Automatic Voter Registration as of June 2022



https://www.ncsl.org/research/elections-andcampaigns/automatic-voter-registration.aspx

Automatic voter registration (AVR) is a process in which eligible individuals are automatically registered to vote when interacting with certain government agencies, such as a department of motor vehicles. Information gathered from the government agency is transmitted to election officials who use it to either create a new voter record or update an existing registration. This process is triggered by interaction with a participating government agency, but it is not compulsory. Individuals may opt out of registration at the agency or later by returning a mailer, depending on the state.

As of January 2022, 22 states and Washington, D.C., are categorized by NCSL as having enacted or implemented automatic voter registration.

How AVR Works

In 1993, Congress passed the <u>National Voter Registration</u> <u>Act</u> (NVRA). The NVRA pioneered a new way to register to vote in America: It required most states to provide citizens with an opportunity to register to vote when applying for or renewing a driver's license at a department of motor vehicles (DMV) or other designated state agencies. Because of the requirement for DMVs to participate in voter registration, the NVRA is often referred to as "motor voter."

Some states apply the same automated processes to other statedesignated agencies covered under NVRA. Under <u>Section 7</u> of the NVRA, any state office that provides public assistance or operates state-funded programs that serve individuals with disabilities must offer opportunities to register to vote. The law also requires states to designate additional offices providing voter registration services.

Since the passage of the NVRA, the collection of voter information has shifted from paper-based forms to digital records, with many state DMV systems linking electronically to statewide voter registration databases. This allows the DMV to not only collect information on eligible voters but also electronically transfer that information to the voter registration database. Electronic data transfers are more accurate and less resource intensive.

In January 2016, Oregon became the first state to implement AVR. In what is sometimes referred to as the "Oregon model," an eligible voter who interacts with the DMV is not asked whether they would like to register to vote, but instead is automatically opted into registering. The voter is soon sent a notification informing them they were registered and that they can opt out by returning the notification.

Other states which have adopted AVR have chosen different approaches, characterized by the point at which a voter may opt out of being registered to vote. The majority of AVR states use one of two approaches:

- 1. <u>Front-end opt out:</u> With this approach, the customer at the DMV may choose to register to vote or decline to register at the point of service. The DMV will show an electronic screen asking whether they would like to register to vote. If they decline, the voter is not registered. If they affirm, in states where voters have the option of affiliating with a political party, the next screen will ask if they would like to do so.
- 2. <u>Back-end opt out:</u> Customers during their agency transaction provide information needed to register to vote. After the transaction occurs, the customer is notified by the agency via a post-transaction mailer that they will be registered to vote, unless they respond to the notification and decline. If the customer takes no action, they will be registered to vote. In this approach, registration information is automatically transferred, and customers may choose to decline or affiliate after receiving the post-transaction mailer.

See the table below for details on enactment dates, enabling legislation, participating state agencies and opt out method.

State	Year Enacted	Bill Number	Year Implemented	Participating Agencies	Type of Opt-Out
Alaska	2016	Measure 1	2017	Permanent Fund Dividend	Back-end (post- transaction mailer)
California	2015	<u>AB 1461</u>	2018	DMV	Front-end (point-of- service)
Colorado	n/a	Done through Department of Motor Vehicles system	2017	DMV, Department of Health, and other agencies designated by the secretary of state	Back-end (post- transaction mailer)
Connecticut	2016	Agreement between Secretary of State and Department of Motor Vehicles	2016	DMV	Front-end (point-of- service)
Delaware	2021	<u>SB 5</u>	Statutory deadline of 2023	DMV, Department of Health and Social Services, Department of Labor, any state agency selected by its chief administrator to provide voter registration services for its employees and the public	Back-end (post- transaction mailer)
District of Columbia	2016	<u>B21-0194</u>	2018	DMV	Front-end (point-of- service)
Georgia	2016	Done through Department of Driver Services and Attorney	2016	DMV	Front-end (point-of- service)

State	Year Enacted	Bill Number	Year Implemented	Participating Agencies	Type of Opt-Out
		General's office			
Hawaii	2021	<u>SB 159</u>	2021	DMV	Front-end (point-of- service)
Illinois	2017	<u>SB 1933</u>	2018	DMV and other agencies designated by the State Board of Elections	Front-end (point-of- service)
Maine	2019	<u>HB 1070</u>	2022	DMV and other designated "source agencies"	Front-end (point-of- service)
Maryland	2018	<u>SB 1048</u>	2019	DMV, health benefit exchange, local departments of social services and the Mobility Certification Office	Front-end (point-of- service)
Massachusetts	2018	<u>HB 4834</u>	2020	DMV, division of medical assistance, health insurance connector authority, other agencies verified by the secretary of state that collect "reliable citizenship information"	Back-end (post- transaction mailer)
Michigan	2018	<u>Ballot</u> <u>Proposal 3</u>	2019	DMV	Front-end (point-of- service)
New Jersey	2018	<u>AB 2014</u>	2018	DMV and other state agencies designated by the secretary of state	Front-end (point-of- service)

State	Year Enacted	Bill Number	Year Implemented	Participating Agencies	Type of Opt-Out
New Mexico	2019	<u>SB 672</u>	2020	DMV	Front-end (point-of- service)
New York	2020	<u>SB 8806</u>	Anticipated 2023	DMV, DOH, DOL and additional agencies	Front-end (point-of- service)
Nevada	2018	Ballot Question Number 5 AB 345 AB 432	2020**	DMV (in 2020) Department of Health and Human Services, agencies designated by the Department of Health and Human Services to receive applications for Medicaid, the Silver State Health Insurance Exchange and any other state agency or tribal agency that meets certain requirements and is approved by the Governor (by 2024)	Front-end (point-of- service)
Oregon	2015	<u>HB 2177</u>	2016	DMV	Back-end (post- transaction mailer)
Rhode Island	2017	<u>HB 5702</u>	2018	DMV and other state agencies designated by the secretary of state	Front-end (point-of- service)
Vermont	2016	<u>HB 458</u>	2017	DMV and other state agencies designated by the secretary of state	Front-end (point-of- service)

State	Year Enacted	Bill Number	Year Implemented	Participating Agencies	Type of Opt-Out
Virginia	2020	<u>HB 235</u>	2020	DMV	Front-end (point-of- service)
Washington	2018	<u>HB 2595</u>	2019	DMV, health benefit exchange, other state agencies approved by the secretary of state	Front-end (point-of- service)
West Virginia	2016	<u>HB 4013</u>	2021	DMV	Front-end (point-of- service)

Table 2: States that have enacted automatic voter registration*

*In some states, NCSL uses its own approach for categorization. If a legislature enacts a bill with the words "automatic" or "automated" in it to describe a paperless system for registering voters at DMVs or other state agencies, we include them on this page. Likewise, if, through existing authority and administrative action a state moves toward either of the two categories, we include them. Last, if we hear from a representative of the state's chief election official (often the secretary of state) that their system qualifies as automatic or automated, we add them, too.

**Nevada's AVR system consists of two phases. The first phase established AVR through the DMV and was implemented on Jan. 1, 2020, after voters approved <u>Ballot Question Number 5</u> in 2018 and the legislature enacted enabling legislation, <u>AB 345</u>, in 2019. The second phase, created by <u>AB 432</u> in 2021, expands AVR to state agencies beyond the DMV. The implementation deadline for phase two is Jan. 1, 2024.

What Are the Benefits of Automatic Voter Registration?

Proponents of automatic voter registration say the policy will remove barriers to registration for eligible voters, the first step on the way to increasing voter participation. By registering through a routine and necessary transaction such as those at the DMV, voters won't have to worry about registration deadlines or application submissions.

Automatic registration can help with <u>voter registration list maintenance</u> because the process updates existing registrations with current addresses. Clean voter rolls form a strong basis for accurate elections, with the added benefit of reducing the use of costly provisional ballots, which are a fail-safe voting option when there is a discrepancy in a voter's registration status. Some supporters also say automatic voter registration leads to higher voter turnout, although evidence supporting this claim is mixed.

What Are the Disadvantages of Automatic Voter Registration?

Opponents of automatic voter registration may say that the government should not tell citizens they must register to vote, particularly in states that provide the "opt-out" choice by mail, after the fact. Furthermore, they question whether opt-out forms that are sent and received through the mail are sufficient to ensure an individual can decline to register.

Additional Resources

- <u>State Election Legislation Database</u>, NCSL
- <u>Automatic Voter Registration at Motor Vehicle Agencies</u>, Center for Tech and Civic Life
- <u>Voter Registration</u>, MIT Election Data and Science Lab
- <u>Measuring Motor Voter</u>, The Pew Charitable Trusts

Voter registration in Australia

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In Australia, voter registration is called **enrolment**. Enrolment is a prerequisite for voting at federal elections, by-elections and referendums, as well as all state and local government elections; and it is generally compulsory for enrolled persons to vote unless otherwise exempted or excused. Enrolment is compulsory for <u>Australian citizens</u> over 18 years of age who have lived at their current address for at least one month.⁽¹⁾ Enrolment is not compulsory for persons with no fixed address who are not already enrolled.⁽²⁾ Residents in Australia who had been enrolled as <u>British subjects</u> on 25 January 1984, though not Australian citizens, continue to be enrolled, and cannot opt out of enrolment. (

These comprise almost 163,000 voters in 2009.^(III) For local government elections, an elector generally does not require to be an Australian citizen. Once enrolled, a person cannot opt out of enrolment. Enrolment is optional for 16- or 17-year-olds, but they cannot vote until they turn 18,^(III) and persons who have applied for Australian citizenship may also apply for provisional enrolment which takes effect on the granting of citizenship.^(III)

Once enrolled, every enrolled person must update their address details within 8 weeks of the change. This also applies to persons enrolled with no fixed address, and enrolled British subjects.

A person who has been convicted of treason or treachery and has not been pardoned, or who is serving a sentence of three years or longer for an offence against the law of the Commonwealth or of a State or Territory, is not entitled to be enrolled on the federal roll.^[5] They are removed from the federal electoral roll and must re-enroll when their disqualification ceases. The states may have different disqualifying periods, such as Victoria which has a disqualifying period of five year imprisonment.

Though enrolment is compulsory, at the close of rolls prior to the <u>2013 federal election</u>, about 1.3 million people otherwise eligible to vote had not been enrolled, about one-third of whom were aged between 18 and 24.^{III} At June 2014, there were 14.9 million electors on the federal roll, and the number not enrolled was 1.2 million, resulting in a "participation rate" of 92.5%, III up from 91.4% at 30 June 2013.^{III} At the close of roll for the <u>2019 federal election</u>, the participation rate was 96.8%.^{III} At the 2013 federal election, there were 14,723,385 registered electors, IIII of whom 93.2% actually voted (called the "turnout"). At the <u>2019 federal election</u>, there were 16,419,543 registered electors, and the turnout was 91.9%.

People also ask in New Zealand

Are you legally required to register to vote?

It is a criminal offence to refuse to complete the registration form or to give false information, carrying a fine of up to £1,000.d

Register of Future Electors--Canada

Canadian citizens aged 14 to 17 can register in the <u>Register of Future Electors</u>. Upon turning 18, eligible individuals will be added to the <u>National Register of Electors</u> to update the lists of electors for federal elections and referendums.

Voting laws dot ballots

Measures come beside number of contentious issues nationwide

David A. Lieb ASSOCIATED PRESS

Voters in several states are weighing in on fundamental questions about how future elections will function as scores of ballot measures addressing an array of issues are being decided.

Several of the more than 130 state ballot measures in Tuesday's elections would affect the way voters cast ballots by adding or limiting identification requirements, expanding advance voting periods and – in one state – switching to ranked choice voting. Others would affect direct-democracy opportunities by raising the bar to pass future ballot initiatives. The election-related measures are appearing on ballots alongside other contentious issues. Several states are deciding whether to expand or restrict abortion rights after the U.S. Supreme Court in June struck down a federal right to abortion that had been in place for nearly 50 years. Five states are considering legalizing marijuana for adults 21 and older. At least a dozen states are deciding whether to raise or cut taxes for certain people, property owners or businesses.

Michigan voters are deciding on a wide-ranging initiative backed by voting rights advocates. It would expand early voting options, require state-funded return postage and drop boxes for absentee ballots and specify that the Board of State Canvassers has only a "clerical, nondiscretionary" duty to certify election results. The proposal also could preempt Republican attempts to tighten photo identification laws by amending the state constitution to include the current alternative of signing an affidavit.

After an advance voting proposal failed in 2014, Connecticut voters are again deciding on a proposed constitutional amendment authorizing the Democraticled General Assembly to create an early voting law. Connecticut is one of just four states currently lacking an in-person early voting option for all voters. Voters in Nebraska and Arizona are deciding proposals that would tighten voter identification requirements. Nebraska's measure would require a photo ID to cast a ballot. An Arizona measure would fortify an existing photo ID law for in-person voting by eliminating an alternative of providing two documents bearing a person's name and address. People voting by mail – the vast majority in Arizona – would have to list their date of birth and either their driver's license number, a state identification number or the last four digits of their Social Security number.

Other Arizona ballot measures would rein in citizen initiatives by limiting them to a single subject and requiring a 60% vote to approve future initiatives containing tax increases.

An Arkansas measure would impose a 60% threshold to approve future ballot initiatives.

A proposed amendment to Nevada's Constitution would adopt an open primary election to advance the top five vote-getters.

Ranked choice voting then would be used to determine the winner of the general election. If no candidate received a majority on the first count, the votes for the bottom candidate would be reassigned to voters' next preferences until one candidate has a majority. Similar systems already exist for some elections in Maine and in Alaska. But the Nevada measure, if approved this year, would require a second approval in 2024 to take effect. California, as is often the case, is home to the nation's most expensive ballot battle. Hundreds of millions of dollars were poured into the campaigns of two competing initiatives to legalize sports betting – one

backed by wealthy Native American tribes and the other by online gambling companies and less-affluent tribes. Health care also is on the ballot in some states. An Oregon measure would create a constitutional right to affordable health care and obligate the state to ensure access. A measure in South Dakota would expand Medicaid coverage to adults under the terms of the federal health care law enacted more than a decade ago under former President Barack Obama.

Voters in five states – Alabama, Louisiana, Oregon, Tennessee and Vermont – are considering constitutional amendments against slavery and involuntary servitude, intending to end the potential of that being used as a criminal punishment.

Voters in some states face divergent paths on the same issues. While Iowa voters are deciding whether to embed the right to bear arms in the state constitution, Oregon voters are considering whether to restrict gun rights by prohibiting magazines capable of holding more than 10 rounds and requiring safety training and a permit to purchase firearms.

Illinois voters are deciding on an amendment creating a constitutional right to collective bargaining in workplaces. By contrast, Tennessee voters are deciding whether to enshrine a current "right-to-work" law in the

state constitution, forbidding workplace contracts from requiring union fees.