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North Dakota...The Only State Without Voter Registration

No Voter Registration

North Dakota is the only state without voter registration.

Although North Dakota was one of the first states to adopt voter registration prior to the turn of the century, it abolished it in 1951. It is also worth noting that North Dakota law still provides cities with the ability to register voters for city elections.

North Dakota is a rural state and its communities maintain close ties and networks. North Dakota's system of voting, and lack of voter registration, is rooted in its rural character by providing small precincts. Establishing relatively small precincts is intended to ensure that election boards know the voters who come to the polls to vote on Election Day and can easily detect those who should not be voting in the precinct.

Voting in North Dakota

Precincts in North Dakota maintain a list of voters who have voted in previous elections. When a voter approaches a polling location they are asked to provide an acceptable form of identification. Then the election board will attempt to locate the voter's name on the voting list. If the voter's name is on the list, the voter's name and address are verified and the voter is then allowed to vote.

Voters Who Move Within the State

According to North Dakota law, if a qualified elector moves from one precinct to another precinct within the state, the elector is entitled to vote in the precinct from which the elector moved until the elector has updated their ID and established a new residence pursuant to section 16.1-01-04 of the North Dakota Century Code.

However, this does not authorize an elector to continue voting in his or her former precinct because he or she has not yet voted in the precinct in which he or she actually resides.

Voter Qualifications

In order to vote in North Dakota, you must be:

- A U.S. citizen;

- At least 18 years old on the day of election;
- A resident of North Dakota; and
- A resident in the precinct for 30 days preceding the election; and
- Able to provide a driver's license, non-driver identification card or other approved form of identification.

Fraudulent Voting and Election Contests

What happens to a vote that is cast fraudulently - even if the fraudulent voter is discovered, investigated, and prosecuted? As is the case with many other states, the vote is still cast. Since the vote is secret, it is still counted and canvassed. However, a candidate, or group of electors still have the ability to contest an election regardless of whether or not a prosecution of voter fraud takes place or may take place. The contesting process must be initiated in a court of original jurisdiction (e.g. District Court). As a result of an election contest, a court may determine to alter the outcome of the election.

The contesting process is very similar to the contesting process in other states that have voter registration. However, North Dakota does not employ the initial restrictive and costly barrier of voter registration.

Voter Fraud

Is voter fraud possible in North Dakota? Yes.

Have there been incidents of widespread voter fraud in North Dakota? No.

Does North Dakota have widespread problems with non-citizens voting? No.

Is voter fraud possible in voter registration states? Yes - absolutely - and we hear about examples of it during every election season.

Although voter fraud has not been widespread in North Dakota, and we have had very few known incidents of voter fraud, the possibility of voter fraud is still of great concern. This is especially true as North Dakotans move to cities and growing communities where once smaller precincts are growing larger and larger and the rural character of North Dakota diminishes. As an example, precincts in the cities of Fargo and Bismarck have grown several thousand qualified electors and nearly two thousand actual voters. These growing precincts are certainly larger than the small precincts that North Dakota's unique election system is based upon.

Other References about Voting in North Dakota

Kusler, Jim, *Are Fraud Free Elections Possible Without Voter Registration?*, Legislative Bulletin, 1992, pgs. 16-17 and 19.

Omdahl, Lloyd, Bureau of Governmental Affairs, *Fraud Free Elections Are Possible Without Voter Registration*, 1971.