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THE CASE FOR SAME-DAY VOTER REGISTRATION

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August 2020

EXECUTIVE SUMMARY

Same-day voter registration—where a voter can both register and vote on Election Day—improves democracy in the United States by making it easier for people to vote. Same-day voter registration promotes greater participation: states with this policy tend to have higher turnout than states with onerous registration deadlines. This reform has a notable, positive impact on young and minority voters as well as individuals who move frequently. It also helps to maintain more accurate voter rolls. Twenty states and the District of Columbia already or will soon offer same-day registration, and research shows widespread public support for the practice. With improved resources and better technology, the remaining states can and should offer voters increased access to the ballot through same-day registration.

INTRODUCTION

Imagine two potential voters—call them Michelle and Richard. Both are smart, educated, working professionals with busy families and busy lives. Neither has voted previously; they are among the roughly 40% of Americans who did not vote in the 2016 presidential election.

As November approaches, both Michelle and Richard become interested in the election. They realize that the upcoming election may impact society for years to come. They are, of course, paying attention to the presidential election, but they are also considering the candidates running for Congress, state legislature, and even local offices such as city council and school board. They recognize that whoever wins these seats will craft policies on healthcare, taxes, education, and a slew of other issues that impact their daily lives.

On the weekend before Election Day, both Michelle and Richard decide they can't sit this one out. They must vote.

Michelle lives in Wisconsin. She is able to cast her ballot on Election Day, even though she was not registered beforehand. But Richard lives in Pennsylvania. He missed the registration deadline, which was 15 days before Election Day. By failing to register ahead of time, he lost his ability to exercise his fundamental right to vote.

Why does Michelle have an easier path to the ballot box? The answer is that Wisconsin allows for same-day voter registration, which lets Michelle both register and vote at her polling place. By contrast, Pennsylvania, like the majority of states, requires voter registration ahead of Election Day. As the chart below demonstrates, Pennsylvania is not even the worst offender, as 12 states require registration more than four weeks before Election Day.

Both Wisconsin and Pennsylvania are so-called “swing states,” where the presidential election—and other elections—are often very close. But their approaches to voter registration are vastly different. Wisconsin, for all of its faults in running the 2020 primary during a pandemic, still lets any eligible citizen vote on Election Day even if the person has not registered ahead of time. Democratic participation is more open in Wisconsin and the 20 other states (and D.C.) that have adopted same-day registration because the policy removes unnecessary hurdles to the ballot box. (In addition to these 21 jurisdictions, North Dakota does not have any voter registration requirement at all.) It is high time for other states, where the democratic process of voting is not as accessible, to follow suit.

Voter Registration Deadlines

DAYS BEFORE ELECTION DAY WHEN REGISTRATION CLOSES	NUMBER OF STATES
30 days	7 (AK, AR, MS, OH, SC, TN, TX)
29 days	5 (AZ, FL, GA, IN, KY)
27 days	1 (MO)
25 days	3 (NY, NC [in-person registration allowed by Saturday before Election Day if voting early in person], OK)
24 days	1 (DE)
22 days	1 (VA)
21 days	4 (KS, NJ, OR, WV)
20 days	2 (LA [online only; otherwise 30 days], MA)
15 days	3 (AL, PA, SD)
14 days	1 (WY)
11 days	1 (NE [in-person only; otherwise 18 days])
No voter registration	1 (ND)
Same-day registration, either at the polls or at a local election office	21 (CA, CO, CT, DC, HI, ID, IL, IA, ME, MD, MI, MN, MT, NV, NH, NM [beginning in 2021], RI [only for presidential elections; otherwise 30 days], UT, VT, WA, WI)

ORIGINS OF SAME-DAY REGISTRATION AND ITS MODERN-DAY PROGRESS

The United States has not always required voters to register to vote before Election Day. Although some states, like Massachusetts, adopted voter

lists in the early 19th century, most voter registration rules came about toward the end of the century in response to an influx of immigrant arrivals. Voter registration was a means to ensure that non-citizens were not voting. These rules also had the effect of disenfranchising poorer individuals, who were less likely to be put on the voter rolls. Of course, the new laws also had the effect—if not an underlying goal—of disenfranchising African Americans after the Civil War.

Same-day registration reverses this disenfranchising effect by ensuring that any eligible voter who shows up on Election Day can cast a ballot. It is not a new idea. Nor is it a partisan ploy. The concept dates back to the 1970s, when Maine (1973), Minnesota (1974), Wisconsin (1976), Oregon (1976), and Ohio (1977) adopted the practice, although Ohio and Oregon have since repealed their laws. Other states have followed suit, with increased movement in recent years: according to the National Conference of [State Legislatures](#), 12 states have enacted same-day registration since 2010. That includes six states that have enacted or updated their laws since 2018 to adopt same-day registration: Maryland, Michigan, Nevada, New Mexico, Utah, and Washington. Some of these states have seen voter-backed initiatives pass with high margins, while in other states approval has come through the legislature. And, as the list reveals, this progress is occurring in both Democratic-leaning and Republican-leaning states.

EFFECTS OF SAME-DAY REGISTRATION

Same-day voter registration has a proven effect: higher turnout.

Consider the voter turnout statistics from the 2018 midterm election. According to the report [“America Goes to the Polls”](#) from the organization Nonprofit VOTE, seven of the top 10 states for voter turnout in 2018 had same-day voter registration. At the other end of the spectrum, eight of the bottom 10 states for voter turnout required voters to register between 25 and 30 days before Election Day. The report also explains that “States with SDR [same-day voter registration]

policies had turnout rates seven percentage points higher than non-SDR states.” Political science [research](#) confirms that same-day registration can boost turnout by 3 to 7%.

Same-day registration is particularly helpful for younger voters and those who move frequently, and it can have a positive effect on minority turnout as well. One [study](#) from California suggested that same-day registration would improve turnout by 9% for voters aged 18 to 25, by 7.3% for those who have moved within the past six months, and by 5.1% for Latinx and newly-naturalized citizens. Same-day registration also helps to clean up the voter rolls: sometimes registration drives, especially those conducted by third party organizations, can produce errors, yet same-day registration lets voters update their information without having to cast a provisional ballot (in most states) or without being turned away from the polls.

HOW SAME-DAY REGISTRATION WORKS

The mechanics of same-day registration differ slightly among the states that employ it, although the concept is essentially the same everywhere: a voter can show up and both register and vote at the same time. All states with same-day registration require a voter to provide proof of residency and proof of identity to verify that the voter is eligible to vote in that jurisdiction. A driver’s license or other ID card with the voter’s name and address will typically suffice. Some states allow proof of residency through a utility bill, but voters will also have to provide an ID card to verify their identity.

Most voters can show up to their normal polling place to register and vote in same-day registration states. But in some states, such as California, Illinois, and Montana, same-day registration is allowed only at the county clerk's office or other designated office. A voter can visit that office to both register and then vote on Election Day.

In most states with same-day registration, voters can cast a regular ballot after registering in person on Election Day. But in a few states, such as California and Utah, voters registering on Election Day will fill out a provisional ballot, which election officials will count once they verify the voter's information in the days after the election.

PUBLIC SUPPORT FOR SAME-DAY VOTER REGISTRATION

Americans generally favor same-day voter registration. A [Pew Research Center Survey](#) in 2018 found that 64% of Americans “strongly or somewhat” favored same-day registration, with 78% support among Democrats and Democratic-leaning independents and 49% approval among Republicans and Republican-leaning independents. Similarly, a 2018 [Public Religion Research Institute/The Atlantic Voter Engagement Survey](#) found 61% support for same-day registration, with particularly strong support (71%) among Hispanic Americans and slightly less support (though still a majority) among white (58%) and Black (59%) Americans. New research from Data for Progress, prepared for this report, also shows majority support for same-day

registration, with 55% in support and only 32% opposed. Twelve percent of those surveyed said they “don't know,” demonstrating the opportunity for voter education on this issue.

The numbers are clear: the public understands that same-day registration is a positive reform to improve our democratic process.

WHY SAME-DAY REGISTRATION MAKES SENSE

The fact that same-day registration works so well in the states that have implemented it demonstrates that other states should follow suit. Same-day registration makes sense as a matter of good democratic policy: it increases access for voters and improves voter turnout.

It is also logistically feasible, although in some states the policy would require an initial outlay of funds and better technology. As one Kentucky county clerk explained,¹ her office uses the 29 days between the close of the registration period and Election Day to process the thousands of new and updated voter registrations that have just come in. Part of the problem is that there are multiple cities and school districts in her one county, and each voter should receive a ballot with only the races for their home address. That is, each voter must be put in the correct precinct, and precincts must correspond with districts for local offices. The number of local jurisdictions within a single county means that, countywide, there may be over 50 different ballots for voters (known among election officials as “ballot faces”) depending on the different local districts. Thus, each voter

1. This information was collected as part of an interview between the author and the county clerk.

registration must be coded correctly for every type of election—state House, city council, school board, etc. Although computer technology can code each registration for the correct precinct based on the voter’s address, the election officials still must verify each one to ensure their accuracy, especially because local districts (for city council and school board, for instance) often overlap or follow awkward boundaries. Paper registrations also slow down the process as election officials must input all of the information and correct mistakes (such as a voter using a nickname instead of their full legal name).

Thus, to implement same-day voter registration, states with intricate voter files need better technology to automate the process even further. Electronic poll books, which many states have adopted, can help. In addition, states need to have print-on-demand capabilities so poll workers can print out the ballot specific to that voter. The creation of Vote Centers—where a voter need not visit a specific precinct but can go to any Vote Center in the county—is also useful in conjunction with same-day registration. And drawing district lines in a sensible way—for instance, by putting an entire city in the same House district, where possible—can reduce the number of different ballot faces that election officials must create.

Perhaps officials once needed 30 days before Election Day to verify voter lists, but that is no longer the case in our modern society. Notably, beyond manually checking new or updated voter registrations—a task states could easily automate through better technology—there are no fraud-reducing processes that occur between the registration deadline and Election Day. In fact, some states are moving backwards with their voter registration policies, engaging in aggressive

voter purges, but same-day registration can somewhat mitigate these overzealous purges by allowing valid voters who have been removed to re-register at the polls.

The logistical and implementation costs can be overcome with planning and appropriate resources, as the many states that already have same-day voter registration demonstrate well. The policy works to improve turnout and access to democracy.

CONCLUSION

The right to vote is the most important, foundational right in our democracy. As the Declaration of Independence explains, our democracy is legitimate based on the “consent of the governed.” That consent should include all of us, without unnecessary barriers to the ballot box. Yet a registration deadline ahead of Election Day is a tangible barrier for many people to participate in our democracy. It also no longer serves any valid purpose. The twenty states (plus D.C.) that have adopted same-day registration do not suffer from widespread voter fraud.² Their voter registration lists are probably more accurate, as voters can update their own registration information when they go to vote.

Same-day voter registration has existed in some places for over 40 years. Its use is expanding throughout the country, with many more states adopting this common sense reform over the past decade. But 29 states are still not on board. It is high time for those states to join in to improve our democracy.

2. Recall that North Dakota does not have any voter registration, and its elections also do not suffer from fraud.

POLLING METHODOLOGY

From 7/31/2020 to 8/1/2020 Data for Progress conducted a survey of 1,098 likely voters nationally using web panel respondents. The sample was weighted to be representative of likely voters by age, gender, education, race, and voting history. The survey was conducted in English. The margin of error is +/- 3 percent.

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