



# Protection & Advocacy Project

400 E. Broadway, Suite 409

Bismarck, ND 58501

701-328-2950

1-800-472-2670

TTY: 711

[www.ndpanda.org](http://www.ndpanda.org)



House Government and Veterans Affairs Committee

House Bill 1287 - January 23, 2025

Brenda Ruehl, P&A Director Program Services

Greetings Chairman Schauer and members of the House Government and Veterans Affairs Committee. My name is Brenda Ruehl and I am a Program Services Director at the North Dakota Protection and Advocacy Project (P&A). P&A is an independent state agency established in 1977 to assert and advance the human, civil, and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

P&A opposes HB 1287, which seeks to require North Dakota citizens to register to be entitled to vote in any statewide special, primary or general election.

Free and fair elections rely on every voter having the ability to make their voice heard. Unfortunately, voters with disabilities are often met with a range of disproportionately burdensome barriers to voting. People affected by poor health or disabilities are less likely to cast a ballot than the general population, and as a result, have less sway over who gets to be in power and what policies are made. One in 5 voters with disabilities either needed assistance or had difficulty voting in 2022, three times the rate of people without disabilities, according to the most recent survey from the U.S. Election Assistance Committee (EAC). Requiring people to register to vote will add an additional barrier to people with disabilities in exercising their right and desire to vote.

Poverty and disability go hand in hand. The poverty rate for working-age people with disabilities is nearly two and a half times higher than that for people without disabilities. This results in people with disabilities experiencing homelessness, home insecurity and instability. People with disabilities often move frequently, rely on temporary shelters, and are disproportionately homeless. This can make it difficult to have a permanent address to register to vote and their address could change multiple times prior to an election.

Access to transportation is a challenge to both voting and registering to vote. Poverty impacts the ability to afford public transportation or other local transportation. Much of North Dakota is rural and has no public transit system, taxis, Uber, or other paid transportation options even for those who are not living in poverty. Due to the location of county auditor and DMV offices people with disabilities have barriers

in getting to those offices to obtain and return voter registration forms.

Living in a long-term care facilities can intensify the need for assistance with voting. Residents in many long-term care institutions can lack direct access to a mailbox, relying upon staff to send and deliver mail. The result is they need assistance to obtain, complete, and return voter registration forms. This can add more work on an already overloaded and understaffed industry resulting in barriers for residents registering to vote.

HB 1287 sets forth that people can register to vote when applying for or receiving public assistance. Will the workers in the public assistance office be trained on disability inclusion? Will they be provided training on how to communicate with and relate to people with disabilities? Will such training include communicating with people who are deaf, hard of hearing, blind or have speech and language disabilities? Will fluent sign language interpreters be readily available when needed? The application for and ongoing receipt of public assistance is not on a local level; there is no office one can visit, applicants and recipients are no longer assigned a county worker that can get to know them and assist in voter registration. How would it be possible for a person with a disability that requires assistance to register to vote at the county public assistance office? This creates another new barrier for people with disabilities to vote. County public assistance offices are already understaffed and overworked and registering people to vote would add to their responsibilities to serve individuals needing or receiving public assistance.

The voting requirements included in existing ND Century Code are the same as the registration requirements in HB 1287, making this bill duplicative and unnecessary.

#### **NDCC 16.1-01-04. Qualifications of electors - Voting requirements.**

1. To qualify as an elector of this state, an individual must be:
  - a. A citizen of the United States;
  - b. Eighteen years or older; and
  - c. A resident of this state who has resided in the precinct at least thirty days immediately preceding any election.

#### **NDCC 16.1-01-04.1. Identification verifying eligibility as an elector.**

1. A qualified elector shall provide a valid form of identification to the proper election official before receiving a ballot for voting.
2. The identification must provide the following information regarding the elector:
  - a. Legal name;
  - b. Current residential street address in North Dakota; and
  - c. Date of birth.
3. a. A valid form of identification is:
  - (1) A driver's license or nondriver's identification card issued by the North Dakota department of transportation; or
  - (2) An official form of identification issued by a tribal government to a tribal member

residing in this state.

The proof of identification to verify eligibility to vote are the same for registering to vote with the notable absence of an official form of identification issued by a tribal government to a tribal member residing in this state. Such absence of tribal identification form adds an additional barrier to voting for tribal members with disabilities.

On October 22, 2024, at the North Dakota Association of Counties annual meeting in Bismarck, Secretary of State, Michael Howe, emphasized how the state's elections are accurate and secure. On January 13, 2025, Secretary Howe also testified before the House Appropriations - Education and Environment Division sharing that "North Dakota has been dealing with election integrity since "before it was cool," well before the 2020 election.

Requiring registration to vote puts up yet another barrier for people with disabilities to exercise their vote and have their voice heard. Given that North Dakota elections are accurate, safe and secure, there is no need to change the system. Why create the additional costs and work to fix a system that is not broken?

P&A respectfully requests that you do not pass this bill.

Thank you for your time and consideration.

Brenda Ruehl  
Director Program Services  
bruehl@nd.gov