

ATTACHMENT

Maine Revised Statutes

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§760-A

Title 21-A: ELECTIONS

§761

Chapter 9: CONDUCT OF ELECTIONS

Subchapter 4: ABSENTEE VOTING

Article 1: REGULAR ABSENTEE VOTING

§760-B. Procedures when clerk processes absentee ballots prior to election day

Any municipality or jurisdiction that conducts its own elections may opt to process absentee ballots on the day immediately prior to election day. The clerk shall use the following procedure when processing the absentee ballots during this time. [2007, c. 455, §45 (NEW) .]

1. Time for processing. In a municipality that has opted to process absentee ballots on the day immediately prior to election day, the municipal clerk or the clerk's designees may process absentee ballots at the times designated by the clerk, between the hours of 9:00 a.m. and 9:00 p.m., except that if an inspection is requested pursuant to subsection 3, processing may not begin until after the inspection period has concluded.

[2009, c. 253, §50 (AMD) .]

2. Notice of early processing. The clerk must give notice of the municipality's intent to process absentee ballots prior to election day using the notice of election under section 621-A, stating the time that the clerk intends to begin processing absentee ballots and the inspection period provided in subsection 3. At least 60 days before election day, the clerk shall provide a copy of the notice of election to the Secretary of State and the chairs of each political party of the municipality indicating that early processing of absentee ballots will occur. The notice to the political parties must be considered sufficient as long as it is mailed to the last address of each municipal chair that is known to the clerk. The notice to the Secretary of State may be delivered by mail or facsimile or as a scanned attachment to an e-mail address established by the Secretary of State. If the notice is not received by the Secretary of State by 5:00 p.m. on the 60th day before election day, the municipality may not process absentee ballots prior to election day.

[2013, c. 457, §4 (AMD) .]

3. Inspection of absentee envelopes before processing. A member of the public may make a written request of the clerk to inspect absentee ballot applications and envelopes before they are processed if the request is made by 9:00 a.m. on the day immediately prior to election day. The clerk shall make the absentee ballot applications and envelopes received by that time available for public inspection for one hour before the starting time specified in the notice of election for processing the absentee ballots. The clerk may immediately proceed to process the ballots after the one-hour inspection time has elapsed.

[2009, c. 538, §12 (AMD) .]

4. Processing and other procedures. The clerk shall use the procedure described in this section when processing the absentee ballots during the designated times. Procedures for handling full ballot boxes, pollwatching and challenging ballots are conducted in the same manner as election day or as close as practicable.

[2009, c. 538, §13 (AMD) .]

5. Counting and results prohibited before the polls close. The absentee ballots may not be counted, voter intent may not be determined and election results may not be obtained or released until after the polls have closed on election day, and all election day ballots have been cast and all absentee ballots have been processed.

[2007, c. 455, §45 (NEW) .]

6. Security of processed ballots and tabulating equipment. At the conclusion of absentee ballot processing on the day immediately prior to election day, the clerk shall ensure that the early processed absentee ballots are locked and sealed in the ballot box, automatic tabulating equipment ballot box or tamper-proof containers provided by the Secretary of State and secured in a vault or other locked secure location, until the voting resumes on election day or until the ballots are counted after the polls close. The Secretary of State shall publish uniform guidelines for securing ballots and other materials under this section.

[2007, c. 455, §45 (NEW) .]

SECTION HISTORY

2007, c. 455, §45 (NEW). 2009, c. 253, §§50, 51 (AMD). 2009, c. 538, §§12, 13 (AMD). 2013, c. 131, §23 (AMD). 2013, c. 457, §4 (AMD).

Data for this page extracted on 01/05/2015 12:09:34.

**The Revisor's Office cannot provide legal advice or interpretation of
Maine law to the public.**

If you need legal advice, please consult a qualified attorney.

Office of the Revisor of Statutes

7 State House Station

State House Room 108

Augusta, Maine 04333-0007

Maine Voting Residence Fact Sheet

Prepared by the Elections Division of the Secretary of State, August 2012

Eligibility to Register and Vote in Maine

To be eligible to register to vote in Maine, you must:

- Be a citizen of the United States;
- Be at least 17 years of age (you must be at least 18 years of age to vote, except that in primary elections you may vote if you are 17 but will be 18 by the general election);
- **Have established and maintain a voting residence** in the municipality (i.e. city, town, plantation or unorganized township) where you seek to register.

Maine Voting Residence

“Residence” is defined in the Maine election law (Title 21-A, section 112(1)) as “that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return.” Note that this definition has two components: 1) the establishment of a fixed and principal home in a given place, and 2) the intent to return there whenever temporarily absent.

Under this definition, residence is something that you **establish**, not something you **choose**.

You may offer any of the following factors, which the Registrar of Voters may consider in determining whether you have established a residence in a particular municipality in Maine:

- a direct statement of your intention to reside at a particular place;
- the location of any dwelling you currently occupy;
- the place where you have registered your motor vehicle (if you own the vehicle);
- your current income tax return showing your residence address;
- the residence address where your mail is received;
- the residence address on your current hunting or fishing license;
- the residence address shown on your driver’s license;
- your eligibility for public benefits based on residency; or
- any other objective facts that tend to indicate your place of residence.

Residency and Domicile

Maine courts have held that voting residency as defined in Maine’s election statutes is equivalent to the common law concept of **domicile**. Whereas “residence” typically refers to the location where you physically reside, domicile means something more. In order to establish domicile, you must intend to make a place your home, and not just physically live there.

Once you have established a fixed and principal home where you live, that home is assumed to be your domicile until you establish a new one. Changing your domicile usually requires **action** -- moving some place -- **and intent** -- intending for the new place to become your home. You may live in two different homes during different parts of the year, but as a matter of law you can have only one domicile and thus only one voting residence. Therefore, when you complete a voter registration application, you must provide an address where you were previously registered to vote (either within or outside of Maine), unless you are registering to vote for the first time.

Consequences of Declaring Your Voting Residence (by Registering to Vote) in Maine

You should be aware that if you register to vote in Maine, you will be deemed to have declared residency in Maine, which may have consequences for compliance with other Maine laws, including the motor vehicle laws and tax laws. If you drive a car in Maine, you are required to obtain a Maine driver's license within thirty days of establishing residency here. Driving without a Maine license more than ninety days after you have established residency in the state is a crime under Maine law. If you are a resident of Maine and own a vehicle here, state law also requires you to register that vehicle in Maine within thirty days of establishing residency. By declaring Maine as your voting residence, you may be treated as a resident of Maine for income tax purposes and be subject to Maine income tax.

Residency requirements for students, military personnel, incarcerated persons, and citizens living outside the United States

Students. If you are a student, you have the right to register in the municipality in Maine where you attend school, provided you have established a voting residence there as defined in Maine's election laws and explained above. You can establish a voting residence at your Maine school address if you have a present intention to remain at that address for the time being, whether that residence is a dorm, apartment, house or even a hotel. Maine law expressly provides that you will not gain or lose residency solely because of your presence in or absence from the state while attending school, and this provision may not be interpreted "to prevent a student at any institution of learning from qualifying as a voter" in the town "where the student resides while attending" that school. In other words, as a student, you must meet the same residency requirements as all other potential voters. You must first determine where you have established residency and then register to vote there. If you pay "out-of-state tuition" as a student at a Maine college or university, that does not preclude you from establishing residency in Maine for voting purposes. If you have established residency in another municipality or state, you may vote by absentee ballot in that state.

If you lived in Maine prior to attending school and you wish to establish or keep your voting residency in Maine at that location (e.g., at your parents' home address)- you may do so as long as you have not already registered to vote in another state. Maine students may keep their voting residency even if they move out of the county, state, or country to attend school. The only way you will lose this residency is if you "abandon" it by asserting residency in a new state. If you have registered to vote in another state, you will have to re-qualify as a Maine resident by providing proof of residency before you can register.

Uniformed Service Voters. If you are a member of the uniformed service, and are qualified to register to vote, you do not gain or lose residency solely because of your presence or absence while on active duty in the uniformed service. Generally, the home of record that you claim for your service branch is your established residency for voting purposes. If that legal residence is in Maine, you may register to vote at that address. Your spouse or dependents may have the same voting residence as you do, or they may have established and maintain a separate residence where they would register to vote.

Citizens living outside the United States (also called "Overseas Voters"). If you are qualified to register to vote, but you reside outside the United States and you do not maintain a fixed and principal home or other address in Maine, you may register and enroll using the last residence address where you lived in Maine immediately before leaving the United States.

Incarcerated persons. If you are incarcerated in a correctional facility or in a county jail, you are entitled to register to vote in the Maine municipality where you previously established residency (a fixed and principal home to which you intend to return) prior to incarceration.

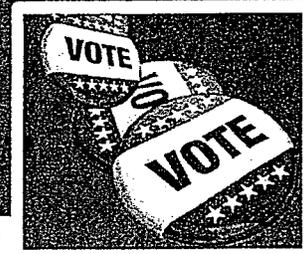


NCSL

THE CANVASS

STATES AND ELECTION REFORM®

Issue 40 | May 2013



Election Day Registration: FAQs

canvass (n.)

Compilation of election returns and validation of the outcome that forms the basis of the official results by a political subdivision.

—U.S. Election Assistance Commission:
Glossary of Key Election Terminology

To subscribe to *The Canvass*, please email a request to thecavass@ncsl.org

Election Day registration (EDR) — a policy that permits citizens to register and vote all at once — has been available in eight states plus the District of Columbia for years. Those states (Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, Wisconsin and Wyoming) are a nice mix of heavily Democratic and Republican states.

This year, though, EDR, sometimes called same day registration, has prompted visible and partisan policy debates, with legislation and victories on both sides. The big news:

- In Colorado, [HB 1303](#), developed by the bipartisan Colorado County Clerks Association, passed the Democratically-controlled legislature on a party line vote, and was signed by the Democratic governor. (California and Connecticut, with solid D majorities, enacted EDR last year, too.)
- In Montana, [HB 30](#), which would have dismantled the Big Sky State's Election Day registration, was passed by the Republican legislature but vetoed by the Democratic governor. The voters will now decide; this year's [SB 405](#) puts repeal of Election Day registration on the ballot in 2014.



The Canvass won't probe the politics of EDR. Instead, we'll provide FAQs that address what proponents and opponents say, how EDR works, who uses it, and its pocketbook impact.

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What is Election Day Registration, anyway?

In most states, citizens sign up as voters prior to Election Day, with a cutoff for registration somewhere between 3 and 30 days before the election. In EDR states, citizens don't have to act in advance. New residents or first time voters can show up at designated sites and register and vote all at once.

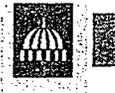
What do proponents say?

The "pro" argument is largely based on ensuring eligible voters have the opportunity to vote. "We as a nation should take the steps we can to increase and expand access for eligible voters," says Myrna Pérez of the [Brennan Center for Justice](#). "Same day registration makes it possible for eligible voters who find themselves not on the rolls on Election Day to cast a ballot that will count."

Pérez sees EDR as one part of a broader goal of modernizing voter registration systems (along with electronic transmission of registration data between state agencies, maintaining registration if a voter moves within the state, and online voter registration). In addition, it provides a chance to [clean up the rolls](#) on Election Day by allowing existing voters who have moved to update their voter registration on the spot. This is significant, given that one out of eight registrations in the nation is inaccurate, according to a 2012 [Pew Charitable Trusts report](#).

What do opponents say?

"All election laws should serve one goal—that all valid votes should be counted," says James Bopp, Jr., a conservative lawyer and prolific participant in election administration, campaign finance (cont. p. 2)



(cont. from p. 1)

redistricting cases. "In serving that goal, there are two concerns. One is to make it as easy as practicable for people to vote, and the other is to prevent people who are not eligible to vote from voting. When an ineligible person votes he's canceling out a valid voter. These two goals should have equal weight."

He says that with EDR, there is "simply no way to safeguard against people registering to vote who are not entitled to vote, and yet their ballots go into the ballot box. Verifying eligibility takes time."

How do EDR states ensure that no one votes who shouldn't?

First, EDR registrants are required to show more proof of eligibility than registrants who act before Election Day. Not only do they need to establish who they are by showing an ID of some form, they also must prove where they live. Requiring both is intended to prevent ineligible people from slipping through.

Second, ballots of Election Day registrants can be segregated and their eligibility validated before they are counted. In Montana, any EDR voter who can't meet the ID requirements must cast a provisional ballot which isn't counted until eligibility is verified.

Third, voter fraud is a crime, and the possibility of prosecution is expected to deter ineligible people from taking a risk. To confirm the new registrant lives where he or she says she does, local election officials send a non-forwardable mailing to the registration address. If it is returned as undeliverable, the election officials turn the case over to law enforcement for further investigation. Although cases of voter fraud are rare, cheaters can be caught and prosecuted.

Does Election Day Registration increase turnout as proponents say?

It increases voter participation by 3 to 6 percent, according to [Election Day Voter Registration in California](#), from Demos, an advocacy group supporting EDR. Some say it is the only election administration change that can clearly be linked to an increase in voter turnout. [Weather](#), however, is well known to play a significant role in turnout.

Are there administrative hassles involved in EDR?

Any change to election law requires an adjustment period, as new procedures are developed and shared. Administrators in non-EDR states often aren't interested in making the shift, citing more work to be done on Election Day. (EDR does reduce the pre-Election Day surge in voter registrations, perhaps compensating a bit.)

Because it can be asking a lot for poll workers to both register people and run an election, many states permit EDR only at a central office.

Does new technology help?

While many states have had Election Day registration for decades, the advent of electronic poll books makes the process easier. E-poll books connect poll workers to the statewide voter registration database, enabling them to see instantaneously if a prospective voter is registered elsewhere in the state or has already voted. The e-poll book makes it possible to enter corrections instantaneously to data in the statewide database, too.

And yet, this isn't a complete solution, in that e-poll books can't check for people who voted in other states. "College students are pestered (by third party registration drives) until they finally register to vote in Montana," says Representative Ted Washburn (R) of Montana. "We can only check registration records in our state, so every one of those out-of-state college students has the opportunity to vote twice in a national election."

What costs are associated with Election Day Registration?

It's not easy to parse costs for EDR (or any other election policy, for that matter). [Demos](#) surveyed election administrators in EDR states, and reports that they say costs are minimal. Montana's vetoed bill had a [fiscal note](#) that estimated zero impact for the state or counties.

Wisconsin, which has had EDR since 1976, has considered repealing it. A February 2013 report, [Final Report on the Impacts and Costs of Eliminating Election Day Registration in Wisconsin](#),

estimates costs of \$2.0 to 5.7 million over two years to eliminate EDR. These potential costs to repeal it are unusual. Along with other states that had EDR at the time the National Voter Registration Act was passed, Wisconsin is exempt from a federal requirement that states provide an opportunity for citizens to register to vote at motor vehicle bureaus. By eliminating EDR, Wisconsin would no longer be exempt, and would face costs associated with providing that service. (States that might adopt EDR at this point do not become exempt.)

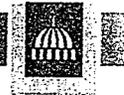
Who is likely to register and vote on the same day?

Election Day Registration is a convenience for those who have recently moved or didn't plan ahead. In 2012, approximately [one in eight voters in the EDR states used it](#), according to Pew Charitable Trusts.

Conventional wisdom says that these are likely to be young people and Democratic-leaning voters. However, [The Impact of Election Day Registration on Voter Turnout and Election Outcomes](#), by Jacob R. Neiheisel and Barry C. Burden, suggests

(cont. on p. 3)





(cont. from p. 2)

that in Wisconsin, at least, it is primarily Republican voters who take advantage of EDR.

North Carolina is often listed as a “same day” state; why doesn’t NCSL count it?

North Carolina has a period during early voting when voters can register and vote all at once, but this option ends before Election Day. This year it has legislation to eliminate its same day registration, [HB 451](#). Based on passage of this year’s [MD S 279](#), Maryland will have same day registration during early voting beginning in 2016.

How active have legislatures been regarding EDR this year?

Very active — and in both directions. In terms of new EDR, 16 states in addition to Colorado had legislation this year. We’ll watch Hawaii’s [HB321](#), which will go to a conference committee when the legislature reconvenes in 2014, and Nevada’s [AB440](#), which is in the second chamber now. Nevada’s bill would permit same day registration during early voting. As for eliminating EDR, Montana was joined by Iowa, where [HF308](#) is now in its second chamber. See [NCSL’s EDR webpage](#) for details.

Legislative Action Bulletin

- 172 bills enacted
 - 30 bills in conference or pending gubernatorial action
 - 145 bills pending in the second chamber
 - 1,056 bills pending in chamber of origin
 - 477 bills failed to pass
 - 82 bills carried over to 2014 session
 - 5 bills vetoed
-
- 2,213 total election bills introduced in 2013
 - 25 states are in session
 - States likely to adjourn by the end of the month are AZ, IA, KS, NE, OK and TX

Early voting is on many legislative agendas this year.

Last week, the [Connecticut](#) General Assembly placed a question on the 2014 ballot that, if approved, would allow it to create an early voting process for the state, and [New Jersey](#) Governor Chris Christie (R) vetoed a bill that would have made New Jersey the 33rd state to offer early voting.

The [New York](#) Assembly has passed an early voting bill; it’s now in the Senate.

In South Carolina, both chambers have passed early voting bills, but significant differences remain between the [House](#) and [Senate](#) versions.

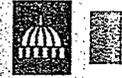
A [Florida](#) bill that’s currently on the governor’s desk would un-do some of the controversial changes made to early voting last year by allowing election supervisors to offer early voting on the Sunday before Election Day and expanding the locations where it’s available.

Several other states have acted this year to change the early voting period: [Nebraska](#) shortened it by five days, [Tennessee](#) by two days and [Utah](#) by one day.

Bookmark

Ballot Access News

The newsletter, [Ballot Access News](#), offers a wealth of information for people who want to make it easier for minor parties to form and get on ballots. On the front page, you’ll find news-related blog posts. On the right column, the links to “Paper Issues” take readers to a trove of well-researched news on ballot-related issues (and sometimes other election issues). Editor Richard Winger [welcomes](#) responses and comments.



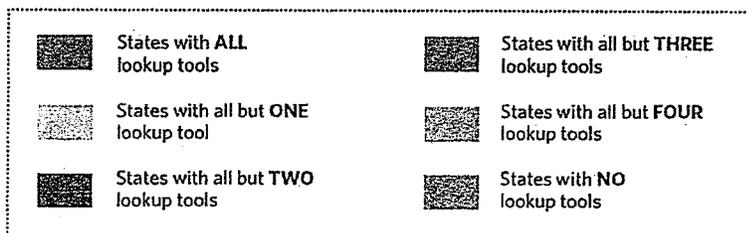
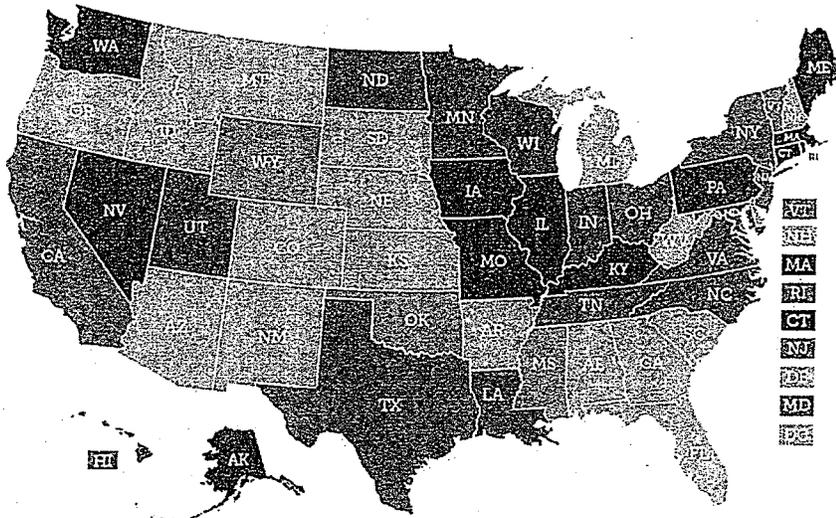
ONLINE LOOKUP TOOLS FOR VOTERS

2012

Five important online election tools to help voters find the information they need the most are summarized, and their availability in all 50 states and the District of Columbia's official election websites for the 2012 November election is shown below.

These lookup tools help voters find: polling place location, registration status, absentee ballot status, provisional ballot status, and precinct-level ballot information. These tools help provide valuable election information to voters where they are most likely to look for it—online.

ACROSS AMERICA



NOTES: Idaho, Maine, Minnesota, and New Hampshire do not issue provisional ballots. North Dakota does not issue provisional ballots and does not have voter registration. Idaho has 3 out of 4 possible tools. Maine has 2 out of 4 possible tools.

Graphic courtesy of Pew Charitable Trusts; it can be viewed as an [interactive map](#).



From the Chair

Oregon Representative Chris Garrett (D) is the state's speaker pro tempore and the chair of the House Rules Committee. He serves in the district where he grew up—southwest Portland and Lake Oswego. NCSL spoke with him on May 9.



Excerpts:

- "We just had a lengthy hearing on a proposal from the secretary of state to take motor voter registration and make it into an "opt out" plan. This would mean that people who have gone to the DMV would be automatically registered."
- "Anytime we have an idea, the cost issues are important because our counties are resource-starved. We had a couple of county commissioners write in opposition to the automatic registration bill, largely due to fiscal concerns. Sensitive as I am to fiscal concerns, I just don't think it's a good enough reason not to promote access."
- "Oregonians love vote-by-mail. People get their ballots about 15 to 20 days before the election. Voters don't have to worry about taking time off from work to vote and standing in line."

Read the full interview [here](#) for more from Representative Garrett.

The Election Administrator's Perspective

Joe Burns is the deputy director of election operations for the New York State Board of Elections. He took this position four years ago, after working as staff for the New York Senate. NCSL talked with him on May 1.



Excerpts:

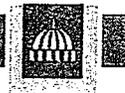
- "People around the country forget that New York is a lot more than Manhattan. Parts of upstate are very rural, very poor. These areas have a declining tax base, and local governments are struggling and have been struggling for some time."
- "Legislators clearly know elections—they all got elected to their jobs. But there has to be continued and constant communication between the elections people and the elected officials."
- "(On our state board of elections) we've got four commissioners, two Republicans and two Democrats. I think the vast majority of the time, both sides work together well."

Read the full interview [here](#) for more from Joe Burns.

One big number

132,948,000

That is the number of people who voted in the 2012 presidential election, according to [The Diversifying Electorate: Voting Rates by Race and Hispanic Origin for 2012 \(and Other Recent Elections\)](#), a report from the U.S. Census Bureau. The nationwide voter participation rate stood at 61.8 percent, down from 64.0 percent in 2008 and 2004. This was the first year that the Census Bureau credits black voters with a higher participation rate (66.2 percent) than non-Hispanic white voters (64.1 percent). Turnout expert, [Michael McDonald](#), reports that 2008 was the year that threshold was crossed.



Worth Noting

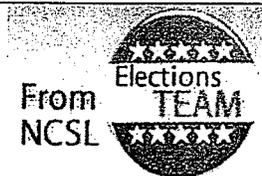
- Two projects funded by the U.S. Election Assistance Commission aim to make voting easier for people with traumatic brain injuries, aphasia (a term covering a variety of language disorders) or other troubles with reading. Both are part of the Accessible Voting Technology Initiative. One, from the University of Maryland, Baltimore County, creates [web-based voter guides](#) that work by simplifying text and using audio, video and other formats to present information. The second comes from the Center for Information Technology Research in the Interest of Society, and it makes a mobile interactive application for California's [voter guides](#).
- NCSL is generally considered the nation's keeper of [voter ID requirements](#). Other organizations also capture this data, and may categorize it differently. Here's an example from the [Election Integrity Defense Project](#), a subset of the [American Civil Rights Union](#).
- Which states permit electronic ballot transmission, and under what circumstances? NCSL has the answers at our new webpage, [Internet Voting](#). Our thanks go to [Verified Voting Foundation](#) and the [Federal Voting Assistance Program](#) for sharing their resources and knowledge with us as we conducted the research.
- Reza Jan, an analyst with the [American Enterprise Institute](#), voted in Pakistan's election last week. His [report](#) includes a professional analysis of the election, with a few personal details.
- [A House Divided—United](#), by Neil Simon, is a film about how an evenly split Oregon State House rose above party labels to work together, and create change, by sharing leadership in 2011 and 2012. (The link goes to a trailer; you'll have to contact [Simon](#) to get the full video.)
- "While consistency breeds stability, tradition can impede progress. Just like any other modern industry, election officials must stay abreast of technology and other strategies that can improve performance and efficiency." Gary Bartlett, outgoing North Carolina Director of Elections. He wrote an essay, "KISS for a Better Today and Tomorrow," for the May 16 [Electionline Weekly](#).
- [Michael McDonald](#), George Mason University political scientist, used a political lens to look at data about online voter registration from Maryland's State Board of Elections. It's well worth a full read, but his conclusion is: "Registered Republicans appear to more often use Maryland's online system to initiate a new registration while Democrats use it to update an existing registration." And then there's the caveat: "Keep in mind, Maryland is just one state, so these observations may not be applicable elsewhere."
- After a May city council vote, [Takoma Park, Md.](#), will be the first city in the nation to allow 16-year-olds to vote in local elections. By NCSL's count, 12 states allow 17-year-olds to vote in primary elections—if they will turn 18 by the general election.
- NCSL's elections team is joining the Twittersphere; our handle is [@NCSLelections](#). Please follow us.

From NCSL's Elections Team

When legislatures adjourn, as 25 have so far, it might feel a bit like "school's out for summer." And yet, there is still much to be done before a bill truly becomes a law: proofreading, cross-referencing, preparing bills for signatures, compiling journals and keeping all records straight. Here's what's entailed in [West Virginia](#); post-session goings-on are just as complex in other states.

At NCSL, our work has begun to shift a bit from "need it now" information requests to longer term research projects. Do you have one you'd like us to consider? [Let us know](#).

Jennie Bowser and Wendy Underhill



The Canvass is an elections newsletter for legislators and legislative staff. It seeks to inform by sharing research, analysis and legislative best practices. It is published by the National Conference of State Legislatures. William T. Pound, Executive Director.

To subscribe, contact TheCanvass@ncsl.org

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ABOUT US LEGISLATORS & STAFF RESEARCH MEETINGS & TRAINING NCSL II

BLOG

Same Day Voter Registration

6/2/2015



Eleven states plus the District of Columbia presently offer same-day registration (SDR), allowing any qualified resident of the state to go to the polls or an election official's office on Election Day, register that day, and then vote. California, Hawaii and Vermont have enacted same-day registration but have not yet implemented it.

In most other states, voters must register by a deadline prior to Election Day. The deadline varies by state, with most falling between eight and 30 days before the election.

Below is a list of states with same day registration, information about preventing fraud and state specific information. Also, check out the May 2013 issue of the *Canvass* for an FAQ on same day registration.

Note: In 2014, Utah enacted HB 156, which creates a pilot project to test Election Day registration, to run through 2016. Because it is a pilot project, Utah is not included in the table below.

Election Day Registration States

	Year Enacted
California*	2012
Colorado	2013
Connecticut	2012
District of Columbia	2010
Hawaii**	2014
Idaho	1994

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- State-Specific Information
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Contact

- Wendy Underhill

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Vermont	2015
Wisconsin	1975
Wyoming	1994

*California's same-day registration will take effect on January 1 of the year following the year in which the Secretary of State certifies that the state has a statewide voter registration database that

**Not implemented until 2018.

How SDR Works

- **Proof of residency** is a key requirement in all states that offer same-day registration. In a traditional (pre-Election Day) registration, election officials have time to send a non-forwardable mailing to the prospective voter in order to verify the voter's residence before processing the registration application. Because that isn't possible with SDR, the prospective voter must present proof of residency at the time of registration. A current driver's license or ID card will suffice in all states. In some states, documents such as a paycheck or utility bill with an address is acceptable for proving residence. A few states also permit an already-registered voter to vouch for the residency of an Election Day registrant.
- **Voter ID:** All of the SDR states also require that voters who register and vote on Election Day present documentation to verify their identity. Some states require a photo ID; others accept IDs without a photo.

Preventing Fraud

In addition to requiring proof of identity and residency, without which a prospective voter cannot register and vote, SDR states commonly employ other practices to prevent fraudulent acts such as casting more than one ballot. These include

- In Iowa and New Hampshire, a non-forwardable mailing is sent to each Election Day registrant. If it is returned as undeliverable, a second notice is sent. If the second mailing is also returned as undeliverable, the case is forwarded to law enforcement for investigation of voter fraud.
- Election Day registrants in Montana who are unable to meet the voter ID requirements must vote a provisional ballot, and then must return within three days to provide proof of identity in order to have the ballot counted. Montana also sends confirmation cards to new registrants after the election, following a procedure similar to Iowa's outlined above. Wisconsin and Wyoming use similar provisional voting processes.
- In Montana, SDR is conducted only at county election officials' offices, not at polling places. In Maine, it takes place at town offices and city halls.
- In states that use electronic pollbooks with real-time access to the statewide voter database, it is possible to verify that a prospective voter has not already registered and cast a ballot at another polling site or via mail prior to allowing him/her to register and vote.

- In Minnesota, the data provided by a same-day registrant is verified with the Division of Vehicle Services and/or the Social Security Administration, the Department of Corrections, and the Department of Public Safety.

Links to State-Specific Information

Visit the websites of state election officials to learn more specifics and details about Election Day registration requirements.

- District of Columbia Board of Elections
- Idaho Secretary of State (see FAQ #10)
- Iowa Secretary of State
- Maine Secretary of State
- Minnesota Secretary of State
- Montana Secretary of State
- New Hampshire Secretary of State
- Wisconsin Government Accountability Board (make sure to see the Board's February 2013 report on the impacts and costs of eliminating SDR)
- Wyoming Secretary of State

Additional Resources

- Article from NCSL's elections newsletter, *The Canvass*: Election Day Registration FAQs

NCSL Member Toolbox

Members Resources

- Get Involved With NCSL
- Jobs Clearinghouse
- Legislative Careers
- NCSL Staff Directories
- Staff Directories
- StateConnect Directory

Policy & Research Resources

- Bill Information Service
- Legislative Websites
- NCSL Bookstore
- State Legislatures Magazine

Accessibility Support

- Tel: 1-800-659-2656 or 711
- Accessibility Support
- Accessibility Policy

Meeting Resources

- Calendar
- Online Registration

Press Room

- Media Contact
- NCSL in the News
- Press Releases