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MODERNIZING VOTER
REGISTRATION:
MOMENTUM
IN THE STATES

Wendy Weiser
Christopher Ponoroff
Nhu-Y Ngo

The past year has seen gathering momentum in the states to modernize the voter registration system. In various ways, states have begun to move toward a system in which voters are automatically and permanently added to the rolls, with fail-safes in case of government mistakes. Such changes have typically garnered bipartisan support, and been implemented without controversy. Moreover, reforms have increased voter registration rates, improved the accuracy of the voter rolls, curbed opportunities for fraud, and saved millions of dollars.

STATE EFFORTS TO MODERNIZE THE VOTER REGISTRATION SYSTEM HAVE ACCELERATED IN THE PAST YEAR

Arkansas. Arkansas is currently in the process of automating its voter registration process at motor vehicle offices, under the leadership of Democratic Secretary of State Charlie Daniels; the state's system is currently partially automated.¹

Colorado. Colorado is set to implement online voter registration this April, after passing enabling legislation in May 2009.² Its Senate sponsors included fifteen Democratic³ and three Republican State Senators.⁴ The legislation passed the state Senate unanimously; one initial skeptic, Republican Senator Greg Brophy, voted for the bill after declaring, "I am absolutely positive this is going to be not only secure, but a necessary step forward."⁵

Delaware. In February 2009, under the leadership of Commissioner of Elections Elaine Manlove, Delaware launched an "eSignature" program that permits citizens to provide an electronic signature when they initiate or update a voter registration at DMV offices.⁶ DMV officials automated their voter registration transmissions to election officials in the mid-1990s, but with the introduction of eSignature, the state's motor voter process is now completely paperless, and information provided to motor vehicle authorities is automatically and electronically transmitted to election officials, in real time. One Delaware official called its "eSignature" program "the greatest innovation since sliced bread."⁷

Indiana. Under the leadership of Republican Governor Mitch Daniels and Republican Secretary of State Todd Rokita, the Indiana state legislature approved online voter registration as part of an election reform bill in May 2009 and is set to implement the system before July 2010.⁸ The bill unanimously passed the state's Democratic House and Republican Senate.

Kansas. Under the leadership of Republican Secretary of State Ron Thornburgh, Kansas implemented online voter registration in May 2009.⁹ That same month the Kansas Division of Motor Vehicles (DMV) also automated its process for transmitting registration updates from its online change-of-address service to the statewide voter registration database.¹⁰ Less than a year before, in August 2008, also under the direction of Secretary Thornburgh, Kansas launched a completely paperless approach to handling voter registrations from the DMV.¹¹

Louisiana. In June 2009, Republican Governor Bobby Jindal signed a bill mandating online voter registration, which had been sponsored by Republican State Representative George Cromer and approved by a predominantly Democratic Legislature; approval in the state Senate was unanimous. The state is set to launch an online voter registration program next month.¹²

Ohio. In November 2009 the Ohio House of Representatives passed House Bill 260, a comprehensive election reform bill now in conference committee. It includes provisions to modernize Ohio's voter registration system through automatic registration of eligible citizens who interact with motor vehicle offices, public service agencies, and other government agencies, and online voter registration. The Ohio bill provisions were recommended by Democratic Secretary of State Jennifer Brunner and sponsored by Democratic leaders in the state House.¹³ Reforms to modernize the voter registration system have also been publicly endorsed by former Republican Ohio Secretary of State Kenneth Blackwell, who wrote in an opinion piece for the *Washington Times* that "a modernized system would serve voters better and save states money by streamlining the process, substantially reducing or eliminating paper and minimizing administration costs."¹⁴

Oregon. After passing enabling legislation in August 2009, Oregon is the most recent state to offer online voter registration to its residents as of March 1, 2010.¹⁵

Texas. Texas is moving toward automation of the voter registration process at DMVs this year, under the leadership of Republican Secretary of State Esperanza Andrade.¹⁶

Utah. In January 2009, then-Republican Governor Jon Huntsman, Jr. convened a commission to study election issues with the goals of restoring public trust in government and increasing civic engagement. Chaired by attorney and prominent Utah Republican Kirk L. Jowers, the Committee was comprised of well-known state Republicans and Democrats.¹⁷ The Committee issued its final report on December 9, 2009.¹⁸ In that report, the Committee unanimously urged the state to implement a fully modernized voter registration system, including online and Election Day registration, and automatic voter registration and updates to voter records using information from state's driver's license, social service, and tax collecting agencies.

One of the Committee's recommendations will soon become a reality. In May 2009, the Utah legislature passed an online registration bill sponsored by Republican Representative Douglas Aagard in the State House and Republican Senator Peter Knudson in the State Senate.¹⁹ The legislation passed with overwhelming bipartisan support in the House of Representatives, and unanimously in the State Senate. Election officials expect to introduce online registration to the public by the end of this month.²⁰

Wisconsin. On March 23 and 24, 2010, Democratic Representative Jeff Smith and Democratic Senator Spencer Coggs introduced the Voter Protection Act in Wisconsin. The bill would require the state automatically to register consenting citizens to vote when they apply for a state driver's license or I.D. card, and authorize similar automatic registration procedures at a range of other state agencies,

including the Department of Revenue, social service agencies, and the University of Wisconsin system.

Other states pursuing online voter registration. Election officials in Nevada and North Carolina also plan to launch online registration this year. In California, Republican Governor Arnold Schwarzenegger signed a law in September 2008 authorizing online voter registration, and officials expect to introduce the system in 2012.²¹

THESE SUCCESSES BUILD ON A GROWING TREND OVER THE PAST FEW YEARS

Arizona. Arizona implemented online registration in 2002 and automated the transmission of voter registrations from its Motor Vehicle Department to election officials in 2005.²² These advances occurred under then-Secretary of State, now-Republican Governor Jan Brewer.

South Dakota. South Dakota began electronically transmitting motor vehicle registrations to county officials in January 2006, under the leadership of Republican Secretary of State Chris Nelson.²³ According to Secretary Nelson, his office had been planning to adopt an automated system since the federal Motor Voter law first went into effect. All they needed was funding, and the Help America Vote Act finally provided it.²⁴

Washington. The Washington Legislature authorized online voter registration in 2007 by request of Republican Secretary of State Sam Reed.²⁵ The resulting bill mandating online registration had three Republican co-sponsors: Representatives Bruce Chandler, Joel Kretz, and Mike Armstrong. Following passage of the online voter registration bill, officials at the state motor vehicle authority decided to upgrade their registration process at the same time.²⁶ The state began accepting both online and paperless motor vehicle registrations in January 2008.

Other states with automated registration. Florida, Michigan, North Carolina, Pennsylvania, and Rhode Island all fully automated their process for transmitting voter registrations from DMV offices within the past few years.²⁷ In almost every case, the reforms were adopted in a bi-partisan manner. Several other states have partially automated their DMV voter registration process, including Arkansas, California, Georgia, Kentucky, New Jersey, and South Carolina.

States with permanent and Election Day registration. Eight states—Colorado, Delaware, Florida, Maryland, Ohio, Oregon, South Dakota, and Washington—have systems of permanent registration that allow registered voters who move to cast valid ballots even if they do not update their registrations before Election Day.

An additional eight states—Maine, Minnesota, Wisconsin, Wyoming, Idaho, and New Hampshire, Idaho, and New Hampshire—have offered Election Day registration for many years. More recently, Montana passed Election Day legislation in 2005, and Iowa did so in 2007. In 2007, North Carolina adopted same day registration during its early voting period.²⁸

THE LESSON FROM THE STATES: MODERNIZING THE SYSTEM *WORKS*

Cost-Effective. These changes save states millions of dollars. Online registration cost Arizona less than \$100,000 to implement, and automating DMV registrations cost only an additional \$30,000. In Maricopa County, Arizona (which includes Phoenix), processing a paper voter registration form costs 83¢, compared to 30¢ for applications received electronically from the DMV or through the online system. County officials reduced costs even further (to 3¢ per application) by automating much of their process for reviewing registrations. As a result of this automation, and of additional savings on the cost of printing and handling paper forms, the county saved over \$450,000 in 2008.²⁹

In Washington, automated and online voter registration produced over \$176,000 in savings for the Secretary of State's office alone between January 2008 and July 2009.³⁰ Savings at the county level are likely to have been even greater. As a result, Washington has probably already recouped the \$279,000 it spent to automate voter registration at DMVs and introduce online registration.³¹

Delaware spent approximately \$600,000 to implement its e-Signature program, and as a result was able to reduce annual personnel costs by more than \$200,000, in addition to the savings in printing and paper storage costs. The state's Commissioner of Election expects to eliminate additional positions as they become vacant.³² Although it was cost-effective, e-Signature was unusually expensive. Implementation costs elsewhere have been considerably lower. South Dakota spent \$60,000 and Rhode Island spent \$70,000 for automated voter registration systems at their DMVs.³³

Increased Voter Registration. Voter registration modernization reforms have also boosted voter registration rates. In Washington and Kansas, the number of voter registration transactions at DMVs doubled after the system was automated. In South Dakota, the number of registrations at DMVs increased nearly seven-fold after automation. In Delaware, which partially automated voter registration at DMVs over a decade ago, 81% of all registrations come from DMVs, compared to 38% nationally.³⁴

More Accurate Voter Rolls. Finally, voter registration modernization reforms have increased the accuracy of the voter rolls, reducing the opportunities for error and fraud. Maricopa County, Arizona election officials found that the error rate on paper voter registration forms was as much as five times more than that on forms received electronically. Officials in other states that have modernized their systems confirmed that electronic registrations are more accurate than paper registrations.

CONCLUSION

States across the country have successfully implemented elements of voter registration modernization for a number of years, and there has been a significant increase in interest this past year. The majority of these modernization efforts have been bipartisan; legislators and administrators from all political parties agree that our voter registration system should be brought into the 21st Century.

The Brennan Center for Justice will soon issue a report on the successes of automated and online voter registration in the states. If you have questions or would like additional information before then, please contact Wendy Weiser at 212-998-6130 (wendy.weiser@nyu.edu).

STATE MODERNIZATION AT A GLANCE

State	Reform	Launch Date	Bipartisan	Notes
Arizona	Online Registration	July 2002	Yes	<ul style="list-style-type: none"> • Cost less than \$100,000
	Automated DMV Registration ³⁵	September 2005	Yes	<ul style="list-style-type: none"> • Cost approximately \$30,000 • Officials in Maricopa County found that error rate on paper forms was as much as five times more than that on electronic forms from online and automated systems • Maricopa County saved over \$500,000 in 2008 • Average cost of processing electronic registrations only 3¢ (with partially automated review), 30¢ without
Arkansas	Automated DMV Registration	In 2010	---	---
California	Online Registration	Enacted September 2008, Expected 2012	Yes	---
Colorado	Online Registration	Enacted May 2009, Expected April 2010	Yes	<ul style="list-style-type: none"> • Senate voted unanimously for online registration • State legislative leaders are currently considering comprehensive reform.
	Permanent Registration ³⁶	June 2005	Yes	
Delaware	Automated DMV Registration	February 2009 (building on reforms in mid-1990s)	---	<ul style="list-style-type: none"> • The “eSignature” program launched in 2009 made the state’s motor voter process completely paperless • Has saved state over \$200,000 in personnel costs
	Permanent Registration	October 1995	---	---
Florida	Automated DMV Registration	Around or before 2006	Yes	---
	Permanent Registration	January 2006	Yes	---

Idaho	Election Day Registration	November 1994	---	---
Indiana	Online Registration	Enacted May 2009, Expected July 2010	Yes	<ul style="list-style-type: none"> Both the Democratic House and the Republican Senate unanimously approved bill that included online registration
Iowa	Election Day Registration	January 2008	---	---
Kansas	Online Registration	May 2009	Yes	---
	Automated DMV Registration	August 2008	Yes	<ul style="list-style-type: none"> Number of voter registration transactions at DMVs doubled after automation
Louisiana	Online Registration	Enacted July 2009, Expected April 2010	Yes	<ul style="list-style-type: none"> Senate unanimously passed online registration.
Maine	Election Day Registration	1973	---	---
Maryland	Permanent Registration	October 2003	Yes	
Michigan	Automated DMV Registration	2007	Yes	---
Minnesota	Election Day Registration	1974	---	---
Montana	Election Day Registration	July 2006	---	---
New Hampshire	Election Day Registration	1994	Yes	---
North Carolina	Automated DMV Registration	2006	---	---
	Same-Day Registration	October 2007	---	---
Ohio	Permanent Registration	November 1994	Yes	<ul style="list-style-type: none"> In November 2009, the state House passed H.B. 260, which would require automatic and online registration.
Oregon	Online Registration	March 2010	---	---
	Permanent Registration	June 1999	---	---
Pennsylvania	Automated DMV Registration	2005	---	---
Rhode Island	Automated DMV Registration	By 2006	---	<ul style="list-style-type: none"> It cost \$70,000 to implement automated registration
South Dakota	Automated DMV Registration	January 2006	Yes	<ul style="list-style-type: none"> Number of voter registration transactions at

				<ul style="list-style-type: none"> • Cost \$60,000
	Permanent Registration	1994	---	---
Texas	Automated DMV Registration	In 2010	Yes	
Utah	Online Registration	Enacted May 2009; launch expected March 2010	Yes	<ul style="list-style-type: none"> • In December 2009, bipartisan Governor's Commission on Strengthening Utah's Democracy recommended automatic, portable, and Election Day registration • Senate voted unanimously for online registration
Washington	Online Registration	January 2008	Yes	
	Automated DMV Registration	January 2008	Yes	<ul style="list-style-type: none"> • It cost state \$280K to implement both automated and online voter registration • Secretary of State's office saved over \$125K in the first year, and the counties saved even more
	Permanent Registration	1979	Yes	---
Wisconsin	Election Day Registration	1976	---	---
Wyoming	Election Day Registration	May 1994	---	---

ENDNOTES

¹ Telephone Interview with Fletcher Allen, Programmer Analyst, Elections Div., Ark. Sec’y of State (March 1, 2010).

² 2009 Colo. Sess. Laws Ch. 263 (H.B. 1160).

³ Senators Bob Bacon, Betty Boyd, Morgan Carroll, Joyce Foster, Rolli Heath, Mary Hodge, Evie Hudak, Jim Isgar, John Morse, Linda Newell, Gail Schwartz, Brandon Shaffer, Lois Tochtrop, Jennifer Veiga, and Suzanne Williams.

⁴ State Senators Ken Kester, Nancy Spence, and Al White.

⁵ Charles Ashby, *State Senate OKs Online Voter Registration Bill*, THE PUEBLO CHIEFTAIN (Colorado), Apr. 25, 2009.

⁶ See Press Release, Del. Dep’t of Transp., *Electronic Voter Registration System Launched* (Feb. 23, 2009), reprinted in ELAINE MANLOVE, 2009 PROFESSIONAL PRACTICES PROGRAM: E-SIGNATURE, THE BEST INNOVATION SINCE SLICED BREAD 5 (May 19, 2009), *available at* <http://www.electioncenter.org/publications/2009%20Papers/Delaware%20eSignature.pdf>.

⁷ M. Mindy Moretti, *Electronic Voter Registration System Launched in Delaware*, ELECTIONLINEWEEKLY, Mar. 12, 2009, <http://electionline.org>, reprinted *id.* at 7-8 (quoting Howard G. Sholl, Jr., Deputy Admin. Dir., Del. Dep’t of Elections, Newcastle County).

⁸ Ind. Pub. L. 120-2009 (H.E.A. 1346); see also Press Release, Office of the Ind. Sec’y of State, Indiana Secretary of State Todd Rokita Praises Election Reforms Passed by General Assembly, *available at* <http://www.in.gov/sos/elections/2714.htm>.

⁹ E-mail from Brad Bryant, State Election Dir., Kan. Sec’y of State (Oct. 20 2009) (on file with Brennan Center).

¹⁰ Telephone Interview with Brad Bryant (Jan. 26, 2010). The Kansas DMV has offered this service since the mid-1990s, but before May 2009 it would send registration updates to the Secretary of State’s office by e-mail. KAN. SEC’Y OF STATE, PROJECT SUMMARY – ELECTRONIC MOTOR-VOTER, ONLINE VOTER REGISTRATION, ONLINE CHANGE OF ADDRESS 1 (2009).

¹¹ E-mail from Brad Bryant (Jan. 25, 2010) (on file with the Brennan Center). Online registration was seen “as an enhancement to the e-motor voter program.” KAN. SEC’Y OF STATE, *supra* note 10, at 2.

¹² 2009 La. Act No. 187 (H.B. 520).

¹³ H.B. 260, 128th Gen. Assem., Reg. Sess. (Oh. 2009), *available at* http://www.legislature.state.oh.us/bills.cfm?ID=128_HB_260_I; JENNIFER BRUNER, ELECTIONS ENHANCEMENTS FOR OHIO: A REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY (2009), *available at* <http://www.sos.state.oh.us/sos/upload/news/20090422postconferencereport.pdf>.

¹⁴ Kenneth Blackwell, *Time for a Big Overhaul: Reform Could Help Rid System of Manipulators*, WASH. TIMES, Oct. 5, 2009.

¹⁵ 2009 Or. Laws Ch. 914 (H.B. 2386); Bill Graves, *State Voter Registration Now Just a Click Away*, THE OREGONIAN, Feb. 28, 2010.

¹⁶ E-mail from Ann McGeehan, Dir. of Elections, Tex. Sec’y of State (Feb 2, 2010) (on file with Brennan Center).

¹⁷ The Republican members include: State Representative Craig Frank, Former State Senator Scott Jenkins, State Republican Party Chairman Dave Hansen, Republican National Committeeman Bruce Hough, and Former Republican National Chairman Dick Richards. The Democratic members include: State Representative Rebecca Chavez-Houck, Former State Democratic Party Chairwoman Meghan Holbrook, Former State Senator Scott McCoy, and Former State Representative Frank R. Pignanelli.

¹⁸ GOVERNOR’S COMM’N ON STRENGTHENING DEMOCRACY, FINAL REPORT (2009), *available at* <http://www.strengthendemocracy.org/>.

¹⁹ 2009 Utah Laws Ch. 89 (S.B. 25).

²⁰ Telephone Interview with Mark Thomas, Office Adm’r for Elections, Candidate Filings, and Fin. Disclosure, Utah Elections Office (Feb. 24, 2010).

²¹ Telephone interview with Marc Burriss, IT Director, N.C. State Bd. of Elections (Dec. 22, 2009); E-mail from Matt Griffin, Deputy for Elections, Nev. Sec’y of State (Feb. 11, 2010) (on file with the Brennan Center); 2008 Cal. Stat. Ch. 613 (S.B. 381); Telephone Interview with Deborah Paschal, Deputy for Legislative Affairs, Cal. Sec’y of State (Oct. 19 2009).

²² Telephone Interview with Craig Stender, HAVA Project Manager, Ariz. Sec’y of State (Dec. 24, 2009); Telephone Interview with Craig Stender (Jan. 27, 2010).

²³ Telephone Interview with Chris Nelson, Sec’y of State; Kea Warne, Elections Supervisor; and Jennifer Headlee, HAVA Program Manager, S.D. Sec’y of State (Dec. 15, 2009).

²⁴ *Id.* The legislature authorized the electronic transmission of voter registrations when it implemented the NVRA. See amendments to S.D. Codified Laws § 12-4-5 in 1994 S.D. Sess. Laws ch. 107 (S.B. 17).

²⁵ 2007 Wash. Sess. Laws Ch. 157 (H.B. 1528).

²⁶ Telephone Interview with Mike Bethany, Info. Tech. Specialist, Wash. Dep’t of Licensing (Dec. 23, 2009).

²⁷ Telephone Interview with Brad Wittman, Election Liaison Div. Dir. & Tim Hanson, Dir. of Program Dev., Bureau of Elections, Mich. Sec’y of State (Dec. 17, 2009); Telephone interview with Marc Burriss, IT Director, N.C. State Bd. of Elections (Dec. 22, 2009); Telephone Interview with Larry Boyle, Deputy Chief Counsel; David Burgess, Deputy Sec’y for Planning; Lindsey Hock, Voter Registration Div. Chief; Jonathan Marks, Statewide Unif. Registry of Electors Div. Chief, Dep’t of State (Jan. 28, 2010).

²⁸ 2007 Iowa Acts Ch. 35 (H.F. 653); 2005 Mont. Laws Ch. 286 (S.B. 302); 2007 N.C. Sess. Laws Ch. 253 (H.B. 91).

²⁹ Telephone Interview with Tammy Patrick, Federal Compliance Officer, Maricopa County Election Dep’t (Jan. 29, 2010); E-mails from Tammy Patrick (Mar. 3, 2010).

³⁰ E-mail from David Motz, Election Info. Servs. Mgr., Wash. Sec’y of State (Oct. 16, 2009) (on file with Brennan Center). The Secretary of State’s office was formerly responsible for forwarding mail-in and DMV registration forms to county offices. These savings were offset by the one-time costs of printing and mailing registrations to counties not yet receiving automated transmissions. Telephone Interview with David Motz (Nov. 17, 2009).

³¹ OFFICE OF THE WASH. SEC’Y OF STATE, WASHINGTON STATE ONLINE VOTER REGISTRATION 1 (Oct. 2009). A slightly older (Jan. 2009) version of this overview is available at http://nass.org/index2.php?option=com_docman&task=doc_view&gid=632&Itemid=99999999.

³² THE PEW CENTER ON THE STATES, BRINGING ELECTIONS INTO THE 21ST CENTURY: VOTER REGISTRATION MODERNIZATION (Aug. 2009), *available at* http://www.pewcenteronthestates.org/uploadedFiles/Voter_Registration_Modernization_Brief_web.pdf; Telephone interview with Elaine Manlove, Del. Dep't of Elections Comm'r (July 23, 2009).

³³ Telephone Interview with Janet Ruggiero, Dir. of Elections, R. I. Sec'y of State (Feb. 22, 2010).

³⁴ *See* ELECTION ASSISTANCE COMM'N, THE IMPACT OF THE NATIONAL VOTER REGISTRATION ACT ON THE ADMINISTRATION OF ELECTIONS FOR FEDERAL OFFICE 2005-06, 30, 34; ELECTION ASSISTANCE COMM'N, THE IMPACT OF THE NATIONAL VOTER REGISTRATION ACT ON THE ADMINISTRATION OF ELECTIONS FOR FEDERAL OFFICE 2007-08, 38-9 *available at* <http://www.eac.gov/program-areas/research-resources-and-reports/completed-research-and-reports/national-voter-registration-act-studies>.

³⁵ Automated DMV registration refers to paperless voter registration at DMVs coupled with electronic transfers of voter registration information to elections officials.

³⁶ Permanent registration means that the state allows registered voters who move to cast valid ballots even if they do not update their registrations before Election Day.

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This is one in a series of white papers on Voter Registration Modernization. The first, Voter Registration Modernization, sets forth more detailed policy arguments in favor of modernizing America's voter registration system. Others include *Expanding Democracy: Voter Registration Around the World*, which examines international methods of voter registration; *Permanent Voter Registration*, which analyzes systems of statewide permanent registration; and *When Voters Move*, which examines how states handle voters who move. All the white papers are available on the Brennan Center's website, at www.brennancenter.org.

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