

Voter Registration Deadlines

Some states allow eligible voters to register to vote at the polls on Election Day, but most require advanced registration by a specific deadline before the election. Although registration periods vary, some states close their voter rolls as early as 30 days before the election. The ability of some states to implement deadlines close to or on Election Day suggests that effective election administration does not require voters to register a month before the election. This fact sheet discusses the effect of registration deadlines on voter participation.

Ending Voter Registration at a Crucial Moment

Americans' interest in political campaigns peaks closer to Election Day, so closing voter registration up to 30 days before Election Day is an ill-conceived barrier to voting.¹ In states with voter registration deadlines up to 30 days before the election, getting on the voter rolls is impossible precisely when eligible citizens are most likely to direct their attention to the political process. Analysis of online search data regarding voter registration after voter deadlines had passed in 2012, estimates that as many as 3 to 4 million more Americans would have registered if registration was available through Election Day.²

Advanced Registration Deadlines Affect Populations Differently

Registration deadlines have a disproportionately negative impact on those who move more frequently. For example, minorities move between states more frequently than whites.³ College students often move several times while they are in school. Those who live in the same dwelling for years or decades can register to vote one time and never again concern themselves with registration deadlines. However, Americans who move for personal, financial, or professional reasons must navigate sometimes complex change-of-address and re-registration rules. While an individual must register to vote anytime he or she moves to a new state, there are also laws that govern moves within the state. In most states an individual who moves within the state but to a new jurisdiction (usually the city or county) must re-register in order to vote. The disenfranchising effects of advanced registration deadlines fall disproportionately on the backs of more mobile communities.

Ending Registration Long Before Election Day Hurts Turnout

Examining the six states with the highest voter turnout and the six with the lowest turnout in the 2012 general election shows that registration deadlines near or on Election Day ensure greater participation in our democracy. Low turnout states have an average registration deadline of 27.5 days before the election.⁴ None of them allow voters to register at the polls on Election Day. All six of the highest voter turnout states allow Election Day registration.⁵ Voter turnout in the lowest six states, all with advanced deadlines, is approximately 22 percent lower than in the six highest states, which allow Election Day registration.⁶

Advanced Registration Deadlines Create Bureaucratic Problems

Voter registration problems often lead to direct disenfranchisement of eligible voters or frustrating delays that make voters give up on the process. The five states with the highest rate of registration and absentee voting problems and the five with the lowest in 2012 demonstrate this point. The Pew Center on the States' definition of registration and absentee voting problems includes not receiving an absentee ballot or not being registered in the appropriate location.⁷ Of the states with the most problems none allowed Election Day registration.⁸ All of the states with the lowest levels of problems are Election Day registration states.⁹ Advanced registration deadlines shut people out of the process when bureaucratic problems prevent them from receiving a ballot and state law forbids Election Day remedies.

Online Voter Registration Deadlines Should Match In-Person Deadlines

Any state that implements online voter registration must consider whether in-person, mail, and online registration deadlines should be the same. Several states have separate deadlines to account for the staff resources needed to process applications submitted in different ways. The appropriate approach is to match online registration deadlines with in-person deadlines rather than matching them with mail deadlines, which are generally earlier. Unlike mailed applications, online registration is an automated process in which voters input information directly into the state voter database without requiring data entry by a clerk. In addition, accuracy safeguards make in-person registration more closely resemble the online process, which reduces the need to build in added time for problems and delays. For example, in-person applicants avoid potential delays that result from using the postal service. In addition, a registrar processing an in-person application can address recordkeeping problems immediately by discussing illegible answers, document issues, and by confirming content with the applicant prior to inputting it.

Ending voter registration up to a month before the election disenfranchises eligible Americans. State legislatures should remedy this problem by implementing registration deadlines that are as close to Election Day as possible.

Sources and Additional Reading

¹ Election 2010 Gallup Poll at 1, available at <http://www.gallup.com/poll/142907/Election-2010.aspx>.

² <http://pan.oxfordjournals.org/content/early/2015/03/11/pan.mpv002.full>.

³ Forrest Wickman, *Why do many minorities lack ID?*, SLATE, Aug. 21, 2012, available at http://www.slate.com/articles/news_and_politics/explainer/2012/08/voter_id_laws_why_do_minorities_lack_id_to_show_at_the_polls.html.

⁴ Michael McDonald, United States Election Project, *2012 General Election Turnout Rates*, last updated August 3, 2014, http://elections.gmu.edu/Turnout_2012G.html. National Conference of State Legislatures, *Same-Day Registration*, <http://www.ncsl.org/legislatures-elections/elections/same-day-registration.aspx>, last visited July 7, 2015 (six lowest turnout states Hawaii, West Virginia, Oklahoma, Texas, Arkansas, and Tennessee).

⁵ McDonald, *supra* note 4. National Conference of State Legislatures, *supra* note 4 (six highest turnout states Minnesota, Wisconsin, Colorado, New Hampshire, Iowa, and Maine).

⁶ McDonald, *supra* note 4. National Conference of State Legislatures, *supra* note 4 (average turnout in six highest 71%, average turnout in six lowest 49%).

⁷ THE PEW CHARITABLE TRUSTS, *THE ELECTIONS PERFORMANCE INDEX BRIEF 3* (April 2014).

⁸ This is accurate even when excluding Oregon and Washington, which might have had a disproportionate number of absentee problems due to all-mail elections. The Pew Charitable Trusts, *Elections Performance Index*, <http://www.pewstates.org/research/reports/elections-performance-index-85899445029> (follow "EPI data" under "Report Assets"). National Conference of State Legislatures, *supra* note 4.

⁹ *Id.*

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