ALASKA LEGISLATURE

Representative Jonathan Kreiss-Tomkins

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HB 7 Sponsor Statement - Ballot Selfies

This bill would officially allow Alaskan voters to take and share "ballot selfies" — the photos that people take of themselves or their ballots in the voting booth. Technically, it's illegal to share one in Alaska right now, though in practice, the law goes unenforced.

Sharing ballot photos was traditionally prohibited to prevent voter intimidation and vote buying (e.g., someone tells or pays you to vote a certain way, and makes you show picture of your ballot to prove you did). But technology and the internet have changed the reasons we take and share pictures: ballot selfies have become a common way to express support for a candidate, a cause, or the act of voting itself.

Alaska would be stepping into well-charted territory by allowing ballot selfies. Many other state recognize ballot selfies as a form of political speech, protected under the First Amendment. Bans on selfies have been struck down as unconstitutional in New Hampshire, Indiana, Nebraska, Rhode Island, Michigan, California, and Utah, joining states like Washington, Oregon, California, and Montana which never outlawed selfies to begin with.

There's no evidence to suggest ballot buying is a widespread problem in Alaska: the state does not enforce the current law that bans ballot photos. If ballot selfies are legalized, standing laws which criminalize voting interference would remain (AS 15.56.030).