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State Voter Registration and Election Day Laws

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Recent voting law reforms are making it easier for citizens to register to vote and cast their votes. From same-day registration to longer polling hours, increasingly states are enacting legislation that makes voting easier, especially for young people. This fact sheet presents information about the various types of state voting laws as well as their estimated effects on youth turnout.

Early Voting and Voter Registration Laws

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

Recent research funded by CIRCLE suggests that some of these alternative voting and registration laws have a positive impact on youth voting rates. For example, research by Fitzgerald (2003) found that Election Day registration increases youth turnout in presidential election years by an estimated 14 percentage points, and an estimated 4 percentage points in mid-term elections. Additionally, it seems that young people are more likely to be contacted by a political party in states that allow Election Day registration. This is significant because previous research has shown that if young people are personally asked to vote they are more likely to vote.² Table 1 shows the positive effects of these laws on youth voter turnout and mobilization. For more detailed information on these voting laws please see “CIRCLE Working Paper 01: Easier Voting Methods Boost Youth Turnout.”

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

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

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

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

Election Day Laws

Once a person is registered to vote, states can make it easier for young people to cast a vote on Election Day by extending polling hours and offering information such as sample ballots and polling place location information. Currently, 27 states have laws calling for extended polling hours where the polls are open for more than 12 hours. Additionally, 25 states require firms in the private sector to provide time off for workers to cast their votes, and in 30 states, state employees are given time off to cast their votes. Finally, 15 states have passed laws requiring that all registered citizens be mailed information about the location of their polling places and 7 states mail sample ballots to all registered citizens. The distribution of these laws is shown in Appendix B.³

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

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

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

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

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

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

<i>State</i>	<i>Unrestricted Absentee Voting</i>	<i>In-Person Early Voting*</i>	<i>Election Day Registration</i>	<i>Allows 17 Year Olds to Vote in Primaries ***</i>
Alabama				
Alaska	Yes	Yes		
Arizona	Yes	Yes		
Arkansas	Yes	Yes		
California	Yes			
Colorado	Yes	Yes		
Connecticut				
Delaware				Yes
Florida	Yes	Yes**		
Georgia		Yes		
Hawaii	Yes	Yes		
Idaho	Yes	Yes	Yes	
Illinois				
Indiana				Yes
Iowa	Yes	Yes		
Kansas	Yes	Yes		Yes
Kentucky				Yes
Louisiana				
Maine	Yes	Yes	Yes	
Maryland				Yes
Massachusetts				
Michigan				
Minnesota			Yes	
Mississippi				Yes
Missouri				
Montana	Yes			
Nebraska	Yes	Yes		Yes
Nevada	Yes	Yes		
New Hampshire			Yes	
New Jersey				
New Mexico	Yes	Yes		
New York				
North Carolina	Yes	Yes		Yes
North Dakota	Yes			
Ohio				
Oklahoma	Yes	Yes		
Oregon	Yes			
Pennsylvania				
Rhode Island				
South Carolina				
South Dakota				
Tennessee		Yes		
Texas		Yes		
Utah	Yes			
Vermont	Yes	Yes		
Virginia				Yes
Washington	Yes			
West Virginia				Yes
Wisconsin	Yes		Yes	
Wyoming	Yes		Yes	

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

Appendix B – Postregistration Election Day Laws by State, 2004

<i>State</i>	<i>Extended Voting Hours</i>	<i>Time off to Vote (Private Sector) *</i>	<i>Time off to Vote (State Government) *</i>	<i>Mail Information on Poll Location</i>	<i>Mail Sample Ballots</i>
Alabama					
Alaska	Yes	Yes	Yes	Yes	Yes
Arizona	Yes			Yes	Yes
Arkansas		Yes	Yes		
California	Yes	Yes	Yes	Yes	Yes
Colorado		Yes	Yes	Yes	
Connecticut	Yes				
Delaware			Yes	Yes	
Florida			Yes	Yes	Yes
Georgia		Yes			
Hawaii		Yes	Yes	Yes	
Idaho					
Illinois	Yes	Yes	Yes		
Indiana			Yes		
Iowa	Yes	Yes	Yes		
Kansas	Yes	Yes	Yes		
Kentucky		Yes	Yes	Yes	
Louisiana	Yes		Yes		
Maine	Yes				
Maryland	Yes	Yes	Yes	Yes	Yes
Massachusetts	Yes				
Michigan	Yes			Yes	
Minnesota	Yes	Yes	Yes		
Mississippi					
Missouri	Yes	Yes	Yes	Yes	
Montana	Yes		Yes		
Nebraska		Yes	Yes		
Nevada		Yes	Yes	Yes	Yes
New Hampshire					
New Jersey	Yes		Yes	Yes	Yes
New Mexico		Yes	Yes		
New York	Yes	Yes	Yes	Yes	
North Carolina	Yes			Yes	
North Dakota					
Ohio	Yes	Yes	Yes		
Oklahoma		Yes	Yes		
Pennsylvania	Yes				
Rhode Island	Yes				
South Carolina					
South Dakota		Yes	Yes		
Tennessee		Yes	Yes		
Texas		Yes	Yes		
Utah	Yes	Yes	Yes		
Vermont	Yes				
Virginia	Yes				
Washington	Yes				
West Virginia	Yes	Yes	Yes		
Wisconsin		Yes	Yes		
Wyoming		Yes	Yes		

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

Notes

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

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

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

⁵ Id