

# Exhibit 1

Alabama



Ala.Code 1975 § 17-3-50

Code of Alabama Currentness

Title 17. Elections. (Refs & Annos)

▣ Chapter 3. Voter Registration. (Refs & Annos)

▣ Article 3. Registration of Electors.

→ § 17-3-50. Registration deadline.

(a) The boards of registrars in the several counties of the state shall not register any person as a qualified elector within 10 days prior to any election; provided, that the boards shall maintain open offices during business days in such 10-day period and on election day during the hours of voting.

(b) The provisions of this section shall not apply in any county having a population of not less than 600,000 inhabitants according to the 1970 or any succeeding federal decennial census, and any currently effective local law or general law of local application providing for a deadline on registration in such county shall remain in full force and effect and shall not be repealed by operation of this section.

(Acts 1950, 4th Ex. Sess., No. 6, p. 45; Code 1975, § 17-4-4; Acts 1978, No. 584, p. 667, § 14; § 17-4-120; amended and renumbered by Act 2006-570, p. 1331, § 11.)

COMMENT

There are no longer "deputy registrars".

HISTORY

Derivation of Section:

This section is former Section 17-4-120, as amended and renumbered by Act 2006- 570, § 11, effective January 1, 2007.

Amendment notes:

**The 2006 amendment**, effective January 1, 2007, in subsection (a) deleted "or their deputies" following "state".

LIBRARY REFERENCES

American Digest System:

Elections ↻105.

Ala. Code 1975 § 17-3-50, **AL ST § 17-3-50**

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Ala.Code 1975 § 17-3-50

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Alaska



AK ST § 15.07.070

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AS § 15.07.070

**C**

WEST'S ALASKA STATUTES ANNOTATED  
 TITLE 15. ELECTIONS  
 CHAPTER 07. REGISTRATION OF VOTERS  
 → § 15.07.070. Procedure for registration

(a) The director may adopt regulations under AS 44.62 (Administrative Procedure Act) relating to the registration of voters consistent with the requirements of this section and federal law, including 42 U.S.C. 1973gg (National Voter Registration Act of 1993).

(b) To register by mail or by facsimile, scanning, or other electronic transmission approved by the director under AS 15.07.050, the director, the area election supervisor, or a voter registration agency shall furnish, at no cost to the voter, forms prepared by the director on which the registration information required under AS 15.07.060 shall be inserted by the voter, by a person on behalf of the voter if that person is designated to act on behalf of the voter in a power of attorney, or by a person on behalf of the voter if the voter is physically incapacitated. The director may require proof of identification of the applicant as required by regulations adopted by the director under AS 44.62 (Administrative Procedure Act). Upon receipt and approval of the completed registration forms, the director or the election supervisor shall forward to the voter an acknowledgment, and the voter's name shall immediately be placed on the master register. If the registration is denied, the voter shall immediately be informed in writing that registration was denied and the reason for denial. When identifying information has been provided by the voter as required by this chapter, the election supervisor shall forward to the voter a registration card.

(c) The names of persons submitting completed registration forms by mail that are postmarked at least 30 days before the next election, or submitting completed registration forms by facsimile or other electronic transmission approved by the director under AS 15.07.050 that are received at least 30 days before the next election, shall be placed on the official registration list for that election. If a registration form received by mail less than 30 days before an election does not have a legible and dated postmark, the name of the person submitting the form shall be placed on the official registration list for that election if the form was signed and dated by the person at least 30 days before the election and if the form is received by the director or election supervisor at least 25 days before the election. The name of a person submitting a completed registration form by mail or by facsimile or other electronic transmission that does not meet the applicable requirements of this subsection may not be placed on the official registration list for that election but shall be placed on the master register after that election.

(d) Qualified voters may register in person before a registration official or through a voter registration agency at any time throughout the year, except that a person registering within 30 days preceding an election is not eligible to vote at that election. Upon receipt and approval of the registration forms, the director or the election supervisor shall forward to the voter an acknowledgment in the form of a registration card, and the voter's name shall immediately be placed on the master register. Names of persons registering 30 or more days before an election shall be placed on the official registration list for that election.

(e) Repealed.

(f) Incomplete or inaccurate registration forms may not be accepted. A person who submitted an incomplete or inaccurate registration form may register by reexecuting and resubmitting a registration form in person, by mail, or by facsimile or other electronic transmission approved by the director under AS 15.07.050. The requirements of (c) or (d) of this section apply to a registration form resubmitted under this subsection.

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AS § 15.07.070

(g) The director shall provide voter registration forms prepared under (b) of this section to voter registration agencies designated under AS 15.07.055 for distribution to the public.

(h) The director shall design the form of the voter's certificate appearing on the envelope that is used for voting an absentee in-person or questioned ballot so that all information required for registration by AS 15.07.060(a) may be obtained from a voter who votes an absentee in-person or questioned ballot. If the voter voting an absentee in-person or questioned ballot has completed all information on the voter registration portion of the absentee in-person or questioned ballot voter's certificate, the director shall place the name of the voter on the official registration list.

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A.R.S. § 16-120

**C**  
 ARIZONA REVISED STATUTES ANNOTATED  
 TITLE 16. ELECTIONS AND ELECTORS  
 CHAPTER 1. QUALIFICATION AND REGISTRATION OF ELECTORS  
 ARTICLE 2. QUALIFICATIONS FOR VOTING  
 →§ 16-120. Eligibility to vote

No elector shall vote in an election called pursuant to the laws of this state unless the elector has been registered to vote as a resident within the boundaries or the proposed boundaries of the election district for which the election is being conducted and the registration has been received by the county recorder or his designee pursuant to § 16-134 prior to midnight of the twenty-ninth day preceding the date of the election.

<<ARTICLE 2. QUALIFICATIONS FOR VOTING>>

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

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 First Regular Session (2007)

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A.R.S. § 16-134

**C**

Arizona Revised Statutes Annotated Currentness

Title 16. Elections and Electors (Refs & Annos)

▣ Chapter 1. Qualification and Registration of Electors (Refs & Annos)

▣ Article 3. Registration Officers and Procedures (Refs & Annos)

**→ § 16-134. Return of registrations made outside office of county recorder; incomplete or illegible forms**

A. A county recorder shall authorize persons to accept registration forms, shall designate places for receipt of registration forms and shall designate additional locations for distribution of voter registration forms. Public assistance agencies and disabilities agencies as defined in § 16-140 shall return or mail completed voter registrations to the county recorder of the county in which the applicant resides within five days after receipt of those registrations.

B. If the information on the registration form is incomplete or illegible and the county recorder is not able to process the registration form, the county recorder shall notify the applicant within ten business days of receipt of the registration form, shall specify the missing or illegible information and, if the missing or illegible information includes any of the information prescribed by § 16-121.01, subsection A, shall state that the registration cannot be completed until the information is supplied. If the missing or illegible information is supplied before 7:00 p.m. on election day, that person is deemed to have been registered on the date the registration was first received.

C. In the case of registration by mail, a voter registration is valid for an election if it complies with either of the following:

1. The form is postmarked twenty-nine days or more before an election and is received by the county recorder by 7:00 p.m. on the day of that election.

2. The registration is dated twenty-nine days or more before an election and is received by the county recorder by first class mail within five days after the last day to register to vote in that election.

D. The date of registration entered for registration forms that are received by the county recorder from persons, groups or agencies that are not authorized to accept registrations pursuant to subsection A of this section and that do not bear a legible postmark date or an otherwise reliable date shall be the date that those forms are received by the county recorder.

CREDIT(S)

Added as § 16-133 by Laws 1979, Ch. 209, § 3, eff. Jan. 1, 1980. Renumbered as § 16-134. Amended by Laws 1983, Ch. 210, § 6, eff. April 20, 1983; Laws 1990, Ch. 321, § 10, eff. Nov. 19, 1990; Laws 1991, Ch. 310, § 6, eff. Jan. 1, 1992; Laws 1993, Ch. 98, § 12, eff. Jan. 1, 1994; Laws 1994, Ch. 378, § 5, eff. Jan. 1, 1995; Laws 1998, Ch. 213, § 3; Laws 2006, Ch. 44, § 4, eff. April 5, 2006.

<<ARTICLE 3. REGISTRATION OFFICERS AND PROCEDURES>>

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A.R.S. § 16-134

<For disposition of the subject matter or derivation of sections repealed, added, or transferred and renumbered by Laws 1979, Ch. 209, §§ 2 to 5, effective January 1, 1980, see Disposition and Derivation Tables preceding Chapter 1.>

#### HISTORICAL AND STATUTORY NOTES

##### Source:

Laws 1933, Ch. 62, § 2.  
Laws 1943, Ch. 90, § 1.  
Laws 1953, Ch. 98, § 2.  
Code 1939, Supp.1953, § 55-202.  
Laws 1955, Ch. 78, § 1.  
A.R.S. former § 16-106.  
Laws 1963, Ch. 34, § 1.  
Laws 1970, Ch. 151, § 4.  
Laws 1973, Ch. 183, § 11.  
Laws 1974, Ch. 134, § 4.

Laws 1978, Ch. 201, § 264.

For conditional enactment and effective date provisions and purpose of Laws 1979, Ch. 209 and for information as to compliance with the conditional enactment provision, see Historical and Statutory Notes preceding Chapter 1 and following § 16-101.

Amendment of this section by Laws 1990, Ch. 321, which was to become effective May 31, 1991, is now effective November 19, 1990.

For effective date of twenty-nine day voter registration, amending Laws 1990, Ch. 321 effective date, see Historical and Statutory Notes following § 16-101.

For severability provision of Laws 1991, Ch. 310, see Historical and Statutory Notes following § 16-111.

Another § 16-134 was renumbered as § 16-135.

##### Reviser's Notes:

**1979 Note.** The above section was added by Laws 1979, Ch. 209, § 3 as § 16-133 and was renumbered as § 16-134 pursuant to authority of § 41-1304.02.

#### LIBRARY REFERENCES

Elections ↪ 110.  
Westlaw Topic No. 144.

A. R. S. § 16-134, AZ ST § 16-134

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AR Const. Amend. 51, § 6

C

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Constitution of the State of Arkansas of 1874  
Amendments to the Constitution of Arkansas of 1874  
Amendment 51. Voter Registration Without Poll Tax Payment (Refs & Annos)

→ § 6. Voter registration application forms; contents

(a)(1) The mail voter registration application form may only require identifying information, including signature or mark, and other information, including data relating to previous registration by the applicant, as is necessary to assess the applicant's eligibility and to administer voter registration and other parts of the election process.

(2) Such forms shall include, in identical print, statements that:

- (A) Specify voter eligibility requirements;
- (B) Contain an attestation that the applicant meets all voter eligibility requirements;
- (C) Specify the penalties provided by law for submission of a false voter registration application;
- (D) Inform applicants that where they register to vote will be kept confidential; and
- (E) Inform applicants that declining to register will also be kept confidential.

(3) The following information will be required of the applicant:

- (A) Full name;
- (B) Mailing address;
- (C) Residence address and any other information necessary to identify the residence of the applicant;
- (D) If previously registered, the name then supplied by the applicant, and the previous address, county, and state;
- (E) Date of birth;
- (F) A signature or mark made under penalty of perjury that the applicant meets each requirement for voter registration;
- (G) If the applicant is unable to sign his or her name, the name, address, and telephone number of the person providing assistance;
- (H) If the applicant has a current and valid driver's license, the applicant's driver's license number;
- (I) If the applicant does not have a current and valid driver's license, the last four (4) digits of the applicant's

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social security number; and

(J) If the applicant does not have a current and valid driver's license number or social security number, the Secretary of State will assign the applicant a number which will serve to identify the applicant for voter registration purposes, and this number shall be placed on the application.

(4) The following information may be requested on the registration card, but it shall not be required:

(A) Telephone number where the applicant may be contacted; and

(B) Political party with which the applicant wishes to be affiliated, if any.

(5) The mail voter registration application shall not include any requirement for notarization or other formal authentication.

(6) The mail voter registration application form shall include the following questions along with boxes for the applicant to check "yes" or "no" in response:

(A) "Are you a citizen of the United States of America and an Arkansas resident?";

(B) "Will you be eighteen (18) years of age on or before election day?";

(C) "Are you presently adjudged mentally incompetent by a court of competent jurisdiction?";

(D) "Have you ever pleaded guilty or nolo contendere to, or found guilty of a felony without your sentence having been discharged or pardoned?"; and

(E) "Do you claim the right to vote in another county or state?".

(7) The mail voter registration application form shall include the following statements immediately following the questions asked in subdivision (a)(6) of this section:

(A) "If you checked "No" in response to either questions A or B, do not complete this form.";

(B) "If you checked "Yes" in response to one or more of questions C, D, or E, do not complete this form."; and

(C)(i) A statement informing the individual that if the form is submitted by mail and the individual is registering for the first time, a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter, must be submitted with the mailed registration form in order to avoid the additional identification requirements upon voting for the first time; or

(ii) When the state acquires the capacity to match the registrant's driver's license number and the registrant's social security number to the registrant's name, the mail-in voter registration application form shall include the following statement in lieu of the statement contained in subdivision (6)(a)(7)(C)(i):

"If your voter registration application form is submitted by mail and you are registering for the first time, in order to avoid the additional identification requirements upon voting for the first time you must submit with the mailed registration form: (a) your driver's license number; (b) the last four digits of your social security number; (c) a current and valid photo identification; or (d) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address."

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(8) If an applicant for voter registration fails to provide any of the information required by this section, the permanent registrar shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for its completion before the next election for federal office.

(9) The mail voter registration application shall be pre-addressed to the Secretary of State.

(b)(1) The voter registration application portion of the process used by the Office of Driver Services and state revenue offices shall include:

(A) The question: "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(B) A statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;

(C) A statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes;

(D) Voter registration eligibility requirements;

(E) Penalties provided by law for providing false information;

(F) An attestation that the applicant meets each eligibility requirement; and

(G) A space for the applicant's signature or mark.

(2) The voter registration application portion shall require the signature of the applicant under penalty of perjury, but shall not require notarization or other formal authentication.

(c) Public assistance agencies and disabilities agencies shall provide, in addition to the federal or state mail voter registration application form, a declination form, to be approved by the State Board of Election Commissioners, which includes the following question and statements:

(1) The question, in prominent type, "IF YOU ARE NOT REGISTERED TO VOTE WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE TODAY? YES ... NO ...";

(2) The statement in close proximity to the question above and in equally prominent type, "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME";

(3) The statement, "APPLYING TO REGISTER OR DECLINING TO REGISTER TO VOTE WILL NOT AFFECT THE AMOUNT OF ASSISTANCE THAT YOU WILL BE PROVIDED BY THIS AGENCY";

(4) The statement, "IF YOU WOULD LIKE HELP IN FILLING OUT THE VOTER REGISTRATION APPLICATION FORM, WE WILL HELP YOU. THE DECISION WHETHER TO SEEK OR ACCEPT HELP IS YOURS. YOU MAY FILL OUT THE APPLICATION FORM IN PRIVATE";

(5) The statement, "IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE, YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, OR YOUR RIGHT TO CHOOSE YOUR OWN POLITICAL PARTY OR OTHER POLITICAL PREFERENCE, YOU MAY FILE A

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COMPLAINT WITH THE SECRETARY OF STATE AT ..... " (filled in with the address and telephone number of the Secretary of State's office);

(6) The statement, "IF YOU DECLINE TO REGISTER TO VOTE, THE FACT THAT YOU HAVE DECLINED TO REGISTER WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION PURPOSES"; and

(7) The statement, "IF YOU DO REGISTER TO VOTE, THE OFFICE AT WHICH YOU SUBMIT A VOTER REGISTRATION APPLICATION WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION PURPOSES".

Initiative petition approved at Nov. 3, 1964 election; Acts of 1971, Act 828, § 1; Acts of 1995, Act 947, § 2, eff. Jan. 1, 1996; Acts of 1995, Act 964, § 2, eff. Jan. 1, 1996; Acts of 2003, Act 995, § 1, eff. July 16, 2003; Act of 2003 (2nd Ex. Sess.), Act 8, § 1, eff. Dec. 22, 2003.

**HISTORICAL NOTES**

2004

Technical changes were made to conform with the official Arkansas Code of 1987 as approved by the Arkansas Code Revision Commission.

Acts of 2003 (2nd Ex. Sess.), Act 8, § 1, amended this section by redesignating former Subsec. (a)(7)(C) as Subsec. (a)(7)(C)(i); adding Subsec. (a)(7)(C)(ii); substituting "provide any of the information required by" for "answer the questions included in subdivision (a)(6) of" in Subsec. (a)(8); and making other nonsubstantive changes.

Acts of 2003, Act 995, § 1, amended § 6 by adding (a)(3)(H) through (J); deleting (a)(4)(B); redesignating former (a)(4)(C) as (a)(4)(B); rewriting (a)(6), which previously read:

"(6) The mail voter registration application shall be pre-addressed to the Secretary of State.";

adding (a)(7) through (9); and making other nonsubstantive changes.

**LIBRARY REFERENCES**

Elections 19, 95, 106.  
Westlaw Key Number Searches: 144k19; 144k95; 144k106.  
C.J.S. Elections §§ 13, 37, 46.

**NOTES OF DECISIONS**

**In general 1**

**Registration officers 2**

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**Sex discrimination 4**

1. In general

It was Supreme Court's duty to consider as a whole the constitutional amendment relating to voter registration and

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**AR Const. Amend. 51, § 6**

to harmonize its various provisions if such could be done. Const. Amend. No. 51, §§ 1 et seq., 6 and subd. (c). *Faubus v. Fields*, 1965, 239 Ark. 241, 388 S.W.2d 558. Elections ↻ 7

Supreme Court's duty was to ascertain primary intent of constitutional amendment relating to voter registration and to give effect thereto, and, if two interpretations were permissible, court could not select one which would allow strict letter of amendment to defeat dominant popular will. Const. Amend. No. 51, § 6. *Faubus v. Fields*, 1965, 239 Ark. 241, 388 S.W.2d 558. Elections ↻ 7

**2. Registration officers**

Purpose of subsection, in constitutional amendment relating to voter registration, providing that board of election commissioners may require blank spaces for additional information on registration affidavit was intended merely to give power to implement section as whole, and board was not authorized to require statement of voter's race and party affiliation. Const. Amend. No. 51, §§ 1 et seq., 6 and subd. (c), 19. *Faubus v. Fields*, 1965, 239 Ark. 241, 388 S.W.2d 558. Elections ↻ 103

Board of election commissioners exceeded its powers in attempting to permit oaths to be administered by someone other than voting registrar and his deputies. Const. Amend. No. 51, §§ 1 et seq., 5-15, 6(a) (10), (c), 9(c, e). *Faubus v. Fields*, 1965, 239 Ark. 241, 388 S.W.2d 558. Elections ↻ 103

**3. Registration qualifications**

State has right to set up voter registration system and to require would-be registrants to make such disclosures as will enable registration and election officials to identify them and to guard against such frauds as double registration and double voting. Const. Ark. Amend. No. 51, § 6(a)(1). *Walker v. Jackson*, 1975, 391 F.Supp. 1395. Elections ↻ 19

State can constitutionally require a registrant to disclose his or her full and correct name. Const. Ark. Amend. No. 51, § 6(a)(1). *Walker v. Jackson*, 1975, 391 F.Supp. 1395. Elections ↻ 19

Under Arkansas law, when registering to vote women are entitled to use whatever name they care to use as long as the use is not for fraudulent purposes, and thus requirement of clerk-registrar of county that married woman register under her husband's surname and divorced woman register in surname of former husband was invalid. Const. Ark. Amend. No. 51, § 6(a)(1). *Walker v. Jackson*, 1975, 391 F.Supp. 1395. Elections ↻ 19

**4. Sex discrimination**

State constitutional requirement that female voter registrant prefix her name as it appears on affidavit by the word "Miss" or "Mrs.", so as to reflect her current or past marital status, in the absence of comparable requirement for male registrants or interest in state in imposing requirement, discriminated against women as an identifiable class of citizens in violation of equal protection clause of Fourteenth Amendment. Const. Ark. Amend. No. 51, § 6(a)(1); U.S.C.A. Const. Amend. 14. *Walker v. Jackson*, 1975, 391 F.Supp. 1395. Constitutional Law ↻ 224(2); Elections ↻ 19

In action before three-judge district court involving an attack by female plaintiffs on federal constitutionality of State Constitution amendment which sets up a system of permanent registration for state voters which allegedly discriminated against female voters, defendant was liable for costs. Const. Ark. Amend. No. 51, § 6(a)(1). *Walker v. Jackson*, 1975, 391 F.Supp. 1395. Federal Civil Procedure ↻ 2737.6

In suit before three-judge district court challenging State Constitution amendment which set up a system of permanent registration for Arkansas voters allegedly in violation of rights of female voter registrants, and also

**AR Const. Amend. 51, § 6**

challenging a policy of clerk-registrar with respect thereto, even though an award of an attorney's fee under circumstances of case was deemed a close one, court considered that in the circumstances there should not be such an award. Const.Ark. Amend. No. 51, § 6(a)(1). Walker v. Jackson, 1975, 391 F.Supp. 1395. Federal Civil Procedure ↪ 2737.6

Const. Amend. 51, § 6, **AR CONST Amend. 51, § 6**

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AR Const. Amend. 51, § 9

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West's Arkansas Code Annotated Currentness

Constitution of the State of Arkansas of 1874

Amendments to the Constitution of Arkansas of 1874

Amendment 51. Voter Registration Without Poll Tax Payment (Refs & Annos)

→ § 9. Application to register

(a) All persons may register who:

- (1) Are qualified electors and who have not previously registered;
- (2) Will become qualified electors during the thirty-day period immediately prior to the next election scheduled within the county; or
- (3) Are qualified electors but whose registration has been cancelled in a manner provided for by this amendment.

(b) Registration shall be in progress at all times except during the thirty-day period immediately prior to any election scheduled within the county, during which period registration of voters shall cease for that election, but registration during such period shall be effective for subsequent elections.

(c)(1) The permanent registrar shall register qualified applicants when a legible and complete voter registration application is received and acknowledged by the permanent registrar.

(2) Any person who assists applicants with a voter registration application as part of a voter registration drive or who, in furtherance of a voter registration drive, gathers or possesses completed applications for submission to the permanent registrar or Secretary of State shall deliver all applications in his or her possession to the permanent registrar or Secretary of State within twenty-one (21) days of the date on the voter registration application and, in any event, no later than the deadline for voter registration for the next election.

(3) The permanent registrar shall register qualified applicants who apply to register to vote by mail using the state or federal mail voter registration application form if:

(A) A legible and complete voter registration application form is postmarked not later than thirty (30) days before the date of the election, or, if the form is received by mail without a postmark, not later than twenty-five (25) days before the date of an election; and

(B)(i) The applicant provides a current valid driver's license number or the last four (4) digits of the applicant's social security number; or

(ii) If an applicant for voter registration does not have a valid driver's license or a social security number, the Secretary of State shall assign the applicant a number that will serve as a unique identifier of the applicant for voter registration purposes.

(d) The permanent registrar shall notify applicants whether their applications are accepted or rejected, or are incomplete. If information required by the permanent registrar is missing from the voter registration application,

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**AR Const. Amend. 51, § 9**

the permanent registrar shall contact the applicant to obtain the missing information.

(e) The Secretary of State and the Director of the Office of Driver Services shall enter into an agreement to match information in the database of the statewide voter registration system with information in the database of the Office of Driver Services to the extent required to enable each official to verify the accuracy of the information provided on applications for voter registration. The Director of the Office of Driver Services shall enter into an agreement with the Commissioner of Social Security to verify driver's license information according to § 303 of the Federal Help America Vote Act of 2002.

(f) Registration records shall be entered promptly in the computerized statewide registration record files. If the applicant lacks one (1) or more of the qualifications required by law of voters in this state, the permanent registrar shall not register the applicant, but shall document the reason for denying the applicant's registration and promptly file or enter the application and the documented reason for denying registration in the statewide registration record files.

(g) If the permanent registrar has any reason to doubt the qualifications of an applicant for registration, he or she shall submit such application to the county board of election commissioners, and such board shall make a determination with respect to such qualifications and shall instruct the permanent registrar regarding the same.

(h) If any person eligible to register as a voter is unable to register in person at the permanent registrar's office by reason of sickness or physical disability, the permanent registrar shall register the applicant at his or her place of abode within such county, if practicable, in the same manner as if he or she had appeared at the permanent registrar's office.

(i) Notwithstanding other provisions of this amendment, every person in any of the following categories who is absent from the place of his or her voting residence may vote without registration by absentee ballot in any primary, special, or general election held in his or her election precinct if he or she is otherwise eligible to vote in that election:

- (1) Members of the armed forces while in active service, and their spouses and dependents;
- (2) Members of the Merchant Marines in the United States, and their spouses and dependents;
- (3) Citizens of the United States temporarily residing outside the limits of the United States and the District of Columbia, and their spouses and dependents when residing with or accompanying them.

(j)(1) The Secretary of State shall be responsible for providing to all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the state, information regarding voter registration procedures and absentee ballot procedures.

(2) No later than ninety (90) days after the date of each regularly scheduled general election for federal office, the Secretary of State shall submit a report, based on information submitted to him or her by the permanent registrars of each county, to the Election Assistance Commission on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of the ballots which were returned by the voters and cast in the election.

(3) The Secretary of State shall make the report available to the general public.

(k) Any person whose registration status or voting eligibility is affected adversely by an administrative determination under this amendment may appeal such adverse determination within five (5) days of receipt of notice thereof to the county board of election commissioners. The county board of election commissioners shall

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**AR Const. Amend. 51, § 9**

act on such appeal and render its decision within ten (10) days of its receipt. Within thirty (30) days after receipt of such decision, any aggrieved party may appeal further to the circuit court of the county.

(l) If an election law deadline occurs on a Saturday, Sunday, or legal holiday, the deadline shall be the next day which is not a Saturday, Sunday, or legal holiday. [As amended by Acts 2003, No. 995, § 3.]

Initiative petition approved at Nov. 3, 1964 election; Acts of 1971, Act 184, § 1; Acts of 1993, Act 561, § 1; Acts of 1995, Act 947, § 5, eff. Jan. 1, 1996; Acts of 1995, Act 964, § 5, eff. Jan. 1, 1996; Acts of 1999, Act 654, § 1, eff. July 30, 1999; Acts of 2003, Act 995, § 3, eff. July 16, 2003; Acts of 2005, Act 1952, § 1, eff. Aug. 12, 2005.

**HISTORICAL NOTES**

Arkansas Code Revision Commission

Technical changes were made in 2004 and 2005 to conform with the official Arkansas Code of 1987 as approved by the Arkansas Code Revision Commission.

Acts of 2003, Act 995, § 3, amended § 9 by rewriting (c)(2), which previously read:

"(2) The permanent registrar shall register qualified applicants who apply to register to vote by mail using the state or federal mail voter registration application form if a legible and complete voter registration application form is postmarked not later than thirty (30) days before the date of the election, or, if the form is received by mail without a postmark, not later than twenty-five (25) days before the date of an election.";

adding a new (e); redesignating former (e) through (h) as (f) through (i), respectively; deleting "filed or" following "Registration records shall be", inserting "computerized statewide" preceding the first occurrence of "registration record files", and inserting "statewide" preceding the last occurrence of "registration record files, in new (f); substituting "election commissioners" for "registration" following "county board of" in new (g); adding a new (j); redesignating former (i) and (j) as new (k) and (l), respectively; and making other nonsubstantive changes.

2005

Acts of 2005, Act 1952, § 1, amended the section by redesignating former (c)(2) as (c)(3); and adding new (c)(2).

**LIBRARY REFERENCES**

Elections ↻59, 95 to 118.  
Westlaw Key Number Searches: 144k59; 144k95 to 144k118.  
C.J.S. Elections § 7(3), 16, 36 to 38, 40(1), 41, 46 to 47, 51.

**NOTES OF DECISIONS**

**In general 1  
Registration qualifications 2**

1. In general

Attorney's fee and costs in voters' action for declaratory and injunctive relief concerning Arkansas "within precinct" durational residency requirement for voters would not be taxed against defendant county clerk and permanent registrar or other county clerk where there was no showing that any county clerks acted obstinately or in

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**AR Const. Amend. 51, § 9**

bad faith in enforcing the requirement. Ark.Stats. § 3-707; Const.Ark. Amend. Nos. 8, 51, § 9(b). Meyers v. Jackson, 1975, 390 F.Supp. 37. Federal Civil Procedure ⚡ 2731

In view of biennial elections for public school directors in Arkansas in March, 1975, voter, on behalf of himself and the members of the class of persons denied right to vote because of "within precinct" residency requirement, was entitled to an injunction against county clerks and voter registrars, who had not been excluded from the action, restraining them from enforcing the Arkansas constitutional and statutory precinct residency requirement. U.S.C.A.Const. Amend. 14; Const.Ark. Amend. Nos. 8, 51, §§ 9, 17; Ark.Stats. § 3- 707. Meyers v. Jackson, 1975, 390 F.Supp. 37. Injunction ⚡ 85(1)

## 2. Registration qualifications

The state may constitutionally require a voter to register to vote in a given precinct a reasonable time in advance of election in which he desires to vote and that he be a resident of the precinct when he registers. U.S.C.A.Const. Amend. 14; Const.Ark. Amend. Nos. 8, 51, §§ 9, 17; Ark.Stats. § 3- 707. Meyers v. Jackson, 1975, 390 F.Supp. 37. Elections ⚡ 18; Elections ⚡ 19

Provisions of Arkansas Constitution and voter registration statute requiring that a qualified voter shall have been a resident within his or her ward or voting precinct are not necessary to promote any compelling state interest, unreasonably restrict the exercise of the right of suffrage, unreasonably restrict the freedom of people to move from one place to another and are invidiously discriminatory. U.S.C.A.Const. Amend. 14; Const.Ark. Amend. Nos. 8, 51, §§ 9, 17; Ark.Stats. § 3-707. Meyers v. Jackson, 1975, 390 F.Supp. 37. Elections ⚡ 18

Durational residency requirements of any kind for voting cannot be upheld constitutionally, except to the extent that they are realistically related to reasonable registration requirements. U.S.C.A.Const. Amend. 14; Const.Ark. Amend. Nos. 8, 51, §§ 9, 17; Ark.Stats. § 3-707. Meyers v. Jackson, 1975, 390 F.Supp. 37. Elections ⚡ 18

Provisions of Arkansas Constitution and voter registration statute which require a voter to be resident within his or her precinct for 30 days prior to election are invalid as being overbroad. U.S.C.A.Const. Amend. 14; Const.Ark. Amend. Nos. 8, 51, §§ 9, 17; Ark.Stats. § 3-707. Meyers v. Jackson, 1975, 390 F.Supp. 37. Elections ⚡ 18

Five persons who could not have voted in school district consolidation because of statutory 20-day cutoff period for registration of voters were not "qualified electors" within statute permitting dissolution of school district upon petition signed by majority of qualified electors of district to be dissolved and were not to be counted in total number of electors in ascertaining whether petition was signed by majority. Ark.Stats. § 80-418; Const. Amend. No. 51, § 9. Pike County School Dist. No. 1 v. Pike County Bd. of Ed., 1969, 247 Ark. 14, 444 S.W.2d 75. Schools ⚡ 44

Person who is eligible to register and who does register on or before submission of petition for dissolution of school district, but who is ineligible to vote because of statutory 20-day cutoff period for registration, should not be counted as qualified elector for purpose of determining whether petition has been signed by majority of qualified electors. Ark.Stats. § 80-418. Pike County School Dist. No. 1 v. Pike County Bd. of Ed., 1969, 247 Ark. 14, 444 S.W.2d 75. Schools ⚡ 44

Const. Amend. 51, § 9, **AR CONST Amend. 51, § 9**

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**AR Const. Amend. 51, § 9**

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A.C.A. § 7-5-201

**C**

**WEST'S ARKANSAS CODE ANNOTATED  
TITLE 7. ELECTIONS  
CHAPTER 5. ELECTION PROCEDURE GENERALLY  
SUBCHAPTER 2--PREELECTION PROCEEDINGS  
→ § 7-5-201. Registration; residency**

(a) To be qualified to vote, a person shall have registered at least thirty (30) calendar days immediately prior to the election and in the manner set forth by Arkansas Constitution, Amendment 51.

(b) "Voting residence" shall be a voter's domicile and shall be governed by the following provisions:

(1) The domicile of a person is that place in which his or her habitation is fixed and to which, whenever he or she is absent, he or she has the intention to return;

(2) A change of domicile is made only by the act of abandonment, joined with the intent to remain in another place. A person can have only one (1) domicile at any given time;

(3) A person does not lose his or her domicile if he or she temporarily leaves his or her home and goes to another country, state, or place in this state with the intent of returning;

(4) The place where a person's family resides is presumed to be his or her place of domicile, but a person may acquire a separate residence if he or she takes another abode with the intention of remaining there;

(5) A married person may be considered to have a domicile separate from that of his or her spouse for the purposes of voting or holding office. For those purposes, domicile is determined as if the person were single; and

(6) Persons who are temporarily living in a particular place because of a temporary work-related assignment or duty post or as a result of their performing duties in connection with their status as military personnel, students, or office holders shall be deemed residents of that place where they established their home prior to beginning such assignments or duties.

(c) No person may be qualified to vote in more than one (1) precinct of any county at any one (1) time.

(d)(1) Any person registering to vote by mail and who has not previously voted in a federal election in this state shall:

(A) Present to the election official a current and valid photo identification or copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter when appearing to vote in person either early or at the polls on election day; or

(B) When voting by mail, submit with the ballot a copy of a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

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A.C.A. § 7-5-201

(2) The provision of subdivision (d)(1) of this section does not include:

(A) Persons whose applications are transmitted by state or federal voter registration agencies;

(B) Persons who are covered by the Uniformed and Overseas Citizens Absentee Voting Act; [FN1]

(C) Persons covered by the Voting Accessibility for the Elderly and Handicapped Act; [FN2]

(D) Persons who are entitled to vote otherwise than in person under any other federal law;

(E) Persons who register to vote by mail and submit as part of the registration any of the identification documents listed in subdivision (d)(1) of this section; or

(F) Persons who register to vote by mail and submit with the registration either a driver's license number or at least the last four (4) digits of the individual's social security number and with respect to whom a state or local election official matches the license number or social security number with an existing state identification record bearing the same number, name, and date of birth as provided in the registration.

(e) Any person who receives an absentee ballot according to the precinct voter registration list but who elects to vote by early voting or to vote at his or her polling site on election day shall be permitted to cast a provisional ballot.

[FN1] 42 U.S.C.A. § 1973ff et seq.

[FN2] 42 U.S.C.A. § 1973ee et seq.

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# California

Westlaw

West's Ann.Cal.Elec.Code § 2102

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C

Effective: January 1, 2001

West's Annotated California Codes Currentness

Elections Code (Refs & Annos)

Division 2. Voters (Refs & Annos)

Chapter 2. Registration (Refs & Annos)

Article 1. General Provisions (Refs & Annos)

→ § 2102. Affidavit of registration; time of effectiveness; verification of signatures

(a) A person may not be registered as a voter except by affidavit of registration. The affidavit shall be mailed or delivered to the county elections official and shall set forth all of the facts required to be shown by this chapter. A properly executed registration shall be deemed effective upon receipt of the affidavit by the county elections official if received on or before the 15th day prior to an election to be held in the registrant's precinct . A properly executed registration shall also be deemed effective upon receipt of the affidavit by the county elections official if any of the following apply:

(1) The affidavit is postmarked on or before the 15th day prior to the election and received by mail by the county elections official.

(2) The affidavit is submitted to the Department of Motor Vehicles or accepted by any other public agency designated as a voter registration agency pursuant to the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg) on or before the 15th day prior to the election.

(3) The affidavit is delivered to the county elections official by means other than those described in paragraphs (1) or (2) on or before the 15th day prior to the election.

(b) For purposes of verifying signatures on a recall, initiative, or referendum petition or signatures on a nomination paper or any other election petition or election paper, a properly executed affidavit of registration shall be deemed effective for verification purposes if both (a) the affidavit is signed on the same date or a date prior to the signing of the petition or paper, and (b) the affidavit is received by the county elections official on or before the date on which the petition or paper is filed.

(c) Notwithstanding any other provision of law to the contrary, the affidavit of registration required under this chapter may not be taken under sworn oath, but the content of the affidavit shall be certified as to its truthfulness and correctness, under penalty of perjury, by the signature of the affiant.

CREDIT(S)

(Stats.1994, c. 920 (S.B.1547), § 2. Amended by Stats.1996, c. 1123 (A.B.1714), § 1; Stats.2000, c. 899

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West's Ann.Cal.Elec.Code § 2102

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(A.B.1094), § 2.)

Current with all 2007 laws and all propositions which will appear on the Feb. 5, 2008 ballot

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# Colorado



C.R.S.A. § 1-2-508

**C**

West's Colorado Revised Statutes Annotated Currentness

Title 1. Elections (Refs & Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 2. Qualifications and Registration of Electors (Refs & Annos)

▣ Part 5. Mail Registration and Registration at Voter Registration Agencies (Refs & Annos)

**→ § 1-2-508. Effective date of voter registration**

(1) The county clerk and recorder shall ensure that any eligible applicant is registered to vote in an election if:

(a) In the case of registration with a driver's license application, the valid voter registration application of the applicant is accepted by a driver's license examination facility no later than twenty-nine days before the date of an election;

(b) In the case of registration by mail, the valid voter registration application of the applicant is postmarked not later than twenty-nine days before the date of the election;

(c) In the case of registration by mail where the application has no postmark and the application is received by a county clerk and recorder no later than five days after the close of registration, the date of registration shall be the date of the last day allowed for registration;

(d) In the case of registration at a voter registration agency, the valid agency voter registration application of the applicant is accepted at the voter registration agency not later than twenty-nine days before the date of the election; and

(e) In any other case, the valid voter registration application of the applicant is received by the appropriate county clerk and recorder not later than twenty-nine days before the date of the election.

(2) The effective date of a voter registration application or change of registration that is completed at the office of the county clerk and recorder or in the presence of a deputy registrar shall be the date received by the office of the county clerk and recorder or by the registrar. The effective date of an application or change of registration that is completed at a driver's license examination facility or voter registration agency shall be the date that the application or change is accepted by the facility or agency. The effective date of a voter registration application or change of registration that is completed by a mail registration form shall be the date of the postmark or receipt by the county clerk and recorder, whichever is earlier.

CREDIT(S)

Added by Laws 1994, H.B.94-1294, § 21, eff. Jan. 1, 1995. Amended by Laws 1995, H.B.95-1241, § 21, eff. July 1, 1995; Laws 1997, H.B.97-1234, § 13, eff. July 1, 1997; Laws 1999, Ch. 211, § 13, eff. May 20, 1999.

C. R. S. A. § 1-2-508, CO ST § 1-2-508

Current through the First Regular Session of the Sixty-Sixth General Assembly (2007)

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C.R.S.A. § 1-2-509

West's Colorado Revised Statutes Annotated Currentness

Title 1. Elections (Refs & Annos)

General, Primary, and Congressional Vacancy Elections

▣ Article 2. Qualifications and Registration of Electors (Refs & Annos)

▣ Part 5. Mail Registration and Registration at Voter Registration Agencies (Refs & Annos)

→ § 1-2-509. Reviewing voter registration applications

(1) Upon receipt of an application, if the applicant resides in a county other than the county receiving the application, the county clerk and recorder shall within five days transmit the application to the clerk and recorder of the applicant's county; except that, if the application is received thirty days or less before an election, the application shall be transmitted as expeditiously as possible.

(2) Upon receipt of an application, the county clerk and recorder shall verify that the application is complete and accurate. If the application is complete and accurate, the county clerk and recorder shall notify the applicant of the registration. If the application is not complete or is inaccurate, the county clerk and recorder shall notify the applicant, stating the additional information required.

(3) Within ten business days after receipt of the application, the county clerk and recorder shall notify each applicant of the disposition of the application by nonforwardable mail. If within twenty business days after receipt of the application the notification is returned to the county clerk and recorder as undeliverable, the applicant shall not be registered. If the notification is not returned within twenty business days as undeliverable, then the applicant shall be deemed registered as of the date of the application; except that, if the applicant was notified that the application was not complete, then the applicant shall be deemed registered as of the date of the application if the additional information is provided at any time prior to the actual voting.

CREDIT(S)

Added by Laws 1994, H.B.94-1294, § 21, eff. Jan. 1, 1995. Amended by Laws 1995, H.B.95-1241, § 22, eff. July 1, 1995; Laws 2005, Ch. 309, § 9, eff. June 6, 2005; Laws 2005, Ch. 310, § 9, eff. June 6, 2005.

CROSS REFERENCES

Canceling registration, notice to elector, see § 1-2-605.

LIBRARY REFERENCES

2000 Main Volume

Elections ⇌ 106.

Westlaw Topic No. 144.

C.J.S. Elections §§ 39, 46.

C. R. S. A. § 1-2-509, CO ST § 1-2-509

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# Connecticut



CT ST § 9-17

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C.G.S.A. § 9-17

**C**  
CONNECTICUT GENERAL STATUTES ANNOTATED  
TITLE 9. ELECTIONS  
CHAPTER 143. ELECTORS: QUALIFICATIONS AND ADMISSION  
→§ 9-17. Sessions of registrars of voters

(a) For the purposes of this section, "primary day" means the day that a primary for state, district and municipal offices is being held in accordance with section 9-423, and "election day" means the day of each regular election.

(1) The registrars of voters of each town shall hold sessions to examine the qualifications of electors and admit those found qualified on the dates and at the times set forth in this section. Such sessions shall be held on the following days during the hours indicated, except as provided in subdivision (2) of this subsection:

Day	Hours
Fourteenth day before primary day .....	any two hours between 5:00 p. m. and 9:00 p. m.
Saturday of third week before election day ..	10:00 a. m. to 2:00 p. m.
Seventh day before election day .....	9:00 a. m. to 8:00 p. m.

The session of the registrars of voters on the seventh day before election day shall be the last regular session for the admission of electors prior to an election, as defined in subsection (y) of section 9-1. (2) No town having a population of less than twenty-five thousand persons shall be required to hold sessions for admission of electors on the fourteenth day before primary day.

(b) Notwithstanding the provisions of subsection (a) of this section, the registrars of voters shall hold a limited session on the last week day before each regular election from nine o'clock a. m. to twelve o'clock noon for the purpose of admitting only those persons whose qualifications as to age, citizenship or residence in the municipality were attained after the last session for the admission of electors prior to an election. The registrars shall enter the names of those electors admitted at such limited session on the proper list, with their residences by street and numbers, if any, before one o'clock p. m. of such last week day before the election.

(c) In addition to the sessions held pursuant to subsections (a) and (b) of this section, the registrars of voters in each town shall hold one session each year, between the first of January and the last day of the school year, at each public high school in such town, for the admission of persons who are eligible for admission under subsection (a) or (b) of section 9-12, provided, in the case of a public high school in a regional school district, such session shall be held on a rotating basis by the registrars of voters for each town which is a member of the regional school district. The registrars of voters need not give notice of this session by publication in a newspaper.

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C.G.S.A. § 9-19b

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**C**

Connecticut General Statutes Annotated Currentness

Title 9. Elections

↳ Chapter 143. Electors: Qualifications and Admission

**→ § 9-19b. Applications for admission submitted to town clerk or registrar of voters. Locations for admission of electors**

(a) Except during the period between the last session for the admission of electors prior to an election and the day following that election, the town clerk or assistant town clerk, during office hours and at the office of such official, may examine the qualifications of any person applying in person to be admitted as an elector and approve such application.

(b) Except during the period between the last session for the admission of electors prior to an election and the day following that election, either registrar of voters, or a deputy registrar, assistant registrar or special assistant registrar appointed in accordance with the provisions of section 9-192, may examine the qualifications of any person applying to be admitted as an elector in the town and, except for applications submitted pursuant to subdivision (4) of this subsection, approve such application submitted in person (1) at the office of such official; (2) at any enrollment session of the registrars of voters; (3) at any public place; (4) at any time and at any place in the town, other than a public place; or (5) at any public office of the Department of Motor Vehicles, Labor Department or Department of Social Services which is located in the town in which the registrar, deputy registrar, assistant registrar or special assistant registrar serves, if written notice of the date and time is given seven days in advance thereof to the commissioner of such department. Upon receipt of a written notice under subdivision (5) of this subsection, the commissioner of the department may designate a portion of the public office which shall be used for the admission of electors. The other registrar, or any deputy, assistant or special assistant registrar, shall be permitted to be present during the admission of any person pursuant to subdivisions (4) and (5) of this subsection. Applications accepted and examined prior to the last session for admission of electors prior to an election pursuant to subdivision (4) of this subsection may be approved after such last session. The admission of any person pursuant to subdivision (4) shall be effective on the date when both registrars approve such application. The registrar who receives such application from the applicant shall give written notice to the other registrar within one business day after such receipt and the registrars shall forthwith act on such applications. No rejection of any application under subdivision (4) of this subsection shall be effective until the registrar has mailed to the other registrar and the applicant a notice stating the reasons for the rejection. Any applicant whose application is rejected may appeal under the provisions of section 9-311.

(c) Such registrar, deputy, assistant or special assistant registrar accepting applications in accordance with subdivision (4) of subsection (b) of this section shall provide the applicant with a receipt. Upon approval or disapproval of the application, the registrars shall send a notice thereof by first-class mail with instructions on the envelope that it be returned if not deliverable at the address shown thereon. If such notice of approval is returned undeliverable, the registrars shall take the necessary action in accordance with section 9-35 or 9-43.

(d) During the period between the last session for the admission of electors prior to an election and the opening of the limited session for the admission of electors held on the last weekday before such election under section 9-17, the town clerk or assistant town clerk during office hours and at the office of such official and either registrar of voters or a deputy or assistant registrar at the office of such official may examine the qualifications of any person applying in person to be admitted in such town and approve the application of such person whose

CT ST § 9-19b  
C.G.S.A. § 9-19b

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qualifications as to age, citizenship or residence in the municipality were attained after such last session and on or before the last weekday prior to such election.

#### CREDIT(S)

(1967, P.A. 559, § 1, eff. Jan. 1, 1968; 1969, P.A. 491; 1969, P.A. 677; 1971, P.A. 768, § 4; 1973, P.A. 73-130; 1973, P.A. 73-430; 1973, P.A. 73-630, § 3, eff. July 1, 1973; 1975, P.A. 75-28, § 1, eff. April 23, 1975; 1977, P.A. 77-330, § 2, eff. June 3, 1977; 1977, P.A. 77-604, § 83, eff. July 6, 1977; 1979, P.A. 79-143, § 1; 1979, P.A. 79-189, § 3, eff. July 1, 1979; 1980, P.A. 80-281, § 3, eff. May 15, 1980; 1981, P.A. 81-350, § 5, eff. July 1, 1981; 1982, P.A. 82-472, § 24, eff. June 14, 1982; 1988, P.A. 88-347, § 2, eff. April 1, 1989; 1989, P.A. 89-297, § 2, eff. July 5, 1989; 1993, P.A. 93-262, § 1, eff. July 1, 1993; 1994, P.A. 94-121, § 11, eff. Jan. 1, 1995.)

#### HISTORICAL AND STATUTORY NOTES

2002 Main Volume

##### **Codification**

Section heading was changed to conform to Gen.St., Rev. to 1989.

On and after July 1, 1993: "commissioner of income maintenance", "commissioner of human resources", or "commissioner on aging", wherever appearing, was changed to "commissioner of social services"; and "department of income maintenance", "department of human resources", or "department on aging", wherever appearing, was changed to "department of social services", pursuant to 1993, P.A. 93-262, § 1.

Gen.St., Rev. to 1997, changed "Department of Labor" to "Labor Department" in subsec. (b).

Technical changes were made to conform to Gen.St., Rev. to 2001.

##### **Effective Dates**

**1973 Act.** 1973, P.A. 73-630, § 19, provided that:

"This act shall take effect July 1, 1973, except that the approved form of application for admission as an elector and the form of application for absentee admission as an elector prescribed by law prior to the effective date of this act may continue to be used until January 1, 1974."

#### CROSS REFERENCES

Age of majority fixed at 18 years, see C.G.S.A. § 1-1d.

Civil penalty, see C.G.S.A. § 9-7b.

"Elector" defined, see C.G.S.A. § 1-1c.

Eligibility of persons whose names added to vote at town, city or state elections, see C.G.S.A. § 9-170 et seq.

Investigation and prosecution of violations under federal law, see C.G.S.A. § 9-7b.

CT ST § 9-19b  
C.G.S.A. § 9-19b

Page 3

Oaths, administration, see C.G.S.A. § 1-24.

LAW REVIEW AND JOURNAL COMMENTARIES

Corporate assertion of political power. John P. Maloney (1979) 12 Conn.L.Rev. 14.

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Elections ↪106.

Westlaw Topic No. 144.

C.J.S. Elections §§ 39, 46.

UNITED STATES CODE ANNOTATED

Registration examiners, see 42 U.S.C.A. § 1973e.

C. G. S. A. § 9-19b, **CT ST § 9-19b**

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CT ST § 9-23g  
C.G.S.A. § 9-23g

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Connecticut General Statutes Annotated [Currentness](#)  
Title 9. Elections  
↳ [Chapter 143](#). Electors: Qualifications and Admission

→ **§ 9-23g. Mail-in application for admission**

(a) In addition to the procedures for admission of electors under [sections 9-19b, 9-19c, 9-19e, 9-20 and 9-31](#), any person may apply to a registrar of voters of the town of his residence for admission as an elector in accordance with the provisions of this section and [section 9-23h](#).

(b) The Secretary of the State shall prescribe, and provide to registrars of voters, town clerks and voter registration agencies, as defined in [section 9-23n](#), application forms and other materials necessary to complete such application and admission process. The Secretary of the State, registrars of voters and town clerks shall provide a reasonable number of such forms and materials to any elector who requests such forms and materials. The secretary shall also, in the course of the secretary's elections duties, prepare instructions and related materials describing procedures for such application and admission process and shall provide the materials to registrars of voters and town clerks. The application shall contain the information required under [section 9-23h](#). All statements of the applicant shall be made under the penalties of perjury. The application for admission as an elector shall include a statement that (1) specifies each eligibility requirement, (2) contains an attestation that the application meets each such requirement, and (3) requires the signature of the applicant under penalty of perjury. Nothing in this section or [section 9-23h](#) shall require that the application be executed in the state. An applicant who is unable to write may cause the applicant's name to be signed on the application form by an authorized agent who shall, in the space provided for the signature, write the name of the applicant followed by the word "by" and the agent's own signature. The completed application may be mailed or returned in person to the office of the registrars of voters or the office of the town clerk of the applicant's town of residence or a voter registration agency. If the applicant entrusts the applicant's application to another person or to such a voter registration agency for mailing or return to the registrars of voters, such person or agency shall immediately mail or return the application. Any such voter registration agency shall also provide the applicant with an application receipt, on which the agency shall record (A) the date that the agency received the application, using an official date stamp bearing the name of the agency, and (B) the party affiliation, if any, of the applicant. The agency shall provide such receipt whether the application was submitted in person or by mail. The town clerk shall promptly forward any application which the town clerk receives to the registrars of voters. Such application form shall be provided by or authorized by the Secretary of the State.

(c) Forthwith upon receipt of a registration application in the office of the registrars of voters, the registrar shall mark such date on the application and review the application to determine whether the applicant has properly completed it and is legally qualified to register. Forthwith upon completing his review, the registrar shall (1) indicate on the application whether the application has been accepted or rejected, (2) mail a notice to the applicant, (3) indicate on the application the date on which such notice is mailed, and (4) provide a copy of such notice to the other registrar. If the registrar determines that the applicant has not properly completed the application or is not legally qualified to register, the notice shall indicate that the application has been rejected and shall state the reason for rejection. If the registrar determines that the applicant has properly completed the application and is legally qualified to register, the notice shall indicate that the application has been accepted. A notice of acceptance or a notice of rejection shall be sent (A) within four days of receipt of an application during the period be-

ginning on the forty-ninth day before an election and ending on the twenty-first day before such election, (B) on the day of receipt of an application if it is received (i) during the period beginning on the twentieth day before such election and ending on the fourteenth day before such election, (ii) during the period beginning on the thirteenth day before an election and ending on election day if the application has been received by the fourteenth day before an election by the Commissioner of Motor Vehicles or by a voter registration agency, (iii) during the period beginning on the twenty-first day before a primary and ending on the fifth day before a primary, or (iv) during the period beginning on the fourth day before a primary and ending at twelve o'clock noon on the last weekday before a primary, if the application has been postmarked by the fifth day before the primary and is received in the office of the registrars of voters during such period or if the application is received by the fifth day before a primary by the Commissioner of Motor Vehicles or by a voter registration agency, and (C) within ten days of receipt of an application at any other time. A notice of acceptance shall be sent by first-class mail with instructions on the envelope that it be returned if not deliverable at the address shown on the envelope. A notice of acceptance shall indicate the effective date of the applicant's registration and enrollment, the date of the next regularly scheduled election or primary in which the applicant shall be eligible to vote and the applicant's precinct and polling place. If a notice of acceptance of an application is returned undelivered, the registrars shall forthwith take the necessary action in accordance with section 9-35 or 9-43, notwithstanding the May first deadline in section 9-35. An applicant for admission as an elector pursuant to this section and section 9-23h may only be admitted as an elector by a registrar of voters of the town of his residence. Not later than December thirty-first, annually, the Secretary of the State shall establish an official calendar of all deadlines set forth in this subsection for regularly scheduled elections and primaries to be held in the following calendar year.

(d) (1) Except as otherwise provided in this subsection, the privileges of an elector for any applicant for admission under this section and section 9-23h shall attach immediately upon approval by the registrar, and the registrars shall enter the name of the elector on the registry list.

(2) Except as provided in subdivision (3) of this subsection, if a mailed application is postmarked, or if a delivered application is received in the office of the registrars of voters, after the fourteenth day before an election or after the fifth day before a primary, the privileges of an elector shall not attach until the day after such election or primary, as the case may be. In such event, the registrars of voters may contact such applicant, either by telephone or mail, in order to inform such applicant of the effect of such late received mail-in application and any applicable deadline for applying for admission in person.

(3) If an application is received after the fourteenth day before an election or after the fifth day before a primary by the Commissioner of Motor Vehicles or by a voter registration agency, the privileges of an elector shall not attach until the day after the election or primary, as the case may be, or on the day the registrar approves it, whichever is later.

(4) If on the day of an election or primary, the name of an applicant does not appear on the official check list, such applicant may present to the moderator at the polls either a notice of acceptance received through the mail or an application receipt that was previously provided to the applicant pursuant to section 9-19c, subsection (b) of section 9-19h, subsection (b) of this section or section 9-23n. If an applicant presents said notice or receipt, and either the registrars of voters find the original application or the applicant submits a new application at the polls, the registrar, or assistant registrar upon notice to and approval by the registrar, shall add such person's name and address to the official check list on such day and the person shall be allowed to vote if otherwise eligible to vote and the person presents to the checkers at the polling place a preprinted form of identification pursuant to subparagraph (A) of subdivision (2) of subsection (a) of section 9-26l.

(e) A registration application filed under this section shall be rejected if the application (1) has not been signed

or dated by the applicant or the authorized agent of the applicant pursuant to subsection (b) of this section, (2) does not indicate the applicant's date of birth or bona fide residence, (3) does not indicate United States citizenship, provided the registrars of voters have contacted such applicant to provide an opportunity to answer such question, or (4) is determined by the Secretary of the State to be substantially defective. No registration application filed under this section shall be rejected if the application fails to provide the applicant's Social Security number or the zip code of the applicant's bona fide residence.

(f) Upon admission of an applicant under subsection (d) of this section, who indicated on his registration application that he changed residence since voting last in Connecticut, the registrar shall notify the registrar who accepted the voter's last registration, and the registrar in the voter's place of last residence, if different. Notification shall be made upon a form prescribed by the Secretary of the State. A registrar receiving such a notification shall delete the elector's name from the registry list.

(g) All provisions of the general statutes relating to electors, which are not inconsistent with the provisions of this section, shall apply to electors admitted under the provisions of this section.

(h) The Secretary of the State may adopt regulations, in accordance with the provisions of chapter 54, [FN1] to carry out the purposes of this section and section 9-23h.

#### CREDIT(S)

(1987, P.A. 87-409, § 1, eff. Jan. 1, 1988; 1988, P.A. 88-344, § 1, eff. Jan. 1, 1989; 1991, P.A. 91-351, § 24, eff. Jan. 1, 1992; 1993, P.A. 93-386, § 1, eff. Jan. 1, 1994; 1994, P.A. 94-121, § 18, eff. Jan. 1, 1995; 1997, P.A. 97-67, § 1, eff. July 1, 1997; 1997, P.A. 97-154, § 20, eff. July 1, 1997; 1999, P.A. 99-112, § 1; 2002, P.A. 02-83, §§ 4, 5, eff. Jan. 1, 2003; 2003, June 30 Sp.Sess., P.A. 03-6, § 91, eff. Jan. 1, 2004; 2004, P.A. 04-113, § 2, eff. Jan. 1, 2005; 2007, P.A. 07-194, § 42, eff. July 5, 2007.)

[FN1] C.G.S.A. § 4-166 et seq.

#### HISTORICAL AND STATUTORY NOTES

2002 Main Volume

##### **Codification**

Gen.St., Rev. to 1995, changed the section heading from "Witnessed application for admission" to "Mail-in application for admission".

Technical changes were made to conform to Gen.St., Rev. to 2001.

#### CROSS REFERENCES

Civil penalty, see C.G.S.A. § 9-7b.

Investigation and prosecution of violations under federal law, see C.G.S.A. § 9-7b.

Registrar of voters, appointment of assistants, see C.G.S.A. § 9-192.

Registrars of voters, provision for, election, duties, compensation, see C.G.S.A. §§ 9-190 to 9-195.

CT ST § 9-23g  
C.G.S.A. § 9-23g

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C.J.S. Elections § 43.

UNITED STATES CODE ANNOTATED

Registration examiners, see 42 U.S.C.A. § 1973e.

C. G. S. A. § 9-23g, **CT ST § 9-23g**

Current through the 2007 Jan. Reg. Sess. and public acts from the  
June Sp. Sess. approved by the Gov. on or before October 5, 2007.

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DE ST TI 15 § 2011

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**C**

West's Delaware Code Annotated Currentness

Title 15. Elections

Part II. Registration of Voters

Chapter 20. Registration Officers and Mobile Registration; Registration by Mail

Subchapter II. Procedure at Registration Place

**→§ 2011. Entries by registration officers**

(a) When a person appears at a registration place for the purpose of applying to register as a voter, a registration officer shall obtain from such person the necessary information to complete an application for registration. All recording shall be done by computer, typewriting or by printing in longhand in black or blue ink. No person shall be permitted to register during the period beginning 20 days before each general election through election day.

(b) After the application for registration has been fully completed, a registration officer shall inspect the application for completeness, eligibility and legibility and such additions or corrections as may be necessary shall be made in the presence of the applicant. The applicant shall then submit for inspection by the aforesaid registration officer proof as to identity and residence as shown on the application. If the registration officer is satisfied that the applicant is eligible and has established the applicant's identity and that the application is complete and legible, the applicant shall sign the application and the registration officer shall sign the registration officer's name in the space on the application provided for that purpose.

(c) If unable to sign, the applicant shall make his or her mark on the application. If the applicant is unable to sign or make his or her mark because of physical disability, the registration officer shall indicate the fact in the space provided for the signature of the applicant. In either case, the registration officer shall write the phrase 'Witnessed by' followed by the registered officer's initials in the space provided for the signature of the applicant.

(d) Repealed.

(e) The registration officers, except where registration is conducted in the offices of the departments of election, shall record the name and address of each applicant upon a separate list of registered voters in the order in which they appear at the registration place to be registered.

(f) At the end of the registration day, the registration officer shall deliver to the department all of the sets of registration records supplied by the department along with the list of all transactions.

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DE ST TI 15 § 2011

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15 Del.C. § 2011

19 Laws 1891, ch. 38, § 8; 21 Laws 1898, ch. 36, § 4; 22 Laws 1901, ch. 64, §§ 1, 2; 24 Laws 1907, ch. 66; 34 Laws 1925, ch. 106, § 1; 37 Laws 1931, ch. 117, § 6; 40 Laws 1935, ch. 140, § 5; 44 Laws 1943, ch. 105, § 1; 50 Laws 1955, ch. 169, § 15; 57 Laws 1969, ch. 181, § 35; 67 Laws 1990, ch. 354, §§ 7, 12; 69 Laws 1994, ch. 191, § 1; 70 Laws 1995, ch. 186, § 1, eff. July 10, 1995; 70 Laws 1995, ch. 188, § 13, eff. Oct. 1, 1995; 72 Laws 2000, ch. 275, § 2, eff. April 4, 2000; 74 Laws 2004, ch. 411, §§ 5 through 8, eff. Aug. 5, 2004.

#### HISTORICAL AND STATUTORY NOTES

Section 29 of 70 Laws 1995, ch. 188, provides:


"Effective Date.

"This act shall be effective October 1, 1995, unless otherwise stated herein."

#### CROSS REFERENCES

Voting, registration, and elections, see Del. Const. Art. 5, § 1 et seq.

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Westlaw Key Number Search: 144k106.  
C.J.S. Elections § 46.

15 Del.C. § 2011, **DE ST TI 15 § 2011**

Current through 76 Laws 2007, ch. 181. Revisions to Acts made by the Delaware Code Revisors were unavailable at time of publication.

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DE ST TI 15 § 2031

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15 Del.C. § 2031

West's Delaware Code Annotated Currentness

Title 15. Elections

Part II. Registration of Voters

Chapter 20. Registration Officers and Mobile Registration; Registration by Mail

Subchapter IV. Registration by Mail

→ § 2031. Procedure for registration by mail

(a) Every qualified elector who is a resident of this State and who is not registered may, as an alternative to other methods of registration, apply to the department of elections for the county in which the qualified elector resides by mail, telephone or in person, for registration forms. Within 3 days, the department shall mail the required forms and a set of instructions to the applicant.

(b) If a person applies for registration by mail for someone other than himself or herself, he or she shall give the name and address of such person and shall sign an appropriate form declaring he or she is requesting such registration forms be mailed to the applicant.

(c) The department shall perform the same duties in regard to these registration forms as it is required to do with other applications for voter registration.

(d) The departments of elections shall accept any voter registration application, application for an absentee ballot, or any federal write-in absentee ballot promulgated in accordance with federal law as an application to register to vote. The Departments shall process these applications as they would any other application submitted in accordance with this title.

60 Laws 1976, ch. 392, § 2; 67 Laws 1990, ch. 354, § 18; 70 Laws 1995, ch. 186, § 1, eff. July 10, 1995; 70 Laws 1995, ch. 188, §§ 15, 16, eff. Oct. 1, 1995; 74 Laws 2004, ch. 411, § 15, eff. Aug. 5, 2004; 75 Laws 2006, ch. 232, §§ 24, 25, eff. Feb. 1, 2006.

HISTORICAL AND STATUTORY NOTES

Section 29 of 70 Laws 1995, ch. 188, provides:

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CROSS REFERENCES

Voting, registration, and elections, see Del. Const. Art. 5, § 1 et seq.

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DE ST TI 15 § 2031

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15 Del.C. § 2031

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15 Del.C. § 2031, **DE ST TI 15 § 2031**

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DE ST TI 15 § 3110

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15 Del.C. § 3110

**C**

West's Delaware Code Annotated Currentness

Title 15. Elections

Part III. Primary Elections and Nominations of Candidates

Chapter 31. Primary Elections

Subchapter I. General Provisions

**→ § 3110. Qualifications of voters**

An elector may vote in the primary election of a political party only if the elector is a duly registered voter and if it appears upon the elector's original permanent registration record that the elector's party affiliation is the same as the party which is holding the primary election and that the elector was registered 21 days prior to the day of the primary election.

20 Laws 1897, ch. 393, § 20; 22 Laws 1903, ch. 285, § 3; 27 Laws 1913, ch. 66, § 1; 40 Laws 1935, ch. 142, § 8; 45 Laws 1945, ch. 150, § 7; 50 Laws 1955, ch. 426, § 2; 57 Laws 1969, ch. 181, § 42; 70 Laws 1995, ch. 186, § 1, eff. July 10, 1995.

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Westlaw Key Number Search: 144k126(4).

C.J.S. Elections §§ 111(1), 114.

15 Del.C. § 3110, **DE ST TI 15 § 3110**

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DE CONST, Art. 5, § 4

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Del.C. Ann. Const., Art. 5, § 4

**C**

WEST'S DELAWARE CODE ANNOTATED  
CONSTITUTION OF THE STATE OF DELAWARE  
ARTICLE V. ELECTIONS

**→§ 4. Registration of voters; days for registration; application to strike name from list; appeals; registration as prerequisite for voting**

Section 4. The General Assembly shall enact uniform laws for the registration of voters in this State entitled to vote under this Article, which registration shall be conclusive evidence to the election officers of the right of every person so registered to vote at any General Election while his or her name shall remain on the list of registered voters, and who is not at the time disqualified under the provisions of Section 3 of this Article; and no person shall vote at such General Election whose name does not at that time appear in said list of registered voters.

There shall be at least two registration days in a period commencing not more than one hundred and twenty days, nor less than sixty days before, and ending not more than twenty days, nor less than ten days before, each General Election, on which registration days persons whose names are not on the list of registered voters established by law for such election, may apply for registration, and on which registration days applications may be made to strike from the said registration list names of persons on said list who are not eligible to vote at such election; provided, however, that such registration may be corrected as hereinafter provided at any time prior to the day of holding the election.

From the decision of the registration officers granting or refusing registration, or striking or refusing to strike a name or names from the registration list, any person interested, or any registration officer, may appeal to the resident Associate Judge of the County, or in case of his or her disability or absence from the County, to any Judge entitled to sit in the Supreme Court, whose determination shall be final; and he or she shall have power to order any name improperly omitted from the said registry to be placed thereon, and any name improperly appearing on the said registry to be stricken therefrom, and any name appearing on the said registry, in any manner incorrect, to be corrected, and to make and enforce all necessary orders in the premises for the correction of the said registry. Registration shall be a prerequisite for voting only at general elections, at which Representatives to the General Assembly shall be chosen, unless the General Assembly shall otherwise provide by law.

The existing laws in reference to the registration of voters, so far as consistent with the provisions of this Article, shall continue in force until the General Assembly shall otherwise provide.

PROPOSED AMENDMENT

<An amendment to the Constitution to delete references to associate judges

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DE CONST, Art. 5, § 4

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Del.C. Ann. Const., Art. 5, § 4

in Superior Court and Family Court was proposed by 75 L.2005, ch. 137, § 14,  
first approved June 29, 2005.>

Current through 76 Laws 2007, ch. 181. Revisions to Acts made by  
the Delaware Code Revisors were unavailable at time of publication.

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