



Millions to the Polls

PRACTICAL POLICIES TO FULFILL THE FREEDOM
TO VOTE FOR ALL AMERICANS

**PERMANENT & PORTABLE
VOTER REGISTRATION**

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PERMANENT & PORTABLE VOTER REGISTRATION

- A person's voter registration should remain valid when he or she moves within the state.
- Centralized statewide voter registration databases are essential to provide portable registration.
- Permanent and Portable registration helps narrow participation gaps among young people, people of color and lower-income Americans.

Twelve percent of Americans change their residence every year.¹ Between 2011 and 2012, 22 million voting-age Americans moved either within the same county or to a different county within their state.^{2,3} Yet, because voter registration is tied to your legal residence at the time of registration, if you move, you often cannot vote unless you re-register with the new address, even if you move just down the block.

Tying voter registration to a set address adds an unnecessary level of red tape that prevents eligible voters from voting. Many people don't know that you have to re-register to vote every time you move. A quarter of Americans mistakenly believe that when they change their address with the post office, their registration automatically changes as well.⁴

With Permanent Portable Registration, your registration moves with you when you move within a state. Any voter who has previously registered in the state will not lose their registration when they move. Allowing voters to stay registered when they move makes sense and is a natural evolution of a modern democracy. Permanent and Portable registration is not a new type of registration. It is just the administration of a previously valid registration.

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 new name, the voter votes a regular ballot.

Allowing already registered voters who move to keep their registrations and vote on Election Day helps increase voter participation. Studies have shown that Americans' mobility plays a substantial role in low voter turnout.⁵ 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.⁶ One estimate concluded

that if registration were portable within states, turnout would increase by as many as two million voters nationally.⁷

Not surprisingly, some groups move more than others. The added need to re-register with each move widens the voter participation gap among certain demographic groups. In particular:

- Young people. 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.
- Communities of color. 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 (32 percent) of individuals at or above 150 percent of the poverty line moved during the same period of time.⁸

Currently, Delaware,⁹ Hawaii,¹⁰ Oregon,¹¹ and Texas¹² allow voters who have moved within the state to update their registrations when they vote, and vote a regular ballot. Some states allow voters who have moved within a state to vote in their new county without having previously re-registered at their new address, but they can only vote a provisional ballot, which may require further action from the voter before it is counted. These states include Florida,¹³ Maryland,¹⁴ Ohio,¹⁵ and Utah,¹⁶ as well as Washington D.C.¹⁷

Florida has recently passed a law implementing Permanent Portable Registration in 2014, for any county that “uses an electronic database as a precinct register at the polling place.”¹⁸ Unfortunately, in the 2012 elections, Florida changed its laws to require voters who moved to vote a provisional rather than a regular ballot, and saw huge increases in provisional ballots compared with 2008.¹⁹

Automatic registration shifts the burden of voter registration from the individual to the state. States could automatically register eligible voters to vote at any opportunity where government agencies are in a position to verify a person's residence and eligibility. Individuals could decline to register and protections would be built in to ensure only eligible citizens are registered. Data from the USPS, DMV, Social Security, Medicare, Medicaid and other agencies could be used to generate voter lists, and automatically update voter registrations of existing voters whenever they move. Austria, Germany, France, Belgium, and Canada already successfully use government-run databases to develop voter lists.²⁰ Stateside, the Brennan Center for Justice has developed a proposal for automatic voter registration based on the Selective Service System.²¹

In Oregon, Secretary of State Kate Brown made a push for automatic voter registration legislation in 2013,²² but the Oregon Senate rejected the bill on July 7.²³ Under the bill, individuals would have been automatically registered to vote when a state agency received age, residence, and citizenship data and a digital copy of a signature from that individual, provided they were eligible to vote.²⁴ The program would have begun with data collected from the DMV (including for non-driver identification cards), and would have eventually expanded to include data from other government

agencies.²⁵ All eligible individuals who had records in the DMV database would have been automatically registered in a process beginning January 1, 2014, and voter registration records would be updated when individuals updated or renewed their licenses.²⁶ Voters would initially be registered as unaffiliated with any political party; later, they would receive a postcard allowing them to choose a party affiliation or opt out of voter registration entirely.²⁷

In Florida, State Senator Jeff Clemens introduced a bill in January 2013 that would have automatically registered eligible adults using state DMV data.²⁸ Sen. Clemens cited easing the burden on election supervisors and reducing potential voter fraud as reasons to support the bill.²⁹ Hawaii and Texas also considered automatic voter registration legislation in the past year.³⁰

In 2009, Minnesota passed an automatic voter registration bill, which was supported by the Minnesota Secretary of State but ultimately vetoed by Gov. Tim Pawlenty.³¹ The bill would have automatically transferred data from an application for a driver's license, identification card, or learner's permit to the Minnesota Secretary of State's office; the Secretary of State would then register all individuals it deemed eligible to vote.³² After county registration officials received the registration information, they would mail a notification to newly registered voters informing them of their registration, and providing instructions for opting out if the voter was not eligible or wished not to be registered.³³

POLICY RECOMMENDATIONS

Voter registration should follow eligible voters when they move without requiring re-registration. Allowing this modernization increases voter turnout and can be easily implemented. In particular:

States should implement centralized statewide voter registration databases that would allow election officials to pull the registration records of any voter who moves.

Election officials should have real-time access to these centralized registries at the polls to allow for an effective system of portable registration.

States whose precincts are not already networked to the statewide voter registration database should develop a plan for connecting them. Election officials must be able to find registrations effectively and efficiently.

Ultimately, states should move to automatically register eligible voters to vote at any opportunity where government agencies are in a position to verify a person's residence and eligibility. Individuals could decline to register and protections would be built in to ensure only eligible citizens are registered. (see sidebar for more information.) ■

ENDNOTES

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8. David K. Ihrke & Carol S. Faber, *Geographical Mobility: 2005 to 2010, Population Characteristics* (Dec. 2012), available at <http://www.census.gov/prod/2012pubs/p20-567.pdf>.
9. Del. Code Ann. tit. 15, § 2047.
10. Haw. Rev. Stat. Ann. § 11-21.
11. Or. Rev. Stat. Ann. § 247.012; Oregon Secretary of State, *Frequently Asked Questions* (2013), available at <http://www.oregonvotes.gov/pages/faq/index.html>.
12. Tex. Elec. Code Ann. §§ 112.002(a), 112.004.
13. Fla. Stat. § 101.045 (2012).
14. Md. Admin. Code § 33.16.03.01(A)(4)(c). A voter who has moved may also apply for and vote an absentee ballot. Md. Admin. Code § 33.11.02.06. Effective in 2016, during early voting voters will be able to register to vote or update existing registrations and then vote a regular ballot. 2013 Md. Laws. Ch. 157 § 2 (signed by the governor May 2, 2013).
15. Ohio Rev. Code Ann. §§ 3503.16(C)(3), 3505.181(A)(9). Voters vote either a provisional or absentee ballot. In addition, Ohio voters can register and vote early on the same day before the registration deadline. Ohio Sec'y of State, Directive 2012-26 (July 12, 2012), available at <http://www.sos.state.oh.us/SOS/Upload/elections/directives/2012/Dir2012-26.pdf>.
16. Utah Code § 20A-4-107 (as amended by 2013 Utah Sess. Laws Ch. 390 (effective May 14, 2013)).
17. D.C. Code Ann. § 1-1001.07(i)(4)(A)(2012).
18. Fla. Laws Ch. No. 2013-57 § 4 (amending Fla. Stat. § 101.045). Prior to 2011, Florida had full portability with a regular ballot, but it was scaled back to require voters to cast a provisional ballot. Fla. HB 1355, Laws Ch. No. 2011-40.
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