

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa0752/2dn  
JTK:jld:md

October 7, 2009

Representative Turner:

Under this amendment, if an absent elector is an overseas elector or an elector who is applying for an absentee ballot from a location outside the United States, the individual who witnesses the elector's certification of qualifications may be any adult. Currently, the individual must be an adult U.S. citizen. The witness must certify that he or she is an adult, that his or her statements are true, and that the voting procedure was executed in the manner certified by the signer. The witness must also certify that he or she is not a candidate for any office on the ballot (except municipal clerk) and the witness did not solicit or advise the absent elector to vote for or against any candidate or measure. While not a guarantee, the current requirement that the witness be a U.S. citizen helps to ensure that the witness will be literate in the English language. If the witness is not literate in the English language, his or her certification could be meaningless. You may wish to consider including a requirement that the witness be literate in the English language and shall so certify.

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