

PERMANENT PORTABLE VOTER REGISTRATION

PERMANENT PORTABLE VOTER REGISTRATION: WHAT IS IT?

PERMANENT PORTABLE REGISTRATION allows any voter who has previously registered in the state to stay registered, as long as the voter remains eligible, and regardless of whether the voter has submitted a new voter registration form prior to the election. The voter simply updates her information at the polling place when she votes. Federal law already allows registered voters who move within an election jurisdiction and congressional district to update their addresses and vote on Election Day.¹ This innovation would expand those protections to all in-state movers.

Implementing permanent portable registration is simple. An election official accesses the statewide voter registration database (which states are required to maintain under the Help America Vote Act) to confirm that the voter is already registered in the state. Once the voter fills out an affidavit with his new address (or name), the voter votes a regular ballot.

Portable registration is needed because millions of Americans move every year. More than 5.1 million voting-age Americans moved to a different county within their state between 2011 and 2012. An additional 16.9 million voting-age Americans moved within the same county over that same period of time.² With voter registration tied to current legal residence, millions of otherwise-eligible voters risk losing their ability to cast ballots that count with each address change.

SIGNIFICANT FEATURES OF THE MODEL BILL

- Allows already registered voters who have moved to update their addresses and/or legally-changed names and vote a regular ballot on Election Day, and provides a fail-safe for voters whose registrations cannot be confirmed.
- Ensures election officials' access to current voter registration data.
- Ensures voters' access to the information necessary to locate their correct polling places.

BENEFITS OF PERMANENT PORTABLE REGISTRATION

- **IMPROVES TURNOUT AMONG VOTERS WHO MOVE.** Studies have shown that Americans' mobility plays a substantial role in low voter turnout.³ According to the Census Bureau, barely one-half (51 percent) of voting-age citizens who moved in the last year reported voting in 2012. The voting rate jumped to 76 percent for voting age citizens who had lived in their residence for five or more years.⁴ One estimate concluded that if registration were portable within states, turnout would increase by as many as two million voters nationally.⁵ In fact, states with permanent registration systems had some of the highest voter turnout rates in the 2012 election, among them Wisconsin, Colorado, and Maine.⁶
- **REDUCES THE IMPACT OF MOBILITY DISPARITIES AMONG HISTORICALLY UNDERREPRESENTED POPULATIONS.** Because residential mobility is particularly high among some populations, the need to re-register with each move exacerbates already wide gaps in voting behavior among demographic groups:
 - *Younger Americans.* A recent Census survey on geographic mobility found that individuals in their late twenties moved more often than any other age group over a 5-year period.
 - *Racial minorities.* Census respondents who self-identified as Hispanic/ Latino or Black/African American moved significantly more often than White respondents.
 - *Lower-income Americans.* Over one-half (52.5 percent) of people living below the poverty line moved between 2005 and 2010. Less than one-third (31.6 percent) of individuals at or above 150 percent of the poverty line changed residences during the same period of time.⁷
- **USES EXISTING RESOURCES TO HELP MORE ELIGIBLE VOTERS CAST VALID BALLOTS.** With centralized statewide voter registration databases, election officials have the capacity to pull the registration records of any voter who moves. Real-

time access to these centralized registries, as required in the model bill, will allow for an effective, efficient system of portable registration. Any states whose precincts are not already networked to the statewide voter registration database must develop a plan for such connectivity within 12 months of enactment.

- **PROVIDES VOTERS INFORMATION THEY NEED TO DETERMINE THEIR POLLING PLACE AND CAST BALLOTS THAT COUNT.** In many states, ballots must be cast in the correct precinct in order to count. In such situations, voters must be equipped with the information necessary to readily identify their correct precinct. The model bill requires poll workers to inform voters of the correct polling location for their current address, makes tools available to individual voters to determine their polling location by address without having to first update their registration, and provides that provisional ballots cast in the wrong precinct due to poll worker error be counted for all races and/or issues for which the voter was eligible to vote had he been in the correct precinct.

ENDNOTES

1. National Voter Registration Act of 1993, Section 8(e), 42 U.S.C. 1973gg-6(e).
2. US Census Bureau, Geographical Mobility: 2011-2012, Table 1. General Mobility, by Race and Hispanic Origin, Region, Sex, Age, Relationship to Householder, Educational Attainment, Marital Status, Nativity, Tenure, and Poverty Status: 2011 to 2012, <http://www.census.gov/hhes/migration/files/cps/cps2012/tabc01-01.xls>.
3. See Adam Skaggs, Jonathan Blitzer, "Permanent Voter Registration," Brennan Center for Justice at New York University School of Law (2009), available at <http://www.brennancenter.org/publication/permanent-voter-registration>.
4. See US Census Bureau, Voting and Registration in the Election of November 2012, Table 8: Reported Voting and Registration, by Duration of Residence, and Tenure: November 2012 (All races), available at <http://www.census.gov/hhes/www/socdemo/voting/publications/p20/2012/Table08.xls>.
5. See supra note 3, Brennan Center Report on Permanent Voter Registration, at 1-2 and n.8.
6. See United States Elections Project, 2012 General Election Turnout Rates, VEP Highest Office Turnout Rate, http://elections.gmu.edu/Turnout_2012G.html (last visited May 10, 2013); supra note 3, Brennan Center Report on Permanent Voter Registration, at 1-2 and n.8. In May 2013, Colorado expanded its existing portability to include Election Day Registration, and repealed its existing portability provision. Colo. HB 13-1303 §§ 16, 138.
7. US Census Bureau (David K. Ihrke and Carol S. Faber), Geographical Mobility: 2005 to 2010—Population Characteristics (issued Dec. 2012), available at <http://www.census.gov/prod/2012pubs/p20-567.pdf>.

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