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United States Government Accountability Office
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October 4, 2012

The Honorable Patrick Leahy
Chairman
Committee on the Judiciary
United States Senate

The Honorable Richard Durbin
Chairman
Subcommittee on the Constitution, Civil Rights and Human Rights
Committee on the Judiciary
United States Senate

The Honorable Bernard Sanders
United States Senate

The Honorable Bill Nelson
United States Senate

Subject: *ELECTIONS: State Laws Addressing Voter Registration and Voting on or before Election Day*

This report responds to your request that we review state laws on selected issues addressing voter registration and voting on or before Election Day. As described below and detailed in the enclosures, this report provides information on state identification requirements for voting, state provisions for alternative methods of voting before Election Day, and state requirements for third-party voter registration organizations.

In the United States, authority to regulate elections is shared by federal, state, and local officials. Congressional authority to regulate elections derives from various constitutional sources, depending upon the type of election,¹ and Congress has passed legislation in major functional areas of the voting process, such as voter registration, as well as prohibitions against discriminatory voting practices. However, the responsibility for the administration of state and federal elections resides at the state level, and states regulate various aspects of elections including, for example, registration procedures, absentee and

¹See GAO, *Elections: The Scope of Congressional Authority in Election Administration*, [GAO-01-470](#) (Washington, D.C.: Mar. 13, 2001).

early voting requirements, and Election Day procedures.² Within each state, responsibility for managing, planning, and conducting elections is largely a local process, residing with about 10,500 local election jurisdictions nationwide.

Nearly 10 years ago, Congress passed the Help America Vote Act of 2002 (HAVA)³ in response to reports of problems encountered in the 2000 Presidential Election with respect to voter registration lists, absentee ballots, ballot counting, and antiquated voting systems. In the years following HAVA's enactment, states implemented major election reforms, amending their election codes or making other changes to their election procedures in order to comply with HAVA's provisions. For example, HAVA required states to collect certain identifying information from first-time voters who register by mail, and states have amended their processes to reflect these requirements. Numerous states have enacted additional laws since that time that address how an individual may register to vote or cast a ballot. In particular, many states have made substantive changes to their election codes or procedures in the areas of voter identification; alternative methods of voting, such as in-person early voting prior to Election Day; and requirements for voter registration drives conducted by nongovernmental organizations (i.e., third parties).

In order to have an up-to-date picture of these state laws, you asked us to review state laws on selected issues addressing voter registration and voting on or before Election Day. Specifically, as you requested, this report provides information on state laws that will be in effect for the November 2012 election regarding:

- state identification requirements for all eligible voters, including requirements to show identification prior to 1) registering to vote, 2) voting at the polls on Election Day, and 3) casting an absentee ballot by mail; what types of documents satisfy the requirements; and what processes are in place if voters do not have the required identification prior to voting in person on Election Day;
- state provisions for no-excuse absentee voting by mail and in-person early voting; which of the no-excuse absentee voting provisions allow for registered voters to apply for an absentee ballot on a permanent basis; and what provisions for early voting specify about voting on the weekend, the number of days available for early voting, and the number of locations available;
- state requirements relating to third-party voter registration organizations.

In addition to presenting information on current state requirements, we provide information on what substantive changes, if any, states have made to these requirements within the past 10 years—since the time that HAVA was enacted—including where states have enacted laws that may become effective after the November 2012 election.

²As described by the Supreme Court, “the States have evolved comprehensive, and in many respects complex, election codes regulating in most substantial ways, with respect to both federal and state elections, the time, place, and manner of holding primary and general elections, the registration and qualification of voters, and the selection and qualification of candidates.” *Storer v. Brown*, 415 U.S. 724, 730 (1974).

³Pub. L. No. 107-252, 116 Stat. 1666 (2002) (codified as amended at 42 U.S.C. §§ 15301–545).

To address our three objectives, we identified the current laws related to voter identification requirements, alternative methods of voting, and third-party registration organization requirements by searching each state's election code. Where applicable, we also searched states' administrative codes and other materials promulgated by the states' election authorities to identify relevant legal requirements. To determine which laws would be in effect during the November 2012 election, we identified effective dates of recently enacted statutes, identified and monitored pending relevant legislation active in 2012, identified and monitored ongoing litigation, and obtained information on the status of preclearances under section 5 of the Voting Rights Act from the Department of Justice.⁴ To determine what substantive changes have been made in the past 10 years to relevant requirements we had identified, we examined each state law that had amended a relevant provision within the past 10 years. For purposes of this analysis, we considered "substantive" a change that would affect the voter or voter registration organization, such as those related to the types of acceptable identification documents, processes for providing the documentation, or the number of days for early voting. In general, the information presented is updated through September 1, 2012, except for significant changes that came to our attention after that date. The status of provisions in some states was unresolved due to pending preclearance under section 5 of the Voting Rights Act or litigation. We provided a summary of the information we compiled on current state laws and substantive changes to those laws made in the past 10 years to each state's respective election officials prior to the issuance of this report for review, and incorporated technical comments, as appropriate. We conducted this review from May 2012 through September 2012. More information about our scope and methodology is included in enclosure I.⁵

Summary

States have a variety of identification requirements for voters when they register, vote at the polls on Election Day, and seek to cast an absentee ballot by mail that will be in effect for the November 2012 election. Voter identification requirements vary in flexibility, in the number and type of acceptable documents allowed, and in the alternatives available for verifying identity if a voter does not have an acceptable form of identification. There is variety in how state laws reflect HAVA's registration identification requirements, and some states have adopted substantive requirements that are in addition to those provided for in federal law, such as proof of citizenship. Thirty-one states have requirements for all eligible voters to show identification at the polls on Election Day, and 12 states have documentary identification or notary requirements applicable to voters who cast an absentee ballot by mail. Enclosure II presents a summary of state identification requirements that will be in

⁴Under section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973c, covered jurisdictions may not change their election practices or procedures until they obtain federal "preclearance" for the change. The jurisdictions targeted for "coverage" are those evidencing discriminatory voting practices, based upon a triggering formula, as defined in section 4 of the Voting Rights Act, 42 U.S.C. § 1973b. The act provides for either judicial or administrative preclearance. Under the judicial mechanism, covered jurisdictions may seek a declaratory judgment from a three-judge panel of the United States District Court for the District of Columbia that the change has neither the purpose nor the effect of discriminating against protected minorities in exercising their voting rights. Under the administrative mechanism, covered jurisdictions may seek the same determination from the Attorney General. Jurisdictions may seek a determination from the District Court for the District of Columbia even if the Attorney General has interposed an objection to the change. Appeals from the district court go directly to the United States Supreme Court. The change is legally unenforceable until it has been precleared.

⁵This is the first of two reports in response to your request. We plan to issue a second report that will address the implication of these selected laws for voter registration and voting.

effect for the November 2012 election that relate to registering to vote, voting at the polls on Election Day, and casting an absentee ballot by mail.

States have also established alternatives for voters to cast a ballot other than at the polls on Election Day. Most states—35 and the District of Columbia—currently provide an opportunity for voters to cast a ballot prior to the election without an excuse, either by no-excuse absentee voting by mail or in-person early voting, or both. States vary in terms of the number of days and locations provided for early voting, as well as whether voting is available on a weekend, and whether the state allows voters who cast an absentee ballot without an excuse to be on a list to permanently receive a ballot by mail without an excuse. For example, 18 states and the District of Columbia require early voting to be available on Saturday or both Saturday and Sunday. Two states—Oregon and Washington—conduct all elections by mail ballot.⁶ Enclosure III presents a summary of selected provisions related to in-person early voting and no-excuse absentee voting by mail in effect for the November 2012 election.

States also regulate the process by which voters register to vote and have a variety of requirements that address third-party voter registration organizations that conduct voter registration drives. Thirty states and the District of Columbia have at least one requirement addressing third-party registration organizations, which may include how quickly the organization must return completed registration applications or how the organization may compensate its employees. Enclosure IV presents a summary of selected requirements for third-party voter registration organizations in effect for the November 2012 election.

States have been active in the past 10 years in amending their election codes, regulations, and procedures, not only to incorporate requirements mandated by HAVA, but also to make substantive changes to their laws in the areas of voter identification, early voting, and requirements for third-party voter registration organizations. For example, in the 10 years since the passage of HAVA, 18 states have added a new requirement that will be in effect for the November 2012 election for all eligible voters to provide identification before voting at the polls on Election Day. We present information on substantive changes to voter identification, early voting, and third-party voter registration organization requirements over the past 10 years in enclosures V through IX.

We are sending copies of this report to interested congressional committees, the Department of Justice and the U.S. Election Assistance Commission. In addition, the report will be available at no charge on the GAO Web site at <http://www.gao.gov>.

If you or your staff members have any questions about this report, please contact Edda Emmanuelli Perez at (202) 512-2853 or EmmanuelliPerezE@gao.gov or William O. Jenkins, Jr. at (202) 512-8777 or jenkinswo@gao.gov. Contact points for our Offices of

⁶Oregon and Washington are both vote-by-mail states, but the law of both states requires that there be places for voters to cast a ballot in person during the time that ballots are generally issued by mail.

Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in enclosure X. For selected reports issued on elections since 2001, see the Related GAO Products list.

A handwritten signature in black ink that reads "Edda Emmanuelli Perez". The signature is written in a cursive style with a large, sweeping flourish at the end.

Edda Emmanuelli Perez
Managing Associate General Counsel

A handwritten signature in black ink that reads "William O. Jenkins, Jr.". The signature is written in a cursive style with a large, sweeping flourish at the end.

William O. Jenkins, Jr.
Director, Homeland Security and Justice

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Enclosure I: Objectives, Scope, and Methodology

This report provides information for each state on laws that will be in effect for the November 2012 election regarding:

- state identification requirements for all eligible voters, including requirements to show identification prior to 1) registering to vote, 2) voting at the polls on Election Day, and 3) casting an absentee ballot by mail; what types of documents satisfy the requirements; and what processes are in place if voters do not have the required identification prior to voting in person on Election Day;
- state provisions for no-excuse absentee voting by mail and in-person early voting; which of the no-excuse absentee voting provisions allow for registered voters to apply for an absentee ballot on a permanent basis; and what provisions for early voting specify about voting on the weekend, the number of days available for early voting, and the number of locations available; and
- state requirements relating to third-party voter registration organizations.

In addition to presenting information on current requirements, we provide information on what substantive changes, if any, states have made to these requirements within the past 10 years—since the time that Help America Vote Act of 2002 (HAVA)⁷ was enacted. These include laws states enacted that may become effective after the November 2012 election.

To address our three objectives, we identified current laws related to voter identification, alternative methods of voting, and third-party registration organizations by searching each state's election code. Where applicable, we also searched states' administrative codes and other materials promulgated by the states' election authorities to identify relevant legal requirements. We also obtained information, including compilations of relevant election requirements, from other sources, such as the U.S. Election Assistance Commission, the National Conference of State Legislatures, the Brennan Center for Justice, the Lawyers Committee For Civil Rights Under Law, and the National Association of Secretaries of State, to compare with the laws we had identified to help ensure we had identified relevant provisions as comprehensively as possible. We also used research we have conducted on these issues in the past.⁸ Where questions arose about the interpretation of a state law, we consulted with state election officials to clarify the provision at issue. However, our analysis is based primarily on state statutes and, as applicable, state regulations; our analysis generally does not include state or local practices that are not reflected in such laws and regulations.

To determine which laws would be in effect during the November 2012 election we identified effective dates of recently enacted statutes, identified and monitored pending relevant legislation active in 2012, identified and monitored ongoing litigation, and obtained information on the status of preclearances under section 5 of the Voting Rights Act from the

⁷Pub. L. No. 107-252, 116 Stat. 1666 (2002) (codified as amended at 42 U.S.C. §§ 15301–545).

⁸For example, we reviewed prior research related to no-excuse absentee voting and in-person early voting conducted during our work on weekend elections. See GAO, *Elections: Views on Implementing Federal Elections on a Weekend*, [GAO-12-69](#) (Washington, D.C.: Jan. 12, 2012). For more information on prior GAO reports on elections, see the Related GAO Products list.

Department of Justice.⁹ In general, the information presented is updated through September 1, 2012, except for significant changes that came to our attention after that date.

For purposes of our analysis of substantive changes in the laws over the past 10 years, we considered as “substantive” a change that would affect the voter, such as a change related to the types of acceptable identification documents, processes for providing the documentation, or the number of days for early voting. Substantive changes in the area of third-party voter registration organizations include changes to provisions that would affect the organization conducting the drive, such as those related to recordkeeping, time frames for returning voter registration applications, or training. We excluded technical or administrative changes to the laws, minor amendments, or changes that are not relevant to the particular type of requirement being addressed.

To determine what substantive changes have been made to requirements we had identified, we reviewed state laws and, where applicable, administrative requirements. Where there was no relevant law identified, we reviewed the history of any related provisions, to the extent possible. We also examined historical information from secondary sources, for example, the National Conference of State Legislatures, to help ensure that the historical information we had compiled was as comprehensive as possible.

For the first two objectives, we included provisions generally applicable to all eligible voters who seek to vote by each particular method at issue—in person or by mail—in federal elections. With respect to identification requirements for voters voting at the polls on Election Day, we did not include, for example, identification requirements for first-time voters who register by mail and who may be required to provide identification consistent with HAVA. Related to this, we did not include information on a statutory provisional ballot process where it would only be applicable to first-time voters who register by mail because there was no identification requirement for all eligible voters.¹⁰ With respect to laws addressing alternative methods of voting, we did not include requirements specifically related to military or overseas voters, who are otherwise addressed by federal law. We also did not generally address requirements relating to nonfederal elections, such as municipal elections.

For our objective on third-party registration organization requirements, we included provisions that address how organizations obtain and return voter registration forms,

⁹Under section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973c, covered jurisdictions may not change their election practices or procedures until they obtain federal “preclearance” for the change. The jurisdictions targeted for “coverage” are those evidencing discriminatory voting practices, based upon a triggering formula, as defined in section 4 of the Voting Rights Act, 42 U.S.C. § 1973b. The act provides for either judicial or administrative preclearance. Under the judicial mechanism, covered jurisdictions may seek a declaratory judgment from a three-judge panel of the United States District Court for the District of Columbia that the change has neither the purpose nor the effect of discriminating against protected minorities in exercising their voting rights. Under the administrative mechanism, covered jurisdictions may seek the same determination from the Attorney General. Jurisdictions may seek a determination from the District Court for the District of Columbia even if the Attorney General has interposed an objection to the change. Appeals from the district court go directly to the United States Supreme Court. The change is legally unenforceable until it has been precleared.

¹⁰Provisional ballots are those cast by voters at the polls whose eligibility to vote is unclear and to be determined later. HAVA required states to provide a provisional ballot process for voters in certain circumstances, including for first-time voters who register by mail but have not provided acceptable identification as required by HAVA, among other situations.

conduct drives, and keep records, as well as provisions that regulate the individuals collecting registration forms. In addition, we included penalties directly associated with these requirements, such as penalties imposed for violating a return time frame, or penalties associated with violating the election code, where the election code contains specific requirements for third-party registration organizations. We did not include penalty provisions generally prohibiting fraud in the voter registration process.

While states may use various terms and definitions for election-related activities and individuals, for purposes of this report, we generally chose to apply terms uniformly. For purposes of this report, we refer to individuals applying to register to vote as “applicants” or “registrants.” We refer to individuals who go to the polls on Election Day or to an early voting site during any early voting period in order to vote, or who cast an absentee ballot, as “voters.” For purposes of this report, we define “in-person early voting” to mean casting a ballot in person prior to Election Day without providing a reason; many states characterize this as in-person absentee voting. We refer to nongovernmental organizations disseminating and collecting voter registration forms as “third-party voter registration organizations” or “organizations,” and those who are responsible for conducting voter registration drives as “organizers.”

We provided a summary of the information we compiled on current state laws and substantive changes to those laws made in the past 10 years to each state’s respective election officials prior to the issuance of this report for review, and incorporated technical comments, as appropriate. We worked with the National Association of Secretaries of State to obtain contact information for relevant state officials.

Enclosure II: Current State Identification Requirements for Registering to Vote, Voting at the Polls on Election Day, and Casting an Absentee Ballot by Mail

Background

States have established a variety of mechanisms for identifying individuals who apply to register to vote and who seek to vote, whether at the polls on Election Day or by absentee ballot. Requiring voters to register or provide identification prior to voting are not federal requirements, but federal legislation requires states to take certain measures in these areas. The two key pieces of federal legislation addressing voter registration and voter identification are the National Voter Registration Act of 1993 (NVRA)¹¹ and the Help America Vote Act of 2002 (HAVA).¹²

Congress passed the NVRA, also known as the “motor voter” law, to establish registration procedures designed, in part, to “increase the number of eligible citizens who register to vote in elections for Federal office . . . protect the integrity of the electoral process . . . [and] ensure that accurate and current voter registration rolls are maintained.”¹³ The NVRA expanded the number of locations and opportunities for eligible citizens to apply to register to vote. In addition to any other method of voter registration provided for under state law, the NVRA prescribes three methods of registering voters for federal elections: 1) when they obtain a driver’s license, 2) by mail using the federal voter registration form prescribed by the Election Assistance Commission (EAC), or 3) at offices that provide public assistance and services to persons with disabilities and other state agencies and offices.¹⁴ In addition to accepting the federal mail-in voter registration form, states may develop and use a mail-in voter registration form that meets specified criteria.¹⁵ For example, all registration forms must include an attestation by the applicant that he or she meets eligibility requirements—including citizenship—and must be signed under penalty of perjury.

North Dakota, which does not require registration to vote, and certain states that allow election-day registration at polling places are exempt from the NVRA.¹⁶ This means that voters can register to vote and vote on Election Day pursuant to state requirements; also, it means that these states are not required to accept the federal mail-in voter registration form and are not subject to other requirements described in the NVRA.

Passed in 2002, HAVA contained provisions that significantly affected voter registration. Among other requirements, HAVA required states to each establish a single, uniform,

¹¹Pub. L. No. 103-31, 107 Stat. 77 (1993) (codified as amended at 42 U.S.C. §§ 1973gg–1973gg-10).

¹²Pub. L. No. 107-252, 116 Stat. 1666 (2002) (codified as amended at 42 U.S.C. §§ 15301–545).

¹³42 U.S.C. § 1973gg.

¹⁴42 U.S.C. § 1973gg-2.

¹⁵42 U.S.C. §§ 1973gg-4(a)(2), 1973gg-7(b).

¹⁶42 U.S.C. § 1973gg-2. Certain states are exempt from the NVRA, including North Dakota—which has no voter registration requirement—and Idaho, Minnesota, New Hampshire, Wisconsin, and Wyoming—which have election-day registration. The NVRA does not apply to states where either (1) under law that is in effect continuously on and after August 1, 1994, there is no voter registration requirement for any voter in the state for a federal election or (2) under law that was in effect continuously on and after, or enacted prior to, August 1, 1994, all voters in the state may register to vote at the polling place at the time of voting in a general election for federal office. *Id.*

statewide, computerized voter registration list for conducting elections for federal office.¹⁷ In addition, HAVA made amendments to the mail-in voter registration form developed under the NVRA, requiring the form to include questions about eligibility, such as whether the applicant is a citizen of the United States and will be 18 years of age on or before Election Day.¹⁸ HAVA also provided that registration applications for an election for a federal office may not be accepted or processed by a state unless the application includes either the applicant's driver's license number or the last four digits of his or her social security number; if the voter has none, the state must assign the applicant a unique identifying number.¹⁹

HAVA also established identification requirements for certain voters in federal elections. Under HAVA, states must require that registrants who apply by mail and who have not previously voted in a federal election in the state provide certain specified types of identification with their mail application, and if they do not provide such identification with their application, these first-time mail registrants are to provide the identification at the polls or a copy of such identification when voting by mail.²⁰ Under HAVA, in order not to show identification when voting, mail registrants must have provided either their driver's license number or at least the last four digits of their social security number when applying to register, which must be matched with an existing state identification record; or mail registrants must have provided in their application a copy of the following specified identification:

- a current and valid photo identification; or
- a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.²¹

Furthermore, if such a voter does not have the requisite identification at the polls, HAVA requires that the voter be allowed to cast a provisional ballot.²² Under HAVA, election officials receiving provisional voter information are to determine whether such individuals are eligible to vote under state law.²³ If an individual is determined to be eligible, HAVA specifies that such individual's provisional ballot be counted as a vote in that election in accordance with state law.²⁴

However, HAVA specifies that these are minimum requirements and should not be construed to prevent states from establishing election technology and administration requirements that are stricter than HAVA requirements as long as they are not inconsistent with certain other specified provisions.²⁵

¹⁷42 U.S.C. § 15483.

¹⁸*Id.*

¹⁹*Id.*

²⁰*Id.* The NVRA also generally allows states to require all first-time voters who register by mail to vote in person at the polling place, where the voter's identity can be confirmed. 42 U.S.C. § 1973gg-4(c).

²¹42 U.S.C. § 15483.

²²*Id.* HAVA also contains other requirements relating to provisional ballots.

²³42 U.S.C. § 15482.

²⁴*Id.*

²⁵42 U.S.C. § 15484.

In order to implement HAVA's identification and other requirements, states amended their codes, regulations, and election procedures. Some states had preexisting voter identification requirements and several states have, since HAVA's enactment, adopted additional identification requirements for voters when they register to vote or seek to vote at the polls on Election Day or by absentee ballot.

State Registration Identification Requirements

When registering individuals to vote, states collect a variety of identifying information about applicants to ensure their eligibility to vote, such as date of birth, address, and signature.²⁶ There is variety in how state laws reflect HAVA's registration identification requirements. For example, in Colorado, if the applicant cannot provide a driver's license number or the last four digits of his or her social security number, the list of acceptable types of identification that applicants may alternatively provide in order to register includes documents not specifically delineated in HAVA, such as a pilot's license or veteran identification card. With respect to the HAVA requirement for voters to provide any "current and valid photo identification," Colorado's law limits acceptable documents to the specified list. As another example, Alaska law limits the types of acceptable forms of identification that first-time voters who register by mail may provide in order to register if they do not have a driver's license number or the last four digits of their social security number; Alaska does not permit using a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter. Instead, Alaska specifies that applicants may provide a copy of their driver's license, state identification card, current and valid photo identification, birth certificate, passport, or hunting or fishing license.

Various states' laws also contain registration identification requirements for voters who register in person—either prior to the election at the office of the appropriate elections official or, in certain states, at the polls on Election Day. Although HAVA only addresses identification requirements for first-time voters who register by mail, most states' requirements for voters who register in person reflect the same kinds of documents that are described in HAVA.

Some states have adopted substantive identification requirements in addition to those provided for in HAVA and the NVRA. Specifically, five states have enacted requirements related to proof of citizenship that are currently in effect,²⁷ and two states—New Hampshire and Wyoming—have other additional substantive identification requirements for applicants seeking to register to vote,²⁸ as shown in table 1.

²⁶At a minimum, state eligibility provisions typically require a person to be a U.S. citizen, at least 18 years of age, and a resident of the state, with some states requiring a minimum residency period.

²⁷Two states have enacted requirements that are not currently in effect. Alabama's proof-of-citizenship requirement is not in effect because it has not been precleared under section 5 of the Voting Rights Act. Alabama submitted this change to the Department of Justice, but it was withdrawn on June 21, 2012. Kansas's law is not legislated to go into effect until January 1, 2013.

²⁸One of these two states—New Hampshire—also has a proof-of-citizenship requirement.

Table 1: States with Voter Registration Identification Requirements In Addition to Those Provided for in Federal Law in Effect for the November 2012 Election

State	Enacted state law
Arizona	Arizona requires proof of U.S. citizenship prior to registration for applicants using the state registration form, but not the federal form. ^a
Georgia	Georgia requires applicants to provide proof of U.S. citizenship. ^b
Mississippi	Registrants who acquired citizenship by order or decree of naturalization must provide documentation.
New Hampshire	New Hampshire generally requires applicants to register in person, unless they have a valid reason to register absentee. Applicants who register in person must provide proof of citizenship, age, and domicile. In addition, the applicant must prove his or her identity in order to establish that the evidence used to prove age, citizenship, and domicile relates to the applicant. Voters who register by mail with a valid reason must provide proof of identity and domicile and have their application witnessed.
Tennessee	If the county election commission is notified by the state coordinator of elections that evidence exists that a particular registered voter is not a citizen of the United States, the commission must send notice to the voter inquiring whether the individual is eligible to be registered to vote. The voter is then required to provide proof of citizenship within 30 days, or the registration will be purged from the voter registration database.
Wyoming	Applicants must present acceptable identification and their driver's license number, or if they have no driver's license, a statement to that effect and the last four digits of their social security number, or if they have neither, a statement to that effect. If registering by mail, applicants must fill out the registration form and present acceptable identification to a person authorized by law to administer oaths in order to have the application notarized. ^c

Source: GAO analysis of state statutes.

Notes: Except as otherwise noted, applicable requirements do not distinguish between registration by mail or in person.

^aThe Court of Appeals for the Ninth Circuit held that Arizona may not require applicants using the federal voter registration form to provide proof of citizenship because it is not permitted by the NVRA, but Arizona may require applicants who use the state registration form to do so. *Gonzalez v. Arizona*, 677 F.3d 383 (9th Cir. 2012) (en banc). Arizona has filed a petition for a writ of certiorari to the U.S. Supreme Court.

^bGeorgia's law is in effect, but according to state officials, it is not currently being implemented.

^cUnder the NVRA, states are required to accept mail-in voter registration forms that do not include any requirement for notarization or other formal authentication. 42 U.S.C. §§ 1973gg-4, 1973gg-7(b). However, Wyoming is not subject to the NVRA, as described earlier. 42 U.S.C. § 1973gg-2(b).

As shown in table 1, Arizona, Georgia, and New Hampshire have laws generally requiring applicants for registration to provide satisfactory proof of citizenship when registering to vote.²⁹ While Arizona and Georgia require documentary proof, New Hampshire allows voters to execute an affidavit sworn before a notary public, justice of the peace, or election officer. In Tennessee, the coordinator of elections is required to compare the statewide voter registration database against other databases to ensure that non-United States citizens are not registered to vote. If evidence exists that a particular registered voter is not a citizen, the voter is then sent notice requiring him or her to provide evidence of citizenship. Documents that provide satisfactory evidence of citizenship in these states include, for example, a birth certificate, United States passport, or naturalization documents, among others. In

²⁹The Court of Appeals for the Ninth Circuit held that Arizona may not require applicants using the federal voter registration form to provide proof of citizenship because it is not permitted by the NVRA, but Arizona may require applicants who use the state registration form to do so. *Gonzalez v. Arizona*, 677 F.3d 383 (9th Cir. 2012) (en banc). Arizona has filed a petition for a writ of certiorari to the U.S. Supreme Court.

Mississippi, only registrants who acquired citizenship by order or decree of naturalization are required to provide documentation.

Two of the states that require additional documentation—New Hampshire and Wyoming—also provide for election-day registration, whereby voters are able to provide acceptable documentation at the polls on Election Day in order to register.

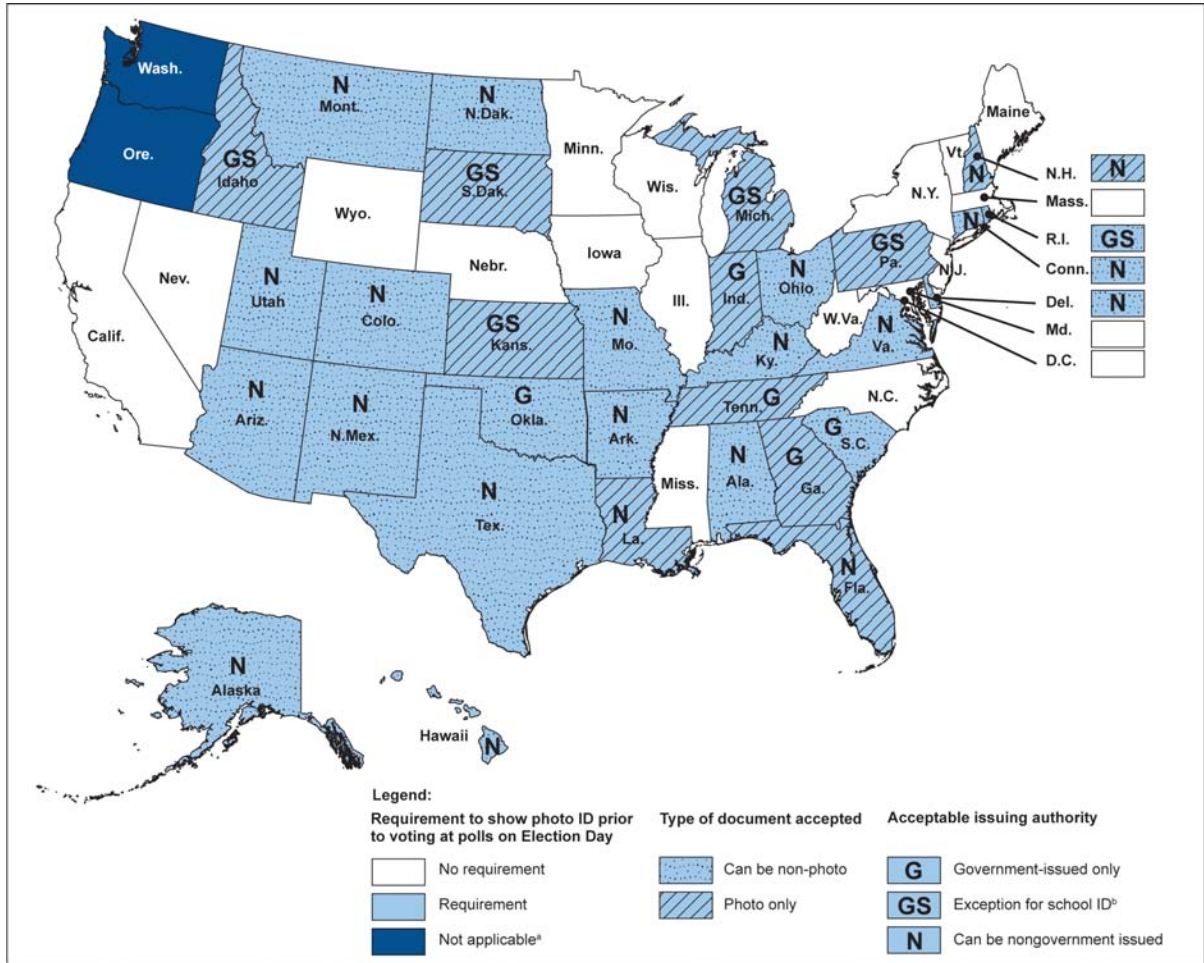
Enclosure V provides information on states that have enacted voter registration identification requirements in addition to those provided for in federal law and how those laws have changed in the past 10 years.

State Identification Requirements for All Eligible Voters on Election Day

For the November 2012 election, 31 states have requirements for all eligible voters to show identification prior to casting a ballot at the polls on Election Day. In these states, as described below, the forms of acceptable documentation vary. Seventeen states and the District of Columbia do not have documentary identification requirements, as shown in figure 1.³⁰

³⁰Oregon and Washington are vote-by-mail states and do not require voters to provide identification when casting a ballot by mail. Requirements described are in addition to identification requirements applicable to first-time voters who register by mail, pursuant to HAVA.

Figure 1: States with Voter Identification Requirements in Effect for the November 2012 Election



Source: GAO analysis of state statutes.

Notes:

^aOregon and Washington are both vote-by-mail states, but laws in both states require that there be places for voters to cast a ballot in person during the time that ballots are generally issued by mail. Oregon does not have identification requirements for voters who cast a ballot by mail or in person. Washington law has identification requirements applicable to voters who cast a ballot in-person, requiring that voters provide photo identification, or vote by provisional ballot (which will be counted if the signature on the ballot declaration matches the signature in the voter’s registration record). For voters who cast a ballot by mail, the ballot will be counted if the signature on the ballot declaration matches the signature in the voter’s registration record; there are no additional documentary identification requirements.

^bPennsylvania additionally provides an exception for identification issued by a Pennsylvania care facility.

Of the states that have identification requirements, 11 require that the type of identification provided contain a photograph of the voter, whereas the other 20 states allow a voter to provide identifying documentation that does not contain a photograph, such as the voter’s social security card, or a utility bill or a bank statement with the voter’s name and address on it.³¹

³¹While the identification requirements generally apply to all eligible voters, states may have exceptions for certain categories of voters, which are not described here. For example, in Kansas, voters with a permanent physical disability or those whose religious beliefs prohibit photographic identification are exempt from the photographic identification requirement. In Indiana, for instance, a voter who votes in person at a precinct polling

Twenty states allow voters to show documentation that has either been issued by a governmental entity—federal, state, or local government—or that has been issued by a nongovernmental entity—such as an employer, utility company, or bank. Eleven states generally only allow voters to show identification issued by the federal government or a state or local government—6 of these states provide an exception for student identification cards; however, because most voters are not students this means that most voters must provide government-issued identification. Table 2 presents information about the type of documents accepted and the acceptable issuing entity for the 31 states with voter identification requirements.

Table 2: Type of Documents Accepted and Acceptable Issuing Entity for States with Voter Identification Requirements in Effect for the November 2012 Election

Type of document accepted	Acceptable issuing entity	
	Generally government-issued only	Can be nongovernment-issued
Photo only	GA, ID, ^a IN, KS, ^a MI, ^a PA, ^{a,b} SD, ^a TN	FL, LA, NH
Can be non-photo	OK, RI, ^a SC	AK, AL, AR, AZ, CO, CT, DE, HI, KY, MO, MT, ND, NM, OH, TX, UT, VA

Source: GAO analysis of state statutes.

^aProvides an exception for student identification cards.

^bPennsylvania additionally provides an exception for identification issued by a Pennsylvania care facility.

As part of the identification requirements states have established for voting at the polls on Election Day, states have also adopted processes for voters who do not provide the requisite documentation at the polls to vote and have their ballots counted.³² There is variety in these processes, with some states allowing voters to resolve the deficiency on Election Day, for example by signing an affidavit attesting to their identity and providing identifying information such as their address and date of birth, while others require the voter to return to a local election office with acceptable documentation within a specified number of days after the election.

Of the 31 states that have an identification requirement for all eligible voters, 13 generally allow a voter without acceptable identification to take some action to verify his or her own identity at the polling place and then cast a regular ballot. Six states allow voters to cast a regular ballot if their identification is verified by one or more elections officials. Eighteen states offer voters without acceptable identification a provisional ballot. Of these 18 states, 8 require the voter to provide the election authority with acceptable identification within a specified time period after the election as the only means to have the provisional ballot

place that is located at a state-licensed care facility where the voter resides is not required to provide proof of identification.

³²HAVA mandates that states provide voters with provisional ballots in specified circumstances, for example, for first-time voters who register by mail who do not provide identification consistent with HAVA, and voters whose names are not on the registration list. The provisions described in this section relate to processes states have in place when voters do not present identification pursuant to a general identification requirement for all eligible voters.

counted.³³ Some states have more than one process for voters who do not have acceptable documentary identification at the polls.

Information on the processes that states have established for voters who do not have acceptable identification prior to casting a ballot at the polls on Election Day is presented in table 3.

Table 3: Process in Effect for the November 2012 Election, by State, if Voter Does Not Have Acceptable Identification at the Polls on Election Day

State	Process if voter does not have acceptable ID			Process voter must follow for provisional ballot to be counted	
	Voter can verify own identity and vote a regular ballot	Voter's identity can be verified by election official(s), and voter can vote a regular ballot	Voter is offered a provisional ballot	Within specified time, go to or provide election office with ID (and/or affirm or attest that do not have ID)	Do nothing; eligibility is verified by other means
Photo only; Generally government-issued only					
GA			X	X	
ID ^a	X				
IN			X	X	
KS ^a			X	X	
MI ^a	X				
PA ^{a,b}	X				
SD ^a	X				
TN ^c			X	X	
Photo only; Can be nongovernment-issued					
FL			X		X
LA	X				
NH	X	X			
Can be non-photo; Generally government-issued only					
OK			X		X
RI ^a			X		X
SC ^d					
Can be non-photo; Can be nongovernment-issued					
AK		X	X		X
AL		X	X	X	
AR ^e	X				
AZ			X	X	
CO			X		X
CT	X				
DE	X				
HI	X				
KY		X	X		X
MO		X			
MT	X		X		X

³³ This also includes states where voters must return to affirm or attest that they do not possess the requisite identification or meet an exception to the requirement. For example, in Indiana, in order for the ballot to be counted, the voter must personally appear before the circuit court clerk or county election board by 12 noon 10 days following the election and either 1) show proof of identification, or 2) execute an affidavit stating that the voter is indigent and unable to obtain proof of identification without the payment of a fee, or has a religious objection to being photographed.

State	Process if voter does not have acceptable ID			Process voter must follow for provisional ballot to be counted	
	Voter can verify own identity and vote a regular ballot	Voter's identity can be verified by elections official(s), and voter can vote a regular ballot	Voter is offered a provisional ballot	Within specified time, go to or provide election office with ID (and/or affirm or attest that do not have ID)	Do nothing; eligibility is verified by other means
ND	X	X			
NM	X		X	X	
OH ^f			X	X	X
TX			X		X
UT ^g			X	X	X
VA			X	X	

Source: GAO analysis of state statutes.

^aState requires government-issued identification but has an exception for student identification. Pennsylvania additionally allows identification issued by a Pennsylvania care facility.

^bOn October 2, 2012, the Pennsylvania Commonwealth Court issued an order enjoining the provisional ballot process for voters who do not have acceptable identification for the November 2012 election. *Applewhite v. Commonwealth of Pennsylvania*, No. 330 MD 2012 (Pa. Commw. Ct. Oct. 2, 2012). Accordingly, voters who do not present acceptable identification may cast a regular ballot.

^cIn Tennessee, only a voter who is indigent and unable to obtain proof of identification without payment of a fee or a voter who has a religious objection to being photographed may execute an affidavit of identity and then be permitted to vote.

^dAccording to the South Carolina Poll Managers Handbook, voters without required identification should not be permitted to vote; instead, voters will be advised that the county board of voter registration is open all day on Election Day and the voter may go there to obtain a duplicate certificate of registration.

^eIn Arkansas, poll workers are required to ask voters to provide identification at the polls prior to casting a ballot, but if a voter does not have acceptable identification, the poll worker indicates on the precinct voter registration list that the voter did not provide identification and the voter may vote by regular ballot. Following each election, the county board of election commissioners may review the precinct voter registration lists and provide information on voters who did not provide identification to the prosecuting attorney who may investigate possible voter fraud.

^fIn Ohio, voters at the polling place who are able to provide the last four digits of their social security number or execute an affirmation that they do not have a social security number will have their provisional ballots counted if it is determined they are eligible to vote, while a voters who does not provide either of these items must return within 10 days after the day of the election with acceptable identification or the last four digits of the voter's social security number, or execute an affirmation or if the voter does not have either acceptable identification or a social security number, in order to have the provisional ballot counted.

^gProvisional ballots in Utah are counted if the voter presents valid voter identification to the county clerk at the county clerk's office or to an election officer who is administering the election by the close of normal office hours on the Monday after the day of the election, or if the county clerk can verify the voter's identity and residence through some other means as reliable as photo identification, which may be through matching the signature on the voter's provisional ballot with the signature from the voter's registration application.

Additional information about voter identification laws for all eligible voters to cast a ballot at the polls on Election Day and how they have changed in the past 10 years is included in enclosure VI.

State Identification Requirements for All Eligible Voters Casting an Absentee Ballot by Mail

Voters who seek to cast an absentee ballot by mail may also be subject to identification requirements.³⁴ Voters may be required to submit identifying information or a copy of acceptable identification along with their absentee ballot application, with their absentee ballot, or both. The identifying information that voters are required to provide varies significantly—with some states requiring that voters provide documentary identification, such as a driver's license number, social security number, or copy of an acceptable document, and other states requiring information that does not involve an underlying document, such as the voter's signature or date of birth. For example, in Alaska, voters casting an absentee ballot by mail must provide either their voter registration number, social security number (or the last four digits of the social security number), date of birth, Alaska driver's license number, or Alaska State identification number. In other states—Georgia, for example—voters who cast an absentee ballot by mail generally are not requested to provide documentary identification.³⁵ In Georgia, while identification is not required, the registrar or absentee ballot clerk compares the identifying information in the absentee ballot application with the information on file in the registrar's office and compares the signature on the application with the signature on the voter's registration card. In addition, some states may request that voters provide identifying information, but provide an exception if it is not available. For example, under Minnesota law, in addition to the voter's date of birth, voters must provide either their driver's license number, state identification card number, or the last four digits of their social security number, or a statement that the voter does not have any of these.

Some states require absentee voters to have their application or ballot notarized, which is a process that involves identification requirements.³⁶ In these states, in order to notarize the document, the notary must either know the individual personally, a credible witness who is personally known to the notary must affirm the identity of the individual, or the individual must provide satisfactory proof of identification to the notary. Twelve states have identification or notary requirements applicable to voters who cast an absentee ballot, as shown in table 4.³⁷

³⁴This section includes both states that allow voters to cast an absentee ballot without an excuse and those states that require an excuse, such as being out of town on Election Day, to cast an absentee ballot. The information described in this section relates to identification requirements generally applicable to all eligible absentee voters. Under HAVA, first-time voters who register by mail may be subject to additional identification requirements when they cast an absentee ballot.

³⁵As with other states, in Georgia, first-time voters who registered by mail may have to provide identification consistent with HAVA when casting an absentee ballot by mail.

³⁶We did not include requirements where voters may have their absentee ballots notarized or witnessed because voters have the option not to show identification and fulfill the witnessing requirement.

³⁷This table includes states where the voter is required to provide identifying information that involves an underlying document, for example, a driver's license number or social security number, or requires the voter to include a copy of an acceptable document. As such, we did not include states where the voter is asked only to provide identifying information such as name, address, date of birth, or signature. This table also does not include states that require the voter's signature on the absentee ballot envelope to match the signature from the voter's registration application—or a similar type of provision—which some states require in order to verify the identity of the absentee voter. Lastly, as stated in enclosure I, we did not include requirements or exceptions specifically related to military or overseas voters, who are otherwise addressed by federal law.

Table 4: States with Requirements for Absentee Voters to Provide Identification Prior to Voting in Effect for the November 2012 Election

Type of requirement	States
Absentee ballot application or ballot must be notarized	DE, MO, MS, OK
Absentee voter must provide identification with application or ballot	AK, AL, KS, OH, PA, TN, ^a VA ^b
State requires notarization or identification	SD

Source: GAO analysis of state statutes.

^aTennessee requires applicants to provide their social security number (in addition to their date of birth).

^bVirginia requires applicants to provide the last four digits of their social security number.

Among the eight states that require some kind of identifying information from absentee voters (either with or without a notary option), two states require photo-only identification,³⁸ and five generally allow voters to only provide government-issued identification with certain exceptions, such as school identification or identification from a licensed care facility.³⁹

In addition to these states that require identifying information from absentee voters, subject to certain exceptions, four states—Louisiana, Michigan, Tennessee, and Virginia—require a voter who has registered by mail to vote in person the first time the voter casts a ballot.

States may have different requirements for voters who cast a ballot in person on Election Day than they have for those who cast an absentee ballot by mail, or they may require similar forms of identification regardless of how the voter opts to cast the ballot.⁴⁰ For example, in Kansas, when applying for an advance ballot by mail (absentee ballot by mail), the voter must provide either the voter’s current and valid Kansas driver’s license number or nondriver’s identification card number; or the voter can provide a copy of one of the identification documents that are acceptable for voting in person on Election Day. However, most states that have identification requirements for voters at the polls on Election Day do not require voters to provide identification to cast an absentee ballot by mail. Eleven states that have identification requirements at the polls on Election Day require identification or notarization in order to cast an absentee ballot by mail,⁴¹ while 20 states with identification

³⁸These two states are Kansas and South Dakota.

³⁹These states are Kansas, Pennsylvania, South Dakota, Tennessee, and Virginia. In Tennessee and Virginia, the absentee voter is required to provide his or her social security number or last four digits of his or her social security number, respectively.

⁴⁰As described in more detail in enclosure I on our objectives, scope, and methodology, the identification requirements described here are those applicable to all eligible voters, as opposed to first-time voters who register by mail who are be subject to separate requirements under HAVA.

⁴¹These states are Alabama, Alaska, Delaware, Kansas, Missouri, Oklahoma, Ohio, Pennsylvania, South Dakota, Tennessee, and Virginia. In addition, Mississippi, which generally requires absentee voters who apply by mail because they are temporarily residing outside the county to have their application for an absentee ballot notarized and that absentee ballots generally be notarized or cast before an official authorized to take oaths, does not require identification for all eligible voters casting a ballot at the polls on Election Day. However, Mississippi has enacted new voter identification requirements for voting at the polls on Election Day and casting an absentee ballot that are pending preclearance by the Department of Justice. In addition, as described above,

requirements at the polls on Election Day do not require identification to vote absentee by mail. In addition, states that have identification requirements for both absentee mail voters and voters who cast a ballot in person on Election Day may require a different type of identification depending on the method of voting. For example, in Tennessee, voters must provide government-issued photo identification in order to cast a ballot at the polls on Election Day, but Tennessee allows non-photo identification in order to cast an absentee ballot by requiring voters to provide their social security number.

Additional information on state identification requirements for all eligible voters to cast an absentee ballot by mail and how those laws have changed in the past 10 years is found in enclosure VII.

subject to various exceptions, four states—Louisiana, Michigan, Tennessee, and Virginia—have requirements for first-time voters to cast a ballot in person prior to casting an absentee ballot by mail.

Enclosure III: Current State No-Excuse Absentee Voting by Mail and In-Person Early Voting Requirements

Background

Absentee voting is a process that allows citizens the opportunity to vote when they are unable to vote at their precinct on Election Day and is generally conducted by mail. All states and the District of Columbia have provisions allowing voters to cast their ballots before Election Day by voting absentee with variations on who may vote absentee, whether the voter needs an excuse, and the time frames for applying for and submitting absentee ballots.⁴² Some states may also permit registered voters to apply for an absentee ballot on a permanent basis so those voters automatically receive an absentee ballot in the mail prior to every election without providing an excuse or reason for voting absentee.

In addition, some states allow in-person early voting. In general, early voting allows voters from any precinct in the jurisdiction to cast their vote in person without an excuse before Election Day either at one specific location or at one of several locations. Early voting locations have a registration list for the jurisdiction and ballots specific to each precinct. The voter is provided with and casts a ballot designed for his or her assigned precinct. As with absentee voting, the specific circumstances for in-person early voting—such as the dates, times, and locations—are based on state and local requirements and, as we have previously reported, implementation and characteristics of early voting also vary among states and, in some cases, among the jurisdictions within a state.⁴³ In addition, not all jurisdictions characterize this process as “early voting”; for example, many states call their process “in-person absentee voting,” and some states have both early voting and in-person absentee voting—both of which allow a voter to cast a ballot in person before Election Day.⁴⁴

No-Excuse Absentee Voting by Mail and In-Person Early Voting Provisions

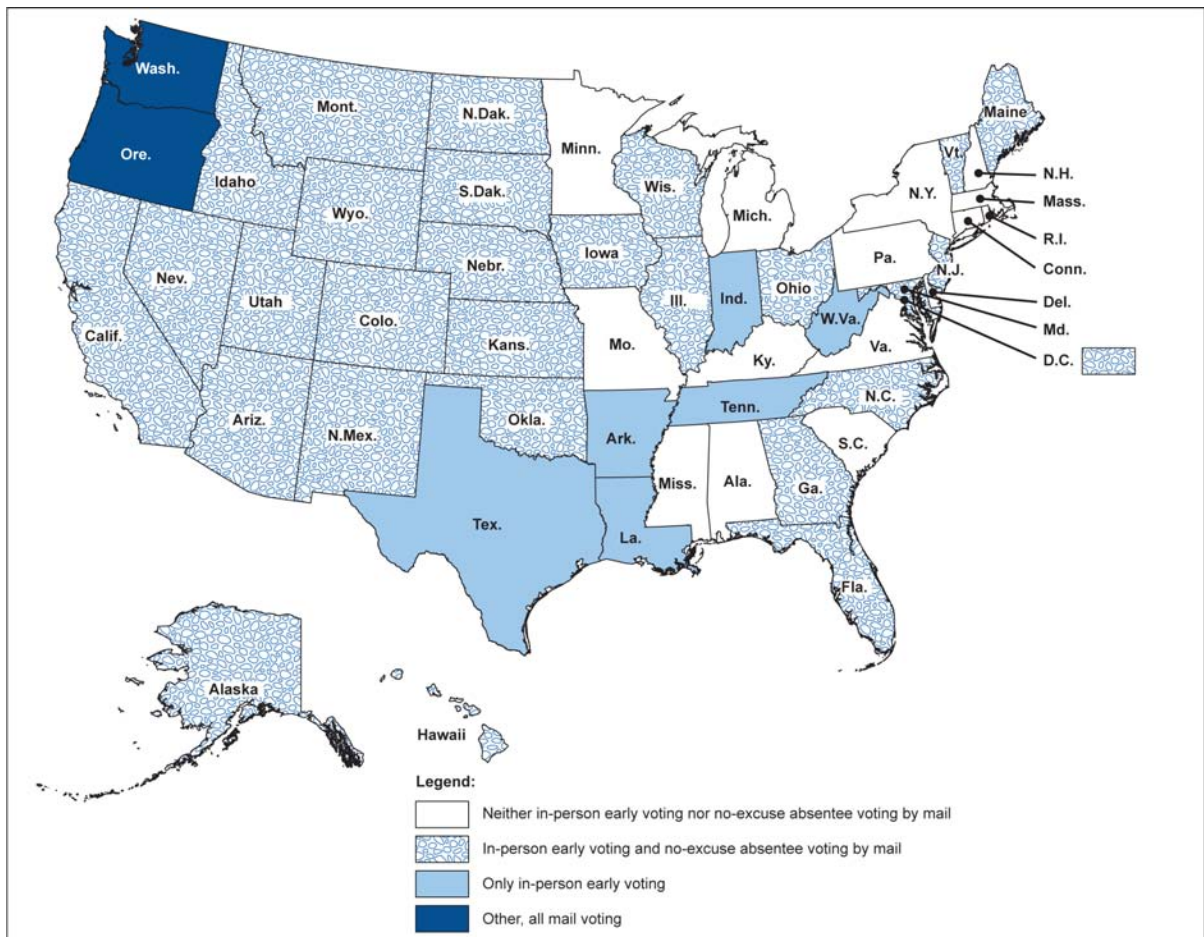
As shown in figure 2, 27 states and the District of Columbia have laws in effect for the November 2012 election to allow voters to cast an absentee ballot by mail without an excuse. Those 27 and the District of Columbia—as well as 6 additional states—also have laws providing for early voting. Oregon and Washington are vote-by-mail states.

⁴²Examples of excuses a voter may provide for not voting on Election Day include being sick, having a disability, being out of the country, or having religious commitments.

⁴³GAO, *Elections: Views on Implementing Federal Elections on a Weekend*, GAO-12-69 (Washington, D.C.: Jan. 12, 2012).

⁴⁴We refer to any process by which a voter may cast a ballot in person, without an excuse, prior to Election Day as early voting, regardless of when the ballot is ultimately tabulated or counted, or the name the state gives to that process. A state may provide for both in-person absentee voting and early voting. For example, in Alaska, which provides both, according to the Secretary of State’s website, the difference between in-person absentee and early voting is that the voter’s eligibility to vote is determined at the time of voting for early voting and the ballot is placed directly into the ballot box; whereas with in-person absentee voting, since the voter’s eligibility could not be verified at the time of voting, the voter’s voted ballot is placed inside an absentee voting envelope prior to being placed in the ballot box.

Figure 2: States Allowing No-Excuse Absentee Voting and In-Person Early Voting for the November 2012 Election



Source: GAO analysis of state statutes.

Of the 27 states that provide for no-excuse absentee voting by mail, 7 states and the District of Columbia permit voters to apply for an absentee ballot on a permanent basis without providing an excuse.⁴⁵

States that have early voting vary in the extent to which their laws authorize weekend voting, the number of early voting polling locations, and the number of days for early voting. As shown in table 5, 18 states and the District of Columbia require early voting to be available Saturday or available both Saturday and Sunday, while 13 states either explicitly provide for local discretion to determine weekend voting or are silent with respect to early voting on the weekend. For example, in Illinois, permanent early voting polling places must be open from 9:00 a.m. to 12 noon on Saturdays and Sundays, and a total of at least 14 hours on the final weekend during the early voting period. In addition to permanent polling places for early voting, the local election authority may establish temporary polling places, which may be open on any one or more days and during any hours within the period for early voting. In

⁴⁵These states are Arizona, California, Colorado, Hawaii, Montana, New Jersey, and Utah. In addition, Oregon and Washington provide mail ballots to all voters for each election. Some states allow certain categories of voters to receive an absentee ballot on a permanent basis with an excuse; for example, in Kansas, which has no-excuse absentee voting, only voters who have a permanent disability or an illness are permitted to have "permanent advance voting status." These kinds of provisions are not addressed here.

Kansas, for instance, the law specifies that county election officials have the authority to provide for advance voting ballots on the Saturday preceding the election. Two states' laws—South Dakota and Wyoming—explicitly provide for early voting during regular business hours.

Table 5: Early Voting Provisions in Effect for the November 2012 Election Related to the Availability of Weekend Voting for the Thirty-Three States and the District of Columbia that Allow Early Voting

Availability of weekend voting	Number of states	States
Saturday availability required	12 states and DC	AR, DC, GA,* HI, IA, IN, LA, NC,* NM, NV,* OK, TN, WV
Saturday and Sunday availability required	6	AK, FL, IL,* MD, OH, ^a TX ^b
Early voting available during business hours	2	SD, ^c WY ^d
Local discretion to determine availability or not specified	13	AZ, CA, CO, ID, KS, ME, MT, ND, NE, NJ, UT, VT, WI

Source: GAO analysis of state statutes.

Notes:

(*)These five states' laws also provide for local discretion to expand early voting; for example, to provide additional weekend days or extend the hours of early voting.

Oregon and Washington are not included in this table.

^aOhio's law does not specify whether weekend voting is to be held, and it has previously been left to local discretion to determine weekend voting. For the November 2012 election, the Secretary of State determined that no county will provide early voting on the weekend. Pursuant to litigation challenging Ohio's early voting law, on August 31, 2012, the U.S. District Court for the Southern District of Ohio held that early voting on the weekend prior to the election must be restored. *Obama for America v. Husted*, No.12 Civ. 0636 (S.D. Ohio Aug. 31, 2012). Defendants have filed an appeal to the Court of Appeals for the Sixth Circuit, which is currently pending.

^bIn Texas, the extent to which counties are required to conduct weekend voting varies depending on the size of the county and type of election. Upon the receipt of a written request by at least 15 registered voters, the county is required to hold early voting on at least one Saturday if a Saturday is requested and on at least one Sunday if a Sunday is requested. For state primary and general elections, counties that have a population of more than 100,000 are required to conduct early voting for at least 12 hours on the last Saturday and for at least 5 hours on the last Sunday of the early voting period. In counties of less than 100,000, early voting must be held at those times on receipt of a written request submitted by at least 15 registered voters of the county.

^cSouth Dakota's law provides for in-office absentee voting "during regular office hours" at the office of the county auditor. The regular office hours of the county auditor of South Dakota's largest county by population and area are 8:00 a.m. to 5:00 p.m., Monday through Friday.

^dWyoming's law directs that early voting locations "shall be open the same hours as the courthouse on normal business days during the time period allowed for absentee voting."

States' laws also vary with respect to discretion provided for establishing early voting locations, as shown in table 6. For example, 16 states specify a particular location or minimum number of early voting locations, such as the election office, and allow local election officials discretion to expand the locations or number of early voting sites. Some states' laws dictate the number of early voting locations based on the population of the relevant jurisdiction.

Table 6: Early Voting Provisions in Effect for the November 2012 Election Related to the Establishment of Early Voting Polling Locations for the Thirty-Three States and the District of Columbia that Allow Early Voting

Number of early voting polling locations	Number of states	States
One location specified	9	ME, MT, NE, NJ, OH, OK, SD, WI, WY
Location or minimum number specified and local discretion to expand	16	AK, AR, AZ, CA, CO, FL, HI, ID, IN, KS, LA, NC, NV, TN, VT, WV
Population-based number of locations	6	GA, IL, MD, NM, TX, UT
Other	2 states and DC	DC, ^a IA, ^b ND ^c

Source: GAO analysis of state statutes.

Notes:

Oregon and Washington are not included in this table.

^aDistrict of Columbia law provides for a total minimum number of four early voting centers and that the Board of Elections must be open for in-person absentee voting.

^bIn Iowa, in-person absentee voting is required to be available at the commissioner's office. In addition, satellite absentee voting stations 1) may be established at the direction of the commissioner and 2) must be established when there is a petition of at least 100 eligible voters requesting a satellite absentee voting station.

^cIn North Dakota, there is local discretion to establish early voting; if early voting is established, it may be at one or more voting locations, at the discretion of the county auditor.

In addition, states vary in the number of days provided for early voting. For example, in Vermont, voters may cast an absentee ballot in person starting 45 days prior to the election. In Louisiana, early voting is available 14 days to 7 days prior to the election, Monday through Saturday.

More information on provisions related to weekend voting, number of days each state provides for early voting, as well as the number of locations available for early voting, and how they have changed in the past 10 years, is included in enclosure VIII.

Enclosure IV: Current State Third-Party Voter Registration Organization Requirements

Background

Voter registration is not a federal requirement. However, except for North Dakota, all states and the District of Columbia generally require individuals to register before voting. Applicants apply to register to vote in various ways, such as at motor vehicle agencies, by mail, at local voter registrar offices, or through a voter registration drive sponsored by a nongovernmental organization, such as the League of Women Voters or a political party.⁴⁶ Some states allow applicants to register at a polling place on Election Day. Election officials process registration applications and compile and maintain the list of registered voters to be used throughout the administration of an election.

Congress passed the National Voter Registration Act of 1993 (NVRA),⁴⁷ also known as the “motor voter” law, to establish registration procedures designed, in part, to “increase the number of eligible citizens who register to vote in elections for Federal office . . . protect the integrity of the electoral process . . . [and] ensure that accurate and current voter registration rolls are maintained.” The NVRA expanded the number of locations and opportunities for eligible citizens to apply to register to vote.⁴⁸

In addition to any other method of voter registration provided for under state law, the NVRA prescribes three methods of registering voters for federal elections: 1) when they obtain a driver’s license, 2) by mail using the federal voter registration form prescribed by the Election Assistance Commission, or 3) at offices that provide public assistance and services to persons with disabilities and other state agencies and offices.⁴⁹ In addition to accepting the federal mail-in voter registration form, states may develop and use a mail-in voter registration form that meets specified criteria.⁵⁰ For example, all registration forms must include an attestation by the applicant that he or she meets eligibility requirements—including citizenship—and must be signed under penalty of perjury. In addition, the NVRA specifically requires states to make registration forms “available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.”⁵¹

When citizens register to vote during registration drives sponsored by nongovernmental organizations, applications from these organizations are then sent electronically or by mail, or are hand-delivered, to election offices. Election offices then process those applications and register eligible voters. Federal law does not generally address third-party voter registration organizations, but many states have enacted laws regulating how registration

⁴⁶GAO, *Elections: Views of Selected Local Election Officials on Managing Voter Registration and Ensuring Eligible Citizens Can Vote*, [GAO-05-997](#) (Washington, D.C.: Sept. 27, 2005).

⁴⁷Pub. L. No. 103-31, 107 Stat. 77 (1993) (codified as amended at 42 U.S.C. §§ 1973gg–1973gg-10).

⁴⁸Certain states are exempt from the NVRA, including North Dakota—which has no voter registration requirement—and Idaho, Minnesota, New Hampshire, Wisconsin, and Wyoming—which have election-day registration. The NVRA does not apply to states where either (1) under law that is in effect continuously on and after August 1, 1994, there is no voter registration requirement for any voter in the state for a federal election or (2) under law that was in effect continuously on and after, or enacted prior to, August 1, 1994, all voters in the state may register to vote at the polling place at the time of voting in a general election for federal office.

⁴⁹42 U.S.C. § 1973gg-2.

⁵⁰*Id.*

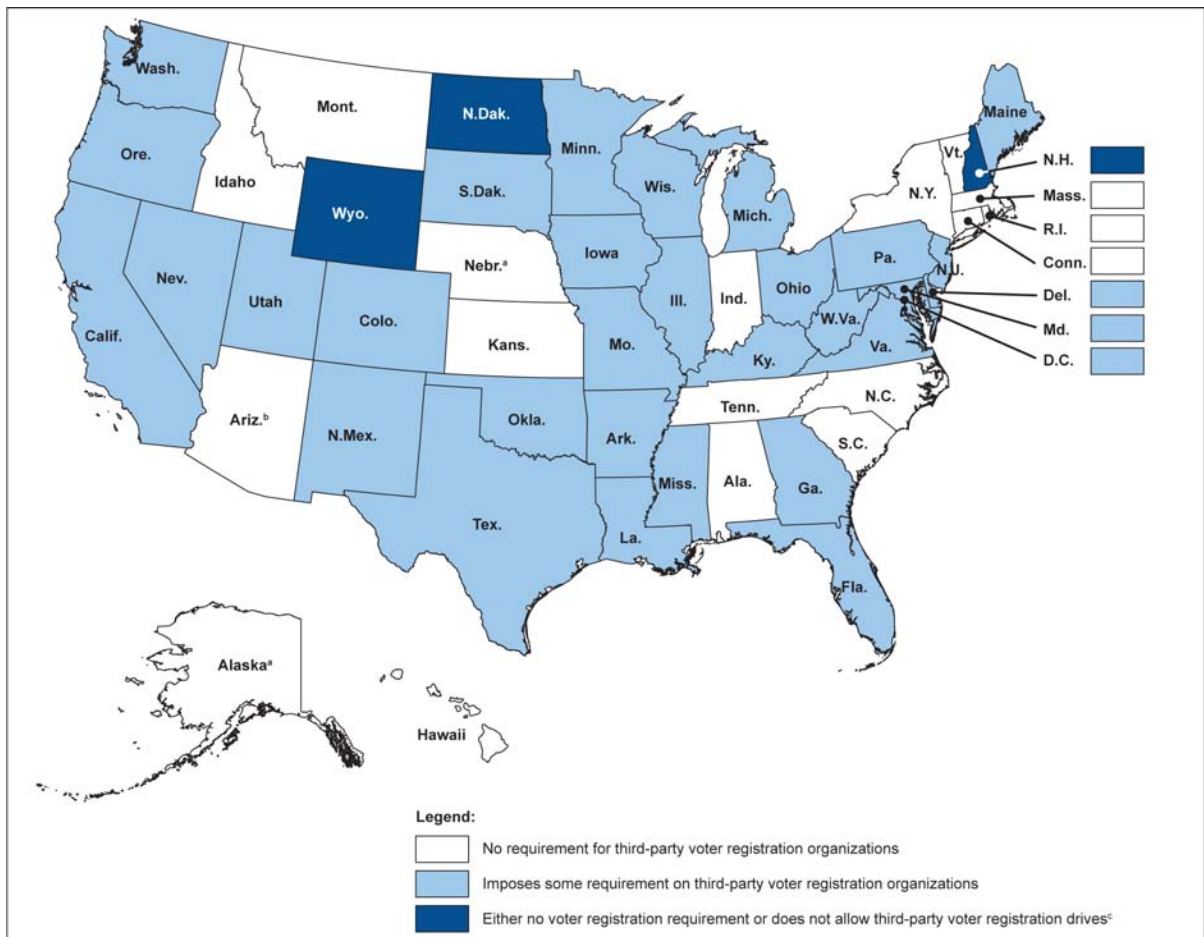
⁵¹42 U.S.C. § 1973gg-4.

drives by third parties may be conducted, by whom, and other aspects of voter registration efforts by nongovernmental organizations.

Selected State Requirements Relating to Third-Party Voter Registration Organizations

As shown in figure 3, 30 states and the District of Columbia impose some requirement on organizations that conduct voter registration drives. Seventeen states do not impose any requirements on third-party voter registration; that is, persons and organizations may generally conduct voter registration drives without restriction. In addition, two states—New Hampshire and Wyoming—do not allow third party voter registration drives and North Dakota does not have a voter registration requirement.

Figure 3: States with Requirements for Third-Party Organizations Conducting Voter Registration Drives in Effect for November 2012 Election



Source: GAO analysis of state statutes.

^aAlthough Alaska and Nebraska have official volunteer systems, those systems are optional for voter registration organizations, and the states do not impose any requirements on persons or organizations conducting voter registration drives outside of the official volunteer system.

^bArizona also has an official volunteer system in law, but it is no longer in use.

^cNew Hampshire and Wyoming have election-day registration, and North Dakota does not have a voter registration requirement. These states are exempt from the requirements of the National Voter Registration Act. 42 U.S.C. § 1973gg-2(b). Other states, such as Maine, allow election-day registration but also accept voter registration applications from third-party registration organizations.

States impose different types of requirements on third-party voter registration organizations. The types of requirements that we identified include those related to who can assist applicants with registration; training; registration, disclosure, and recordkeeping; limitations on the number of applications that third-party registration organizations can obtain; time frames within which third-party registration organizations must submit collected registration applications; and limitations on compensation for individuals soliciting or collecting registration applications, as shown in table 7.

In addition, some states have requirements that are applicable to a category of individuals assisting applicants with the registration process who are recognized by the state or local election officials. In many states, these are known as “deputy registrars.” Participation in such an official volunteer system is generally optional, and third-party organizations that

seek to conduct voter registration drives are not required to comply with the requirements associated with these systems. For example, West Virginia maintains an optional official volunteer system with “temporary registrars” and “volunteer registrars.” When conducting registration outreach services, these official volunteers must work in pairs, each representing opposing political parties, and are required to be trained by the clerk of the county commission before beginning their duties, among other requirements. In all states that have a deputy registrar system of this type, the process is optional or not applicable to third-party registration organizations; the exception is Texas, which maintains a mandatory official volunteer system. Among other requirements, eligible official volunteers are appointed by the registrar and must complete training, which may include an exam. States with official volunteer systems are presented in table 7, in addition to information about other requirements that states may impose on third-party voter registration organizations, and any associated penalties for violation.

Table 7: Type of Requirement for Third Parties Conducting Voter Registration Drives, by State, in Effect for November 2012 Election

State	Official volunteer system ^a	Training ^b	Registration, disclosure and recordkeeping ^c	Limitations on number of applications ^d	Return time frames ^e	Limitations on compensation ^f
AK*	Optional					
AR					x	
AZ*	No longer in use					
CA	Optional		x	•	x	
CO		x	x		x	x
DE	Optional		•		•	
DC				•		
FL			•		x	•
GA	Optional		x		x	x
IA						x
IL	Optional			•		
KY						x
LA	Optional				x	
MD	Optional	•		•	•	•
ME	Not applicable			•		
MI						•
MN					x	x
MO	Optional		x		x	x
MS				•		
NE*	Optional					
NJ				•		

State	Official volunteer system ^a	Training ^b	Registration, disclosure and recordkeeping ^c	Limitations on number of applications ^d	Return time frames ^e	Limitations on compensation ^f
NM		•	x	•	x	
NV	Optional		x	•	x	x
OH					x	x
OK				•		
OR				•	•	•
PA			•			x
SD			•		x	x
TX	Mandatory	•	•		x	x
UT				•		
VA			•		x	
WA					x	x
WI	Optional					x
WV	Optional				x	

Legend:

* In these states, the official volunteer system is optional or no longer in use, and the state does not impose any requirements on persons or organizations conducting voter registration drives outside of the official volunteer system.

• indicates state has a requirement.

x indicates state has a requirement and associated penalty for violation.

Source: GAO analysis of state statutes.

Notes:

This table includes requirements that are generally applicable to third-party registration organizations; it does not include requirements that are only applicable to official volunteers or deputy registrars, who are part of official, recognized registration volunteer systems, as described above.

^aOfficial volunteer systems are those in which individuals are officially recognized by the relevant election jurisdiction to assist in the registration process. These individuals may be referred to as “official volunteers” or “deputy registrars,” among other things.

^bTraining includes requirements for training for the organizer of, or others involved in, third-party voter registration drives. States may provide training for third-party registration organizations that is not required; for example, Nevada has a training guide that is available online and provided with all voter registration applications distributed for voter registration drives.

^cRegistration, disclosure, and recordkeeping involve a variety of requirements that the organization must fulfill, including those related to registering with the state or relevant election official; recordkeeping provisions, such as requirements that the organization maintain and/or submit the names and addresses of all employees, or maintaining a log of all registration forms; and disclosure requirements, such as those requiring the person who assists another with their application to sign the application and include his or her address or to provide the applicant with a receipt containing information such as the assisting person’s name and address.

^dLimitations on the numbers of applications include provisions that limit the number of applications an organization may be provided, or requirements the organization must fulfill before being provided a certain number of applications.

^eReturn time frames involve time frames within which individuals or organizations must submit registration forms or forms must be received by the election authority.

^fLimitations on compensation include limitations on the way in which an organization may compensate individuals for soliciting or collecting voter registration applications.

Eleven states and the District of Columbia have some kind of limitation on the number of registration applications that third-party registration organizations can obtain from state or

local election officials.⁵² For example, in Maine, the Secretary of State's policy limits individuals and groups to 1,000 voter registration cards per week, up to a total of 5,000 cards; however, there is no restriction on using the electronic version of the voter registration card to print additional cards. The limitations that states impose also include instances where states require registration organizations to submit a distribution plan or other information in order to receive a certain number of applications. In addition, some states charge or have discretion to charge for registration applications. State limits on the numbers of applications range from 20 to 5,000 applications.

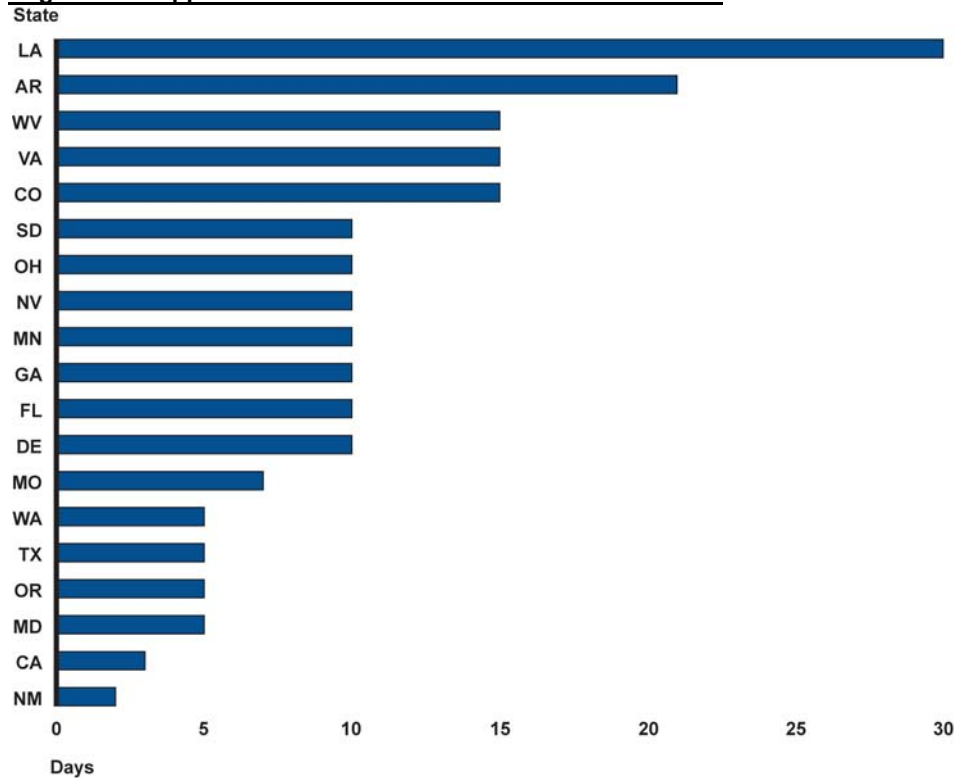
Nineteen states impose time frames within which third-party registration organizations must submit collected registration applications or forms must be received by the election authority, while 31 states and the District of Columbia do not have any such time frames.⁵³ These time frames range from 48 hours to 30 days after the form has been completed or received by the organization, and states most commonly have time frames of 10 days after completion or receipt to return the applications.⁵⁴ As an example, New Mexico requires persons to deliver or mail a completed registration application within 48 hours of its completion or to deliver it the next business day if the appropriate office is closed for that 48-hour period. Figure 4 illustrates the range of time frames states have for the return of voter registration applications.

⁵²These states include those that limit the number of applications persons can request, those that charge persons for registration applications, and those that require persons to submit a plan or other information in order to receive a certain number of applications. They do not include states providing for a reasonable number of applications to be furnished to persons who request them.

⁵³Some states have additional time frames for the collection of other types of election-related forms, for instance, absentee ballot request forms, which are not addressed here. For example, Arizona requires that third-party organizations return early ballot request forms within six business days after receipt or eleven days before Election Day, whichever is earlier.

⁵⁴Some states have shorter time frames for applications collected within a certain period of time, such as a week, before the close of registration. For example, in Georgia, organizations must generally return applications within 10 days of receipt; however, if the application is received 14 days or less before the close of registration, the organization must submit it within 72 hours of the execution of the application, or by midnight on the day registration closes, whichever is sooner. Maine does not have a time frame by which organizations must turn around completed applications; however, although Maine has election-day registration, it requires that all applications submitted by third-party registration organizations be received by the close of business on the 21st day before Election Day.

Figure 4: Time Frames for Third Parties Conducting Voter Registration Drives to Submit Collected Registration Applications in Effect for November 2012 Election



Source: GAO analysis of state statutes.

Notes:

This figure reflects the general time frames within which organizations must submit completed registration applications; it does not capture shorter time frames for applications collected within a certain period of time, such as a week, before the close of registration. Illinois encourages, but does not require, all persons collecting registration applications to transmit them not more than 10 days after execution, if executed 5 days or more prior to the date upon which registration closes, or not more than 5 days after execution, if executed less than 5 days prior to the date upon which registration closes but prior to the close of registration. Maine does not have a time frame by which organizations must turn around completed applications; however, although Maine has election-day registration, it requires that all applications submitted by third-party registration organizations be received by the close of business on the 21st day before Election Day.

Sixteen of the 19 states with time frames to submit applications impose penalties for missing those deadlines; three states do not.⁵⁵ Some states require willful, knowing, or intentional violation to impose a penalty, but other states do not. The penalties range from a fine of \$50 per application received after the deadline if the person did not act willfully in Florida, to imprisonment for not more than 5 years or a fine of not more than \$10,000, or both, for an intentional violation in Minnesota.

Enclosure VII contains additional information on provisions related to third-party voter registration organizations in the following areas: 1) official volunteer systems; 2) training; 3) registration, disclosure and recordkeeping; 4) limitations on the number of applications; 5) return time frames; and 6) limitations on compensation, as well as associated penalties and substantive changes to these provisions.

⁵⁵Of the states that have deadlines, Delaware, Maryland, and Oregon are the three states that do not impose associated penalties. Delaware law does, however, provide for a penalty for an entity operating under the official volunteer system that fails to return applications within the mandated time frame.

Enclosure V: Substantive Changes to State Voter Identification Requirements for Registering to Vote

This enclosure provides an overview of substantive changes made to state registration identification laws followed by a table containing enacted state laws and substantive changes to those laws that we identified. For purposes of this analysis, we defined substantive changes to include changes to the law that would affect the voter, such as those related to the types of acceptable identification documents or processes for providing the documentation. We excluded technical or administrative changes to the laws, minor amendments, or changes that are not relevant to the particular type of requirement being addressed. Information on the methodology used to compile this information is in enclosure I.

As described in enclosure II, there is variety in how state laws reflect HAVA's registration identification requirements, and some states have adopted substantive identification requirements in addition to those provided for in federal law—either the Help America Vote Act of 2002 (HAVA) or the National Voter Registration Act of 1993 (NVRA). For example, seven states have enacted citizenship-related registration identification requirements. Six of these states enacted their requirements since HAVA was enacted; Mississippi's proof of naturalization requirement was in effect at the time HAVA was enacted. Four of the six states have enacted laws since 2009: Alabama (2011), Georgia (2009), Kansas (2011), and Tennessee (2011). New Hampshire began to require proof of citizenship in 2003, and Arizona's requirement was passed in 2004 as part of a voter approved state initiative, Proposition 200. Two of these states' laws are not currently in effect: Alabama's proof-of-citizenship requirement has not been precleared under section 5 of the Voting Rights Act, and Kansas's law is not legislated to go into effect until January 1, 2013.

In addition, New Hampshire and Wyoming, which require additional documentation in order to register, have amended their requirements numerous times in the past 10 years.

Table 8 provides a summary of state registration identification requirements for these eight states that have enacted substantive identification requirements for applicants prior to registering to vote that are in addition to those provided for in federal law, as well as information on substantive changes made to these provisions since HAVA was enacted—over the past 10 years.⁵⁶

⁵⁶This table does not address registration provisions that are provided for in federal law, for example, provisions for first-time voters who register by mail to provide identification consistent with HAVA.

Table 8: Registration Identification Requirements in Addition to Those Provided for in Federal Law and Substantive Changes in the Past Ten Years

	Enacted state law	Substantive changes in the past 10 years
Alabama	New legislation that is not currently in effect was passed in June 2011 to require applicants to provide satisfactory evidence of United States citizenship.	<p>This new law would require applicants to provide an original or photocopy of one of the following documents:</p> <ul style="list-style-type: none"> • Driver's license or nondriver's identification card that indicates that the person has provided satisfactory proof of United States citizenship; • Birth certificate; • Valid or expired United States passport; • Naturalization documents or the number of the certificate of naturalization; • Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto; • Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number; • Consular report of birth abroad of a citizen of the United States of America; • Certificate of citizenship issued by the United States Citizenship and Immigration Services; • Certification of report of birth issued by the United States Department of State; • American Indian card, with KIC classification, issued by the United States Department of Homeland Security;⁵⁷ • Final adoption decree showing the applicant's name and United States birthplace; • Official United States military record of service showing the applicant's place of birth in the United States; or • Extract from a United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States. <p>If none of these documents is available, any evidence that the applicant believes demonstrates the applicant's United States citizenship.</p> <p>Alabama's proof-of-citizenship requirement is not currently in effect. Alabama withdrew its</p>

⁵⁷This relates to United States citizens who are members of the Texas Band of the Kickapoo Indian Tribe.

	Enacted state law	Substantive changes in the past 10 years
Arizona	<p>Applicants using the Arizona voter registration form (as opposed to the federal voter registration form) must provide evidence of citizenship. This may include the following:</p> <ul style="list-style-type: none"> • The number of the applicant’s driver’s license or nonoperating license issued after October 1, 1996, that indicates that the applicant has provided proof of United States citizenship; • Copy of the applicant’s birth certificate; • Copy of the applicant’s United States passport or presentation of the passport to the county recorder; • Presentation to the county recorder of the applicant’s United States naturalization documents or certificate of naturalization number; • Other documents or methods of proof under the Immigration Reform and Control Act of 1986; or • The applicant’s Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number. <p>Proof of voter registration from another state is not satisfactory evidence of United States citizenship.</p>	<p>submission of these changes for preclearance by the Department of Justice on June 21, 2012.</p> <p>This provision was adopted in 2004; however, the U.S. Court of Appeals for the Ninth Circuit sitting en banc held that Arizona’s proof-of-citizenship requirement as applied to applicants using the federal voter registration form was superseded by the National Voter Registration Act, thus it could only be applied to the state registration form.⁵⁸ Arizona has filed a petition for a writ of certiorari to the U.S. Supreme Court.</p>
Georgia	<p>Voters are required to provide satisfactory evidence of United States citizenship. According to an official in the Georgia Secretary of State’s Elections Division, this law is not currently being implemented.</p> <p>Satisfactory evidence of citizenship includes any of the following documents:</p> <ul style="list-style-type: none"> • Georgia driver’s license or identification card issued by the Department of Driver Services if the applicant has provided satisfactory evidence of United States citizenship to the Department of Driver Services; • Driver’s license or identification card issued by another state if the document indicates that the applicant has provided satisfactory evidence of citizenship; • Birth certificate; • United States passport; 	<p>Georgia’s proof-of-citizenship requirements were enacted in 2009.</p>

⁵⁸ *Gonzalez v. Arizona*, 677 F.3d 383 (9th Cir. 2012) (en banc).

Enacted state law	Substantive changes in the past 10 years
<ul style="list-style-type: none"> • Naturalization documents or alien registration number, if verified with the United States Citizenship and Immigration Services by the board of registrars; • Other documents or methods of proof that are established pursuant to the federal Immigration Reform and Control Act of 1986; • Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number; • Certificate of Citizenship issued by the United States Immigration and Naturalization Service; • Consular report of birth abroad of a Citizen of the United States of America; • Certification of report of birth issued by the United States Department of State; • United States Citizen Identification card; • American Indian Card issued by the United States Department of Homeland Security with the classification code KIC; • Final adoption decree showing the applicant's name and United States birthplace; • Evidence of the applicant's civil service employment by the United States government before June 1976; • An official United States military record of service showing a United States place of birth; • A Northern Mariana Identification Card issued by the United States Immigration and Naturalization Service; or • Extract of United States hospital record of birth created at the time of the person's birth indicating a United States place of birth. <p>In addition, if the applicant cannot obtain any of the documents, the applicant may request a hearing for the board of registrars to review other evidence of the applicant's United States citizenship.</p> <p>Proof of voter registration from another state is not allowable as satisfactory evidence of citizenship.</p>	
<p>Kansas</p> <p>Kansas has enacted a law requiring satisfactory evidence of United States citizenship in order to register to vote. The effective date of this 2011 law is January 1, 2013.</p>	<p>Under this new law, in order to provide satisfactory proof of citizenship, applicants may provide any of the following documents, either in person or by including a photocopy with a mail registration:</p>

Enacted state law	Substantive changes in the past 10 years
	<ul style="list-style-type: none"> • Driver's license or nondriver's identification card issued by the division of vehicles or the equivalent governmental agency of another state within the United States, provided the agency indicates on the document that the person has provided satisfactory proof of United States citizenship; • Birth certificate; • United States valid or expired passport; • United States naturalization documents or the number of the certificate of naturalization; • Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto; • Bureau of Indian affairs card number, tribal treaty card number or tribal enrollment number; • Consular report of birth abroad of a citizen of the United States of America; • Certificate of citizenship issued by the United States Citizenship and Immigration Services; • Certification of report of birth issued by the United States Department of State; • American Indian card, with KIC classification, issued by the United States Department of Homeland Security; • Final adoption decree showing the applicant's name and United States birthplace; • Official United States military record of service showing the applicant's place of birth in the United States; or • United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States. <p>The applicant may also provide any evidence the applicant believes demonstrates the applicant's United States citizenship. The election board is required to provide the applicant an opportunity for a hearing to present any additional evidence.</p> <p>Proof of voter registration from another state is not satisfactory evidence of United States citizenship.</p>

	Enacted state law	Substantive changes in the past 10 years
Mississippi	Mississippi requires registrants who are naturalized citizens to provide an original or copy of a final order or decree of naturalization or a certificate of naturalization.	No substantive changes identified.
New Hampshire	<p>In New Hampshire, applicants may register in advance of the election or at the polling place on Election Day. However, New Hampshire generally requires applicants to register in person, unless they have a valid reason to register absentee. Applicants who register in person must provide proof of citizenship, age, and domicile. In addition, the applicant must prove his or her identity in order to establish that the evidence used to prove age, citizenship, and domicile relates to the applicant.</p> <p>Voters who register by mail with a valid reason must provide proof of identity and domicile and have their application witnessed.</p> <p><u>Registration in person (all voters unless the voter has a valid reason)</u></p> <p><u>Citizenship:</u></p> <p>The applicant may provide one of the following forms of identification as proof of citizenship:</p> <ul style="list-style-type: none"> • Birth certificate; • United States passport; • Naturalization papers if the applicant is a naturalized citizen; • Qualified voter affidavit; or • Other reasonable documentation that indicates the applicant is a United States citizen. <p>The voter affidavit must be sworn before a notary public, justice of the peace, or election officer.</p> <p><u>Age:</u></p> <p>The applicant may provide any reasonable documentation indicating the applicant will be 18 years of age or older at the next election, or, if the applicant does not have reasonable documentation in his or her possession at the place and time of voter registration, a qualified voter affidavit.</p> <p><u>Domicile:</u></p> <p>The applicant may provide any reasonable documentation indicating the applicant's domicile or an affidavit. The voter affidavit must be sworn before a notary public, justice of the peace, or election officer. Acceptable forms of identification to prove that the applicant meets the domicile requirement include the following, provided the document is currently valid and shows the applicant's current address:</p>	<p>In 2003, New Hampshire amended its registration laws to add the requirement that voters are required to present proof of citizenship, age, and domicile, as opposed to allowing for election officials to require such proof. In addition, the amendment established lists of documents sufficient to provide proof of domicile and to provide proof of identity in order for the voter to execute an affidavit.</p> <p>In 2006, New Hampshire added the requirement that an applicant for registration must prove his or her identity to establish that the evidence used to prove age, citizenship, and domicile relate to that applicant. In addition, New Hampshire established a procedure for first-time election day applicants who did not provide the requisite identification to be sent a letter of identity verification notifying the voter that a person who was unable to present photo identification registered or registered and voted using his or her name.</p> <p>A 2011 amendment provided that voters are instructed to return the letter of identity verification within 45 days with a written confirmation that the person registered and voted. In 2012, New Hampshire provided that voters could no longer establish their identity through 1) photo identification not specifically delineated but determined to be legitimate by the supervisors of the checklist or clerk or 2) verification of the person's identity by another person registered as a voter and known to the supervisor or clerk. Also, in 2012, provisions regarding letters for persons who executed domicile affidavits were added.</p>

Enacted state law	Substantive changes in the past 10 years
<ul style="list-style-type: none"> • New Hampshire driver's license; • New Hampshire vehicle registration; or • Armed services identification, or other photo identification issued by the United States government. <p><u>Identity:</u></p> <p>Acceptable forms of identification include the following documents:</p> <ul style="list-style-type: none"> • Photo driver's license issued by any state or the federal government; • United States passport, armed services identification, or other photo identification issued by the United States government; or • Photo identification issued by local or state government. <p>A person who does not have an approved photo identification with him or her may establish identity through completion of the qualified voter affidavit.</p> <p>Voters who do not present an approved form of photo identification as proof of identity when registering and who are first-time election day registrants in New Hampshire will receive a letter of identity verification. The letter will notify the voter that a person who was unable to present photo identification registered, or registered and voted, using his or her name and address, and instruct the voter to return the letter within 45 days with a written confirmation that the person registered and voted, or to contact the attorney general if he or she did not register and vote.</p> <p>In addition, the Secretary of State is required to send a letter to each person who executed a domicile affidavit with information about the person's obligation to obtain a New Hampshire driver's license. Any letters that are returned as undeliverable are to be referred to the New Hampshire Attorney General for an investigation regarding whether fraudulent registration or voting occurred.</p> <p><u>Registration by mail</u></p> <p>Applicants must complete an absentee registration affidavit providing a valid reason to register by mail (e.g., physical disability). Applicants must provide a copy of the following documents or combination of documents as proof of identity and domicile:</p> <ul style="list-style-type: none"> • Current and valid New Hampshire driver's license; • Armed services identification; • Photo identification issued by the United 	

	Enacted state law	Substantive changes in the past 10 years
	<p>States government that shows the applicant's name and address;</p> <ul style="list-style-type: none"> • Current and valid photo identification and a current utility bill, bank statement, government check, paycheck, or other government document that shows the applicant's name and address; or • Letter from the administrator of a nursing home or similar facility affirming that the applicant is a resident of that facility. <p>In addition, the affidavit must be witnessed by one person.</p>	
Tennessee	<p>If the county election commission is notified by the state coordinator of elections that evidence exists that a particular registered voter is not a citizen of the United States, the commission must send notice to the voter inquiring whether the individual is eligible to be registered to vote. The voter is then required to provide proof of citizenship within 30 days, or the registration will be purged from the voter registration database.</p> <p>Voters who are required to provide proof of citizenship may provide one of the following documents (or a copy):</p> <ul style="list-style-type: none"> • Birth certificate; • United States passport; • United States naturalization documentation, or the number of the certificate of naturalization (which must be verified with the United States Citizenship and Immigration Services); or • Any document or method of proof of citizenship established by the federal Immigration Reform and Control Act of 1986. <p>If the person is unable to provide any acceptable documentation to show proof of citizenship, the person may appeal to the state election commission and submit additional proof of citizenship in person or in writing, and the state election commission must conduct a hearing and make a finding concerning the individual's citizenship status.</p>	<p>The provision relating to proof of citizenship for registered voters was added in 2011, effective January 1, 2012.</p>
Wyoming	<p>Applicants may register in person, by mail, or at the polls on Election Day. They must present acceptable identification and driver's license number, or if they have no driver's license, a statement to that effect and the last four digits of their social security number, or if they have neither, a statement to that effect.</p> <p>If registering by mail, applicants must fill out the registration form and present acceptable identification to a person authorized by law to administer oaths in order to have the application</p>	<p>In 2002, effective January 1, 2003, the law was amended to provide that in order to register by mail and in person applicants have to present acceptable identification. In 2004, the law was further amended to include a reference to the state administrative code's definition of acceptable identification and to require that applicants registering to vote in person or by mail also provide the number from a current, valid, Wyoming driver's license, or if the voter does not have a driver's license, the voter must</p>

Enacted state law	Substantive changes in the past 10 years
<p>notarized.</p> <p>Acceptable documentation for the purpose of registering includes any one of the following documents:</p> <ul style="list-style-type: none"> • United States passport; • Driver's license or identification card issued by any state or outlying possession of the United States; • Identification card issued by the federal government, any state or local government, or an agency thereof; • Photo identification card issued by the University of Wyoming, a Wyoming community college, or a Wyoming public school; • United States military card; • Identification card issued to a dependent of a member of the United States Armed Forces. <p>Alternatively, an applicant may provide any two or more of the following documents:</p> <ul style="list-style-type: none"> • Certification of United States citizenship; • Certificate of naturalization; • United States military draft record; • Voter's registration card from another state or county; • Social security card; • Certification of Birth Abroad issued by the Department of State; • Original or certified copy of a birth certificate bearing an official seal; and • Any other form of identification issued by an official agency of the United States or a State. <p>In order to have a document notarized in Wyoming, the applicant must either be personally known to the notary or identified through satisfactory evidence.</p> <p>Satisfactory evidence of identity includes the following:</p> <ul style="list-style-type: none"> • At least one current document issued by a federal, state, or tribal government agency bearing a photographic image, signature, and a physical description of the individual (a passport without a physical description is acceptable); • The oath or affirmation of a credible witness unaffected by the document or transaction who is personally known to the 	<p>so state and provide the last four digits of the voter's social security number; if the voter has neither, the voter must so state, and the state will assign the voter a unique identifying number. The administrative definition of acceptable identification has not changed since 2004.</p> <p>The notary requirement for registration by mail has not been amended in the past 10 years and notaries have been required to establish the identity of an individual to attest to a signature; however, Wyoming added a definition for satisfactory evidence of identity to its code in 2011.</p>

Enacted state law	Substantive changes in the past 10 years
<p>notarial officer and who personally knows the individual; or</p> <ul style="list-style-type: none"> • The oath or affirmation of two credible witnesses unaffected by the document or transaction who each personally knows the individual and shows to the notarial officer documentary identification as described above. 	

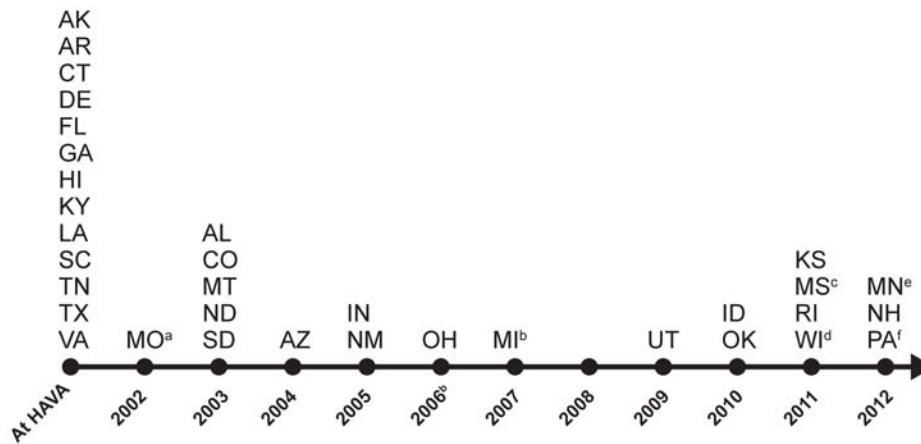
Source: GAO analysis of state statutes.

Enclosure VI: Substantive Changes to State Voter Identification Requirements for Casting a Ballot at the Polls on Election Day

This enclosure provides an overview of substantive changes made to state identification requirements for voters casting a ballot at the polls on Election Day and is followed by a table containing enacted state laws and substantive changes to those laws that we identified. For purposes of this analysis, we defined substantive changes to include changes to the law that would affect the voter, such as those related to the types of acceptable identification documents or processes for providing the documentation. We excluded technical or administrative changes to the laws, minor amendments, or changes that are not relevant to the particular type of requirement being addressed. Information on the methodology used to compile this information is in enclosure I.

At the time that HAVA was enacted in 2002, 13 states had requirements regarding documentary identification for voters seeking to cast a ballot at the polls on Election Day, as shown in figure 5.⁵⁹ Over the next 10 years, 21 states passed laws with new identification requirements—18 of which are currently in effect.⁶⁰

Figure 5: States that Enacted Identification Requirements, by Year, from 2002 through 2012



Legend:
HAVA - Help America Vote Act of 2002
Source: GAO analysis of state statutes.

Notes:

Dates listed are generally when states enacted provisions, as opposed to when provisions went into effect. "At HAVA" indicates provisions were in effect at the time HAVA was enacted.

^aIn 2006, Missouri also enacted a voter identification requirement that required government-issued photo identification to vote, but that provision was held to be unconstitutional by the Missouri Supreme Court and is no longer in effect.

^bMichigan's voter identification law was enacted prior to HAVA, but due to an opinion by the Michigan Attorney General concluding that the requirement was unconstitutional, it was not enforced until after it was held to be constitutional by the Supreme Court of Michigan in 2007.

^cMississippi enacted a new voter identification law that is currently pending preclearance by the Department of Justice.

^dWisconsin enacted a new voter identification law that is currently enjoined by Wisconsin state court and not in effect.

⁵⁹Oregon and Washington, which are vote-by-mail states, are not included in counts in this enclosure.

⁶⁰Minnesota has passed voter identification requirements that must first be approved by voters; Mississippi's identification requirements have not been precleared under section 5 of the Voting Rights Act; and Wisconsin's identification requirements are currently enjoined due to litigation in Wisconsin state court.

^eIn 2012, the Minnesota legislature proposed a constitutional amendment to require government-issued photo identification, to take effect July 1, 2013, which will be put to voters for approval in the 2012 general election.

^fLitigation regarding the constitutionality of Pennsylvania's voter identification requirement is currently pending. The Pennsylvania Commonwealth Court denied plaintiffs' request for a preliminary injunction of the identification law on August 15, 2012. On September 18, 2012, the Pennsylvania Supreme Court vacated the lower court's decision and ordered the court to conduct additional proceedings to determine whether Pennsylvania's procedures are adequate to ensure that there will be no voter disfranchisement arising out of implementation of the voter identification law. The Pennsylvania Supreme Court further ordered the Commonwealth Court to file an opinion by October 2, 2012. *Applewhite v. Commonwealth of Pennsylvania*, No. 71 MAP 2012 (Pa. Sept. 18, 2012). On October 2, 2012, the Commonwealth Court issued a decision holding that poll workers may ask voters to provide photo identification at the polls for the upcoming November 2012 election, consistent with Pennsylvania's recently enacted voter identification law, but enjoining enforcement of the provisional ballot process for voters who do not present acceptable identification. *Applewhite v. Commonwealth of Pennsylvania*, No. 330 MD 2012 (Pa. Commw. Ct. Oct. 2, 2012). Accordingly, voters who do not present acceptable identification may cast a regular ballot at the polling place.

In addition, seven states amended existing identification requirements or requirements enacted since HAVA to change the types of acceptable identification, for example, requiring photo identification only as opposed to allowing forms of identification without a photograph. Two of these states' changes are currently in effect for the November 2012 election. Specifically, Georgia and Tennessee changed their identification requirements to government-issued photo identification. Five states have enacted laws that are not currently in effect:

- Alabama has enacted a law to require government-issued photo identification that is legislated to go into effect for the first statewide primary of 2014 and has not been precleared under section 5 of the Voting Rights Act.
- New Hampshire recently enacted a new photo identification law that includes additional changes that will take effect in 2013. These new changes will narrow the list of acceptable forms of identification thereby requiring government-issued identification only.
- Rhode Island has enacted identification requirements that will go into effect in 2014. These changes will require photo identification only, as opposed to allowing documents that do not include a photograph, such as a birth certificate.
- South Carolina's law requiring photo identification was denied preclearance by the Department of Justice and is currently the subject of litigation.
- Texas's law requiring government-issued photo identification was denied preclearance by both the Department of Justice in March 2012 and the District Court for the District of Columbia on August 30, 2012.

Another type of substantive change that states with identification provisions have made is to change the forms of identification or documents that voters may show. These amendments do not affect the overall type of document that the voter may show—i.e., photo or non-photo—but affect what specific documents the voter may provide and reflect that states may alter identification requirements once they are in effect. At least 13 states have made this kind of change. For example, since Colorado established voter identification requirements in 2003, it has amended the list of acceptable forms of identification several times to add additional forms of identification, most recently in 2012 to include a valid veteran photo identification card issued by the U.S. Department of Veterans Affairs and a valid identification card issued by a federally recognized tribal government as acceptable forms of identification.

Once states have had voter identification requirements in place for all eligible voters, they have made few substantive changes to the processes for voters who do not present acceptable identification on Election Day. For example, with respect to the available options that states provide for voters at the polls who do not have acceptable identification, about two-thirds of the states have not changed whether a particular option is available since the

time that HAVA was enacted or the state established voter identification requirements. However, seven states did change whether a particular option was available for voters who do not provide acceptable identification.⁶¹

For example, in 2005, at the same time that Georgia amended its identification statute to require government-issued photo identification, Georgia also changed the process for voters without acceptable identification: voters can no longer swear or affirm that they are the person identified on the voter certificate and vote by regular ballot. Instead, a voter without identification is offered the opportunity to vote by provisional ballot, which is only counted if the registrars are able to verify the current and valid identification of the voter within the time period for verifying provisional ballots.⁶² As another example, in 2004, Montana adopted administrative provisions allowing for voters to complete a polling place elector identification form to vote by regular ballot without presenting identification and, in 2005, provided that provisional ballots cast by voters who do not present acceptable identification are to be counted if the signature from the provisional ballot matches the signature on the voter's voter registration card. In addition, three states have enacted laws establishing or eliminating an available option for voters who do not have acceptable identification, but these changes have not yet taken effect, either because they have not been precleared under section 5 of the Voting Rights Act or are legislatively scheduled to take effect at a later date.⁶³

- New Hampshire has enacted a law that is legislatively scheduled to take effect in 2013. This law will narrow the forms of acceptable identification, no longer allow voters whose identity is verified by an elections official to vote, and require voters who sign a challenged voter affidavit to be photographed or execute an affidavit of religious exemption.
- South Carolina has enacted a law that is currently pending preclearance before the U.S. District Court for the District of Columbia. This new law will require voters to provide photo identification, and it will require voters who cannot provide acceptable identification to cast a provisional ballot. In order for the ballot to be counted, voters must take one of the following actions, as applicable: 1) bring a valid and current photograph identification to the county board of registration and elections before certification of the election by the county board of canvassers (the certification occurs no later than noon on the Saturday next following the election); 2) complete an affidavit at the polling place affirming that the voter does not have valid and current photograph identification due to a religious objection to being photographed; or 3) complete an affidavit at the polling place affirming that the voter suffers from a reasonable impediment that prevents the voter from obtaining photograph identification and list the impediment.
- Texas enacted a law that was denied preclearance by the U.S. District Court for the District of Columbia on August 30, 2012, that will require government-issued photo identification. The law also provides that a voter who does not present an acceptable

⁶¹These states are Alabama, Florida, Georgia, Kentucky, Montana, Texas, and Virginia.

⁶²At the time of enactment in 2005, this was 2 days; in 2010, this law was amended to provide for 3 days to verify provisional ballots.

⁶³In addition, Mississippi, which does not currently have identification requirements for all eligible voters casting a ballot on Election Day, has enacted new voter identification requirements and accompanying provisional ballot requirements that are pending preclearance.

form of identification may vote by provisional ballot. To have the vote counted, the voter must, no later than the sixth day after the date of the election, present proof of identification to the voter registrar or execute an affidavit under penalty of perjury that the voter has a religious objection to being photographed or does not have any identification as a result of a natural disaster.

Table 9 provides a summary of states' enacted identification requirements for all eligible voters prior to voting at the polls on Election Day.⁶⁴ It also provides information on substantive changes made to these provisions since HAVA was enacted—over the past 10 years.

⁶⁴These requirements for all eligible voters are in addition to identification requirements that may be applicable to first-time voters who register by mail, pursuant to HAVA. For example, in New Hampshire, voters are generally required to show identification but the identification requirement may be waived and the voter permitted to vote by regular ballot if an election officer knows the identity of the voter. This waiver option does not apply to voters who are required to show identification consistent with HAVA. As another example, in Delaware, voters who do not have identification may sign an affidavit of affirmation that the voter is the person listed on the election district card. However, first-time voters who registered by mail and are subject to HAVA identification requirements must provide identification as required by HAVA.

In addition, state law may provide that the name on the identification conform to the name on the voter's registration record. This type of requirement is not addressed.

Table 9: State Voter Identification Requirements for All Eligible Voters Casting a Ballot at the Polls on Election Day and Substantive Changes in the Past Ten Years

	Enacted state law	Substantive changes in the past 10 years
Alabama		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting.	This section was originally enacted in 2003. Alabama enacted a new law in June 2011 that would require voters to present government-issued photo identification, or a student identification card. This law is legislated to go into effect for the first primary of 2014, but also must be precleared under section 5 of the Voting Rights Act. As of September 28, 2012, the new law had not been submitted to the Department of Justice for administrative preclearance.
Type of identification required	<p>The following documents are acceptable forms of identification:</p> <p>1) Current valid photo identification, which may include the following:</p> <ul style="list-style-type: none"> • Governmentally produced photo identification; • Identification cards containing the photo of the voter produced by an employer; or • Identification card containing the photo of the voter produced by a public or private college, university, or postgraduate technical or professional school located within the state. <p>2) Document showing the address of the voter, which may include the following:</p> <ul style="list-style-type: none"> • Copy of a current utility bill; • Copy of a bank statement; • Copy of a government check; • Copy of a paycheck; • Valid identification card issued by a branch, department, agency, or entity of the State of Alabama, any other state, or the United States; • Valid United States passport; • Valid Alabama hunting or fishing license; • Valid Alabama permit to carry a pistol or revolver; • Valid pilot's license issued by the Federal Aviation Administration or other authorized agency of the United States; • Valid United States military identification card; • Certified copy of the voter's birth certificate; • Valid social security card; • Certified naturalization documentation; • Certified copy of court records showing adoption or name change; 	

	Enacted state law	Substantive changes in the past 10 years
	<ul style="list-style-type: none"> Valid Medicaid card, Medicare card, or an Electronic Benefits Transfer Card; or Other government document that shows the name and address of the voter. 	
Process if voter does not have acceptable identification	<p>Alabama law provides for two options if the voter does not have identification prior to voting. First, the voter may be permitted to vote if the voter is positively identified by two election officials as a voter on the poll list who is eligible to vote, and the election official signs the voters list by where the voter signs.</p> <p>The second option is that the voter may vote by provisional ballot. The law further provides that the voter must provide identification, and the address and telephone number of the voter, to the registrars no later than 5:00 p.m. on the Friday following the election in order for the ballot to be counted.</p>	<p>The provision related to the voter being identified by two election officials has not changed since it was enacted in 2003. However, new legislation was passed in 2011 that will require both election officials to sign a sworn affidavit stating that they positively identified the voter. This change is legislated to go into effect during the first statewide primary in 2014 and is subject to preclearance under section 5 of the Voting Rights Act. As of September 28, 2012, the new law had not been submitted to the Department of Justice for administrative preclearance.</p> <p>The second option was amended in 2006 to include the provision whereby the voter is required to bring identification to the registrar in order for the provisional ballot to be counted.</p>
Alaska		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting.	In 2003, Alaska added additional acceptable forms of identification, including, among others, a state identification card, current and valid photo identification, and all of the documents in the second list. Prior to the amendment, additional forms of identification could be prescribed by regulation.
Type of identification required	<p>Voters must show one of the following forms of identification:</p> <ul style="list-style-type: none"> Official voter registration card, driver's license, state identification card, current and valid photo identification, birth certificate, passport, or hunting or fishing license; or Original or a copy of a current utility bill, bank statement, paycheck, government check, or other government document; an item exhibited under this paragraph must show the name and current address of the voter. 	
Process if voter does not have acceptable identification	<p>There are two ways that a voter may cast a ballot without the required identification.</p> <p>First, if an election official knows the identity of the voter, the requirement may be waived.</p> <p>The second way is that the voter may vote by questioned ballot. The voter must provide his or her State of Alaska driver's license number or State of Alaska identification card number, or the last four digits of his or her social security number, and date of birth as part of the questioned ballot oath and affirmation. In</p>	In 2003, at the same time Alaska amended its statute on the requirement to show identification before casting a ballot as described above, Alaska also amended its law on questioned ballots. The amendment added two circumstances in which questioned ballots could not be counted: 1) the voter did not meet the requirement to show identification as a first-time voter who registered by mail or 2) the voter had not provided specified identifying information with the questioned ballot.

	Enacted state law	Substantive changes in the past 10 years
	<p>general, the questioned ballot will be counted if the questioned voter is qualified to vote and the questioned ballot was properly cast.</p>	
Arizona		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting.</p>	<p>In 2004, voters adopted a requirement that each voter must present identification at the polls—either one form of identification that bears the name, address, and photograph of the voter, or two different forms of identification that bear the name and address of the voter. Pursuant to statutory authority, the Secretary of State promulgated regulations specifying the acceptable forms of identification. The law went into effect in 2006 after preclearance by the Department of Justice and litigation was resolved. In 2009, the state legislature amended Arizona law to codify the list of acceptable identification.</p>
Type of identification required	<p>Arizona has three lists of acceptable forms of voter identification. Voters need to show one item from list 1, two items from list 2, or if the voter has an item from list 3 with no address or with an address that does not match the precinct register, the voter must also show one item from list 2.</p> <p>List 1: Valid identification with a photograph, name, and address of the voter:</p> <ul style="list-style-type: none"> • Arizona driver’s license; • Arizona nonoperating identification license; • Tribal enrollment card or other form of tribal identification; or • United States federal, state or local government-issued identification. <p>List 2: Document that contains the name and address of the voter:</p> <ul style="list-style-type: none"> • Utility bill; • Bank or credit union statement that is dated within 90 days of the date of the election; • Valid Arizona vehicle registration, • Arizona vehicle insurance card; • Indian census card; • Tribal enrollment card or other form of tribal identification; • Property tax statement; • Recorder’s certificate; • Voter registration card; • Valid United States federal, state, or local government-issued identification; or • Mailing that is labeled as “official election material.” <p>List 3:</p> <ul style="list-style-type: none"> • Valid form of identification that bears the photograph, name, and address of the 	

	Enacted state law	Substantive changes in the past 10 years
	<p>elector;</p> <ul style="list-style-type: none"> • Valid United States military identification card that does not bear an address; or • Valid United States passport that does not bear an address. 	
Process if voter does not have acceptable identification	<p>Voters who do not possess the required identification may vote by conditional provisional ballot, pursuant to procedures provided by the Secretary of State in the Arizona Election Procedures Manual. The manual specifies that voters who do not have identification and vote by conditional provisional ballot must provide proof of identification to the County Recorder's office by 5:00 p.m. on the fifth business day after a general election that includes an election for a federal office, or 5:00 p.m. on the third business day after any other election to have the ballot counted.</p>	<p>This provision was originally adopted in 2003, to reflect HAVA's provisional ballot requirement. The provisional ballot process and the amount of time for a voter to show identification in order to have the voter's conditional provisional ballot counted that are contained in the Secretary of State's elections procedures manual have not substantively changed since the time Arizona's identification law went into effect.</p>
Arkansas		
Voter identification requirement for voting at the polls on Election Day	<p>Poll workers are required to ask voters to provide identification prior to voting.</p>	<p>In 2003, Arkansas changed the acceptable forms of identification to the forms acceptable under HAVA.</p>
Type of identification required	<p>The acceptable forms of identification include:</p> <ul style="list-style-type: none"> • Current and valid photo identification; or • Copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. 	
Process if voter does not have acceptable identification	<p>If a voter is unable to provide this identification, the poll worker indicates on the precinct voter registration list that the voter did not provide identification and the voter may vote by regular ballot. Following each election, the county board of election commissioners may review the precinct voter registration lists and may provide the information regarding the voters not providing identification at the polls to the prosecuting attorney, who may investigate possible voter fraud.</p>	<p>No substantive changes identified.</p>
Colorado		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting.</p>	<p>Since the voter identification requirements were established in 2003, Colorado has amended its list of acceptable forms of identification several times to add additional forms of identification, most recently in 2012.</p>

	Enacted state law	Substantive changes in the past 10 years
Type of identification required	<p>Acceptable forms of identification include the following, which if they have an address, the address must be in Colorado:</p> <ul style="list-style-type: none"> • Valid Colorado driver's license; • Valid Colorado Department of Revenue identification card; • Valid United States passport; • Valid employee identification card with a photograph of the voter issued by the United States government, Colorado, or any Colorado political subdivision; • Valid pilot's license issued by the Federal Aviation Administration or other authorized agency of the United States; • Valid United States military identification card with a photograph; • Copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; • Valid Medicare or Medicaid card; • A certified copy of a U.S. birth certificate; • Certified documentation of naturalization; • Valid student identification card with a photograph issued by a Colorado institution of higher learning; • Valid veteran identification card; or • Valid identification card issued by a federally recognized tribal government. <p>The identification requirement may also be accomplished by verification that the voter is a resident of a group residential facility.</p>	
Process if voter does not have acceptable identification	Voters who do not have the required identification may cast a provisional ballot. If it is verified that a voter who cast a provisional ballot is eligible to vote based on information the voter provided with the provisional ballot and a check of state databases, the provisional ballot will be counted.	No substantive changes identified.
Connecticut		
Voter identification	Voters must provide identification prior to voting or complete a form for voters who do	No substantive changes identified.

	Enacted state law	Substantive changes in the past 10 years
requirement for voting at the polls on Election Day	not have identification.	
Type of identification required	Voters may present their social security card or any other preprinted form of identification that shows the voter's name and either the voter's address, signature, or photograph.	
Process if voter does not have acceptable identification	In lieu of providing identification, voters may, on a specific form, write their residential address, date of birth, and name, and sign a statement under penalty of false statement that the voter is the voter whose name appears on the official checklist.	No substantive changes identified.
Delaware		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting or sign an affidavit of affirmation that the voter is the person listed on the election district card.	No substantive changes identified.
Type of identification required	<p>"Proof of identity" is not defined in the Delaware Code. However, the Delaware Commissioner of Elections has publicized that acceptable forms of identification may include:</p> <ul style="list-style-type: none"> • Photo identification; • Utility bill; • Paycheck; or • Other government document with the voter's name and address on it. 	
Process if voter does not have acceptable identification	If the voter does not have proof of identity, the voter must sign an affidavit of affirmation that the voter is the person listed on the election district card.	No substantive changes identified.
Florida		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting.	Prior to 2003, Florida required identification at the polls; voters could present a Florida driver's license, identification card, or other picture identification approved by the Department of State. However, voters who did not have the required identification could fill out an affidavit and be permitted to vote.
Type of identification required	<p>Voters are required to provide one of the following current and valid picture identifications:</p> <ul style="list-style-type: none"> • Florida driver's license; • Florida identification card issued by the Department of Highway Safety and Motor Vehicles; • United States passport; 	In 2003, Florida made changes to its statutes with respect to identification for all eligible voters. Specifically, it amended the identification requirement to provide that voters could show any form of picture identification that first-time voters who registered by mail could provide, which at that time comprised the following forms of identification if they contained the name and photograph of the applicant and had not

Enacted state law	Substantive changes in the past 10 years
<ul style="list-style-type: none"> • Debit or credit card; • Military identification; • Student identification; • Retirement center identification; • Neighborhood association identification; or • Public assistance identification. <p>In addition, if the picture identification does not contain the signature of the voter, the voter must show additional identification that has the voter's signature.</p>	<p>expired:</p> <ul style="list-style-type: none"> • Florida driver's license; • Florida identification card issued by the Department of Highway Safety and Motor Vehicles; • United States passport; • Employee badge or identification; • Buyer's club identification; • Debit or credit card; • Military identification; • Student identification; • Retirement center identification; • Neighborhood association identification; • Entertainment identification; or • Public assistance identification. <p>Additionally, Florida provided that if the identification did not contain the signature of the voter, the voter would be required to provide additional identification.</p> <p>In 2005, Florida allowed voters without acceptable identification to vote by provisional ballot. In addition, Florida specified the particular forms of identification that voters could provide at the polls. This amendment did not change the acceptable forms of identification except that "entertainment identification" was eliminated as an acceptable form of identification. In 2007, Florida eliminated two additional forms of acceptable identification: "employee badge or identification" and "buyer's club identification." In 2011, Florida amended its identification law to provide that where a voter's address on the voter's identification does not match the voter's legal residence, this may not be used as a basis to confirm or challenge the voter's address and where the address does match, the voter may not be asked for additional address information.</p>
<p>Process if voter does not have acceptable identification</p>	<p>Voters who do not have acceptable identification at the polls may vote by provisional ballot. Those ballots will be counted if the voter's signature on the provisional ballot matches the signature in the registration record and the voter has voted in the proper precinct. Voters who cast provisional ballots have the right to present written evidence supporting the voter's eligibility to vote to the supervisor of elections by not later than 5:00 p.m. on the second day following the election, but it is not necessary</p> <p>At the time HAVA was enacted, Florida voters were required to provide acceptable identification at the polling place, but could execute an affidavit confirming their identity if they did not have acceptable identification. In 2005, Florida provided that all voters who do not provide acceptable identification must vote by provisional ballot (previously, this provision was only applicable to first-time voters who registered by mail).</p>

Enacted state law		Substantive changes in the past 10 years
in order for the ballot to be counted.		
Georgia		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting.	In 2003, Georgia amended its voter identification law to provide for additional acceptable forms of identification including those provided for in HAVA, such as a current utility bill or bank statement. In 2005, Georgia amended the identification statute eliminating several acceptable forms of identification, thus requiring voters to present government-issued photo identification. In 2006, Georgia amended the acceptable forms of identification to include a Georgia voter identification card.
Type of identification required	Acceptable forms of identification include: <ul style="list-style-type: none"> • Georgia driver's license; • Georgia voter identification card; • Identification card issued by the State of Georgia, any other state, or the United States if it contains a photograph of the voter; • United States passport; • Employee identification card issued by a Georgia or U.S. government entity, if it has a photograph of the voter; • United States military identification card, if it has a photograph of the voter; or • Tribal identification card containing a photograph of the voter. 	
Process if voter does not have acceptable identification	Voters who cannot present any of the forms of acceptable identification are allowed to vote by provisional ballot upon swearing or affirming that the voter is the person identified in the voter's certificate. Provisional ballots are to be counted only if the voter returns with acceptable identification that the registrars are able to verify within the time period for verifying provisional ballots, which is 3 days.	Prior to 2005, voters who did not show acceptable identification at the polls were permitted to vote after swearing or affirming that the voter was the person identified on the voter certificate. In 2005, when Georgia amended its identification statute to require government-issued photo identification, voters could no longer swear or affirm that they were the person identified on the voter certificate to vote by regular ballot. Instead, voters without identification would have to vote by provisional ballot, which would only be counted if the registrars are able to verify the current and valid identification of the voter within the time period for verifying provisional ballots, which was 2 days. In 2010, this law was amended to provide for 3 days to verify provisional ballots.
Hawaii		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting or provide identifying information.	No substantive changes identified.
Type of identification required	Hawaii requires voters to provide identifying information, which can be photo identification such as a driver's license, or a document such as a utility bill. Voters may also provide	

	Enacted state law	Substantive changes in the past 10 years
	identifying information including their name, address, and date of birth, which is consistent with state elections records.	
Process if voter does not have acceptable identification	Hawaii voters who do not have documentary identification can provide identifying information, including name, address, and date of birth, which is consistent with elections records, to cast a ballot.	No substantive changes identified.
Idaho		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting or sign a personal identification affidavit.	Idaho's identification requirements were added in 2010.
Type of identification required	<p>Voters may show one of the following acceptable forms of identification:</p> <ul style="list-style-type: none"> • Idaho driver's license or identification card issued by the Idaho transportation department; • Passport or an identification card, including a photograph, issued by an agency of the United States government; • Tribal identification card, including a photograph; or • Current student identification card, including a photograph, issued by a high school or an accredited institution of higher education, including a university, college or technical school, located within the state of Idaho. 	
Process if voter does not have acceptable identification	Voters who cannot provide the required identification may complete an affidavit providing the voter's name and address and signed by the voter. Any person who knowingly provides false, erroneous, or inaccurate information on the affidavit is guilty of a felony.	This provision was added in 2010 along with Idaho's voter identification requirements.
Indiana		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting.	Indiana's proof of identification provisions were added in 2005. In 2011, Indiana added military identification that lacks an expiration date as an acceptable form of documentation.
Type of identification required	<p>In order to be acceptable proof of identification the document must meet the following criteria:</p> <ul style="list-style-type: none"> • Show the name of the voter; • Contain a photograph; • Have an expiration date that is not 	

	Enacted state law	Substantive changes in the past 10 years
	<p>expired, or that expires after the date of the most recent general election (unless the document was issued by the military, Indiana national guard or Merchant Marine and has no expiration date); and</p> <ul style="list-style-type: none"> • Have been issued by the United States or the State of Indiana. <p>Voters who vote in person at a state licensed care facility where they reside are not subject to identification requirements.</p>	
Process if voter does not have acceptable identification	<p>Voters who do not provide acceptable proof of identification must execute a challenged voter's affidavit and vote by provisional ballot. In order for the ballot to be counted, the voter must personally appear before the circuit court clerk or county election board by noon 10 days following the election and either 1) show proof of identification, or 2) execute an affidavit stating that the voter is indigent and unable to obtain proof of identification without the payment of a fee, or has a religious objection to being photographed.</p>	<p>Indiana's identification requirements and process for voting if the voter does not present acceptable proof of identification were added in 2005.</p>
Kansas		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting.</p>	<p>In 2004, Kansas amended its law to provide for identification requirements for all first-time voters. In 2011, Kansas added new photo identification requirements for all eligible voters, effective January 1, 2012. In 2012, Kansas added a new acceptable form of identification. Also in 2012, implementing regulations for the new voter identification requirements were adopted.</p>
Type of identification required	<p>The following documents are acceptable forms of identification, provided they contain the name and the photograph of the voter, and the identification is not expired (unless the voter is over 65 years of age); however, the address on the identification does not need to match the address in the poll book:</p> <ul style="list-style-type: none"> • Driver's license issued by Kansas or by another state or district of the United States; • State identification card issued by Kansas or by another state or district of the United States; • Concealed carry or handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States; • United States passport; • Employee badge or identification document issued by a municipal, county, state, or federal government office or agency; • Military identification document issued by 	

	Enacted state law	Substantive changes in the past 10 years
	<p>the United States;</p> <ul style="list-style-type: none"> • Student identification card issued by an accredited postsecondary institution of education in the state of Kansas; • Public assistance identification card issued by a municipal, county, state, or federal government office agency; or • Identification card issued by an Indian tribe. <p>Certain voters are not subject to the requirement, for example, persons with a permanent physical disability or who have religious beliefs that prohibit photographic identification.</p>	
Process if voter does not have acceptable identification	<p>Voters who do not provide acceptable identification may vote by provisional ballot. The voter must provide an acceptable form of identification to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers.</p> <p>The meeting of the county board of canvassers where the county election officer must present the provisional ballots and any submitted photo identification takes place at any time between 8:00 a.m. and 10:00 a.m. on the Monday next following any Tuesday election. The meeting may be moved to the second Thursday following the election if prior notice is published. For all other elections, the meeting will be held at a time designated by the county board of canvassers, but not later than the fifth day following the election.</p>	<p>In 2011, Kansas added new photo identification requirements for all eligible voters, effective January 1, 2012. The requirement for voters who vote by provisional ballot to provide acceptable identification after the election in order to have their vote counted remained the same since adoption in 2004, except that now it applied to all voters required to show identification, as opposed to just first-time voters. In addition, at this time, Kansas also increased the amount of time that voters would have to present their identification by lengthening the period before the election official is required to present the provisional ballots to the county board of canvassers.</p> <p>In 2012, implementing regulations for the new voter identification requirements were adopted.</p>
Kentucky		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting (or be personally known by the election officer).</p>	<p>No substantive changes identified.</p>
Type of identification required	<p>Acceptable forms of documentary identification include:</p> <ul style="list-style-type: none"> • Motor vehicle operator's license; • Social security card; • Credit card; • Identification card that has both the picture and the signature of the voter; or • Identification card that has been issued by the county and approved by the State Board of Elections. 	
Process if voter	<p>Voters may cast a ballot if they are personally</p>	<p>Kentucky's administrative provisions on the</p>

	Enacted state law	Substantive changes in the past 10 years
does not have acceptable identification	<p>known by the election officer.</p> <p>For federal elections, voters who do not have identification may execute an affirmation and cast a provisional ballot. If the county board of elections determines that the voter is eligible to vote in the precinct in the election, the vote will be counted.</p>	<p>provisional ballot process for voters who do not have identification were adopted in 2004.</p>
Louisiana		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting or complete and sign an affidavit.</p>	<p>Louisiana amended the requirement that voters show picture identification in 2007 by requiring that the picture identification contain the name, address, and signature of the voter. In 2009, Louisiana eliminated the requirement that the identification contain the voter's address.</p>
Type of identification required	<p>Acceptable forms of identification include the following:</p> <ul style="list-style-type: none"> • Louisiana driver's license; • Louisiana special identification card; or • Other generally recognized picture identification card that contains the name and signature of the voter. 	
Process if voter does not have acceptable identification	<p>If the voter does not have acceptable identification, the voter must complete and sign an affidavit that includes the voter's date of birth and mother's maiden name. However, applicants who are allowed to vote without picture identification are subject to challenge.</p>	<p>Prior to May of 2012, Louisiana voters who did not present acceptable picture identification signed an affidavit but also were required to provide further identification by presenting the voter's current registration certificate, date of birth, or providing other information stated in the precinct register as requested by the commissioners. In May 2012, Louisiana amended this requirement to require voters only to provide their date of birth and mother's maiden name as part of the affidavit.</p>
Michigan		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting or complete and sign an affidavit.</p>	<p>Michigan's voter identification law was enacted prior to HAVA. However, due to an opinion by the Michigan Attorney General concluding that the requirement was unconstitutional, it was not enforced until after it was held to be constitutional by the Supreme Court of Michigan in 2007.</p>
Type of identification required	<p>Voters are required to show an official state identification card or driver's license. Voters who do not have either of these documents can show other officially recognized photo identification.</p> <p>According to the Michigan Secretary of State, acceptable forms of identification include the following current documents:</p> <ul style="list-style-type: none"> • Driver's license or personal identification card issued by another state; • Federal or state government-issued photo identification; 	

	Enacted state law	Substantive changes in the past 10 years
	<ul style="list-style-type: none"> • United States passport; • Military identification card with photo; • Student identification with photo from a high school or an accredited institution of higher education; or • Tribal identification card with photo. 	
Process if voter does not have acceptable identification	Voters who do not have acceptable identification can sign an affidavit and vote a regular ballot. However, voters who do not present acceptable identification are subject to challenge.	Michigan's voter identification law was enacted prior to HAVA. However, due to an opinion by the Michigan Attorney General concluding that the requirement was unconstitutional, it was not enforced until after it was held to be constitutional by the Supreme Court of Michigan in 2007.
Missouri		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting.	Missouri enacted voter identification requirements in 2002 that allowed for various forms of acceptable identification, including non-photo identification. Missouri enacted a voter identification requirement in 2006 that required government-issued photo identification to vote, but that provision was held to be unconstitutional by the Missouri Supreme Court in 2006 and is no longer in effect. Accordingly, the requirement enacted in 2002 remains controlling.
Type of identification required	<p>Acceptable forms of identification include the following:</p> <ul style="list-style-type: none"> • Identification issued by Missouri or a Missouri local election authority; • Identification issued by the United States government; • Identification issued by an institution of higher education, including a university, college, vocational and technical school, located within the state of Missouri; • Copy of a current utility bill, bank statement, government check, paycheck or other government document that contains the name and address of the voter; or • Driver's license or state identification card issued by another state. 	<p>The 2006 law would have required the following acceptable forms of documentation:</p> <ul style="list-style-type: none"> • Nonexpired Missouri driver's license or nondriver's license showing the name and a photograph or digital image of the individual; • Document that satisfies all of the following requirements: <ul style="list-style-type: none"> ○ Contains the name of the individual; ○ Shows a photographic or digital image of the individual; ○ Includes an expiration date, and is not expired, or if expired, expired not before the date of the most recent general election; and ○ Was issued by the United States or the state of Missouri; or • Any identification containing a photographic or digital image of the individual which is issued by the Missouri National Guard, the United States Armed Forces, or the United States Department of Veteran Affairs to

	Enacted state law	Substantive changes in the past 10 years
		<p>a member or former member of the Missouri National Guard or the United States Armed Forces and that does not have an expiration date.</p>
Process if voter does not have acceptable identification	<p>Voters who do not have acceptable identification may still be permitted to vote if two supervising election judges—one from each major political party—personally know the voter and sign an affidavit.</p>	<p>Missouri enacted voter identification requirements in 2002 that required all eligible voters to show various forms of acceptable identification, including non-photo identification, and provided that voters who did not have acceptable identification could still vote if they were personally known by two supervising election judges. In 2006, Missouri enacted a voter identification requirement that required government-issued photo identification to vote, and provided for an affidavit process for certain voters without identification; but that provision was held to be unconstitutional by the Missouri Supreme Court and is no longer in effect. Accordingly, the requirement enacted in 2002 remains controlling.</p> <p>Under the invalidated 2006 law, voters could cast a provisional ballot after signing an affidavit swearing that the reason they have no acceptable photo identification is that they are unable to obtain the identification because of a disability or handicap, because of a sincerely held religious belief, or because they were born on or before 1941. The provisional ballot would be counted if the voter's signature matched the signature on file with the election authority. In addition, under the 2006 law, other voters who did not provide acceptable identification could vote by provisional ballot, which would be counted if the voter returned to the polling place while it was open and provided acceptable identification.</p>
Montana		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting or complete a polling place elector identification form.</p>	<p>Montana's voter identification requirement was enacted in 2003. In 2004, Montana adopted administrative provisions allowing for voters to complete a polling place elector identification form to vote by regular ballot without presenting other identification.</p>
Type of identification required	<p>Acceptable forms of identification include the following:</p> <ul style="list-style-type: none"> • Current photo identification showing the elector's name, which may include, but is not limited to, a valid driver's license, a school district or postsecondary education photo identification, or a tribal photo identification; • Current utility bill; 	

	Enacted state law	Substantive changes in the past 10 years
	<ul style="list-style-type: none"> • Bank statement; • Paycheck; • Notice of confirmation of voter registration; • Government check; or • Other government document that shows the voter's name and current address 	
Process if voter does not have acceptable identification	<p>Voters may complete a “polling place elector identification form” which requires the voter to provide the voter’s residential and mailing addresses, date of birth, signature, as well as the voter’s driver’s license or state identification card number, or the last four digits of the voter’s social security number. If the information can be verified, the voter may vote by regular ballot.</p> <p>Voters who do not have acceptable identification may vote by provisional ballot. The ballot will be counted if the election administrator compares the voter’s signature from the provisional ballot to the signature on the elector’s voter registration card and the signatures match (voters who are “provisionally registered” because they did not provide identifying information at the time of registration must provide identification).</p>	<p>Montana enacted its voter identification and related provisional ballot provisions in 2003. In 2004, Montana adopted administrative provisions allowing for voters to complete a polling place elector identification form to vote by regular ballot without presenting identification. In 2005, Montana also provided that provisional ballots cast by voters who did not present acceptable identification would be counted if the signature from the provisional ballot matches the signature on the voter’s voter registration card.</p>
New Hampshire		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting or sign a challenged voter affidavit.</p>	<p>In June 2012, New Hampshire enacted a law requiring voters to present photo identification or to sign a challenged voter affidavit in order to vote.</p> <p>Pursuant to this law, after September 1, 2013, further changes to New Hampshire’s photo identification law will go into effect. Specifically, there will be fewer types of acceptable identification—making government-issued identification the only acceptable form of identification for voters—and voters who vote by signing a challenged voter affidavit will have to be photographed or execute an affidavit of religious exemption.</p>
Type of identification required	<p>Voters may present any of the following documents that has a photograph of the voter:</p> <ul style="list-style-type: none"> • Driver’s license issued by the state of New Hampshire or any other state, regardless of expiration date; • New Hampshire nondriver’s picture identification card; • United States armed services identification card; • United States passport, regardless of expiration date. • Other valid photo identification issued by federal, state, county, or municipal government; • Valid student identification card; or • Photo identification determined to be legitimate by appropriate election 	

	Enacted state law	Substantive changes in the past 10 years
	officials.	
Process if voter does not have acceptable identification	Voters who do not have acceptable identification may vote by regular ballot in one of two ways. First, the voter's identity may be verified by a specified elections official. Second, the voter may execute a challenged voter affidavit. The Secretary of State will then send a letter of identity verification to the voter stating that a person who did not present valid photo identification voted using the voter's name and address. The verification letter will instruct the voter to return the letter within 90 days confirming that the person voted or to contact the attorney general immediately if he or she did not vote.	As part of New Hampshire's photo identification law enacted in June 2012, voters who do not present acceptable identification may vote if their identity can be verified by a specified elections official or by signing a challenged voter's affidavit. As part of the same legislation, after September 1, 2013, voters will no longer be permitted to vote upon verification of their identity by specified elections officials, and voters who vote by signing a challenged voter affidavit will have to be photographed or execute an affidavit of religious exemption.
New Mexico		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting or provide a verbal or written statement of the voter's identifying information.	When New Mexico first enacted its voter identification law in 2005, voters were asked to provide either a physical form of identification, or a written or verbal statement of identification. While the acceptable physical forms of identification have not changed since that time, the requirements for a verbal or written statement have. Specifically, in 2005, in order to not have to show a physical form of identification, voters could provide a statement of their name, year of birth, and unique identifier. At that time, unique identifier meant the last four digits of the voter's social security number. In 2007, New Mexico changed the definition of "unique identifier" to mean a randomly generated series of numbers, letters, or symbols assigned to the voter that is not the voter's social security number or date of birth. Accordingly, after 2007, voters had to provide this number, along with their name and date of birth, in order to not have to present physical identification. According to a statement by the association of county clerks in the fiscal statement accompanying amendments in 2008, this likely meant that many voters would have to show physical identification because it was unlikely that a voter will remember the unique identifier.
Type of identification required	Voters may present physical identification, including: <ul style="list-style-type: none"> • Original or copy of a current and valid photo identification with or without an address, the address of which is not required to match the voter's certificate of registration; or • Original or copy of a utility bill, bank statement, government check, paycheck, student identification card, or other government document, including identification issued by an Indian nation, tribe, or pueblo, that shows the name and address of the person, the address of which is not required to match the voter's certificate of registration. <p>Alternatively, the voter may provide a verbal or written statement of the voter's name, registration address, and year of birth.</p>	In 2008, New Mexico amended the voter identification law to provide that the voter could provide a statement of the voter's name, registration address, and year of birth.
Process if voter does not have acceptable identification	Voters may provide a verbal or written statement of the voter's name, registration address, and year of birth. In addition, New Mexico has a provisional ballot process for voters who do not show	In 2003, New Mexico established the provisional ballot process for voters who did not present identification as required consistent with HAVA and required voters to provide the identification to the county clerk's office before the county canvass

	Enacted state law	Substantive changes in the past 10 years
	<p>acceptable identification. After voting by provisional ballot, the voter is required to provide acceptable identification to the county clerk's office before 5:00 p.m. on the second day after the election, or to the precinct board before the polls close, in order for the provisional ballot to be counted.</p>	<p>begins—which was 3 days after the election—or to the precinct board before the polls close. In 2005, this process remained the same but all voters were now subject to identification requirements—either physical identification or a verbal or written statement, as described above—in addition to identification requirements consistent with HAVA. In 2011, this section was amended to specify that voters had to provide identification by 5:00 p.m. on the second day after the election, which is sooner than the county canvass begins.</p>
North Dakota		
Voter identification requirement for voting at the polls on Election Day	<p>Voters are asked to provide identification, or a poll worker may verify the voter's eligibility, or the voter must execute a voter's affidavit prior to voting.</p>	<p>North Dakota's identification law was passed in 2003 and the acceptable types of identification have remained substantially the same since that time.</p>
Type of identification required	<p>North Dakota requires voters to show identification that includes the voter's residential address and data of birth. The following documents are acceptable forms of identification under North Dakota law:</p> <ul style="list-style-type: none"> • Official form of identification issued by North Dakota; • Official form of identification issued by a tribal government; or • Combination of any of these forms of identification. <p>In addition, North Dakota allows for a form of identification prescribed by the Secretary of State. As specified by the Secretary of State, acceptable forms of identification must show both residential address and date of birth and those forms include the following:</p> <ul style="list-style-type: none"> • Valid state identification card; • Valid federally issued identification card, including a passport or agency identification card; • Valid tribal government-issued identification card; • Valid student identification card; • Valid United States military identification card; • Utility bill dated within 30 days prior to election day with name and residential address; or • Change of address verification letter from the U.S. Postal Service. 	
Process if voter	<p>There are two ways that a voter who does</p>	<p>In 2003, when North Dakota enacted voter</p>

	Enacted state law	Substantive changes in the past 10 years
does not have acceptable identification	<p>not have acceptable identification may be permitted to vote.</p> <p>The first option is that the voter provides his or her date of birth and a member of the election board or a clerk knows the voter and can personally vouch that the voter is a qualified elector of the precinct.</p> <p>The second option is for the voter to proceed as a challenged voter and execute a voter's affidavit, which includes a statement that the challenged voter is a legally qualified elector of the precinct, the name, address, date of birth, and telephone number of the voter, among other things.</p>	<p>identification requirements, it also provided in another section that a basis for challenging a voter was failure to provide identification; challenged voters could execute an affidavit in order to vote.</p> <p>In 2005, North Dakota amended its law on voter identification to explicitly provide that voters without identification could proceed as challenged voters (and thereby proceed to vote after executing an affidavit ballot); although voters could also do this prior to the 2005 amendment.</p> <p>In 2007 and 2009, North Dakota amended the requirements for the affidavit to require the voter's telephone number and date of birth, respectively.</p>
Ohio		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide "proof of identity" prior to voting.</p>	<p>Ohio's voter identification requirements were enacted in 2006. In 2008, Ohio subsequently provided that military identification did not need to specify the name and address of the voter.</p>
Type of identification required	<p>The following documents that show the name and current address of the voter are acceptable proof of identity:</p> <ul style="list-style-type: none"> • Current and valid photo identification, which meets the following requirements— <ul style="list-style-type: none"> ○ Shows the name and current address of the voter (unless it is an Ohio driver's license or identification card, in which case the address may be the voter's former address); ○ Has a photograph; ○ Includes an expiration date that has not passed; ○ Was issued by the U.S. government or Ohio. • Military identification, or • Copy of a current utility bill, bank statement, government check, paycheck, or other government document. <p>In order to be current, a document must have been issued on a date within the last year preceding the date of the election, or have an expiration date that has not passed as of the date of the election.</p> <p>A notice of an election mailed by a board of elections or a notice of voter registration mailed by a board of elections is not</p>	

	Enacted state law	Substantive changes in the past 10 years
	<p>acceptable identification.</p> <p>If the elector provides either a driver's license or a state identification card that does not contain the voter's current residence address, the voter must also provide the last four digits of the voter's driver's license number or state identification card number.</p>	
Process if voter does not have acceptable identification	<p>Voters who do not have acceptable identification may cast a provisional ballot. Voters will be asked to provide the last four digits of their social security number; if the voter does not have a social security number, the voter may execute an affirmation. Voters who are able to provide the last four digits of their social security number or execute an affirmation that they do not have a social security number will have their provisional ballots counted if it is determined they are eligible to vote. If a voter has acceptable identification or a social security number but does not provide either, or does not have a social security number but declines to execute an affidavit, in order for the provisional ballot to be counted, the voter must return within 10 days after the day of the election with acceptable identification or the last four digits of the voter's social security number, or execute an affirmation if the voter does not have either acceptable identification or a social security number.</p>	<p>Ohio's voter identification requirements and related provisional ballots provisions were enacted in 2006. In 2011, this section was amended by Ohio House Bill 194. This law would have streamlined provisions regarding provisional ballots and made the following two substantive changes: 1) voters would no longer be permitted to execute an affirmation if the voter did not have a social security number, and 2) voters who did not provide acceptable identification or the last four digits of their social security number would have until the close of the polls (as opposed to 10 days after the election) to provide acceptable identification. That law has been repealed and has not gone into effect.</p>
Oklahoma		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide "proof of identity" prior to voting.</p>	<p>Oklahoma enacted a law providing for a voter referendum on the issue of voter identification in 2009. The referendum appeared on the ballot in November 2010 and was approved by voters. The identification requirements went into effect in 2011.</p>
Type of identification required	<p>The following documents are acceptable proof of identity:</p> <ul style="list-style-type: none"> • Document that: 1) shows a photograph of the voter; 2) includes an expiration date after the election (unless the document is an identification card issued to a person 65 years of age or older that is valid indefinitely); and 3) was issued by the United States, Oklahoma, or the government of a federally recognized Indian tribe or nation; or • Voter identification card issued by the appropriate county election board (which is acceptable even without a photograph or expiration date). 	
Process if voter does not have acceptable	<p>Voters who do not present acceptable identification may sign a statement under oath affirming their identity and cast a provisional ballot. The secretary of the</p>	<p>In 2004, Oklahoma's law relating to provisional ballots was originally enacted along with other requirements consistent with HAVA, to be effective on July 1, 2005.</p>

	Enacted state law	Substantive changes in the past 10 years
identification	county election board will investigate the information provided by the voter and count the provisional ballot only if evidence of the provisional voter's registration or of the voter's identity is found.	When Oklahoma enacted an identification requirement for all eligible voters in 2009, to be effective, in 2011, it provided for voters without identification to sign an affirmation and cast a provisional ballot pursuant to the already-established process.
Pennsylvania		
Voter identification requirement for voting at the polls on Election Day	Voters are asked to provide proof of identification prior to voting.	In 2002, to be effective in 2003, Pennsylvania enacted identification requirements for all first-time voters. In 2012, Pennsylvania enacted a law requiring all eligible voters to show photo identification. Prior to this change, only first-time voters were required to present identification, which included non-photo identification. ⁶⁵
Type of identification required	<p>To constitute acceptable proof of identification, documents must meet the following conditions:</p> <ul style="list-style-type: none"> • Show the name and photograph of the individual to whom the document was issued; • Include an expiration date and not be expired, unless <ul style="list-style-type: none"> ○ It is a document issued by the Pennsylvania Department of Transportation which is not more than 12 months past the expiration date; or ○ Is a document from an agency of the Armed Forces of the United States or their reserve components, establishing that the voter is a current member of or a veteran of the United States Armed Forces or National Guard that does not have an expiration date or is indefinite. • Have been issued by one of the following: <ul style="list-style-type: none"> ○ The United States government; 	

⁶⁵ Litigation regarding the constitutionality of Pennsylvania's voter identification requirement is currently pending. The Pennsylvania Commonwealth Court denied plaintiffs' request for a preliminary injunction of the identification law on August 15, 2012. On September 18, 2012, the Pennsylvania Supreme Court vacated the lower court's decision and ordered the court to conduct additional proceedings to determine whether Pennsylvania's procedures are adequate to ensure that there will be no voter disfranchisement arising out of implementation of the voter identification law. The Pennsylvania Supreme Court further ordered the Commonwealth Court to file an opinion by October 2, 2012. *Applewhite v. Commonwealth of Pennsylvania*, No. 71 MAP 2012 (Pa. Sept. 18, 2012). On October 2, 2012, the Commonwealth Court issued a decision holding that poll workers may ask voters to provide photo identification at the polls for the upcoming November 2012 election, consistent with Pennsylvania's recently enacted voter identification law, but enjoining enforcement of the provisional ballot process for voters who do not present acceptable identification. *Applewhite v. Commonwealth of Pennsylvania*, No. 330 MD 2012 (Pa. Commw. Ct. Oct. 2, 2012). Accordingly, voters who do not present acceptable identification may cast a regular ballot at the polling place.

	Enacted state law	Substantive changes in the past 10 years
	<ul style="list-style-type: none"> ○ Pennsylvania; ○ A Pennsylvania municipality to an employee; ○ An accredited Pennsylvania public or private institution of higher learning; ○ A Pennsylvania care facility. <p>For a voter with a religious objection to being photographed, a valid-without-photo driver's license or a valid-without-photo identification card issued by the Department of Transportation will be an acceptable form of proof of identification.</p>	
Process if voter does not have acceptable identification	Voters who are unable to provide acceptable identification may cast a regular ballot.	At the time Pennsylvania amended identification requirements for all eligible voters, Pennsylvania also amended the previously enacted provisional ballot process to require voters who did not present acceptable identification to provide to the county board of election an affirmation and proof of identification or an affirmation that the voter is indigent and unable to provide proof of identification without payment of a fee. Accordingly, voters would be required, within 6 days of the election, provide to the county board of elections an affirmation that the voter is the same individual who cast a provisional ballot and provide either 1) proof of identification or 2) an affirmation that the voter is indigent and unable to obtain proof of identification without payment of a fee, as applicable. However, pursuant to an order of the Commonwealth Court, issued on October 2, 2012, this provisional ballot process is enjoined for the November 2012 election. ⁶⁶
Rhode Island		
Voter identification requirement for voting at the polls on Election Day	Voters must provide proof of identification prior to voting.	Rhode Island's voter identification requirements were enacted in 2011, and took effect January 1, 2012. Pursuant to this new law, Rhode Island's identification requirements will change in 2014 to require photo identification only, as opposed to allowing documents that do not include a photograph, such as a birth certificate.
Type of identification required	<p>Acceptable identification includes the following:</p> <ul style="list-style-type: none"> • Valid and current document showing a photograph of the person to whom the document was issued, including <ul style="list-style-type: none"> ○ Rhode Island driver's license; ○ Rhode Island voter 	

⁶⁶ *Applewhite v. Commonwealth of Pennsylvania*, No. 330 MD 2012 (Pa. Commw. Ct. Oct. 2, 2012).

Enacted state law		Substantive changes in the past 10 years
	<ul style="list-style-type: none"> identification card; ○ United States passport; ○ Identification card issued by a United States educational institution; ○ United States military identification card; ○ Identification card issued by the United States or the state of Rhode Island; ○ Government-issued medical card; ○ Employee identification card; ○ Identification card provided by a commercial establishment; ○ Credit or debit card; ○ Health club identification card; ○ Insurance plan identification card; or ○ Public housing identification card. <ul style="list-style-type: none"> ● Valid and current document without a photograph of the person to whom the document was issued, and which must include the name and address of the voter that matches the pollbook, including <ul style="list-style-type: none"> ○ Birth certificate; ○ Social security card; ○ Government-issued medical card; ○ Birth certificate; ○ Social security card; ○ Government-issued medical card; ○ Utility bill; ○ Bank statement; ○ Document issued by a government agency; ○ Lease or rental statement; ○ Student identification; ○ Tuition statement or bill; or ○ Insurance plan card. 	
Process if voter does not have acceptable	Voters who do not present acceptable identification may vote by provisional ballot. Provisional ballots will be counted if the	Rhode Island's provisional ballot requirements for voters who do not present identification were enacted in 2011 along

	Enacted state law	Substantive changes in the past 10 years
identification	signature on the ballot matches the signature on the voter's registration.	with legislation for all eligible voters to show identification.
South Carolina		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting.	In 2011, South Carolina amended its voter identification law to require photo identification. However, this change has not gone into effect because it was denied preclearance under section 5 of the Voting Rights Act by the Department of Justice and is currently the subject of litigation. ⁶⁷
Type of identification required	<p>The following documents are acceptable identification:</p> <ul style="list-style-type: none"> • Valid South Carolina driver's license; • Other form of identification containing a photograph issued by the Department of Motor Vehicles, if the voter is not licensed to drive; or • Written notification of registration from the county board of elections, if the notification has been signed by the elector. 	
Process if voter does not have acceptable identification	<p>According to the South Carolina Poll Managers Handbook, voters without required identification are not permitted to vote. Voters will be advised that the county board of voter registration is open all day on Election Day and the voter may go there to obtain a duplicate certificate of registration.</p>	<p>In 2011, South Carolina enacted a provisional ballot process at the same time it enacted new voter identification requirements, which are not currently in effect. This new provision would provide for voters who cannot provide identification to cast a provisional ballot. In order for the ballot to be counted, voters must take one of the following actions, as applicable:</p> <ol style="list-style-type: none"> 1) Bring a valid and current photograph identification to the county board of registration and elections before certification of the election by the county board of canvassers (the certification occurs no later than noon on the Saturday next following the election); 2) Complete an affidavit at the polling place affirming that the voter does not have valid and current photo identification due to a religious objection to being photographed; or 3) Complete an affidavit at the polling place affirming that the voter suffers from a reasonable impediment that prevents the voter from obtaining photo identification and list the impediment, unless otherwise prohibited by state or federal law.

⁶⁷ *South Carolina v. United States*, No. 12 Civ. 203 (D.D.C. 2012). Oral argument was held on September 24, 2012.

	Enacted state law	Substantive changes in the past 10 years
South Dakota		
Voter identification requirement for voting at the polls on Election Day	Voters must provide personal identification prior to voting or complete and sign an affidavit.	South Dakota enacted its voter identification requirement in 2003. Since that time the state has allowed for student identification issued by high schools and required that student identification be current.
Type of identification required	<p>The following documents are acceptable personal identification:</p> <ul style="list-style-type: none"> • South Dakota driver's license or nondriver identification card; • Passport or an identification card, including a picture, issued by an agency of the United States government; • Tribal identification card, including a picture; or • Current student identification card, including a picture, issued by a high school or an accredited institution of higher education, including a university, college, or technical school, located within the state of South Dakota. 	
Process if voter does not have acceptable identification	If a voter is not able to present acceptable identification, the voter may complete an affidavit. The affidavit must include the voter's name and address and be signed under penalty of perjury.	South Dakota's affidavit procedure was enacted in 2003 when voter identification requirements were enacted.
Tennessee		
Voter identification requirement for voting at the polls on Election Day	Voters must provide identification prior to voting.	In 2003, Tennessee added an additional form of acceptable identification to its existing identification requirement, allowing voters to present a valid voter's registration certificate in addition to a Tennessee driver license, social security card, credit card bearing the voter's signature, or other document bearing the voter's signature. In 2011, Tennessee amended the voter identification requirement to require voters to present state or federal government-issued, photo identification, which was effective on January 1, 2012.
Type of identification required	<p>Acceptable identification includes the following documents:</p> <ul style="list-style-type: none"> • Tennessee driver license; • Valid identification card issued by a branch, department, agency, or entity of Tennessee, any other state, or the United States authorized by law to issue personal identification; provided, that such identification card contains a photograph of the voter; • Tennessee photo identification license; • Valid United States passport; • Valid employee identification card issued by a branch, department, agency, or entity of Tennessee, any other state, or the United States authorized by law to issue employee identification; provided, 	

	Enacted state law	Substantive changes in the past 10 years
	<p>that such identification card contains a photograph of the voter;</p> <ul style="list-style-type: none"> • Valid United States military identification card; provided, that such identification card contains a photograph of the voter; or • Employee identification card for retired state employees authorized under Tennessee law. <p>Acceptable identification explicitly does not include an identification card issued to a student by an institution of higher education containing a photograph of a student.</p>	
Process if voter does not have acceptable identification	<p>There are two processes for voters who do not have acceptable identification.</p> <p>First, a voter who is indigent and unable to obtain proof of identification without payment of a fee or a voter who has a religious objection to being photographed may execute an affidavit of identity and may then be permitted to vote.</p> <p>All other voters who are unable to present acceptable identification may vote by provisional ballot. The provisional ballot affidavit must contain the voter's name, social security number, date of birth, signature, and any other identifying information deemed necessary by the coordinator of elections. In order to have the ballot counted, the voter must provide evidence of identification to the administrator of elections at the voter's county election office or other designated location by the close of business on the second business day after the election. The voter must also sign an affidavit affirming that the voter is the same individual who cast the provisional ballot.</p>	<p>Prior to 2012, if a voter was unable to present any evidence of identification the voter was required to execute an affidavit of identity on a form provided by the county election commission in order to cast a ballot.</p>
Texas		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must present a voter registration certificate, or voters must provide proof of identification prior to voting.</p>	<p>In 2004, the list of acceptable forms of identification was modified, with the addition of a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter and the deletion of pre-printed checks containing the person's name that are issued for a financial institution doing business in this state and two other forms of identification that establish the person's identity.</p>
Type of identification required	<p>The voter must present a voter registration certificate. If the voter does not, the voter must provide proof of identification.</p> <p>The following documents are acceptable proof of identification:</p> <ul style="list-style-type: none"> • Driver's license or personal identification card, regardless of whether the license or card has expired; • Form of identification containing the person's photograph that establishes the 	<p>In 2011, Texas amended its law to require voters to present government-issued photo identification at the polls, which is not currently in effect. This law would require voters to present one of the following forms of identification:</p>

	Enacted state law	Substantive changes in the past 10 years
	<p>person's identity;</p> <ul style="list-style-type: none"> • Birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity; • United States citizenship papers; • United States passport; • Official mail addressed to the person by name from a governmental entity; • Copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or • Other form of identification prescribed by the Secretary of State. 	<ul style="list-style-type: none"> • Driver's license, election identification certificate, or personal identification card issued to the person by the Department of Public Safety that has not expired or that expired no earlier than 60 days before the date of presentation; • United States military identification card that contains the person's photograph that has not expired or that expired no earlier than 60 days before the date of presentation; • United States citizenship certificate issued to the person that contains the person's photograph; • United States passport issued to the person that has not expired or that expired no earlier than 60 days before the date of presentation; or • License to carry a concealed handgun issued to the person by the Department of Public Safety that has not expired or that expired no earlier than 60 days before the date of presentation. <p>Texas is subject to preclearance under section 5 of the Voting Rights Act. Preclearance was denied by the District Court for the District of Columbia on August 30, 2012.⁶⁸</p>
Process if voter does not have acceptable identification	<p>A voter who does not present a voter registration certificate may vote if the voter presents proof of identification and signs an affidavit stating that the voter does not have a voter registration certificate. If not, the voter may vote by provisional ballot. Provisional ballots will be counted if the board determines from the information in the affidavit or contained in public records that the voter is eligible to vote.</p>	<p>Prior to 2004, Texas law required a voter without a certificate who was on the list of registered voters to sign an affidavit stating that the voter did not have his or her voter registration certificate in the voter's possession and either present proof of identification or have a person working at the polling place sign an affidavit attesting to the identity of the voter. In 2004, this law was amended to eliminate the voter's ability to have his or her identity confirmed via affidavit by a third party and to allow voters who do not present identification to vote a provisional ballot.</p> <p>In 2011, the law was amended to provide that a voter who does not present an acceptable form of identification may vote by provisional ballot if the person executes an affidavit stating that the person is a registered voter in the precinct in which the person seeks to vote and is eligible to vote in the election. In order for the provisional ballot to be counted, the voter must, no later</p>

⁶⁸ *Texas v. Holder*, 2012 U.S. Dist. LEXIS 127119, 2012 WL 3743676 (D.D.C. Aug. 30, 2012).

Enacted state law	Substantive changes in the past 10 years
	<p>than the sixth day after the date of the election, present proof of identification to the voter registrar or execute an affidavit under penalty of perjury that states the voter has a religious objection to being photographed and the voter has consistently refused to be photographed for any governmental purpose from the time the voter has held this belief, or execute an affidavit under penalty of perjury that states the voter does not have any acceptable identification as a result of a natural disaster that was declared by the President of the United States or the governor, which occurred not earlier than 45 days before the date the ballot was cast, and caused the destruction of or inability to access the voter's identification. This 2011 change is not in effect because it has not been precleared under section 5 of the Voting Rights Act.</p>
Utah	
<p>Voter identification requirement for voting at the polls on Election Day</p>	<p>Prior to 2003, a voter was only required to show identification prior to voting if the election judge did not know the person requesting a ballot and had reason to doubt that person's identity. In 2003, first-time voters and voters otherwise required to present proof of identity or proof of residence as indicated by a notation in the official register were also required to present proof of identity or proof of residence. The election judge had discretion to determine if he or she was satisfied with the voter's proof of identity or proof of residence. In 2006, the law was amended to also require those voting in person by absentee ballot or voting during the early voting period to present valid voter identification. This same amendment defined valid voter identification. In 2009, the law was amended to require all voters to present valid voter identification prior to voting at the polls. Between 2006 and 2010, the acceptable forms of identification were amended, such as which documents must have a photo and which documents do not require a photo.</p>
<p>Type of identification required</p> <p>Voters must present either:</p> <p>1) A form of identification that bears the name and photograph of the voter which may include the following:</p> <ul style="list-style-type: none"> • Currently valid Utah driver license; • Currently valid identification card that is issued by the state or a branch, department, or agency of the United States; • Currently valid Utah permit to carry a concealed weapon; • Currently valid United States passport; or • Currently valid United States military identification card; <p>2) One of the following identification cards, whether or not the card includes a photograph of the voter:</p> <ul style="list-style-type: none"> • Valid tribal identification card; • Bureau of Indian Affairs card; or • Tribal Treaty card; or <p>3) Two forms of identification not listed above but that bear the name of the voter and provide evidence that the voter resides in the voting precinct, which may include the</p>	

Enacted state law	Substantive changes in the past 10 years
	<p>following:</p> <ul style="list-style-type: none"> • Current utility bill or a legible copy thereof, dated within the 90 days before the election; • Bank or other financial account statement, or a legible copy thereof; • Certified birth certificate; • Valid social security card; • Check issued by the state or the federal government or a legible copy thereof; • Paycheck from the voter's employer (or a legible copy); • Currently valid Utah hunting or fishing license; • Certified naturalization documentation; • Currently valid license issued by an authorized agency of the United States; • Certified copy of court records showing the voter's adoption or name change; • Valid Medicaid card, Medicare card, or electronic benefits transfer card; • Currently valid identification card issued by: <ul style="list-style-type: none"> ○ a local government within the state; ○ an employer for an employee; or ○ a college, university, technical school, or professional school located within the state; or • Current Utah vehicle registration.
<p>Process if voter does not have acceptable identification</p>	<p>A voter who does not present identification at the polls may vote by provisional ballot. The provisional ballot is counted if the voter presents valid voter identification to the county clerk at the county clerk's office or to an election officer who is administering the election by the close of normal office hours on Monday after the day of the election, or if the county clerk can verify the voter's identity and residence through some other means as reliable as photo identification, which may be through matching the signature on the voter's provisional ballot with the signature from the voter's registration application.</p> <p>In 2003 (when first-time voters and voters at the discretion of the election judge were required to show identification), voters who did not present identification voted by provisional ballot, and the ballots were counted if the county clerk verified the voter's identity and residence through some other means. In 2006 (when early voters were also required to show identification), the law provided that a voter without identification could vote by regular ballot if the voter could be identified by a known registered voter of the district, or if not, the voter could vote by provisional ballot.</p> <p>In 2009, when Utah required all voters to present identification, it also provided that a provisional ballot would only be counted if the voter presented valid voter identification by five days after the day of the election to</p>

	Enacted state law	Substantive changes in the past 10 years
		<p>the county clerk or if the county clerk verified the voter's identity and residence through some other means as reliable as photo identification. In 2010, the law was further amended to provide that a provisional ballot would be counted if the voter presented identification by the close of normal office hours on Monday after the date of election, as opposed to five business days after the date of the election.</p>
Virginia		
Voter identification requirement for voting at the polls on Election Day	<p>Voters must provide identification prior to voting.</p>	
Type of identification required	<p>The following documents are acceptable identification:</p> <ul style="list-style-type: none"> • Commonwealth of Virginia voter registration card; • Social security card; • Valid Virginia driver's license; • Other identification card issued by a government agency of the Commonwealth, one of its political subdivisions, or the United States; • Valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; • Virginia concealed handgun permit; • Student identification from a Virginia institution of higher education; or • Copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter. 	<p>In April 2012, Virginia law was amended to add a Virginia concealed handgun permit to the list of acceptable forms of identification, and in May 2012, amendments to the law were enacted to add additional forms of identification, including a student identification from a Virginia institution of higher education and a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter, to the list of acceptable identification to present at the poll. This legislation took effect when it was precleared by the Department of Justice in August 2012.</p>
Process if voter does not have acceptable identification	<p>Voters who do not provide acceptable identification will be permitted to vote by provisional ballot and must submit identification before noon on the third day after the election to the electoral board in order for the ballot to be counted.</p>	<p>Prior to August 2012 when new changes were precleared by the Department of Justice under section 5 of the Voting Rights Act, voters who did not present an acceptable form of identification were allowed to vote after signing a statement, subject to felony penalties for false statements, that the voter is the voter who he or she claims to be. In May 2012, an amendment to that law was enacted that would require voters to vote by provisional ballot and submit identification before noon on the third day after the election and not allow voters to sign a statement that the</p>

Enacted state law	Substantive changes in the past 10 years
	voter is the person he or she claims to be in order to vote by regular ballot.

Source: GAO analysis of state statutes.

Note: Oregon and Washington are both vote-by-mail states, but laws in both states require that there be places for voters to cast a ballot in person during the time that ballots are generally issued by mail. Oregon does not have identification requirements for voters who cast a ballot by mail or in-person. Washington law has identification requirements applicable to voters who cast a ballot in person, requiring that voters provide photo identification or vote by provisional ballot (which will be counted if the signature on the ballot matches the voter's registration record). For voters who cast a ballot by mail, the ballot will be counted if the signature on the ballot declaration matches the signature in the voter's registration record; there are no additional documentary identification requirements.

Enclosure VII: Substantive Changes to State Voter Identification Requirements for Casting an Absentee Ballot by Mail

Table 10 provides a summary of requirements for states that have enacted identification requirements for all eligible voters prior to casting an absentee ballot by mail.⁶⁹ It also provides information on substantive changes made to these provisions since the Help America Vote Act of 2002 was enacted—over the past 10 years.⁷⁰ For purposes of this analysis, we defined substantive changes to include changes to the law that would affect the voter, such as those related to the types of acceptable identification documents or processes for providing the documentation. We excluded technical or administrative changes to the laws, minor amendments, or changes that are not relevant to the particular type of requirement being addressed. Information on the methodology used to compile this information is in enclosure I.

Table 10: State Voter Identification Requirements for Voters Casting an Absentee Ballot by Mail and Substantive Changes in the Past Ten Years

	Enacted state law	Substantive changes in the past 10 years
Alabama	<p>Voters are required to submit with their ballot a copy of one of the forms of identification that may be used for voting in person.</p> <p>In addition, voters casting an absentee ballot by mail must have the ballot notarized or signed by two witnesses.</p> <p>Voters may provide one of the following acceptable forms of documentation:</p> <p>1) Current valid photo identification, which may include the following:</p> <ul style="list-style-type: none"> • Governmentally produced photo identification; • Identification card containing the photo of the voter produced by an employer; or • Identification card containing the photo of the voter produced by a public or private college, university, or postgraduate 	<p>New legislation was passed in June 2011 that would change the acceptable documents for both casting a ballot at the polls on Election Day and an absentee ballot by mail to require government-issued photo identification or a student identification card. This law is legislated to be effective for the first statewide primary of 2014 and is subject to preclearance under section 5 of the Voting Rights Act. As of September 28, 2012, the new law had not been submitted to the Department of Justice for administrative preclearance.</p>

⁶⁹These requirements for all eligible absentee voters are in addition to identification requirements that may be applicable to first-time voters who register by mail, pursuant to the Help America Vote Act of 2002. In addition, in this table, we included requirements where the state requests the voter to provide identifying information that requires an underlying document, for example, a driver’s license number or social security number, or requires the voter to include a copy of a document. As such, we did not include requirements where the voter was only asked to provide identifying information such as name, address, or date of birth. In addition, we also did not include requirements for the voter’s signature on the absentee ballot envelope to match the signature from the voter’s registration application, which some states require in order to verify the identity of the absentee voter.

As stated in enclosure I, we did not include requirements specifically related to military or overseas voters, who are otherwise addressed by federal law. For example, in Oklahoma, military and overseas voters are not required to have their absentee ballots notarized or witnessed, which are requirements applicable to other absentee voters.

⁷⁰Montana, which currently does not have a documentary identification requirement for all eligible absentee voters, required absentee voters to enclose identification with their absentee ballot until July 1, 2005; voters were sent a card that could be completed by the voter and used as identification.

	Enacted state law	Substantive changes in the past 10 years
	<p>technical or professional school located within the state.</p> <p>2) Document showing the address of the voter, which may include the following:</p> <ul style="list-style-type: none"> • Copy of a current utility bill; • Copy of a bank statement; • Copy of a government check; • Copy of a paycheck; • Valid identification card issued by a branch, department, agency, or entity of the state of Alabama, any other state, or the United States; • Valid United States passport; • Valid Alabama hunting or fishing license; • Valid Alabama permit to carry a pistol or revolver; • Valid pilot's license issued by the Federal Aviation Administration or other authorized agency of the United States; • Valid United States military identification card; • Certified copy of the voter's birth certificate; • Valid social security card; • Certified naturalization documentation; • Certified copy of court records showing adoption or name change; • Valid Medicaid card, Medicare card, or an Electronic Benefits Transfer Card; or • Other government document that shows the name and address of the voter. 	
Alaska	<p>Voters casting an absentee ballot by mail must provide at least one of the following, either with their application to cast an absentee ballot or with the ballot:</p> <ul style="list-style-type: none"> • Voter registration number; • Social security number or the last four digits of the social security number; • Date of birth; • Alaska driver's license number; or • Alaska State identification number. <p>Voters casting an absentee ballot must also have the ballot witnessed by a notary or other specified official, or a witness who is 18 years of age or older.</p>	<p>The provision related to identification for absentee voters by mail was amended in 2003 to include requirements for first-time voters who register by mail consistent with HAVA, and to explicitly require voters casting absentee ballots by mail to provide proof of identification, rather than providing that the director may require it (although Alaska's Administrative Code already required absentee voters to provide identification at that time). In 2004, Alaska's administrative provisions were amended to specify additional forms of identification that voters casting an absentee ballot by mail could provide to include an Alaska driver's license number or Alaska State identification number. In 2005, Alaska law was amended to allow the absentee ballot to be witnessed by one individual, instead of two, if it could not be witnessed by a notary or other</p>

Enacted state law	Substantive changes in the past 10 years
<p>Delaware</p> <p>In general, voters applying to cast an absentee ballot must have their application notarized—this does not include military, overseas, or sick and disabled voters.</p> <p>Under Delaware law, before witnessing a signature, the notary must determine the identity of the voter, either from personal knowledge of identify or from satisfactory evidence of identity. Satisfactory evidence of identity includes:</p> <ul style="list-style-type: none"> • Photo identification with a signature, including— <ul style="list-style-type: none"> ○ United States passport; ○ Certificate of United States citizenship; ○ Certificate of naturalization; ○ Unexpired foreign passport; ○ Alien registration card with photograph; ○ State-issued driver's license; or ○ State-issued identification card or a United States military card. • The oath or affirmation of one credible witness unaffected by the document or transaction who is personally known to the notary and who personally knows the individual; or <p>The oath or affirmation of two credible witnesses unaffected by the document or transaction who each personally knows the individual and shows to the notary documentary identification as described above.</p>	<p>specified official.</p> <p>The requirement that certain voters must have their absentee ballot application notarized has not been substantively amended; however, in 2008 requirements for notaries in order to attest a signature underwent some revisions that went into effect February 1, 2009.</p>
<p>Kansas</p> <p>In order for a voter to cast an advance voting ballot (absentee ballot), the voter must provide with the application the voter's current and valid Kansas driver's license number, nondriver's identification card number, or the voter may provide a copy of one of the identification documents that are acceptable for voting in person on Election Day. The following documents are acceptable forms of identification, provided they contain the name and the photograph of the voter and are not expired (unless the voter is over 65 years of age); however, the address on the identification does not need to match the address in the poll book:</p> <ul style="list-style-type: none"> • Driver's license issued by Kansas or by another state or district of the United States; • State identification card issued by Kansas 	<p>In 2004, Kansas amended its advance voting provision to provide for identification requirements for first-time voters. In 2011, Kansas amended these provisions to require identification from all voters who vote by advance ballot (in the same legislation Kansas required voters at the polls to provide acceptable identification).</p>

	Enacted state law	Substantive changes in the past 10 years
	<p>or by another state or district of the United States;</p> <ul style="list-style-type: none"> • Concealed carry or handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States; • United States passport; • Employee badge or identification document issued by a municipal, county, state, or federal government office or agency; • Military identification document issued by the United States; • Student identification card issued by an accredited postsecondary institution of education in the state of Kansas; or • Public assistance identification card issued by a municipal, county, state, or federal government office agency; • Identification card issued by an Indian tribe. <p>As with voting at the polls on Election Day, certain voters are exempt from the requirement to provide identification; for example, persons with a permanent physical disability and those who have a religious belief that prohibits photo identification.</p>	
Mississippi	<p>Absentee voters who apply by mail because they are temporarily residing outside the county must generally have their application for an absentee ballot notarized. In addition, absentee ballots must generally be notarized or cast before an official authorized to take oaths (unless the voter is physically disabled, in which case the ballot may be witnessed by an individual who is at least 18 years of age).</p> <p>Under Mississippi administrative rules related to notaries public, in order to witness a signature, an individual must be personally known to the notary or identified by the notary through satisfactory evidence. Satisfactory evidence includes:</p> <ul style="list-style-type: none"> • At least one current document issued by a federal, state, or tribal government agency bearing the photograph of the individual, signature and a physical description of the individual (a passport without a physical description is acceptable); • The oath or affirmation of one credible witness unaffected by the document or transaction who is personally known to the notary and who personally knows the 	<p>Mississippi enacted new requirements in 2012 that are pending preclearance by the Justice Department under section 5 of the Voting Rights Act. Under Mississippi's new voter identification law, the documents necessary for absentee voting are the same acceptable forms of identification for voters who vote at the polls on Election Day. The new voter identification law also requires the Secretary of State to issue instructions on how absentee voters may comply with new identification requirements.</p>

	Enacted state law	Substantive changes in the past 10 years
	<p>individual; or</p> <ul style="list-style-type: none"> • The oath or affirmation of two credible witnesses unaffected by the document or transaction who each personally knows the individual and shows to the notary documentary identification. 	
Missouri	<p>Subject to with certain exceptions, voters who cast an absentee ballot have to have the ballot signed by a notary.</p> <p>In addition, subject to certain exceptions, Missouri requires absentee voters who register by mail to present identification before they vote absentee—whether by initially voting in person at the polls, submitting a copy of acceptable identification to the election authority, or providing their driver’s license number or at least the last four digits of their social security number that is matched to an existing state record.</p> <p>Unless the voter is personally known to the notary, voters who are required to have their absentee ballot notarized must provide identification to the notary. According to the Missouri Notary Handbook, preferred identification contains a photograph and a signature, such as a driver’s license.</p>	<p>In 2002, Missouri law provided that applicants who register to vote by mail cannot vote absentee until after they either vote in person, provide a copy of identification required of voters who vote at the polls on Election Day, or provide their driver’s license number or at least the last four digits of their social security number that is matched to an existing state record.</p>
Ohio	<p>Absentee voters must provide identification information when applying for and returning an absentee ballot.</p> <p>Absentee voters must either provide their driver’s license number or the last four digits of their social security number, or must include a copy of one of the following documents:</p> <ul style="list-style-type: none"> • Current and valid photo identification, which meets the following requirements <ul style="list-style-type: none"> ○ Shows the name and current address of the voter (unless it is an Ohio driver’s license or identification card, in which case the address may be the voter’s former address); ○ Has a photograph; ○ Includes an expiration data that has not passed; and ○ Was issued by the U.S. government or Ohio. • Military identification, or • Copy of a current utility bill, bank statement, government check, paycheck, or other government document. <p>In order to be current, a document must have been issued on a date within the last year preceding the date of the election, or have an</p>	<p>Identification requirements for absentee voters were added in 2005, to be effective on January 27, 2006.</p>

	Enacted state law	Substantive changes in the past 10 years
	<p>expiration date that has not passed as of the date of the election.</p> <p>A notice of an election mailed by a board of elections or a notice of voter registration mailed by a board of elections is not acceptable identification.</p>	
Oklahoma	<p>In general, absentee voters must have their ballot notarized (there are exceptions for voters who are confined to a nursing home, physically incapacitated voters, and voters who care for physically incapacitated voters, who must have their ballot witnessed by two persons).</p> <p>The voter must provide satisfactory evidence of identity or must be personally known to the notary. According to the Secretary of State, proper identification should include a photograph and signature, such as a driver's license or passport, but it is also considered sufficient identification if, under oath, a credible witness personally known to the notary public identifies the person.</p>	No substantive changes identified.
Pennsylvania	<p>Absentee voters are required to provide proof of identification.</p> <p>The following documents are acceptable proof of identification:</p> <ul style="list-style-type: none"> • For voters who have a current and valid driver's license, the driver's license number; • For voters who have not been issued a current and valid driver's license number, the last four digits of the voter's social security number; • For voters who have a religious objection to being photographed a copy of a valid-without-photo driver's license or a valid-without-photo identification card issued by the Department of Transportation; or • For voters who have not been issued a current and valid driver's license or social security number, a copy of any of the identification that voters may provide at the polls, which is a document that must meet the following conditions: <ul style="list-style-type: none"> ○ Shows the name and photograph of the individual to whom the document was issued; ○ Includes an expiration date and 	Identification requirements for all absentee voters were added in 2012. ⁷¹

⁷¹The order of the Pennsylvania Commonwealth Court issued on October 2, 2012, does not affect Pennsylvania's recently enacted identification requirements for voters casting an absentee ballot by mail. *Applewhite v. Commonwealth of Pennsylvania*, No. 330 MD 2012, slip. op. at 5-6 (Pa. Commw. Ct. Oct. 2, 2012).

Enacted state law	Substantive changes in the past 10 years
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not be expired, unless

- It is a document issued by the Pennsylvania Department of Transportation which is not more than 12 months past the expiration date; or
 - Is a document from an agency of the Armed Forces of the United States or their reserve components, establishing that the voter is a current member of or a veteran of the United States Armed Forces or National Guard that does not have an expiration date or is indefinite.
- Have been issued by one of the following:
- United States government;
 - Pennsylvania;
 - Pennsylvania municipality to an employee;
 - Accredited Pennsylvania public or private institution of higher learning; or
 - Pennsylvania care facility.

<p>South Dakota</p>	<p>Absentee voters must either 1) have the ballot application notarized or 2) provide a copy of the same types of identification that are acceptable at the polls.</p> <p>According to the South Dakota Notary Handbook, sufficient identification when notarizing includes:</p> <ul style="list-style-type: none"> • Driver's license or nondriver identification card; • United States passport; • Identification card issued by any branch of United States Armed Forces; or • Identification card issued by United States Immigration and Naturalization Service, such as a Resident Alien card (sometimes referred to as a "green card"). 	<p>Identification requirements were added in 2003.</p>
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	Enacted state law	Substantive changes in the past 10 years
	<p>In addition, the handbook encourages notaries to utilize a “credible witness” when in doubt about a person’s identity, who is any person who personally knows the signer of a document and who the notary personally knows.</p> <p>For voters who include a copy of their identification with the absentee ballot application, the following forms of identification are acceptable:</p> <ul style="list-style-type: none"> • South Dakota driver's license or nondriver identification card; • Passport or an identification card, including a picture, issued by an agency of the United States government; • Tribal identification card, including a picture; or • Current student identification card, including a picture, issued by a high school or an accredited institution of higher education, including a university, college, or technical school, located within the state of South Dakota. 	
Tennessee	<p>Absentee voters are required to include their date of birth and social security number on the ballot application. In addition, subject to certain exceptions, voters who register by mail are generally required to vote in person the first election after they register, where they will be required to present satisfactory proof of identity. (There are exceptions for voters on the permanent absentee voting register, who are persons who due to sickness, hospitalization, or physical disability are unable to appear to vote, or voters who are full-time residents of a nursing home out of the voter’s county of residence.)</p>	<p>In 2011, Tennessee added date of birth to the absentee ballot application as an additional item of voter identification.</p>
Virginia	<p>All applications for absentee ballots must contain the last four digits of the voter’s social security number. In addition, subject to certain exceptions, voters who register by mail must initially vote in person the first time they vote. (Exceptions, among others, include military and overseas voters, full-time students, and voters who request an absentee ballot by mail for presidential and vice-presidential elections only).</p>	<p>In 2003, Virginia provided for additional categories of voters who could vote absentee initially after registering to vote by mail. In 2012, Virginia enacted changes regarding acceptable identification for purposes of voting at the polls on Election Day and applying for an absentee ballot in person, which were precleared by the Department of Justice under section 5 of the Voting Rights Act in August 2012. Thus, these changes affect the documents voters who register by mail must initially show before they are permitted to cast an absentee ballot by mail.</p>

Source: GAO analysis of state statutes.

Enclosure VIII: Substantive Changes to State Provisions Related to No-Excuse Absentee Voting by Mail and In-Person Early Voting

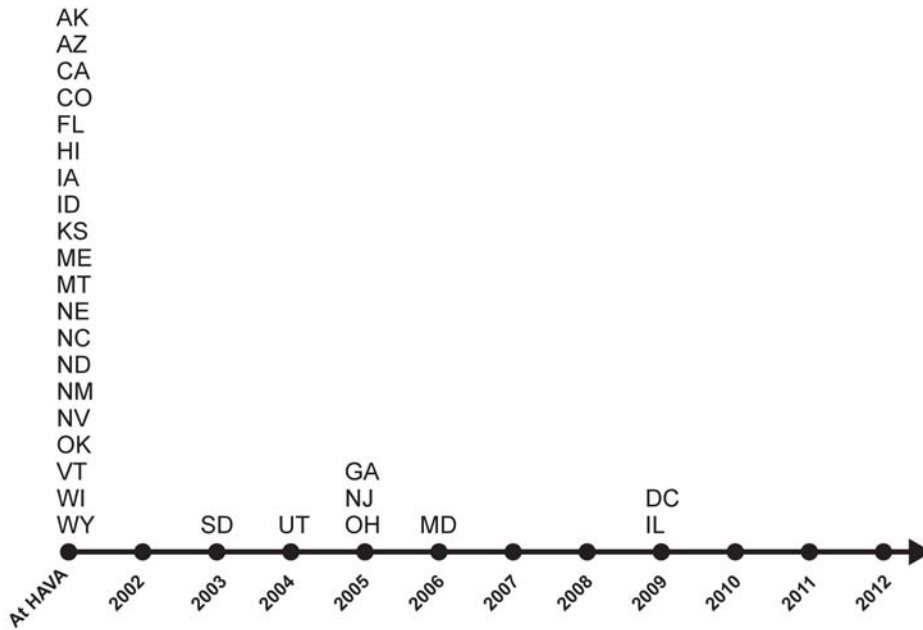
This enclosure provides an overview of substantive changes to state no-excuse absentee voting by mail and in-person early voting provisions, followed by a table containing enacted state requirements and substantive changes to state early voting requirements that we identified. For purposes of this analysis, we defined substantive changes to include changes to the law that would affect the voter, such as those related to the number of days for early voting. We excluded technical or administrative changes to the laws, minor amendments, or changes that are not relevant to the particular type of requirement being addressed. Information on the methodology used to compile this information is in enclosure I.

Overall, in the past 10 years, many states have expanded opportunities for voters to vote before Election Day—either through no-excuse absentee voting or in-person early voting. With respect to no-excuse absentee voting by mail, at the time that HAVA was enacted, 20 states—in addition to Oregon and Washington, which are vote-by-mail states—allowed for no-excuse absentee voting by mail, and 2 states—California and Washington—allowed for voters to have permanent absentee status.⁷² As shown in figure 6, in the 10 years after HAVA, 7 states and the District of Columbia added provisions for no-excuse absentee voting by mail, while no state eliminated such provisions⁷³—for a total of 27 states and the District of Columbia that allow no-excuse absentee voting, in addition to Oregon and Washington.

⁷² Oregon provided for all elections to be conducted by mail at the time that HAVA was enacted.

⁷³ Maryland enacted no-excuse absentee voting in 2006; however, due to a state supreme court opinion that called into question the constitutionality of no-excuse absentee voting, for the 2008 elections, Maryland had “excuse absentee voting.” After passage of a statewide constitutional amendment in 2008, no-excuse absentee voting returned in 2010.

Figure 6: States with No-Excuse Absentee Voting Provisions, by Year, from 2002 through 2012



Legend:
HAVA - Help America Vote Act of 2002
Source: GAO analysis of state statutes.

Notes:

Dates listed are generally when states enacted provisions, as opposed to when provisions went into effect. "At HAVA" indicates provisions that were in effect at the time HAVA was enacted.

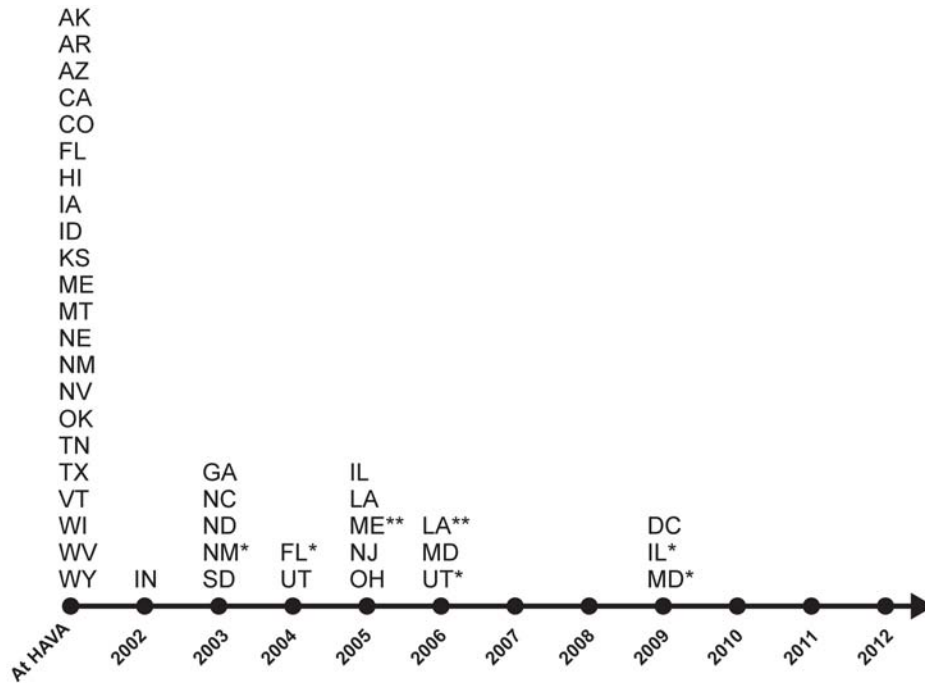
Oregon and Washington, which are vote-by-mail states, are not included in this table. Oregon provided for all elections to be conducted by mail prior to HAVA's enactment. Washington provided for no-excuse absentee voting and permitted permanent absentee voting status at the time HAVA was enacted; county auditors were provided discretion to conduct all elections entirely by mail ballot in 2005 and, in 2011, Washington shifted to become a vote-by-mail state.

Maryland enacted no-excuse absentee voting in 2006; however, due to a state supreme court opinion that called into question the constitutionality of no-excuse absentee voting, for the 2008 elections, Maryland had "excuse absentee voting." After passage of a statewide constitutional amendment in 2008, no-excuse absentee voting returned in 2010.

In addition, New Jersey, Utah, and the District of Columbia also added permanent absentee status at the same time they added no-excuse absentee voting by mail. Four other states amended their state laws to allow for permanent no-excuse absentee voting by mail: Arizona (2007), Colorado (2007), Hawaii (2008), and Montana (2005). No state eliminated permanent no-excuse absentee voting provisions.

Regarding in-person early voting, states have similarly expanded opportunities to cast a ballot prior to Election Day. At the time HAVA was enacted, 22 states allowed for some form of in-person early voting. As shown in figure 7, in the following 10 years, 11 states and the District of Columbia established provisions for early voting where the state did not previously provide for it. Also, after HAVA was enacted, 5 states added an additional form of early voting; for example, the state provided in-person absentee voting and then established early voting. No state eliminated provisions for in-person early voting. A total of 33 states and the District of Columbia currently provide for in-person early voting.

Figure 7: States with In-Person Early Voting Provisions, by Year, from 2002 through 2012



Legend:
HAVA - Help America Vote Act of 2002

Source: GAO analysis of state statutes.

Notes:

Dates listed are generally when states enacted provisions, as opposed to when provisions went into effect. "At HAVA" indicates provisions that were in effect at the time HAVA was enacted.

Oregon and Washington are not included in this table. They are generally vote-by-mail states; however, state law in both states requires that there be physical locations where voters may cast a ballot in person.

* These states added a new form of early voting where the state previously had provisions allowing for voters to cast a ballot in person prior to Election Day without an excuse.

**Maine and Louisiana provided for early voting pilot programs.

States were also active in substantively amending their early voting laws in the years after HAVA was enacted or after early voting was established in the state, often making changes that affected the number of days or the number of locations available for early voting. Of the 33 states that provide for early voting, we identified 6 that did not make substantive changes to their early voting laws since HAVA was enacted or since the state established early voting. For example, after providing for in-person absentee voting in 2003, South Dakota has increased the in-person absentee voting period—early voting period—in two instances. In 2010, South Dakota required absentee ballots to be provided to the county auditor 45 days prior to the election, as opposed to 6 weeks (42 days). In 2011, South Dakota required absentee ballots be provided to the county auditor 48 days prior to the election and that absentee voting is to begin 46 days prior to the election. West Virginia has also amended its early voting law multiple times. In 2003, the law was amended to extend the early voting period and add an additional Saturday and, in 2009, was amended to authorize counties to designate additional early voting locations. In 2011, the early voting period was shortened to begin on the thirteenth day (as opposed to twentieth day) before the election and continue through the third day before the election; the law maintained Saturday voting during the early voting period. Also that year, West Virginia amended state law to modify the process and requirements for designating additional early voting locations.

Table 11 provides a summary of selected state provisions for in-person early voting, in particular, what the provisions for early voting state about voting on the weekend, the number of days available for early voting, and the number of locations available. It also provides information on substantive changes made to these provisions since the Help America Vote Act of 2002 was enacted—over the past 10 years.

Table 11: Selected State In-Person Early Voting Provisions and Substantive Changes in the Past Ten Years

	Enacted state law	Substantive changes in the past 10 years
Alaska		
In-person early voting	Alaska law provides both for in-person absentee voting and in-person early voting.	In 2004, the provision related to locations for early voting was amended to provide for locations designated by the director as opposed to taking place in the office of an election supervisor. In 2004, Alaska's administrative code was amended to provide for uniform times and days for absentee voting stations in the election supervisor's offices to be available, including the Saturday and Sunday before the election.
Availability of weekend voting	Both absentee voting in person and early voting in person take place anytime in the 15 days prior to an election. Absentee voting stations located in the elections supervisor's offices are required to be open on the Saturday and Sunday before a primary, general, and statewide special election. Early voting is also available the Saturday and Sunday before a primary, general and statewide special election.	
Number of days for early voting	Both absentee voting and early voting is available 15 days prior to and including the day of the election. Absentee voting in person and early voting include the Saturday and Sunday prior to the election.	
Number of locations required	Absentee voting in person takes place at the offices of the elections supervisors and locations for absentee voting stations designated by the director of elections. For early voting, the director is required to designate locations for early voting by June 1 of an election year.	
Arizona		
In-person early voting	Arizona law provides for in-person early voting.	Laws enacted in 2007, 2008, and 2009 made some changes to these provisions to establish that early ballots cannot be sent out earlier than 26 days before an election, early voting shall begin 26 days, as opposed to 15 days prior to an election, and that in-person early voting is to begin on the same day as early ballots are sent out.
Availability of weekend voting	Not specified.	
Number of days for early voting	In general, on-site early voting may be available 26 days prior to the election up to 5:00 p.m. on the Friday before the election.	
Number of locations required	The county recorder must establish at least one site for in-person early voting, generally located at the county recorder's office. The county recorder may also establish any other early voting locations the county recorder deems necessary.	
Arkansas		
In-person early voting	Arkansas law provides for early voting.	In 2003, Arkansas amended its early voting law to designate the specific hours available for early voting, including Saturdays, for certain types of elections—including general
Availability of weekend	Weekend voting is available depending on the type of election. For a preferential	

	Enacted state law	Substantive changes in the past 10 years
voting	primary or general election, early voting is available on Saturdays. For all other elections, early voting is available during the regular office hours of the county clerk.	elections. For all other elections, early voting remained available during the regular business hours of the county clerk. At the same time, Arkansas eliminated discretion by the county board to extend the hours for early voting.
Number of days for early voting	For a preferential primary or general election, early voting takes place 15 days before an election, and ends at 5:00 p.m. the Monday before the election. For all other elections, early voting begins 7 days before the election and ends on the day before Election Day at the time the county clerk's office regularly closes.	In 2005, Arkansas changed which types of elections were designated for specified hours of early voting; changed the designated hours of early voting from ending at 6:00 p.m. to 5:00 p.m. on the Monday prior to the election; and provided that early voting would not be available on state holidays. Also in 2005, Arkansas extended the hours of Saturday early voting for the certain types of elections with designated hours, providing that early voting would start at 10:00 a.m. as opposed to 1:00 p.m.
Number of locations required	In general, early voting takes place in the office of the county clerk. The county board of election commissioners may decide to hold early voting at additional polling sites outside the offices of the county clerk. If the county board of election commissioners decides to hold early voting at one or more conveniently located polling sites, the county clerk may choose not to hold early voting within the office of the county clerk.	In 2007, Arkansas amended its early voting law to provide that for certain types of elections (ones that had prior to 2007 not had specified voting hours) would only have early voting for 7, as opposed to 15, days. This act also specified that early voting would not be available on county holidays.
California		
In-person early voting	California law provides for early voting.	No substantive changes identified.
Availability of weekend voting	California law does not generally specify weekend voting. However, counties have discretion to determine the dates and hours that early voting locations will be open.	
Number of days for early voting	Early voting begins 29 days prior to the election; however, which days and hours that early voting locations are to be open is not specified by state law.	
Number of locations required	There is at least one early voting site per county, and additional satellite early voting locations may also be designated by the county elections official.	
Colorado		
In-person early voting	Colorado law provides for early voting.	No substantive changes identified.
Availability of weekend voting	Early voting is generally available only during regular business hours. However, the board of county commissioners may by resolution increase the hours that the early voters' polling place may be open.	
Number of days for early voting	Early voting begins 10 days before a primary election or special legislative election, and 15 days before a general election or other November election conducted by the county clerk and recorder. Early voting ends at the close of business on the Friday immediately preceding the election.	

	Enacted state law	Substantive changes in the past 10 years
Number of locations required	Each county clerk and recorder is required to provide one or more early voters' polling places. The county clerk and recorder may establish additional early voters' polling places.	
District of Columbia		
In-person early voting	District of Columbia (D.C.) law provides for early voting and in-person absentee voting.	D.C. amended its code in 2009 to provide for early voting. At that time, early voting was to take place in at least four early voting centers and for at least 7 days prior to election day. D.C. municipal regulations adopted in 2010 reflected these requirements, and also provided the hours that early voting would take place, including Saturdays, and provided that in-person absentee voting would take place at the Board of Elections for 15 days prior to the election.
Availability of weekend voting	Early voting is available at satellite locations on Saturday, from 8:30 a.m. until 7:00 p.m. In-person absentee voting is also available at the Board of Elections on Saturdays from 8:30 a.m. until 7:00 p.m.	
Number of days for early voting	Early voting centers are open 7 days prior to the election, and in-person absentee voting is available 15 days prior to the election until the day before the election.	
Number of locations required	No fewer than four early voting centers are required, and the Board of Elections must be open for in-person absentee voting.	In 2011, D.C. amended its law regarding early voting. At this time, D.C. law provided that there must be one early voting center for each of D.C.'s eight election wards. Instead of providing that early voting must be for at least 7 days, the amendment provided that early voting centers could be open for not more than 7 days prior to the election. In 2012, D.C. again amended this section with respect to early voting—D.C. law now provides that a minimum of four early voting centers must be established. In addition, D.C. amended its municipal regulations in 2012 to eliminate in-person absentee voting at the Board of Elections on the day prior to the election.
Florida		
In-person early voting	Florida law provides for early voting.	Florida established early voting in 2004, but prior to that Florida law provided for in-person absentee voting, which allowed voters to cast an absentee ballot at the office of the supervisor of elections. When Florida established early voting it provided for the main office or branch of the supervisor of elections to be early voting sites, and also provided for any city hall or public library to be designated as early voting sites. At this time, Florida law specified that early voting was to begin on the 15th day before an election and end on the day before an election (not including special elections). The law also specified the hours for early voting—that early voting had to be available at least 8 hours per weekday, and 8 hours in the aggregate for each weekend. In 2005, Florida passed a law substantively
Availability of weekend voting	Florida law provides for weekend voting as early voting begins on the 10th day before an election and ends on the third day before the election and must be held for at least 6 hours per day during the period. In five counties in Florida that are subject to preclearance under section 5 of the Voting Rights Act, early voting will take place for the maximum number of hours (12) on each day of the early voting period.	
Number of days for early voting	Voting begins the 10th day before an election and ends on the third day before the election and must be provided for no less than 6 hours and not more than 12 hours per day.	
Number of locations required	Locations must include the main or branch office of the supervisor of elections, which must be a permanent facility.	

Enacted state law	Substantive changes in the past 10 years
<p>The supervisor may also designate any city hall or permanent public library facility as an early voting site.</p>	<p>amending its early voting provisions by 1) requiring that early voting sites be designated no later than 30 days prior to an election; 2) requiring that all early voting sites in a county be open on the same days for the same amount of time; 3) requiring that early voting be available 8 hours per weekday instead of at least 8 hours per weekday; and 4) changing the number of days early voting locations were to be open by requiring that early voting end on the second day before an election, instead of the day before the election.</p> <p>Most recently, in 2011, Florida again amended its early voting law to provide for more discretion in the hours that early voting sites are open and shortened the number of days for early voting. Specifically, all early voting sites in a county are no longer required to be open on the same days for the same amount of time nor is there a requirement that aggregate weekend voting comprise 8 hours or be available at least 8 hours each weekday. Instead, early voting must be provided for no less than 6 hours and no more than 12 hours each day. In addition, early voting must begin on the 10th (as opposed to 15th) day before an election and end on the third (as opposed to second) day before an election. On August 16, 2012, a three-judge panel of the District Court for the District of Columbia denied preclearance to Florida's submission of these changes for the counties in Florida that are subject to preclearance, but stated that if each of the counties in Florida were to adopt an early voting plan that provided for the maximum allowable number of early voting hours on a 7:00 a.m. to 7:00 p.m. schedule, such a change would very likely meet the standard for preclearance.⁷⁴ Accordingly, the state submitted an implementation plan that provides for such a schedule, which was administratively precleared by the Department of Justice on September 12, 2012.</p>

Georgia		
In-person early voting	Georgia law provides for voters to cast in-person absentee ballots during the period of advance voting.	In 2003, Georgia eliminated the need for voters to provide an excuse to vote absentee in person prior to Election Day. At that time, voters could cast a ballot in person at the registrar's office or absentee ballot clerk's office Monday through Friday of the week immediately preceding the date
Availability of weekend voting	The advance voting period starts on the fourth Monday prior to the election and ends on Friday immediately prior to the election. Voting must be conducted on the second	

⁷⁴ *Florida v. United States*, No. 11 Civ. 01428 (D.D.C. Aug. 16, 2012).

	Enacted state law	Substantive changes in the past 10 years
	<p>Saturday prior to the election during the hours of 9:00 a.m. through 4:00 p.m. (except for elections without any state or federal candidates).</p> <p>Counties and municipalities may also extend the hours for advance voting.</p>	<p>of the election. In 2008, Georgia amended its law on in-person absentee voting to provide that voters could vote in-person absentee without an excuse not just the Monday through Friday prior to the election; instead, all absentee voters could be issued an absentee ballot in person within 2 days after the ballots were to be delivered to the board of registrars or absentee ballot clerk—which was 45 days prior to the election (other than municipal elections)—but not on the day prior to the election. Accordingly, Georgia administrative rules defined “early voting period” as the time preceding an election in which absentee ballots are mailed or issued to eligible applicants.</p>
Number of days for early voting	<p>The advance voting period starts on the fourth Monday prior to the election and ends on Friday immediately prior to the election. Voting must be conducted on the second Saturday prior to the election during the hours of 9:00 a.m. through 4:00 p.m. (except for primaries and elections with no state or federal candidate). Counties and municipalities may also extend the hours for early voting.</p>	
Number of locations required	<p>Absentee voting during the advance voting period generally takes place at the registrar’s or absentee ballot clerk’s office. Counties and municipalities may provide for additional voting locations to suit the needs of the voters at their option. The board of registrars may establish additional sites for voting absentee ballots, provided the site is a government building, and in counties with a population of 550,000 or more, any county courthouse or courthouse annex is required to be an additional site for voting absentee ballots.</p>	<p>Georgia recently amended its laws addressing in-person absentee voting, which was precleared by the Department of Justice on August 22, 2011. Specifically, Georgia provided for an “advance voting period” as described above. The new law, as amended, prescribes a shorter time frame for early voting and requires particular hours, including hours for voting on a Saturday.</p>
Hawaii		
In-person early voting	<p>Hawaii law provides for early voting.</p>	<p>No substantive changes identified.</p>
Availability of weekend voting	<p>Absentee polling places are open on any Saturdays falling within the early voting period.</p>	
Number of days for early voting	<p>Absentee polling places must be open no later than 10 working days before election day, and all Saturdays that fall within that time period. Absentee polling place may open later if ballots are not available, but all absentee polling places must be open on the same date state-wide.</p>	
Number of locations required	<p>Absentee polling places must be established at the office of the clerk. Additional sites may be designated by the clerk.</p>	
Idaho		
In-person early voting	<p>Idaho law provides for absentee voting in person.</p>	<p>In 2010, Idaho provided that in-person absentee ballot applications could be received until the Friday before the election, as opposed to the day before the election.</p>
Availability of weekend voting	<p>Not specified.</p>	
Number of days for early voting	<p>Not specified; however, an application to vote in person must be received by the county clerk not later than 5:00 p.m. on the Friday before the election.</p>	

	Enacted state law	Substantive changes in the past 10 years
Number of locations required	Each county clerk must provide at least one absent electors' polling place, but may provide more.	
Illinois		
In-person early voting	Illinois law provides for early voting and in-person absentee voting.	Illinois enacted laws on early voting in 2005. In 2007, Illinois established specific requirements on the number of early polling places for jurisdictions based on their populations. Subsequently, in 2009, Illinois extended the hours of early voting for holidays and for the final weekend during the early voting period for jurisdictions over specified populations. In 2011, an amendment provided that early voting begins on the 15th, as opposed to 22nd, day, and ends on the third, as opposed to the fifth, day prior to the election.
Availability of weekend voting	<p>Permanent early voting polling places must be open from 9:00 a.m. to 12 noon on Saturdays and Sundays, and a total of at least 14 hours on the final weekend during the early voting period.</p> <p>In addition to permanent polling places for early voting, the election authority may establish temporary polling places, which may be open on any one or more days and during any hours within the period for early voting.</p> <p>Illinois law also provides for in-person absentee voting at authorized locations. In-person absentee voting is generally available during the regular hours of the election authority; depending upon certain characteristics of the respective office, in-person absentee voting may be required to be available from 9:00 a.m. to 12 noon.</p>	<p>Prior to 2009, Illinois required an excuse for all absentee voting; accordingly, the law providing for in-person absentee voting did not operate like early voting until that time.</p>
Number of days for early voting	<p>Early voting begins the 15th day preceding the election and goes through the third day before Election Day. This includes Saturdays, Sundays, and holidays.</p> <p>In addition to permanent polling places for early voting, the election authority may establish temporary polling places, which may be open on any one or more days and during any hours within the period for early voting.</p> <p>In-person absentee voting at authorized locations generally begins 40 days prior to the election and is conducted through the day before the election. However, in-person absentee voting in certain municipal and township clerk's offices is available from the twenty-second day prior to the election through the day before the election.</p>	
Number of locations required	<p>Counties with populations over 250,000 must establish at least one early polling place within each of the three largest municipalities within the jurisdiction. If any of the municipalities is over 80,000, there must be at least two polling places within the municipality. Any city, village or incorporated town with a population over 100,000 must establish at least two polling places for early voting.</p> <p>In addition to permanent polling places for</p>	

	Enacted state law	Substantive changes in the past 10 years
	<p>early voting, the election authority may establish temporary polling places, which may be open on any one or more days and during any hours within the period for early voting.</p> <p>The number of locations for in-person absentee voting is not specified; the election authority must specifically authorize the relevant clerks to conduct in-person absentee voting.</p>	
Indiana		
In-person early voting	Indiana law provides for early voting, called casting an absentee ballot in person or casting an absentee ballot before an absentee voter board.	Indiana established that voters could cast an absentee ballot in person without an excuse in 2002, effective January 1, 2003. (Prior to 2002, voters needed an excuse to cast an absentee ballot by mail and in person before Election Day.)
Availability of weekend voting	Indiana law provides that voters must be permitted to cast absentee ballots in person for at least 7 hours on each of the two Saturdays prior to Election Day. However, counties with a population of fewer than 20,000 may reduce Saturday hours to a minimum of 4 hours.	
Number of days for early voting	Voters may cast absentee ballots no more than 29 days before an election and not later than noon on the day before the election.	
Number of locations required	Each county must establish at least one location of the office of the circuit court clerk or the office of the board of elections and registration for absentee voting in person. Satellite offices may also be established.	
Iowa		
In-person early voting	Iowa law provides for in-person absentee voting.	In 2002, Iowa law was amended, effective for all elections occurring in 2003, to provide the commissioner of elections with discretion to establish satellite absentee voting stations, whereas prior law had required the commissioner to establish such stations (this change did not affect petitioned-for satellite voting stations).
Availability of weekend voting	In-person absentee voting must be available for at least 8 hours on the Saturday preceding the election.	
Number of days for early voting	<p>At the office of the commissioner of elections, absentee voting in person may begin not more than 40 days before the date of the primary or general election; for other elections, as soon as the ballots are ready but not more than 40 days before an election. There are a number of circumstances where the office is required to be open; in particular, the office must be open:</p> <ul style="list-style-type: none"> • Until 5:00 p.m. on the Friday before election day (deadline to receive requests for absentee ballots by mail); • Until 5:00 p.m. on the Monday before election day if incomplete and/or defective absentee ballots or ballot affidavits have been received; • For at least 8 hours for absentee voting 	<p>In 2007, Iowa extended the time for in-person absentee voting when an election is called for noon and, in 2009, established a deadline for making an application for an absentee ballot, which, in turn, affected the time that commissioner's offices must be open prior to an election.</p>

	Enacted state law	Substantive changes in the past 10 years
	<ul style="list-style-type: none"> on the Saturday before the election; From 8:00 a.m. until 5:00 p.m. on the day voter registration closes before each regularly scheduled election; and When the polls open at noon, 8:00 a.m. until 11:00 a.m. on Election Day. <p>With respect to satellite absentee voting stations, those established by petition must be open at least 1 day for at least 6 hours. Satellite absentee voting stations established at the direction of the commissioner may remain open until 5:00 p.m. the day before the election, but no other hours or days are specified.</p>	
Number of locations required	Absentee voting in person is required to be available at the commissioner's office. In addition, satellite absentee voting stations 1) may be established at the direction of the commissioner and 2) must be established when there is a petition of at least 100 eligible voters requesting a satellite absentee voting station.	
Kansas		
In-person early voting	Kansas law provides for early voting, called advance balloting in person.	In 2008, Kansas allowed for all counties to provide for satellite absentee voting locations, not just those with populations of greater than 250,000, as previously specified in law.
Availability of weekend voting	County election officials have the authority to provide for advance voting ballots on the Saturday preceding the election.	
Number of days for early voting	Advance balloting in person is generally available on business days starting the Tuesday next preceding the election until noon on the day preceding the election. Election officials may also provide for Saturday advance balloting in person. Each county may choose to begin voting as early as the 20th day before the election or at any time after that, but no later than the Tuesday preceding the election.	
Number of locations required	Advance balloting in person must take place in the central county election office. However, the county election officer may designate other locations as satellite advance voting sites.	
Louisiana		
In-person early voting	Louisiana law provides for early voting.	In 2005, to be effective on January 1, 2006, Louisiana established early voting; prior to this, voters could vote absentee in person only if they had an excuse. At the time of establishment, early voting was available from 12 days to 6 days prior to Election Day, and from 8:30 a.m. to 4:30 p.m., Monday through Friday, and 8:30 a.m. to 12 noon on Saturday; however, Saturday voting could be extended if a holiday fell within the early voting period.
Availability of weekend voting	Early voting includes a Saturday (or two Saturdays depending on the election date).	
Number of days for early voting	Early voting is available 14 days to 7 days prior to the election, on Monday through Saturday. Early voting is not available on holidays.	
Number of locations	Early voting is available in the office of the registrar. In addition, there is authority for the designation of additional early voting	Since early voting was established, Louisiana has extended the days and hours

	Enacted state law	Substantive changes in the past 10 years
required	<p>sites:</p> <ul style="list-style-type: none"> • The registrar may designate one branch office for early voting; • In parishes that extend in one direction more than 50 miles and are interspersed with navigable waters, the registrar may designate another branch office for early voting; and • The Secretary of State may develop and implement a program for conducting early voting at additional locations within any parish. 	<p>during which voters may cast their ballots. In 2006, Louisiana extended Saturday hours to 4:30 p.m. in all cases. In 2007, Louisiana extended the early voting period by 1 day so that it would be available from 14 days to 7 days prior to the election. In 2008, the hours that early voting is available were extended, from 4:30 p.m. to 6:00 p.m. Monday through Saturday.</p> <p>In addition, in 2006, Louisiana law directed the Secretary of State to conduct a pilot program for the conduct of early voting in certain parishes. In 2008, state law made the program permanent and granted authority to the Secretary of State to develop and implement a program for conducting early voting at additional locations within any parish.</p>
Maine		
In-person early voting	Maine law provides for in-person absentee voting. In addition, Maine has conducted a pilot program for early voting, which it considers to be different from in-person absentee voting.	Maine amended the provisions related to in-person absentee voting in 2011 to provide that all absentee ballots must be requested (in writing or orally for in person absentee voting in the clerk's office) by the third business day prior to the election—unless the voter has an excuse—as opposed to through Election Day. (Voters may still return their voted ballots up to 8 p.m. on Election Day.)
Availability of weekend voting	Not specified.	
Number of days for early voting	In-person absentee voting begins between 30 days and 45 days prior to an election. In-person absentee voting generally ends 3 business days before Election Day, unless the voter has an acceptable excuse.	In addition, Maine has legislatively provided for pilot programs for early voting. Specifically, in 2005 (as amended in 2007), and again in 2009, Maine directed the Secretary of State to design and report on a pilot program for early voting.
Number of locations required	In-person absentee voting takes place in the municipal clerk's office.	
Maryland		
In-person early voting	Maryland law provides for both early voting and in-person absentee voting.	Maryland enacted laws related to early voting in 2006 that were subsequently declared unconstitutional under the state constitution. Accordingly, in 2007, the Maryland legislature repealed the prior law and passed a constitutional amendment to provide the legislature with authority to authorize early voting. This amendment was approved by voters in 2008.
Availability of weekend voting	Early voting is available on Saturday between the hours of 10:00 a.m. and 8:00 p.m., and on Sunday between 12 noon and 6:00 p.m. Weekend voting is not specified for absentee in-person voting.	Subsequently, in 2009, Maryland enacted early voting laws applicable to the 2010 gubernatorial primary and general elections and the 2012 presidential primary and general elections. For the 2010 elections, Maryland provided for early voting beginning the second Friday through the Thursday before the election, excluding Sunday. For 2012, early voting begins the second Saturday through the Thursday before the election, and includes Sunday voting.
Number of days for early voting	In 2012, early voting begins the second Saturday before the election and continues through the Thursday before the election. Voters may cast an absentee ballot in person at the office of the local board of elections as soon as ballots are available through the closing of the polls on Election Day. (In addition, Maryland law specifically provides that voters may cast an absentee ballot in person after the deadline for applying for an absentee ballot by mail has passed.)	
Number of	Each county is required to have at least one	

	Enacted state law	Substantive changes in the past 10 years
locations required	early voter center. Additional voting centers are required depending on the size of the county, up to five voting centers. In-person absentee voting takes place at the office of the local board of elections.	Absentee voting in person became available in 2006 when Maryland eliminated the need for an excuse to cast an absentee ballot.
Montana		
In-person early voting	Montana law provides for in-person absentee voting.	Montana has amended its law on when absentee ballots are required to be available, which, in turn, has affected when voters may cast in-person absentee ballots at the office of the county election administrator. Until amendments in 2003, absentee ballots were required to be available at least 45 days prior to the election for federal and general elections and general election primaries. In 2003, Montana amended this law to require that absentee ballots be available 30 days prior to these types of elections. Then, in 2005, Montana provided that ballots for general elections were to be available at least 45 days prior to the election, which meant that in-person absentee voting would also be available at that time. In 2007, Montana again amended this law to provide that ballots could generally only be provided for absentee voting 30 days prior to the election (except in the case of overseas voters). In 2009 Montana amended the law to provide that ballots were to be provided at least 30 days before the election, and can be provided as soon as they are available. Accordingly, for certain types of elections, the early voting period has fluctuated between 30 and 45 days pursuant to Montana law. (The 20 days period for other elections, such as odd-numbered year elections, has remained constant.)
Availability of weekend voting	Not specified.	
Number of days for early voting	Early voting generally takes place for 30 days prior to an election. (In certain cases, early voting takes place for 20 days prior to an election, such as for municipal elections in odd-numbered years.)	
Number of locations required	Absentee in-person voting takes place in the offices of the county election administrators.	
Nebraska		
In-person early voting	Nebraska law provides for early voting.	No substantive changes identified.
Availability of weekend voting	Not specified.	
Number of days for early voting	In-person early voting begins 35 days prior to each statewide primary or general election and 15 days prior to all other elections through the day prior to the election.	
Number of locations required	Early voting takes place in the office of the election commissioner or county clerk. No additional locations are specified.	
Nevada		
In-person early voting	Nevada law provides for early voting.	In 2005, Nevada amended its law on early voting to require that permanent and

	Enacted state law	Substantive changes in the past 10 years
Availability of weekend voting	The early voting period includes Saturdays for at least 4 hours between the hours of 10 a.m. and 6 p.m. In addition, the county clerk has discretion to include Sundays during the early voting period.	temporary polling places be selected according to criteria established by the county clerk. In 2007, Nevada shortened the hours that permanent polling places are required to be open on Saturdays during the early voting period.
Number of days for early voting	Early voting begins the third Saturday preceding the election and extends through the Friday before Election Day. The early voting period generally does not include Sundays and federal holidays, but the county clerk has discretion to include Sundays.	
Number of locations required	A permanent polling place for early voting must be established. In addition, the county clerk may establish temporary branch polling places, which may be open for such days and hours as provided by the clerk. Nevada law provides for both temporary and permanent locations for early voting to be selected by the county clerk using criteria established by the county clerk.	
New Jersey		
In-person early voting	New Jersey law provides for in-person absentee voting.	In 2005, New Jersey amended its laws on absentee voting to provide that voters did not need an excuse to cast an absentee ballot, which meant that voters could also cast their absentee ballot in person without an excuse. In 2011, New Jersey law was amended to provide that absentee ballots were to be available on or before 45 days prior to the election, as opposed to 40 days.
Availability of weekend voting	Not specified.	
Number of days for early voting	Absentee mail ballots are available at least 45 days prior to the election and voters may apply in person for a mail ballot up until 3 p.m. on the day before the election.	
Number of locations required	Voters may complete an absentee mail ballot in the office of the county clerk.	
New Mexico		
In-person early voting	New Mexico law provides for both early voting and absentee voting in person.	At the time of changes enacted in 2003, New Mexico law provided that voters could vote early by absentee ballot in person, either at the county clerk's office or at an alternate voting location. In 2003, New Mexico established a definition for "early voter," shortened the period available for casting an absentee ballot in person, and established additional alternate voting locations for voting prior to an election. In 2005, New Mexico law was amended to allow for mobile alternate voting places in rural areas.
Availability of weekend voting	Early voting includes Saturdays, explicitly beginning on the third Saturday prior to the election and ending on the Saturday immediately preceding the election. Early voting locations must be open for 8 hours each day of the early voting period, but are closed on Sundays and Mondays. Alternate locations for early voting on Indian nation, tribal, or pueblo land may operate for less than the full voting period. In-person absentee voting generally takes place during business hours, but on the Saturday immediately prior to the election voters may cast an in-person absentee ballot.	In 2009, New Mexico further amended its early voting law to specify that early voting in alternate voting locations was to take place for 8 consecutive hours, to begin no earlier than 7:00 a.m. and to end no later than 9:00 p.m.; before this change, the specified hours were 12 noon to 8:00 p.m. Tuesday through Friday, and 10:00 a.m. to
Number of days for early voting	Early voting begins on the third Saturday prior to the election and ends on the Saturday immediately preceding the	

	Enacted state law	Substantive changes in the past 10 years
voting	<p>election. Early voting locations must be open for 8 hours each day of the early voting period, but they may be closed on Sundays and Mondays.</p> <p>Alternate locations for early voting on Indian nation, tribal, or pueblo land may operate for less than the full voting period.</p> <p>Absentee voting in person begins 28 days before the election and takes place during regular business hours and on the Saturday immediately preceding the election.</p>	<p>6:00 p.m. on Saturday. As such, the locations had more flexibility on which hours to be open, but the total number of hours required was the same. In 2011, New Mexico changed the number of alternate sites for early voting that the county clerks are required to establish, by and large increasing the number of sites required.</p> <p>Provisions related to alternate sites for early voting on Indian nation, tribal, or pueblo land were first added in 2007, and more specific provisions were added in 2009.</p>
Number of locations required	<p>The county clerk may establish alternate locations for early voting, but must establish a minimum number of locations as follows:</p> <ul style="list-style-type: none"> • in counties with more than 10,000 voters, at least one alternate voting location; • in counties with more than 50,000 voters, at least four alternate voting locations; and • in counties with more than 250,000 voters, at least 15 alternate voting locations. <p>The county clerk may also establish mobile alternate voting locations in rural areas and is required to provide at least one alternate early voting or mobile alternate voting location on Indian nation, tribal, or pueblo land when requested by the Indian nation, tribe, or pueblo in the county.</p> <p>In-person absentee voting takes place in the office of the county clerk.</p>	
North Carolina		
In-person early voting	<p>North Carolina law provides for early voting, called one-stop absentee voting or one-stop voting.</p>	<p>In 2003, North Carolina provided that voters did not need to expect to be absent from the county on election day in order to vote at a one-stop voting site during the early voting period.</p>
Availability of weekend voting	<p>The county board of elections is required to conduct one-stop voting on the last Saturday before the election until 1 p.m. (and may conduct it until 5:00 p.m.). In addition, a county board may conduct one-stop absentee voting during evenings or on weekends, as long as the hours are part of a plan that is approved by the county and state boards of elections.</p>	
Number of days for early voting	<p>The one-stop voting period (early voting) starts no earlier than the third Thursday before the election and lasts at least until 1 p.m. on the last Saturday before the election. The county boards of election have discretion to extend the voting period until 5:00 p.m. on the Saturday prior to the election, and may provide for voting during evenings or on weekends, as long as the hours are part of a plan that is appropriately</p>	

	Enacted state law	Substantive changes in the past 10 years
	submitted and approved.	
Number of locations required	Early voting takes place at a minimum at the county board of elections; however, a county board of elections may provide for one or more sites in that county as long as they are part of a plan that is approved by the county and state boards of elections.	
North Dakota		
In-person early voting	North Dakota law provides for early voting at the discretion of the board of county commissioners.	North Dakota enacted provisions on early voting in 2003. In 2009, North Dakota amended its early voting law to provide the county auditor with discretion to utilize more than one early voting location.
Availability of weekend voting	Not specified.	
Number of days for early voting	If early voting is established, then it must be authorized during the 15 days immediately prior to the election; the county auditor is responsible for designating the business days and times during which early voting will be available. The early voting location may be closed at the end of the last day designated for early voting in the county.	
Number of locations required	If early voting is established, it may be at one or more voting locations, at the discretion of the county auditor.	
Ohio		
In-person early voting	Ohio law provides for in-person absentee voting.	Several changes to Ohio laws have affected in-person absentee voting. In 2005, Ohio eliminated the need for an excuse to vote by absentee ballot, which went into effect in 2006. In 2006, Ohio provided that voting may only take place at one location within the county. In 2010, Ohio provided that absentee ballots must be available 35 days prior to a presidential primary election, as opposed to 25 days prior to the primary (ballots already were required to be available 35 days prior to the election for other elections). And lastly, in 2011, Ohio shortened the time period available for early voting, providing that in-person absentee voting must be completed by 6:00 p.m. on the last Friday before the day of the election, as opposed to the close of business on the day before the election. On August 31, 2012, the U.S. District Court for the Southern District of Ohio held that early voting on the weekend prior to the election must be restored. ⁷⁵ Defendants have filed an appeal to the Court of Appeals for the Sixth Circuit.
Availability of weekend voting	Not specified; however, the U.S. District Court for the Southern District of Ohio has ruled that early voting on the weekend prior to the election must be restored.	
Number of days for early voting	Voters may cast an absentee ballot in person 35 days prior to the election through 6:00 p.m. on the Friday prior to the election.	
Number of locations required	In-person absentee voting takes place at the office of the board of election, or at alternate locations designated by the board, but is only permitted at one site.	Ohio also enacted other changes addressing early voting that were to be

⁷⁵ *Obama for America v. Husted*, No.12 Civ. 0636 (S.D. Ohio Aug. 31, 2012).

Enacted state law		Substantive changes in the past 10 years
		subject to a voter referendum but were subsequently repealed.
Oklahoma		
In-person early voting	Oklahoma law provides for in-person absentee voting.	In 2002, Oklahoma amended its law on in-person absentee voting to provide for early voting to take place on Saturday, as opposed to Thursday, prior to the election (in addition to Monday and Friday).
Availability of weekend voting	Voters may cast an in-person absentee ballot on the Saturday immediately preceding a state or federal election.	
Number of days for early voting	In-person absentee voting takes place on the Friday and Monday preceding any election, and on the Saturday immediately preceding a state or federal election.	
Number of locations required	In-person absentee voting takes place in one designated location in the county.	
South Dakota		
In-person early voting	South Dakota law provides for early voting, called an in-office absentee ballot.	In 2003, South Dakota eliminated the need for an excuse to vote absentee. South Dakota has increased the in-person absentee voting period in two instances. In 2010, South Dakota provided that absentee ballots were required to be provided to the county auditor 45 days prior to the election, as opposed to 6 weeks (42 days). In 2011, South Dakota provided that absentee ballots are to be provided to the county auditor 48 days prior to the election and absentee voting is to begin 46 days prior to the election.
Availability of weekend voting	South Dakota law provides for in-office absentee voting during regular office hours.	
Number of days for early voting	Absentee voting begins 46 days prior to the election and ends at 3 p.m. on Election Day.	
Number of locations required	Early voting takes place in the office of the county auditor. No other locations are provided for.	
Tennessee		
In-person early voting	Tennessee law provides for early voting.	In 2011, Tennessee shortened the early voting period by ending early voting 7 days, as opposed to 5 days, prior to the election for a presidential preference primary.
Availability of weekend voting	In general, early voting is required to take place on Saturdays for at least 3 consecutive hours. For counties with a population of greater than 150,000, early voting must be available on at least one Saturday during the early voting period from 8:00 a.m. to 4:00 p.m.	
Number of days for early voting	Early voting takes place 20 days prior to the election and ends 5 days before the election. Early voting ends 7 days prior to the election for a presidential preference primary.	
Number of locations required	Early voting takes place at the county election commission office; the election commission may designate additional satellite polling places.	
Texas		
In-person early voting	Texas law provides for early voting.	In 2005, the Texas early voting law was amended to add a shorter early voting period for May elections.
Availability of weekend	The extent to which counties are required to conduct weekend voting varies depending on the size of the county and type of	

	Enacted state law	Substantive changes in the past 10 years
voting	<p>election. In general, election officials may order early voting to be conducted on one or more Saturdays or Sundays during the early voting period. In addition, upon the receipt of a written request by at least 15 registered voters, the county is required to hold early voting on at least one Saturday if a Saturday is requested and on at least one Sunday if a Sunday is requested.</p> <p>For state primary and general elections, counties that have a population of more than 100,000 are required to conduct early voting for at least 12 hours on the last Saturday and for at least 5 hours on the last Sunday of the early voting period. In counties of less than 100,000, early voting must be held at those times on receipt of a written request submitted by at least 15 registered voters of the county.</p>	
Number of days for early voting	<p>The early voting period begins on the 17th day before Election Day, or if that day is a weekend or holiday, then on the first non-holiday weekday following that date, and continues through the fourth day before Election Day (except for an election held on the uniform election date in May and any resulting runoff election, when the period for early voting begins on the 12th day before election day and continues through the fourth day before Election Day).</p>	
Number of locations required	<p>Each county has at least one main early voting polling place. Additional locations are at the discretion of county officials, and dictated by the population in the county, as described below.</p> <p>For general, primary and special elections, an early voting polling place must be located at each branch office that is regularly maintained for conducting general clerical functions of the county clerk; if one or more temporary branch polling places is established, then a branch office does not have to be an early voting polling place.</p> <p>For a primary election, general election for state and county officers, or a special election to fill a vacancy in the legislature or in Congress, additional early voting polling places are established based on county population. For example, counties with a population of 400,000 or more are generally required to establish one or more early voting polling places in each state representative district.</p> <p>The relevant election authority also has discretion to establish one or more early voting polling places. In addition, for a primary election, general election for state</p>	

	Enacted state law	Substantive changes in the past 10 years
	and county officers, or a special election to fill a vacancy in the legislature or in Congress, temporary branch polling places may be established.	
Utah		
In-person early voting	Utah law provides for both early voting and in-person absentee voting.	In-person absentee voting was established in 2004 at the same time Utah eliminated the need for an excuse to vote absentee. In 2008, Utah provided that in-person absentee ballots must be received by the Friday before Election Day, as opposed to the close of polls on Election Day. In 2012, Utah established the number of days prior to the election when absentee ballots would be issued (prior to this change, absentee ballots could be issued after the ballots were printed, a time frame for which was not specified).
Availability of weekend voting	Election officers may, but are not required to, conduct early voting on weekends. Weekend voting is not specified for in-person absentee voting.	
Number of days for early voting	Early voting begins 14 days before the date of the election and ends on the Friday before the election if the election date is a Tuesday. In-person absentee voting begins 29 days prior to the election and ends the Friday before the election.	Utah also established early voting in 2006. In 2007, Utah required that first class counties provide at least one early voting polling place within each Utah State Senate district for regular general and primary elections. Two years later, Utah amended this requirement, instead requiring first class counties provide early voting polling places approximately proportionately distributed based on population within the county.
Number of locations required	The election officer designates one or more polling places for early voting. Counties of the first class (with a population of at least 700,000) must ensure that polling places are approximately proportionately distributed based on population within the county. In-person absentee voting takes place in the office of the appropriate election office, which is generally the county clerk's office (other than for municipal elections).	
Vermont		
In-person early voting	Vermont law provides for in-person absentee voting.	The provision authorizing mobile polling stations was added in 2007, effective in 2008.
Availability of weekend voting	Not specified.	
Number of days for early voting	Voters may vote in-person absentee starting 45 days before an election until 5:00 p.m. or the closing of the town clerk's office on the day preceding the election or until 7:00 p.m. at the polling place on the day of the election.	
Number of locations required	Voters may submit absentee ballots in person at the town clerks' offices, and the Secretary of State may authorize town clerks to establish mobile polling stations.	
West Virginia		
In-person early voting	West Virginia law provides for early voting.	In 2002, state law provided that voters may vote absentee ballots in person during regular business hours beginning on the fifteenth day before the election and continuing through 1:00 p.m. the Monday before the election for any election held on a Tuesday, or continuing through 1:00 p.m. the day before the election for any election held on another day. For any election held
Availability of weekend voting	Early voting is available on Saturdays from 9:00 a.m. to 5:00 p.m. during the early voting period.	
Number of days for early voting	The early voting period begins on the thirteenth day before the election and ends on the third day before the election.	

	Enacted state law	Substantive changes in the past 10 years
Number of locations required	Each county designates the courthouse or annex to the courthouse as the primary location for early voting and may also designate other locations.	<p>on a Tuesday, regular absentee voting in person was available from 9:00 a.m. to 5:00 p.m. on the Saturday before the election.</p> <p>In 2003, the law was amended to extend the early voting period and add an additional Saturday to the early voting period. The early voting period was to begin on the twentieth day before the election and continue through the third day before the election. For any election held on a Tuesday, the early voting period for in-person voting is to be available from 9:00 a.m. to 5:00 p.m. on the two Saturdays prior to the election.</p> <p>In 2009, the law was amended to authorize counties to designate additional early voting locations.</p> <p>In 2011, the law was amended to shorten the early voting period to begin on the thirteenth day before the election (as opposed to the twentieth day prior to the election) and continue through the third day before the election. The law maintained Saturday voting during the early voting period.</p> <p>In 2011, state law was amended to modify the process and requirements for designating additional early voting locations.</p>
Wisconsin		
In-person early voting	Wisconsin law provides for in-person absentee voting.	In 2011, the law was amended to establish the beginning of the early voting period as the third Monday preceding the election and to change the end of the early voting period to the Friday preceding the election, at 5:00 p.m. or the close of business, whichever is later. Previously, the early voting period was 30 days prior to the election for the November 2010 general election, and ended 5:00 p.m. the day before the election.
Availability of weekend voting	Weekend voting is available at the discretion of the municipality.	
Number of days for early voting	The period for early voting begins on the opening of business on the third Monday preceding the election and ends no later than 5:00 p.m. or the close of business, whichever is later, on the Friday preceding the election.	
Number of locations required	Each municipal clerk's office is an absentee voting location, or municipalities may elect to designate an alternate location.	
Wyoming		
In-person early voting	Wyoming law provides for in-person absentee voting.	In 2006, Wyoming amended its absentee in-person voting law to allow boards of county commissioners to establish absentee polling places where voters can cast in-person ballots that may be tabulated automatically.
Availability of weekend voting	Absentee ballots may be submitted to the office of the county clerk, and any additional absentee polling places established by boards of county commissioners are open the same hours as the courthouse on normal business days during the time period allowed for absentee voting.	
Number of	In-person absentee voting begins 40 days	

	Enacted state law	Substantive changes in the past 10 years
days for early voting	prior to the election and goes through the day before Election Day.	
Number of locations required	Absentee ballots may be submitted at the offices of county clerk or at the absentee polling place designated by the county clerk. Some counties additionally have satellites offices of the county clerk.	

Source: GAO analysis of state statutes.

Note: Oregon and Washington are generally vote-by-mail states; however, state law in each state requires that there be physical locations where voters may cast a ballot in person.

Enclosure IX: Substantive Changes to State Requirements for Third-Party Voter Registration Organizations

This enclosure provides an overview of substantive changes to state requirements for third-party voter registration organizations that conduct voter registration drives, specifically in the areas of return time frames for collected voter registration applications and limitations on compensation for individuals involved in the drives, followed by a table containing enacted state requirements and substantive changes to those requirements that we identified. For purposes of this analysis, we defined substantive changes to include changes to the law that would affect the voter registration organization conducting the drive, such as how long the organization has to return completed registration applications. We excluded technical or administrative changes to the laws, minor amendments, or changes that are not relevant to the particular type of requirement being addressed. Information on the methodology used to compile this information is in enclosure I.

At the time that HAVA was enacted, 41 states and the District of Columbia did not have a time frame for organizations to return voter registration applications, while 8 states did have such a time frame. In the past 10 years, 11 additional states have added a return time frame, for a total of 19 states. In addition, 5 states substantively amended the time frame once it was established to either shorten or lengthen the return period; 3 of these states lengthened the period, while 2 shortened the period.⁷⁶

Of the 17 states that currently have a limitation on compensation for persons collecting voter registration applications, 10 have enacted those restrictions in the past 10 years.⁷⁷ For example, in 2006, Kentucky enacted a statute prohibiting the compensation of a person for registering voters based on the total number of voters or voters of a particular party or group a person registers, and in 2008, Oregon enacted a statute prohibiting a person from paying or receiving money or another thing of value based on the number of signed voter registration applications a person collects. Additionally, Colorado, which had a limitation on compensation at the time that HAVA was enacted, established a penalty associated with the violation of the restriction in 2005.

⁷⁶New Mexico, Georgia, and Colorado lengthened the applicable period; Washington and Florida shortened the applicable period. Florida changed the applicable return period from requiring that voter registration organizations promptly deliver registration forms to the Division of Elections or the supervisor of elections to requiring that registration applications be delivered within 48 hours after the applicant completes it or the next business day if the appropriate office is closed for that 48-hour period. In May 2012, a federal court temporarily enjoined this provision to the extent that it requires delivery of an application within 48 hours or any period less than 10 days and issued a permanent injunction on August 30, 2012, to the same effect. *League of Women Voters of Florida v. Detzner*, No. 11 Civ. 00628 (N.D. Fla. Aug. 30, 2012). In response, the Florida Division of Elections currently directs organizations to deliver completed registration applications within 10 days after the applicant delivers the application to the organization.

⁷⁷Kentucky, Maryland, Michigan, Minnesota, Missouri, Ohio, Oregon, South Dakota, Texas, and Wisconsin enacted limitations on compensation in the past 10 years. In 2011, Texas enacted a statute that prohibited a person from compensating another person based on the number of voter registrations that the other person successfully facilitates, presenting another person with a quota of voter registrations to facilitate as a condition of payment or employment, and engaging in another practice that causes another person's compensation from or employment status with the person to be dependent on the number of voter registrations that the other person facilitates. In 2012, the U.S. District Court for the Southern District of Texas enjoined the enforcement of the provisions that prohibited using a quota as a condition of payment or employment or engaging in another practice that causes a person's compensation or employment to be dependent on the number of applications facilitated. *Voting for America v. Andrade*, No.12 Civ. 0044 (S.D. Tex. Aug. 2, 2012). The state appealed the decision to the Court of Appeals for the Fifth Circuit, which subsequently granted its request for a stay of the injunction pending the appeal.

Table 12 provides a summary of selected state provisions for third-party voter registration organizations that conduct voter registration drives. States that have enacted provisions in any of the following areas are included: 1) official volunteer systems;⁷⁸ 2) training; 3) registration, disclosure and recordkeeping; 4) limitations on the number of applications; 5) return time frames; and 6) limitations on compensation. In addition, table 13 presents any associated penalties and information on substantive changes made to any enacted provisions in the past 10 years.

Table 12: Selected State Third-Party Voter Registration Organization Requirements and Substantive Changes in the Past Ten Years

	Enacted state law	Substantive changes in the past 10 years
Alaska		
Official volunteer system	Alaska law provides that a regional election supervisor may appoint registrars for the supervisor's region, and the Division of Elections prefers that individuals conducting voter registration drives become registrars. The law provides that registrars are required to be qualified state voters and must take an oath to honestly, faithfully, and promptly perform their duties. These registrars serve at the pleasure of the director of elections.	In 2003, Alaska repealed a regulation that provided that registrars would be paid \$7.50 for posting notices of election in at least two conspicuous locations within a precinct and that compensation could be waived by a registrar under the terms set out in the appointment agreement. In 2006, Alaska issued regulations specifying the authority and responsibilities of registrars.
Training	The director of elections is required to provide training to the registrars and can have them take a test to demonstrate their competence. The director is also required to periodically evaluate the registrars based on the completeness of the registration forms, timely filing of registration forms, and the voter registration activity attributed to the registration official.	No substantive changes identified.
Return time frames	Registrars must transmit voter registration forms to the election supervisor within 5 days following completion by the voter.	No substantive changes identified.
Arizona		
Official volunteer system	Arizona law provides that a county recorder may appoint deputy registrars to assist in distributing registration forms, to assist in registering voters, and to accept completed registration forms. Such deputy registrar must be a qualified elector and serve without pay.	No substantive changes identified.
Arkansas		
Return time frames	Arkansas law requires anyone who assists applicants with a voter registration application during a registration drive or who gathers the applications as part of the drive	The time frame was enacted in 2005.

⁷⁸As described in enclosure IV, some states have requirements that are applicable to a category of individuals assisting applicants with the registration process who are recognized by state or local election officials; participation in such an official volunteer system is generally optional, and third-party organizations that seek to conduct voter registration drives are not required to comply with the requirements associated with these systems.

	Enacted state law	Substantive changes in the past 10 years
	to submit the forms within 21 days of the application and not later than 30 days before the date of the election.	
Penalties	Willful violation of any provision governing voter registration is a misdemeanor.	No substantive changes identified.
California		
Official volunteer system	California has an official volunteer system.	No substantive changes identified.
Registration, disclosure, and recordkeeping	<p>Any person who compensates others to collect voter registration forms must retain for 3 years the names, addresses, and telephone numbers of each employee and an acknowledgement of the employee's receipt of a statement describing his or her responsibilities and liabilities under the law.</p> <p>Any person who receives compensation for collecting voter registration forms must sign and date the form, and include on the registration form his or her name, telephone number, and address, and the name and telephone number of the person or organization employing the individual to collect registration applications.</p> <p>Any person who collects a voter registration form must sign and date a detachable receipt with his or her name, address and telephone number and the name and telephone number of the person or organization employing the individual to collect registration applications and give it to the person registering to vote.</p>	No substantive changes identified.
Penalties	<p>Any person compensated for collecting voter registration forms who fails to include the required information on the registration form is guilty of a misdemeanor punishable by a \$1,000 fine or imprisonment for a period not to exceed 6 months, or, if the failure is found to be willful, 1 year, or both. Any such person, upon a third or subsequent conviction, on charges brought and separately tried, may be punished by a fine not exceeding \$10,000 or by imprisonment for a period not to exceed 1 year, or both.</p> <p>Any person who willfully fails to provide a voter registration form receipt is guilty of an infraction punishable by a fine up to \$200.</p>	No substantive changes identified.
Limitations on number of applications	Requests for more than 50 registration forms require a distribution plan that describes the method of distribution and acknowledges that organizers know and will follow the laws regarding voter registration.	No substantive changes identified.
Return time frames	Individuals and organizations who collect voter registration forms must return the voter registration forms to the county elections	No substantive changes identified.

	Enacted state law	Substantive changes in the past 10 years
Penalties	<p>official or deposit the forms in the postal service within 3 days, excluding Saturdays, Sundays, and state holidays, of receipt from a voter, or before the close of registration, whichever is earlier.</p> <p>Any person who knowingly or negligently fails to return a voter registration form within the time frame is guilty of a misdemeanor punishable by a fine not to exceed \$1,000.</p> <p>When a person, company, or organization that compensates others to collect voter registration forms submits three or more registrations that do not comply with certain provisions of law (false registrations, time frame for return, or tampering with party affiliation), the elections official must notify the employer and may forward the forms to the district attorney.</p> <p>In addition, anyone having charge of affidavits of registration who knowingly neglects or refuses to return affidavits of registration as provided by law is guilty of a misdemeanor.</p>	No substantive changes identified.
Colorado		
Training	An organizer of a voter registration drive must successfully complete online training and answer all questions correctly on a test provided by the Secretary of State. The organizer must complete the training and test every calendar year in which he or she intends to conduct a drive. Organizers must provide training to individuals circulating voter registration forms and obtain and maintain on file signed attestations from each circulator that he or she will adhere to election rules and is aware of the penalties associated with the mishandling of voter registration application forms.	The training requirement was first enacted in 2005, and in 2007, Colorado issued regulations establishing a procedure for renewing registration numbers. Organizers were to complete a voter registration drive exercise, and if they answered all questions correctly, they received a registration number for the next year; if they did not, they had to complete the training again. In 2009, the regulation was amended to provide that organizers must take the test and answer each question correctly every year.
Penalties	Failure to fulfill the training requirements by a voter registration drive organizer is punishable by a fine not to exceed \$500.	This provision was enacted in 2005 and provided for a generic penalty for election offenses that included a fine of not more than \$1,000 or imprisonment for not more than 1 year, or both. In 2007, it was amended to specify that the penalty is a fine not to exceed \$500.
Registration, disclosure, and recordkeeping	Colorado requires the organizer of a voter registration drive to file a statement of intent, which must include the name of the group conducting the drive, the name and contact information of the individual organizing the drive, and the name and contact information of the agent, who must be a resident of Colorado. The statement of intent must be filed no later than 30 days before the general election in a given calendar year, and any changes must be filed in writing with the	<p>Colorado's requirement to file a statement of intent was added in 2005 and provided that only changes to the county in which the drive would be conducted had to be submitted within 3 business days. In 2009, it was amended to require any changes to the statement of intent be submitted no later than 3 days after the change occurs.</p> <p>In 2006, Colorado issued regulations authorizing voter registration drives to use</p>

	Enacted state law	Substantive changes in the past 10 years
	<p>Secretary of State no later than 3 days after the change occurs. The statement of intent expires at the end of the calendar year.</p> <p>Once the organizer submits a statement of intent and completes the required training, the Secretary of State assigns a unique number to the voter registration drive and posts the agent and the name of the group conducting the drive on the Secretary of State web site.</p> <p>The organizer is responsible for writing the voter registration drive number on the detachable receipt, and the person circulating the voter registration forms must ensure that the receipt is completed and given to the applicant.</p>	<p>the national mail voter registration form, while encouraging drives to use the state form because it includes a tear-off receipt.</p>
Penalties	<p>Failure to file a statement of intent or maintain a designated agent by a voter registration drive organizer is punishable by a fine not to exceed \$500.</p>	<p>This provision was enacted in 2005 and provided for a generic penalty for election offenses that included a fine of not more than \$1,000 or imprisonment for not more than 1 year, or both. In 2007, it was amended to specify that the penalty is a fine not to exceed \$500.</p>
Return time frames	<p>The organizer must deliver registration applications to the county clerk and recorder of the county no later than 15 business days after the application is signed, or, if the application is sent by mail, it must be postmarked no later than 15 business days after the application is signed, and within 5 business days during the 30 days before the close of registration (and delivered no later than the registration deadline).</p>	<p>This provision was enacted in 2005 with a five-day time frame for submitting registration applications. In 2006, the time frame was changed to 7 days, with a five-day time frame for applications signed within 30 days of the close of registration. In 2007, the time frame was changed from 7 to 15 days after the application is signed.</p>
Penalties	<p>Intentional failure to deliver a voter registration application by the deadline by a voter registration drive organizer is punishable by a fine not to exceed \$5,000.</p>	<p>This provision, as enacted in 2005, provided that a voter registration drive organizer who negligently failed to deliver a voter registration application within the time frame was guilty of a misdemeanor and subject to generic penalties for election offenses, which were a fine of not more than \$1,000 or imprisonment for not more than 1 year, or both. The law also provided that the organizer must also pay a fine not to exceed \$50 for each business day of violation. In 2006, the provision was amended so that, upon a first violation, the organizer would only be subject to the \$50 per day penalty. However, if the organizer were fined three times or more under this provision, the organizer would be subject to the generic penalties for election offenses. Further, an organizer who intentionally failed to deliver the registration applications by the time frame was guilty of a class 1 misdemeanor,</p>

Enacted state law		Substantive changes in the past 10 years
		which carries a minimum sentence of 6 months imprisonment or \$500 fine, or both, and a maximum sentence of 18 months imprisonment or \$5,000 fine, or both. In 2007, the law was again amended so that the \$50 per day penalty only applied if the organizer willfully, rather than negligently, failed to deliver the applications in time. The penalty for three or more willful violations of the time frame was specified to be a fine not to exceed \$1,000 and the penalty for intentional failure to deliver within the time frame a fine not to exceed \$5,000. In 2012, the provision regarding willful failure to deliver the applications in time was repealed, leaving only the provision regarding intentional failure, with an attached penalty of a fine not to exceed \$5,000.
Limitations on compensation	An organizer may not compensate a circulator of voter registration applications based on the number of voter registration applications the circulator distributes or collects.	No substantive changes identified.
Penalties	A voter registration drive organizer who compensates a circulator based on the number of applications distributed or collected is subject to a fine not to exceed \$1,000.	This provision was enacted in 2005 and provided for a generic penalty for election offenses that included a fine of not more than \$1,000 or imprisonment for not more than 1 year, or both. In 2007, it was amended to specify that the penalty is a fine not to exceed \$1,000.
Delaware		
Official volunteer system	Delaware operates an optional official volunteer system in which private entities may apply to the State Election Commissioner to register persons to vote on a continuing basis or during an organized voter registration drive.	No substantive changes identified.
Training	The state must develop a training program for training individuals participating in the official volunteer system. Individuals who complete the training are certified as a temporary registrar for a period of 2 years or for the duration of the voter registration drive, whichever is shorter.	In 2010, the duration of a certification as a temporary registrar was lengthened from 1 year or the duration of the drive, whichever is shorter, to 2 years or the duration of the drive, whichever is shorter.
Registration, disclosure, and recordkeeping	Delaware requires persons registering others to vote to keep a log of all registration applications solicited and deliver that log with the applications within 10 days of their solicitation. The log must include the name of the person or organization conducting the drive, the inclusive dates that the listed applications were collected, and a list of the full name of the applicant and associated application's number for each application collected.	The provision requiring the log was added in 2006.
	Entities operating under the official volunteer	

	Enacted state law	Substantive changes in the past 10 years
	<p>system must apply to the State Commissioner of Elections at least 30 days prior to the start of the drive. The application must include the name and address of the organization; the name, address, and telephone number of the chief official of the organization; the target audience and/or scope of the drive; the name, address, and telephone number of the person responsible for the drive; attestations by the chief official of the organization that the drive is authorized; and the number of applications requested. The application must be approved if the requested training date is prior to the start of the registration and the applying entity has not violated any election law or rule.</p> <p>Delaware requires the temporary registrar to sign and annotate with a code each application.</p>	<p>In 2010, the law was amended to repeal requirements that applications to participate in the official volunteer system include the dates of the drive, the names of persons designated as temporary registrars, and the date for training.</p>
Return time frames	<p>Delaware requires that persons and entities registering people to vote submit completed applications within 10 days of soliciting the application.</p> <p>Delaware law requires that, for organizations operating under the official volunteer system, registration applications be submitted within 5 days of the completion of a voter registration drive or, for a continuous registration drive, at least once every 5 working days.</p>	<p>The provision requiring applications to be submitted within 10 days of their solicitation was added in 2006.</p>
Penalties	<p>An entity operating under the official volunteer system that fails to return applications within the deadline may be fined up to \$1,000 and be denied permission to conduct another drive or be involved in the voter registration process for a period of up to 5 years.</p>	<p>No substantive changes identified.</p>
District of Columbia		
Limitations on number of applications	<p>The Board of Elections and Ethics provides that any request for more than 250 voter registration applications must be approved by the Registrar of Voters upon demonstration that more than 250 individuals can be registered during the drive.</p>	<p>No substantive changes identified.</p>
Florida		
Registration, disclosure, and recordkeeping	<p>Florida law requires a third-party voter registration organization to register with the Division of Elections. The organization must provide in electronic format the names of the officers of the organization and the name and permanent address of the organization and the name and address of the organization's registered agent in the state.</p>	<p>Florida first required registration of third-party voter registration organizations in 2005. The law required the organizations to name a registered agent in the state and submit to the state the name of the registered agent and the name of those individuals responsible for the day-to-day operations of the organization. The</p>

Enacted state law	Substantive changes in the past 10 years
<p>Florida also directs organizations to submit the names and addresses of employed, but not volunteer, registration agents, that is, individuals who are employed by a third-party voter registration organization and who solicit for collection or collect voter registration applications on behalf of an organization. The Division of Elections must update the information on voter registration organizations and make the information publicly available.</p> <p>In the five counties that require preclearance (Hillsborough, Monroe, Collier, Hardee, and Hendry), the organizations must name a registered agent in the state and submit to the state the name of the registered agent and the name of those individuals responsible for the day-to-day operations of the organization. The organization must also submit a quarterly report providing the date and location of any registration drives conducted in the prior calendar quarter.</p>	<p>organization was also required to submit a quarterly report providing the date and location of any registration drives conducted in the prior calendar quarter. In 2011, Florida law was amended to require third-party voter registration organizations to provide, in an electronic format, the names of the officers of the organization and the name and permanent address of the organization, the name and address of the organization's registered agent in the state, the names, permanent addresses, and temporary addresses, if any, of each registration agent registering persons to vote, and a sworn statement from each registration agent employed by or volunteering for the organization stating that the agent will obey all state laws and rules regarding voter registration. Florida rules defined registration agents as individuals who are employed by a third-party voter registration organization and who solicit for collection or collect voter registration applications on behalf of an organization. The amendment also required the Division of Elections to update information on voter registration organizations daily and make the information publicly available. Rules implementing this statute provided that organizations must submit any change in information previously submitted within 10 days following the change. Florida also issued a rule requiring organizations to submit monthly reports to account for the number of state and federal voter registration application forms provided to and received from each of its registration agents for the preceding month. If the organization had no voter registration activities in the preceding month, it was required to submit a report reflecting that fact. In August 2012, the U.S. District Court for the Northern District of Florida permanently enjoined the implementation of the statutory provisions requiring organizations to submit information about registration agents and sworn statements by registration agents.⁷⁹ The court also enjoined the rule requiring notice of changes to the extent that it requires disclosure of a volunteer's termination within 10 days after it occurs and the rule requiring monthly reports. Florida currently directs organizations to submit the names and addresses of its employed, and not volunteer, registration agents and provides that organizations do not have to submit</p>

⁷⁹ *League of Women Voters of Florida v. Detzner*, No. 11 Civ. 00628 (N.D. Fla. Aug. 30, 2012).

	Enacted state law	Substantive changes in the past 10 years
		sworn statements. It further provides that organizations do not need to notify the Division of Elections when a volunteer registration agent terminates.
Return time frames	Voter registration organizations must deliver the completed voter registration applications to the Division of Elections or to a supervisor of elections' office within 10 days after an applicant delivers the application to the organization.	In 2005, the law provided that voter registration organizations must promptly deliver registration forms to the Division of Elections or the supervisor of elections. In 2011, the law was amended to require that registration applications be delivered within 48 hours after the applicant completes it or the next business day if the appropriate office is closed for that 48-hour period. In August 2012, a federal court issued a permanent injunction against this provision to the extent that it requires delivery of an application within 48 hours or any period less than 10 days. ⁸⁰ In response, the Florida Division of Elections directs organizations to deliver completed registration applications within 10 days after the applicant delivers the application to the organization.
Penalties	<p>A third-party voter registration organization that does not deliver registration applications within the time frame is liable for the following fines:</p> <ul style="list-style-type: none"> • \$50 for each application received after the deadline and \$250 per application if the person acted willfully; • \$100 for each application collected before the close of registration but submitted after the close of registration and \$500 per application if the person acted willfully; and • \$500 per application if the application is not submitted and \$1,000 per application if the person acted willfully. <p>The aggregate fine that can be imposed against an organization in a calendar year is \$1,000.</p> <p>For most of the state, a showing by the third-party voter registration organization that the failure to deliver the voter registration application within the required time frame is based upon acts of nature or impossibility of performance is an affirmative defense, and upon such a showing, the Secretary of State may waive the fines. Also, if the Secretary of State reasonably believes that a person has committed a violation of this section, the secretary may refer the matter to the</p>	<p>In 2005, Florida enacted a law providing that if any voter registration application collected by a third-party voter registration organization were not delivered to the division or supervisor of elections, the individual collecting the application, the registered agent, and those individuals responsible for the day-to-day operations of the organization were personally and jointly and severally liable for the following fines:</p> <ul style="list-style-type: none"> • \$250 for each application received more than 10 days after the applicant delivered the completed application to the organization; • \$500 for each application collected by the organization prior to the close of registration for any given election and received by the division or the supervisor of elections after the close of registration; and • \$5,000 for each application collected by an organization that is not submitted to the division or supervisor of elections. <p>The law also provided that the fines would be reduced by three-fourths if the organization properly registered with the state and submitted the required quarterly reports.</p> <p>In 2006, the U.S. District Court for the</p>

⁸⁰ *Id.*

Enacted state law	Substantive changes in the past 10 years
<p>Attorney General for enforcement, who may institute a civil action for a violation of this section or to prevent a violation of this section.</p> <p>For the counties requiring preclearance, the Secretary of State must waive the fines upon a showing that the failure to deliver the voter registration application promptly is based upon acts of nature or impossibility of performance. Also, the fines must be reduced by three-fourths in cases in which the organization has complied with registration requirements.</p>	<p>Southern District of Florida enjoined the state from enforcing the provisions of law that subject third-party voter registration organizations to financial penalties for failing to submit voter registration applications in the manner prescribed by law.</p> <p>In 2007, Florida amended its law to provide that the organization, rather than the previously named individuals, would be liable for penalties and to reduce the penalties. The law also added penalties for willful violation of the requirements:</p> <ul style="list-style-type: none"> • \$50 for each application received more than 10 days after the applicant delivered the completed application to the organization, or \$250 for each application received if the organization acted willfully; • \$100 for each application collected by the organization prior to the close of registration for any given election and received by the division or the supervisor of elections after the close of registration, or \$500 if the organization acted willfully; and • \$500 for each application collected by an organization that is not submitted to the division or supervisor of elections, or \$1,000 if the organization acted willfully. <p>The law also added a cap, so that the aggregate fine that may be assessed against an organization for violations committed in a calendar year was \$1,000 and provided that the state must waive the fines upon a showing that the failure to promptly deliver the application was based upon acts of nature or impossibility of performance.</p> <p>In 2011, the law was again amended to change the 10-day period before which the \$50 penalty applied to a 48-hour period. The law also changed the mandatory waiver of the fines upon a showing of acts of nature or impossibility of performance to a discretionary waiver, stating that such a showing is an affirmative defense. Finally, the law added a provision authorizing the Secretary of State to refer the matter to the Attorney General if he believes that a person has committed a violation of the requirement, and authorizing the Attorney General to institute a civil action for a violation of the requirement or to prevent a violation of the requirement.</p> <p>In August 2012, a federal court issued a permanent injunction against this provision to the extent that it requires delivery of an</p>

	Enacted state law	Substantive changes in the past 10 years
		application within 48 hours or any period less than 10 days. ⁸¹
Limitations on compensation	Florida law prohibits compensating a person based on the number of voter registrations obtained.	No substantive changes identified.
Georgia		
Official volunteer system	Georgia has an optional volunteer system in which individuals can be appointed deputy registrars. Deputy registrars must be registered to vote in Georgia, be proficient in English, have legible handwriting unless the applications are to be typed, have satisfactorily completed required training, and must not have been convicted of a felony or of any crime involving fraud or moral turpitude, among other things. The Board of Registrars designates sites for voter registration activities, and the law details criteria for the establishment of registration places.	Prior to 2004, only registrars and deputy registrars were able to collect and submit registration applications. In 2003, Georgia amended its administrative code to make the appointment of deputy registrars discretionary rather than mandatory for each county. In 2004, the U.S. District Court for the Northern District of Georgia enjoined the state from rejecting registration applications submitted by someone other than a registrar or deputy registrar, making the deputy registrar system optional.
Penalties	After notice and hearing, the state election board may issue a penalty of up to \$5,000 for violation of election laws or rules. The state election board may also refer cases to the Attorney General to seek injunctive relief or issue civil penalties.	In 2005, the provision authorizing the Attorney General to bring an action on his own initiative if the Attorney General believed that a violation of election law or rule had occurred was repealed.
Training	For private entities, the board of elections must offer training to groups that request it. For deputy registrars, training is required.	The regulations requiring training to be offered to private entities that request it was issued in 2009. No substantive changes identified for deputy registrars.
Penalties	After notice and hearing, the state election board may issue a penalty of up to \$5,000 for violation of election laws or rules. The state election board may also refer cases to the Attorney General to seek injunctive relief or issue civil penalties.	In 2005, the provision authorizing the Attorney General to bring an action on his own initiative if the Attorney General believed that a violation of election law or rule had occurred was repealed.
Registration, disclosure, and recordkeeping	Private entities must include with applications a transmittal summary sheet that must include the name of the submitting individual, the name of the private entity sponsoring the voter registration program, the physical residence or business address of the submitting individual, the daytime and evening telephone numbers of the submitting individual, and the total number of applications being submitted. Georgia law prohibits private entities from accepting an unsealed registration application, unless the private entity has a	The transmittal summary sheet requirement was added in 2009. In 2006, when Georgia first allowed private entities to collect registration applications, it provided that applications must be sealed by the applicant. In 2009, Georgia amended its regulations to provide that a private entity may accept an unsealed application with signed acknowledgement that the applicant willingly and knowingly provided the unsealed application to the private entity.

⁸¹ *Id.*

	Enacted state law	Substantive changes in the past 10 years
	signed acknowledgement from the applicant that the applicant willingly and knowingly provided the unsealed application to the private entity.	
Penalties	After notice and hearing, the state election board may issue a penalty of up to \$5,000 for violation of election laws or rules. The state election board may also refer cases to the Attorney General to seek injunctive relief or issue civil penalties.	In 2005, the provision authorizing the Attorney General to bring an action on his own initiative if the Attorney General believed that a violation of election law or rule had occurred was repealed.
Return time frames	Private entities must return applications within 10 days of receiving the application. If the application is received 14 days or less before the close of registration, the private entity must submit it within 72 hours of the execution of the application, or by midnight on the day registration closes, whichever is sooner. Deputy registrars must return applications by the end of the next business day.	In 2006, when Georgia first allowed third party registration, it provided that registration applications must be mailed or delivered as soon as reasonably practicable, but in any event, no later than 10 days after the date of the execution of the application. In 2009, the provision was amended to provide that the time frame is 10 days after receiving the application, rather than 10 days after the execution of the application, and to add the 72 hour deadline if the application is received 14 days or less before the close of registration. No change for deputy registrars.
Penalties	After notice and hearing, the state election board may issue a penalty of up to \$5,000 for violation of election laws or rules. The state election board may also refer cases to the Attorney General to seek injunctive relief or issue civil penalties.	In 2005, the provision authorizing the Attorney General to bring an action on his own initiative if the Attorney General believed that a violation of election law or rule had occurred was repealed.
Limitations on compensation	Private entities may not compensate persons based upon the number of persons registered. Georgia statute provides that deputy registrars may not be compensated, unless the county so authorizes.	No substantive changes identified.
Penalties	Any person who knowingly receives, accepts, offers, or provides compensation based on the number of persons registered is guilty of a misdemeanor.	No substantive changes identified.
Illinois		
Official volunteer system	Illinois has an optional volunteer system. Deputy registrars are appointed by the county clerk, and civic organizations seeking to conduct voter registration drives must submit a request no later than 90 days prior to the election for which they wish to register voters. As directed by statute, the state board of elections has issued an administrative rule for the purpose determining the eligibility of bona fide civic organizations. All deputy registrars must be registered voters of the county.	No substantive changes identified.

	Enacted state law	Substantive changes in the past 10 years	
	Penalties	Any person who knowingly violates the election code is guilty of a Class A misdemeanor, punishable up to 1 year imprisonment or a fine of up to \$2,500.	No substantive changes identified.
	Training	Deputy registrars must receive training.	No substantive changes identified.
	Penalties	Any person who knowingly violates the election code is guilty of a Class A misdemeanor, punishable up to 1 year imprisonment or a fine of up to \$2,500.	No substantive changes identified.
	Limitations on number of applications	For organizations conducting registration drives, the number of federal mail voter registration forms that may be provided is limited to 50. An organization requesting more than 50 must submit in writing a copy of the plan to distribute the forms, including the states in which the organization intends to distribute the forms and the quantities to be distributed in each state. The state will charge the organization if requesting more than 200. The county clerk or board of election commissioners must provide any additional forms requested by any deputy registrar.	Prior to 2003, the law allowed county clerks to deny deputy registrars requesting additional registration forms if they had more than 200 registration forms unaccounted for during the preceding 12-month period. In 2003, it was amended to require election officials to provide any additional forms requested by any deputy registrar regardless of the number of unaccounted registration forms the deputy registrar may have in his or her possession.
	Return time frames	Organizations collecting registration applications are encouraged to transmit them not more than 10 days after execution, if executed 5 days or more prior to date upon which registration closes, or not more than 5 days after execution, if executed less than 5 days prior to the date upon which registration closes but prior to the close of registration. Deputy registrars must return registration materials within 2 business days if by first-class mail or within 7 days if by personal delivery, except that registration materials received during the week prior to the close of registration must be returned within 48 hours of their completion. All registrations completed on the last day before the close of registration must be returned within 24 hours after receipt.	In 2011, the provision regarding deadlines for registration forms received at least a week before the close of registration was amended to require deputy registrars to return registration forms within 2 business days if sent by first-class mail, whereas prior to 2011, the law simply required deputy registrars to return registration forms within 7 days.
	Penalties	Any person who knowingly violates the election code is guilty of a Class A misdemeanor, punishable for up to 1 year imprisonment or a fine of up to \$2,500.	No substantive changes identified.
Iowa			
	Limitations on compensation	A person may not be compensated based on the number of registration forms completed or the party affiliations shown on the completed registration forms, or on any other performance criteria.	No substantive changes identified.
	Penalties	Violating the limitation on compensation is a	In 2006, the fine associated with a serious

	Enacted state law	Substantive changes in the past 10 years
	serious misdemeanor, punishable by a fine of at least \$315 but not to exceed \$1,875 and imprisonment for a maximum of 1 year.	misdemeanor was increased from a minimum of \$250 and a maximum of \$1,500 to a minimum of \$315 and a maximum of \$1,875.
Kentucky		
Limitations on compensation	Compensating a person for registering voters based on the total number of voters or voters of a particular party or group is prohibited.	The limitation on compensation was added in 2006.
Penalties	A person who violates the limitation on compensation is guilty of a Class B misdemeanor, punishable by imprisonment for a term not to exceed 90 days or a fine of \$250, or both.	This penalty associated with the limitation on compensation was added in 2006.
Louisiana		
Official volunteer system	Louisiana maintains an optional official volunteer system. Registrars may appoint paid deputy registrars, who act for and in the name of the registrar. Deputy registrars must be qualified voters of Louisiana.	In 2009, the requirement that deputy registrars have the same qualifications as registrars was replaced with a requirement that they be qualified voters.
Return time frames	Voter registration drives must submit completed registration applications within 30 days of receipt of the completed application, and in order for the applicant to be eligible to vote in an election, the application must be received by any registrar of voters no later than the registration deadline for that election.	In 2005 ,effective January 1, 2006, the requirement to submit the registration applications within 30 days was enacted.
Penalties	Any person who knowingly, willfully, or intentionally violates the time frame must be fined not more than \$1,000 or be imprisoned for not more than 1 year, or both. On a second offense, the penalty is a fine of not more than \$2,500 or imprisonment for not more than 5 years, or both.	In 2005, effective January 1, 2006, the penalties for violating the requirement to submit registration applications within 30 days were enacted.
Maine		
Official volunteer system	Maine operates a deputy registrar system that is not applicable to third-party voter registration organization. A deputy registrar is a municipal registration official who must be a U.S. citizen, a resident of the state, and at least 18 years of age, and the deputy registrar must take an oath before assuming office. Deputy registrars may not be employees of a party or candidate, an officer of a party committee, a candidate for any state or county office, a treasurer for a candidate, or a municipal officer. Deputy registrars may be paid for their services.	Prior to 2007, deputy registrars could not hold or be a candidate for any state or county office or be an officer of a party committee. In 2007, the law was amended so that deputy registrars could also not be an employee of a party or candidate. In 2009, the positions of treasurer for a candidate and municipal officer were added to the list.
Limitations on number of applications	According to the Maine Secretary of State Voter Registration Card (VRC) Distribution Policy, third-party registration organizations must request voter registration forms via a VRC Request Form. The policy limits statewide candidates and qualified parties to	No substantive changes identified.

	Enacted state law	Substantive changes in the past 10 years
	2,000 cards per week, up to a total of 10,000 cards and all other candidates, individuals and groups to 1,000 cards per week, up to a total of 5,000 cards. However, anyone interested may use the current electronic version of the voter registration card to print additional cards.	
Return time frames	Although Maine has same-day registration for persons that vote in person, registration applications received by mail and by third parties must be received in the registrar's office by the close of business on the 21st day before Election Day.	In 2005, the time frame was changed from the close of business on the 10th business day before election day to the 21st day before Election Day.
Maryland		
Official volunteer system	Maryland has an optional official volunteer system. Official volunteers must be 18 years old on or before the day of the next succeeding general or special election.	The age requirement for official volunteers, although already in regulations, was codified into statute in 2005.
Training	The State Administrator and each election director provide training either in accordance with a fixed schedule or upon request. Such officials must treat individuals and groups seeking instruction fairly and equitably and afford equal access to instruction. Training must not be discontinued during the period beginning 70 days prior to an election through 1 week before the deadline for voter registration. Upon completion of the training, state election officials issue a certificate to each individual attending the session. A person without a certificate may only obtain no more than 25 state registration forms per day.	Prior to 2010, Maryland regulations provided that voter registration volunteers were required to receive training. Regulations provided that training may be provided as election officials deem necessary, except that it may be provided on a fixed schedule and may not be discontinued any sooner than one week before the voter registration deadline. In 2010, the regulation was amended to provide that training may be provided upon request and that training may not be discontinued during the period beginning 70 days prior to an election through one week before the registration deadline.
Limitations on number of applications	Election officials must provide a sufficient number of forms to meet the individual's needs if the individual presents a certification from the training session. For an individual that does not present such a certificate, election officials must provide no more than 25 state forms per day. In any case, election officials may limit the number of state forms if the official does not have a sufficient number to accommodate the request and still have a sufficient supply for official office business or determines that the individual is not following all of the requirements of the regulation.	Prior to 2010, voter registration volunteers were to be provided enough forms to meet their needs, as defined by the election director providing the forms. In 2010, the state limited individuals not participating in the system to a maximum of 25 forms per day. The discretion provided to the election director to determine the needs of the official volunteer was also clarified, providing that election officials may limit the number of forms if the official does not have sufficient numbers or determines that the individual is not following all requirements.
Return time frames	Individuals must deliver completed forms to the appropriate local board within five days of receipt or by the next voter registration deadline, whichever occurs first.	Prior to 2010, individuals collecting registration forms had to return voter registration applications promptly, with special caution taken to return them not later than the registration deadline. In 2010, the regulation was amended to specify the five-day time frame.
Limitations on compensation	Any individual assisting another individual to register to vote may not be compensated	In 2003, Maryland regulation provided that a voter registration volunteer was prohibited

	Enacted state law	Substantive changes in the past 10 years
	based on the number of applications received.	from receiving compensation, except that an employee of a labor union, political organization, or other organization may engage in occasional voter registration as part of the employee's assigned duties and receive the employee's ordinary compensation, and a non-employee volunteer may be served meals, beverages, or refreshments or may receive reimbursements for expenses actually incurred for meals or transportation incident to voter registration activities. In 2006, Maryland enacted a statute that prohibited the compensation of any individual assisting another individual to register to vote on a per registrant basis, and in the same year, Maryland issued regulations to the same effect.
Michigan		
Limitations on compensation	Compensation for registering individuals to vote based on either the total number of individuals registered to vote or the total number of individuals registered to vote in a particular political party is prohibited.	The limitation on compensation was enacted in 2012.
Penalties	A violation of the limitation on compensation is a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$1,000.00, or both.	The penalty associated with the limitation on compensation was enacted in 2012.
Minnesota		
Return time frames	An individual who accepts completed voter registration applications from a voter must submit the completed applications to the Secretary of State or the appropriate county auditor within 10 calendar days after the application is dated by the voter.	No substantive changes identified.
Penalties	Any person who intentionally violates any provision of the election code is guilty of a felony, punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000, or both.	No substantive changes identified.
Limitations on compensation	Individuals collecting voter registration applications may not be compensated based on the number of applications collected.	The prohibition of compensation on a per-registrant basis was added in 2008.
Penalties	Violation of the compensation provision is a petty misdemeanor, which does not constitute a crime and is punishable by a fine of not more than \$300.	The prohibition of compensation on a per-registrant basis and associated petty misdemeanor was added in 2008.
Mississippi		
Limitations on number of applications	The Secretary of State must provide bulk quantities of forms for voter registration by mail to any person or organization, but he must charge the person or organization the actual cost he incurs in providing bulk quantities of the forms.	No substantive changes identified.

	Enacted state law	Substantive changes in the past 10 years
Missouri		
Official volunteer system	Missouri has an optional official volunteer system in which each election authority may appoint certain public employees and other individuals to serve as deputy registration officials. Deputy registration officials must be registered voters in the jurisdiction of the appointing election authority. The deputy registration officials that are public employees conduct registration at their regular place of business through the entire year on all usual business days and at the usual office hours, and other appointed individuals conduct registration during the dates and times and at the places designated by the election authority.	No substantive changes identified.
Registration, disclosure, and recordkeeping	Any person who is paid or otherwise compensated for collecting more than 10 voter registration applications must register with the Secretary of State as a voter registration solicitor. Solicitors must register for every election cycle that begins on the day after the general election and ends on the day of the general election 2 years later. Solicitors must be at least 18 years of age and registered voters in Missouri. Each solicitor must provide in writing his name, address, whether he expects to be paid for soliciting voter registration, if so, the identity of the payor, or his signature, and he must sign an oath.	The registration provision was added in 2006.
Penalties	Any solicitor that knowingly fails to register is guilty of a class three election offense, punishable by imprisonment for not more than 1 year or a fine of not more than \$2,500, or both. Individuals convicted of this misdemeanor are also forever disqualified from registering and voting.	The penalty associated with the registration provision was added in 2006.
Return time frames	A person who accepts or receives a voter registration application from another person must deliver the application to the election authority within 7 days of accepting or receiving the application.	The return time frame was enacted in 2006.
Penalties	Failure to meet the return time frame is a class four election offense, punishable by imprisonment of not more than 1 year or by a fine or not more than \$2,500, or both.	The penalty associated with the return time frame was enacted in 2006.
Limitations on compensation	Compensation based on registration applications collected or submitted is prohibited.	The limitation on compensation was enacted in 2006.
Penalties	Violation of the compensation restriction is a class four election offense, punishable by imprisonment of not more than 1 year or by a fine or not more than \$2,500, or both.	The penalty associated with the limitation on compensation was enacted in 2006.

	Enacted state law	Substantive changes in the past 10 years
Nebraska		
Official volunteer system	Nebraska has an optional official volunteer system. Deputy registrars must be registered voters and must swear an oath. Deputy registrars must register applicants in teams of at least two deputy registrars, one of which is not in the same political party as the other or others.	No substantive changes identified.
Penalties	Any deputy registrar who violates any registration procedure, rule, regulation, or guideline may have his status as a deputy registrar revoked. Any deputy registrar who is guilty of any willful neglect of his duty is guilty of a Class IV felony, punishable by a maximum imprisonment of 5 years or a maximum fine of \$10,000, or both.	No substantive changes identified.
Training	Deputy registrars must attend a training session conducted by an election commissioner or county clerk, and election commissioners or county clerks must make training available for deputy registrars. Deputy registrars must complete a training session at least once every 3 years unless the Secretary of State determines that substantial changes have occurred in the voter registration process requiring additional training. The training session may not exceed 4 hours. The Secretary of State is required to inspect and review all training programs, procedures, and practices to assure that they relate to the position of a deputy registrar and his or her duties.	The provisions requiring election commissioners or county clerks to make training available for deputy registration and requiring deputy registrars to attend a training session at least every 3 years were enacted in 2011.
Penalties	Any deputy registrar who violates any registration procedure, rule, regulation, or guideline may have his status as a deputy registrar revoked. Any deputy registrar who is guilty of any willful neglect of his duty is guilty of a Class IV felony, punishable by a maximum imprisonment of 5 years or a maximum fine of \$10,000, or both.	No substantive changes identified.
Return time frames	Deputy registrars must return completed registration applications to the office of the election commissioner or county clerk of the county in which the registrations are to be effective no later than the end of the next business day after the registrations are taken.	No substantive changes identified.
Penalties	Any deputy registrar who violates any registration procedure, rule, regulation, or guideline may have his status as a deputy registrar revoked. Any deputy registrar who is guilty of any willful neglect of his duty is guilty of a Class IV felony, punishable by a maximum imprisonment of 5 years or a maximum fine of \$10,000, or both.	No substantive changes identified.

	Enacted state law	Substantive changes in the past 10 years
Nevada		
Official volunteer system	Nevada has an optional official volunteer system, in which registered voters may be appointed field registrars. Field registrars serve at the pleasure of the county clerk, and the county clerk may not knowingly appoint any person who has been convicted of a felony involving theft or fraud.	The provision prohibiting the knowing appointment of a field registrar who has been convicted of a felony involving theft or fraud was added in 2011.
Penalties	A field registrar that violates any provisions governing his position is immediately suspended, and the appropriate district attorney is notified.	No substantive changes identified.
Registration, disclosure, and recordkeeping	Any person who assists another person in completing a registration application must include the mailing address and signature of the person who assisted the applicant. Field registrars must submit a list of the serial numbers of the completed application and the names of the electors on those applications. County clerks also must provide a receipt to field registrars upon submission of application that includes the number of persons registered and the political party of the persons registered. Field registrars and other individuals assisting an individual to register must provide a duplicate copy of the application or receipt to the applicant with his name.	The provision requiring field registrars and others who assist individuals to register to provide a duplicate copy of the application or receipt was added in 2005.
Penalties	A person who willfully violates the requirement to include his name and address on a registration application of a person whom he assisted in registering is guilty of a category E felony, punishable by imprisonment for not less than 1 year and not more than 4 years and a fine of not more than \$5,000.	No substantive changes identified.
Limitations on number of applications	Each request for more than 50 registration forms must be made on a request form that requires a plan for distribution of the forms, including the county or counties with which the person or group plans to file the completed forms. Any entity that requests more than 50 applications in any 12-month period may be assessed a charge, not to exceed the cost of printing the applications.	In 2006, Nevada regulations were amended to include the requirement for a distribution plan with a request for more than 50 registration forms. In 2007, the provision regarding charges for applications was amended to add the 12-month period.
Return time frames	Applications must be submitted within 10 days after completion. A field registrar must submit completed applications whenever he has in his possession five or more completed applications, and he must submit all complete applications within 10 days. Field registrars must submit all completed applications immediately after the fifth Sunday preceding an election. Field registrars must also return all unused	No substantive changes identified.

	Enacted state law	Substantive changes in the past 10 years
	application to the county clerk within 5 days after the fifth Sunday preceding any general election.	
Penalties	<p>A person who willfully violates the deadline for returning registration applications is guilty of a category E felony, punishable by imprisonment for not less than 1 year and not more than 4 years and a fine of not more than \$5,000.</p> <p>A field registrar that violates any provisions governing his position is immediately suspended, and the appropriate district attorney is notified.</p>	No substantive changes identified.
Limitations on compensation	A person cannot provide compensation for registering voters that is based on the total number of voters a person registers or the total number of voters a person registers in a particular political party.	No substantive changes identified.
Penalties	A person who violates the limitation on per-registrant compensation is guilty of a category E felony, punishable by imprisonment for not less than 1 year and not more than 4 years and a fine of not more than \$5,000.	No substantive changes identified.

New Jersey

Limitations on number of applications	The number of applications provided to an organization or candidate for public office may be limited to two percent of the total number of voter registration applications that the superintendent or commissioner of registration has available at the time, or 2,500 forms if the request is made to the New Jersey Attorney General. The commissioner of registration must maintain a record of all organizations and candidates requesting more than 100 applications. An individual may request in person up to 25 applications and by telephone at least two applications. There is no limit to the number of requests an organization, candidate, or individual may make.	No substantive changes identified.
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New Mexico

Training	Each person must complete training on the use of voter registration forms, applicable requirements of the law, and the penalties for failing to comply with those requirements. Training will be offered in person from the Secretary of State's office and from each county clerk, but it must also be made available to those who cannot attend in person, including making it available online.	The training requirement in the regulations is new as of 2010; however, prior to 2010, county clerks required training of registration agents as part of the requirement that the organization register with the state.
Registration, disclosure, and recordkeeping	Prior to assisting another person register to vote, persons must register with the Secretary of State, providing the name, address, and names of the officers of the	The law requiring registration was enacted, and the implementing regulation was issued, in 2005. In 2007, the law was amended to require registration agents to submit the

	Enacted state law	Substantive changes in the past 10 years
	<p>organization and names, addresses, social security numbers, and dates of birth of each person registering persons to vote. They must also provide a sworn statement from each person employed or volunteering for the organization stating that the person will obey all state laws and rules regarding registration on a form that gives notice of the criminal penalties for false registration. The registration form must bear a legible notary seal or the equivalent. The list of registration agents will be published on the Secretary of State web site.</p> <p>Each person must maintain a log with the unique identification number associated with each form, whether the applicant or the agent took possession of the completed form, and the date that the form was completed. The agent must provide a completed log when requesting additional voter registration forms.</p> <p>New Mexico requires persons to provide applicants with a receipt that includes language informing the applicant that the agent is responsible for returning the registration application to election officials if he or she takes possession of the completed form and that failure of the agent to do so will result in the voter not being registered to vote.</p>	<p>names of the officers of the organization and to eliminate the requirement that they submit the social security numbers of each person registering persons to vote. The regulation, however, continues to require registration agents to submit their social security numbers. In 2010, the regulation was amended to allow agents to submit their registration not only by hand, by hand by another person, or by mail, but also by email. The new regulation requires a legible notary seal or the equivalent on the registration form and also provides for the publication of the list of agents on the web site.</p> <p>The requirement to keep a log of each registration form was issued in 2010.</p> <p>With respect to New Mexico's requirement for a receipt, prior to 2010, the regulation provided that the receipt may inform the applicant that the agent is responsible for submitting the application and that failure of the agent to do so will result in the applicant not being registered to vote; in 2010, the regulation was amended to require the receipt to include this information.</p>
Penalties	<p>A person who intentionally violates the registration requirements is guilty of a petty misdemeanor, punishable by imprisonment for a term not to exceed 6 months or a fine of not more than \$500, or both, and the person's registration agent status is revoked. Additionally, if the Secretary of State reasonably believes that a person committed a violation of the requirement, he or she must refer the matter to the attorney general or district attorney, who may institute a civil action. Relief may include injunctive relief or a civil penalty of \$250 for each violation, not to exceed \$5,000. If the person has decision-making authority involving the organization's voter registration activities or is an officer of the organization, that organization is also subject to civil penalties. New Mexico regulations provide that a person will be subject to civil penalties only if the violation was intentional or if the person has engaged in a pattern or practice of violating the requirements.</p>	<p>The provision imposing a criminal penalty for willfully violating the registration requirement was enacted in 2005. In 2007, the law was amended to require an intentional, rather than willful, violation, and the provision authorizing the state to pursue civil penalties against individuals and organizations was enacted. In 2010, the regulations were amended to provide that a person will be subject to civil penalties only if the violation was intentional or if the person has engaged in a pattern or practice of violating the requirements.</p>
Limitations on number of	Each person is limited to 20 registration forms, but election officials have discretion	In 2010, the regulation was changed from allowing forms to be provided in quantities of

	Enacted state law	Substantive changes in the past 10 years
applications	to increase these quantities for special events and circumstances.	50 per organization or individual to 20 per registration agent.
Return time frames	Persons must deliver or mail a certificate of registration to the Secretary of State or county clerk within 48 hours of its completion, excluding intermediate Saturdays, Sundays, and federal or state holidays, or deliver it the next business day if the appropriate office is closed for that 48-hour period.	The regulatory provision specifying that time periods exclude Saturdays, Sundays, and federal or state holidays was issued in 2010.
Penalties	A person who intentionally violates the time frame is guilty of a petty misdemeanor, punishable by imprisonment for a term not to exceed 6 months or a fine of not more than \$500, or both, and the person's registration agent status is revoked. Additionally, if the Secretary of State reasonably believes that a person committed a violation of the requirement, he must refer the matter to the attorney general or district attorney, who may institute a civil action. Relief may include injunctive relief or a civil penalty of \$250 for each violation, not to exceed \$5,000. If the person has decision-making authority involving the organization's voter registration activities or is an officer of the organization, that organization is also subject to civil penalties. New Mexico regulations provide that a person will be subject to civil penalties only if the violation was intentional or if the person has engaged in a pattern or practice of violating the requirements.	The provision imposing a criminal penalty for willfully violating the time frame was enacted in 2005. In 2007, the law was amended to require an intentional, rather than willful, violation, and the provision authorizing the state to pursue civil penalties against individuals and organizations was enacted. In 2010, the regulations were amended to provide that a person will be subject to civil penalties only if the violation was intentional or if the person has engaged in a pattern or practice of violating the requirements.

Ohio

Registration, disclosure, and recordkeeping	No current requirement identified.	In 2006, Ohio enacted a law that required any person who receives compensation for registering voters to register with the state, complete a training program, and sign an affirmation that includes the person's name, date of birth, address, the name of each county in which the person expects to register voters, a statement that the person has registered with the state, a statement that the person has completed the required training program, and a statement that the person will follow all applicable laws of this state while registering voters. Such a person was required to submit the affirmation with every submission of completed voter registration forms. This provision was enjoined by the U.S. District Court for the Northern District of Ohio ⁸² and subsequently repealed.
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⁸² *Project Vote v. Blackwell*, 455 F.Supp.2d 694 (N.D. Ohio 2006).

	Enacted state law	Substantive changes in the past 10 years
Return time frames	Applications must be submitted within 10 days after the application is completed, or on the registration deadline, whichever is earlier, unless the registration is received within 24 hours of the registration deadline, in which case the person must return the registration before the registration deadline.	The time frame was enacted in 2006.
Penalties	A person who knowingly violates the time frame, if it is a first offense, the violation does not cause any person to miss a voter registration time frame, and the number of involved voter registration forms is fewer than 50, is guilty of a first-degree misdemeanor, punishable by imprisonment for no more than 180 days and a fine of no more than \$1,000. All other violations are considered election falsification, a felony of the fifth degree, punishable by imprisonment for between 6 and 12 months and a fine of no more than \$2,500.	The penalty associated with the time frame was enacted in 2006.
Limitations on compensation	Persons that register others to vote may not be compensated except on the basis of time worked.	The limitation on compensation was enacted effective in 2005.
Penalties	A person who violates the compensation restriction is guilty of a felony of the fifth degree, punishable by imprisonment for between 6 and 12 months and a fine of no more than \$2,500.	The penalty associated with the limitation on compensation was enacted effective in 2005.
Oklahoma		
Limitations on number of applications	Oklahoma regulations provide that any organization, entity, or individual may obtain registration forms from any county election board or from the state election board. If obtained from the county election board, the number of applications is limited to 250 in a county having up to 10,000 registered voters, 1,000 in a county with at least 10,001 but fewer than 50,000 registered voters, and 2,000 in a county with 50,001 or more registered voters. If obtained from the state election board, the number of applications is limited to 5,000. Serial requests from the same organization, entity or individual made within a thirty-day period shall be made in writing and shall state that all previously received forms have been distributed. Any organization, entity or individual anticipating the need for more than 5,000 applications must request permission from the state election board to print the forms. Such requests must be made in writing and include the following information: name, address and telephone number of the organization, entity or individual requesting permission to print the application; the quantity of forms to be printed; a brief description of plans for use or distribution of the forms; date of request; and signature.	Until 2003, Oklahoma regulations provided that, if obtained from the county election board, the number of applications was limited to 100 in a county having up to 10,000 registered voters, 250 in a county with at least 10,001 but fewer than 50,000 registered voters, and 500 in a county with 50,001 or more registered voters. If obtained from the state election board, a maximum of 100 applications could be obtained without providing any identification, and between 101 and 1,000 applications could be obtained by providing the following information: name, name of organization or entity, number of forms obtained, date, and signature. Organizations, entities, or individuals anticipating the need for more than 1,000 applications could request permission to print the forms. In 2003, the regulation was amended to increase the maximum authorized number of applications available from county election boards to 250, 1,000, and 2,000, respectively, and increase the number of applications available from the state election board without requiring identification to 5,000. Accordingly, organizations, entities, and individuals anticipating needing more than 5,000 applications could request permission to

	Enacted state law	Substantive changes in the past 10 years
	When such a request is approved, the state election board staff shall provide a PDF or other electronic file of the application to the organization, entity, or individual who made the request.	print the form. In 2011, the regulation regarding permission to print the forms was amended to specify that the state election board must provide a PDF or other electronic file of the application to the organization, entity, or individual making the request.
Oregon		
Limitations on number of applications	All requests for 100 or more applications must be made on a specific form. The Secretary of State will honor requests for an aggregate total of up to 5,000 applications during the period extending from the 250th day before the primary election to the date of the primary election and the period extending from the day after the primary election to the 250th day before the next primary election. The Secretary of State may agree to honor requests for more than 5,000 applications when the request is made in writing and the requester agrees to pay the printing costs of the cards requested; or when the request is made in writing and the requester provides a plan for distribution of the cards, including the names of persons or organizations involved in the registration drive, distribution locations, publicity related to the registration drive, coordination with other registration drives, if applicable, and any other pertinent details of the effort and written assurances that any unused registration cards after the completion of the registration drive will be returned to the Secretary of State.	No substantive changes identified.
Return time frames	A person who receives a voter registration card must forward it to election officials not later than the fifth day after receiving the card.	No substantive changes identified.
Limitations on compensation	A person may not pay or receive money or another thing of value based on the number of signed voter registration cards a person collects.	This restriction was added effective in 2008.
Pennsylvania		
Registration, disclosure, and recordkeeping	A person who assists in the completion of the registration form must sign the application and include his or her address.	No substantive changes identified.
Limitations on compensation	A person may not give, solicit, or accept payment or financial incentive to obtain a voter registration if the payment or incentive is based upon the number of registrations or applications obtained.	No substantive changes identified.
Penalties	A person who violates the compensation restriction commits a misdemeanor of the third degree, punishable by a sentence of a fine of not less than \$500 and not more than	No substantive changes identified.

	Enacted state law	Substantive changes in the past 10 years
	\$2,500 or to imprisonment for not less than 1 month and not more than 1 year, or both.	
South Dakota		
Registration, disclosure, and recordkeeping	Each organization or individual registering others to vote must provide information to applicants on how they may contact that organization or individual to determine the status of their registration.	The requirement to provide contact information was enacted in 2005.
Return time frames	A person registering another person to vote must file the form within 10 days or by the voter registration deadline, whichever occurs first.	The return time frame was enacted in 2005.
Penalties	A person who violates the time frame to return a completed registration form is guilty of a Class 2 misdemeanor, punishable by imprisonment for up to 30 days or a fine of up to \$500, or both.	In 2005, the fine associated with a Class 2 misdemeanor increased from \$200 to \$500.
Limitations on compensation	No person may pay or receive compensation based on the number of voters registered.	The limitation on compensation was enacted in 2005.
Penalties	Violation of the prohibition of compensation on a per-registration basis is a Class 2 misdemeanor, punishable by imprisonment for up to 30 days or a fine of up to \$500, or both.	In 2005, the fine associated with a Class 2 misdemeanor increased from \$200 to \$500.
Texas		
Official volunteer system	Texas maintains a mandatory official volunteer system in which the registrar appoints volunteer deputy registrars. Such volunteer deputy registrars must 18 years of age or older and not have been convicted of a felony, unless he has fully discharged his sentences or been pardoned or otherwise released from the resulting disability to vote, or convicted of fraudulent use or possession of identifying information. They also must be qualified voters, except that they need not be registered voters. A registrar may not refuse to appoint any eligible person as a volunteer deputy registrar and may not deny appointment on the basis of sex, race, creed, color, or national origin or ancestry.	<p>Prior to 2009, the only requirement for a volunteer deputy registrar was that he be 18 years of age or older. The registrar could not deny appointment to any resident of the county served by the registrar or any person on the basis of sex, race, creed, color, or national origin or ancestry.</p> <p>In 2009, the law was amended to include the provision about felony convictions. Residents of the county were no longer guaranteed appointments; rather, persons who met the new requirements were guaranteed appointments. In 2011, the law was amended to provide that volunteer deputies may also not have been convicted of fraudulent use or possession of identifying information and that they must be qualified voters, except that they were not required to be registered voters. In 2012, the U.S. District Court for the Southern District of Texas enjoined the enforcement of the provision to the extent that the requirement that volunteer deputies be qualified voters forbids non-Texas residents from serving as volunteer deputies.⁸³ Texas appealed the decision to the Court of Appeals for the Fifth</p>

⁸³ *Voting for America v. Andrade*, No.12 Civ. 0044 (S.D. Tex. Aug. 2, 2012).

	Enacted state law	Substantive changes in the past 10 years
		Circuit, which subsequently granted the state's request for a stay of the injunction pending the appeal.
Training	Volunteer deputy registrars must complete training, which may include an exam.	The training requirement was added in 2011.
Registration, disclosure, and recordkeeping	Volunteer deputy registrars must provide a receipt to the applicant with the signature and date of the deputy and provide a duplicate receipt with the registration application.	No substantive changes identified.
Return time frames	A volunteer deputy registrar must deliver each completed voter registration application not later than 5:00 p.m. of the fifth day after the date the application is submitted to the volunteer deputy, except that if the application is submitted after the 34th day and before the 29th day before the date of an election, the application must be delivered not later than 5:00 p.m. of the 29th day before election day.	In 2012, the U.S. District Court for the Southern District of Texas enjoined the enforcement of this provision to the extent that it prohibits volunteer deputy registrars from delivering completed applications via U.S. mail. ⁸⁴ Texas appealed the decision to the Court of Appeals for the Fifth Circuit, which subsequently granted the state's request for a stay of the injunction pending the appeal. The U.S. Supreme Court denied the plaintiffs' request to vacate the stay.
Penalties	A volunteer deputy registrar who fails to comply with the submission time frame is guilty of a Class C misdemeanor, punishable by a fine not to exceed \$500. If the failure to comply is intentional, the person is guilty of a Class A misdemeanor, punishable by a fine not to exceed \$4,000 or imprisonment for a term not to exceed 1 year, or both. A conviction under this provision also terminates the appointment of the volunteer deputy registrar.	No substantive changes identified.
Limitations on compensation	A person may not compensate another person based on the number of voter registrations that the person successfully facilitates, present another person with a quota of voter registration to facilitate as a condition of payment or employment, or engage in another practice that causes another person's compensation from or employment status with the person to be dependent on the number of voter registrations that the other person facilitates.	In 2011, Texas enacted a statute that prohibited a person from compensating another person based on the number of voter registrations that the other person successfully facilitates, from presenting another person with a quota of voter registrations to facilitate as a condition of payment or employment, and from engaging in another practice that causes another person's compensation from or employment status with the person to be dependent on the number of voter registrations that the other person facilitates. In 2012, the U.S. District Court for the Southern District of Texas enjoined the enforcement of the provisions that prohibited using a quota as a condition of payment or employment or engaging in another practice that causes a person's compensation or employment to be dependent on the number of applications facilitated. ⁸⁵ Texas appealed the decision to

⁸⁴ *Id.*

⁸⁵ *Id.*

Enacted state law		Substantive changes in the past 10 years
Penalties	A person who violates the compensation restriction is guilty of a Class A misdemeanor, punishable by a fine not to exceed \$4,000 or imprisonment for a term not to exceed 1 year, or both. An officer, director, or other agent of an entity that violates the compensation restriction is punishable for the offense. A conviction under this provision also terminates the appointment of the volunteer deputy registrar.	the Court of Appeals for the Fifth Circuit, which subsequently granted the state's request for a stay of the injunction pending the appeal. The U.S. Supreme Court denied the plaintiffs' request to vacate the stay. The penalty for violating the compensation requirement was enacted in 2011.
Utah		
Limitations on number of applications	Organizations may purchase registration forms from the county clerk or from the printer. The clerk must make forms available to organizations in lots of 250, to be replaced when each lot of 200 is returned to the county clerk.	No substantive changes identified.
Virginia		
Registration, disclosure, and recordkeeping	A person receiving an application must provide a receipt to the applicant that includes the name of the office, group, or person receiving the application, the date of receipt, and the phone number of the general registrar or the toll-free phone number of the State Board of Elections that the applicant may call to confirm his registration.	The receipt requirement was added in 2008.
Return time frames	Voter registration forms must be delivered or postmarked within 15 days of the applicant's signature or before the close of registration, whichever comes first.	No substantive changes identified.
Penalties	A person who intentionally violates the time frame for returning applications is guilty of a Class 1 misdemeanor, punishable by imprisonment for up to 1 year and a fine of up to \$2,500, or both.	No substantive changes identified.
Washington		
Return time frames	Washington requires a person or organization collecting voter registration applications to transmit forms to the Secretary of State or a county auditor within 5 business days.	In 2009, the time frame changed from at least once weekly to within 5 business days.
Penalties	Intentionally failing to return another person's completed voter registration form to the proper state or county elections office by the applicable time frame is a gross misdemeanor, punishable by imprisonment in the county jail for a maximum term fixed by the court of up to 364 days, or by a fine in	The penalty for missing the time frame was added in 2011.

	Enacted state law	Substantive changes in the past 10 years
	an amount fixed by the court of not more than \$5,000, or by both such imprisonment and fine.	
Limitations on compensation	Offering or accepting compensation based on a fixed amount of money per voter registration is prohibited.	No substantive changes identified.
Penalties	Offering or accepting compensation based on a fixed amount of money per voter registration is a class C felony, punishable by confinement in a state correctional institution for 5 years, or by a fine in an amount fixed by the court of \$10,000, or by both such confinement and fine.	No substantive changes identified.
West Virginia		
Official volunteer system	West Virginia maintains an optional official volunteer system with temporary registrars and volunteer registrars. Temporary or volunteers registrars conducting registration outreach services must work in pairs, each representing opposing political parties. Temporary or volunteer deputies must have the same eligibility qualifications as election officials and must take an oath.	No substantive changes identified.
Training	All temporary registrars and volunteer registrars shall be trained by the clerk of the county commission before beginning their duties and shall thereafter be supervised by said clerk.	No substantive changes identified.
Limitations on number of applications	The Secretary of State may limit the distribution of applications to a reasonable amount per group. To the extent funding allows, the clerk of the county commission must make state mail registration forms available for distribution through organized voter registration programs within the county. The clerk of the county commission must make a record of all requests by entities or organizations for ten or more forms with a description of the dates and locations in which the proposed registration drive is to be conducted. The clerk may limit the distribution to a reasonable amount per group.	No substantive changes identified.
Return time frames	Anyone collecting completed voter registration forms must deliver them within 15 days after they are signed by the applicant or before the closing of the registration records for the pending election, whichever comes first.	The time frame was added in 2006.
Penalties	Intentional failure to mail or to deliver an application in a timely manner is a misdemeanor punishable by a maximum \$1,000 fine, or a maximum of 1 year in jail, or both.	The penalty for intentionally missing the time frame was added in 2006.

	Enacted state law	Substantive changes in the past 10 years
Wisconsin		
Official volunteer system	Wisconsin has an optional volunteer system whereby a qualified elector of the state may apply to be appointed as a special registration deputy for the purpose of registering electors.	No substantive changes identified.
Training	Generally, special registration deputies must view or attend at least one training program every 2 years.	The training requirement for special registration deputies was added in 2006.
Registration, disclosure, and recordkeeping	When conducting a voter registration drive, a special registration deputy must print and sign his/her name on the form, affirming that the deputy has accepted the form, along with other information required in the administrative code.	The requirement for special deputy registrars to sign registration forms was added effective in 2006.
Limitations on compensation	A person may not compensate another person based on the number of registration forms collected.	The limitation on compensation was enacted effective in 2006.
Penalties	Violation of this prohibition is punishable by fine of not more than \$1,000, or imprisonment not more than 6 months, or both.	The limitation on compensation was enacted effective in 2006.

Source: GAO analysis of state statutes.

Note: North Dakota does not have voter registration. Third-party registration drives are prohibited in Wyoming and New Hampshire. In New Hampshire, except for voters who are qualified to vote absentee, applicants must register to vote in person and can register on Election Day.

Enclosure X: GAO Contacts and Staff Acknowledgments

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Related GAO Products

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