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**SENATE TRANSPORTATION COMMITTEE**  
**SEN. DAVID CLEMENS, CHAIRMAN**

**SENATE BILL NO. 2157**  
**JANUARY 19, 2023**

**TESTIMONY PRESENTED BY**

**MICHAEL HOWE, SECRETARY OF STATE**

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Chairman Clemens and members of the committee, I am Secretary of State Michael Howe and I am here to support the sponsor's intent behind Senate Bill 2157. This office firmly believes all citizens who are eligible to vote should be allowed to do so, and that clarification around voting and citizenship is needed.

While we do support the intent, the language of this bill creates a number of unintended consequences and may create a burden on every citizen to provide proof of citizenship at every election, or require sensitive documents be sent by mail to receive an absentee ballot. Birth certificates and passports often will not line up with women or others who have had name changes, thus potentially creating issues for individuals who have successfully voted in past elections.

We believe the ultimate objective of any legislation of this type is to support the North Dakota Constitution by ensuring only citizens vote in elections while also ensuring our citizens' accessibility to voting is not limited or difficult.

A legislative process to support that initiative should, in our view:

- Require proof of citizenship when the voter's status is reasonably in doubt, not every time the voter seeks to vote,
- Ensure that only North Dakota residents vote in our elections,
- Utilize existing processes within the DOT, and
- For voters who recently became citizens, encourage them to update their records with the DOT. Updating the record at the polls and not at the DOT may require these voters to again provide proof of citizenship at the next election.

The intent behind Senate Bill 2157 is admirable. We agree legislation is needed in this regard. Our office has been working collaboratively with the Attorney General's office and Representative Scott Louser on House Bill 1431, to address the issue of proving citizenship in the least burdensome way for all citizens who are eligible to vote. It is our preference that we work together for the best outcome on this issue, using House Bill 1431 as the vehicle for the citizenship effort.

I am happy to stand for any questions you may have and have my experts to support me in any specific process questions you may have.