projecting a shortfall, but the size of the shortfall is not known.

¹⁰ Policy Brief on Voter Identification, Brennan Center for Justice (September 2006), 2. http://www.brennancenter.org/content/resource/policy_brief_on_voter_identification/ (accessed 5/17/11).

This report was updated on September 9th to reflect new research on the states that introduced photo ID legislation this year.



THE REAL COST OF PHOTO ID: APPENDIX: STATE FISCAL ESTIMATES

Photo identification laws regulate the fundamental right to vote and must conform with the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. As the non-partisan Brennan Center for Justice has reported, states that impose photo ID regimes must expend resources for the following in order to pass constitutional scrutiny:ⁱ

- Providing photo ID at no cost to all voters who lack specified government-issued identification;
- Notifying voters who lack ID and facilitating the process to obtain one (which could include the overhead for adding hours and locations to motor vehicle offices if access is insufficiently available);
- Informing and educating voters of new voter ID rules.

Additionally, states implementing photo ID legislation incur the following associated costs:ⁱⁱ

- Hiring and training staff and poll workers and re-doing training materials;
- Administrative costs including buying ID machines and changing state forms to comply with the new photo ID law;
- Costs of processing increased numbers of affidavits and provisional ballots of those who appear to vote without requisite ID.

In this report, we analyze the comprehensive cost of photo identification legislation, using figures for actual costs incurred in Indiana and Georgia, and fiscal estimates from 17 states that produced fiscal notes by April 15, 2011. Please find below itemized charts of the 17 state fiscal estimates.

As demonstrated by the experience in Indiana, Georgia, and Missouri – where the Missouri Supreme Court invalidated the state’s photo ID bill as an unconstitutional poll tax – states that pass photo ID requirements inevitably face considerable litigation expenses. These litigation costs are not factored into our estimates. Additionally, we do not include costs that would result from the inevitable increased use of provisional ballots.

Note that the fiscal estimates from Maryland, Minnesota, Missouri, Texas, and Wisconsin specify that photo ID legislation will also increase costs for local governments. Local communities, which traditionally play a central role in election administration, will almost certainly shoulder a disproportionate share of the cost of photo ID legislation – despite their own budget deficits and at a time when states are unlikely to offset this new burden with increased appropriations.



Figure 1 is the key for the following charts, which document the 17 states that have issued fiscal notes

Source	Item	Field
State Fiscal Estimate	Total Cost Itemized Cost (page number) Itemized Cost (page number)	Total Cost FY12 Itemized Cost FY12 (page number) Itemized Cost FY12 (page number)
		Total Cost FY13 Itemized Cost FY13 (page number) Itemized Cost FY13 (page number)

Figure 1

1. COLORADO

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	None specified	None specified	None specified	None specified	None specified

2. IOWA

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$173,000 FY12 (2)	None specified	None specified	None specified	None specified
	\$345,000 Recurring (2)				

3. KANSAS

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	None specified	None Specified	\$31,000 FY11 (16)	\$37,500 FY11 \$12,500 FY11 (15) \$5,000 FY11 (16) \$20,000 FY11 (16)	None specified
				\$1,000 FY12 (15)	

4. MAINE

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$325,000 recurring \$256,000 recurring (1) \$69,000 recurring (1)	None specified	None specified	None specified	None specified

5. MARYLAND

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$1.6 million recurring (4)	\$250,000 FY12 (3)	None specified	None specified	None specified
		\$250,000 FY12 (3)			

The Maryland fiscal estimate notes that costs for political subdivisions may increase.

6. MINNESOTA

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs	
State Fiscal Estimate for HF 89	\$36,992 FY12 (6)	\$ 2,700,000 FY13 (7)	\$114,500 FY12 \$5,500 FY12 (6) \$25,000 FY12 (6) \$84,000 FY12 (7)	\$270,459 FY12 \$172,900 FY12 (4) \$4,000 FY12 (6) \$83,959 FY12 (6) \$9,600 FY12 (6)	None specified	
	\$147,968 FY13 (6)					
	\$36,992 FY14 (7)	\$1,350,000 FY15 (7)				
	\$147,968 FY15 (7)					
State Fiscal Estimate for HF 210	None specified	\$2,700,000 FY 13 (12) \$1,150,000 FY13 (12) \$750,000 FY13 (12) \$350,000 FY13 (12) \$300,000 FY13 (12) \$150,000 FY13 (12)	\$30,500 FY12 \$5,500 FY12 (12) \$25,000 FY12 (12)	\$57,983,000 FY12 \$20,497,181 FY12 (10) \$2,459,662 FY12 (10) \$1,044,501 FY12 (10) \$12,240,917 FY12 (10) \$19,765,820 FY12 (11) \$660,000 FY12 (11) \$272,291 FY12 (11) \$571,600 FY12 (11) \$515,700 FY12 (11)	None specified	
						\$113,091 FY13 \$11,400 FY13 (12) \$1,341 FY13 (12) \$100,350 FY13 (12)
						\$649,000 FY14

Both Minnesota State Fiscal Estimates note that local governments will be faced with extensive implementation costs.

7. MISSOURI

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$3,068,609 FY13 \$1,399,062 FY13 \$503,662 FY13 \$1,165,885 FY13	\$3,003,754 FY13	None specified	\$232,137 FY13	None specified
	\$1,820,752 FY14 \$830,130 FY14 \$298,847 FY14 \$691,775 FY14	\$1,077,154 FY		\$192,216 FY14	

Quoting from the fiscal estimate: “The bill imposes new requirements on local election authorities in notifications, additional provisional ballots, trainings, affidavits and processes with regard to notifying and processing voters.”

8. NEBRASKA

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	None specified	None specified	None specified	None specified	None specified

9. NEW HAMPSHIREⁱⁱⁱ

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$240,830 FY12	None specified	None specified	\$13,625 FY12	\$6,130 FY12
	\$240,830 recurring				

10. NEW MEXICO

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	None specified	None specified	None specified	None specified	None specified

11. NEVADA

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	None specified	\$30,000 FY12 (2)	\$17,000 FY12 (2)	\$228,000 FY12 \$172,000 FY12 (2) \$50,000 FY12 (2) \$6,000 FY12 (2)	None specified
		\$20,000 FY13 (2)		\$50,000 FY13 (2)	

12. NORTH CAROLINA

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$3,294,078 FY12 \$2,450,341 FY12 (1) \$843,737 FY12 (7)	None specified	None specified	None specified	None specified
	Approx. \$376,284 recurring \$311,784 recurring (8) Approx. \$64,500 recurring (7)				

13. OHIO

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$98,040 - \$980,400 recurring (2)	None specified	None specified	None specified	None specified

14. SOUTH CAROLINA

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$100,000 recurring (1)	\$160,000 non-recurring (1)	None specified	\$375,000 non-recurring (1)	None specified
				\$160,000 recurring (1)	

15. TENNESSEE

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	"Not significant"	None specified	None specified	None specified	None specified

16. TEXAS

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	"Not significant"	\$2,000,000 FY12	None specified	None specified	None specified

The Texas fiscal estimate notes that significant implementation costs will be passed along to counties and political subdivisions.

17. WISCONSIN

Source	Provision of Free IDs	Voter Outreach & Education	Staff Training	Administrative Costs	Provisional Ballot Costs
State Fiscal Estimate	\$1,995,000 recurring \$1,915,782 recurring (5) \$61,180 recurring (5) \$18,038 recurring (5)	\$650,000 initially (21)	\$395,536 "one-time" \$250,331 "one-time" (19) \$145,205 "one-time" (2)	\$1,584,823 "one-time" \$548,100 "one-time" (18) \$582,900 "one-time" (18) \$58,663 "one-time" (21) \$395,160 "one-time" (22)	None specified
		\$260,000 recurring (22)			

The Wisconsin fiscal estimate notes that significant implementation costs will be passed along to political subdivisions.

ⁱ See "The Cost of Voter ID Laws: What the Courts Say," Brennan Center for Justice, Feb. 17, 2011, http://brennan.3cdn.net/2f0860fb73fd559359_zzm6bhnlId.pdf.

ⁱⁱ See "What's Wrong with this Picture? New Photo ID Proposals Part of a National Push to Turn Back the Clock on Voting Rights," Advancement Project, Apr. 7, 2011, <http://www.advancementproject.org/sites/default/files/publications/Picture%20ID6%20low.pdf>. See also Brennan Center, "The Cost of Voter ID Laws."

ⁱⁱⁱ Note that this analysis used New Hampshire's initial fiscal estimate for SB-129, which best reflects the current version of the photo ID proposal still active in the New Hampshire General Assembly. The higher fiscal estimate currently provided by the General Assembly reflects an earlier amended version of SB 129 where camera stations would be present at polling places. The camera provision has been dropped from the legislation, and thus the initial estimate is more accurate.