



New South Wales

Electoral Amendment (Voter ID and Electronic Mark Off) Bill 2023

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Electoral Act 2017* to provide that—

- (a) voters must show evidence of their identity to be eligible to vote, and
- (b) election officials must use an electronic authorised roll kept on a networked computer system to record the distribution of ballot papers.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Electoral Act 2017 No 66

Schedule 1.1 Amendments relating to voter ID

Schedule 1.1[2] inserts a requirement for an election official to ask each person claiming to vote in an election to show the official a current identification document to establish the person's identity. **Schedule 1.1[1]** inserts a definition of *identification document*.

Schedule 1.1[3] provides that an election official must reject a person's claim to vote in an election if the person fails or refuses to show the official a current identification document to establish the person's identity.

Schedule 1.1[4] provides that an election official must not ask a silent elector to produce a current identification document to establish the person's identity.

Schedule 1.1[5] provides that an election official must ask an elector applying to vote as an absent voter to show the official a current identification document to establish the person's identity. The election official must reject the elector's application to vote as an absent voter if the elector fails or refuses to show the official a current identification document.

Schedule 1.1[6] provides that an election official must not ask an absent silent elector to produce a current identification document to establish the person's identity.

Schedule 1.1[7] provides that a person must show an election official a current identification document before making certain declarations under the *Electoral Act 2017*, section 137.

Schedule 1.2 Amendments relating to electronic mark off

Schedule 1.2[1] provides that an authorised roll of electors for a district must be in both an electronic and printed form determined by the Electoral Commissioner.

Schedule 1.2[2] provides that a copy of the electronic authorised roll must be kept on a networked computer system approved by the Electoral Commissioner that enables an election official to record that a ballot paper has been given to a person.

Schedule 1.2[3] provides that an election official must use the electronic authorised roll kept on the approved networked computer system to record that a person has received a ballot paper.

Schedule 1.2[4] provides that if an election official is unable to use the electronic authorised roll, the official must record a mark, in the way approved by the Electoral Commissioner, on a printed authorised roll to show that a person has received a ballot paper.