

# LEGISLATIVE THREATS & OPPORTUNITIES: SPRING 2015

by Erin Ferns Lee

## Introduction

The 2014 elections saw the most depressed voter turnout in 72 years. This was likely the result of a combination of factors, which include the growing number of restrictive voting laws and shrinking voter protections. Many newly elected leaders stepped into their roles as state lawmakers, governors, and elections chiefs in January, announcing plans to shape the administration of elections, for better or worse. Will voting be easier or harder in the 2016 elections? It depends on the agendas of our elected officials in the states and Congress—and whatever pressure they feel from their constituents.

This legislative session, Project Vote has identified election legislation trends in the United States that represent both threats and opportunities in voting rights. To date, lawmakers in 24 states have proposed at least 52 bills that threaten voting rights, while lawmakers in 36 states have proposed to improve election administration in some way with the introduction of at least 128 bills.

Recent trends in election legislation, both positive and negative, have continued so far in 2015. The threats are especially of note since the U.S. Supreme Court weakened the protections against discrimination under the Voting Rights Act in 2013, meaning problematic laws can be implemented in certain jurisdictions without federal preclearance. Voter ID requirements remain the most divisive and contentious voting rights issue with strong political support from newly elected lawmakers and secretaries of state, despite the dearth of evidence of voter impersonation fraud and mounting evidence that some eligible citizens would be unable to meet these requirements. Alarming, a few states have proposed to limit or repeal laws that are known to improve voter access, including early voting and same day registration. And anti-immigration sentiments continue to propel the introduction of proof-of-citizenship requirements to register and vote on the state and federal levels.

Voting rights opportunities in 2015, on the other hand, are still plentiful, but appear to require a backbone of bipartisanship to gain any traction. Online voter registration, for example, continues to be of interest to lawmakers in states like Florida and Ohio, where members of both parties have expressed support for the issue. One noteworthy development in voting rights is the evolving discussion surrounding the voting rights of felons. Legislators in several states are taking up proposals to make voting possible for released felons; in at least one state, Minnesota, there is bipartisan support for the issue. Early voting, same day registration, and preregistration are

also important issues that are pending in the legislatures.

Partisan politics play the biggest role in determining the types of voting proposals introduced today, as evident in the annual avalanche of voter ID bills and proposals to slash early voting days. On the 50th anniversary of Bloody Sunday—the event that led to the passage of the Voting Rights Act—advocates and elected leaders flocked to Selma, Alabama to commemorate an important period in history that many believe should not be forgotten in today’s democracy. In Selma, President Obama said Congress should “pledge to make it their mission to restore [the Voting Rights Act] this year.” Unfortunately, even this seemingly straightforward task cannot be considered without politics taking over the conversation.<sup>1</sup>

Since 2007, Project Vote has provided the public with the tools to monitor the passage of voting rights laws in all 50 states and the U.S. Congress. As part of Project Vote’s Election Administration program, our Election Legislation project keeps close watch on the legislative threats and opportunities to voting rights in American elections in all 50 state legislatures in session in 2015, as well as the U.S. Congress.

This memo reviews both the threats and opportunities represented by election bills that have been introduced in the state legislatures and Congress in 2015, based on our bill monitoring project, discussions with state-based advocates, recent media coverage, and the partisan makeup of the legislatures and state election directors.

# THREATS TO VOTING RIGHTS

## Early Voting Restrictions

Early voting, a voter favorite that was recommended last year by the bipartisan Presidential Commission on Election Administration, is currently enjoyed in 33 states. Although it is a common and decidedly non-controversial policy, it is still subject to politics.

In 2015 at least four states considered or are considering bills to reduce or limit early voting days. Most controversially, Georgia Republicans proposed to slash early voting for a second time. (The state had already passed a law to cut early voting back from 45 days in 2011.<sup>2</sup>) Lawmakers proposed to further reduce the early voting period from 21 days to 12, claiming it was to make early voting uniform across the state. Advocates, however, argued that the state already has problems with long wait times and other issues that argued against reducing early voting again.

*Table 1: Bills to Restrict Early Voting*

Legislature	Bill	Status	Summary
Arkansas	SB 349	Pending	This bill reduces the early voting period and removes Sunday voting. Currently, Arkansas provides early voting 15 days before an election, ending the Monday before Election Day. Under this bill, early voting would be implemented between Monday and Saturday before Election Day.
Georgia	HB 194	Failed	This bill would reduce the early voting period to 12 days, including specific hours on the Saturday and Sunday of the early voting period.
Maryland	HB 141	Failed	This bill removes the second Sunday prior to Election Day from the early voting period for the 2016 presidential primary election.
	HB 218	Failed	This bill would contract the early voting period in Maryland from eight days to four days. The bill would provide that early voting centers shall be open from the Thursday before a primary or general election through the Sunday before the election.

## Proof of Citizenship

Coinciding with the nation's tense immigration debate of recent years is a strong belief among certain partisans that undocumented people are somehow undermining the democratic process. Whether this concern is legitimate (albeit extremely rare) or plain partisan politics is another issue, though this drummed up fear has its consequences. It excludes legitimate voters who do not have documentary proof of citizenship, such as elderly people, students living away from home, or married people who adopt the surname of their spouses. Further, proof-of-citizenship policies essentially quash community-based voter registration drives, which are responsible for reaching large numbers of potential voters at markets, churches, and other public places where one is unlikely to carry birth certificates and passports.

Arizona and Kansas set a precedent with the enactment of such laws, however. The states filed *Kobach v. EAC* to extend their proof of citizenship requirements to the federal voter registration form, but failed, among other reasons, because there was no substantial evidence of noncitizens registering to vote using it.<sup>3</sup> This adverse court decision has not deterred Alabama from seeking to change the federal form in the same way. There is no way of knowing if it has discouraged legislators who may have considered attempting to enact these restrictive policies.

At least seven state legislatures and U.S. Congress have proposed laws related to proving citizenship for voter registration purposes. Virginia (HB 1574), Maryland (HB 29, HB 1076), Texas (SB 897/HB 2889), Massachusetts (HB 564) and Oregon (HB 3449) introduced bills requiring voter registration applicants to submit copies of citizenship documents to register to vote during their legislative sessions. Bills in Connecticut (SB 506) and North Dakota (HB 1389), however, took another approach to manage alleged noncitizen voter registration. Both states proposed to alter the state-issued ID to show whether a person has established citizenship status so that election administrators will be able to determine voter eligibility.

# Threats to Voting Rights

Table 2: Proof of Citizenship Bills

Legislature	Bill	Status	Summary
United States	HR 951	Pending	This bill would amend the National Voter Registration Act of 1993 to permit a state to require an applicant for voter registration in the state who uses the Federal mail voter registration application form developed by the Election Assistance Commission under such Act to provide documentary evidence of citizenship as a condition of the State's acceptance of the form.
Maryland	HB 1076	Failed	This bill would require that individuals registering to vote provide proof of United States citizenship.
Massachusetts	HB 564	Pending	This bill would require an applicant for registration to prove, to the satisfaction of the clerk or registrar, that she is a citizen of the United States. Such proof may be made by producing a birth certificate or papers of naturalization for inspection.
Mississippi	SB 2615	Failed	This bill provides for the verification of a voter registration applicant's citizenship status through the Statewide Elections Management System or by inspection of at least one document, including a birth certificate, Social Security card, and military ID. The registrar would be required to verify that a voter applicant is eligible to vote according to rules promulgated by the Secretary of State. No one will be registered unless his or her eligibility is verified.
North Dakota	HB 1389	Enacted	This bill would establish a legislative management study to consider the process by which the Department of Transportation verifies citizenship status when issuing driver's licenses and identification cards. The study would also consider the feasibility and desirability of requiring the department of transportation to include a notation of non-citizenship on licenses and cards issued to individuals who are not citizens of the United States.
Oregon	HB 3449	Pending	This bill would require a person registering to vote in the state for the first time to supply evidence of citizenship with the completed voter registration card or the voter registration portion of an application for issuance or renewal of a driver's license or state identification card. Voter registration cards have to state that evidence of citizenship is required for people registering to vote.
Texas	SB 897/HB 2889	Pending	This bill would require the secretary of state to require voter registration applicants to prove their U.S. citizenship with documentary evidence.
Virginia	HB 1574	Failed	As substituted, this bill would require that Virginia voter registration forms state that intentionally making a false statement concerning citizenship constitutes election fraud, and provides that intentionally making a false statement concerning citizenship on the form is a class 6 felony. The original version of this bill would have required U.S. citizenship to be required of applicants for voter registration.

## Restrictions on Same Day Registration

Same day registration (SDR) has existed since the 1970s, and has been proven to boost voter turnout by an average of 10 percent.<sup>4</sup> Perhaps because of this benefit, it has emboldened those whose object is to make voting more difficult.

At least two states have introduced bills to repeal same day registration policies in 2015, including New Hampshire (HB 627) and Connecticut (HB 5172).<sup>5</sup> Connecticut's current law was only implemented in November 2014, and with great success, according to the secretary of state.<sup>6</sup>

Voter ID adds another layer to restrictions on SDR policies. Colorado introduced HB 1140 and HB 1169 to require people who register and vote on the same day to also provide photo voter ID. The bills were postponed indefinitely.

*Table 3: Bills Restricting Same Day Registration*

Legislature	Bill	Status	Summary
Connecticut	HB 5172	Pending	This bill would repeal Election Day registration and implement such registration on the Friday before Election Day.
New Hampshire	HB 627	Failed	This bill would repeal New Hampshire's same day registration law and enacts provisions of the National Voter Registration Act.

## Voter ID

Although more lawmakers started their sessions this year with talks of expanding voter access and making voting more convenient to busy Americans, one contrary trend is still as prominent as ever: restrictive voter ID. At the beginning of the year, 17 states considered more than two-dozen bills that would require some or all voters to show photo ID in order to vote.

Emboldened by the new Republican majority and support from Governor Brian Sandoval, Nevada officials quickly began building up the state's potential to pass voter ID in 2015.<sup>7</sup> Longtime voter ID supporter, former legislator, and now Nevada Secretary of State Barbara Cegavske claims that the issue is not partisan, but rather an effort to "assure the public that elections are done properly."<sup>8</sup> The state, however, does not have any history of voter impersonation fraud, the only kind of fraud that would be prevented by photo ID laws, except one case in which a noncitizen voted under a false name with a false ID. As Justin Levitt, Professor of Law at Loyola University Law School and an expert in voting rights law stated after investigating voter fraud cases across the nation: "It is not clear how a [Nevada] law requiring voters to show ID to pollworkers at the polls could stop a criminal from using a fraudulent driver's license to cast invalid ballots."<sup>9</sup>

The pretext of calming public fears, despite a lack of evidence of voter impersonation fraud, is not uncommon. New Mexico has a "negligible" voter fraud history, but lawmakers and officials, including Secretary of State Dianna Duran, still prefer sticking to strict voter ID laws, like those that have been rejected as potentially discriminatory in other states, such as Missouri, Texas, and Wisconsin. New Mexico has also gotten creative, considering biometrics as voter ID, in part to bypass issues with disparities in who possesses acceptable ID.<sup>10</sup> So far, the state has advanced a slightly less restrictive House Bill 61, which allows for the use of expired photo ID.

Nebraska lawmakers proposed strict voter ID with the introduction of LB 111 and LB 121. Voting rights advocates opposed the measure for its potential negative impact on 300,000 registered Nebraskans.<sup>11</sup> The bill was "bracketed" on February 18 and will not come up again until after the 2015 legislative session.<sup>12</sup>

Missouri lawmakers were right on schedule at the beginning of the session, pushing a stack of voter ID bills, despite the state's long and twisted voter ID history. (The state Supreme Court struck down Missouri's voter ID law in 2006 as unconstitutional under the state constitution. An estimated 240,000 voters in the state would not have had the required ID to vote.) Republican voter ID bill sponsor Rep. Tony Dugger said his new bills, HB 30 and HJR 1 "aren't anything new" as they are the same bills he had "been presenting for the last few years."<sup>13</sup> In addition to Dugger's bills, lawmakers have proposed a range of voter ID legislation, including traditionally restrictive voter ID (HB 240); bills that expressly remove the usage of bank statements and utility bills as voter ID (HB 66, HB 339); a constitutional amendment for voter ID (SJR 5); and a combination proposal that mixes restrictive voter ID with a convenience voting policy, no-excuse absentee voting (SB 169, SB 170). For voter ID to be approved in Missouri in 2015, a constitutional amendment would have to pass the legislature and gain approval from voters, and the legislature would also have to approve implementing legislation.

Voter ID has not just been proposed for voters at large. It has also been proposed to impose restrictions on voters who use convenience voting policies. In February, Colorado Republicans attempted to require strict voter ID of people who register to vote on Election Day, as provided by 2013 Colorado law. The bills, HB 1140 and HB 1169, failed on a 6-5 party-line vote.<sup>14</sup>

# Threats to Voting Rights

Table 4: Voter ID Bills

Legislature	Bill	Status	Summary
Alabama	HB 293	Pending	This bill would amend the absentee ballot and photo ID laws to require the photo ID to be submitted with the absentee ballot application. The bill would provide that no ballot may be issued until the photo ID requirement is satisfied.
Colorado	HB 1140	Failed	This bill would require that individuals registering to vote prior to or on Election Day provide photo identification. This bill would designate valid forms of identification as: a drivers license, a department of revenue, identification card, a passport, a government employee identification card, a pilots license, a military identification card, a student identification card, or a vetean health identification card.
	HB 1169	Failed	This bill would require that individuals registering to vote prior to or on Election Day provide photo identification. This bill would designate valid forms of identification as: a drivers license, a department of revenue, identification card, a passport, a government employee identification card, a pilots license, a military identification card, a student identification card, or a vetean health identification card.
Illinois	HB 2756	Pending	This bill would require that every person wishing to vote in Illinois present to their election judge a government-issued photo identification card or a Voter Identification Card issued by the secretary of state. People who are indigent and unable to obtain a Voter Identification Card without a fee and voters who have a religious objection to being photographed may vote a provisional ballot. Those who fail to provide acceptable identification and who do not meet either exemption may vote by provisional ballot but shall be required to provide their county clerk or;board of election commissioners with the required photo identification within 10 days following the election.
	HB 3591	Pending	This omnibus elections bill would in part create a pilot program that allows election authorities to obtain a voter's driver's license photo and signature from the Secretary of State for the purpose of verifying a voter's identity.
Indiana	SB 353	Pending	The bill would require an individual submitting an absentee ballot application to provide proof of identification to a notary public and submit a copy of the proof of identification with the absentee ballot application. Exempt individuals include absentee voters who would vote in person in the office of the circuit, an absent uniformed services voter, or an overseas voter.
Iowa	SF 183	Pending	This bill would require that Iowa electors show proof of identification and proof of residence in order to vote or register to vote.
	SF 387	Pending	This bill would require that a voter provide proof of identification to their precinct election official before they will be allowed to vote. Acceptable identification must included the voter's photo and be issued by the United States government, the State of Iowa, and Iowa University, or an Iowa municipality. This bill also would remove residential leases and property tax statements from the list of acceptable documents for providing proof of residency for Election Day Registration and in-person absentee registration.
Maine	LD 197	Pending	This bill would require all voters to show valid government-issued, photo ID to vote or else vote by provisional ballot. Student ID from a Maine college or university would be acceptable as voter ID. Before November 9, 2016, voters who do not have ID may be given a ballot if an election worker can personally attest to the identity of the voter after signing an affidavit. Voters who do not show ID on Election Day and who vote by provisional ballot must bring required ID to the election clerk no later than three business days after the election for the ballot to be counted.

# Threats to Voting Rights

Table 4: Voter ID Bills (continued)

Legislature	Bill	Status	Summary
Maryland	HB 1017	Pending	This bill would require Maryland voters to establish their identity and verify their address with an election judge prior to voting by presenting a current government-issued photo identification. If the voter is unable to provide identification or indicates a change of residence, they may vote by provisional ballot.
Massachusetts	HB 568	Pending	This bill would require voters to show valid photo ID issued by the commonwealth of Massachusetts or the government of the United States.
	HB 595	Pending	This bill requires any person who seeks to vote in a public election to establish his or her qualifications to vote by providing a current valid photo form of identification to election officials prior to voting. Acceptable forms of photo identification provided is either a current driver's license, a government employee card, a pilot's license, military identification, a Medicaid or Medicare card, and for students, a photo identification university card.
Missouri	HB 30	Pending	This bill requires a person to submit a specified form of photo identification in order to vote in a public election with specified exemptions.
	HB 339	Pending	This bill would require voters to show current, government-issued photo ID when voting in person or else vote a provisional ballot.
	HB 66	Pending	This bill removes a current utility bill and bank statement as acceptable forms of identification to receive a ballot.
	HJR 1	Pending	This bill proposes a constitutional amendment establishing that voters may be required to provide a government-issued photo identification prior to voting.
	SB 169	Pending	This bill would establish a requirement that electors present a government-issued photo ID prior to voting. The state would be required to provide one approved form of photo identification to otherwise qualified voters at no cost. Voters lacking a photo identification would be permitted to vote upon signing an affidavit and presenting a secondary form of identification. This bill would also permit any voter to cast an absentee ballot in person at the office of the election authority, starting two weeks before an election without stating a reason for expecting to be prevented from going to the polls on election day.
	SB 170	Pending	This bill would establish a requirement that voters must present a government-issued photo ID. The state would be required to provide one approved form of photo identification to otherwise qualified voters at no cost. Voters whose identity cannot be established would be permitted to vote by provisional ballot, which would only be counted if the voter returns with proper identification. This bill would permit any voter to cast an absentee ballot in person at the election authority following the fourth Thursday prior to an election.
	SJR 5	Pending	This Constitutional Amendment would submit identical photo-ID language as HJR 1, though in a different part of the state constitution.
Nebraska	LB 111	Pending	This bill would require voters to show government-issued photo ID to vote in person. Voters who do not present required ID may vote by provisional ballot. This bill removes other forms of ID, such as utility bills and bank statements from being accepted as voter ID. The bill repeals Oklahoma voter ID law (32-318.01), which provides for the acceptance of non-photo ID to vote.
	LB 121	Pending	This bill would require voters to show government-issued photo ID to vote. Voters who do not present photo ID must sign a statement to affirm their names and addresses. Additionally, they must either submit to being photographed in a manner prescribed by the county clerk or have their identity affirmed in writing by a poll worker.

# Threats to Voting Rights

Table 4: Voter ID Bills (continued)

Legislature	Bill	Status	Summary
Nevada	AB 253	Pending	This bill would require voters to show photographic, government-issued photo ID to vote.
	AB 266	Pending	This bill would require voters to show photographic, government-issued photo ID to vote.
	SB 169	Pending	This bill would require voters to show photographic, government-issued photo ID to vote.
New Mexico	HB 340	Pending	This bill would require voters to show government-issued photo ID in order to vote. Tribal ID and student ID would be accepted.
	HB 61	Pending	This bill requires photo voter ID to vote. The bill permits the use of expired ID or ID that does not reflect a voter's current address.
	SM 11	Pending	This bill requests to the secretary of state to conduct a study examining the costs, feasibility, potential issues, and benefits of implementing a voter identification system based on biometric measures.
New York	AB 2616	Pending	This bill requires a valid government issued photo identification card be presented when casting a ballot.
Oregon	SB 178	Pending	This bill would end the practice of returning ballots by mail and would require voters to deposit their ballots in person and show government-issued photo identification on Election Day. If the voter does not show the required ID, the voter will be granted the right to vote with a provisional ballot.
Texas	HB 303	Pending	This bill would add photographs to the state's voter registration certificates and would allow the certificates containing the voter's photograph to serve as photo ID acceptable for voting. The bill would require the secretary of state to establish methods to obtain a photograph of each registered voter for use on the voter's voter registration certificate.
Virginia	HB 1319	Vetoed	This bill would require that any voter submitting an application for an absentee ballot by mail or fax must submit with the voter's application a copy of one of the forms of photo identification acceptable under current law for voting in person. The bill provides an exception for military and overseas voters and voters with disabilities. Currently, only a voter who completes his application for an absentee ballot in person is required to show a form of identification.
	HB 1538, Chapter 134	Enacted	The bill requires that for the purpose of the ID presented by the voter, the voter's name as found on the pollbook matches or is substantially similar to the name listed on the form of identification presented and the name stated by the voter.
West Virginia	HB 2365, HB 2602, HB 2798, SB 340	Failed	This bill would require voters to present identifying documents, issued either by the State of West Virginia or the United States Government that contain the name, address and a photograph of the person desiring to vote, which the poll clerk must inspect and confirm that the name on the document conforms to the name in the individual's voter registration record and that the image displayed is truly an image of the person presenting the document.

## Voter Purges

Voter list maintenance is a vital part of election administration to ensure the voter rolls are current. Increasingly, more states have resolved to compare voter information with other states in order to ultimately cancel the registrations of voters who move between states. In 2015, at least four state legislatures (Maryland, New Hampshire, New Jersey, and Texas) have proposed to either specifically join the Kansas-based Interstate Voter Registration Crosscheck Program, or generally to work with other states to compare voter rolls for duplicates.

The issue with some crosscheck programs is that they can be unreliable if the number and quality of matched data fields is low. The more information that states use to compare voter rolls, the better chance they have of making accurate matches. Comparing only first name, last name, and date of birth can easily lead to false matches. Further, the National Voter Registration Act provides safeguards that only allow for the removal of a voter on the grounds of a change-of-residence when the voter confirms in writing that she has changed address or she fails to respond to a forwardable notice and does not vote for two succeeding federal elections.

Interstate matching bills were introduced in Maryland, New Hampshire, New Jersey, New Mexico, and Virginia.

# Threats to Voting Rights

Table 5: Voter Purge Bills

Legislature	Bill	Status	Summary
Maryland	HB 253	Failed	This bill would require that the state board participate in the Interstate Crosscheck Program for the purposes of removing ineligible individuals from the voter registration list and for referring suspected instances of multiple voting to the appropriate prosecuting authority.
New Hampshire	HB 620	Failed	This bill requires the secretary of state to enter into an agreement to share voter information and data through the Interstate Voter Registration Crosscheck Program.
New Jersey	A 3879	Pending	This bill establishes a program to share voter registration information with other states to remove duplicate voter registration records.
New Mexico	HB 62	Pending	This bill authorizes the secretary of state to verify voter registration for the purpose of voter registration list maintenance. It allows the secretary to share with other states vote information, including social security numbers, dates of birth, drivers license and ID numbers, and other information. The secretary may enter into a written agreement with an agency or political subdivision of another state or with a department of the federal government for the purpose of maintaining the statewide voter;registration list. The secretary would be required to develop and maintain a manual for county clerks that describes best practices in investigating and reconciling information.
Virginia	SB 1350	Pending	As substituted, this bill would allow voters to cancel their registrations by notifying the Department of Elections by electronic means as approved by the State Board of Elections. This bill would allow the State Board to use including commercially available sources of data for voter list maintenance. The bill also makes mandatory cancellation of voter registrations for whom a notice that the person has moved out of the Commonwealth has been submitted to the Department of Motor Vehicles in accordance with the Driver License Compact in Virginia law.
	HB 1315	Pending	This bill requires jury commissioners to transmit to the general registrar, on request, lists of persons not qualified to serve on a jury as a result of non-citizenship, lack of residency in Virginia or the county or city, felony conviction without rights restored, or having been adjudicated incapacitated. The general registrar would be required to utilize the information received pursuant to identify voters who are no longer qualified to vote and to initiate list maintenance procedures pursuant to state or federal law.

## Automatic Voter Registration

Automatic registration—the processing of a voter registration application when a voter interacts with a government agency—has been proposed by a few states every year. Early in the year, eight states proposed bills to put the responsibility to register voters on the government rather than just the voter.

The Oregon Legislature passed a bill in March that would automatically register Oregonians to vote after they have interacted with the Department of Transportation, with a 21-day window to opt out of voter registration.<sup>15</sup> Hawaii's bill has been amended since its introduction so that it is no longer truly an automatic registration bill.

Project Vote joins many voting rights groups in applauding Oregon's policy makers for enacting a law that puts the onus on the government to take responsibility for voter registration. Some states, however, are better suited to a registration system that requires the voter to affirmatively opt in.

# Opportunities in Voting Rights

Table 6: Automatic Voter Registration Bills

Legislature	Bill	Status	Summary
Arizona	HB 2434	Pending	This bill will establish automatic voter registration for every person who is applying for a driver license or renewal and is otherwise qualified to vote unless the applicant clearly expresses the decision not to register.
Georgia	HB 665	Failed	This bill provides for the automatic registration of voters who obtain, renew, or change their name or address on a driver's license or identification card issued by the Department of Driver Services.
Hawaii	HB 401	Pending	This original version of this bill would have automatically registered to vote individuals deemed qualified upon applying for driver's license or civil identification. As amended, this bill provides that an ID card or driver's license will not be processed until the applicant clearly indicates on the application that the applicant declines to register to vote or completes the portion of the application related to voter registration.
	SB 150	Pending	This bill provides that a voter registration application would be part of an application associated with the issuance of a civil identification card or driver's license. The applications for civil ID or driver's license would not be processed until the applicant clearly indicates on the application that they are declining to register to vote or the portion of the application related voter registration is completed.
Maryland	HB 1049	Pending	This bill would require that voter registration agencies of local departments of social services, the Office of Mobility Certification, and the Maryland Health Benefit Exchange implement a fully automated voter registration system on or before July 1, 2016 and would require periodic progress reports from these agencies.
Minnesota	HF 1449	Pending	This bill provides for automatic voter registration of any individual who applies for or renews a Minnesota driver's license, instruction permit, or identification card. If an applicant affirmatively declines to be registered to vote, she will not be registered to vote.
New York	AB 6610	Pending	This bill would provide for the automatic registration of eligible citizens who interact with the Dept. of Motor Vehicles, unless they decline to register to vote after receiving a notice on potential voter registration.
Oregon	HB 2177/ Chapter 8 (2015 Laws)	Enacted	This bill directs the secretary of state to register each "nonregistered" person who is qualified to vote using information obtained from the Department of Transportation. The secretary must notify such registrants of how to decline registration.
Vermont	S 458	Pending	This bill allows an eligible citizen to register and vote by provisional ballot on Election Day after completing a sworn statement and presenting a form of ID, including photo ID, utility bill, bank statement, or other government document that shows name and address.

# Opportunities in Voting Rights

## Early Voting

Early voting has become a voter favorite in recent years, as it benefits voters in modern day America, where work and home life are more and more demanding. Over half of all the states provide early voting opportunities to all eligible voters, and, in 2015, seven more states proposed to join them. Additionally, at least one state, Texas, has proposed to expand early voting to the weekend with Senate Bill 467.

Table 7: Early Voting Bills

Legislature	Bill	Status	Summary
Minnesota	HF 47	Pending	This bill would allow any eligible voter to vote early, starting 15 days before the election through 5 p.m. on the third day before the election.
Missouri	HB 345	Pending	This bill provides that any voter may vote by advance ballot at a central voting location. The advance voting period would begin the third Wednesday before Election Day and ending on the Wednesday before the election.
	HB 449	Pending	This bill creates a three week advance voting window before general and primary elections during which any registered voter may vote at the location of their local election authority or by mail.
Oklahoma	SB 86	Pending	This bill would extend Saturday hours for in-person, absentee voting and would open such voting sites on the Sunday before Election Day.
Pennsylvania	HB 521	Pending	This bill provides for early voting eight days before Election Day. Early voting would be held each weekday from 8 a.m. to 7 p.m. and from 1 p.m. to 5 p.m. on Saturday and Sunday.
South Carolina	H 3720	Pending	This bill would establish an early voting period for all elections. Early voting would be available to qualified voters, without excuse, at early voting centers in each county thirty days before Election Day. The early voting period would end three days before the election.
	S 148	Pending	This bill would require South Carolina counties to establish at least one and at most three early voting centers at which qualified electors may cast their ballots, without excuse, during an early voting period for all elections.
Texas	SB 467	Pending	This bill would require early voting to be held on each Saturday and Sunday during the early voting period.
Virginia	HB 1394	Failed	This bill would allow any registered voter to vote absentee in person in any election in which the person is qualified to vote without providing a reason. Current law requires voters to provide a reason.
	SB 677, SB 954	Failed	This bill would allow any registered voter to vote absentee in person without providing a statutory excuse.

## Felon Voting Right Restoration

Restoring voting rights to ex-felons, particularly the millions who have been released from incarceration and who are trying to integrate back into society, is a subject that has recently gained momentum. Bipartisan support for the issue is growing, with vocal supporters including Republican Senator Rand Paul.

At the beginning of the session, two dozen bills were introduced in at least 11 states and U.S. Congress, ranging from automatic restoration upon release and restoration of voting rights after probation, parole, or other conditions. Minnesota's SF 355 has gained momentum and most importantly, garnered outspoken, bipartisan support.<sup>16</sup> The House version of the bill, HF 342, however, appears to have stalled.<sup>17</sup>

On March 18, U.S. Senator Ben Cardin and several others introduced S. 772, the Democracy Restoration Act to set a federal standard for disenfranchisement laws, providing that otherwise eligible citizens may vote in federal elections when released from incarceration, regardless of probation, parole, or restitution penalties.

# Opportunities in Voting Rights

Table 8: Bills to Restore Voting Rights

Legislature	Bill	Status	Summary
United States	S 772/HR 1459	Pending	This bill would set a federal standard for ex-offenders to exercise the right to vote in federal elections.
	HR 871	Pending	This bill would direct the Bureau of Prisons to provide certain voting information to Federal prisoners upon their release from prison.
	S 457	Pending	This bill would secure the Federal voting rights of non-violent persons when released from incarceration.
Florida	SJR 208	Pending	This bill would automatically restore the voting rights of people convicted of felonies upon completion of sentence, unless the person was convicted of a felony involving a sexual offense or a felony involving a homicide.
Kentucky	HB/SB 26	Failed	These bills propose an amendment to the Constitution of Kentucky that would restore voting rights to individuals convicted of a felony offense following expiration of prohibition, final discharge from parole, or maximum expiration of sentence unless that individual was convicted of a felony offense of treason, intentional murder, rape, sodomy, sexual abuse of a child, bribery in an election, or another crime specified by the General Assembly.
	SB 17	Failed	This bill proposes an amendment to the Constitution of Kentucky that conviction of a felony shall only deprive an individual of their right to vote if that category of felony has been so designated by the General Assembly. If approved by the legislature, the amendment would be submitted to Kentucky voters.
Maryland	HB 980	Pending	This bill provides the individuals discharged from incarceration are qualified to register to vote, even if serving a term of parole or probation. The bill requires that the Department of Public Safety and Correctional Services establish a program to notify individuals discharged from a correctional facility of their right to vote, providing a voter registration form. Finally, the bill would require that courts notify a defendant on the record of their temporary loss of the right to vote prior to imposing a sentence of incarceration or accepting a defendant's guilty plea.
Minnesota	HF 119	Pending	This bill would provide that every individual serving a felony sentence or serving a period of probation receives an annual written notice of civil rights status, including the right to vote. The bill would also require an in-person notice of civil rights status be provided to individuals who have been released from a correctional facility or are serving a period of probation.
	HF 120	Pending	This bill provides that a person retains the right to vote except while that individual is under an order or sentence to be incarcerated at the time of the vote.
	HF 342		This bill would restore the right to vote to any individual who has completed their term of incarceration, if any, for a felony offense. This bill would also require the secretary of state to develop a publication explaining the voting rights of people who have been charged with a crime and would require correctional facilities to provide a notice of restoration of the right to vote and a voter registration application to persons released from incarceration.
	SF 355	Pending	This bill would restore the right to vote to any individual who has completed the term of incarceration, if any, for a felony offense. This bill would also require the secretary of state to develop a publication concerning the voting rights of people who have been charged with a crime and would require correctional facilities to provide a notice of restoration of the right to vote and a voter registration application to people released from incarceration.
Nevada	SB 97	Pending	This bill provides that people convicted of felonies from other states would have their voting rights restored according to Nevada law. The bill prohibits the clerk from requiring a voter registrant to show documentation indicating that the applicant's right to vote has been restored.

# Opportunities in Voting Rights

Table 8: Bills to Restore Voting Rights (continued)

Legislature	Bill	Status	Summary
New York	SB 2023	Pending	This bill relates to voting and registration for voting by convicted felons. The bill provides that convicted felons may vote if pardoned; such person's maximum sentence of imprisonment has expired; or such person is serving a term of parole, presumptive release, conditional release or post-release supervision.
South Dakota	SB 112	Pending	This bill would allow a citizen to re-register to vote upon release from imprisonment.
Tennessee	HB 852	Pending	This bill removes requirement that a person must pay outstanding child support obligations that accumulated during any period of incarceration to have right of suffrage restored.
Texas	HB 1204	Pending	This bill would require the department of corrections to provide notice of voter eligibility to people convicted of felonies upon release from the custody of the department. The bill requires the department to provide the person an official state voter registration form with the notice.
	HB 433	Pending	This bill provides that individuals with felony convictions who are otherwise qualified can register to vote if they have completed any term of incarceration or community supervision, or completed a period of probation ordered by any court, or have served at least 10 consecutive years of parole or mandatory supervision, or if they have been pardoned or otherwise had their rights restored.
Virginia	HB 7, HB 556	Failed	This bill would establish automatic restoration of rights for persons with prior felony convictions, other than violent felonies, certain drug felonies, and certain election fraud convictions.
	HJ 107, HJ 491	Failed	The bill would amend the Virginia Constitution to provide that no person convicted of a felony shall be qualified to vote unless the person has completed service of his sentence and any modification of sentence, including probation, parole, or suspension of sentence, and full payment of any restitution, fines, costs, and fees assessed as a result of the felony conviction. The proposed amendment deletes the present constitutional language that requires restoration of civil rights by the Governor or other appropriate authority.
	HJ 21, HJ 70, SJ 238	Failed	This bill authorizes the General Assembly to provide by law for the restoration of civil rights for people convicted of nonviolent felonies who have completed service of their sentences, including any period or condition of parole, probation, or suspension of sentence.
	HJ 25, HJ 48, HJ 78/HJ 97	Failed	This bill provides for the automatic restoration of voting rights to people convicted of nonviolent felonies (excluding felony drug and election fraud crimes) upon completion of sentence, including any term of probation or parole, and payment in full of any restitution, fines, costs, and fees assessed against the person as a result of the felony conviction, or by other appropriate authority.
	HJ 522, HJ 604, HJ 616, HJ 621, HJ 627, HJ 628	Failed	The bill amends the Virginia Constitution to allow the General Assembly to provide by general law for the restoration of civil rights to persons who have been convicted of nonviolent felonies and who have completed service of their sentence, subject to the conditions, requirements, and definitions set forth in that law.
Wyoming	HB 15/ H.E.A. No. 0106	Enacted	This bill provides for the restoration of voting rights of a person convicted of a nonviolent felony who has completed all of his or her sentence, including probation and parole, and has been issue a certificate from the Department of Corrections, indicating restoration of voting rights.

## Omnibus Legislation

Every year, some lawmakers file bills with a plethora of voting policies in one package. Some of these have the potential to bring a positive impact to voters. For example, in January, Illinois Governor Pat Quinn signed a 2014 omnibus bill (SB 172/Public Act 98-1171) to extend early voting, permanently establish same day registration, and require the State Board of Elections to compare voter rolls with other states via the Electronic Registration Information Center.

Other noteworthy omnibus bills include Nevada's Senate Bill 203, a bill that establishes vote centers, automatic registration, same day registration, and preregistration. New York's "Voter Empowerment Act" (SB 2538) focuses on streamlining voter registration in the state with automatic voter registration for individuals who interact with government agencies as well as permitting people to vote by "affidavit ballot" if their names cannot be found on the voter rolls. The affidavit ballot would be counted if the voter is determined to be eligible. U.S. Rep. John Lewis's "Voter Empowerment Act" was introduced in March, and encompasses a variety of policies that are designed to improve election administration and the voter's experience.

# Opportunities in Voting Rights

Table 9: Omnibus Bills

Legislature	Bill	Status	Summary
United States	HR 12	Pending	This bill provides for online and same-day voter registration, early voting, improved pollworker training, increased access for people with disabilities, prohibitions on deceptive practices and voter caging, and uniform rules for re-enfranchisement of prisoners, among others.
Alaska	HB 95	Pending	This bill would allow citizens to register and vote a questioned ballot on the day of an election. The bill also provides for early, in-person voting.
Florida	HB 1161	Pending	Among other things, this bill would require the development of an online voter registration system allowing applicants with driver's licenses or state IDs to complete a voter registration application fully online. It would also revise the provisions regarding signature updates for absentee ballot comparison purposes and would add a passport card, veterans' health identification card, and concealed weapon license to the types of voter identification that may be presented. Finally, it would allow cities to conduct elections by mail.
Illinois	SB 172	Pending	This omnibus bill extends early voting opportunities and establishes same-day voter registration for future elections. The bill also requires that early voting and voter registration services be made available at university student unions. The bill also requires the State Board of Elections to join the Electronic Registration Information Center (ERIC) by 2016, among other provisions.
Minnesota	HF 1981	Pending	This bill establishes early voting changes same day registration in Minnesota. Early voting would be held between 8 a.m. and 4:30 p.m. on each weekday; from 8:00 a.m. to 8:00 p.m. on at least one weekday; and from 10:00 a.m. to 5:00 p.m. on the two Saturdays before the election. Voter applicants would be allowed to register and vote a regular ballot during the early voting period. On Election Day, a person who is not registered to vote or who needs to update an existing registration due to change-of-address would be allowed register to vote and to vote by provisional ballot. The bill eliminates "vouching" for a voter applicant's residence and identity.
Mississippi	SB 2601	Failed	This bill would establish early voting and online voter registration in Mississippi.
Nevada	SB 203	Pending	This bill would permit clerks to establish same day registration at certain polling places. The bill would also provide for automatic voter registration when interacting with a government agency, which would then transmit the applicant's information to the secretary of state for the purpose of voter registration. The bill also permits citizens who are 16- and 17-years-old to register to vote. Finally, the bill would establish vote centers, from which a person from any precinct within the county may vote.
New York	SB 1770	Pending	This omnibus elections bill would permit individuals to register and vote on Election Day, provided that they provide appropriate proof of qualifications. The bill would also mandate that any qualified individual waiting in line at the time scheduled for polls closing will be permitted to vote. The bill would also permit any qualified elector to choose to vote by absentee ballot and choose to receive their absentee ballot at a location other than their permanent address. Finally, the bill provides for the creation of a computerized statewide voter registration list consistent with HAVA.
	SB 2538	Pending	This omnibus election bill would provide for the option of automatic voter registration for qualified individuals who complete an application for a driver's license or unemployment insurance; registers for classes at a university; completes a prison sentence of parole; or becomes a member of the military. Furthermore, the bill would permit qualified individuals appearing on Election Day whose name cannot be found on the statewide voter registration list but have interacted with one of the previously listed source agencies to vote by affidavit ballot. The bill would also establish a digital registration information system to allow individuals to verify their voter registration status.

## Online Voter Registration

Nearly half of the 50 states have online voter registration laws on the books and every year, more states join the effort to bring voter registration into the 21st century. In early 2015, at least 12 states have proposed online registration bills.

At the beginning of the year, the Iowa Voter Registration Commission adopted a rule to implement online registration using signatures from Department of Transportation records in 2016.<sup>18</sup> Iowa Senator Jeff Danielson proposed SF 331 to expand upon Iowa's online registration rule. Danielson said that the current version of Iowa's online registration rule would leave out about seven percent of the state's population. His bill would permit citizens without state ID to complete their applications with a digitally typed signature.<sup>19</sup>

Lawmakers in Florida and Pennsylvania showed interest in passing online registration early in the session. Although past efforts to pass online registration have failed in Pennsylvania, lawmakers are once again pushing the popular policy in hopes of saving the state in administrative costs. Online registration has saved jurisdictions like Maricopa, County, Arizona as much as \$1.4 million since implementation in 2008.<sup>20</sup> Several online registration bills are currently pending in the Florida Legislature; at least one of them has the support of the county election supervisors.

Kentucky's House Bill 214 passed the House in February. The Legislative Research Commission estimated that the bill could help as many as 40,000 people register to vote per year.<sup>21</sup>

# Opportunities in Voting Rights

Table 10: Online Voter Registration Bills

Legislature	Bill	Status	Summary
Florida	SB 386	Pending	The bill would require state supervisors of elections to make an online form available on their official websites for the purpose of voters submitting a change of residence for voter registration.
	HB 227	Pending	This bill would allow applicants to submit online voter registration applications through a secure internet site established by the state division of elections.
	HB 315	Pending	The bill would require state supervisors of elections to make an online form available on their official websites for the purpose of voters;submitting a chance of residence for voter registration.
	SB 228	Pending	This bill would allow applicants to submit online voter registration applications through a secure Internet site established by the state division of elections.
Iowa	HF 28	Pending	This bill would permit online voter registration through the state commissioner of elections' internet site and would take effect on January 1, 2016.
	SSB 1152	Pending	This bill would allow eligible voters to apply to register;to vote or update their voter registration information through an online service provided on the secretary of state's internet site.The bill allows for the use of electronic signatures via the Dept. of Transportation or a digitally typed signature for applicants who do not have a current driver's;license or state ID.
Kentucky	HB 214	Pending	This bill directs the State Board of Elections to establish an online voter registration system.The State Board of Elections would forward the applications to each voter's county clerk, who must process the application with the same regard as applications by mail. Each county clerk has to maintain statistical records on electronic voter registration applications as requested but he SBOE.
	HB 334	Pending	This bill would require the State Board of Elections to establish an electronic voter registration system.
Maine	LD 770	Pending	This bill requires the Secretary of State to implement a system that permits a person to register to vote online by February 1, 2016.
Missouri	HB 336	Pending	This bill authorizes local election authorities to develop, maintain, and approve systems that transmit voter registration applications with electronic signatures.
Montana	HB 48	Failed	This bill would require that the secretary of state establish an online voter registration system accessible to individuals with a drivers license or state identification card.
New York	AB 4381	Pending	This bill requires the state board of elections to maintain on its official website electronic voter registration forms.
	AB 5564	Pending	This bill provides that the board of elections shall accept voter registrations electronically through its website.

# Opportunities in Voting Rights

Table 10: Online Voter Registration Bills (continued)

Legislature	Bill	Status	Summary
New York	AB 5590	Pending	This bill provides that qualified persons who have never previously registered to vote may register on any day, including a day of election, that the board of elections is open for business. The bill requires establishment of a procedure to enable such registrants to cast their votes at the appropriate polling places.
Ohio	SB 63/HB 41	Pending	This bill requires the secretary of state to establish an online registration system for new registrants and for updates. Updates require signature from the electronic records of the Dept. of Motor Vehicles, like new registrations.
Oklahoma	SB 313/HB 1846	Pending	This bill allows a person to register to vote online if they have a current and valid Oklahoma driver's license or state ID.
Pennsylvania	HB 692	Pending	This bill provides for electronic voter registration, using an electronic copy of the voter applicant's signature from the Department of Transportation.
Tennessee	HB 831	Pending	This bill requires state election commission to provide online voter registration through the secretary of state's web site.
Texas	HB 312	Pending	This bill would require the secretary of state to implement a program to allow a person who has a valid driver's license or personal identification card issued in the state to complete a voter registration application over the internet from the official website of the state, and the websites of the secretary of state, Department of Public Safety, and counties participating in the program.
	HB 444	Pending	This bill would require the secretary of state to implement a program to allow a person to complete a voter registration application over the Internet from the official website of the state.
	HB 446	Pending	This bill would allow county voter registrars to adopt procedures to allow a person to complete a voter registration application over the Internet.
	HB 76	Pending	This bill would require the secretary of state to implement a program to allow a person to complete a voter registration application over the internet from the official website of the state. Applicants who have unexpired drivers' licenses or state ID cards must consent to the use of their digital signature from the Department of Public Safety. Applicants without such identification would be required to print, sign, and mail the applications created using the system, and would be informed of how to obtain such identification.
	HB 953	Pending	This bill requires the secretary of state to implement a program to allow citizens who have an unexpired driver's license or state-issued personal ID card to complete a voter registration application over the Internet from the state's official website.

## Reversing Regressive Laws

If you're reading from the beginning of the report, it's not a shock that regressive voting laws have consistently passed in state houses in recent years. A developing trend in response to these problematic laws, including strict voter ID and proof of citizenship requirements, has been to reduce their impact or repeal them outright. Lawmakers in at least eight states have proposed bills to reverse or reduce the burden of restrictive voting laws. In states like Arizona and Kansas, legislators have proposed to repeal proof-of-citizenship laws; in Arizona, there is also a bill to repeal voter ID. Some states considered expanding the list of acceptable ID to vote, such as student ID (Texas, Virginia), expired ID (Oklahoma, Virginia), and even gun licenses (South Carolina).

While the trend of reversing or alleviating restrictive voting laws continues, these bills do not typically gain much attention.

*Table 11: Bills to Reverse Regressive Laws*

Legislature	Bill	Status	Summary
Arizona	SB 1347	Pending	This bill would repeal Arizona's proof of citizenship requirement for registering to vote and Arizona's proof of identification requirement for voting.
Kansas	HB 2144	Pending	This bill provides that people who change their names or addresses do not have to submit proof of citizenship to update their voter registration. Instead, they must sign an affidavit.
	HB 2145	Pending	This bill, the Help Kansas Vote Act, would allow voter applicants to sign an affidavit swearing under oath that they are eligible to vote under penalty of perjury in lieu of showing documentary proof of ID.
	SB 177	Pending	This bill was amended to provide that a voter registration application cannot be rejected for lack of evidence of citizenship until the division of vehicles has an operational system to verify citizenship of an applicant for the renewal of a driver's license. If a county election official or the secretary of state receive affirmative evidence that an applicant is not a citizen, the county election officer must deny such application.
North Carolina	S 103	Pending	This bill would give voters the option to complete a request for an absentee ballot at a one-stop voting location when the voter shows up to vote without the required photo ID.
	H 240	Pending	This bill would allow voters to use student ID from North Carolina community colleges, private colleges, or universities as voter ID.
Oklahoma	HB 1511	Pending	This bill would permit the use of student ID from an Oklahoma public or private system of higher education as voter ID.
	SB 313	Pending	This bill adds expired Oklahoma driver license and expired U.S. passport to the list of acceptable photo ID for voting purposes.
South Carolina	H 3167/H 3016	Pending	This bill would add a South Carolina concealed weapons permit to the list of acceptable forms of identification required of a person when he presents himself to vote.

# Opportunities in Voting Rights

Table 11: Bills to Reverse Regressive Laws (continued)

Legislature	Bill	Status	Summary
Tennessee	SB 1126/HB 926	Pending	This bill permits the use of a photo identification card issued by this state, the United States, or an accredited postsecondary institution of education in this state for purposes of verifying the identity of an eligible voter.
Texas	HB 295	Pending	This bill would add to the acceptable photo identification required for voting a student ID card issued by a public or private institution of higher education that contains the person's photo.
	HB 447	Pending	This bill would add a student ID card that contains the persons' photo issued by an institution of higher education to the list of photo IDs acceptable for voting in person.
	HB 534	Pending	This bill would add to the list of acceptable photo ID for voting an ID card issued by an agency or institution of the federal government or of Texas that contains the person's photo.
	HB 535	Pending	This bill would add to the list of photo ID acceptable for voting a valid ID card that contains the person's photo issued by a tribal organization.
	HB 536	Pending	This bill would allow voters age 65 or older to use an otherwise acceptable photo ID to vote regardless of whether it is expired.
	HB 1117	Pending	This bill would allow the types of photo IDs specified as acceptable for voting to be used regardless of their expiration date.
	SB 170, SB 230	Pending	This bill would add to the list of photo identification acceptable for voting a student identification card issued by a public or private high school or institution of higher education that;contains the person's photograph.
Virginia	HB 564	Failed	This bill provides that if a voter's name, as listed in the poll book, matches or is reasonably similar to the name listed on the form of identification presented and the name stated by the voter, the voter must be permitted to vote. The bill does not eliminate the other qualifications for being permitted to vote.
	HB 1375	Failed	This bill provides that an expiration date on any of the forms of photo ID acceptable for voting may not be considered when determining the validity of the form of ID offered by the voter.
	HB 1653, Chapter 751	Enacted	This bill would allow for the use of valid student photo IDs that are issued by any private school located in the Commonwealth as voter ID.
	SB 922	Failed	This bill would add to the list of accepted forms of ID for voting a valid ID card containing a voter's photo and issued by any private entity that is licensed or certified, in whole or in part, by the State Department of Health, the Department of Social Services, the Department of Medical Assistance Services, or the Department of Behavioral Health and Developmental Services.

## Same Day Registration

Same day registration has been proposed in at least nine states, with a few variations on the theme. While the majority of states are considering proposals to allow citizens to register and vote on the day of an election, in Texas there is a bill to offer it during early voting. Nebraska's pending legislation proposes a limited version of SDR that extends the opportunity to elderly citizens and members of the armed forces returning from active duty. Utah's House Bill 219 proposes to expand its Election Day Voter Registration Pilot Project (which is an experiment to only take place through 2016) to include early voting.

*Table 12: Same Day Registration Bills*

Legislature	Bill	Status	Summary
Georgia	HB 355	Failed	This bill allows a person to register and vote during the period of advance voting.
Nebraska	LB 491	Pending	This bill would establish a same day voter registration pilot program with voluntary county participation.
	LB 514	Pending	This bill would permit certain individuals including members of the armed forces returning from active duty and elderly persons to register to vote and to request an early voting ballot simultaneously.
New Mexico	HB 405	Pending	This bill would allow a person to register to vote and cast a ballot at early voting sites. The eligible applicants would be given a provisional ballot if they are not registered to vote; are not registered to vote in the correct precinct; or registered to vote at an early voting site that does not have real-time access to the state voter rolls.
New York	SB 2483	Pending	This bill provides that qualified people who have never previously registered to vote may register on any day, including a day of election, that the board of elections is open for business. The bill requires establishment of a procedure to enable such registrants to cast their votes at the appropriate polling places.
Pennsylvania	HB 292	Pending	This bill would allow citizens to register and vote on Election Day by completing a registration application and providing proof of identification and residence. Acceptable forms of ID include a valid driver's license; government ID; U.S. passport; or U.S. Armed Forces ID. The new applicant would be given a provisional ballot, which would not be counted until the Dept. of State has approved the voter registration application (within 10 days of the election).
	SB 91	Pending	This bill provides for same day registration.
Texas	HB 111	Pending	This bill would allow voters who are not registered to register to vote and cast a provisional ballot during early voting.
	HB 448	Pending	This bill would allow voters who are not registered to register to vote and vote in their precinct of residence.

# Opportunities in Voting Rights

Table 12: Same Day Registration Bills (continued)

Legislature	Bill	Status	Summary
Texas	SB 405	Pending	This bill would allow otherwise eligible-but-unregistered citizens to register and vote a provisional ballot during early voting in statewide or federal elections. Proof of residence would be required.
	SB 84	Pending	This bill would allow eligible citizens to register and vote at a polling place during early voting or on Election Day.
Utah	HB 219	Enacted	This bill would expand Utah's Election Day Voter Registration Pilot Project to permit individuals to register to vote and to cast a ballot in project jurisdictions on the days when early voting is being held
Vermont	H 458	Pending	This bill provides for automatic voter registration through motor vehicle driver's license applications.
	S 29	Pending	This bill allows an eligible citizen to register and vote by provisional ballot on Election Day after completing a sworn statement and presenting a form of ID, including photo ID, utility bill, bank statement, or other government document that shows name and address.
Washington	HB 1144	Pending	This bill provides that a person may register to vote and cast a ballot in person on Election Day. A person may also register to vote online up to eight days before Election Day.

## Youth Voting

Young people who registered in advance of reaching voting age are more likely to actually turn out to vote once they turn 18, according to a 2014 Duke University study.<sup>22</sup> Preregistration is increasingly the more popular of the proposed voting policies aimed at engaging youth, who are historically underrepresented in the electorate.

In early 2015, at least 11 states are considering proposals to allow 16- and/or 17-year-old citizens to preregister to vote in order to be automatically enrolled upon reaching voting age.

Table 13: Youth Voting Bills

Legislature	Bill	Status	Summary
Indiana	HB 1173	Pending	The bill provides that a person who is at least 16 years of age but not more than 18 years of age may register to vote, but may not vote until the person will be at least 18 years of age at the next general, municipal, or special election. The bill also requires the bureau of motor vehicles to notify an individual who submits a change of address for a driver's license or identification card that the change of address serves as notice of a change of address for voter registration purposes.
Minnesota	HF 391	Pending	This bill would permit individuals at least 16 years of age to register to vote while maintaining the age requirement for voting.
	SF 206	Pending	This bill would permit individuals who are at least 16 years of age to register to vote.
Mississippi	SB 2627	Failed	This bill allows citizens who are at least 16 years of age to preregister to vote. The secretary of state is authorized to promulgate the rules necessary to implement preregistration, including an application form and a method for ensuring preregistered voters are automatically enrolled to vote upon reaching 18 years of age.
Nebraska	LB 308	Failed	This bill would require that by January 1, 2016, the secretary of state must implement a process of preregistration for citizens who are at least 16 years of age.
New Jersey	S 832	Pending	This bill clarifies that 17-year-olds may register to vote if they will be 18 by Election Day. This bill also clarifies that each 17-year-old registrant shall be designated in the Statewide voter registration system as temporarily ineligible to vote until the registrant's 18th birthday.
New York	AB 2529	Pending	This bill relates to voter preregistration and education on voter preregistration.
	SB 1569	Pending	This bill authorizes citizens 16 years of age or older to register to vote.
	SB 857	Pending	This bill relates to voter preregistration and education on voter preregistration.
Oregon	HB 2604	Pending	This bill allows person who is at least 16 years of age to register to vote.
Texas	HB 783	Pending	This bill would allow a person who will be 18 years of age or older on the date of the next general election for state and county officers to register as a voter for the purposes of voting in the primary election if the person is otherwise qualified.
Utah	HB 340	Enacted	This bill allows an individual who is 16 or 17 years of age to preregister to vote..
Virginia	HB 2000	Failed	This bill would allow any person who is otherwise qualified and is 16 years of age or older to register to vote. A person must be 18 to vote, except in primary and special elections where the person will be 18 by the next general election.
	HB 694	Failed	This bill would allow citizens who are at least 16 years of age to preregister to vote. The bill specifies that this early registration does not permit such a person to vote in any election occurring prior to his eighteenth birthday, except for those situations currently set out.
Washington	HB 1294	Pending	This bill allows a person who is 16 or 17 years old to preregister to vote at the Department of Licensing. The bill allows a person who is 17 years old to preregister to vote at all other locations and through electronic means.
	SB 5140	Pending	This bill establishes the Young Voter Registration Equality Act. Allows eligible youth at least sixteen years old to preregister to vote.

## Conclusion

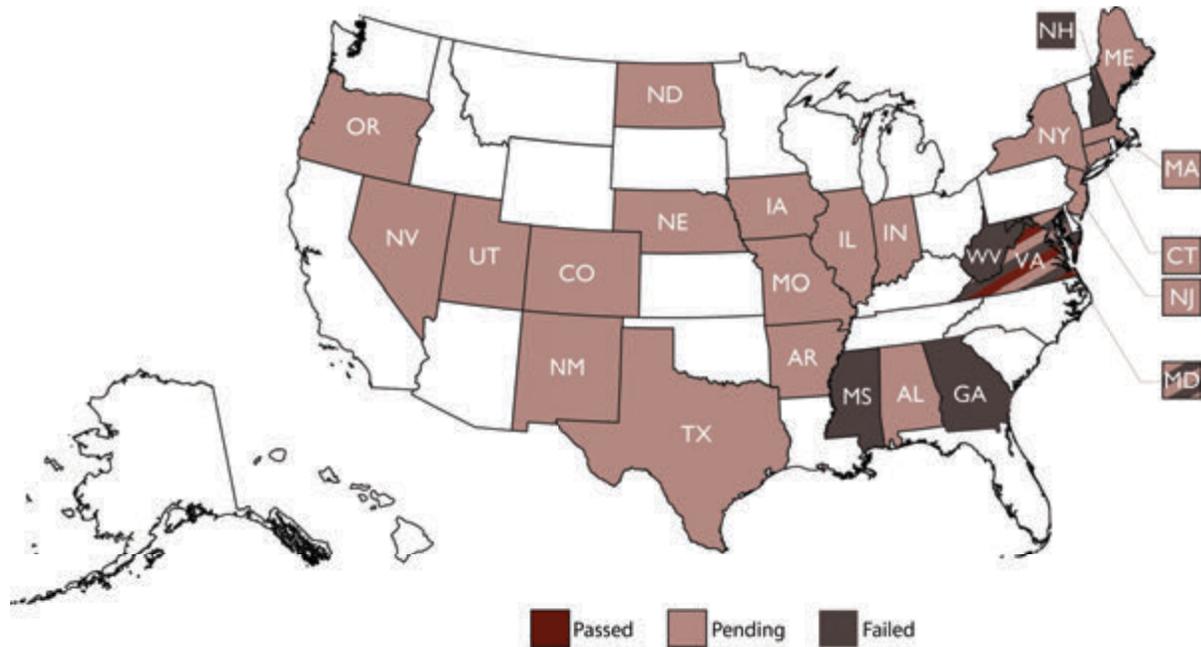
In today's voting rights conversations, it is promising to see once-politicized issues like online voter registration and voting for persons with felony convictions gaining attention.

However, the constant push to undermine voter access by cutting early voting days, repealing same day registration, or implementing excessive barriers to registration and voting is problematic for the future of voter access. And it is symptomatic of our election system without the protection of the preclearance provision of the Voting Rights Act.

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# APPENDIX I: Maps of Election Legislation by State, 2015

## Restrictive Election Legislation, 2016



## Beneficial Election Legislation, 2015

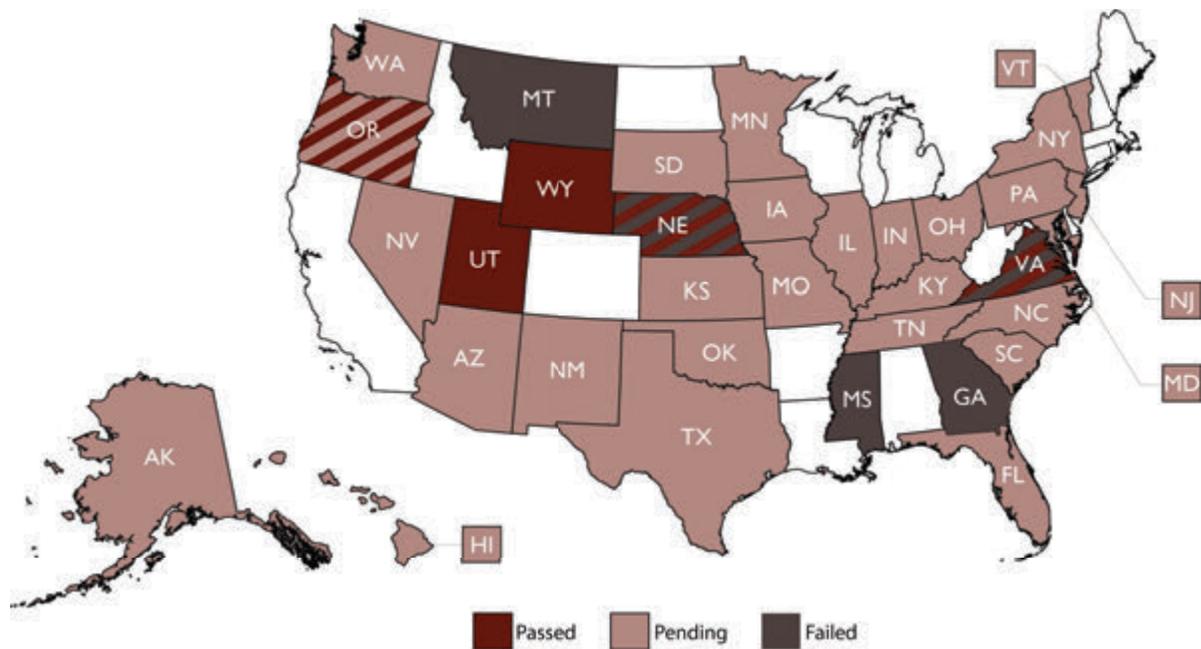


Table 14: Restrictive Election Legislation by State, 2015

Legislature	Bill	Subject	Status	See Page...
<b>United States</b>	HR 951	Proof of Citizenship	Pending	5
<b>Alabama</b>	HB 293	Voter ID	Pending	8
<b>Arkansas</b>	SB 349	Early Voting Restrictions	Pending	3
<b>Colorado</b>	HB 1169	Voter ID	Failed	8
	HBI 140	Voter ID	Failed	8
<b>Connecticut</b>	HB 5172	"Restrictions on Same Day Registration	Pending	5
<b>Georgia</b>	HB 194	Early Voting Restrictions	Failed	3
<b>Illinois</b>	HB 2756	Voter ID	Pending	8
	HB 3591	Voter ID	Pending	8
<b>Indiana</b>	SB 353	Voter ID	Pending	8
<b>Iowa</b>	SF 183	Voter ID	Pending	8
	SF 387	Voter ID	Pending	8
<b>Maine</b>	LD 197	Voter ID	Pending	8
<b>Maryland</b>	HB 141	Early Voting Restrictions	Failed	3
	HB 218	Early Voting Restrictions	Failed	3
	HB 1076	Proof of Citizenship	Failed	5
	HB 253	Voter Purging	Failed	12
	HB 1017	Voter ID	Pending	8
<b>Massachusetts</b>	HB 564	Proof of Citizenship	Pending	5
	HB 568	Voter ID	Pending	8
	HB 595	Voter ID	Pending	8
<b>Mississippi</b>	SB 2615	Proof of Citizenship	Failed	5
<b>Missouri</b>	HB 30	Voter ID	Pending	8
	HB 339	Voter ID	Pending	8
	HB 66	Voter ID	Pending	8
	HJR 1	Voter ID	Pending	8
	SB 169	Voter ID	Pending	8
	SB 170	Voter ID	Pending	8
	SJR 5	Voter ID	Pending	8
<b>Nebraska</b>	LB 111	Voter ID	Pending	8
	LB 121	Voter ID	Pending	8
<b>Nevada</b>	AB 253	Voter ID	Pending	9
	AB 266	Voter ID	Pending	9

Table 14: Restrictive Election Legislation by State, 2015 (continued)

Legislature	Bill	Subject	Status	See Page...
<b>Nevada</b>	SB 169	Voter ID	Pending	9
<b>New Hampshire</b>	HB 627	"Restrictions on Same Day Registration	Failed	5
	HB 620	Voter Purging	Failed	12
<b>New Jersey</b>	A 3879	Voter Purging	Pending	12
<b>New Mexico</b>	HB 340	Voter ID	Pending	9
	HB 61	Voter ID	Pending	9
	SM 11	Voter ID	Pending	9
	HB 62	Voter Purging	Pending	9
<b>New York</b>	AB 2616	Voter ID	Pending	9
<b>North Dakota</b>	HB 1389	Proof of Citizenship	Enacted	5
<b>Oregon</b>	HB 3449	Proof of Citizenship	Pending	5
	SB 178	Voter ID	Pending	9
<b>Texas</b>	SB 897/HB 2889	Proof of Citizenship	Pending	5
	HB 303	Voter ID	Pending	9
<b>Virginia</b>	HB 1574	Proof of Citizenship	Failed	5
	HB 1318	Voter ID	Vetoed	9
	HB 1538/Chapter 134	Voter ID	Enacted	9
	SB 1350	Voter Purging	Pending	12
	HB 1315	Voter Purging	Pending	12
<b>West Virginia</b>	HB 2365, HB 2602, HB 2798, SB 340	Voter ID	Failed	9

Table 15: Beneficial Election Legislation by State, 2015

Legislature	Bill	Subject	Status	See Page...
<b>United States</b>	S 772/HR 1459	Felon Voting Rights	Pending	17
	HR 871	Felon Voting Rights	Pending	17
	HR 12	Omnibus	Pending	20
<b>Alaska</b>	HB 95	Omnibus	Pending	20
<b>Arizona</b>	SB 1347	Reversing Regressive Laws	Pending	24
	HB 2434	Automatic Voter Registration	Pending	14
<b>Florida</b>	SJR 208	Felon Voting Rights	Pending	17
	HB 1161	Omnibus	Pending	20
	SB 386	Online Registration	Pending	22
	HB 227	Online Registration	Pending	22
	HB 315	Online Registration	Pending	22
	SB 228	Online Registration	Pending	22
<b>Georgia</b>	HB 355	Same Day Registration	Failed	27
	HB 665	Automatic Voter Registration	Failed	14
<b>Hawaii</b>	HB 401	Automatic Voter Registration	Pending	14
	SB 150	Automatic Voter Registration	Pending	14
<b>Illinois</b>	SB 172	Omnibus	Pending	20
<b>Indiana</b>	HB 1173	Youth Voting	Pending	29
<b>Iowa</b>	HF 28	Online Registration	Pending	22
	SSB 1152	Online Registration	Pending	22
<b>Kansas</b>	HB 2144	Reversing Regressive Laws	Pending	24
	HB 2145	Reversing Regressive Laws	Pending	24
	SB 177	Reversing Regressive Laws	Pending	24
<b>Kentucky</b>	HB/SB 26	Felon Voting Rights	Failed	17
	SB 17	Felon Voting Rights	Failed	17
	HB 214	Online Registration	Pending	22
	HB 334	Online Registration	Pending	22
<b>Maryland</b>	HB 1049	Automatic Voter Registration	Pending	14
	HB 980	Felon Voting Rights	Pending	17
<b>Maine</b>	LD 770	Online Registration	Pending	22

# APPENDIX III: Beneficial Election Legislation by State, 2015

Table 15: Beneficial Election Legislation by State, 2015 (continued)

Legislature	Bill	Subject	Status	See Page...
<b>Minnesota</b>	HF 1449	Automatic Voter Registration	Pending	14
	HF 47	Early Voting	Pending	15
	HF 119	Felon Voting Rights	Pending	17
	HF 120	Felon Voting Rights	Pending	17
<b>Minnesota</b>	SF 355	Felon Voting Rights	Pending	17
	HF 1981	Omnibus	Pending	20
	HF 391	Youth Voting	Pending	29
	SF 206	Youth Voting	Pending	29
	HF 342	Felon Voting Rights	Pending	17
<b>Mississippi</b>	SB 2601	Omnibus	Failed	20
	SB 2627	Youth Voting	Failed	29
<b>Missouri</b>	HB 345	Early Voting	Pending	15
	HB 449	Early Voting	Pending	15
	HB 336	Online Registration	Pending	22
<b>Montana</b>	HB 48	Online Registration	Failed	22
<b>Nebraska</b>	LB 308	Youth Voting	Failed	29
	LB 491	Same Day Registration	Pending	26
	LB 514	Same Day Registration	Pending	26
<b>Nevada</b>	SB 97	Felon Voting Rights	Pending	17
	SB 203	Omnibus	Pending	20
<b>New Jersey</b>	S 832	Youth Voting	Pending	29
<b>New Mexico</b>	HB 405	Same Day Registration	Pending	26
<b>New York</b>	SB 2023	Felon Voting Rights	Pending	18
	SB 1770	Omnibus	Pending	20
	SB 2538	Omnibus	Pending	20
	AB 4381	Online Registration	Pending	22
	AB 5564	Online Registration	Pending	22
	AB 5590	Online Registration	Pending	23
	AB 6610	Automatic Voter Registration	Pending	14
	SB 2483	Same Day Registration	Pending	26
	AB 2529	Youth Voting	Pending	29
	SB 1569	Youth Voting	Pending	29
	SB 857	Youth Voting	Pending	29

Table 15: Beneficial Election Legislation by State, 2015 (continued)

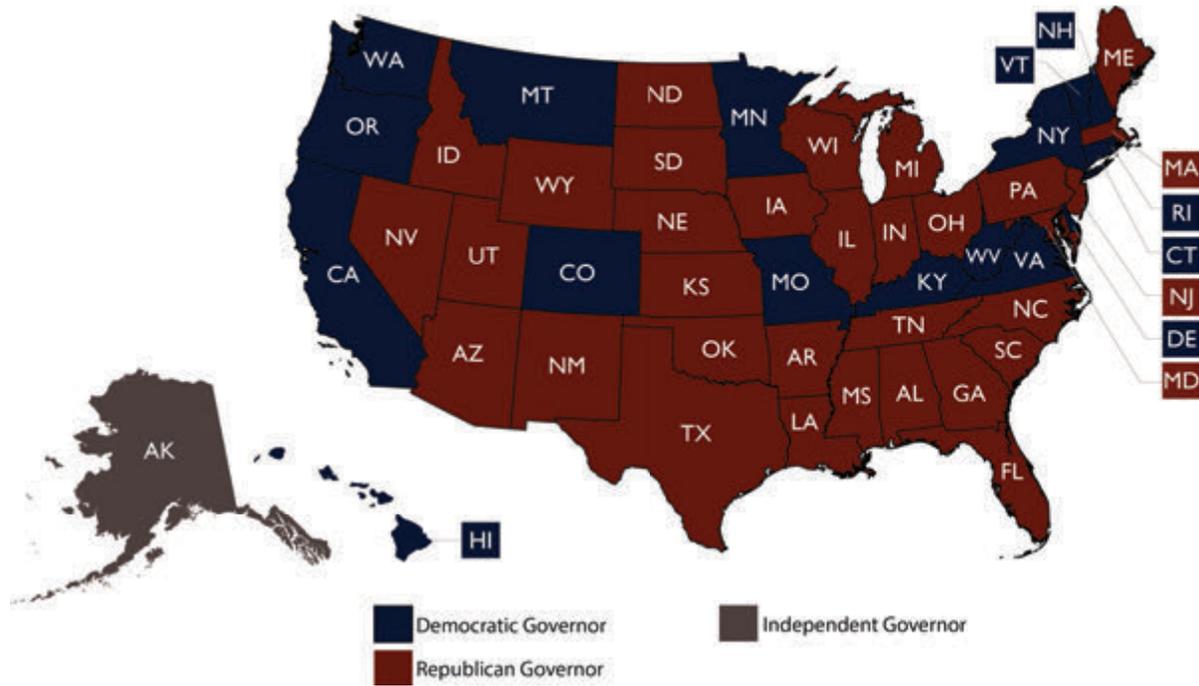
Legislature	Bill	Subject	Status	See Page...
<b>North Carolina</b>	S 103	Voter ID Expansion	Pending	24
	H 240	Voter ID Expansion	Pending	24
<b>Ohio</b>	SB 63/HB 41	Online Registration	Pending	23
<b>Oklahoma</b>	SB 86	Early Voting	Pending	15
	SB 313/HB 1846	Online Registration	Pending	23
<b>Oklahoma</b>	HB 1511	Voter ID Expansion	Pending	24
	SB 313	Voter ID Expansion	Pending	24
<b>Oregon</b>	HB 2177/Chapter 8 (2015 Laws)	Automatic Voter Registration	Enacted	14
	HB 2604	Youth Voting	Pending	29
<b>Pennsylvania</b>	HB 521	Early Voting	Pending	15
	HB 692	Online Registration	Pending	23
	HB 292	Same Day Registration	Pending	26
	SB 91	Same Day Registration	Pending	26
<b>South Carolina</b>	H 3720	Early Voting	Pending	15
	S 148	Early Voting	Pending	15
	H 3167/H 3016	Voter ID Expansion	Pending	24
<b>South Dakota</b>	SB 112	Felon Voting Rights	Pending	18
<b>Tennessee</b>	HB 852	Felon Voting Rights	Pending	18
	HB 831	Online Registration	Pending	23
	SB 1126/HB 926	Voter ID Expansion	Pending	25
<b>Texas</b>	SB 467	Early Voting	Pending	15
	HB 1204	Felon Voting Rights	Pending	18
	HB 433	Felon Voting Rights	Pending	18
	HB 312	Online Registration	Pending	23
	HB 444	Online Registration	Pending	23
	HB 446	Online Registration	Pending	23
	HB 76	Online Registration	Pending	23
	HB 953	Online Registration	Pending	23
	SB 385	Online Registration	Pending	23
	HB 111	Same Day Registration	Pending	26
	HB 448	Same Day Registration	Pending	26
	SB 405	Same Day Registration	Pending	27

Table 15: Beneficial Election Legislation by State, 2015 (continued)

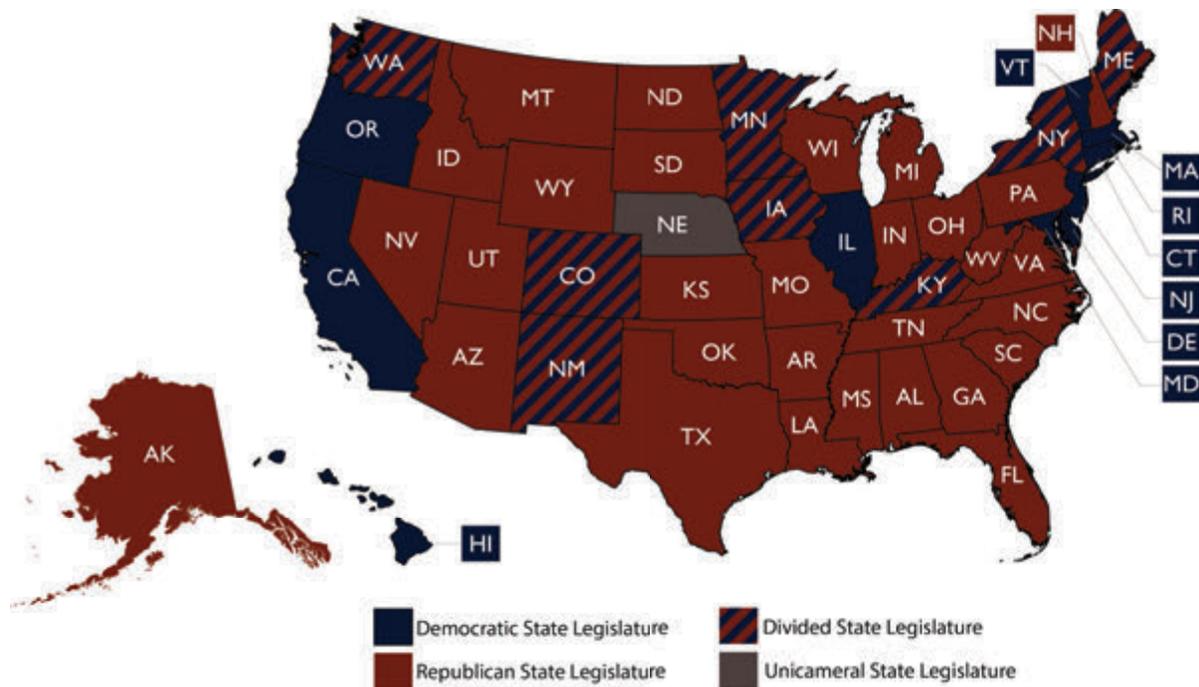
Legislature	Bill	Subject	Status	See Page...
<b>Texas</b>	SB 84	Same Day Registration	Pending	26
	HB 1117	Voter ID Expansion	Pending	24
	HB 295	Voter ID Expansion	Pending	24
	HB 447	Voter ID Expansion	Pending	24
	HB 534	Voter ID Expansion	Pending	24
	HB 535	Voter ID Expansion	Pending	24
	HB 536	Voter ID Expansion	Pending	24
	SB 170, SB 230	Voter ID Expansion	Pending	24
	HB 783	Youth Voting	Pending	28
<b>Utah</b>	HB 219	Same Day Registration	Enacted	26
	HB 340	Youth Voting	Enacted	28
<b>Vermont</b>	S 458	Automatic Voter Registration	Pending	13
	H 458	Same Day Registration	Pending	26
	S 29	Same Day Registration	Pending	26
<b>Virginia</b>	HB 1394	Early Voting	Failed	14
	SB 677, SB 954	Early Voting	Failed	14
	HB 7, HB 556	Felon Voting Rights	Failed	17
	HJ 107, HJ 491	Felon Voting Rights	Failed	17
	HJ 21, HJ 70, SJ 238	Felon Voting Rights	Failed	17
	HJ 25, HJ 48, HJ 78/HJ 97	Felon Voting Rights	Failed	17
	HJ 522, HJ 604, HJ 616, HJ 621, HJ 627, HJ 628	Felon Voting Rights	Failed	17
	HB 1375	Voter ID Expansion	Failed	24
	HB 564	Voter ID Expansion	Failed	24
	SB 922	Voter ID Expansion	Failed	24
	HB 2000	Youth Voting	Failed	28
	HB 1653, Chapter 571	Voter ID Expansion	Enacted	24
	HB 694	Youth Voting	Failed	28
<b>Washington</b>	HB 1144	Same Day Registration	Pending	26
	HB 1294	Youth Voting	Pending	28
	SB 5140	Youth Voting	Pending	28
<b>Wyoming</b>	HB 15/ H.E.A. No. 0106	Felon Voting Rights	Enacted	17

# APPENDIX IV: Partisan Control of States, 2015

## Partisan Control of Governor's Offices, 2015



## Partisan Control of State Legislatures, 2015



## Republican Secretaries of State and Election Chiefs

**Alabama:** John Merrill  
**Alaska:** Mead Treadwell (Lt. Governor)  
**Arizona:** Michele Reagon  
**Arkansas:** Mark Martin  
**Colorado:** Wayne W. Williams  
**Florida:** Ken Detzner  
**Georgia:** Brian Kemp  
**Idaho:** Lawrence Denney  
**Indiana:** Connie Lawson  
**Iowa:** Paul Pate  
**Kansas:** Kris Kobach  
**Louisiana:** Tom Schedler  
**Michigan:** Ruth Johnson  
**Mississippi:** Delbert Hosemann  
**Nebraska:** John A. Gale  
**Nevada:** Barbara Cegavske  
**New Jersey:** Kim Guadagno  
**New Mexico:** Dianna Duran  
**North Dakota:** Alvin “Al” Jaeger  
**Ohio:** Jon Husted  
**Pennsylvania:** Carol Aichele  
**South Carolina:** Mark Hammond  
**South Dakota:** Shantel Krebs  
**Tennessee:** Tre Hargett  
**Texas:** Nandita Berry  
**Utah:** Spencer J. Cox (Lt. Governor)  
**Washington:** Kim Wyman  
**Wyoming:** Ed Murray

## Democratic Secretaries of State and Election Chiefs

**California:** Alex Padilla  
**Connecticut:** Denise Merrill  
**Kentucky:** Alison Lundergan Grimes  
**Maine:** Matthew Dunlap  
**Massachusetts:** William F. Galvin  
**Minnesota:** Steve Simon  
**Missouri:** Jason Kander  
**Montana:** Linda McCulloch  
**New Hampshire:** William Gardner  
**Oregon:** Kate Brown  
**Rhode Island:** A. Ralph Mollis  
**Vermont:** Jim Condos  
**Virginia:** Levar Stoney  
**West Virginia:** Natalie Tennant  
**Wisconsin:** Douglas La Follette

## Nonpartisan/Miscellaneous

**Delaware:** Elaine Manlove  
**Hawaii:** Scott Nago  
**Illinois:** Jesse R. Smart  
**Maryland:** Bobbie Mack  
**New York:** Todd Valentine and Robert Brehm  
**North Carolina:** Kim Westbrook Strach  
**Oklahoma:** Paul Ziriaux





850 15th Street NW  
Suite 250  
Washington, DC 20005  
[www.projectvote.org](http://www.projectvote.org)

## About Project Vote

Project Vote is a national nonpartisan, non-profit organization that promotes voting in historically underrepresented communities. Project Vote takes a leadership role in nationwide voting rights and election administration issues, working through research, litigation, and advocacy to ensure that our constituencies can register, vote, and cast ballots that count.

## About the Author

Erin Ferns Lee is Project Vote's Communications Manager. She leads Project Vote's Election Legislation project, a bill-tracking service that covers a range of voting rights issues on federal and state levels. Ms. Lee manages Project Vote's online communications, including serving as lead writer on the Voting Matters Blog. She is a graduate of San Diego State University's School of Journalism and Media Studies.

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