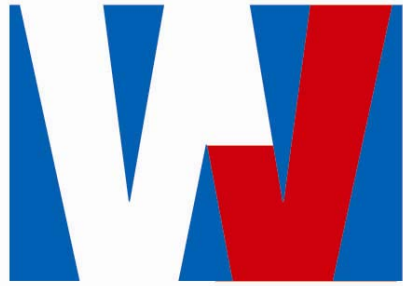




Women's Voices. Women Vote.

**Access to Democracy:
Identifying Obstacles Hindering
the Right to Vote**



Women's Voices. Women Vote.

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Numerous advocacy and educational groups have made and continue to make important contributions in the election reform arena. For instance, the Brennan Center for Justice and the New America Foundation have provided a comprehensive assessment of universal voter registration proposals and are advocating for needed reform. Additionally, groups such as the Pew Center on the States, Common Cause, Demos, Fair Elections Legal Network, Leadership Conference on Civil Rights, and the League of Women Voters are pushing for various reform efforts to ensure that more and more Americans have a chance to participate more easily in our democracy.

In this report, Women's Voices. Women Vote ("WVWV") adds its voice to the election reform movement by creating a repository of research showing the confusing array of state election laws. This area of the law is rapidly evolving with states passing new laws and legislators introducing new bills on an almost daily basis. WVWV's report is designed to illustrate the key issues, rather than provide a compendium of current election laws in all 50 states. While this work draws on the many substantial research efforts that other election reform groups have undertaken, it is a new look at the problems and shines a new light on the disproportionate impact that this country's opaque laws have on many underrepresented groups. Young voters, African Americans, Latinos, and unmarried women are now the majority of the population, but they are not yet the majority of the electorate. According to the latest U.S. Census Bureau data on the 2008 general election, these groups represented 46.6% of the 2008 electorate.¹ One of the reasons for this underrepresentation is the way in which this country and each individual state governs and administers elections.

WVWV has compiled the existing research on a wide range of election reform topics in one comprehensive report for distribution to election officials throughout the country, as well as

to other groups that may be involved in election reform efforts. In addition, WVWV is partnering with similar groups to provide additional “intellectual capital” and, to the extent permissible, enhance their direct lobbying and reform efforts. It is time for a comprehensive report on needed election reform measures and WVWV is committed to focusing on underrepresented populations who need a voice in this arena.

INTRODUCTION

Approximately 38 Percent of Eligible Voters Did Not Cast a Ballot in 2008

In the November 2008 election, there were approximately 212 million Americans eligible to vote, but only 133 million cast ballots in the general election.² Due in part to the “Get Out the Vote” efforts of groups including WVWV, this figure represents the largest number of voters to have ever participated in a U.S. election,³ and an increase of 9 million more voters than the 2004 presidential election.⁴ While this result is a great accomplishment, much more work remains to ensure that the remaining 79 million eligible citizens that did not cast their vote are encouraged and able to do so in future elections.⁵ Of the 79 million Americans who did not participate in the 2008 election, 44 million were not registered.⁶

Astonishingly, in 17 states the percentage of the voting eligible population that voted actually went down from 2004 levels.⁷ WVWV believes that one of the main reasons a higher percentage of Americans are not voting is due to the significant obstacles posed by inconsistent and unclear state voting laws.⁸ A new study has confirmed that these obstacles were directly responsible for keeping millions of Americans from casting their ballots in the 2008 presidential election.⁹ Four million to five million Americans did not vote in the 2008 presidential election because of registration problems or a failure to receive requested absentee ballots.¹⁰ Moreover, because of administrative problems such as voter identification requirements, an additional two million to four million registered voters were “discouraged” from voting.¹¹ As aptly stated by Senator Charles E. Schumer, “[t]his is unacceptable and undemocratic.”¹²

The barriers erected by states also have a disparate impact on underrepresented voters such as African Americans, unmarried women, Latinos, and youth voters. For instance, only 60% of African Americans voted in 2004.¹³ While unmarried women represented about 25% of the eligible electorate, data from the U.S. Census Bureau indicates that 20.4 million unmarried women did not vote in the 2008 election.¹⁴ Similarly, 9.8 million Latinos and 21.5 million youth voters (ages 18-29) did not vote in the 2008 election.¹⁵

Voting Obstacles – The Need for Election Reform

In recent testimony before the Senate Rules Committee, Professor Nathaniel Persily of Columbia Law School summed up the key electoral problem facing this country -- “The United States continues to make voting more difficult than any other industrialized democracy.”¹⁶ Many states have burdensome and confusing registration requirements, limited options to cast ballots prior to Election Day, complicated voter ID requirements, inconsistent rules regarding casting and counting provisional ballots, and varied regulations regarding the maintenance of voter lists. These obstacles make it extremely difficult for groups that facilitate registration and voting to be effective. More importantly, these roadblocks particularly impact underrepresented groups such as unmarried women and young voters who tend to be more mobile and have less education and income, hourly workers who cannot afford to take time off work on Election Day, and immigrant populations that lack common forms of identification.

WVWV has included in this report its firsthand knowledge of the obstacles posed by current election laws and the fact that reaching historically underrepresented groups significantly

increases participation in the electoral process. This report is especially necessary because it focuses on election reform measures that will impact historically underrepresented groups such as unmarried women, African Americans, Latinos, and youth voters. The election reform measures related to voter registration especially impact those groups. Through this report, WVWV endeavors to provide an illustrative guide to the key issues facing these groups. WVWV notes, however, that the sources used in compiling this report span several years and it is not intended to be a 50-state survey of all current state laws.

WVWV's Access to Democracy Report focuses on five key areas where the patchwork of inconsistent laws pose the most significant obstacles and reform could yield the greatest positive results: (1) voter registration (same day registration/registration basics); (2) absentee voting (by mail) and early voting (in person); (3) voter identification requirements for registration and voting; (4) provisional ballots; and (5) voter lists.

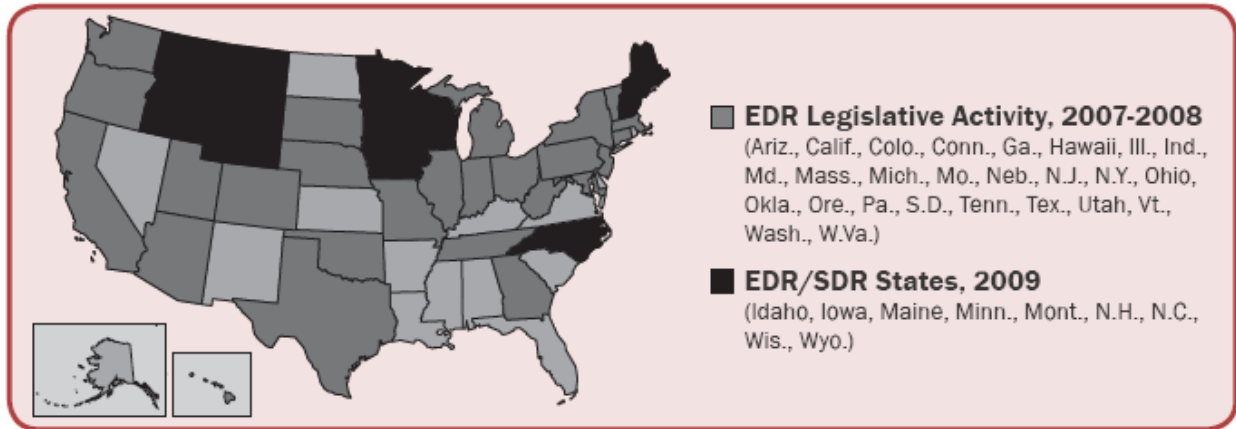
I. VOTER REGISTRATION

Controversies surrounding voter registration were one of the biggest problems in the 2008 general election and produced more litigation than any other election issue.¹⁷ In 2006, approximately one-third of Americans in the voting age population were not registered to vote.¹⁸ Groups that have studied voter participation problems believe the voter registration system is “antiquated and cumbersome,”¹⁹ “wildly outdated and badly in need of modernization,”²⁰ and “broken and in need of reform and repair.”²¹ To increase voter participation, electoral reform efforts should push for universal registration and greater consistency with regard to voter registration standards.

The Brennan Center is one of the key groups at the forefront of the movement toward universal registration with its recent publication advocating for universal registration, providing models for reform, and supporting a Federal Universal Voter Registration Act.²² Specifically, the Brennan Center proposes establishing a national mandate for universal voter registration within each state, providing federal funds for states to implement universal voter registration, and mandating permanent voter registration systems that will allow voters to stay on the rolls when they move.²³ WVWV views universal registration as a critical piece of election reform to increase voter participation. Absent universal registration, reforms will be essential in several key areas related to registration: (1) same day registration; (2) voter qualifications; (3) registration forms and online registration; (4) registration deadlines.

A. Same Day Registration

One area in which reform could have the greatest positive impact on underrepresented populations is same day registration (“SDR,” also known as Election Day registration or “EDR”). In the 2008 presidential election, voter participation numbers were highest in the states that allowed SDR – 69 percent compared to 62 percent.²⁴ As noted on the Demos map below, as of early 2009, only eight states had a form of SDR that allows voters to register and vote on Election Day: Idaho, Iowa, Maine, Minnesota, Montana, New Hampshire, Wisconsin, and Wyoming.²⁵ North Carolina also allows SDR during the state’s liberal early voting period ending just prior to Election Day.²⁶



**Source: Demos Policy Brief, *Voters Win with Election Day Registration*, Winter 2009, <http://www.demos.org/pubs/VotersWinWithEDR.pdf>. “EDR Activity” refers to legislative initiatives to enact a form of SDR/EDR; however, the noted states have yet to pass such legislation.

In most SDR states, a qualified voter may register on Election Day by (1) appearing in person at the appropriate polling place for his/her residence, (2) completing the state’s registration materials, and (3) presenting proper proof of identification and/or residence. The identification requirements vary by state and some states also require an oath or affirmation confirming the voter’s registration information. In New Hampshire, for instance, qualified individuals may register to vote at the polling place on Election Day, but will be asked to show proof of age, citizenship, and domicile.²⁷

All SDR states provide, however, the same basic service to their citizens – allowing them to register and vote on Election Day in one easy step. It simplifies the process for voters, provides “one stop shopping” for registration and voting, reduces problems at polling places, and thereby encourages greater voter turnout and participation. In fact, in SDR states:

- ◆ Participation among the voting age population has increased 10 to 12 percentage points.²⁸ (In 2004, eligible voter turnout was 13.6% higher in states that had SDR versus those that did not!);²⁹
- ◆ Voting among young people and movers is nearly 15 percentage points higher than in non-SDR states;³⁰
- ◆ Approximately 90% of the electorate in SDR states registers to vote.³¹ (In North Carolina’s first year allowing SDR, it saw the greatest gains in voter turnout in the entire country!);³²
- ◆ Most voters prefer to and do register to vote at the polls and election officials enjoy increased oversight of the registration process;³³

- ◆ Election administration costs are the same or less than non-SDR states,³⁴ and
- ◆ Voter fraud has not increased. In fact, U.S. Representative Keith Ellison of Minnesota stated that since the state implemented Election Day registration he has not heard of a single proven case of voter fraud.³⁵

Same day registration has proven to dramatically increase voter participation. For example, in Minnesota, where SDR was enacted in 1976, average voter turnout has been more than 70%.³⁶ Moreover, research has found that Minnesota voters who registered at the polls accounted for 15% to 21% of Minnesota voters in federal elections – about the same margin by which Minnesota leads the nation in voter turnout.³⁷ In the 2008 presidential election, SDR ballots accounted for more than 18 percent of the votes cast.³⁸

In addition, SDR particularly assists young voters and lower income citizens who often move more frequently, and counters reduced registration rates caused by their mobility.³⁹ Young people move regularly for school, work, and family reasons, which makes it difficult for them to stay registered under existing laws and results in lower registration rates than those in the general population.⁴⁰ SDR would allow this highly transitory population to register at the last minute and vote in elections. In fact, Demos has estimated that SDR could increase youth turnout by 14% points for presidential elections in this country.⁴¹

SDR would also significantly impact other movers. With 90 million eligible voters (45% of the population!) moving every five years,⁴² and at least one in six Americans moving every year (mostly within his or her state),⁴³ reform affecting these voters is imperative. One of the most common problems reported to voter protection hotlines is voters not knowing that they must re-register after moving, even if it is within the same city, or even a few doors down.⁴⁴ Census data has demonstrated that millions of Americans move each year.⁴⁵ For instance, 40.1 million people moved in this country between 2002 and 2003 and almost 40 million Americans moved between 2004 and 2005, as well as 2005 and 2006.⁴⁶ The same data shows that Latinos had the highest moving rate (18%), followed by African Americans (17%), Asians (14%), and then Caucasians (12%).⁴⁷ In addition, during the 2004-2005 period, over one-third of those movers had incomes less than \$25,000.⁴⁸ SDR would allow these voters to re-register on Election Day and cast their ballots rather than deny them their right to vote simply because they miss the registration deadline in their new location.⁴⁹

More generally, SDR counteracts arbitrary voter registration deadlines (i.e., more than half the states cut off voter registration 25 or more days before the election).⁵⁰ And even with the most comprehensive voter lists administered with the best intentions, some voters continue to fall through the cracks due to state or individual registration errors. To ensure that eligible voters are not deprived of their right to vote simply because they do not appear on registration lists, SDR must be part of any meaningful electoral reform.⁵¹ On top of all the other compelling reasons to advocate for SDR, voters want it! According to a May 2001 poll, nearly 2/3 of all non-voters said that allowing SDR would make them more likely to vote.⁵² And preliminary figures demonstrate the popularity of SDR – over 1 million Americans used SDR to vote on or prior to election day in 2008.⁵³

B. Voter Registration Basics

Typically, the largest cause of unnecessary voter disenfranchisement in the United States involves problems with voter registration.⁵⁴ Voter registration requirements vary significantly by state with regard to registration qualifications, forms, and deadlines/methods of delivery. Requirements are even more divergent with regard to movers (within a state and across state lines) and first time voters. Hotlines, Twitter reports, and websites that track voter complaints found that registration issues were the most prevalent problem on the 2008 Election Day.⁵⁵ For instance, the election protection hotline set up by the National Campaign for Fair Elections received more than 240,000 calls from voters, and more than one-third of the calls were related to voter registration problems.⁵⁶ Additionally, the Election Protection Coalition operated a toll-free line and website tracking election problems on and before the 2008 general election and received the greatest number of online hits (7,421) and calls (28,853) about voter registration problems.⁵⁷ The Coalition observed that “[t]he most prevalent and alarming challenge to our electoral process today came in the form of voter registration problems. . . . Our first priority for improving this flawed system should be to make the registration process fair, accurate, and efficient.”⁵⁸ The following subsections discuss registration issues, including the varied state qualification requirements, registration forms, and delivery deadlines.

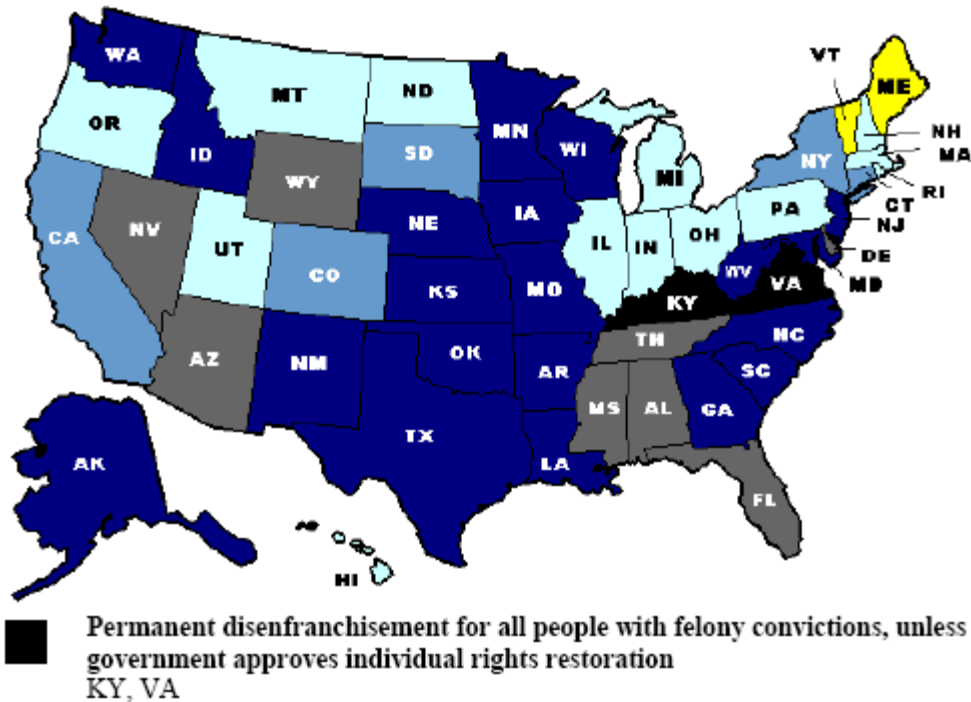
1. Voter Qualifications






A potential voter must be a U.S. citizen to register to vote, but other qualifications such as residency, age, criminal status, mental capacity, and other state-specific restrictions vary by state as detailed in Appendix A.⁵⁹ For example, some states never permit convicted felons to vote after their conviction; other states automatically reinstate the right to vote upon the end of the individual’s sentence; and in still other states, an individual must apply for reinstatement after the end of his/her sentence or at a state-specified time afterward. WVVV has received numerous questions on this issue, such as:

- ◆ 3.12.08 – Good morning, I wanted to know if my civil rights have been restored and that's why I have started receiving the registration application since I had applied to have them restored. I have not received any thing from the State of Florida to indicate that they have been restored. Is there any way you could find out and advise me. I would then be most happy to register to vote again. This was 10 years ago with my felony and have not seen any trouble prior to or since. Please let me know one way or the other if I am not to sen[d] this completed application back. I do not want to be doing something wrong by completing this application and sending it back to you. . . . Please Advise. Thank you.
- ◆ 8.15.08 – I lost my right to vote in 1999 due to a felony charge. I would like to know how I can have my rights reinstated.

- ◆ 10.6.08 – My story is this: I am an ex-felon who has been trying to restore my civil rights for voting for the last 20+ years. I was in [in]carcerated, served my term, released and have been participating as a normal honest citizen. I wanted to vote and informed that I could not due to lack of civil rights, which unbeknown to me were restored upon my completion of my parole. That was over 26 years ago. I tried to locate someone who could aide me in the process and could find no one. I now live in a different state and still could not vote. I have been restricted from this right due to lack of information. This election sparked my desire to vote and I found out that the state restores your civil rights once you have completed your sentence and parole. Well needless to say I have contacted the Federal Election Commission in Washington DC, to confirm this and now I have the ability to vote. My point is don't just accept what people say, keep trying and you might be [surprised] . . . I can now VOTE!!!!

The following map published by the Brennan Center illustrates criminal disenfranchisement laws throughout this country:



-  **Permanent disenfranchisement for at least some people with criminal convictions, unless government approves individual rights restoration**
AL, AZ, DE, FL, MS, NV, TN, WY
-  **Voting rights restored upon completion of sentence, including prison, parole, and probation**
AK, AR, GA, ID, IA, KS, LA, MD, MN, MO, NE, *NJ, NM, NC, OK, SC, TX, WA, WV, WI
-  **Voting rights restored automatically after release from prison and discharge from parole (probationers may vote)**
CA, CO, CT, NY, *SD
-  **Voting rights restored automatically after release from prison**
DC, HI, IL, IN, MA, MI, MT, NH, ND, OH, OR, PA, RI, UT
-  **No disenfranchisement for people with criminal convictions**
ME, VT

* Nebraska imposes a two-year waiting period after completion of sentence.

**Source: Brennan Center for Justice, *Criminal Disenfranchisement Laws Across the United States*, http://www.brennancenter.org/page/-/d/download_file_48642.pdf (last visited Mar. 16, 2009).

Voting rights and civil rights advocates have advanced for many years the position that voting laws and restrictions applicable to felons who have served their time are purposefully used to disenfranchise minorities.⁶⁰ In 2007, the Sentencing Project found that 5.3 million Americans with a felony conviction have lost their right to vote permanently, which disproportionately impacts African American men, 1.4 million of whom have lost their right to vote under these restrictive laws.⁶¹ In fact, the 13% disenfranchisement rate for African American males is seven times the national average,⁶² and in six states, more than one in four African American men are disenfranchised permanently.⁶³

In addition, people who move or change their name are often unclear about whether they need to re-register to vote and where they are supposed to register or vote since these requirements vary from state to state and sometimes, county to county. For instance, these two emails to WVWV illustrate common questions among potential voters:

- ◆ 5.1.08 – I recently got married and I need to know how I can get my name changed with the registry. Any help with this issue would be of great help . . . Once again thanks for any help you can give me. Thanks.
- ◆ 9.2.08 – I have moved since the last presidential election from Union [C]ity in NJ to Nutley NJ. How can I [find out] where I vote in Nov. Thanks.

Moreover, some states require individuals to list their permanent address on their voter registration form. These laws primarily impact homeless individuals who are unable to satisfy that requirement -- only one-third of the more than 744,000 homeless individuals in the United States are registered to vote.⁶⁴

WVWV supports reforms to encourage greater clarity with regard to all voter qualification requirements, including those specifically applicable to ex-felons and movers. We critically need reform to raise awareness, understanding, and participation among eligible voters.

2. Registration Forms and Online Registration

Subject to very limited exceptions, all states accept the federal voter registration form; however, almost all states also have a state-specific form that differs from not only the federal form, but also from other state forms.⁶⁵ This variation can confuse voters and make it extremely difficult for “Get Out the Vote” groups to provide comprehensive information on all acceptable forms and instructions for completing such forms. Many people throughout the country have contacted WVWV with questions and concerns about registration forms as illustrated in this email:

- ◆ 3.6.08 - I have already filled out a voter registration application and mailed it in over a month ago. I have not received my voters card yet and today I received a second notice application via mail. Is the[re] a long wait to receive your card and should [I] ignore this second request or should I reapply? I want to vote and need a card to do so. Thank you very much.

Some states also object to registration groups widely distributing the federal form within their state because they prefer to process their own state forms. This issue erects another barrier for registration groups who seek to assist voters in completing and submitting their voter registration forms. WVWV supports reform efforts to require that state officials accept the federal form and adequately fund the registration process, even when it requires sending the applications to county registrars. Use and acceptance of the federal form provides simplicity for voters, increases voter participation, and assists registration groups that seek to enfranchise voters by providing a standard form accepted across the country.

In addition to standard acceptance of the federal form, election reform efforts should include a push to mandate the option of online registration in all states. As of October 2008, Arizona and Washington were the only two states to allow voters to register via the Internet, and they have seen very successful results.⁶⁶ For instance, Arizona began allowing online registration in 2003, and in that first year 25% of voter registration occurred online.⁶⁷ By 2007, the figure climbed to 72%.⁶⁸ In Washington, over 6,500 citizens registered online in the two weeks after the system’s launch in early January.⁶⁹ Washington Secretary of State Sam Reed believes the online option significantly increased voter registration, particularly among youth voters who generally tend to change addresses more frequently than other age groups.⁷⁰

3. Registration Deadlines

Registration deadlines also vary widely by state and by method of delivery (i.e., by mail, fax, or personal delivery), whereas one standard registration date throughout the country would provide consistency and clarity for voters (particularly, movers). The following chart published by the Pew Center in October 2008 details the registration deadlines for the November 4, 2008, general election and highlights the lack of uniformity across the United States:

Voter Registration Deadlines

ALABAMA	Oct. 24
ALASKA	Oct. 5
ARIZONA	Oct. 6
ARKANSAS	Oct. 6
CALIFORNIA	Oct. 20
COLORADO	Oct. 6
CONNECTICUT	Oct. 21 by mail; Oct. 28 in person; Presidential ballots available for unregistered on Election Day
DELAWARE	Oct. 11
DISTRICT OF COLUMBIA	Oct. 6
FLORIDA	Oct. 6
GEORGIA	Oct. 6
HAWAII	Oct. 6
IDAHO	Election day registration. Oct. 10 last day to pre-register.
ILLINOIS	Oct. 7
INDIANA	Oct. 6
IOWA	Election day registration. Oct. 25 last day to pre-register.
KANSAS	Oct. 20
KENTUCKY	Oct. 6
LOUISIANA	Oct. 6
MAINE	Election day registration
MARYLAND	Oct. 14
MASSACHUSETTS	Oct. 15
MICHIGAN	Oct. 6
MINNESOTA	Election day registration. Oct. 14 last day to pre-register.
MISSISSIPPI	Oct. 4
MISSOURI	Oct. 8

MONTANA	Late and election day registration; Oct. 6 last day to register by mail
NEBRASKA	Oct. 17 by mail; Oct. 24 in person
NEVADA	Oct. 4 by mail; Oct. 14 in person
NEW HAMPSHIRE	Election day registration. Oct. 25 to pre-register.
NEW JERSEY	Oct. 14
NEW MEXICO	Oct. 7
NEW YORK	Oct. 10
NORTH CAROLINA	Oct. 10 or one stop registration and absentee voting from Oct. 16 – Nov. 1
NORTH DAKOTA	No voter registration
OHIO	Oct. 6; one-stop registration and voting period
OKLAHOMA	Oct. 10
OREGON	Oct. 14
PENNSYLVANIA	Oct. 6
RHODE ISLAND	Oct. 4. Presidential ballots available to unregistered voters on Election Day
SOUTH CAROLINA	Oct. 4
SOUTH DAKOTA	Oct. 20
TENNESSEE	Oct. 6
TEXAS	Oct. 6
UTAH	Oct. 6 by mail; Oct. 20 in person
VERMONT	Oct. 29
VIRGINIA	Oct. 6
WASHINGTON	Oct. 4 by mail and online voter registration; Oct. 20 for in person
WEST VIRGINIA	Oct. 14
WISCONSIN	Election day registration. Oct. 15 last day to pre-register.
WYOMING	Election day registration. Oct. 6 last day to pre-register.

**Source: The Pew Center on the States, *Election Preview 2008: What if We Had an Election and Everyone Came?*, October 2008, <http://www.pewcenteronthestates.org/uploadedFiles/Election%20Preview%20FINAL.pdf>.

In addition to the varying deadlines, some states mandate that mail-in registration be *postmarked* by the deadline, whereas other states require that election officials *receive* the form by the deadline. Requiring receipt by the deadline is in direct violation of the National Voter Registration Act (NVRA) of 1993.⁷¹ Another confusing inconsistency (particularly for people who move to a new state) is that some states set a particular delivery time, whereas others simply set a date. Moreover, there is no federal deadline for states to notify voters of their disposition. The following sampling of states illustrates these issues:

Mail-In Registration Deadlines

- ◆ *Colorado*: Postmarked 29 days before the election
- ◆ *Michigan*: Received 30 days before the election
- ◆ *Minnesota*: Received by 5:00 p.m. 21 days before the election
- ◆ *Nevada*: Received by 9 p.m. on the fifth Saturday before the election and postmarked within 3 days of signing the form

WVWV has received countless questions regarding registration deadlines. The following emails illustrate a handful of common concerns:

- ◆ 10.2.08 – I filled out the reg form and it is required in my state that I be registered 30 days prior to the election. If my form is postmarked by today 10/3 will that qualify me or do I have to go in person to register now???
- ◆ 9.23.08 – I need to know how to [register] to vote for mail in application. How do I get this application before the Oct 6th due date? I am already registered to vote in Colorado.
- ◆ 10.15.08 – Did not know [the] deadline for change of address was yesterday. Can I still put [it] in [the] mail or fax to someone?

C. Ensuring State Compliance with the National Voter Registration Act

Recognizing how voter registration laws throughout the country have disproportionately impacted participation in the democratic process by low-income citizens, Congress passed Section 7 of the NVRA requiring states to offer voter registration opportunities to those utilizing or applying for public assistance programs such as Food Stamps, Temporary Assistance for Needy Families (TANF), Medicaid, and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). Section 7 requires public assistance agencies to not only provide a voter registration application, but also help with the completion of the application and transmission of the form to the appropriate election official.

Unfortunately, many states are falling far short of Congress's mandate and inconsistently complying with the requirement that they offer voter registration services to those utilizing public assistance programs.⁷² Recent surveys have found numerous instances where public assistance organizations did not offer voter registration, including sites where voter registration applications were completely absent.⁷³ The NAACP Legal Defense Fund "uncovered significant evidence of widespread non-compliance among several states, including Louisiana and Mississippi" where agency personnel were "simply unfamiliar with the law and the obligation to make voter registration forms available...."⁷⁴ When comparing 2003-2004 with 1995-1996, voter registration applications from public assistance agencies fell 59.64% while applications from other sources actually increased by 22.43%.⁷⁵ Moreover, although 13 million (40 percent!)

of the voting age population from households earning under \$25,000 were unregistered in 2006, the number of voter registration applications from public assistance agencies is a small fraction of what it was when the NVRA was first instituted.⁷⁶

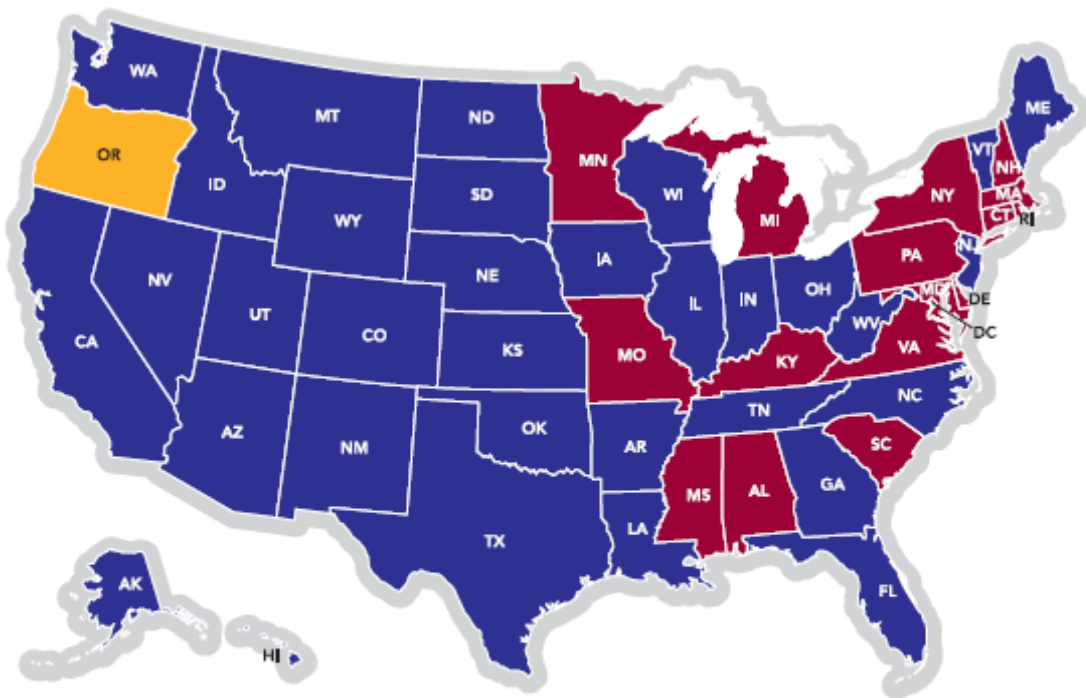
Although there has been strong evidence of noncompliance by states, the Department of Justice (DOJ) has fallen short of its duty to enforce the public assistance program requirements of the NVRA.⁷⁷ WVWV believes it is essential that DOJ enforce state compliance with NVRA's public assistance program provisions. WVWV aims to assist in this effort by researching whether states are in compliance with the public assistance program provisions and alerting DOJ where states are falling short of their obligation. WVWV will provide this research to assist other election reform groups in pushing the DOJ to better enforce compliance.

II. ABSENTEE AND EARLY VOTING

In this report, the term "absentee voting" is used to signify voting by a mail-in paper ballot, whereas the term "early voting" is utilized in reference to voting in person at an election official's office or other voting location prior to Election Day. Rates of both absentee and early voting are on the rise. In the 2008 elections, approximately 38 million Americans voted prior to Election Day – constituting nearly 30% of the ballots cast.⁷⁸ This figure represents a substantial increase from prior years. In 2004, 20% of ballots were cast by absentee or early voters, 15% in 2000, and 7% in 1992.⁷⁹ States such as Florida and Texas saw especially large numbers of ballots cast before Election Day. Four million people voted early in Florida's 2008 general election; and Texas had more people voting before Election Day in 2008 than voted on Election Day in 2007!⁸⁰

Although every state allows some voters to cast absentee ballots prior to Election Day, states vary on whether they allow early voting in addition to absentee voting.⁸¹ Moreover, states' regulations regarding who can vote absentee or early differ widely. For example, some states allow "no excuse" absentee and early voting where any registered voter can vote prior to Election Day; whereas other states require an excuse such as absence from the state on Election Day, military duties, or health problems. Additionally, some states have hurdles for those voting by mail such as restrictions for first time voters and requirements for signatures by witnesses or notaries.

See the following Pew Center map published in October 2008, which summarizes absentee and early voting state laws:



- 33 states allow no-excuse absentee voting by mail and/or no-excuse in-person early voting.
- 16 states and the District of Columbia require an excuse for absentee voting.
- 1 state is all-vote-by-mail.

**Source: The Pew Center on the States, *Election Preview 2008: What if We Had an Election and Everyone Came?*, October 2008, <http://www.pewcenteronthestates.org/uploadedFiles/Election%20Preview%20FINAL.pdf>.

A. No Excuse Absentee Voting⁸²

All states allow some voters to cast ballots by mail, but significant variations between states remain, which causes confusion among voters.⁸³ The following questions posed by potential voters to WVWV provide examples of this confusion:

- ◆ 3.11.08 – My mother has moved here from Florida. She is living in an Assisted Living facility in Rock Hill, SC - all of her mail is sent to my address which is where you sent the registration form. My question - how can I get her registered to vote and also she would have to vote with an absentee ballot as she is unable to drive or walk . . . Can you help me with this?
- ◆ 4.10.08 – How do I sign up for absent[ee] [ballot], please let me know. I [a]m 74 years old.

- ◆ 7.27.08 – My daughter turned 18 this past May and is a student in Germany for the next year. I've emailed her the link to your site, but still need to do something about an absentee ballot. Can you help? Thank you.
- ◆ 8.15.08 – To Whom It May Concern, Can I be sent an Absentee Voter Application in the mail or do I have to visit my local town hall. Thank you.

Some states require an excuse to request an absentee ballot such as health reasons or absence from the state on Election Day. In contrast, 28 states allow no excuse absentee voting.⁸⁴ Five states – California, Colorado, Hawaii, Montana and Washington – allow permanent no excuse absentee voting. Upon request, voters automatically receive absentee ballots in all future elections.⁸⁵ In 1998 Oregon voters overwhelmingly voted to adopt an exclusive vote by mail system, and since 2000, Oregon has conducted all elections solely by mail ballot.⁸⁶ In 2006, 33 of 39 Washington counties conducted their elections entirely by mail, as allowed under state law.⁸⁷

Many states also erect hurdles to those voting by absentee ballot. For example, some states require a witness or notary public to sign absentee ballots.⁸⁸ And in most states, voters must pay for the postage on the return envelope of their absentee ballot. At least four states pay the return postage – Hawaii, Minnesota, Nevada, and West Virginia.⁸⁹

The following October 2008 chart from the National Conference of State Legislatures illustrates the states that allow any registered voter to vote by absentee ballot (i.e., no excuse absentee voting).

No Excuse Absentee Voting	
Alaska	Nevada
Arizona	New Jersey
Arkansas	New Mexico
California	North Carolina
Colorado	North Dakota
Florida	Ohio
Georgia	Oklahoma
Hawaii	Oregon*
Idaho	South Dakota
Iowa	Utah
Kansas	Vermont
Maine	Washington
Montana	Wisconsin
Nebraska	Wyoming

**Source: National Conference of State Legislatures, Absentee and Early Voting, *available at* <http://www.ncsl.org/programs/legismgt/elect/absentearly.htm>. Updated in part on October 9, 2008.

As illustrated in the following chart, as of October 2008, approximately half of all states require the signatures of either a witness or notary public on an absentee ballot.

Witness/Notary Signature	
Required	Not Required
Alabama	Arizona
Alaska	Arkansas
Delaware	California
Florida	Colorado
Georgia*	Connecticut
Hawaii*	District of Columbia
Louisiana	Idaho
Maine	Illinois
Michigan*	Indiana
Minnesota	Iowa
Mississippi	Kansas
Missouri	Kentucky
Nebraska	Maryland
New Jersey	Massachusetts
New York*	Montana
North Carolina	Nevada
North Dakota	New Hampshire
Oklahoma	New Mexico
Pennsylvania*	Ohio
Rhode Island	Oregon
South Carolina	South Dakota
Tennessee*	Vermont
Texas	Washington
Utah*	West Virginia
Virginia	Wyoming
Wisconsin	

**Source: National Conference of State Legislatures, Absentee and Early Voting, *available at* <http://www.ncsl.org/programs/legismgt/elect/absentearly.htm>. Updated October 9, 2008.

The Common Cause Education Fund has studied the effects of a Vote By Mail (“VBM”) election, where every registered voter is sent a ballot so that they have the option of voting by mail. According to their January 2008 study, VBM elections can increase turnout by four to five percentage points in general elections and significantly more in local or off-year elections.⁹⁰ Many other benefits to absentee voting have been touted, including:

- Significant reductions in Election Day logistical problems such as equipment failures, equipment shortages, poll worker shortages, and bad weather;
- Additional opportunities for voter mobilization;
- Reductions in last minute negative campaigning;
- Greater time to deliberate about choices;
- Money and time savings; and

- More efficient deterrence of fraud when, rather than imposing photo-ID requirements, signatures on ballot envelopes are compared to signatures on voter registration files.⁹¹

A VBM system, in addition to no excuse absentee voting, would be the best way to ensure that underrepresented groups are able to cast a ballot once they are successfully registered.

B. No Excuse Early Voting

Early voting takes place in person before Election Day – voters cast their ballots at a county clerk’s office or another satellite voting location such as a grocery store, school, or library.⁹² The time period for early voting varies by state but typically takes place during the 10 to 14 day window before the election and ends on the Friday or Saturday preceding Election Day.⁹³ As of January 2009, fifteen states require voters to have a statutorily-delineated excuse to vote early, 32 states allow no excuse early voting, and four states do not allow early voting.⁹⁴

Early Voting Summary			
State	No excuse	Excuse required	Not Permitted
Alabama		x	
Alaska	x		
Arizona	x		
Arkansas	x		
California	x		
Colorado	x		
Connecticut		x	
Delaware		x	
District of Columbia		x	
Florida	x		
Georgia	x		
Hawaii	x		
Idaho	x		
Illinois	x		
Indiana	x		
Iowa	x		
Kansas	x		
Kentucky		x	
Louisiana	x		
Maine	x		
Maryland			x
Massachusetts		x	
Michigan		x	
Minnesota		x	
Mississippi		x	
Missouri		x	
Montana	x		
Nebraska	x		

Early Voting Summary			
State	No excuse	Excuse required	Not Permitted
Nevada	x		
New Hampshire		x	
New Jersey	x		
New Mexico	x		
New York		x	
North Carolina	x		
North Dakota	x		
Ohio	x		
Oklahoma	x		
Oregon			x
Pennsylvania		x	
Rhode Island			x
South Carolina		x	
South Dakota	x		
Tennessee	x		
Texas	x		
Utah	x		
Vermont	x		
Virginia		x	
Washington			x
West Virginia	x		
Wisconsin	x		
Wyoming	x		

**Source: LongDistanceVoter.Org, Early Voting Rules, *available at* http://www.longdistancevoter.org/early_voting_rules (last visited Jan. 29, 2009).

C. Reform Efforts

Advocating for relaxed requirements for absentee and early voting should be a priority in election reform because these voting methods give voters more flexibility in casting their ballots and thereby encourage voter participation, particularly among historically underrepresented groups. The best case scenario would be expanding no excuse early and absentee voting to make it a standard practice throughout the country. As of October 2008, thirty-four states already allow either no excuse early voting or no excuse absentee voting.⁹⁵ Expanding the number of no excuse states will increase voter turnout of underrepresented populations such as college students and low-wage workers who cannot afford to take time off of work to vote. Other benefits include reducing Election Day logistical problems such as bad weather and poll worker shortages. Increased early and absentee voting has been credited with the smoother November 2008 Election Day in Ohio and Florida.⁹⁶

III. VOTER IDENTIFICATION REQUIREMENTS

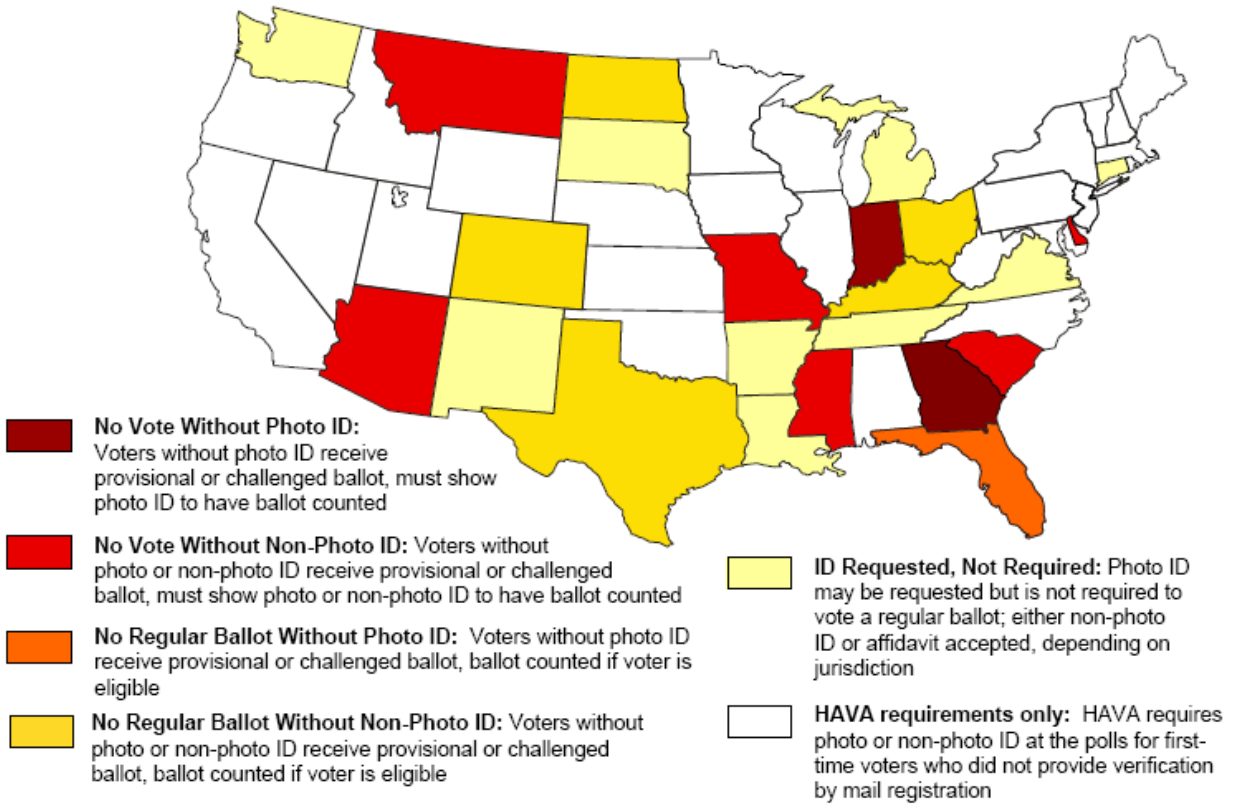
States are increasingly implementing restrictive laws requiring various forms of identification, and in some cases proof of citizenship, before voters can register to vote or cast their ballot. These strict requirements adversely impact populations such as women, African Americans, Latinos, low income citizens, and youths who often lack current or acceptable forms of identification.⁹⁷ For example, a 2007 Brennan Center study found that over half of voting-eligible women do not have proof of citizenship with their current names.⁹⁸ A recent study in the *Election Law Journal* also found that one in ten Caucasian voters lack necessary identification, whereas the figure for African Americans is twice as high.⁹⁹ In Wisconsin, for example, a 2005 study found that 78% of African American men between 18 and 24 years of age lack a driver's license.¹⁰⁰ “[D]ue to varying levels of political resources (time, money, political sophistication, etc.) the impact of additional hurdles, like voter-ID laws, is most pronounced on specific segments of the electorate, including the elderly, racial and ethnic minorities, immigrants, and those with less educational attainment and lower incomes.”¹⁰¹

Moreover, required forms of identification are different in every state, prompting questions from potential voters such as:

- ◆ 5.2.08 – I live in NC, but I have a TN driver's license. [H]ow do I register to vote without a NC license. I am a military dependent?
- ◆ 8.12.08 – I am register[ed] to vote in KY. I got married two weeks ago. [W]ill I need to do something [different] because my last name change[d]?
- ◆ 9.22.08 – My daughter is turning 18 on October 11. She wants to register but she does not have a paycheck or bank account and she lives at home. So what does she do?

See Appendix B for state-by-state information compiled by the League of Women Voters in 2008 regarding the patchwork of identification laws governing voter registration.¹⁰² In addition, see Appendix C for the League's detailed account of each state's identification requirements for casting one's vote.¹⁰³

This 2008 Brennan Center map below also illustrates the state variations related to identification needed to vote:



**Source: Brennan Center for Justice, ID Requirements Discourage Voters, <http://www.brennancenter.org/page/-/Democracy/2%20current%20ID%20provisions.pdf> (last visited Mar. 16, 2009).

WVWV encountered this issue when it sought to mail information summarizing identification requirements to unmarried women residing in selected states. The state laws were detailed, complicated, and inconsistent, which made them extremely difficult to summarize accurately on a mailer.

For instance, see the following comparison of Indiana and New Jersey.¹⁰⁴

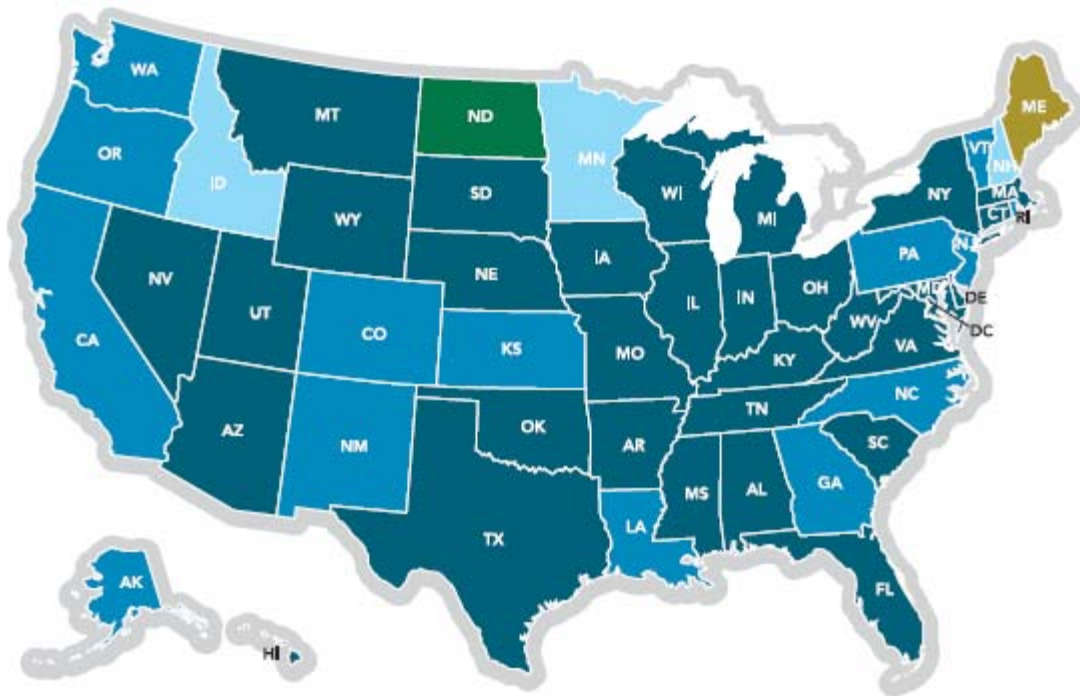
Indiana	New Jersey
<p>Indiana uses HAVA as a minimum for first time voters and has expanded state requirements for all voters.</p> <p>(1) Every voter must present ID issued by the federal government or state of Indiana before signing in at the polling place. The ID must contain:</p> <ul style="list-style-type: none"> - the voter's name (which must conform to his/her voter registration record); - the voter's photo; and - the expiration date (the ID must be current or have expired after the date of the last general election, including military IDs with the INDEF expiration date). <p>Acceptable forms of ID include an IN driver's license or photo ID card, military ID, and U.S. passport.</p> <p>(2) In addition to the noted photo ID, a first time voter who registers by mail and does not include a copy of his/her ID with the registration materials must present ID at the polling place that includes his/her name and address (if not printed on the photo ID) in accordance with HAVA. Acceptable ID includes a current and valid driver's license, other photo ID, or current utility bill, bank statement, paycheck, government check or other government document showing the voter's name and address.</p>	<p>Pre-HAVA, New Jersey did not require ID from any voters and post-HAVA has adopted only HAVA's minimum requirements.</p> <p>(1) Only a first time voter who registers by mail and does not include a verifiable driver's license number or last 4 digits of his/her social security number with the registration form must present ID at the polling place in accordance with HAVA. Acceptable forms of ID includes a current and valid driver's license, other photo ID (student or job ID, military or government ID, store membership ID, U.S. passport) or current utility bill, bank statement, paycheck, government check or other government document, non-photo driver's license, rent receipt, sample ballot, or any other official document showing the voter's name and address.</p>

WVWV instead provided internet links to the applicable state websites; however, voters lacking internet access could not benefit from the information. With roughly half the states requiring voters to show some form of ID, the burdensome ID requirements and the lack of consistent and clear voter ID laws will continue to impact voter participation and election results.

IV. PROVISIONAL BALLOTS

The Help American Vote Act of 2002 (HAVA) requires states to provide provisional ballots to voters who are not on the registration list or lack proper ID (among other reasons). State regulations vary widely, however, in terms of when a voter may submit a provisional ballot and how and when a state counts such votes. For instance, although HAVA requires provisional ballots, many states refuse to count provisional ballots unless they are cast in what the state considers the correct precinct.¹⁰⁵ In addition, some states even differ by county on processing provisional ballots.¹⁰⁶ Moreover, some of the disparities stem from informal administrative

practices, where custom and discretion are the cause of differences, rather than statutes or ordinances. HAVA simply has not led to uniformity among the states (or even counties within some states). See the patchwork of state laws governing provisional ballots on the Pew Center's October 2008 map below:



- 31 states and the District of Columbia require provisional ballots to be cast in the correct precinct to be eligible for counting.
- 14 states count provisional ballots cast in the correct jurisdiction - i.e. municipality, county, state.
- 3 states are exempt from HAVA's provisional ballot requirement because they allow Election Day Registration.
- 1 state is exempt from HAVA's provisional ballot requirement because it does not have voter registration
- 1 state with election-day registration allows voters to cast challenge ballots.

**Source: The Pew Center on the States, Election Preview 2008, What if We Had an Election and Everyone Came?, Oct. 2008, <http://www.pewcenteronthestates.org/uploadedFiles/Election%20Preview%20FINAL.pdf>.

Moreover, because of unclear and complicated rules in states and counties regarding who receives a provisional ballot, some voters who should get provisional ballots are turned away from the polls and others who qualify for a regular ballot are given provisional ballots.¹⁰⁷ Additionally, in some states certain administrative procedures governing provisional ballots are left to the discretion of local election officials.¹⁰⁸ In 2004, provisional ballot problems were among the top five complaints received by the Election Protection Coalition's hotline.¹⁰⁹ Reported problems included poll workers confused about provisional ballot rules and procedures, a lack of provisional ballots at the voting site, and poll workers refusing to allow voters to cast

provisional ballots or not offering it as an option.¹¹⁰ The confusion in administering provisional ballots was apparent once again in 2008. For example, at a precinct in Georgia, voters who did not have a government ID were not given provisional ballots.¹¹¹ In Franklin County, Ohio, if a voter had an old address on their valid driver's license they were mistakenly forced to cast a provisional ballot.¹¹² Additionally, even though provisional ballots cast in the wrong precinct are not counted in Ohio, poll workers were giving provisional ballots to those in the wrong precinct rather than directing them to their correct precinct.¹¹³ With 800,000 provisional ballots cast in just 14 states alone in the 2008 general election, reform in this area would have a significant impact in future elections.¹¹⁴

WVWV suggests that all states allow voters to cast a provisional ballot at *any* precinct within a county or municipality and then count all properly cast ballots throughout the state. Such a reform would encourage voter participation and provide a true and accurate voting record for each county and state. Election reform efforts should also push for a uniform standard governing which provisional ballots are counted. In 2004 for instance, one third of all provisional ballots (as many as one million votes!) were discarded at the discretion of state and local election officials.¹¹⁵ In addition, clear and consistent rules should govern the administration of provisional ballots so local and county poll workers are able to correctly implement the proper procedures. If states provided SDR and improved the maintenance and accuracy of voter lists, many issues related to provisional ballots will become moot; however, until that time, election reform efforts must address issues surrounding provisional ballots.

V. VOTER LISTS

State regulations significantly differ in terms of who updates voter lists, how the state maintains its lists, how expansively or narrowly state or local election officials read the laws and allow for name variations, and how and when officials purge voter lists. Additionally, many states do not implement NVRA's rules that a voter cannot be systematically purged from the polls within 90 days of an election and a voter must be notified when purged.¹¹⁶ These variations cut both ways in negatively affecting the registration and voting process. On one hand, improper purges disrupt the registration and voting process because they cause confusion for voters who believe they are registered (and later find out they are not registered) and for registration groups attempting to enfranchise voters by contacting unregistered voters to provide registration information. In some states, voter registration databases match names on voter rolls against other government databases containing ineligible voters and purge those voters even though the matching process is often inaccurate.¹¹⁷

For example, in 2000, Florida incorrectly purged thousands of voters from their rolls because their names shared 80% of the characters of the names of convicted felons.¹¹⁸ This type of name matching system particularly impact communities of color.¹¹⁹ In 2006 and 2007, Florida again purged thousands of voters when its restrictive "match" rules caused the rejection of 15,000 new registrants – almost 75% of whom were Latino and African American voters.¹²⁰ In 2007, Louisiana undertook a purge program that attempted to "match" voters by comparing their names and dates of birth with lists in other states and purging those that were registered in a state other than Louisiana.¹²¹ Approximately 12,000 voters were purged using this system, a significant number of which were African Americans and those displaced by Hurricanes Katrina and Rita.¹²² Numerous studies have proven that matching programs such as these are

“unreliable” and “error-prone.”¹²³ This account from Nevada further illustrates the problem of improper purges:

On February 5th, the day of the Super Tuesday caucus, a school-bus driver named Paul Maez arrived at his local polling station to cast his ballot. To his surprise, Maez found that his name had vanished from the list of registered voters, thanks to a statewide effort to deter fraudulent voting. For Maez, the shock was especially acute: He is the supervisor of elections in Las Vegas.

Maez was not alone in being denied his right to vote. On Super Tuesday, one in nine Democrats who tried to cast ballots in New Mexico found their names missing from the registration lists. The numbers were even higher in precincts like Las Vegas, where nearly 20 percent of the county’s voters were absent from the rolls. With their status in limbo, the voters were forced to cast “provisional” ballots, which can be reviewed and discarded by election officials without explanation [Maez] says he was the victim of faulty list management by a private contractor hired by the state.¹²⁴

On the other hand, when lists are not maintained or updated properly, the lists contain duplicates and other names that should have been purged (such as the names of deceased persons or pets), which can cause confusion and frustration for voters, registration groups, and state officials. This problem often results in registration groups sending registration forms, vote by mail applications, and other Get Out the Vote (“GOTV”) messages to persons who should not receive this information. For instance, WWVV inadvertently sent GOTV material such as vote by mail applications to persons who appeared on the voter list, but were actually deceased. Consistency and uniformity on both ends of the spectrum should be a priority in the election reform movement.

VI. HELPFUL RESOURCES REGARDING ELECTION LAWS AND REFORM

The confusing and inconsistent patchwork of state election laws discussed in this report pose an overwhelming obstacle to increased voter participation and necessitates election reform in this country. Through this report, WWVV aims to provide a comprehensive repository of information, which other groups and officials can use in their direct advocacy efforts. WWVV’s advocacy arm will promote and support election reform efforts within its constituency; however, its key focus is providing this information to other groups and officials engaged in direct advocacy to aid them in demonstrating the significant problems posed by current laws.

Many groups also recognize the serious obstacles caused by the current registration and voting process in this country and are working to reform various aspects of the process. For more information on election laws and reforms, see the sources identified on the chart below.

Source	Website
ABA NET	http://www.abanet.org/vote/2008/events/home.shtml
Brennan Center for Justice	http://www.brennancenter.org/content/section/category/voting_rights_elections/
Common Cause	http://www.commoncause.org (Election Reform)
Demos	http://demos.org
Election Assistance Commission (EAC)	http://www.eac.gov/index_html1
Fair Elections Legal Network	http://www.fairelectionsnetwork.com/
Federal Voting Assistance Program	http://www.fvap.gov/for-voting-assistance-officers/vote-guide/index.html
Lawyers' Committee for Civil Rights Under Law	http://www.lawyerscommittee.org
Leadership Conference on Civil Rights	http://www.civilrights.org/issues/voting/2008-resources.html
League of Women Voters Education Fund	http://www.vote411.org/
Long Distance Voter	http://www.longdistancevoter.org/
National Association of Secretaries of State	http://www.canivote.org/
National Conference of State Legislatures	http://www.ncsl.org
Nonprofit Voter Engagement Network	http://www.nonprofitvote.org
Pew Center on the States	http://www.pewcenteronthestates.org
Project Vote	http://projectvote.org
Rock the Vote	http://www.rockthevote.com/
Vote Smart	http://www.votesmart.org/voter_registration_resources.php?state_id=CO&go2.x=0&go2.y=16

APPENDIX A

VOTER QUALIFICATION REQUIREMENTS

State	Residency	Age	Criminal Status	Capacity	Other
AL	State resident	At least 18	Not convicted of a felony unless rights restored	Not legally declared mentally incompetent by a court	--
AK	Resident of state + election district for at least 30 days before Election Day	18 at least 90 days before Election Day	--	--	Not registered to vote in another jurisdiction
AZ	State resident	18 on or before general Election Day	Not convicted of a felony unless civil rights restored	Not adjudicated incompetent	--
AR	State resident	18 on or before Election Day	Not convicted of a felony unless sentence discharged or pardoned	Not presently adjudged mentally incompetent by court of competent jurisdiction	Not claiming the right to vote in another county or state
CA	State resident	18 on or before Election Day	Not in prison or on parole for felony conviction	Not judged by a court as mentally incompetent to register and vote	--
CO	State resident + at present address at least 30 days before the election	18 on or before Election Day	--	--	--
CT	State + town resident	18 by Election Day	Not convicted of a felony unless voter has completed confinement and parole and had voting rights restored	--	--
DE	State resident (proof required)	18 on or before general Election Day	No felony conviction for murder, sexual crimes, or crimes against the public. If sentence and fines satisfied at least 5 years prior to the application date, voter may be eligible.	Not mentally incompetent	--
DC	State resident	18 on or before Election Day	Not in jail for a felony conviction	Not adjudged mentally incompetent by a court of law	Not claiming the right to vote anywhere outside D.C.

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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State	Residency	Age	Criminal Status	Capacity	Other
FL	State resident	18 on or before general Election Day	Not convicted of a felony unless civil rights restored	Not adjudicated mentally incapacitated with respect to voting (in FL or any other state)	--
GA	Legal state resident + of the county in which the voter wishes to vote	18 by Election Day	Not serving any sentence imposed by a felony conviction	Not judicially determined to be mentally incompetent	--
HI	Legal state resident	At least 18	Not an incarcerated felon	Not adjudicated mentally incompetent	--
ID	State resident + of the county for 30 days prior to Election Day	18 on or before Election Day	Not convicted of a felony unless civil rights restored	--	--
IL	Resident of the precinct at least 30 days prior to Election Day	18 by Election Day	--	--	--
IN	Resident of the precinct at least 30 days before the election in which the voter is voting	18 on or before Election Day	Not currently in prison after committing a crime	--	Registration application must be approved in order to vote
IA	State resident	18 on Election Day Note: If a voter is 17½, s/he may register to vote, but registration will not be effective until his/her 18th birthday	Not convicted of a felony unless voting rights restored	Not currently judged incompetent to vote by a court	Not voting in any other place
KS	State resident	At least 18	--	--	--
KY	State resident for no less than 28 days before the election	18 on or before general Election Day	Not convicted of a felony unless civil rights restored	Not judged mentally incompetent in a court of law	Not claiming right to vote anywhere outside KY
LA	State resident	At least 17, and 18 prior to next election to vote	Not currently under an order of imprisonment for felony conviction	Not currently under a judgment of interdiction for mental incompetence	--

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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State	Residency	Age	Criminal Status	Capacity	Other
ME	Resident in the municipality where voter intends to register to vote	At least 18	--	--	Registered to vote in voter's municipality ¹²⁵ + enrolled in a party in that municipality to vote at that party's caucus, convention or primary election, (unless otherwise permitted by the party)
MD	State resident	18 on or before general Election Day	Not convicted of a felony unless voter has completed serving a court ordered sentence of imprisonment, including parole or probation	Not under guardianship for mental disability	Not convicted of buying or selling votes
MA	State resident	18 on or before Election Day	Not in prison or convicted of election fraud even if prison term is completed	Not under legal guardianship with respect to voting	--
MI	State resident + at least a 30 day resident of voter's city or township by Election Day	18 by Election Day	Not confined in a jail after being convicted and sentenced	--	--
MN	State resident for 20 days immediately preceding Election Day	18 on or before Election Day	Not convicted of a felony unless voter's sentence has been completed or otherwise discharged	Not under court-ordered guardianship in which the court order revokes right to vote or not found by a court to be legally incompetent to vote	--
MS	State resident + have lived in the voter's city or town for at least 30 days prior to Election Day	18 on or before Election Day	Never convicted of murder, rape, bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement, or bigamy unless pardoned or had rights of citizenship restored	Not considered mentally incompetent	Registered to vote at least 30 days before Election Day

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

APPENDIX A

VOTER QUALIFICATION REQUIREMENTS

State	Residency	Age	Criminal Status	Capacity	Other
MO	State resident + registered to vote in the jurisdiction of the voter's domicile prior to the election	18 by Election Day	Not confined under a sentence of imprisonment, on probation or parole after the conviction of a felony, or convicted of a felony or misdemeanor connected with voting or the right of suffrage	--	--
MT	State resident + of the county in which voter intends to vote for at least 30 days	18 on or before Election Day	Not convicted of a felony and serving a sentence in a penal institution	Not judged in a court of law to be of unsound mind	--
NE	State resident on or before registration deadline	18 on or before Election Day	Not convicted of a felony unless civil rights have been restored at least 2 years since sentence was completed, including probation or parole	Not officially found to be mentally incompetent	--
NV	State resident for 30 days preceding an election	At least 18	Not convicted of a felony unless civil rights restored * Note: Recent legislation has provided for automatic restoration of the right to vote for those who have been honorably discharged from prison, probation or parole, with certain exceptions related to the seriousness of the crime committed.	Not declared by a court to be mentally incompetent	--
NH	--	18 on or before Election Day	--	--	--
NJ	County resident for 30 days before the election	18 by Election Day	--	--	--

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER QUALIFICATION REQUIREMENTS

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State	Residency	Age	Criminal Status	Capacity	Other
NM	State resident	18 by Election Day	Not convicted of a felony unless voter has completed all terms and conditions of sentencing	Not legally declared mentally incapacitated	--
NY	Resident of present address for at least 30 days before the election	18 by general Election Day	Not in jail or on parole for a felony conviction	--	Not claiming the right to vote elsewhere
NC	A resident of North Carolina and county for 30 days before the election	18 by general Election Day	Not convicted of a felony unless rights of citizenship restored	--	Not registered or voting in any other county or state
ND	Legal state resident + a resident in the precinct for 30 days preceding the election	18 on or before Election Day	--	--	--
OH	Resident of Ohio for at least 30 days immediately before the election	18 on or before general Election Day	Not incarcerated in prison for a federal or state felony conviction	Not declared incompetent for voting purposes by a probate court	--
OK	State resident	At least 18	Not convicted of a felony unless a period of time equal to the original judgment and sentence has expired	Not adjudged to be an incapacitated person prohibited from voting	--
OR	State resident	18 by Election Day	--	--	--
PA	State resident + election district resident in which voter registers and votes for at least 30 days before the general election	18 on or before general Election Day	--	--	U.S. citizen for at least 1 month before general election
RI	Resident of a RI city or town where voter wishes to vote	18 on or before Election Day	Not convicted of a felony unless voter has completed prison sentence and had rights restored	Not legally declared mentally incapable by a court	--

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER QUALIFICATION REQUIREMENTS

State	Residency	Age	Criminal Status	Capacity	Other
SC	State resident	18 on or before Election Day	Not confined in any public prison resulting from a criminal conviction; not convicted of a felony or offense against the election laws or if previously convicted, have served the entire sentence, including probation or parole, or have received a pardon for the conviction	Not under a court order declaring voter mentally incompetent	--
SD	State resident	18 on or before Election Day	Not currently serving a sentence for a felony conviction that included imprisonment, served or suspended, in an adult penitentiary system	Not judged mentally incompetent by a court of law	--
TN	State resident	18 on or before Election Day	--	--	Not disqualified under the law
TX	Resident of the county in which voter intends to vote	At least 18 (voter may register at 17 years and 10 months)	Not convicted of a felony unless sentence completed, including any probation or parole	Not declared mentally incompetent by a court of law	--
UT	State resident for at least 30 days before Election Day	18 on or before Election Day	--	--	--
VT	State resident	18 on or before Election Day	--	--	Must take the Voter's Oath (formerly called the Freeman's Oath)

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER QUALIFICATION REQUIREMENTS

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State	Residency	Age	Criminal Status	Capacity	Other
VA	Resident of Virginia (A person who has come to Virginia for temporary purposes and intends to return to another state is not considered a resident for voting purposes.)	18 (any person who is 17 and will be 18 at the next general election may register in advance and also vote in any intervening primary or special election)	Not a convicted felon unless right to vote restored	Not currently declared mentally incompetent by a court of law	Not claiming the right to vote in any other state
WA	State resident + resident in the state, county, and precinct 30 days immediately preceding the election	18 on or before Election Day	Not disqualified by a felony conviction	Not disqualified by mental incompetence	--
WV	State resident + county where voter registers	18 on or before Election Day	Not currently under conviction for a felony, including probation or parole	Not currently under a court ruling of mental incompetence	--
WI	State resident at least 10 days before the election	18 on or before Election Day	Not required to report to a probation or parole officer because of a felony conviction	Not ruled incapable of voting by a judge	Have not already voted in the election; Have not made or become interested, directly or indirectly, in any bet or wager depending upon the election result
WY	State resident + precinct in which voter registers	18 on or before Election Day	Not convicted of a felony	Not adjudicated mentally incompetent	Must withdraw from voter registration from any other jurisdiction if applicable

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
AL	Identification is not required when registering to vote in Alabama.
AK	<p>If you register by mail, you are required to include information that will verify your identity. If you have not previously registered to vote in Alaska and you are submitting your registration application by mail, you must provide a copy of one of the following:</p> <ul style="list-style-type: none"> ➤ Driver's license ➤ State ID card ➤ Birth certificate ➤ Passport <p>In addition, you must provide your birth date and at least the last 4 digits of your Social Security number.</p>
AZ	<p>If this is your first time registering to vote in Arizona or you have moved to another county in Arizona, your voter registration form must also include proof of citizenship or the form will be rejected. The following will serve as proof of citizenship and no additional documents are needed:</p> <ul style="list-style-type: none"> ➤ An Arizona driver license or non-operating identification number issued after October 1, 1996: write the number in box 13 of the Arizona Voter Registration form ➤ A Tribal Identification number (Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, or Tribal Enrollment Number): write the number in box 16 of the Arizona Voter Registration form ➤ The number from your certificate of naturalization: write the number in box 20 of the Arizona Voter Registration form <p>If you do not have one of the above, you must attach proof of citizenship to the form. Only one acceptable form of proof is needed to register to vote. The following is a list of acceptable documents to establish your citizenship:</p> <ul style="list-style-type: none"> ➤ A legible photocopy of a birth certificate that verifies citizenship and supporting legal documentation (i.e. marriage certificate) if the name on the birth certificate is not the same as your current legal name ➤ A legible photocopy of pertinent pages of a U.S. passport identifying the applicant ➤ Presentation to the County Recorder of U.S. naturalization documents ➤ A legible photocopy of a driver license or non-operating identification from another state within the U.S. if the license indicates that the applicant has provided satisfactory proof of citizenship ➤ A legible photocopy of a Tribal Certificate of Indian Blood or Tribal or Bureau of Indian Affairs Affidavit of Birth. <p>If you are registered in Arizona and use the registration form because you move within a county, change your name, or change your political party affiliation, you do not need to provide photocopies of proof of citizenship. You only need to provide proof of citizenship if you are a new resident in an Arizona county.</p>
AR	<p>If you are registering to vote by mail, you must provide either your driver's license number or the last four digits of your Social Security number on your Arkansas voter registration application. If you do not have any of these items, you may be required to vote on a provisional ballot when you vote for the first time unless you submit a photocopy of one of the following with your mail-in application or at the time of voting:</p> <ul style="list-style-type: none"> ➤ A current and valid photo ID ➤ A copy of a current utility bill, bank statement, government check or paycheck that shows your name and address ➤ Another government document that shows your name and address

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS	
State	Identification
CA	<p>If you are registering to vote in California you will have to provide your California drivers' license number or identification card number or the last four digits of your Social Security Number. If you do not include this information you will be required to provide identification when you vote.</p> <p>If you register to vote by mail and submit a driver's license number that the state or local election official can match with an existing state identification record, then you will not be required to provide identification when you vote.</p>
CO	<p>Your completed voter registration form must contain your Colorado driver's license number or your Department of Revenue ID number. If you do not have a driver's license or Department of Revenue ID number, then you must provide the last four digits of your Social Security number. If you do not have any of these forms of ID, please check the appropriate boxes on the registration application form. A unique identifying number will then be assigned to you by the state and you will still be registered to vote. However, if the identification section is left blank and you do not check the box(es) indicating you do not have identification, you will not be registered to vote.</p> <p>You may also be required to include a copy of one of the following documents when registering by mail, please contact your county clerk and recorder or contact the League of Women Voters of Colorado for more information. Any form of identification that contains an address must have a Colorado address to be valid.</p> <ul style="list-style-type: none"> ➤ A valid U.S. passport ➤ A valid Colorado drivers' license ➤ A valid employee identification card with a photograph of the eligible elector issued by any branch, department, agency, or entity of the U.S. government or Colorado, or by any Colorado county, municipality, board, authority, or other political subdivision of this state ➤ A valid pilot's license issued by the Federal Aviation Administration or other authorized agency of the U.S. ➤ A U.S. military identification card with photograph of the elector ➤ A copy of a current utility bill, bank statement, government check, paycheck, or other government document that show the name and address of the elector. A cable bill, a telephone bill, documentation from a public institution of higher education in Colorado containing at least the name, date of birth, and residence address of the student elector, or a paycheck from a government institution are also sufficient forms of identification ➤ A valid Medicare or Medicaid card ➤ A certified copy of a U.S. birth certificate ➤ Certified documentation of naturalization ➤ A valid identification card issued by Department of Revenue in accordance with the requirements of part 3 of article 2 of title 4 CRS. ➤ Certified documentation of naturalization
CT	<p>You are required to show identification when registering to vote in person. Acceptable identification includes anything with a name and address: a Connecticut driver's license, a utility bill, or even a checkbook. If you register by mail, you must provide your Connecticut driver's license or the last four digits of your Social Security number on the voter registration form, which will be confirmed by the state's centralized voter registration system.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
DE	<p>Identification is not necessary to register to vote if you use the National Voter Registration Form. However, when registering with the Department of Elections or at an alternate approved location, current identification is required. The identification must include current and valid photo ID that shows full name and address, examples include:</p> <ul style="list-style-type: none"> ➤ Current utility bill ➤ Bank statement ➤ Government check ➤ Paycheck ➤ Other government document that shows full name and address
DC	<p>Identification is not required during registration but must be provided the first time you go to the polls.</p>
FL	<p>You must provide your current and valid Florida driver's license number, an ID number, or the last 4 digits of your Social Security number to register. If you have none of these numbers, you must write "NONE" on the voter registration form.</p>
GA	<p>If you are a first time voter, you are required to provide your Social Security number and one of the following acceptable items of identification when you register:</p> <ul style="list-style-type: none"> ➤ A valid Georgia driver's license ➤ A valid ID card issued by a branch, department, agency, or any other entity of Georgia, any other state, or the U.S. authorized by law to issue personal ID ➤ A valid U.S. passport ➤ A valid federal employee ID card containing your photograph and issued by any branch, department, agency, or entity of the U.S. government, Georgia, or any county, municipality, board, authority, or other entity of Georgia ➤ A valid employee ID card containing your photograph and issued by any employer in the ordinary course of such employer's business ➤ A valid student ID card containing your photograph from any public or private college, university, or postgraduate technical or professional school located within Georgia ➤ A valid Georgia license to carry a pistol or revolver ➤ A valid pilot's license issued by the FAA or other authorized agency of the U.S. ➤ A valid U.S. military ID card ➤ A certified copy of your birth certificate ➤ A valid Social Security card ➤ A certified naturalization document ➤ A certified copy of court records showing adoption, name, or sex change ➤ A current utility bill, or a legible copy thereof, showing your name and address ➤ A bank statement, or a legible copy thereof, showing your name and address ➤ A government check or paycheck, or a legible copy thereof, showing your name and address ➤ A government document, or a legible copy thereof, showing your name and address <p>You can register by mailing a copy of your identification with your voter registration application; providing a copy of your identification to the registrar during the absentee voting process; or by showing one of the pieces of acceptable identification when voting at your polling place.</p>
HI	<p>It is not necessary to show any form of ID when registering to vote.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
ID	<p>If you are a first time voter in Idaho, you must either submit a copy of one of the following items with your registration form or show it at the polls prior to voting:</p> <ul style="list-style-type: none"> ➤ A current and valid photo ID ➤ A current utility bill ➤ Bank statement ➤ Government check ➤ Paycheck ➤ Government document that shows your name and address
IL	<p>Two forms of identification are required when registering to vote, one that shows your current residential address. If you register by mail, you must vote in person the first time you vote.</p>
IN	<p>You are not required to show identification when registering to vote. However, if you are a first time voter who registered by mail, you may be required to provide additional documentation that matches the address on your voter registration record. Those meet the following qualifications will need to provide additional documentation:</p> <ul style="list-style-type: none"> • You registered to vote in the <i>county</i> between January 1, 2003 and January 1, 2006 <li style="text-align: center;">or • You registered to vote in the <i>state</i> after January 1, 2006 <p>However, this does not apply if you submitted an application at a license branch or other voter registration agency. If you are a military or overseas voter, or presented this documentation to the county voter registration office with your registration application, you are also exempt from the additional documentation requirement. You should be notified of this requirement when the county receives your registration application or absentee ballot application.</p> <p>You may present any of the following types of documents to meet the requirement:</p> <ul style="list-style-type: none"> ➤ Indiana driver's license ➤ Indiana state identification card, with your current name and address <p>NOTE: An Indiana driver's license or Indiana state identification card may meet both the photo ID requirement and the valid and current address requirement.</p> <p>To fulfill the photo ID requirement the document does not need to contain an address that matches the address on the poll list, but must meet the other requirements. However, to meet the additional document requirement, you only need to present a document that contains a matching name and current address to the poll list. Other documents that meet the additional documentation requirement:</p> <ul style="list-style-type: none"> ➤ Any other current and valid photo ID that contains your current name and address ➤ A current utility bill with your current name and address ➤ A bank statement with your current name and address ➤ A government check with your current name and address ➤ A paycheck with your current name and address ➤ Other government documents that show your current name and address

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
IA	To register to vote in Iowa, you must provide an Iowa driver's license number if you have one. If not, put the number of your Iowa non-driver ID card. If you have neither of these, put the last four numbers of your Social Security number. Your name, birth date and ID number will be checked. If they don't match, your registration will be rejected and you will be notified by mail.
KS	You do not need to provide photo ID during registration, but you must provide some form of identification with your name and address either during registration or at the polls. Examples include: <ul style="list-style-type: none"> ➤ Utility bill ➤ Paycheck ➤ Kansas driver's license or non-driver's license issued by the DMV ➤ Bank statement ➤ Government check or other government document
KY	ID is not required when registering to vote.
LA	If you register to vote in person at a parish registrar of voters' office, you are required to prove age, residency, and identity. You may submit your current Louisiana driver's license, birth certificate, or other documentation which reasonably and sufficiently establishes your identity, age, and residency.
ME	When filling out your voter registration card, you must provide either your Maine driver's license number or the last four digits of your Social Security number. If you are a new voter in Maine, you must send a copy of either your Maine driver's license or a utility bill or a government document that states your name and address with your voter registration form. If you are registering less than 21 days before an election, you must register in person at your town office or city hall, through any motor vehicle branch office, in most state & federal social service agencies, or at voter registration drives. You will need to provide proof of identity and residency.
MD	When registering to vote, you will need to provide either your current, valid Maryland driver's license or MVA ID card number or the last four digits of your Social Security number on your voter registration form. If you do not have any of these numbers, you will be asked to provide one of the following: <ul style="list-style-type: none"> ➤ A copy of a current and valid photo ID (i.e., Maryland driver's license, MVA-issued ID card, student, employee or military ID card, U.S. passport, or any other state or federal government issued ID card.) ➤ A copy of a current utility bill, bank statement, government check, paycheck or other government document that shows your name and address.

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
MA	<p>You must attach identification to your voter registration form if you are registering to vote for the first time in Massachusetts. If you registered to vote by mail on or after January 1, 2003, you will be required to show identification when you vote for the first time in a federal election. However, you can also send in a copy of your identification with your voter registration form. Acceptable identification must include your name and the address at which you are registered to vote. Examples include:</p> <ul style="list-style-type: none"> ➤ A current and valid driver’s license ➤ Photo identification ➤ A current utility bill ➤ A bank statement ➤ A paycheck ➤ A government check ➤ Other government document showing your name and address <p>If you send in a copy of your identification with your mail-in voter registration form, it may not be returned to you. If you do not provide such identification, the Help America Vote Act of 2002 requires that you may only cast a provisional ballot which will be counted later, but only after your eligibility to vote has been determined. If you provide your driver’s license number or the last four digits of your Social Security number on the voter registration form and those numbers are verified, you will not have to provide identification when you register to vote or at the polls. If you do not provide those numbers or if they cannot be verified (you will notified by your town or city clerk if that happens), then you have to provide identification either at town or city hall prior to the election or at the polls when you vote. Acceptable identification is a copy of any of the following:</p> <ul style="list-style-type: none"> ➤ Current and valid photo identification ➤ Government check or official document showing name and address ➤ Current utility bill showing name and address ➤ Paycheck or stub showing name and address
MI	<p>It is recommended that you show identification when you register to vote. However, if you register by mail and do not provide identification you must bring ID to the polls when you vote for the first time.</p> <p>If you are registering for the first time and submitting your registration by mail, you should accurately enter your state issued driver’s license number or personal ID card number on the mail-in registration form. If you have neither of these, please provide either a copy of a current and valid photo ID or a copy of a paycheck stub, utility bill, bank statement or government document that states your name and address. The residential address you use for voter registration must be the same as the address on your driver’s license. Submitting a change for a driver’s license address will be applied to your voter registration and vice versa. Note: If you have never voted in Michigan and register by mail, you must appear in person to vote in the first election in which you wish to participate. This requirement does not apply if you: personally hand deliver the mail registration form to your local clerk’s office instead of mailing the form; if you are 60 years of age or more; if you are disabled; or you are eligible to vote under the uniformed and overseas citizens absentee voting act.</p>

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
MN	<p>To register to vote you need to provide your Minnesota driver’s license number or Minnesota ID number. If you do not have a Minnesota driver’s license or Minnesota ID, you will need to provide the last 4 digits of your Social Security number. If you have none of these, write “NONE” in box #10b of your voter registration application. This is required by law. To register at the polling place on Election Day, you must have authorized proof of residence. This includes:</p> <ul style="list-style-type: none"> ➤ A valid Minnesota driver’s license, learner’s permit or receipt of either with your current address located in the polling place precinct ➤ A valid Minnesota ID or receipt with current address located in the polling place precinct ➤ A witness or voucher by another voter of the same precinct. A voter may vouch for a limit of 15 voters. This includes an oath of a pre-registered voter in the same precinct or of a voter who registers in the same precinct on Election Day with an authorized identification document. A voter who is vouched for cannot vouch for another voter. ➤ Registration in the same precinct indicating a previous address ➤ If you are a student, you can show your address in the precinct by using an ID ➤ Tribal ID issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, U.S. Department of the Interior containing your name, address in the precinct, signature and picture <p>You can also register using a combination of one approved photo ID and one approved utility bill. Photo ID examples include:</p> <ul style="list-style-type: none"> ➤ Minnesota driver’s license with current name (licenses from out-of-state are not acceptable.) ➤ Minnesota state ID. (An ID from another state is not acceptable.) ➤ U.S. Military ID ➤ U.S. passport ➤ Minnesota Tribal ID ➤ Utility bill examples include: electric bill, gas bill, water bill, sewer bill, solid waste bill, cable television bill, telephone bill. Please note that the utility bill must have your name, current address, and be due within 30 days of the election. You must re-register if your name or address changes or you have not voted in four years.
MS	<p>You will need to provide your driver’s license number or the last 4 digits of your Social Security number on your voter registration form. If you do not have a driver’s license number or Social Security number and you are registering by mail for the first time, you must include one of the following with your application:</p> <ul style="list-style-type: none"> ➤ A copy of current valid photo identification ➤ A copy of a current utility bill, bank statement, government check, paycheck, or other government document showing your name and address <p>Once you are registered, you generally remain registered indefinitely, unless you move or no longer meet one of the qualifications to vote.</p>
MO	<p>You do not need to provide identification to register. However, you will be required to show ID at the polls or provide ID with your absentee ballot.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
MT	<p>When filling out the registration form, you must provide either a driver's license number, or the last four digits of your Social Security number. If you have neither a driver's license or Social Security number, provide (in-person) or enclose (by mail) a copy of one of the following:</p> <ul style="list-style-type: none"> ➤ Any photo ID with your name ➤ A current utility bill ➤ Bank statement ➤ Paycheck ➤ Government check ➤ Other government document that shows your name and current address
NE	You do not need to show identification when you register to vote.
NV	If you do not show an ID when you register, you will be required to show ID at the polls. ID must show proof of residence, proof of identity, and a picture is required. Examples of recommended identification include a driver's license or any government issued ID. If the current photo identification does not include the voter's current address, a copy of a current utility bill, bank statement, government check, or other government document that shows voter's name and current residence address is required.
NH	When registering to vote, you are required to provide proof of identity, age, citizenship, and domicile. To prove age, any reasonable documentation indicating you are 18 years of age or older is acceptable. If you do not have sufficient proof of identity, citizenship and domicile, you may sign an affidavit.
NJ	<p>If you registered to vote by mail in your county after January 1, 2003 and have never voted in a federal election in the county, you are required to provide your county commissioner of registration with identification. If you registered by mail before January 1, 2003, you are not required to show identification to register. If you did not provide identification to the county commissioner of registration or if the identification information could not be verified (i.e., your driver's license number or the last four digits of your social security number), you must show identification at the polling place when you go to vote. Acceptable Identification includes:</p> <ul style="list-style-type: none"> ➤ Any current and valid photo ID ➤ Driver's license ➤ Student or job ID ➤ Military or other government ID ➤ Store membership ID ➤ U.S. passport ➤ Bank statement ➤ Car registration ➤ Government check or document ➤ Non-photo driver's license ➤ Rent receipt ➤ Sample ballot ➤ Utility bill ➤ Any other official document
NM	If the voter registration application is submitted by mail and it is the first time you have registered in your county or in the state of New Mexico, you must submit a copy of a current valid photo ID or a copy of a current utility bill, bank statement, paycheck or other government document that shows your name and address. Submitting this identification information will allow you to avoid showing personal identification at your polling place on Election Day.

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
NY	<p>To register to vote you must have either a verifiable New York State driver’s license number or the last four digits of your Social Security number. If you do not have either of these, and you are registering for the first time by mail, you may provide a copy of one of the following:</p> <ul style="list-style-type: none"> ➤ A valid photo ID ➤ A current utility bill ➤ A bank statement ➤ A government check ➤ Some other government documentation that shows your name and address <p>If you do not provide identification with this form, you will be asked for it the first time you vote. Forms of “current and valid photo identification” include but are not limited to:</p> <ul style="list-style-type: none"> ➤ Passport ➤ Government ID card ➤ Military ID card ➤ Student ID card ➤ Public housing ID card ➤ Any ID specified by HAVA and New York State law as acceptable ➤ Utility bill ➤ Bank statement ➤ Paycheck ➤ Government check (Social Security, tax refund, military paycheck or paycheck stub) ➤ Other government documents with your name and address including but not limited to: voter registration card, hunting, fishing, or trapping license or firearm permit.
NC	<p>Identification is required to register to vote in the form of a driver’s license number, or the last four digits of a Social Security number. If the voter does not have either of these, alternate accepted forms of identification include:</p> <ul style="list-style-type: none"> ➤ Current and valid photo ID ➤ Current utility bill ➤ Bank statement ➤ Paycheck ➤ Government check ➤ Another document that shows the voter’s name and address
ND	No registration is necessary.
OH	When registering to vote, you are required to provide an Ohio driver’s license, state ID, or Social Security number, if you have one.
OK	When you register to vote you will need to provide your identification with your application. You can provide a copy of a current driver’s license or the last four digits of your social security number.

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
OR	<p>You must provide acceptable ID information to register to vote. If you have a current, valid Oregon driver's license or ID, you must provide that number on your voter registration form. If you do not have either of these items, you must provide the last four digits of your Social Security number on your voter registration form. If you do not have any of these items, you must affirm this on the voter registration form and provide a copy of one of the following with your voter registration form:</p> <ul style="list-style-type: none"> ➤ Valid photo identification ➤ A paycheck stub ➤ A utility bill ➤ A bank statement ➤ A government document ➤ Proof of eligibility under the uniformed and overseas citizens absentee voting act (UOCAVA) or the voting accessibility for the elderly and handicapped act (VAEH)
PA	<p>If you have a Pennsylvania driver's license, you must provide your driver's license number on your registration form. If you do not have a Pennsylvania license you must supply the last 4 digits of your social security number. If you do not have a Social Security Number, write "none" in the space provided for this number.</p>
RI	<p>If you are a first time voter in Rhode Island, you must provide your valid Rhode Island driver's license number or valid Rhode Island ID number issued by the Rhode Island division of motor vehicles. If you do not have a valid Rhode Island driver's license or Rhode Island ID number, you must provide the last four digits of your Social Security number. If you do not have a driver's license, Rhode Island ID or Social Security number; if these numbers cannot be verified; or if you fail to complete this item on the registration form, you will be required to present one of the forms of identification listed below at the time of registration prior to voting or at the time of voting:</p> <ul style="list-style-type: none"> ➤ Current utility bill ➤ Current bank statement ➤ Current government check ➤ Current paycheck ➤ Another current government document <p>If you are a first-time applicant for voter registration in Rhode Island and mail your registration form you must submit with your registration either:</p> <ul style="list-style-type: none"> ➤ A copy of a current and valid photo identification ➤ A copy of a current utility bill, bank statement, government check, paycheck, or government document that shows your name and address. <p>If you fail to include a copy of either of these requisite identification documents with your registration, you will be required to do so prior to voting.</p>
SC	<p>If you are registering for the first time by mail, you must attach a copy of a current valid photo ID or a copy of a current utility bill, bank statement, paycheck, or other government document that shows your name and address in the county where you wish to vote. If you do not provide this identification information by mail, you will be required to provide it when you vote.</p>
SD	<p>You are required to show your South Dakota driver's license or provide the last 4 digits of your Social Security number when registering to vote.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
TN	<p>If you registered to vote by mail and are voting for the first time since registering, you must present an acceptable form of ID. Your social security number is required on the form to avoid duplication of registration. If you registered to vote by mail and are voting for the first time since registering, you must present an acceptable form of ID. Both photo and non-photo IDs are accepted. Examples of acceptable photo ID (all must contain photograph and signature):</p> <ul style="list-style-type: none"> ➤ Tennessee driver's license ➤ U.S. passport ➤ Student ID Card ➤ Military ID Card ➤ Valid commercial pilot's license <p>Examples of acceptable non-photo ID (all must contain name, address, and signature):</p> <ul style="list-style-type: none"> ➤ Tennessee voter registration card ➤ Valid ID card issued by any Tennessee agency or an agency of the U.S. ➤ Valid pilot's license issued by the FAA or any other authorized agency in the U.S. ➤ Valid Tennessee hunting or fishing license ➤ Valid Tennessee license to carry a handgun
TX	<p>You do not need to show ID to register, but you must provide your Texas driver's license number, or personal ID card number issued by the Department of Public Safety on your registration application. If you have neither, you must give the last four digits of your Social Security number or a statement that you have not been issued one. If you register by mail and do not provide the above information and are a first time voter, you must show an acceptable form of identification in addition to your voter registration certificate when you vote.</p>
UT	<p>A driver's license or state ID number is required to register to vote. If you do not have either of these identification documents, please fill in the last 4 digits of your Social Security number. If you do not have either format write none in the space provided.</p>
VT	<p>You must include your Vermont driver's license number on the voter registration form. If you do not have a Vermont driver's license number or if your license is suspended, include the last 4 digits of your Social Security number.</p>
VA	<p>When submitting your voter registration by mail for the first time, you must provide your Social Security number on the application and a copy of following with your application:</p> <ul style="list-style-type: none"> ➤ A valid photo identification ➤ A copy of a utility bill, bank statement, government check, paycheck, or other government document that shows your name and address ➤ Another government document that shows your name and address (for example a voter card) <p>If no ID is sent, you must produce ID the first time you vote and it must be in person (not a mailed-in absentee ballot).</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER REGISTRATION ID REQUIREMENTS

State	Identification
WA	<p>ID is necessary to register. If you register by mail and do not have a Washington state driver's license, Washington state ID card, or a Social Security number, you will be required to provide one of the following items when you cast your ballot:</p> <ul style="list-style-type: none"> ➤ Valid photo ID ➤ Valid tribal ID of a federally recognized Indian tribe in Washington state ➤ Copy of a current utility bill ➤ Current bank statement ➤ Copy of a current government check ➤ Copy of a current paycheck ➤ A government document that shows both your name and address <p>If you do not provide one of the above items either before or at the time of voting, your ballot will be treated as a provisional ballot.</p>
WV	<p>If you register in person, you must bring proof of physical address. Examples include a driver's license, utility bill, bank statement, paycheck, or other government document.) If you are registering by mail, fill out the application and remember to submit a copy of a current and valid ID or bring proof of identification with you to the polls. First time West Virginia voters who have registered by mail and did not provide verification with application must show identification at the polls.</p>
WI	<p>To register to vote, you are required to supply your Wisconsin Department of Transportation issued driver's license or ID card number. If you have not been issued a Wisconsin driver's license or ID, you must provide the last 4 digits of your Social Security number or your Wisconsin state ID card number. Alternately, you may indicate that you have not been issued a Wisconsin driver's license, ID, or Social Security number. Your registration cannot be processed until you provide this information.</p> <p>If you are a first time voter, you must provide a copy of acceptable ID documentation when submitting your registration application by mail. You may not use a residential lease as proof of residence. If a copy of proof of residence is not included, you will be required to supply it before being issued a ballot at the polling place or before being issued an absentee ballot at the municipal clerk's office.</p> <p>The following constitute acceptable proof of residence (must contain your current and complete name, including both the given and family name and a current and complete residential address, including a numbered street address, if any, and the name of a municipality):</p> <ul style="list-style-type: none"> ➤ A current and valid Wisconsin driver's license ➤ A current and valid Wisconsin ID card ➤ Any other official identification card or license issued by a Wisconsin governmental body or unit ➤ Any ID card issued by an employer in the normal course of business and bearing a photo of the card holder, but not including a business card ➤ A real estate tax bill or receipt for the current year or the year preceding the date of the election ➤ A residential lease which is effective for a period that includes Election Day (this will not be sufficient for first time voters registering by mail) ➤ A university, college or technical institute fee card (must include photo) ➤ A university, college or technical institute identification card (must include photo) ➤ A utility bill (gas, electric or telephone service) for the period commencing no earlier than 90 days before Election Day ➤ Bank statement ➤ Paycheck ➤ A check or other document issued by a unit of government

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

APPENDIX B

VOTER REGISTRATION ID REQUIREMENTS

State	Identification
WY	<p>When registering to vote (by mail or in person,) you may provide the following forms of acceptable identification:</p> <ul style="list-style-type: none">➤ Wyoming driver's license➤ A different state's driver's license➤ An ID card issued by a local, state or federal agency➤ A U.S. passport➤ School ID➤ Military ID <p>You can also show two of the following in any combination:</p> <ul style="list-style-type: none">➤ Certification of U.S. citizenship➤ Certificate of naturalization➤ Draft record➤ Voter registration card from another state or county➤ Original or certified copy of a birth certificate bearing an official seal➤ Certification of birth abroad issued by the department of state➤ Any other form of identification issued by an official agency <p>Wyoming is exempt from the federal motor voter law and does not offer voter registration at the driver's license division. However, you may register at the polls on Election Day with acceptable ID.</p>

APPENDIX C

VOTER ID REQUIREMENTS FOR VOTING

State	Identification
AL	Several forms of ID are acceptable at the polls, including: government-issued photo identifications authorized by law (current and valid, including any branch, department agency, or entity of the federal government); employee ID with photo of employee produced by the employer; utility bill of voter with your name and address; bank statement with your name and address; government check with your name and address; paycheck with your name and address; valid ID card (authorized by law) issued by the State of Alabama (including any branch, department, agency, or entity of the State of Alabama, including colleges, universities, and technical or professional schools); valid ID card (authorized by law) issued by any of the other 49 states (including any branch, department, agency, or entity of that State); valid U.S. passport; valid Alabama hunting license; valid Alabama fishing license; valid Alabama pistol/revolver permit; valid pilot's license issued by the FAA or other authorized agency of the federal government; valid U.S. military ID; birth certificate (certified copy); valid Social Security card; naturalization document (certified copy); court record of adoption (certified copy); court record of name change (certified copy); valid Medicaid card; and valid electronic benefits transfer (EBT) card.
AK	You will need to show your signed voter ID card, or any other signed ID that will allow the election worker to verify your signature. Examples include your driver's license, military ID, Indian ID, fish and game license, state ID card, passport, or senior citizen ID card. A picture ID is <u>not</u> necessary.
AZ	<p>You will be required to show proof of identity at the polling place before receiving a ballot. You will announce your name and place of residence to the election official and present one form of ID that bears your name, address, and photograph or two different forms of ID that bear your name and address. ID is "valid" unless it can be determined on its face that it has expired.</p> <p>Acceptable forms of ID with photograph, name, and address include: valid Arizona driver's license; valid Arizona non-operating ID license; tribal enrollment card or other form of tribal ID; or valid U.S. federal, state, or local government issued ID.</p> <p>Acceptable forms of ID without a photograph that bear your name and address (two required): utility bill that is dated within 90 days of the date of the election and for electric, gas, water, solid waste, sewer, telephone, cellular phone, or cable television; bank or credit union statement that is dated within 90 days of the date of the election; valid Arizona Vehicle Registration; Indian census card; property tax statement of your residence; tribal enrollment card or other form of tribal ID; recorder's certificate; or valid U.S. federal, state, or local government issued ID, including a voter registration card issued by the county recorder.</p>
AR	<p>At the polls, you will be asked to identify yourself to verify your name on the precinct voter registration list. You will also be asked, in the presence of the election official, to state your address and state or confirm your date of birth. It will then be determined that your date of birth and address are the same as that on the precinct voter registration list. In the presence of the election official you will be asked to sign your name in the space provided on the precinct voter registration list. If you cannot sign, the election official shall enter his/her initials and your date of birth in the space.</p> <p>For purposes of ID, you will be asked to provide one of the following: a valid driver's license; photo ID card issued by a governmental agency; voter card; Social Security card; birth certificate; U.S. passport; employee ID card issued in the normal course of business; student ID card; Arkansas hunting license; U.S. military ID card; copy of a current utility bill, bank statement, government check, or pay check; or other government document that shows the name and address of the voter. If you are unable to provide this ID, the election official shall indicate this on the precinct voter registration list.</p>
CA	A first-time voter who registers and did not provide ID with his/her application, may need to show ID at the polls. Bring your driver's license or another photo ID.

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER ID REQUIREMENTS FOR VOTING

VOTER ID REQUIREMENTS FOR VOTING	
State	Identification
CO	<p>When voting in person you will need one of the following types of ID: a valid Colorado driver's license; valid ID card issued by the Colorado Department of Revenue; a valid U.S. passport; a valid employee ID card with a photograph of the eligible elector issued by any branch, department, agency, or entity of the U.S. government or Colorado, or by any Colorado county, municipality, board, authority, or other political subdivision of this state; a valid pilot's license issued by the FAA or other authorized agency of the U.S.; a valid U.S. military ID card with photograph of the elector; a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector; a cable bill, a telephone bill, documentation from a public institution of higher education in Colorado containing at least the name, date of birth, and residence address of the student elector, or a paycheck from a government institution are also sufficient forms of ID; a valid Medicare or Medicaid card; a certified copy of a U.S. birth certificate; or a certified documentation of naturalization.</p> <p>A Social Security number (or last four digits) is NOT a legal form of ID for voting in person.</p>
CT	<p>You must either show ID or sign a one line affidavit at the polling place if you have not provided proper ID when registering. A photo ID is not required. Acceptable forms of ID at the polling place are:</p> <ul style="list-style-type: none"> • A Social Security card • Any other preprinted form of ID that shows your name and address, name and signature, or name and photograph <p>If you do not have ID, the affidavit form requires your name, residential address, date of birth, and signature. The affidavit states, under penalty of false statement, that you are the one whose name appears on the official checklist.</p> <p>First time voters who registered to vote by mail and did not provide acceptable ID at registration must show ID at the polls or with their absentee ballots. Acceptable forms of ID include a copy of a current and valid photo ID or a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows your name and address. If you are a first time voter, you will be required to present ID and may not use the Secretary of State's affidavit in lieu of acceptable ID.</p>
DE	<p>ID is required only if you have registered using the National Voter Registration Form and thus did not supply it originally. In that case, the voter must present current ID that includes a current and valid photo ID that shows full name and address. If a photo ID cannot be produced, a current utility bill, bank statement, government check, paycheck or other government document that shows full name and address will be accepted. ID is also required the first time you vote in person or with an in person absentee ballot.</p>
DC	<p>ID is required of first-time voters who register by mail and do not provide proof of ID with their application.</p>
FL	<p>To vote at the polls, you must provide picture ID that also shows a signature. The picture and signature do not have to be on the same document.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER ID REQUIREMENTS FOR VOTING

State	Identification
GA	<p>When you arrive at your polling place, you will be required to present one of the following forms of ID:</p> <ul style="list-style-type: none"> • Georgia driver's license, even if it is expired • Photo ID issued by a state or federal government agency • Valid U.S. passport • Employee ID card containing your photograph and issued by any branch, department, agency, or entity of the U.S. government, Georgia, or any county, municipality, board, authority, or other entity of Georgia • Valid U.S. military ID card • Valid tribal ID card <p>If you are unable to show ID at the time of voting, you may cast a provisional ballot which will be counted only if you present ID within the two day period following the election.</p>
HI	<p>A picture ID is needed for verification of your identity at the polls. You will be asked to sign a poll book to record that you voted at that polling place. Your voter registration notice is not an acceptable form of ID.</p>
ID	<p>If you are a first time voter in Idaho and have not provided proper ID documentation with your mail registration, you will need to bring a copy of a current and valid photo ID or a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows your name and address to the polling place on Election Day.</p>
IL	<p>In general, ID is not required to vote at the polls, although you will be required to verify your signature. However, there are individual circumstances that may require that ID be shown. In those cases, you must present a photo ID, and if the photo ID has an address, it must match the registration address. If a photo ID is not used, the document (examples of which are listed below) must show your name and address. This must be presented to an election judge before being permitted to vote. If you do not present a required form of ID, you may vote by provisional ballot.</p> <p>If you registered to vote by mail after January 1, 2003, and you did not submit a copy of the required ID with the registration application at that time, and you will be voting in a jurisdiction for the first time, then you will be required to submit a copy of one of the following:</p> <ul style="list-style-type: none"> • Current and valid photo ID • Utility bill • Government check • Paycheck • Government document <p>Illinois voters who vote during the early voting period must vote in person and must provide a valid ID. Valid forms of ID for this purpose include a current driver's license, state-issued ID card, or another government-issued ID card.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER ID REQUIREMENTS FOR VOTING	
State	Identification
IN	<p>Photo ID is required of all voters casting a ballot in person. There are exceptions for certain confined voters and voters casting absentee ballots by mail. Acceptable forms of ID include: driver's license, passport, military ID, or picture ID from the Bureau of Motor Vehicles. The criteria for acceptable ID include:</p> <ul style="list-style-type: none"> • Photograph • A name which matches the voter registration record • An expiration date after Election Day • Issuance by the U.S. government or the state of Indiana.
IA	<p>You may need to show ID at the poll if: you registered to vote by mail after January 1, 2003 and you have never voted in a primary or general election in your county of residence; your registration is inactive; you have moved from the address where you are registered to vote; your right to vote is challenged; or the precinct election officials do not know you.</p> <p>You can use any of these forms of ID:</p> <ul style="list-style-type: none"> • Current and valid photo ID card • Copy of a current document that shows your name and address, such as: a utility bill, bank statement, government check, or paycheck
KS	<p>You must provide ID at the polls if you are a first-time voter in the county and have not already provided ID during registration. You must show some form of ID with your name and address. Examples include:</p> <ul style="list-style-type: none"> • Utility bill • Paycheck • Kansas driver's license or non-driver's license issued by the DMV • Bank statement • Government check or other government document
KY	<p>ID is required; however, photo ID is not required. Acceptable forms of ID include a personal acquaintance or a document such as a motor vehicle operator's license, Social Security card, or credit card.</p>
LA	<p>To vote, you must either present a valid photo ID, or sign an affidavit if no photo ID is available. Acceptable photo ID includes:</p> <ul style="list-style-type: none"> • Louisiana driver's license • Louisiana special ID card • Any other generally recognized picture ID card <p>If you do not have a picture ID card, you may sign an affidavit, which will be attached to the precinct register, and you will be required to provide further ID as requested by the commissioner at the polling place.</p>
ME	<p>If you are already registered to vote, you do not need to provide ID to receive a ballot. If you are registering on Election Day, you will need to provide proof of identity and residency.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER ID REQUIREMENTS FOR VOTING	
State	Identification
MD	<p>You will be asked to provide ID at the polling place if: you are voting for the first time in Maryland; you registered to vote by mail on or after January 1, 2003; or you have not previously met the ID requirements.</p> <p>If you registered to vote by mail after January 1, 2006, you most likely satisfied the ID requirement during the registration process. If you did not satisfy the requirement, your county election board will have notified you and requested information to satisfy the ID requirement. You can satisfy the ID requirement by providing one of the following:</p> <ul style="list-style-type: none"> • A copy of a current and valid photo ID (i.e., Maryland driver's license, MVA-issued ID card, student, employee or military ID card, U.S. passport, or any other state or federal government issued ID card); • A copy of a current utility bill, bank statement, government check, paycheck or other government document that shows your name and address.
MA	<p>If you registered to vote by mail on or after January 1, 2003, you will be required to show ID when you vote for the first time in a federal election. If you provide your driver's license number or the last four digits of your Social Security number on the voter registration form and those numbers are verified, you will not have to provide ID when you register to vote or at the polls. If you do not provide those numbers or if they cannot be verified (the acknowledgement of your voter registration that you receive in the mail will notify you) then you have to provide ID either at town or city hall prior to the election or at the polls when you vote. ID must have your name and current address. Acceptable forms of ID including any of the following:</p> <ul style="list-style-type: none"> • Current and valid photo ID • Government check or official document • Current utility bill • Paycheck or stub
MI	<p>All voters are requested to show an acceptable form of photo ID at the polls. Voters who do not have acceptable photo ID or forgot to bring acceptable photo ID to the polls can vote like any other voter by signing an affidavit (see below). Your photo ID does not need to have your address on it. In addition, the name on your ID card may be a shorter form of your name. For example, "Bill" for "William" and "Kathy" for "Katherine" are acceptable. After showing your photo ID to the poll worker and signing the application, you may cast your ballot. Acceptable photo ID includes:</p> <ul style="list-style-type: none"> • Driver's license or personal ID card issued by another state • Federal or state government-issued photo ID • U.S. passport • Military ID card with photo • Student ID with photo from a high school or an accredited institution of higher education • Tribal ID card with photo <p>Voters without photo ID: Michigan election law anticipates that not all voters will have photo ID. Voters who do not have acceptable photo ID or forgot to bring acceptable photo ID to the polls can vote like any other voter by signing an affidavit.</p> <p>If you have registered to vote, but your name is not on the precinct list, you can show acceptable ID (see above) to cast a provisional ballot. If in this situation you do not present ID, you can cast an envelope ballot, which will not be counted unless you present acceptable ID to your local clerk within 6 days after the election.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER ID REQUIREMENTS FOR VOTING

State	Identification
MN	<p>You only need ID to vote if you have not registered before arriving at the polling precinct. You may register to vote at your polling place on Election Day. ID needed to register to vote at the polling precinct must consist of a combination of one approved photo ID and one approved bill. Photo ID examples include:</p> <ul style="list-style-type: none"> • Minnesota driver's license with current name (licenses from out-of-state are not acceptable) • Minnesota state ID (ID from another state is not acceptable) • U.S. military ID • U. S. passport • Minnesota tribal ID <p>Examples of bills include: electric bill, gas bill, water bill, sewer bill, solid waste bill, cable television bill, telephone bill, rent statement dated within 30 days of Election Day that itemizes utilities, current student bill statement, or current student fee statement. Please note that the utility bill must have your name, current address, and be due within 30 days of the election.</p>
MS	<p>If you do not provide proper ID when you register to vote, you may be required to show one of the following ID documents to the election officials at the polling place on Election Day:</p> <ul style="list-style-type: none"> • Copy of current valid photo ID • Copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address
MO	<p>You must show an acceptable form of ID when voting. Acceptable forms of ID are:</p> <ul style="list-style-type: none"> • ID issued by the state of Missouri, an agency of the state, or a local election authority of the state • ID issued by the U.S. government or agency • ID issued by an institution of higher education, including a university, college, vocational or technical school located within Missouri • A copy of a current utility bill, bank statement, government check, paycheck or other government document that contains your name and address • A driver's license or state ID card issued by another state <p>The Missouri DMV will issue free non-driver's licenses to those (with proper ID) who need them to vote.</p>
MT	<p>You must present ID when voting. When you enter your polling place, an election judge will greet you, ask your name, and confirm that you are registered to vote in that precinct. S/he will then ask you to show ID. This can be any current photo ID that shows your name (for example, a valid driver's license, school ID, state ID, or tribal ID) or a current utility bill, bank statement, paycheck, voter confirmation notice, government check or other government document that shows your name and current address.</p>
NE	<p>ID is required if you are a first-time voter who registered by mail and did not provide verification with your registration application. Please check with your local election officials to determine what form of ID is needed at the polls.</p>
NV	<p>ID is necessary at the polls the first time you vote if you did not show your ID when you registered. ID must show proof of residence, proof of identity, and a picture. Examples of recommended ID include a driver's license or any government issued ID. If the current photo ID does not include the voter's current address, please bring a copy of a current utility bill, bank statement, government check, or other government document that shows voter's name and current residence address.</p>
NH	<p>If you are a registered voter, you do not need to show ID at the polls.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER ID REQUIREMENTS FOR VOTING	
State	Identification
NJ	<p>ID is required of first time voters who register by mail and do not provide ID verification with application. If you registered to vote by mail in your county after January 1, 2003, and never voted in a federal election in the county, you are required to provide your County Commissioner of Registration with ID. Acceptable ID includes current and valid photo ID such as: driver's license, student or job ID, military or other government ID, store membership ID, U.S. passport, bank statement, car registration, government check or document, non-photo driver's license, rent receipt, sample ballot, utility bill, or any other official document.</p> <p>If you show ID, you will vote via the voting machine. If you do not show ID, you will vote via provisional ballot and have until the close of business on the second day after the election to provide ID to the applicable county election office. You will be given a hand-out at the polling place that will tell you which county election office to contact.</p>
NM	<p>You are required to show ID at the polls. You may choose the form of ID to show election officials, including:</p> <ul style="list-style-type: none"> • An original or copy of a current and valid photo ID with or without an address. The address shown is not required to match the address on your certificate of registration or voter ID card. • An original or copy of a utility bill, bank statement, government check, paycheck or student ID card. • Other government document, including ID issued by an Indian nation, tribe or pueblo that shows your name and address. The address provided on the government document is not required to match the address on your certificate of registration. • A verbal or written statement by you detailing your name, year of birth and unique identifier; provided, however, that the statement of your name need not contain your middle initial or suffix.
NY	<p>If you are a new voter who is registering by mail, you will be required to show ID when you go to vote for the first time. If you are already registered at the board of elections or a state agency, you should not have to show ID at the polls. It is advisable for all new voters to bring ID when voting for the first time. Acceptable IDs to vote are: passport; government ID card; military ID card; student ID card; public housing ID card; any ID specified by HAVA and New York State law as acceptable; utility bill; bank statement; paycheck; government check (Social Security, tax refund, military paycheck or paycheck stub); or other government documents with your name and address including voter registration card, hunting, fishing, or trapping license, or firearm permit.</p>
NC	<p>ID is required if you are a first time voter who registered by mail and did not provide verification with your application.</p>
ND	<p>Acceptable forms of ID must include a street address. P.O. Boxes do not establish residency and cannot be accepted. Acceptable forms of ID with residential addresses are: valid drivers license; valid state ID card; valid federally issued ID card, such as a passport or agency ID card; valid tribal government issued ID card; valid student ID card; valid U.S. military ID card; utility bill dated 30 days prior to Election Day with name and residential address; or change of address verification letter from the U.S. Postal Service.</p> <p>If you do not have one of the forms of ID listed above, you still have the right to vote if:</p> <ul style="list-style-type: none"> • An election poll worker is able to vouch for your identity and residence • You complete a voter's affidavit on which you certify, under oath, your identity and that you are a resident within this precinct.

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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State	Identification
OH	<p>All voters must show an ID at the polls. You may show one of the following:</p> <ul style="list-style-type: none"> • Ohio driver's license or ID card (even if it shows a previous address) • Military ID • Bank statement • Current utility bill • Current paycheck • Any current government-issued document showing your current address
OK	<p>First-time voters who register by mail and do not provide verification with application must show ID at the polls. You may choose to submit a copy of one or more of the following forms of ID with your voter registration application but are not required to do so:</p> <ul style="list-style-type: none"> • A current driver license or other photo ID • A utility bill, bank statement, government check, paycheck, or other government document that shows your name and address
OR	<p>Oregon has a vote by mail process. Instead of using traditional polling places where voters go to cast ballots on Election Day, a ballot is mailed to each registered voter. The ballot is then voted and returned to the county election office to be counted. You will need to sign the return envelope of your ballot. Your signature will be matched with your voter registration card to verify your identity.</p>
PA	<p>All first time voters must show ID. Acceptable forms of ID include: PA driver's license or ID card issued by PennDOT; ID issued by any other commonwealth agency ; ID issued by the U.S. government; U.S. passport; U.S. Armed Forces ID; student ID; or employee ID.</p> <p>You can also show a non-photo ID issued by the commonwealth, including: non-photo ID issued by the U.S. government; firearm permit; current utility bill; current bank statement; government check; or current paycheck.</p>
RI	<p>If you registered by mail and did not provide proper documentation of ID, you will need to show ID when you go to vote.</p>
SC	<p>If you did not submit a form of ID with the mail-in voter registration application you will be required to show an additional form of ID at the polls in addition to your voter registration card. This could include one of the following forms of ID:</p> <ul style="list-style-type: none"> • Your driver's license • A picture ID card issued by the department of motor vehicles
SD	<p>You must show one of the following forms of ID at the polls when you go to vote:</p> <ul style="list-style-type: none"> • South Dakota driver's license or non-driver ID card • Passport or an ID card, including a picture, issued by an agency of the U.S. government • Tribal ID card, including a picture • Current ID that includes a picture, issued by an accredited institution of higher education, including a university, college, or technical school, located within South Dakota

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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VOTER ID REQUIREMENTS FOR VOTING	
State	Identification
TN	<p>At the poll, voters can show any ID with signature or voter registration card to vote. However, if you are a first time voter that registered by mail, you are required to show your voter registration card, drivers' license, or photo ID with your name and signature.</p> <p>If you have none of these IDs, then you must show two of the following forms of ID. One from each group.</p> <p>Group A</p> <ul style="list-style-type: none"> • Valid photo ID government or private • Current utility bill • Bank statement • Government check • Pay check • Government documents with your name and address <p>Group B</p> <ul style="list-style-type: none"> • Any document with voters' name and signature (example: credit card) • Sign an affidavit of ID form provide by the poll workers
TX	<p>You are required to show your voter registration certificate to cast your vote. If you have lost or misplaced your certificate, you must show another form of ID. Acceptable forms of ID include:</p> <ul style="list-style-type: none"> • Driver's license or personal ID card issued by the Texas department of public safety • Similar document issued to you by an agency of another state, regardless of whether the license or card has expired • Form of ID containing a photograph • Birth certificate • U.S. citizenship papers • U.S. passport • Official mail addressed to you from a government agency • Copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address • Any other form of ID presented by the secretary of state's office.
UT	<p>The first time you vote, you must provide a valid photo ID that include your name, photograph, and current address, or present two different forms of ID that show current name and home address. ID is required if you are a first time voter who registers by mail and does not provide a copy of ID with your application.</p>
VT	<p>First-time voters that registered by mail and did not provide verification are required to show ID at the polls.</p>

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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State	Identification
VA	<p>Photo ID is not required to vote at the polls, but some form of ID is required. If you do not provide an ID, you must sign the "Affirmation of Identity" statement before voting.</p> <p>If you have registered by mail for the first time in Virginia on or after January 1, 2003, you are not eligible to sign the "Affirmation of Identity" statement. If you cannot provide one of the federally required forms of ID, you must vote by provisional ballot. Acceptable forms of ID include:</p> <ul style="list-style-type: none"> • Virginia voter ID card • Social security card • Federal, state, local government issued ID • Valid Virginia drivers' license • Employer-issued ID
WA	<p>Acceptable forms of ID for voting include:</p> <ul style="list-style-type: none"> • Photo ID, such as a driver's license, state ID card, student ID card, or tribal ID card • Voter registration card • Utility bill • Bank statement • Paycheck • Government check • Other government document <p>A voter who does not have ID may vote a provisional ballot.</p>
WV	<p>If you registered by mail, take your driver's license or other ID that shows proof of residency and age to the polls the first time you vote. Acceptable IDs include:</p> <ul style="list-style-type: none"> • Copy of a current & valid photo ID with current residence address • Copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and current residence address.

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

APPENDIX C

VOTER ID REQUIREMENTS FOR VOTING

VOTER ID REQUIREMENTS FOR VOTING	
State	Identification
WI	<p>You may bring a current and valid photo ID if you are a first time voter, or you may also provide any of the following:</p> <ul style="list-style-type: none"> • The last four digits of your Social Security number • An assigned voter ID number • Current utility bill • Bank statement • Current pay check • Government check <p>If used, these documents must contain a current and complete name, including both the first and last name, and a current complete residential address, including a numbered street address, if any, and the name of a municipality.</p> <p>ID at the polls is only required if you plan to register in person on Election Day. At this time, proof of residence is all that is required in order to register at the polling place on Election Day. If you wish to register to vote at your polling place, you must bring proof that you have lived at your present location for at least 10 days preceding the election. Forms with an expiration date must be valid on Election Day. Proof of residence does not include a piece of mail addressed to you. If you cannot supply acceptable proof of residence, your registration form can be substantiated and signed by one other elector who resides in your municipality, corroborating your residency information. The corroborator must then provide acceptable proof of residence.</p>
WY	<p>No form of ID (including a registration card) needs to be shown at the polls when voting. You are only required to show ID when registering to vote.</p> <p>Wyoming allows qualified voters to register at the polls on Election Day by bringing an acceptable form of ID to the polls:</p> <ul style="list-style-type: none"> • Wyoming driver's license • A different state's driver's license • An ID card issued by a local, state or federal agency • U.S. passport • School ID • Military ID <p>You can also show <u>two</u> of the following in any combination:</p> <ul style="list-style-type: none"> • Certification of U.S. citizenship • Certificate of naturalization • Draft record • Voter registration card from another state or county • Original or certified copy of a birth certificate bearing an official seal • Certification of birth abroad issued by the department of state • Any other form of ID issued by an official agency.

Source: League of Women Voters Education Fund, <http://www.vote411.org/> (last visited Jan. 29, 2009).

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- ² Statement of Professor Stephen Ansolabehere, Senate Committee on Rules and Administration, *Hearing on Voter Registration: Assessing Current Problems*, Mar. 11, 2009. The U.S. Election Project estimates that only 131 million votes were cast for U.S. President. U.S. Election Project, 2008 General Election Turnout Rates, http://elections.gmu.edu/Turnout_2008G.html (last visited Mar. 12, 2009).
- ³ The Pew Center on the States, *Briefing: Election 2008 in Review*, Dec. 2008, <http://www.pewcenteronthestates.org/uploadedFiles/ElectionInReviewPDF%20Final.pdf> (last visited Mar. 12, 2009).
- ⁴ Statement of The Honorable Chris Nelson, Secretary of State of South Dakota, Senate Committee on Rules and Administration, *Hearing on Voter Registration: Assessing Current Problems*, Mar. 11, 2009.
- ⁵ Statement of Prof. Stephen Ansolabehere, *supra* note 2.
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- ⁷ The Nonprofit Voter Engagement Network, Voter Turnout 2008, <http://www.nonprofitvote.org/voterturnout2008> (last visited Mar. 12, 2009).
- ⁸ This report focuses on the varied state law requirements; however, in some states, the laws are even more inconsistent because they operate at the county level.
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- ¹⁰ *Id.*
- ¹¹ *Id.*
- ¹² Statement of Chairman Charles E. Schumer, Senate Committee on Rules and Administration, *Hearing on Voter Registration: Assessing Current Problems*, Mar. 11, 2009.
- ¹³ U.S. Census Press Release, U.S. Voter Turnout Up in 2004 (May 26, 2005), <http://www.census.gov/Press-Release/www/releases/archives/voting/004986.html> (last visited Mar. 12, 2009).
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- ¹⁹ Statement of Jonah H. Goldman, Director, National Campaign for Fair Elections Lawyers' Committee for Civil Rights Under Law, Before the Senate Committee on Rules and Administration, *Hearing on Voter Registration: Assessing Current Problems*, Mar. 11, 2009.
- ²⁰ *Id.*
- ²¹ Statement of Kristen Clarke, Co-Director, Political Participation Group, NAACP Legal Defense and Educational Fund, Inc., Before the Senate Committee on Rules and Administration, *Hearing on Voter Registration: Assessing Current Problems*, Mar. 11, 2009.
- ²² Wendy Weiser, Michael Waldman & Renee Paradis, *Universal Voter Registration Policy Summary*, Brennan Center for Justice, 2008, *available at* http://www.brennancenter.org/content/resource/universal_voter_registration_draft_summary/.
- ²³ *Id.*
- ²⁴ Demos Policy Brief, *Voters Win with Election Day Registration*, Winter 2009, *available at* http://www.demos.org/pubs/voterswin_09.pdf.
- ²⁵ The Pew Center on the States, *Election Preview 2008: What If We Had an Election and Everyone Came?*, Oct. 2008, <http://www.pewcenteronthestates.org/uploadedFiles/Election%20Preview%20FINAL.pdf> (last visited Mar. 12, 2009); Demos, *Voters Win With Election Day Registration*, Winter 2008, <http://www.demos.org/pubs/VotersWinWithEDR.pdf> (last visited Mar. 12, 2009).

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²⁶ *Id.*

²⁷ NH Sec. of State, Elections Division, How to Register to Vote in New Hampshire, <http://www.sos.nh.gov/vote.htm> (last visited Mar. 12, 2009).

²⁸ Demos, *About Election Day Registration*, <http://archive.demos.org/page52.cfm> (last visited Mar. 12, 2009); Demos, *Election Day Registration Helps America Vote*, Summer/Fall 2006, <http://www.demos.org/pubs/EDR%20Toolkit%20070506.pdf> (citing the U.S. Census figures) (last visited Mar. 12 2009).

²⁹ Wendy Weiser and Jonah Goldman, *An Agenda for Election Reform*, Brennan Center for Justice, 2007, available at http://brennan.3cdn.net/39c28dc05a468de933_2om6bh0aa.pdf.

³⁰ R. Michael Alvarez & Stephen Ansolabehere, *California Votes, The Promise of Election Day Registration*, Demos, 2002, at 5.

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³³ *Id.*

³⁴ *Id.* See also Demos, *Election Day Registration Helps America Vote*, *supra* note 28, and Demos, *About Election Day Registration*, *supra* note 28.

³⁵ Andy Birkey, *Minnesota's Same-Day Registration Success Pushed for Federal Election*, Minnesota Monitor, May 7, 2008, available at <http://www.minnesotamonitor.com/showDiary.do?diaryId=3913>.

³⁶ *Id.*

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³⁸ Demos Policy Brief, *Voters Win with Election Day Registration*, *supra* note 24.

³⁹ Demos, *About Election Day Registration*, *supra* note 28.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Statement of Professor Nathaniel Persily, *supra* note 16.

⁴³ Lawyers' Committee for Civil Rights Under Law, *supra* note 18.

⁴⁴ Weiser & Goldman, *supra* note 29.

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⁴⁷ U.S. Census Press Release, *supra* note 45.

⁴⁸ Demos, *About Election Day Registration*, *supra* note 28.

⁴⁹ *Id.*

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⁵¹ See Weiser, Waldman & Paradis, *Universal Voter Registration Policy Summary*, *supra* note 22.

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- ⁶⁵ All states except for New Hampshire, North Dakota (no voter registration), and Wyoming accept the federal voter registration form. U.S. Election Assistance Commission, State by State Information, http://www.eac.gov/index_html1 (last visited Mar. 16, 2009). Voter registration deadlines by state are available at http://www.eac.gov/voter/docs/state-reg-deadlines.xls/attachment_download/file (last visited Mar. 16, 2009).
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- ⁸¹ National Conference of State Legislatures (NCSL), Absentee and Early Voting, <http://www.ncsl.org/programs/legismgt/elect/absentearly.htm> (last visited Mar. 12, 2009).
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- ⁸⁴ NCSL, Absentee and Early Voting, *supra* note 81; The Pew Center on the States, *Election Preview 2008: What if We Had an Election and Everyone Came?*, *supra* note 25.
- ⁸⁵ NCSL Absentee and Early Voting, *supra* note 81.
- ⁸⁶ *Id.* See also Common Cause, *Getting it Straight for 2008*, *supra* note 83.
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- ⁸⁸ NCSL, Absentee and Early Voting, *supra* note 81.
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- ⁹⁶ The Pew Center on the States, *Briefing: Election 2008 in Review*, *supra* note 3. It should be noted that the early voting process in Florida during the 2008 election also had problems such as limited early voting sites and limited hours – both of which caused long lines. It is critical to have an adequate number of polling locations, poll workers, and hours at early voting sites.
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- ⁹⁹ Kennedy & Palast, *supra* note 97.
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- ¹⁰¹ Matt A. Barreto, Stephen A. Nuno, and Gabriel R. Sanchez, *The Disproportionate Impact of Voter-ID Requirements on the Electorate – New Evidence from Indiana*, Jan. 2009.
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- ¹⁰⁸ Weiser, *Are HAVA's Provisional Ballots Working?*, *supra* note 107.
- ¹⁰⁹ *Id.*
- ¹¹⁰ *Id.*
- ¹¹¹ Rhonda Cook, *Senior Citizens Among Those Who Have Voting Problems*, The Atlanta Journal-Constitution, Nov. 4, 2008, http://www.ajc.com/metro/content/metro/atlanta/stories/2008/11/04/problems_election.html.
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- ¹¹⁵ Kennedy & Palast, *supra* note 97.
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- ¹²⁰ Kennedy & Palast, *supra* note 97.
- ¹²¹ Statement of Kristen Clarke, *supra* note 21.
- ¹²² *Id.*
- ¹²³ *Id.*
- ¹²⁴ Kennedy & Palast, *supra* note 97.
- ¹²⁵ If you are a student, you have the right to register in the municipality where you attend school, if you have established residency there. You must meet the same residency requirements as all other potential voters, but may not be asked to meet any additional requirements. If you are a student who is not a resident of the municipality in which you attend school, you cannot register in that municipality. You must determine where you have established

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residency and register to vote there. If residency is determined to be in another municipality or state, absentee voting is possible and encouraged. If you are incarcerated in a correctional facility or in a county jail, the municipality where you are incarcerated is not necessarily your voting municipality, unless you resided in that municipality prior to incarceration. If you are incarcerated in a correctional facility you may apply to register to vote in any municipality where you have previously established a fixed and principal home to which you intend to return. You may have a non traditional residence, including, but not limited to a shelter, park or underpass. Your residency is not subject to challenge on the sole basis that it is non-traditional. League of Women Voters Education Fund, <http://www.vote411.org/>.