



State Voter Registration and Election Day Laws

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October 2008

Increasingly states are enacting legislation, from same-day registration to longer polling hours, that may make voting easier, especially for young people. This fact sheet presents information about the various types of state voting laws as well as their estimated effects on youth turnout.

Early Voting and Voter Registration Laws

Laws stipulating when people can vote as well as how they register to vote vary from state to state. The National Voter Registration Act (NVRA) of 1993, also known as the "Motor Voter" law, required all states (except North Dakota, which does not require voters to register) to allow voters to register when they get a driver's license and by mail. In addition to NVRA, some states have implemented other voter registration and early voting laws to make it easier for citizens to vote. For example, 26 states offer *unrestricted absentee voting* (compared to 24 states in 2004): voters are not required to provide an excuse for voting by absentee ballot. Thirty-one states permit *in-person early voting* (compared to 19 states in 2004): voters are allowed to cast votes 14 to 40 days before an election at a county clerk's office. And nine states offer *Election Day registration* (compared to 6 states in 2004), allowing voters to register to vote on the same day that they go to the polls to cast a vote. Oregon is the only state that allows voting by mail. Additionally, 11 states allow 17 year olds to register to vote and vote in primaries if they will be 18 at the time of the general election (compared to 12 states in 2004). Appendix A displays differences between states in early voting and voter registration laws.

Research funded by CIRCLE suggests that some of these alternative voting and registration laws have a positive impact on youth voting rates. For example, research by Fitzgerald (2003) found that Election Day registration increases youth turnout in presidential election years by an estimated 14 percentage points, and an estimated four percentage points in mid-term elections. Additionally, it seems that young people are more likely to be contacted by a political party in states that allow Election Day registration. This is significant because previous research has shown that if young people are personally asked to vote they are more likely to vote.² Table 1 shows the positive effects of these laws on youth voter turnout and mobilization. For more detailed information on these voting laws please see "CIRCLE Working Paper 01: Easier Voting Methods Boost Youth Turnout."

Table 1: Effects of Early Voting and Voter Registration Laws on Youth Turnout and Party Mobilization

Early Voting and Voter Registration Law	Turnout and Mobilization Effect
Election-Day registration	<p><i>Youth turnout was higher on average by...</i></p> <ul style="list-style-type: none"> • 14 percentage points in presidential elections • 4 percentage points in midterm congressional elections <p><i>On average the likelihood that young citizens will be contacted by political party by was higher by...</i></p> <ul style="list-style-type: none"> • 11 percentage points in presidential elections • 18 percentage points in midterm congressional elections
Voting by mail*	<p><i>Youth turnout was higher on average by...</i></p> <ul style="list-style-type: none"> • 40 percentage points during presidential elections
Unrestricted absentee voting	<p><i>Youth turnout was higher on average by...</i></p> <ul style="list-style-type: none"> • 4 percentage points in midterm congressional elections

Source: "Easier Voting Methods Boost Youth Turnout," by Mary Fitzgerald, Center for Information and Research on Civic Learning and Engagement (CIRCLE), Working Paper 01, February 2003.

*Note: Oregon is the only state that allows "voting by mail." While the researchers controlled for many factors, some of the increased turnout reported in Table 1 could be attributed to factors unique to Oregon.

Election Day Laws

Once people are registered to vote, states can make it easier for them to cast votes on Election Day by extending polling hours and offering information such as sample ballots and polling place location information. Currently, 28 states have laws providing extended polling hours, which means that the polls are open for more than 12 hours. Additionally, 29 states require firms in the private sector to provide time off for workers to cast their votes, and in 30 states, state employees are given time off to cast their votes. Finally, only two states require that all registered citizens be mailed information about the location of their polling places, and three states mail sample ballots to all registered citizens. The distribution of these laws is shown in Appendix B.³

CIRCLE-funded research by Wolfinger, Highton, and Mullin (2003) found that states with certain post-registration Election Day laws, namely laws that allow for extended polling hours and mailing voting information, had higher voter turnout rates in 2000 among registered voters, especially the young and the less educated. Table 2 shows some of the positive effects of post-registration Election Day procedures on turnout of these two groups. For more detailed information on these voting laws please see "CIRCLE Working Paper 15: How Postregistration Laws Affect the Turnout of Registrants."

**Table 2: Effects of Election Day Laws on
Turnout Among Young and Less Educated**

Election Day Law	Turnout Effect
<i>In states that mailed sample ballots before the 2000 election, turnout was...</i>	<ul style="list-style-type: none"> • 7 percentage points higher among 18-24 year old registered voters • 4 percentage points higher among registrants without a high school diploma
<i>In states that mailed polling place information before the 2000 election, turnout was...</i>	<ul style="list-style-type: none"> • 3 percentage points higher among registrants without a high school diploma
<i>In states that mailed sample ballots and polling place location information AND offered extended polling hours on Election Day, turnout was...</i>	<ul style="list-style-type: none"> • 10 percentage points higher in 2000 among 18-24 year old registered voters

Source: "How Postregistration Laws Affect the Turnout of Registrants," by Raymond E. Wolfinger, Benjamin Highton, and Megan Mullin, University of California Berkeley. Center for Information and Research on Civic Learning and Engagement (CIRCLE), Working Paper 15, June 2004.

In conclusion, voting laws can have a significant impact on the likelihood that young people will vote. However, it is important to keep in mind that voting laws are just one of many factors that affect a state's youth voter turnout in any given year. The competitiveness of state and local elections, the demographics of a state's young population, local political traditions and culture, and other factors can be more important. The research cited in this Fact Sheet uses statistical models to estimate the effects of voting laws *if* all other factors are held constant. These models cannot predict actual turnout levels in a given state in a given year. Furthermore, more research needs to be done on other combinations of voting laws that may positively affect youth turnout. For example, to date no research has tested to see whether states that allow Election Day registration and extended polling hours in fact have higher youth turnout.

Appendix A– Early Voting and Voter Registration Laws by State, 2004

<i>State</i>	<i>Unrestricted Absentee Voting</i>	<i>In-Person Early Voting</i>	<i>Election Day Registration</i>	<i>Allows 17 Year Olds to Vote in Primaries</i>
Alabama	No	No	No	No
Alaska	Yes	Yes	No	No
Arizona	Yes	Yes	No	No
Arkansas	No	Yes	No	No
California	Yes	Yes	No	No
Colorado	Yes	Yes	No	No
Connecticut	No	No	No	No
Delaware	No	No	No	Yes
Florida	Yes	Yes	No	No
Georgia	Yes	Yes	No	No
Hawaii	Yes	Yes	No	No
Idaho	Yes	Yes	Yes	No
Illinois	No	Yes	No	No
Indiana	No	Yes	No	Yes
Iowa	No	Yes	Yes	No
Kansas	Yes	Yes	No	No
Kentucky	No	No	No	Yes
Louisiana	No	Yes	No	No
Maine	Yes	Yes	Yes	Yes
Maryland	No	No	No	Yes
Massachusetts	No	No	No	No
Michigan	No	No	No	No
Minnesota	No	No	Yes	No
Mississippi	No	No	No	Yes
Missouri	No	No	No	No
Montana	Yes	Yes	Yes	No
Nebraska	Yes	Yes	No	Yes
Nevada	Yes	Yes	No	No
New Hampshire	No	No	Yes	No
New Jersey	Yes	No	No	No
New Mexico	Yes	Yes	No	No
New York	No	No	No	No
North Carolina	Yes	Yes	No	Yes
North Dakota	Yes	Yes	No Registration	No
Ohio	Yes	Yes	No	Yes
Oklahoma	Yes	Yes	No	No
Oregon	Yes	No	No	No
Pennsylvania	No	No	No	No
Rhode Island	No	No	Yes	No
South Carolina	No	No	No	No
South Dakota	Yes	Yes	No	No
Tennessee	No	Yes	No	No
Texas	No	Yes	No	No
Utah	Yes	Yes	No	No
Vermont	Yes	Yes	No	No
Virginia	No	No	No	Yes
Washington	Yes	No	No	No
West Virginia	No	Yes	No	Yes
Wisconsin	Yes	Yes	Yes	No
Wyoming	Yes	Yes	Yes	No

Source: "CIRCLE Working Paper 01: Easier Voting Methods Boost Youth Turnout," by Mary Fitzgerald. State Laws updated by CIRCLE Staff, June 2004.⁴ * "In-person early voting" does not have a statistically significant effect on youth voting. ** Effective July 15, 2004. *** List compiled by CIRCLE.

Appendix B – Postregistration Election Day Laws by State, 2004

<i>State</i>	<i>Extended Voting Hours</i>	<i>Time Off to Vote (Private Sector)</i>	<i>Time Off to Vote (State Government)</i>	<i>Mail Information On Poll Location</i>	<i>Mail Sample Ballots</i>
Alabama	No	Yes	Yes	No	No
Alaska	Yes	Yes	Yes	No	No
Arizona	Yes	Yes	Yes	Yes	Yes
Arkansas	No	Yes	Yes	No	No
California	Yes	Yes	Yes	No	No
Colorado	No	Yes	Yes	No	No
Connecticut	Yes	No	No	No	No
Delaware	Yes	No	No	No	No
Florida	No	Yes	Yes	No	No
Georgia	No	Yes	Yes	No	No
Hawaii	No	Yes	Yes	No	No
Idaho	No	No	No	No	No
Illinois	Yes	Yes	Yes	No	No
Indiana	No	No	No	No	No
Iowa	Yes	Yes	Yes	No	No
Kansas	No	Yes	Yes	No	No
Kentucky	No	Yes	Yes	No	No
Louisiana	Yes	No	No	No	Yes
Maine	Differs by polling place	No	No	No	No
Maryland	Yes	Yes	Yes	Yes	Yes
Massachusetts	Yes	*	*	No	No
Michigan	Yes	No	No	No	No
Minnesota	Yes	Yes	Yes	No	No
Mississippi	No	No	No	No	No
Missouri	Yes	Yes	Yes	No	No
Montana	Yes	No	No	No	No
Nebraska	No	Yes	Yes	No	No
Nevada	No	Yes	Yes	No	No
New Hampshire	Differs by polling place	No	No	No	No
New Jersey	Yes	No	No	No	No
New Mexico	No	Yes	Yes	No	No
New York	Differs by polling place	Yes	Yes	No	No
North Carolina	Yes	No	No	No	No
North Dakota	Differs by polling place	No	No	No	No
Ohio	Yes	Yes	Yes	No	No
Oklahoma	No	Yes	Yes	No	No
Pennsylvania	Yes	No	No	No	No
Rhode Island	Differs by polling place	No	No	No	No
South Carolina	No	No	No	No	No
South Dakota	No	Yes	Yes	No	No
Tennessee	No	Yes	Yes	No	No
Texas	No	Yes	Yes	No	No
Utah	No	Yes	Yes	No	No
Vermont	Differs by polling place	No	No	No	No
Virginia	Yes	No	No	No	No
Washington**	Differs by polling place	No	Yes	No	No
West Virginia	Yes	Yes	Yes	No	No
Wisconsin	Yes	Yes	Yes	No	No
Wyoming	No	Yes	Yes	No	No

*Massachusetts- Voters employed in mechanical, manufacturing or mercantile businesses are allowed time off during the first two hours after polls have been opened only if an application for absence has been submitted. *Massachusetts General Law: Ch. 149 Section 178.*

**Washington- Only King and Pierce Counties in Washington State still have polls. Both counties mail pamphlets with voting information.

*** In many states, each county chooses whether or not to mail sample ballots and information on poll location. Appendix B does not reflect this information.

Source: "CIRCLE Working Paper 15: How Postregistration Laws Affect the Turnout of Registrants," by Raymond E. Wolfinger, Benjamin Highton, and Megan Mullin. State Laws updated by CIRCLE Staff, June 2004.⁵ Note that Idaho, Maine, New Hampshire, Wisconsin, and Wyoming are Election Day registration states. In North Dakota voters are not required to register to vote. * "Time off to vote" does not have a statistically significant effect on youth voting.

Notes

¹ Senior Researcher and Undergraduate Research Assistants, respectively, would like to thank Mary Fitzgerald, Raymond Wolfinger, Peter Levine, and Bill Galston for conversations regarding the status of state legislation and voter registration laws. We also thank Mark Hugo Lopez, Sara Helms, Melissa Comber, and Demetria Sapienza for excellent research assistance.

² See Green, Donald P. and Alan S. Gerber. (2004) "Get Out the Vote! How to Increase Voter Turnout." Brookings Institution Press.

³ Wolfinger, Highton, and Mullin (2003) suggest that there could be some intrastate variation in Election Day laws as local jurisdictions may open their polls longer than is required by state law.

⁴ State Board of Elections and Secretary of State Web sites were consulted to determine state laws. In the cases where the Web sites did not have the necessary information, state election officials and www.findlaw.com were consulted.

⁵ Id.