IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DEMOCRACY NORTH CAROLINA, THE
LEAGUE OF WOMEN VOTERS OF
NORTH CAROLINA, DONNA PERMAR,
JOHN P. CLARK, MARGARET B. CATES,
LELIA BENTLEY, REGINA WHITNEY
EDWARDS, ROBERT K. PRIDDY II,
WALTER HUTCHINS, AND SUSAN
SCHAFFER,

Plaintiffs, vs.

THE NORTH CAROLINA STATE BOARD
OF ELECTIONS; DAMON CIRCOSTA, in
his official capacity as CHAIR OF THE
STATE BOARD OF ELECTIONS;
STELLA ANDERSON, in her official
capacity as SECRETARY OF THE STATE
BOARD OF ELECTIONS; KEN
RAYMOND, in his official capacity as
MEMBER OF THE STATE BOARD OF
ELECTIONS; JEFF CARMON III, in his
official capacity as MEMBER OF THE
STATE BOARD OF ELECTIONS; DAVID
C. BLACK, in his official capacity as
MEMBER OF THE STATE BOARD OF
ELECTIONS; KAREN BRINSON BELL, in
her official capacity as EXECUTIVE
DIRECTOR OF THE STATE BOARD OF
ELECTIONS; THE NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION;
J. ERIC BOYETTE, in his official capacity
as TRANSPORTATION SECRETARY;
THE NORTH CAROLINA DEPARTMENT
OF HEALTH AND HUMAN SERVICES;
MANDY COHEN, in her official capacity as
SECRETARY OF HEALTH AND HUMAN
SERVICES,

Defendants,

and

Civil Action No. 20-cv-457
PHILIP E. BERGER, in his official capacity as President Pro Tempore of the North Carolina Senate, and TIMOTHY K. MOORE, in his official capacity as Speaker of the North Carolina House of Representatives,

Intervenors.

DECLARATION OF MATTHEW M. LELAND

I, Matthew M. Leland, state the following based on my personal knowledge:

1. I am over 18 years of age and competent to make this Declaration.

2. I am counsel for amici curiae Republican Committees in the above-captioned case.

3. I have reviewed the Exhibits in support of the Brief of Amici Curiae Republican Committees.

4. **Exhibit 1** is a true and correct copy of the North Carolina General Assembly voting record for HB 1169 (2019-20), which is available at https://www.ncleg.gov/BillLookUp/2019/H1169.


6. **Exhibit 3** is a true and correct copy of the following article: Tim Pulliman, *NC Lawmakers to Discuss Bipartisan Bill on Absentee Voting this Week*, 11 Eyewitness News (May 26, 2020), which is available at https://abc11.com/hb1169-absentee-voting-state-elections-covid-19-response/6213140/.
7. **Exhibit 4** is a true and correct copy of the following webpage: Voter Registration Deadlines (last accessed June 22, 2020), which is available at https://www.vote.org/voter-registration-deadlines/.

8. **Exhibit 5** is a true and correct copy of excerpts of the report by the Commission on Federal Election Reform: Building Confidence in U.S. Elections (Sept. 2005), which is available at http://www.lb7.uscourts.gov/documents/15-324URL1savedon08-04-2016.pdf

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Matthew M. Leland
Matthew M. Leland
Exhibit 1
2019-2020 Session

Last Action: Ch. SL 2020-17 on 6/12/2020

Sponsors: Grange; Dahle; D. Hall; Harrison (Primary)
          Autry; Ball; Batch; Brewer; Carney; Clark; Clemmons; Dixon; Dobson; Fisher;
          Fraley; Gailliard; Harris; Humphrey; Hunt; Insko; Jackson; John; P. Jones;
          Lambeth; Lewis; Lofton; Logan; Majeed; Martin; McElraft; Meyer; Pierce;
          Reives; Russell; K. Smith; Stevens; Stroud; B. Turner; von Haefen; White;
          Zachary

Attributes: Public; Contains Appropriations; Contains Local Appropriations; Text has
            changed

Counties: No counties specifically cited

Statutes: 163, 20 (Chapters); 143C-1-2, 163-132.5G, 163-166.11, 163-166.16, 163-
          163-237, 163-27.1, 163-41, 163-42, 20-37.7 (Sections)

Keywords: APPROPRIATIONS, BOARDS, BUDGETING, COUNTIES, DHHS,
          DISASTERS & EMERGENCIES, DISEASES & HEALTH DISORDERS,
          ELECTIONS, ELECTIONS BOARDS, ELECTIONS, STATE BOARD OF,
          ID SYSTEMS, INFORMATION TECHNOLOGY, INTERNET, LOCAL
          GOVERNMENT, POLITICAL PARTIES, PRESENTED, PUBLIC,
          PUBLIC HEALTH, PUBLIC OFFICIALS, RATIFIED, REPORTS, SESSION LAWS,
          LATEST 2 VOTES

DATE       SUBJECT            RCS#       AYE    NO    NV   EXC.ABS.  EXC.VOTE  TOTAL    RESULT
6/11/2020  2:49 p.m.        M11 Concur    [H]-959  105    14    0        1            0       119      PASS
6/11/2020  12:29 p.m.       Third Reading  [S]-727   37    12    0        1            0       49       PASS

DATE       CHAMBER          ACTION                                      DOCUMENTS                      VOTES
6/12/2020  House            Ordered Enrolled                                 PASS: 105-14
6/11/2020  Senate           Special Message Sent To House                           PASS: 37-12
6/11/2020  House            Amended Table A5                                   A6: ABK-69-V-4                  PASS: 29-20
6/10/2020  Senate           Passed 2nd Reading                                PASS: 35-12
6/10/2020  Senate           Amendment Withdrawn A5                                 A5: Scanned Document
6/10/2020  Senate           Amended Table A4                                   A4: Scanned Document
6/10/2020  Senate           Amended Table A3                                   A3: ABK-67-V-6                  PASS: 27-21
6/10/2020  Senate           Amended Table A2                                   A2: Scanned Document
6/10/2020  Senate           Amended Table A1                                   A1: ALU-56-V-4                  PASS: 27-21
6/9/2020   Senate           Reptd Fav                                          CS: PCS10849-ML-23
6/9/2020   Senate           Re-ref Com On Rules and Operations of the Senate
6/9/2020   Senate           Com Substitute Adopted                                 PASS: 37-12
6/9/2020   Senate           Reptd Fav Com Substitute                                 CS: PCS10849-ML-23
6/2/2020   Senate           Re-ref Com On Appropriations/Base Budget

https://www.ncleg.gov/BillLookUp/2019/H1169
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Exhibit 2
NC House passes bipartisan election bill to fund COVID-19 response

Every booth is occupied with 2020 primary election voters just before 7 a.m. March 3 at the American Legion 7 polling place in Durham County. That situation would be problematic with the ongoing pandemic, and adjustments to avoid crowding and answer the demand for more absentee ballots will require expenditures in each North Carolina county. A bipartisan election bill to address that passed the N.C. House on Thursday and will be taken up by the state Senate. Jake Axelbank / Carolina Public Press

The outbreak of COVID-19 is making it more difficult and more expensive to run elections.

In March, state elections officials asked the General Assembly for relief, both in the form of funding and some tweaked laws to make running elections during the pandemic easier.

The N.C. House passed a bipartisan election bill Thursday afternoon that would provide the state with money needed to access much larger federal funds. The bill would also change state law to both make it easier to vote by mail and for election officials to staff
their polling places.

**[The latest: North Carolina coronavirus daily updates]**

However, the bill does not provide the full scope of relief sought by the state Board of Elections, county elections directors or democracy watchers.

“Neither party got everything they wanted,” said Rep. **Allison Dahle**, D-Wake, who was one of the bill’s sponsors.

“We worked together to find solutions that both sides of the aisle were comfortable with. Is it perfect? No. Is it what we dreamed of? No. Is it better for the people of North Carolina? Yes.”

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**House Bill 1169** passed with an overwhelming majority, 116-3, even as some Democrats grumbled that it did not make voting by mail easy enough and that the bill included unnecessary provisions. The bill will now be sent to the state Senate, where it is expected to be taken up quickly.

In an April 22 letter to the General Assembly, state Board of Elections Executive Director **Karen Brinson Bell** said elections officials needed the money by June 15 at the latest to make all the necessary purchases for the November election, not to mention the **second primary election** in June. The second primary affects the southwestern part of the state in Congressional District 11, plus a local election in Columbus County. She asked the legislature to act during the special session that began April 28.

Dahle said lawmakers have been working on this bill for a month and a half. To speed up the process, she said, if there were any requests that members of the House or Senate were not comfortable with, they just took that piece out.

The state really needed the federal money, Dahle said. To get those funds, a combined $22.7 million from the Help America Vote Act and the CARES Act, the state needs to provide almost $4.5 million in matching funds.

The money will be used to make security improvements for the election and to cover COVID-19-related costs, such as printing and postage for a predicted spike in by-mail ballot demand and personal protective equipment at the polls.
An investigation by the NC Watchdog Reporting Network, of which CPP is a member, shows that counties would be unlikely to afford the changes to elections brought on by COVID-19 without this additional support.

A compromise of 120 lawmakers

When sponsors of this bill, Reps. Holly Grange, R-New Hanover, and Dahle, spoke about the bill, they stressed its bipartisan nature.

“This is a compromise bill of 100, really 120 people,” Dahl said. “Even though there were only four (sponsors), we still had our caucuses that we talked to and went back and forth with.”

Beyond the state’s partial match required to access federal funding, the election bill would make several temporary changes that would expire at the end of the year and a few permanent changes.

The House bill would temporarily lower the witness requirement on absentee by-mail ballots from two adult witnesses to one. Since the majority of households in North Carolina have fewer than three adults — one to vote, two to witness — the current requirement was seen as a burden during a pandemic.

At the same time, the bill would make it easier for voters to request absentee by-mail ballots. If this bill is passed by the Senate and signed into law, ballot requests could be submitted by email or fax, in addition to by mail or in person. The state has allocated $424,000 for the state to create an online portal for absentee ballot requests.

Under the bill, voters would also be able to track their ballots by way of a bar code or unique identifier associated with the ballot, both when their county’s board of elections mails it out and when they mail ballots back.

County boards of elections would have increased flexibility in hiring poll workers. Until the end of the year, only one poll worker per precinct would need to be from that precinct, while others could be recruited from across the county.

Since poll workers in North Carolina are, on average, over 65 years old and are therefore more vulnerable to serious illness or death if they contract COVID-19, counties are expecting to struggle to retain and recruit poll workers.

The bill also clarifies how multipartisan assistance teams operate during a pandemic. These teams usually assist voters in residential care homes, but there is currently an executive order banning visitors to these centers to limit the spread of COVID-19 to vulnerable populations. Under the bill, the state Board of Elections would work with the
Department of Health and Human Services to create a plan whereby the teams can work safely “within hospitals, clinics, nursing homes, assisted living or other congregate living situations.”

Requests that didn’t make the election bill

In a March 26 letter, Brinson Bell gave the General Assembly a list of requests to help run the June second primary in Western North Carolina and the November elections during a pandemic.

The election bill failed to adopt a few of the requests, such as paying for return postage for absentee ballots.

Both Democratic sponsors of the bill, Dahle and Rep. Pricey Harrison, D-Guilford, said they requested this, but Republicans in both the House and Senate balked at the cost.

By turning Election Day into a state holiday, state and county employees could work the polls, Brinson Bell said in her letter. That request was not taken up, nor was increased pay for poll workers or changes to one-stop voting site and hours requirements.

Rep. Marcia Morey, D-Durham, introduced another bill with the Democrats’ wish list of changes for the November election.

One item on her wish list was to expand curbside voting, whereby voters can remain in their cars at a polling place and a poll worker will deliver, retrieve and submit the ballot for them.

The idea is that voters concerned about contracting COVID-19 at a polling place could vote from their cars, as people with physical limitations are currently able to do.

“We encourage anyone concerned about contracting coronavirus to vote by mail in 2020,” said Pat Gannon, spokesperson for the state Board of Elections, in an email, in which he also described several measures, such as social distancing and providing masks, that will be used in precincts to keep voters healthy.

Pro-democracy advocacy groups had other requests to make the voting process run smoothly that were not picked up in the legislation.

Voter registration has dipped significantly, Democracy NC’s executive director, Tomas Lopez, said. He would have liked to see an extension in the deadline for voter registrations.

Voters also frequently and unknowingly make mistakes on the ballot envelopes, forcing boards of elections to discard those ballots, he said.
“There’s not a process right now for people to cure absentee ballots that have issues,” Lopez said.

That means that, as in previous elections, a substantial percentage of voters who vote by mail would have their ballots rejected and potentially not know it until after the election. In a year when the state Board of Elections projects that vote-by-mail ballots could balloon from 5% of voters to 40%, that could result in the state not counting of thousands of ballots.

Other bills can be passed that could address some of these concerns, though time is running short for the state and county boards of elections to put more changes into place before the November election.

**Election bill tries to solve problems that don’t exist**

Some measures of the election bill solve problems that do not exist and were not expected to manifest.

For example, the bill would prohibit North Carolina from moving to an all vote-by-mail election in November.

At the beginning of the COVID-19 outbreak in North Carolina, the legislature received requests from mostly Democratic voters and some advocates to move the election to all vote by mail, according to Dahle.

This was never a feasible option for the state, and the state Board of Elections never considered requesting that move.

Brinson Bell stated during the March 20 board meeting that the state’s “response to coronavirus for the November general election must not upend the system we have in place but rather be an all-out effort to reinforce, strengthen and improve voting as we know it in North Carolina.”

The bill also has a provision requiring photo ID in the November 2020 election. But the issue of photo ID is already tied up in the courts, with multiple court injunctions currently preventing North Carolina from forcing voters to provide photo ID in order to vote.

This added provision does not negate the court injunctions. Even if the courts unexpectedly overturned those rulings in time for photo ID to be required for November, it would be very difficult for county elections offices to prepare for that change in time. This bill, though, would add to the ID options allowed to voters.
Finally, the bill made it a felony for an employee of a county board of elections to send an absentee ballot to a voter who had not requested one. Under current elections law, voters already need to request an absentee ballot, either to vote early or vote by mail.

The state Board of Elections and the legislature received a glut of emails propagating conspiracy theories that Brinson Bell, the Democratic-appointed head of elections in the state, could use emergency powers to send ballots to all voters. This, as well, was never proposed.

Republican legislators felt strongly that each of these provisions should be included in this bill.

Comments
Exhibit 3
NC lawmakers to discuss bipartisan bill on absentee voting this week

Politics
By Tim Pulliam
Tuesday, May 26, 2020

RALEIGH, N.C. (WTVD) -- House Republicans and Democrats hope to help the state elections board prepare for an increase in absentee voting.

Elections officials say typically 4 to 5 percent of voters mail in their ballots.

But this fall, they project 30 to 40 percent of voters could vote by mail.

House Bill 1169 could update that process.

Voters would be able to request an absentee ballot through email, fax, or online.

One person could verify your absentee ballot vs. the previous requirement of two witnesses.

Election leaders said that with the majority of poll workers being older than 65, this bill will provide more flexibility in recruiting precinct officials.

The bill would also provide more funding to help make in-person voting safer and offset any extra costs.

"I'm really excited about it," State Rep. Pricey Harrison, a Democrat from Guilford County and co-sponsor of the bill, told ABC11. "I think if other states could follow our lead this wouldn't be a debate. This is all about making sure people have access to their right to vote and don't risk their health. It's been an inspiring experience to work across the aisle and across the chambers to come up with a bill that's common sense that also helps voters."

HB 1169 would also prevent the state board of elections from moving toward an all-by-mail election day and prevent sending unrequested ballots to your address.

But some advocates said the bill should go further to reduce limitations on voting.

On Wednesday, 30 civil and social justice groups will host a virtual rally called "ProtectOurVoteNC."
They are asking lawmakers to consider making election day a holiday, expand curbside voting, and ensure the postage for mail-in ballots is prepaid.

"Our votes matter, our lives matter," said Anthony Spearman, president of the North Carolina chapter of the NAACP.

HB 1169 is expected to be voted on this Thursday.

The Senate is working on a similar bill.

Report a correction or typo

Related topics:
politics raleigh nc voting state politics general assembly coronavirus election covid 19 pandemic

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Exhibit 4
Voter Registration Deadlines

It's best to double check with your state for any recent changes to election rules in your state.

COVID-19 Info: This information may have have changed in your state's next election, check the COVID-19 page (/covid-19/) for info.

Select your state:

**Alabama (/state/alabama)**

Voter Registration Deadlines

- **In Person:** 15 days before Election Day.
- **By Mail:** Postmarked 15 days before Election Day.
- **Online:** 15 days before Election Day.

Election Day Registration Instructions

N/A

**Alaska (/state/alaska)**
Voter Registration Deadlines

- **In Person:** 30 days before Election Day.
- **By Mail:** Postmarked 30 days before Election Day. If this falls on a Sunday, postmarked 31 days before Election Day.
- **Online:** 30 days before Election Day.

**Election Day Registration Instructions**

N/A

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**Arizona (/state/arizona)**

Voter Registration Deadlines

- **In Person:** 29 days before Election Day, or on the next immediate business day if the deadline falls on a legal holiday or weekend.
- **By Mail:** Postmarked 29 days before Election Day, or on the next immediate business day if the deadline falls on a legal holiday or weekend.
- **Online:** 29 days before Election Day.

**Election Day Registration Instructions**

N/A

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**Arkansas (/state/arkansas)**

Voter Registration Deadlines

- **In Person:** 30 days before Election Day.
- **By Mail:** Postmarked 30 days before Election Day. If this falls on a Sunday, postmarked 29 days before Election Day.

**Election Day Registration Instructions**

N/A
Online: N/A

Election Day Registration Instructions

N/A

California (/state/california)

Voter Registration Deadlines

- **In Person:** 15 days before Election Day.
- **By Mail:** Postmarked 15 days before Election Day.
- **Online:** 15 days before Election Day.

Election Day Registration Instructions

If the voter registration deadline has passed, you can still conditionally register to vote and cast a provisional ballot in person at your County Elections Office at any time up to and including Election Day. Your provisional ballot will be counted when your County Elections Official verifies your voter registration.

Conditional registration may also be available in County Elections satellite offices and vote centers.

Colorado (/state/colorado)

Voter Registration Deadlines

- **In Person:** Election Day.
- **By Mail:** Received 8 days before Election Day.
- **Online:** 8 days before Election Day.
**Election Day Registration Instructions**

You can register and cast a ballot up through Election Day by appearing in-person at a Voter Service and Polling Center during the Early Voting period or on Election Day. Contact your [Local Election Office](https://www.usvotefoundation.org/vote/eoddomestic.htm) if you have any questions.

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**Connecticut ([/state/CONNECTICUT](/state/CONNECTICUT))**

**Voter Registration Deadlines**

- **In Person:** 7 days before Election Day.
- **By Mail:** Postmarked 7 days before Election Day.
- **Online:** 7 days before Election Day.

**Election Day Registration Instructions**

If the voter registration deadline has passed, you can still register to vote in person at a designated Election Day Registration office. Contact your [Local Election Office](https://www.usvotefoundation.org/vote/eoddomestic.htm) if you have any questions.

---

**Delaware ([/state/DELAWARE](/state/DELAWARE))**

**Voter Registration Deadlines**

- **In Person:** 24 days before Election Day.
- **By Mail:** Postmarked 24 days before Election Day.
- **Online:** The fourth Saturday before Election Day.
Election Day Registration Instructions

N/A

District of Columbia (/state/district-of-columbia)

Voter Registration Deadlines

- **In Person:** Election Day, with proof of residency.
- **By Mail:** Received 21 days before Election Day.
- **Online:** 21 days before Election Day.

Election Day Registration Instructions

If you have missed the voter registration deadline, you can still register to vote and cast a ballot at the same time during early voting or on Election Day. Simply go to your regular polling place or early voting site to register and vote. Contact your **Local Election Office** ([https://www.usvotefoundation.org/vote/eoddomestic.htm](https://www.usvotefoundation.org/vote/eoddomestic.htm)) if you have any questions. You will need to bring proof of residency, such as a government photo ID, or a copy of a current utility bill, bank statement, government check, or pay check that shows your current name and address.

Florida (/state/florida)

Voter Registration Deadlines

- **In Person:** 29 days before Election Day.
- **By Mail:** Postmarked 29 days before Election Day.
- **Online:** 29 days before Election Day.
Georgia (/state/georgia)

Voter Registration Deadlines

- **In Person**: 29 days before Election Day.
- **By Mail**: Postmarked 29 days before Election Day.
- **Online**: The fifth Monday before Election Day.

Election Day Registration Instructions

N/A

Hawaii (/state/hawaii)

Voter Registration Deadlines

- **In Person**: 30 days before Election Day.
- **By Mail**: Postmarked 30 days before Election Day.
- **Online**: 30 days before Election Day.

Election Day Registration Instructions

If you have missed the voter registration deadline, you can still register to vote and cast a ballot at the same time during early voting at early walk-in locations and on Election Day at your polling place. Contact your Local Election Office if you have any questions.
**Idaho (/state/idaho)**

**Voter Registration Deadlines**

- **In Person:** 24 days before Election Day. If you miss this deadline, you may also register on Election Day. (You must show proof of residence to register at the polls on Election Day.)
- **By Mail:** Postmarked 25 days before Election Day.
- **Online:** 25 days before Election Day.

**Election Day Registration Instructions**

If you have missed the voter registration deadline, you can still register to vote and a cast a ballot at the same time during early voting or on Election Day. Simply go to your regular polling place or early voting site to register and vote. You will need to show proof of residence and a photo ID. Contact your [Local Election Office](https://www.usvotefoundation.org/vote/eoddomestic.htm) if you have any questions.

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**Illinois (/state/illinois)**

**Voter Registration Deadlines**

- **In Person:** 27 days before Election Day, after which you may register during the early voting period through Election Day.
- **By Mail:** Postmarked 28 days before Election Day.
- **Online:** 16 days before Election Day.

**Election Day Registration Instructions**

You can also register in person (and vote) at your local elections office during the "grace period." The grace period starts 27 days before Election Day and ends on Election Day. Grace Period Voting does NOT take place at your regular...
polling place. Grace Period Voting almost always happens at your Local Election Office. Contact your Local Election Office (https://www.usvotefoundation.org/vote/eoddomestic.htm) for more information.

Indiana (/state/indiana).

Voter Registration Deadlines

- **In Person:** 29 days before Election Day.
- **By Mail:** Postmarked 29 days before Election Day.
- **Online:** 29 days before Election Day.

Election Day Registration Instructions

N/A

Iowa (/state/iowa).

Voter Registration Deadlines

- **In Person:** 10 days before Election Day. If you miss the deadline, you can also register to vote in-person during early vote or on Election Day.
- **By Mail:** Postmarked 15 days before Election Day or received 10 days before Election Day.
- **Online:** 10 days before Election Day.

Election Day Registration Instructions

If you have missed the voter registration deadline, you can still register to vote and cast a ballot at the same time during early voting or on Election Day. Simply go to your regular polling place or early voting site to register and vote.
You should bring valid photo ID and, if the ID does not list your current address, also proof of residence. Contact your Local Election Office (https://www.usvotefoundation.org/vote/eoddomestic.htm) if you have any questions.

**Kansas (/state/kansas)**

**Voter Registration Deadlines**

- **In Person:** 21 days before Election Day.
- **By Mail:** Postmarked 21 days before Election Day.
- **Online:** 21 days before Election Day.

**Election Day Registration Instructions**

N/A

**Kentucky (/state/kentucky)**

**Voter Registration Deadlines**

- **In Person:** 29 days before Election Day.
- **By Mail:** Postmarked 29 days before Election Day.
- **Online:** 29 days before Election Day.

**Election Day Registration Instructions**

N/A
**Louisiana (/state/louisiana)**

Voter Registration Deadlines

- **In Person:** 30 days before Election Day.
- **By Mail:** Postmarked 30 days before Election Day.
- **Online:** 20 days before Election Day.

Election Day Registration Instructions

N/A

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**Maine (/state/ maine)**

Voter Registration Deadlines

- **In Person:** Election Day.
- **By Mail:** Received 21 business days before Election Day.
- **Online:** N/A

Election Day Registration Instructions

If you register to vote within 21 days of an election, including on election day, you must appear in person to register at the municipal registrar in order to register. Photo ID and proof of residence is required. Contact your [Local Election Office](https://www.usvotefoundation.org/vote/eoddomestic.htm) with any questions.

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**Maryland (/state/maryland)**

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Voter Registration Deadlines

- **In Person**: 21 days before Election Day. You may also register during early voting or on Election Day with proof of address. See Election Day registration instructions.
- **By Mail**: Postmarked 21 days before Election Day.
- **Online**: 21 days before Election Day.

**Election Day Registration Instructions**

You can register to vote in-person during early voting and on Election Day. You will need to bring your MVA-issued license, ID card, or change of address card, or a paycheck, bank statement, utility bill, or other government document that has your name and current address.

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Massachusetts ([/state/massachusetts](/state/massachusetts))

**Voter Registration Deadlines**

- **In Person**: 20 days before Election Day.
- **By Mail**: Postmarked 20 days before Election Day.
- **Online**: 20 days before Election Day.

**Election Day Registration Instructions**

N/A

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Michigan ([/state/michigan](/state/michigan))

**Voter Registration Deadlines**

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https://www.vote.org/voter-registration-deadlines/
- **In Person**: Election Day at your city or township clerk office. The voter registration deadline is 15 days before Election Day, if you submit an application form through a voter registration drive or deliver it to a county clerk or secretary of state office.

- **By Mail**: Postmarked 15 days before Election Day.

- **Online**: 15 days before Election Day.

**Election Day Registration Instructions**

If you have missed the voter registration deadline, you can still register to vote and a cast a ballot at the same time during early voting or on Election Day. If you plan to register in person within 14 days of Election Day, you will need to present proof of residency. To register under these rules, Contact your [Local Election Office](https://www.usvotefoundation.org/vote/eoddomestic.htm) with any questions.

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### Minnesota (/state/minnesota)

**Voter Registration Deadlines**

- **In Person**: Election Day.

- **By Mail**: Received 21 days before Election Day.

- **Online**: 21 days before Election Day.

**Election Day Registration Instructions**

If you have missed the voter registration deadline, you can still register to vote and a cast a ballot at the same time during the in-person absentee voting period or on Election Day. Simply go to your regular in-person absentee voting site -- or to your regular polling place -- to register and vote. You should bring valid ID and, if the ID does not list your current name and address, also proof of residence. Contact your [Local Election Office](https://www.usvotefoundation.org/vote/eoddomestic.htm) if you have any questions.
**Mississippi (/state/mississippi)**

**Voter Registration Deadlines**

- **In Person:** 30 days before Election Day.
- **By Mail:** Postmarked 30 days before Election Day.
- **Online:** N/A

**Election Day Registration Instructions**

N/A

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**Missouri (/state/missouri)**

**Voter Registration Deadlines**

- **In Person:** 27 days before Election Day.
- **By Mail:** Postmarked 27 days before Election Day.
- **Online:** 27 days before Election Day.

**Election Day Registration Instructions**

N/A

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**Montana (/state/montana)**

**Voter Registration Deadlines**

- **In Person:** Election Day.
By Mail: Postmarked 30 days before Election Day. Received 27 days before Election Day.

Online: N/A

Election Day Registration Instructions

If you have missed the voter registration deadline, you can still register to vote at your county election office through close of polls on Election Day, except between noon and 5:00 p.m. the day before the election. You'll have to register at the office of your Local Election Office (https://www.usvotefoundation.org/vote/eoddomestic.htm) -- not at a polling place. Contact your Local Election Office (https://www.usvotefoundation.org/vote/eoddomestic.htm) for questions about the process. Photo ID or proof or residency is required.

Nebraska (/state/nebraska)

Voter Registration Deadlines

In Person: 11 days before Election Day.

By Mail: Postmarked 18 days before Election Day. Received 14 days before Election Day, if there's an illegible postmark.

Online: 18 days before Election Day

Election Day Registration Instructions

N/A

Nevada (/state/nevada)

Voter Registration Deadlines

In Person: 11 days before Election Day.

By Mail: Postmarked 18 days before Election Day. Received 14 days before Election Day, if there's an illegible postmark.

Online: 18 days before Election Day

Election Day Registration Instructions

N/A
In Person: Election Day.

By Mail: Postmarked 28 days before Election Day.

Online: 5 days before Election Day

**Election Day Registration Instructions**

You may register to vote in-person at the polling place either during early voting or on Election Day. You must show a valid Nevada driver's license or identification card at the polls to vote. If the identification does not have your current address, you must also show proof of residency.

N/A

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**New Hampshire (/state/new-hampshire)**

**Voter Registration Deadlines**

- **In Person:** Election Day. Before Election Day, the last day to register is the last meeting of the Supervisors of the Checklist. The supervisors meet once, 6-13 days before Election Day. Check your town/city website, or call your clerk's office for the date, time, and location of the Supervisor's meeting.

- **By Mail:** Received between 6 and 13 days before Election Day, depending on which town you live in.

- **Online:** N/A

**Election Day Registration Instructions**

If you have missed the voter registration deadline, you can still register to vote and cast a ballot at the same time on Election Day. Simply go to your regular polling place or early voting site to register and vote. Voters should bring a valid photo ID to vote. Voters that do not bring a valid photo ID execute a challenged voter affidavit form and will later receive a letter requesting confirmation they voted. Contact your Local Election Office ([https://www.usvotefoundation.org/vote/eoddomestic.htm](https://www.usvotefoundation.org/vote/eoddomestic.htm)) for questions about the process or identification requirements.
New Jersey (/state/new-jersey)

Voter Registration Deadlines

- **In Person**: 21 days before Election Day.
- **By Mail**: Postmarked 21 days before Election Day.
- **Online**: N/A

Election Day Registration Instructions

N/A

New Mexico (/state/new-mexico)

Voter Registration Deadlines

- **In Person**: Saturday before Election Day at the county clerk's office. 28 days before Election Day otherwise.
- **By Mail**: Postmarked 28 days before Election Day. However, an application may be accepted through the Friday following the deadline if the application is postmarked before the deadline.
- **Online**: 28 days before Election Day

Election Day Registration Instructions

N/A. New Mexico will begin same-day registration in 2021.
Voter Registration Deadlines

- **In Person:** 25 days before Election Day.
- **By Mail:** Postmarked 25 days before Election Day. Received 20 days before Election Day.
- **Online:** 25 days before Election Day

Election Day Registration Instructions

N/A

North Carolina (/state/north-carolina)

Voter Registration Deadlines

- **In Person:** The Saturday before Election Day if voting early in person. Otherwise 25 days before Election Day.
- **By Mail:** Postmarked 25 days before Election Day. If the postmark is missing or unclear, the application will still be processed if it is Received 20 days before Election Day.
- **Online:** 25 days before Election Day

Election Day Registration Instructions

If an individual becomes qualified to vote between the registration deadline (the 25th day before Election Day) and Election Day, then the individual may apply to register on Election Day by submitting an application to: a member of the county board of elections, the county director of elections, or the chief judge or a judge of the precinct in which the person is eligible to vote. If the application is approved, the individual may vote the same day. This applies to those individuals who recently become naturalized citizens of the U.S. or who have restored to citizenship after a felony conviction, but it does not apply to individuals who were 17 years old and reach 18 after the registration deadline.
North Dakota (/state/north-dakota)

Voter Registration Deadlines

- **In Person:** North Dakota does not have voter registration. You simply need to bring valid proof of ID and residency to the polls in order to vote.

- **By Mail:** North Dakota does not have voter registration. You simply need to bring valid proof of ID and residency to the polls in order to vote.

- **Online:** N/A

Election Day Registration Instructions

North Dakota does not have voter registration. You simply need to bring valid proof of ID and residency to the polls in order to vote.

Ohio (/state/ohio)

Voter Registration Deadlines

- **In Person:** 30 days before Election Day, extended to the next business day if this falls on a Sunday.

- **By Mail:** Postmarked 30 days before Election Day, extended to the next business day if this falls on a Sunday.

- **Online:** 30 days before Election Day

Election Day Registration Instructions

N/A

Oklahoma (/state/oklahoma)
In Person: 25 days before Election Day.
By Mail: Postmarked 25 days before Election Day.
Online: N/A

Election Day Registration Instructions
N/A

Oregon (/state/oregon)

Voter Registration Deadlines

In Person: 21 days before Election Day.
By Mail: Received 21 days before Election Day.
Online: 21 days before Election Day

Election Day Registration Instructions
N/A

Pennsylvania (/state/pennsylvania)

Voter Registration Deadlines

In Person: 15 days before Election Day.
By Mail: Received 15 days before Election Day.
Online: 15 days before Election Day

Election Day Registration Instructions
N/A
Rhode Island (/state/rhode-island)

Voter Registration Deadlines

- **In Person:** 30 days before Election Day.
- **By Mail:** Postmarked 30 days before Election Day. If the postmark is missing or unclear and the registration form is received no later than 5 days after the deadline, the individual shall be presumed to have been registered by the deadline.
- **Online:** 30 days before Election Day

Election Day Registration Instructions

You may register in person on Election Day at your local Board of Canvassers but only for Presidential elections.

South Carolina (/state/south-carolina)

Voter Registration Deadlines

- **In Person:** 30 days before Election Day. If this falls on a Sunday, the last preceeding day that the county board of voter registration and elections is open.
- **By Mail:** Postmarked 30 days before Election Day, the deadline is extended to the next business day if this falls on a Sunday.
- **Online:** 30 days before Election Day

Election Day Registration Instructions

N/A
South Dakota (/state/south-dakota)

Voter Registration Deadlines

- **In Person**: 15 days before Election Day.
- **By Mail**: Received 15 days before Election Day.
- **Online**: N/A

Election Day Registration Instructions

N/A

Tennessee (/state/tennessee)

Voter Registration Deadlines

- **In Person**: 30 days before Election Day. If this falls on a Sunday, 29 days before Election Day.
- **By Mail**: Postmarked 30 days before Election Day, the deadline is extended to the next business day if this falls on a Sunday.
- **Online**: 30 days before Election Day

Election Day Registration Instructions

N/A

Texas (/state/texas)

Voter Registration Deadlines
• **In Person:** 30 days before Election Day. If this falls on a Sunday, 29 days before Election Day.

• **By Mail:** Postmarked 30 days before Election Day, the deadline is extended to the next business day if this falls on a Sunday.

• **Online:** N/A

**Election Day Registration Instructions**

N/A

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**Utah (/state/utah)**

**Voter Registration Deadlines**

• **In Person:** 7 days before Election Day in clerk's office, but may also register during early vote and on Election Day. However, individuals must vote by provisional ballot if they: (i) register online or in person between 7 and 14 days before Election Day, (ii) register during early voting, or (iii) register on Election Day.

• **By Mail:** Postmarked 30 days before Election Day, the deadline is extended to the next business day if this falls on a Sunday.

• **Online:** 7 days before Election Day

**Election Day Registration Instructions**

An individual who is not registered to vote may register to vote, and vote, on election day or during the early voting period described in Section 20A-3-601, by voting a provisional ballot, if:

1. the individual is otherwise legally entitled to vote the ballot;
2. the ballot is identical to the ballot for the precinct in which the individual resides;
3. the information on the provisional ballot form is complete; and
4. the individual provides valid voter identification and proof of residence to the poll worker.
Vermont (/state/vermont)

Voter Registration Deadlines

- **In Person**: Election Day (you must show proof of residence to register at the polls on Election Day).
- **By Mail**: Received Election Day.
- **Online**: Election Day. But if you register online the day before or on Election Day, your application may not be processed and your name may not appear on the checklist and you may be asked to fill out another application at the polls. To be sure your name appears on the checklist, please register by the Friday before the election.

Election Day Registration Instructions

You can register to vote on Election Day at your polling place. You must show proof of residence to register at the polls on Election Day.

Virginia (/state/virginia)

Voter Registration Deadlines

- **In Person**: 22 days before Election Day. If this day falls on a Sunday, 21 days before Election Day.
- **By Mail**: Postmarked 22 days before Election Day, the deadline is extended to the next business day if this falls on a Sunday.
- **Online**: 22 days before Election Day
Election Day Registration Instructions

N/A

Washington (/state/washington)

Voter Registration Deadlines

- **In Person:** Election Day.
- **By Mail:** Received 8 days before Election Day.
- **Online:** 8 days before Election Day

Election Day Registration Instructions

Individuals may register to vote in their county auditor's office, the division of elections if in a separate city from the county auditor's office, a voting center, or other location designated by the county auditor in his or her county of residence no later than 8:00 pm on the day of the primary, special election, or general election. The registration process and requirements for registering on Election Day are the same as for filling out a paper registration form or the online form.

West Virginia (/state/west-virginia)

Voter Registration Deadlines

- **In Person:** 21 days before Election Day.
- **By Mail:** Postmarked 21 days before Election Day.
- **Online:** 21 days before Election Day

Election Day Registration Instructions
Wisconsin (/state/wisconsin)

Voter Registration Deadlines

- **In Person:** The Friday before Election Day.
- **By Mail:** Postmarked the 3rd Wednesday before Election Day.
- **Online:** 20 days before Election Day

Election Day Registration Instructions

Individuals may register to vote in person at your polling place on Election Day. All individuals must provide both a proof of residency document and proof of identification to register on election Day.

Wyoming (/state/wyoming)

Voter Registration Deadlines

- **In Person:** 14 days before Election Day.
- **By Mail:** Postmarked 14 days before Election Day. After this date, individuals may register to vote by mail if their registration is also accompanied by an absentee ballot request.
- **Online:** N/A

Election Day Registration Instructions

1. Wyoming does not accept the National Voter Registration Form so please do not use our Register to Vote Tool (/register-to-vote/) to register to vote in Wyoming.
2. Wyoming prefers that people register to vote in person at the County Clerk's office.

3. If this isn't possible, print out the Wyoming Voter Registration form and fill it out in front of a notary. That part is really important! Your Wyoming Voter Registration Form MUST be notarized. Print clearly, using a black or blue ink pen (not felt tip).

4. Sign the voter registration oath on the form and have the notary or registered agent sign the form.

5. Make copies of the identification documents you showed to the notary.

6. Mail the voter registration form, along with the copies of your ID documents, to your County Clerk (http://soswy.state.wy.us/Elections/CountyClerks.aspx). Note: Sending your form to any other office will delay your voter registration.

7. Mail your form as soon as possible. Voter registration closes two weeks prior to Election Day.

8. Follow up with your County Clerk (http://soswy.state.wy.us/Elections/CountyClerks.aspx) about any questions you may have about your registration or requests for absentee ballots.
**Premium online tools**

Spend less money and reach more voters by leveraging Vote.org’s premium toolset.

**Add premium tools** (https://vip.vote.org/)

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**Vote.org mission statement**

Vote.org uses technology to simplify political engagement, increase voter turnout, and strengthen American democracy.

**Donate to Vote.org** (/donate/)

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**Shop Vote.org**

Just in time for the election: Vote.org t-shirts, tote bags, hoodies, and other assorted swag.

**Shop Vote.org** (https://shop.vote.org)

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**VOTER REGISTRATION**

Voter registration rules (/voter-registration-rules/)

Voter registration deadlines (/voter-registration-deadlines/)
Check your registration status (/am-i-registered-to-vote/)
Register to vote (/register-to-vote/)
Pledge to register (/pledge-to-register/)

ABSENTEE BALLOTS
Absentee ballot rules (/absentee-voting-rules/)
Absentee ballot deadlines (/absentee-ballot-deadlines/)
Get your absentee ballot (/absentee-ballot/)

VOTE BY MAIL
Vote by mail rules (/absentee-voting-rules/)
Vote by mail deadlines (/absentee-ballot-deadlines/)
Vote by mail (/absentee-ballot/)

VOTING
Voting & COVID-19 (/covid-19/)
Voter ID laws (/voter-id-laws/)
Early voting calendar (/early-voting-calendar/)
Election reminders (/election-reminders/)
Polling place locator (/polling-place-locator/)
Help desk (http://help.vote.org)

ABOUT VOTE.ORG
About (/about/)
Team (/team/)
Donate (/donate/)
Election & Voting Policy (/policy/)
Blog (/blog/)
Press (/press/)
Exhibit 5
5.1.3 In addition to the penalties set by the Voting Rights Act, it should be a federal felony for any individual, group of individuals, or organization to engage in any act of violence, property destruction (of more than $500 value), or threatened act of violence that is intended to deny any individual his or her lawful right to vote or to participate in a federal election.

5.1.4 To deter systemic efforts to deceive or intimidate voters, the Commission recommends federal legislation to prohibit any individual or group from deliberately providing the public with incorrect information about election procedures for the purpose of preventing voters from going to the polls.

5.2 ABSENTEE BALLOT AND VOTER REGISTRATION FRAUD

Fraud occurs in several ways. Absentee ballots remain the largest source of potential voter fraud. A notorious recent case of absentee ballot fraud was Miami's mayoral election of 1998, and in that case, the judge declared the election fraudulent and called for a new election. Absentee balloting is vulnerable to abuse in several ways: Blank ballots mailed to the wrong address or to large residential buildings might get intercepted. Citizens who vote at home, at nursing homes, at the workplace, or in church are more susceptible to pressure, overt and subtle, or to intimidation. Vote buying schemes are far more difficult to detect when citizens vote by mail. States therefore should reduce the risks of fraud and abuse in absentee voting by prohibiting “third-party” organizations, candidates, and political party activists from handling absentee ballots. States also should make sure that absentee ballots received by election officials before Election Day are kept secure until they are opened and counted.

Non-citizens have registered to vote in several recent elections. Following a disputed 1996 congressional election in California, the Committee on House Oversight found 784 invalid votes from individuals who had registered illegally. In 2000, random checks by the Honolulu city clerk's office found about 200 registered voters who had admitted they were not U.S. citizens. In 2004, at least 35 foreign citizens applied for or received voter cards in Harris County, Texas, and non-citizens were found on the voter registration lists in Maryland as well.

The growth of “third-party” (unofficial) voter registration drives in recent elections has led to a rise in reports of voter registration fraud. While media attention focused on reports of fraudulent voter registrations with the names of cartoon characters and dead people, officials in 10 states investigated accusations of voter registration fraud stemming from elections in 2004, and between October 2002 and July 2005, the U.S. prosecuted 19 people charged with voter registration fraud. Many of these were submitted by third-party organizations, often by individuals who were paid by the piece to register voters.

States should consider new legislation to minimize fraud in voter registration, particularly to prevent abuse by third-party organizations that pay for voter registration by the piece. Such legislation might direct election offices to check the identity of individuals registered through third-party voter registration drives and to track the voter registration forms.

HAVA requires citizens who register by mail to vote in a state for the first time to provide
an ID when they register or when they vote. Some states have interpreted this requirement to apply only to voter registration forms sent to election offices by mail, not to forms delivered by third-party organizations. As a result, neither the identity nor the actual existence of applicants is verified. All citizens who register to vote with a mail-in form, whether that form is actually sent by mail or is instead hand-delivered, should comply with HAVA’s requirements or with stricter state requirements on voter ID, by providing proof of identity either with their registration application or when they appear at the polling station on Election Day. In this way, election offices will be obliged to verify the identity of every citizen who registers to vote, whether or not the registration occurs in person.

In addition, states should introduce measures to track voter registration forms that are handled by third-party organizations. By assigning a serial number to all forms, election officials will be able to track the forms. This, in turn, will help in any investigations and prosecutions and thus will serve to deter voter registration fraud.

Many states allow the representatives of candidates or political parties to challenge a person’s eligibility to register or vote or to challenge an inaccurate name on a voter roll. This practice of challenges may contribute to ballot integrity, but it can have the effect of intimidating eligible voters, preventing them from casting their ballot, or otherwise disrupting the voting process. New procedures are needed to protect voters from intimidating tactics while also offering opportunities to keep the registration rolls accurate, and to provide observers with meaningful opportunities to monitor the conduct of the election. States should define clear procedures for challenges, which should mainly be raised and resolved before the deadline for voter registration. After that, challengers will need to defend their late actions. On Election Day, they should direct their concerns to poll workers, not to voters directly, and should in no way interfere with the smooth operation of the polling station.

**Recommendations on Absentee Ballot and Voter Registration Fraud**

**5.2.1** State and local jurisdictions should prohibit a person from handling absentee ballots other than the voter, an acknowledged family member, the U.S. Postal Service or other legitimate shipper, or election officials. The practice in some states of allowing candidates or party workers to pick up and deliver absentee ballots should be eliminated.

**5.2.2** All states should consider passing legislation that attempts to minimize the fraud that has resulted from “payment by the piece” to anyone in exchange for their efforts in voter registration, absentee ballot, or signature collection.

**5.2.3** States should not take actions that discourage legal voter registration or get-out-the-vote activities or assistance, including assistance to voters who are not required to vote in person under federal law.