

Kansas

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KS ST § 25-2311

K.S.A. § 25-2311

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KANSAS STATUTES ANNOTATED  
CHAPTER 25.--ELECTIONS  
ARTICLE 23.--REGISTRATION OF VOTERS

**25-2311. Opening and closing of registration; when required; certification of number of registered voters in precincts to secretary of state.**

(a) County election officers shall provide for the registration of voters at one or more places on all days except the following:

- (1) Days when the main offices of the county government are closed for business, except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312 and amendments thereto;
- (2) days when the main offices of the city government are closed for business, in the case of deputy county election officers who are city clerks except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312 and amendments thereto;
- (3) the 14 days preceding the day of primary and general state elections;
- (4) the 14 days preceding the day of primary city and school elections, if either has a primary;
- (5) the 14 days preceding each first Tuesday in April of odd-numbered years, being the day of city and school general elections;
- (6) the 14 days preceding the day of any election other than one specified in paragraphs (3), (4) and (5) of this subsection; and
- (7) the day of any primary or general election or any question submitted election.

(b) For the purposes of this section in counting days that registration books are to be closed, all of the days including Sunday and legal holidays shall be counted.

(c) The secretary of state shall notify every county election officer of the dates when registration shall be closed preceding primary and general state, city and school elections. The days so specified by the secretary of state shall be conclusive. Such notice shall be given by the secretary of state by mail at least 60 days preceding every primary and general state, city and school election.

(d) The last days before closing of registration books as directed by the secretary of state under subsection (c) of this section, county election officers shall provide for registration of voters during regular business hours, during the noon hours and at other than regular business hours upon such days as the county election officers deem necessary. The last three business days before closing of registration books prior to state primary and general elections, county election officers may provide for registration of voters until 9:00 p.m. in cities of the first and second class.

(e) County election officers shall accept and process applications received by voter registration agencies and the division of motor vehicles not later than the 15th day preceding the date of any election; mailed voter registration

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applications that are postmarked not later than the 15th day preceding the date of any election; or, if the postmark is illegible or missing, is received in the mail not later than the ninth day preceding the day of any election.

(f) The secretary of state may adopt rules and regulations interpreting the provisions of this section and specifying the days when registration shall be open, days when registration shall be closed, and days when it is optional with the county election officer for registration to be open or closed.

(g) Before each primary and general election held in even-numbered years, and at times and in a form prescribed by the secretary of state, each county election officer shall certify to the secretary of state the number of registered voters in each precinct of the county as shown by the registration books in the office of such county election officer.

**History:** L. 1968, ch. 55, § 11; L. 1973, ch. 165, § 1; L. 1982, ch. 158, § 15; L. 1990, ch. 126, § 1; L. 1991, ch. 102, § 1; L. 1992, ch. 194, § 5; L. 1995, ch. 192, § 5; L. 1996, ch. 187, § 9; L. 1997, ch. 124, § 14; July 1.

ATTORNEY GENERAL'S OPINIONS

2006 Pocket Part ATTORNEY GENERAL'S OPINIONS

Procedure to dissolve city of third class. 2001-50.

2000 Main Volume ATTORNEY GENERAL'S OPINIONS

Appointment of deputy county election officers; additional registration places; door-to-door voter registration. 92-37.

Sites designated as places of registration must be open to public at large. 96- 26.

K. S. A. § 25-2311, **KS ST § 25-2311**

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Kentucky



KRS § 116.045

**C**  
BALDWIN'S KENTUCKY REVISED STATUTES ANNOTATED  
TITLE X. ELECTIONS  
CHAPTER 116. VOTER REGISTRATION

**→ 116.045 Voter registration, transfer, or change of party affiliation; availability of forms**

- (1) Any person may register as a voter during the period registration is open if he or she possesses, or will possess on the day of the next regular election, the qualifications set forth in KRS 116.025.
- (2) The county clerk shall cause all registration to be closed the fourth Tuesday preceding through the first Monday following any primary or general election, and the twenty-eight (28) days prior to and seven (7) days following any special election. If the last day of registration falls on a state or federal holiday, the period runs until the end of the next day which is not a Saturday or Sunday nor a state or federal holiday. During the period that registration is closed, the county clerk may accept and process registrations. Any voter who registers during the period that registration is closed, except for any registered voter who transfers his or her registration pursuant to KRS 116.085(2) or (3), shall not be permitted to vote in the upcoming election.
- (3) In all counties, the county clerk shall receive registrations, transfers, or changes of party affiliation at branch offices at any place in the county during those periods that the registration books are open except for those transfers pursuant to KRS 116.085(2) or 116.085(3). However, notice in the manner provided by KRS Chapter 424 shall be given at least three (3), but not more than fourteen (14), days in advance of the time and place of any branch registration, and ten (10) days' written notice shall be given to the county executive committee of each major political party in the county in which the branch registration is to be held.
- (4) Any person may register to vote or may change his or her party affiliation in any of the following ways:
  - (a) In person;
  - (b) By mail;
  - (c) By means of the federal post card application, if the person is a resident of Kentucky and a member of the Armed Forces, or a dependent of members of the Armed Forces, or overseas citizen;
  - (d) By mail-in application form prescribed by the Federal Election Commission pursuant to the National Voter Registration Act of 1993; or
  - (e) By other methods of registration, or reregistration, approved by the State Board of Elections, including the use of voluntary interested groups and political parties, under the proper supervision and directions of the county clerk, which may include door to door canvassing.
- (5) Upon receipt of the form prescribed by the State Board of Elections or the Federal Election Commission pursuant to the National Voter Registration Act of 1993, properly filled out and signed by the applicant, the county clerk shall register the applicant.
- (6) Any individual or group shall have access to a reasonable number of voter registration forms including the mail-in application form prescribed by the Federal Election Commission pursuant to the National Voter

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Registration Act of 1993 in the county clerk's office. The individual or group shall act under the proper supervision and directions of the county clerk and shall return these completed forms to the county clerk for official registration by the county clerk.

(7) No later than December 31, 1994, the Transportation Cabinet shall equip all driver's license agencies to comply with the provisions of the National Voter Registration Act of 1993. The Secretary of State shall provide assistance and interpretation to the Transportation Cabinet in determining the requirements of the National Voter Registration Act of 1993.

(8) The county clerk shall enter the specific party identification of the voter with a political party, political organization, or political group as defined in KRS 118.015, or independent status, as indicated by the voter on the voter registration form, into the statewide voter registration system. The State Board of Elections shall promulgate regulations under KRS Chapter 13A to provide for tracking of the registration of voters identifying with political organizations and political groups as defined in KRS 118.015, and voters of independent status.

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KRS § 116.0452

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Baldwin's Kentucky Revised Statutes Annotated Currentness

Title X. Elections

Chapter 116. Voter Registration (Refs & Annos)

**→116.0452 Standards for timely receipt of voter registration application; removal of names from registration books; confidentiality of registration location**

- (1) For the purpose of determining whether a voter registration application is received during the period in which registration books are open under KRS 116.045(2), an application shall be deemed timely received:
  - (a) In the case of registration with a motor vehicle driver's license application, if the valid voter registration form of the applicant is accepted by the circuit clerk before the registration books are closed;
  - (b) In the case of registration by mail, if the valid voter registration form of the applicant is legibly postmarked before the registration books are closed;
  - (c) In the case of registration with a voter registration agency, if the valid voter registration form of the applicant is accepted at the voter registration agency before the registration books are closed; and
  - (d) In any other case, if the valid voter registration form of the applicant is received by the appropriate county clerk before the registration books are closed.
- (2) The county clerk shall send notice to each applicant of the disposition of the application.
- (3) The name of a registered voter shall not be removed from the registration books except:
  - (a) Upon request of the voter;
  - (b) As provided by KRS 116.113, upon notice of death, declaration of incompetency, or conviction of a felony; or
  - (c) Upon failure to respond to a confirmation mailing sent pursuant to KRS 116.112(3) and failure to vote or appear to vote and, if necessary, correct the registration record of the voter's address in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.
- (4) The identity of the voter registration agency or circuit clerk's office through which any particular voter is registered shall not be disclosed to the public.

HISTORY: 2002 c 63, § 4, eff. 7-15-02; 1996 c 195, § 3, eff. 7-15-96; 1994 c 393, § 3, eff. 1-1-95

KENTUCKY ADMINISTRATIVE CODE REFERENCES

Submitting Federal Post Card Application and transmitting absentee ballot by facsimile, 31 KAR 4:130

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KRS § 116.0452

LIBRARY REFERENCES

Elections ¶¶ 105, 108.  
Westlaw Topic No. 144.  
C.J.S. Elections § 47.

KRS § 116.0452, KY ST § 116.0452

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Louisiana



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WEST'S LOUISIANA STATUTES ANNOTATED  
LOUISIANA REVISED STATUTES  
TITLE 18. LOUISIANA ELECTION CODE  
CHAPTER 4. REGISTRATION OF VOTERS  
PART I. REGISTRATION

→ § 114. Registration at driver's license facilities

A. It is the intention of the legislature to encourage the broadest possible participation in the electoral process by the citizens of this state. Therefore, voter registration services provided for in this Section shall be available at all driver's license facilities in this state.

B. (1) Each application to obtain, renew, or change the name or address on a driver's license or identification card issued by the Department of Public Safety and Corrections made by an applicant who is eighteen years or older shall also serve as an application for voter registration by the applicant unless the applicant declines to register to vote through specific declination or by failing to sign the voter registration application. In addition, any person age seventeen may register to vote at any time prior to the first election at which he shall have attained the age of eighteen years. However, no one under the age of eighteen years shall be permitted to vote in any election.

(2) Any change of address or change of name submitted to the Department of Public Safety and Corrections for the purpose of changing the information contained on a driver's license or identification card issued by the Department of Public Safety and Corrections shall serve as a notification of change of address or change of name for voter registration unless the registrant states at the time of submitting the change of address or change of name that the change is not for voter registration purposes.

C. Repealed by Acts 1994, 3rd Ex.Sess., No. 10, § 2, eff. Jan. 1, 1995.

D. The secretary of state shall design and provide a standard notice informing the public of the eligibility requirements for and availability of voter registration, which notice shall be posted in each driver's license facility of the state.

E. The secretary of state and the deputy secretary for public safety services of the Department of Public Safety and Corrections shall develop voter registration application forms for use at driver's license facilities. Such forms shall be in conformity with the National Voter Registration Act of 1993.

F. Procedures for voter registration pursuant to this Section shall be as follows:

(1) The notice form, as provided for herein, shall be posted in a prominent place in each driver's license facility wherein voter registration applications are to be accepted.

(2) Any employee authorized to accept an application to obtain, renew, or change the name or address on a driver's license or identification card shall offer voter registration to any person making such an application and, upon request, shall provide assistance to any person who desires to register to vote. Such assistance may consist of answering any question that person might have about completing the registration form. However, if the person requesting assistance is physically handicapped or unable to read or write English, the authorized employee shall provide such assistance as is allowed to be provided by registrars of voters under the provisions of R.S. 18:106.

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(3) Prior to generating the portion of the form which is an individual registration form, the authorized employee shall require the applicant to submit his current Louisiana driver's license, if he has one, or his birth certificate or birth certification card, or other documentation which reasonably and sufficiently establishes the applicant's identity, age, and residency.

(4) Each applicant shall be required to complete the registration application form in the presence of an authorized employee.

(5) Upon completion of the registration application form, the applicant shall return the form to an authorized employee.

(6) The authorized employee shall ensure that the registration form has been completely filled out.

(7) The applicant shall sign the affidavit provision of the registration form before the authorized employee who, for purposes of this Section, shall be authorized to administer any oath required on the registration form. The authorized employee shall inform the applicant that he will not be officially registered to vote until the application is received and approved by the registrar of voters.

(8) Upon completion of these procedures, the authorized employee shall, within five working days, return the completed registration application to the registrar of voters within the parish where the office is located who shall transmit such application to the appropriate registrar of voters for the parish in which the applicant resides, as determined from the information contained on the registration application. If a registration application is accepted within five days before the last day for registration, each driver's license facility shall transmit the completed voter registration application forms at the conclusion of each business day. If the information contained on the application form is insufficient to register the applicant, the registrar of voters shall mail a notice to the applicant at the address provided on the application form informing the applicant that he has ten days from the date on which the notice was mailed to provide the necessary information. If the applicant fails to provide the necessary information within that time, the applicant shall not be registered and the registrar shall so advise the applicant.

(9) Upon receipt of the completed registration form, the registrar shall, if the information thereon establishes that the applicant meets the requirements for registration, register the applicant and mail notice of registration to the applicant's residence, as provided on the application. Any completed voter registration application transmitted to and received by a registrar by a driver's license facility shall be considered an update of any existing registration for that person. However, if a registrar accepts any application for registration, change of name, or change of address that has been received by a driver's license facility while the registration records are closed for a particular election as required by R.S. 18:135(A), none of the changes in a registration shall be effective until at least the day after the particular election has been held. In the case of a change of address, the change shall be effective in accordance with the provisions of R.S. 18:110(B).

G. No individual shall be registered to vote pursuant to this Section if he does not meet the requirements for registration as provided in Chapter 4 of Title 18 of the Louisiana Revised Statutes of 1950, [FN1] except where said provisions are specifically in conflict herewith.

H. Any public official or employee who attempts to register any person without complying with the applicable provisions of this Section shall be subject to a fine of not more than five hundred dollars or be imprisoned for not more than six months, or both.

I. The secretary of state, after consultation with the deputy secretary for public safety services of the Department of Public Safety and Corrections, shall adopt rules and regulations to provide for the implementation of this Section. Such rules and regulations shall be adopted in accordance with the Administrative Procedure Act [FN2] and shall be subject to oversight by the House Committee on House and Governmental Affairs and the Senate Committee on

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Senate and Governmental Affairs.

J. The transmittal of a change of address or change of name shall be handled in the same manner as the transmittal of a voter registration application.

K. 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. The fact that any particular applicant has submitted an application to register to vote at a driver's license facility shall be kept confidential and shall be used only for voter registration purposes.

L. Each driver's license facility shall maintain such statistical records on the number of applications to register to vote as requested by the secretary of state.

[FN1] In subsec. G, R.S. 18:101 et seq.

[FN2] In subsec. I, R.S. 49:950 et seq.

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WEST'S LOUISIANA STATUTES ANNOTATED  
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TITLE 18. LOUISIANA ELECTION CODE  
CHAPTER 4. REGISTRATION OF VOTERS  
PART I. REGISTRATION

→§ 115. Registration by mail

A. (1) In addition to the national voter registration form promulgated by the Federal Election Commission, the secretary of state shall design and distribute a state mail voter registration application form. The state mail voter registration form shall include the eligibility requirements for registration.

(2) A person may apply to register to vote by mail by completing, signing through handwritten signature, and returning either the national voter registration form or the state mail voter registration form to the registrar of voters for the parish in which the applicant resides.

(3) State mail voter registration application forms received by a registrar of voters from voter registration agencies as defined in R.S. 18:2(8) shall be subject only to the provisions enumerated in R.S. 18:116.

B. (1) The registrar of voters shall determine the eligibility of an applicant in the following manner:

(a) The registrar shall mail a verification mailing to the applicant at the address provided on the application form. The mailing shall instruct the postmaster to deliver only as addressed or return to sender, with return postage guaranteed. If such mailing is not returned to the registrar within ten days from the date of mailing, the applicant shall be added to the official list of voters and the registrar of voters shall send a notice of registration to the applicant. However, if the verification mailing is returned to the registrar by the United States Postal Service, the registrar shall not add the applicant's name to the official list of voters and shall attempt to notify the applicant of such action.

(b) If an applicant fails to provide all of the required information on the application for voter registration, the registrar shall notify the applicant in writing of the missing information and inform him that he has ten days from the date on which the notice was mailed to provide the information. This written notification shall be considered the verification mailing as required by Subparagraph (a) of this Paragraph. If the applicant provides the information and the registrar determines he is eligible to register, the applicant shall be added to the official list of voters and the registrar shall send a notice of registration to the applicant. In the event the applicant does not respond to the request for the missing information within ten days, the application shall be rejected and the registrar shall so advise the applicant in writing. If the registrar's request for the missing information is returned by the United States Postal Service, the applicant's name shall not be added to the official list of voters and the registrar shall attempt to notify the applicant of such action.

(2) The registrar shall maintain a list of persons to whom verification mailings have been sent within thirty days prior to a particular election.

C. Any mail voter registration application received by the registrar of voters shall be considered an update to any existing voter registration for that person. However, in order to change the name of a registration based on a mail voter registration application, the registrar shall require a copy of such documentation as provided for in R.S.

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D. The parish registrar of voters shall obtain from the secretary of state and maintain a supply of mail voter registration application forms for distribution and for voter registration. The mail voter registration application forms shall be made available through governmental and private entities. Such forms shall be available for organized voter registration programs.

E. (1) Mail voter registration applications returned through the United States Postal Service shall be deemed to have been made as of the date of the postmark affixed to such application by the United States Postal Service, or if no such postmark is affixed or if the postmark affixed by the United States Postal Service is illegible or bears no date, such application shall be deemed to have been made timely if received through the United States mail by the registrar of voters no later than the close of business on the thirtieth day prior to an election.

(2) Mail voter registration applications returned by a third party must be received by any registrar of voters no later than the registration deadline for a particular election in order for the applicant to be eligible to vote in that election.

(3) In any other case, a mail voter registration form shall be deemed received timely if received by any registrar of voters no later than the registration deadline for a particular election.

F. (1) Any registered voter who has registered by mail and has not previously voted in the parish in which he is registered shall vote:

(a) During early voting in the office of the registrar of voters, or

(b) In person at the precinct in which he is registered to vote.

(2) The provisions of Paragraph (1) of this Subsection shall not apply in the case of the following:

(a) A person who is otherwise entitled to vote under the provisions of the Uniformed and Overseas Citizens Absentee Voting Act, the Voting Accessibility for the Elderly and Handicapped Act, or the Special Program for Physically Handicapped Voters as provided in Chapter 7-A of this Title.

(b) A person who is a student at an institution for higher learning located outside of the registrant's parish of residence, when such student submits a copy of his student identification or fee bill showing current enrollment with the application to vote by mail.

(c) A person who appears in the office of the parish registrar of voters where he is registered to vote prior to the opening of the period for conducting early voting for the scheduled election and establishes his identity pursuant to the provisions of R.S. 18:105(A).

(d)(i) The Legislature of Louisiana recognizes that due to a recent common disaster and state of emergency in the state, an unprecedented number of persons have been temporarily displaced from their parishes of residence for an indefinite period of time. Because the right to vote is a right that is essential to the effective operation of a democratic government, the legislature finds that the state has a compelling interest in securing the right to vote for any person temporarily displaced by a disaster or emergency who may experience greater difficulty exercising his right due to his displaced status. The legislature, therefore, enacts this Subparagraph, which shall apply to any person temporarily displaced from his parish of residence by a gubernatorially declared state of emergency who registered to vote by mail on or after October 5, 2004, but prior to September 25, 2005, when he submits with the application to vote by mail an affidavit attesting that he is temporarily displaced from his parish of residence due to a state of emergency which has been declared by the governor, that he is eligible to vote in his parish of residence, and that he expects to be out of his parish of registration during early voting and on election day. He shall sign

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such affidavit before a notary public or two witnesses. If signed before two witnesses, the witnesses shall also sign the affidavit and such affidavit shall be made under penalty of perjury for providing false or fraudulent information. The provisions of this Subparagraph shall be effective until July 16, 2006.

(ii) When a person has submitted an application to vote absentee by mail pursuant to this Subparagraph, the registrar shall, prior to sending the absentee by mail ballot, contact the appropriate election official in the jurisdiction where the applicant has requested for his absentee by mail ballot to be sent and attempt to verify that the person has not registered to vote in that jurisdiction, or if such jurisdiction has a statewide voter registration database, in that state. If the registrar finds that the person has registered in that jurisdiction or state, the person shall not be permitted to vote absentee by mail and the registrar shall proceed in accordance with the applicable provisions of Part V of this Chapter.

(iii) Upon expiration of the effectiveness of Item (i) of this Subparagraph, any voter who has voted absentee by mail pursuant to this Subparagraph who has not voted during early voting or at the polls on election day shall not be considered to have previously voted in the parish in which he is registered for purposes of Paragraph (1) of this Subsection and shall be subject to the requirements of that Paragraph.

G. Upon receipt by the registrar of voters of an undelivered notice of registration, the registrar shall immediately begin the procedure set forth in R.S. 18:193 and place the voter on the inactive list of voters.

H. Each registrar of voters shall maintain such statistical records on the number of applications to register to vote by mail, except military and overseas applicants who register by using the Federal Post Card Application, as requested by the secretary of state.

EXPIRATION OF SUBPAR. (F)(2)(D)--ACTS 2006, 1ST EX.SESS., NO. 2

<For expiration of Subpar. (F)(2)(d), see item (F)(2)(d)(i).>

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WEST'S LOUISIANA STATUTES ANNOTATED  
LOUISIANA REVISED STATUTES  
**TITLE 18. LOUISIANA ELECTION CODE**  
CHAPTER 4. REGISTRATION OF VOTERS  
PART I. REGISTRATION  
→ § 116. Voter registration agencies

A. (1) Voter registration services shall be provided at the following voter registration agencies:

(a) Public assistance agencies that administer or provide services under the food stamp, Medicaid, the supplemental food for Women, Infants and Children (WIC), and the Family Independence Temporary Assistance Program (FITAP) programs, or their successors, and any other public assistance agencies, if any, which the secretary shall designate by rule.

(b) All offices in the state that provide state funded programs primarily engaged in providing services to persons with disabilities.

(c) Recruitment offices of the Armed Forces of the United States.

(2) In addition to the offices listed in Paragraph (1) of this Subsection, the secretary of state shall designate by rule in accordance with the Administrative Procedure Act other offices within the state as designated voter registration agencies. Such offices may include but not be limited to:

(a) State or local governmental offices such as public libraries, public schools, offices of municipal clerks, and government revenue offices.

(b) Federal and nongovernmental offices, with the agreement of such offices.

B. (1) At each designated voter registration agency, the following services shall be provided during regular office hours:

(a) Distribution of a mail voter registration application form to any applicant who is qualified to register.

(b) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance.

(c) Acceptance of completed voter registration application forms for submission to the registrar of voters within the parish where the voter registration agency is located.

(d) Acceptance of any change of address or change of name submitted by a registrant to an agency which shall serve as a notification of change of address or change of name for voter registration unless the registrant states at the time of submitting the change that the change is not for voter registration purposes. The transmittal procedure shall be handled in the same manner as voter registration applications.

(2) Persons providing the services described in this Subsection shall not:

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- (a) Seek to influence an applicant's political preference.
  - (b) Display any political preference or political party or body allegiance.
  - (c) Make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from applying to register to vote.
  - (d) Make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to apply to register or not to apply to register to vote has any bearing on the availability of services or benefits.
- C. (1) A designated voter registration agency as provided in Subsection A of this Section shall:
- (a) Distribute a mail voter registration application form with each application for such service or assistance and with each recertification, renewal, or change of address form relating to such service or assistance unless the applicant declines in writing to register to vote.
  - (b) Distribute a form to accompany the mail voter registration application form which includes:
    - (i) A statement of voter registration eligibility requirements.
    - (ii) The question "If you are not registered to vote where you live now, would you like to apply to register to vote here today?".
    - (iii) Boxes for the applicant to check to indicate whether the applicant is presently registered, would like to register, or declines to register to vote with the statement "IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME." in close proximity to the boxes and in prominent type.
    - (iv) The statements "If you would like help in filling out the voter registration form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application in private."
    - (v) The statement "If you believe that someone has interfered with your right to register or to decline to register to vote or your right to privacy in deciding whether to register or in applying to register to vote, you may file a complaint with the secretary of state." and the current address and telephone number of the secretary of state.
  - (2) Any designated voter registration agency as provided in Subparagraphs A(1)(a) and (b) of this Section shall also include on the form which accompanies the voter registration application form 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."
  - (3) If an applicant fails to check any box on the form required by this Subsection, the applicant shall be deemed to have declined to apply to register to vote.
  - (4) Each applicant who decides to register to vote shall be provided the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms, unless the applicant refuses such assistance.
  - (5) If a designated voter registration agency provides services to a person with a disability at the person's home, the agency shall provide the same services described in this Section at the person's home.

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(6) No information relating to a declination to apply to register to vote may be used for any purpose other than voter registration and shall not be subject to public inspection.

D. Each designated voter registration agency shall transmit no later than five days after acceptance, all completed voter registration applications to the registrar of voters within the parish where the voter registration agency is located who shall transmit such applications to the appropriate registrar of voters for the parish in which the applicant resides, as determined from the information contained on the registration application. If a registration application is accepted within five days before the last day for registration, each agency shall transmit the completed voter registration application forms to the registrar at the conclusion of each business day.

E. (1) Upon receipt of the completed registration form, the registrar shall, if the information thereon establishes that the applicant meets the requirements for registration, register the applicant and mail notice of registration to the applicant's residence, as provided on the application. Any completed voter registration application transmitted to and received by a registrar by a designated voter registration agency shall be considered an update to any existing registration for that person. However, if a registrar accepts any application for registration, change of name, or change of address that has been received by a designated voter registration agency while the registration records are closed for a particular election as required by R.S. 18:135(A), none of the changes shall be effective until at least the day after the particular election has been held. In the case of a change of address, the change shall be effective in accordance with the provisions of R.S. 18:110(B).

(2) If the information contained on the application form is insufficient to register the applicant, the registrar of voters shall mail a notice to the applicant at the address provided on the application form informing the applicant that he has ten days from the date on which the notice was mailed to provide the necessary information. If the applicant fails to provide the necessary information within that time, the applicant shall not be registered and the registrar shall so advise the applicant.

F. The fact that an applicant submitted an application to register to vote at a designated voter registration agency shall be kept confidential and will be used only for voter registration purposes.

G. Each designated voter registration agency shall maintain such statistical records on the number of applications to register to vote as requested by the secretary of state.

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LSA-R.S. 18:135

**C**  
WEST'S LOUISIANA STATUTES ANNOTATED  
LOUISIANA REVISED STATUTES  
**TITLE 18. LOUISIANA ELECTION CODE**  
CHAPTER 4. REGISTRATION OF VOTERS  
PART II. OFFICES, OFFICE HOURS, CLOSE OF REGISTRATION  
→ § 135. Close of registration

A. Registrars shall close the registration records thirty days prior to an election. However, if the deadline falls on a legal holiday, the registrars shall close the registration records on the first day after such holiday which is not a Saturday, Sunday, or other legal holiday.

B. Except as otherwise provided by law, no entries or changes in the registration records shall be made thereafter except:

(1) To carry into effect at any time prior to the date of the election an order of a court in the case of an application and appeal heard and determined as provided for in this Title.

(2) Repealed by Acts 1988, No. 909, § 2, eff. Jan. 1, 1989.

(3) To effect cancellations and erasures as required or authorized by this Chapter.

C. Except as otherwise provided by law, while the registration records are closed as required by Subsection A of this Section, registrars shall accept any application for registration, change of address, change of party affiliation or nonaffiliation, change of name, or application for any other lawful entry or change in a registration, but none of these shall be effective until at least the day after the election has been held.

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Maine



21-A M.R.S.A. § 121

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C

Maine Revised Statutes Annotated Currentness  
 Title 21-A. Elections (Refs & Annos)  
 Chapter 3. Voter Registration  
 ▣ Subchapter 3. Registration and Enrollment  
 ▣ Article 1. Registration  
 → § 121. Exclusive power of registrar

The registrar has the exclusive power, subject to section 163, to determine whether a person who applies for registration as a voter meets the qualifications prescribed by this Title.

**1. Oath may be required.** In making this determination, the registrar may require any person who testifies before him concerning his qualifications or those of another to swear to the truth of his statements.

**1-A. Identification and proof.** Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 30 days of an election must be advised that the registrar might not receive the application before that election, but that the applicant may register in person before or on election day.

Registration applications received by the Secretary of State from outside agencies 30 days or more before an election must be transferred to the appropriate registrar's office within 7 business days of receipt. Registration applications received by the Secretary of State from outside agencies less than 30 days before an election must be transferred to the appropriate registrar's office within 5 business days of receipt. Registration applications by mail or by a 3rd person must be received in the registrar's office by the close of business on the 21st day before election day in order for persons' names to appear on the incoming voting list for that election. The 20-day period before the election is the closed period for outside registrations. The registrar shall send the notice required by section 122 to all voters whose applications were received by mail or a 3rd person by the 21st day before election day no later than the 18th day before election day.

A person who registers during the 20 days before election day or on election day shall register in person and show proof of identity and residency. If satisfactory proof of identity and residency can not be provided to the registrar or deputy, the person's name is entered into the central voter registration system and placed on the incoming voting list and the person casts a challenged ballot.

**2. Political party not a qualification.** The registrar shall be impartial as to the political party of the applicant in determining the applicant's voting qualifications.

CREDIT(S)

1985, c. 161, § 6; 1989, c. 313, § 1; 1993, c. 473, § 6, eff. Jan. 1, 1994; 1993, c. 695, § 5; 1997, c. 436, § 22; 1999, c. 426, § 6; 2005, c. 453, § 12.

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## HISTORICAL AND STATUTORY NOTES

### 2007 Electronic Pocket Part Update

#### 1993 Legislation

Laws 1993, c. 473, § 6, added subsec. 1-A.

Laws 1993, c. 695, § 5, repealed and replaced subsec. 1-A which prior thereto read:

**“1-A. Identification and proof.** Registrations taken by outside agencies or through the mail must be received in the registrar's office by the close of business 15 days before election day in order for the persons who registered to appear on the voter list as registered for the election.

“A person who registers during the 15 days before election day or on election day shall register in person and show proof of identity and residency. If satisfactory proof can not be provided to the registrar or deputy, the person casts a challenged ballot.”

#### 1997 Legislation

Laws 1997, c. 436, § 22, in subsec. 1-A, in the first paragraph, in the second sentence, inserted “before or”; in the second paragraph, in the third sentence, inserted “or by a 3rd person” and substituted “10 business days” for “15 days”, and added the fourth sentence; and in the third paragraph, in the first sentence, substituted “10 business days” for “15 days”, and in the second sentence, inserted “person's name is placed on the voting list and the”.

#### 1999 Legislation

Laws 1999, c. 426, § 6, in subsec. 1-A, in the second undesignated paragraph, in the third sentence, substituted “on the 10th business day” for “10 business days”; and in the third undesignated paragraph, in the first sentence, substituted “9” for “10”.

#### 2005 Legislation

Laws 2005, c. 453, § 12 rewrote subsec. 1-A, which read:

**“1-A. Identification and proof.** Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 20 days of an election must be advised that the registrar might not receive the application before that election, but that the applicant may register in person before or on election day.

“Registration applications received by the Secretary of State from outside agencies 21 days or more before an election must be transferred to the appropriate registrar's office within 10 days of receipt. Registration applications received by the Secretary of State from outside agencies 20 days or less before an election must be transferred to the appropriate registrar's office within 5 days of receipt. Registration applications by mail or by a 3rd person must

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be received in the registrar's office by the close of business on the 10th business day before election day in order for persons to appear on the list of registered voters for that election. If the registrar's office is not open on that day, the registrar must accept applications by mail that are received on the next day the registrar's office is open.

“A person who registers during the 9 business days before election day or on election day shall register in person and show proof of identity and residency. If satisfactory proof of identity and residency can not be provided to the registrar or deputy, the person's name is placed on the voting list and the person casts a challenged ballot.”

1993 Main Volume

Amendments

**1989 Amendment.** Laws 1989, c. 313, § 1, in subsec. 2, substituted “shall be impartial” for “shall not inquire” and “the applicant's” for “his”.

Derivation:

- R.S.1954, c. 3-A, § 9.
- Laws 1961, c. 360, § 1.
- Laws 1985, c. 161, § 5.
- Former § 101 of title 21.

CROSS REFERENCES

Registration and enrollment applications, preservation by registrar, see 21-A M.R.S.A. § 23.

LIBRARY REFERENCES

1993 Main Volume

- Registration of voters; powers and functions of registration officers, see Elections ↩ 103.
- Registration of voters; powers and functions of registration officers, see C.J.S. Elections § 43.

NOTES OF DECISIONS

Initiative petitions 1

1. Initiative petitions

If an initiative petition does not contain the required registrar's certification, it is not a petition within the meaning of the state constitutional provisions for initiative petitions, and such a defect cannot be remedied after the deadline for submission to the Secretary of State. *Palesky v. Secretary of State* (1998) Me., 711 A.2d 129. Statutes ↩ 304

21-A M. R. S. A. § 121, ME ST T. 21-A § 121

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Maine Revised Statutes Annotated Currentness  
 Title 21-A. Elections (Refs & Annos)  
 Chapter 3. Voter Registration  
 ▣ Subchapter 3. Registration and Enrollment  
 ▣ Article 1. Registration  
 → § 122. Registration procedure

A person may register as a voter by appearing before the registrar, proving that the person meets the qualifications of section 111, subsections 1 to 3, and filing an application provided by the registrar containing the information required by section 152 or 154, if applicable. Township residents may register as provided in section 156.

**1. Entry into central voter registration system.** The registrar shall enter the name and other information from the voter registration application of the applicant into the central voter registration system as expeditiously as possible after receipt of a voter registration application. The registrar shall register a person by first name, middle name or initial and last name, by first name or initial, middle and last name or by first name and last name.

**2. Notice of disposition.** The registrar shall notify the applicant whether the application for registration is accepted or rejected by providing the applicant with a written acknowledgement notice, in the form prescribed by the Secretary of State, as expeditiously as possible after the voter's information has been entered into the central voter registration system. If a mailed notice of acceptance is returned as undeliverable within 15 days after it is sent, the registrar must reject the application and provide a new acknowledgement notice to the applicant indicating the rejection. If a mailed notice of acceptance is not returned as undeliverable within 15 days after it is sent, the voter is automatically designated as active in the central voter registration system.

**3. Notice of new registration.** When an applicant states in the application that the applicant last voted in another state, the registrar shall immediately send a notice of the applicant's new registration to the registrar of that jurisdiction. The notice must contain the following:

- A. The voter's name;
- B. The name under which registered, if changed;
- C. Date of birth; and
- D. Former residence and mailing address.

The Secretary of State may facilitate the delivery of such notices electronically using the central voter registration system.

**4. Election day registration.** The registrar shall accept registrations of applicants who appear in person on election day. The registrar shall issue to each of these applicants a certificate entitling the applicant to be placed on the incoming voting list at the voting place. Only one certificate may be issued to a person. An applicant

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whose address has changed since the applicant last voted must vote using the ballot or ballots for the new polling place, if applicable, on election day.

**5. Alternative registration schedule for absentee voters.** If the clerk receives a properly completed absentee ballot application that is signed by a person who is not a registered voter in the municipality, a presumption of the person's qualification as a voter is established. The clerk shall send an absentee ballot to the voter at the address indicated, along with a voter registration application under section 152. The completed registration application must be returned to the clerk by the close of the polls on election day in order for the ballot to be counted and may not be sealed with the voted absentee ballot. If the application is received during the closed period and the registrar is not satisfied as to the person's qualification as a voter, the registrar shall follow the requirements of section 121, subsection 1-A to place the person's name on the incoming voting list and challenge the absentee ballot.

**6. Schedule for acceptance of registrations.** Except as provided in paragraph A, the registrar shall accept registrations on any business day or other day that the clerk's office is open. The names and other information from the voter registration applications of any persons registering must be entered into the central voter registration system and must be placed on the incoming voting list.

A. The registrar may accept only the registrations of applicants who appear in person as follows:

(1) In a municipality with a population of 2,500 or fewer, on the last business day that the clerk's office is open before election day during the hours that the clerk's office is open;

(2) In a municipality with a population of more than 2,500, on the last 5 business days that the clerk's office is open before election day during the hours that the clerk's office is open and for 2 hours in the evening between 5 p.m. and 9 p.m. on at least one of these days; and

(3) The names of voters registering during these periods must be recorded as provided under subsection 7.

**7. Record of names.** The names of voters who register by appearing in person before the registrar during the business days before election day under subsection 6 must be recorded as provided in either paragraph A or B:

A. The registrar shall, after finding an applicant qualified, issue a certificate requiring the voter's name and other required information to be written on the original or any supplemental incoming voting list at the voting place on election day. The certificate must be attached to, or included with, the incoming voting list and sealed as provided in section 698. Only one certificate may be recorded for any voter at an election; or

B. The registrar shall, after finding the applicant qualified, enter the voter's name and other information from the voter registration application into the central voter registration system and add it to the incoming voting list or a supplemental incoming voting list. Before the polls are opened, the registrar shall deliver the incoming voting list and any supplemental incoming voting list or lists to the clerk. The inclusion of a person's name on these lists will entitle the applicant to vote on election day. All references in this Title to the use of the incoming voting list before, during and after election day are considered to include the supplemental incoming voting list or lists as provided in this paragraph.

**8. Change of schedule.** The hourly schedule established by this section may be changed by the municipal officers according to the needs of the municipality.

**9. Regulation of registration monitors.** Anyone who wishes to monitor the names and addresses of persons who are registering at the registrar's office or the clerk's office shall inform the registrar or clerk of that intent. Anyone who wishes to monitor the names and addresses of persons who are registering at the polling place shall

inform the registrar or clerk of that intent by submitting a written, signed statement containing the proposed monitor's name, address and intent. The registrar or clerk may designate a place where a person monitoring registrations may stand. The registrar or clerk shall then announce the name and address of individuals registering to vote in a loud and clear voice. A person monitoring registrations shall direct any questions the person has to the registrar or clerk. These questions must be limited to information pertinent to the qualifications of an individual to register. A person monitoring registrations may not ask questions of individuals waiting to register concerning their eligibility to vote. A polling place registration monitor may not handle or inspect registration cards, files or other materials used by the registrar or clerk except as provided in section 22. A monitor may not inhibit the work of the registrar or clerk. If the work of a registrar or clerk appears to be inhibited, the warden may request a reduction in the number of monitors present in the polling place. A registrar or clerk may require a person monitoring registrations who violates the provisions of this subsection to leave the building.

#### CREDIT(S)

1985, c. 161, § 6; 1985, c. 307, § 1; 1985, c. 614, § 6; 1991, c. 466, § 4; 1993, c. 695, § 6, 7; 1995, c. 459, § 14; R.R.1995, c. 1, § 8; 1997, c. 436, § 23; 2001, c. 310, § 4; 2003, c. 395, § 1; 2003, c. 407, § 7, eff. June 3, 2003; 2003, c. 447, §§ 6, 7; 2003, c. 584, § 3; 2005, c. 453, §§ 13 to 19; 2007, c. 455, § 6.

#### HISTORICAL AND STATUTORY NOTES

##### 2007 Electronic Pocket Part Update

##### Codification

Revisor's Report 1995, c. 1, § 8, in subsec. 3, made provisions gender-neutral throughout and, in subsec. 3, last par., substituted reference to 21-A M.R.S.A. § 162-A for reference to 21-A M.R.S.A. § 162.

##### 1993 Legislation

Laws 1993, c. 695, § 6, repealed and replaced subsection 2, which prior thereto read:

**“2. Failure to qualify.** If an applicant fails to qualify, the registrar shall, on request of the applicant, notify him in writing of the reason for the failure.”

Laws 1993, c. 695, § 7, in subsec. 4, inserted provision that an applicant whose address has changed since the applicant last voted must be allowed to vote at the applicant's new polling place.

##### 1995 Legislation

Laws 1995, c. 459, § 14, in subsec. 4, provided that with respect to an applicant whose address has changed since the applicant last voted, that applicant must be allowed to vote using the ballot or ballots for the new polling place, if applicable, in lieu of former provision, allowing such an applicant to vote at the new polling place.

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21-A M.R.S.A. § 122

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#### 1997 Legislation

Laws 1997, c. 436, § 23, rewrote subsecs. 6 and 7, which prior thereto read:

**“6. Names to be placed on voting list.** Except as provided in paragraph A, the registrar shall accept registrations on any business day or other day that the clerk's office is open. The names of any person registering shall be placed on the voting list.

**“A.** The registrar shall accept only the registrations of applicants who appear in person as follows:

**“(1)** In a municipality with a population of 2,500 or less, on the last business day before election day;

**“(2)** In a municipality with a population of more than 2,500 on the last 5 business days before election day, from 1 p.m. to 5 p.m. and 7 p.m. to 9 p.m. on at least 3 of these days; and

**“(3)** The names of voters registering during these periods shall be recorded as provided under subsection 7.

**“7. Record of names.** The names of voters who register by appearing in person before the registrar during the business days before election day under subsection 6 shall be recorded as provided in either paragraph A or B, as the municipal officers direct:

**“A.** The registrar shall, after finding an applicant qualified, issue a certificate entitling the voter to be placed on the voting list at the voting place on election day. Only one certificate may be issued to any person; or

**“B.** The registrar shall, after finding the applicant qualified, place the names of those voters on a supplemental voting list. Before the polls are opened, the registrar shall deliver the supplemental list or lists to the clerk or ward clerk at each voting place. The inclusion of a person's name on that list will entitle the applicant to vote on election day. All references in this Title to the use of the voting list before, during and after election day are considered to include the supplemental voting list as provided in this paragraph.”

#### 2001 Legislation

Laws 2001, c. 310, § 4, rewrote subsec. 5 which prior thereto read:

**“5. Alternative registration schedule for absentee voters.** The registrar shall accept registrations under section 152 at any time, including election day, provided that the applicant otherwise qualifies as an absentee voter. The receipt of a completed absentee ballot application by the clerk establishes a presumption of qualification under this subsection.”

#### 2003 Legislation

Laws 2003, c. 395, § 1, in subsec. 9, inserted the second, eighth, ninth, and tenth sentences; and made a nonsubstantive change.

Laws 2003, c. 407, § 7, in the first paragraph, substituted “section 172” for “section 171”, and made the paragraph gender neutral.

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Laws 2003, c. 447, § 6, in subsec. 7, rewrote par. A, which prior thereto read:

“A. The registrar shall, after finding an applicant qualified, issue a certificate entitling the voter to be placed on the voting list at the voting place on election day. Only one certificate may be issued to any person; or”

Laws 2003, c. 447, § 7, in subsec. 7, par. B, substituted “qualified, add the voter's name to the voting list” for “qualified, place the names of those voters on the voting list”.

Laws 2003, c. 584, § 3, in the first paragraph, substituted “the person meets the qualifications of section 111” for “the person is qualified under section 111” and substituted “section 152 or 154, if applicable.” for “section 172.”.

#### 2005 Legislation

Laws 2005, c. 453, § 13 rewrote subsec. 1, which read:

“**1. Placement on voting list.** The registrar shall place the name of the applicant on the voting list as soon as he has qualified. The registrar shall register a person by first name, middle name or initial and last name, or by first name or initial, middle and last name.”

Laws 2005, c. 453, § 14 rewrote subsec. 2, which read:

“**2. Notice of disposition.** The registrar shall notify the applicant whether the application for registration is accepted, rejected or incomplete.”

Laws 2005, c. 453, § 15 rewrote subsec. 3, which read:

“**3. Notice of new registration.** When an applicant states in the application that the applicant last voted in another municipality in this State or any other state, the registrar shall immediately send a notice of the applicant's new registration to the registrar of that municipality. The notice must contain the following:

“A. The voter's name;

“B. The name under which registered, if changed;

“C. Date of birth; and

“D. Former street and mailing address.

“The registrar who receives the notice shall remove the name from the voting list if the registrar is satisfied as to the identity of the person and the registrar need not send the notice required by section 162-A.”

Laws 2005, c. 453, § 16, in subsec. 4, in the second sentence, inserted “incoming”.

Laws 2005, c. 453, § 17, in subsec. 5, rewrote the third sentence, which read “The completed registration application must be returned to the clerk by the close of business on the 10th business day before election day and may not be sealed with the voted absentee ballot.” and, in the fourth sentence, inserted “incoming”.

“Laws 2005, c. 453, § 18, in subsec. 6, rewrote the first paragraph, which read:

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“**6. Schedule for acceptance of registrations.** Except as provided in paragraph A, the registrar shall accept registrations on any business day or other day that the clerk's office is open. The names of any person registering must be placed on the voting list.”

Laws 2005, c. 453, § 19 rewrote subsec. 7, which read:

“**7. Record of names.** The names of voters who register by appearing in person before the registrar during the business days before election day under subsection 6 must be recorded as provided in either paragraph A or B:

“**A.** The registrar shall, after finding an applicant qualified, issue a certificate requiring the voter's name to be written on the original or any supplemental voting list at the voting place on election day. The certificate must be attached to, or included with, the voting list and sealed as provided in section 698. Only one certificate may be recorded for any voter at an election; or

“**B.** The registrar shall, after finding the applicant qualified, add the voter's name to the voting list or a supplemental voting list. Before the polls are opened, the registrar shall deliver the voting list and the supplemental list or lists to the clerk. The inclusion of a person's name on these lists will entitle the applicant to vote on election day. All references in this Title to the use of the voting list before, during and after election day are considered to include the supplemental voting list or lists as provided in this paragraph.”

#### 2007 Legislation

Laws 2007, c. 455, § 6, in subsec. 1, in the second sentence deleted “or” preceding “by first name or initial”, and added “or by first name and last name” at the end thereof.

#### 1993 Main Volume

#### Amendments

Laws 1985, c. 307, § 1, added subsecs. 4 to 8.

Laws 1985, c. 614, § 6, repealed and replaced subsec. 3, which, in effect, designated existing text as the opening and closing pars., and as so designated, in the opening par., deleted requirement that the birth date and former street and mailing address of the applicant be sent to the registrar, added reference to the contents of the notice and added pars. A to D.

Laws 1991, c. 466, § 4, added subsec. 9.

#### Derivation:

R.S.1954, c. 3-A, § 10.  
Laws 1961, c. 360, § 1.  
Laws 1965, c. 425, § 13.  
Laws 1973, c. 68.  
Laws 1975, c. 761, § 8.

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Laws 1977, c. 265.  
Laws 1977, c. 496, § 5.  
Laws 1983, c. 143.  
Laws 1985, c. 161, § 5.  
Former § 102 of title 21.

#### CROSS REFERENCES

Acceptance of registrations by registrar, see 21-A M.R.S.A. § 661.  
Additional registration and enrollment procedure, see 21-A M.R.S.A. § 152.  
Boards of registration, hours, see 21-A M.R.S.A. § 103.  
Disabled persons, registration and enrollment procedure, see 21-A M.R.S.A. § 153.  
Dual registration, penalty, see 21-A M.R.S.A. § 159.  
Registration and enrollment, acceptance of applications by clerk, see 21-A M.R.S.A. § 157.

#### LIBRARY REFERENCES

1993 Main Volume

Proceedings for registration of voters, see Elections  106.  
Proceedings for registration of voters, see C.J.S. Elections § 46.

#### RESEARCH REFERENCES

2007 Electronic Pocket Part Update

ALR Library

10 ALR 6th 31, Validity, Construction, and Application of State Criminal Disenfranchisement Provisions.

#### UNITED STATES CODE ANNOTATED

Placement of eligible voters on official lists, see 42 U.S.C.A. § 1973e.

21-A M. R. S. A. § 122, ME ST T. 21-A § 122

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**CODE OF MAINE RULES**

**29. DEPARTMENT OF THE SECRETARY OF STATE**

**250. MOTOR VEHICLE AND BUREAU OF CORPORATIONS, ELECTIONS AND COMMISSIONS  
CHAPTER 506. THE CHANGE OF ADDRESS CONFIRMATION CARD, VOTER REGISTRATION  
ACKNOWLEDGEMENT NOTICE, AND ADDRESS VERIFICATION NOTICE**

Current through November 2007

**2. Content of the Voter Registration Acknowledgement Notice**

Upon receipt of a Voter Registration Application, the municipal registrars shall notify each applicant whether his or her application was accepted, rejected, or incomplete, in accordance with **21-A MRSA §122(2)** and 42 USC 1973gg. This non-forwardable Acknowledgement Notice shall include the following elements:

1. Date. The form shall include a place for the registrar to indicate the date the notice was mailed.

2. Box to indicate acceptance. There shall be a box for the registrar to check if the voter registration application was accepted. A statement shall be included indicating that such acceptance is effective only if the notice is not returned by the post office as not deliverable.

A. Immediate acceptance. The registrar may accept an application and place the resident's name on the voter list at that time. If this procedure is followed and the Acknowledgement Notice is returned by the post office as not deliverable, then the registrar must go through the change of address confirmation process in order to remove that individual from the voter list.

B. Delayed acceptance. The registrar may accept an application and, after sending the Acknowledgement Notice, place the application in a holding file for 20 days. At the end of this 20 day waiting period, the applicant's name must be placed on the voter list. However, if the Acknowledgement Notice is returned by the post office as not deliverable, then the application may be rejected. If an application is received and accepted in your office within 20 days of any election, the waiting period must end the day before the election and the applicant placed on the voter list at that time. If the Acknowledgement Notice is returned by the post office at a later date, the registrant's name may only be removed from the voter list after following the change of address confirmation procedures set forth in these rules.

3. Information on new voting place. There shall be a place for the registrar to indicate in which ward and precinct the registrant will vote. This information may be omitted in municipalities in which it does not apply. In all municipalities, the registrar shall indicate on the form the location of the voting place, regardless of how many voting places there are.

4. Reason for rejection. There shall be a box for the registrar to check if the application was rejected followed by a space where the registrar shall state the reason(s) why the application was rejected.

5. Reason for incompleteness. There shall be a box for the registrar to check if the application is incomplete followed by a space where the registrar shall state the reason(s) why the application was determined to be

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Code Me. R. 29-250 Ch. 506, § 2

incomplete.

6. Rejection for failure to complete. The notice shall inform the applicant that, if his or her application is incomplete, the application will be rejected if not corrected within 20 days. This statement shall include information on how to contact the registrar.

7. Registrar available to answer questions. Regardless of whether the registration application is accepted, rejected, or incomplete, the Acknowledgement Notice shall include a statement informing the applicant that he or she may contact the registrar of voters if he or she has any questions concerning the registration or voting process.

<General Materials (GM) - References, Annotations, or Tables>

29-250 CMR Ch. 506, § 2, ME ADC 29-250 Ch. 506, § 2

ME ADC 29-250 Ch. 506, § 2

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Maryland



MD Code, Election Law, § 3-302

Formerly cited as MD CODE Art. 33, § 3-302

West's Annotated Code of Maryland Currentness  
Election Law (Refs & Annos)  
    Title 3. Voter Registration (Refs & Annos)  
        Subtitle 3. Administration of Registration

→§ 3-302. Registration closing

When registration is closed

(a) Registration is closed beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that election.

Receipt of applications after registration is closed--Generally

(b) A voter registration application received when registration is closed shall be accepted and retained by a local board, but the registration of the applicant does not become effective until registration reopens.

Receipt of applications after registration is closed--Exceptions

(c) A voter registration application that is received by the local board after the close of registration shall be considered timely received for the next election provided:

(1) there is sufficient evidence, as determined by the local board pursuant to regulations adopted by the State Board, that the application was mailed on or before registration was closed for that election; or

(2) the application was submitted by the voter to the Motor Vehicle Administration, a voter registration agency, another local board, or the State Board prior to the close of registration.

CREDIT(S)

Added as Art. 33, § 3-302, by Acts 1998, c. 585, § 2, eff. Jan. 1, 1999. Amended by Acts 1998, c. 586, § 1, eff. Jan. 1, 1999; Acts 1999, c. 34, § 1, eff. April 13, 1999; Acts 2000, c. 61, § 1, eff. April 25, 2000. Transferred to Election Law § 3-302 by Acts 2002, c. 291, § 2, eff. Jan. 1, 2003. Amended by Acts 2002, c. 291, § 4, eff. Jan. 1, 2003; Acts 2002, c. 303, § 2, eff. Jan. 1, 2003.

PRIOR COMPILATIONS

Formerly Art. 33, § 3-302.

LEGISLATIVE NOTES

Revisor's Note (Acts 2002, c. 291):

This section formerly was Art. 33, § 3-302.

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MD Code, Election Law, § 3-302

No changes are made.

HISTORICAL AND STATUTORY NOTES

2002 Legislation

Acts 2002, c. 291, § 4, repealed and reenacted this section without amendment.

Acts 2002, c. 303, § 2, rewrote subsec. (a), which previously read:

"(a)(1) Registration is closed between 9 p.m. on the 5th Monday preceding any primary election, special primary election, general election, or special election and the 11th day after that election.

"(2) Beginning with the primary election in 2000, and for any subsequent election prior to the primary election in 2002, registration is closed beginning at 9 p.m. on the 25th day preceding the election until the 11th day after that election.

"(3) Beginning with the primary election in 2002, and for any subsequent election, registration is closed beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that election."

ADMINISTRATIVE CODE REFERENCES

State Board of Elections

Voter registration, processing voter registration applications and other requests, see COMAR 33.05.04.01 et seq.

LIBRARY REFERENCES

Elections ↪ 105.

Westlaw Key Number Search: 144k105.

C.J.S. Elections § 39.

MD Code, Election Law, § 3-302, MD ELEC LAW § 3-302

Current through end of 2007 Regular Session and Chapters 1 and 7 of the 2007 First Special Session, effective through December 13, 2007.

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MD ADC 33.05.04.04

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COMAR 33.05.04.04

MD St. Board of Elect. 33.05.04.04

CODE OF MARYLAND REGULATIONS  
TITLE 33 STATE BOARD OF ELECTIONS  
SUBTITLE 05 VOTER REGISTRATION  
CHAPTER 04 PROCESSING VRAS AND OTHER REQUESTS  
Complete through Maryland Register Vol. 34, Issue 25,  
dated December 7, 2007.

.04 Verification Inquiries.

A. When Required. An appropriate verification inquiry shall be made if:

- (1) Information required to be given on the VRA is missing or incomplete;
- (2) Information given on the VRA appears unclear or inconsistent;
- (3) The applicant provides a Motor Vehicle Administration (MVA) identification number or at least the last four digits of a Social Security number as the personal identification number; or
- (4) For any reason, the election director is uncertain what action should be taken on the application.

B. How to Make.

- (1) Verification inquiries should be made so as to:
  - (a) Permit timely and appropriate action on applications; and
  - (b) Avoid needless rejections.
- (2) The verification of a personal identification number shall be made in accordance with procedures established by the State Board.
- (3) If an applicant's personal identification number cannot be verified, the local board shall request that the applicant provide personal identification information to establish the applicant's identity.
- (4) Upon receipt or presentation of personal identification information, the verification inquiry shall be complete.

C. The election director is not responsible for any failure to complete an inquiry in time for the applicant to vote in, or effect a change before, an election.

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MD ADC 33.05.04.04

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COMAR 33.05.04.04

MD St. Board of Elect. 33.05.04.04

<General Materials (GM) - References, Annotations, or Tables>

COMAR 33.05.04.04, MD ADC 33.05.04.04

MD ADC 33.05.04.04

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MD St. Board of Elect. 33.05.05.04

CODE OF MARYLAND REGULATIONS  
TITLE 33 STATE BOARD OF ELECTIONS  
SUBTITLE 05 VOTER REGISTRATION  
CHAPTER 05 NOTIFICATION

Complete through Maryland Register Vol. 34, Issue 25,  
dated December 7, 2007.

.04 Duplicate or Changed VNC.

A. Scope. This regulation applies whenever a voter currently registered in Maryland requests a:

- (1) Duplicate VNC to replace a lost, destroyed, or damaged VNC;
- (2) Change of name or party affiliation;
- (3) Change of address within the State.

B. New VNC to Be Issued. When a local board office receives the request, the election director shall:

- (1) Conduct any needed inquiry; and
- (2) If the election director determines that the request is in order, send the applicant a new VNC by nonforwardable mail.

C. Action on Return of VNC. If the VNC is returned as undeliverable, the election director shall:

- (1) Send to the applicant, by forwardable mail, a confirmation notice, with a preaddressed, postage prepaid, return card on which the applicant can report his or her current address; and
- (2) Maintain a record in accordance with COMAR 33.05.02.05.

<General Materials (GM) - References, Annotations, or Tables>

COMAR 33.05.05.04, MD ADC 33.05.05.04

MD ADC 33.05.05.04  
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MD ADC 33.05.05.05

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COMAR 33.05.05.05

MD St. Board of Elect. 33.05.05.05

CODE OF MARYLAND REGULATIONS  
TITLE 33 STATE BOARD OF ELECTIONS  
SUBTITLE 05 VOTER REGISTRATION  
CHAPTER 05 NOTIFICATION  
Complete through Maryland Register Vol. 34, Issue 25,  
dated December 7, 2007.

.05 Rejection of Registration.

A. In General. Except as provided in §B of this regulation, when an election director rejects an application for new registration in Maryland, the election director shall promptly send the applicant a denial notice that informs the applicant of the rejection and the specific reason for the rejection.

B. In-Person Application. This regulation does not apply to an application that is made in person with the local board office and rejected while the applicant is still present.

<General Materials (GM) - References, Annotations, or Tables>

COMAR 33.05.05.05, MD ADC 33.05.05.05

MD ADC 33.05.05.05  
END OF DOCUMENT

# Massachusetts



M.G.L.A. 51 § 1F

**C**

**Effective: [See Text Amendments]**

Massachusetts General Laws Annotated Currentness  
Part I. Administration of the Government (Ch. 1-182)  
Title VIII. Elections (Ch. 50-57)  
    § Chapter 51. Voters (Refs & Annos)  
        § Qualifications of Voters (Refs & Annos)

**→ § 1F. Persons not included in register of voters**

A person who resides in the commonwealth and in the city or town where he claims the right to vote in an election at which electors of president and vice-president are to be chosen, but whose name is not included in the current annual register of voters of the city or town where he claims the right to vote, may qualify for voting only for such electors upon application to the registrars of voters of said city or town, not later than eight o'clock post meridian of the twentieth day preceding such election. Any form of written communication containing the name, age, citizenship, former residence and present residence of such person shall cause the registrars to make an investigation relative to the qualifications of such person to vote and, for the purpose of such investigation, the officer in charge of the police force of each city and town shall give the registrars such assistance as they may require. Upon determining that such person is qualified to vote under the provisions of this section, the registrars shall forward an absentee ballot to him and shall include his name on a list of persons qualified under this section which shall be sent to the city or town clerk. The provisions of sections ninety-four to ninety-six, inclusive, of chapter fifty-four shall apply to such ballots.

CREDIT(S)

Added by St.1972, c. 637, § 2. Amended by St.1988, c. 79, § 4; St.1996, c. 454, § 7.

**HISTORICAL AND STATUTORY NOTES**

2007 Main Volume

St.1972, c. 637, § 2, was approved July 10, 1972. Emergency declaration by the Governor was filed Sept. 7, 1972.

St.1988, c. 79, § 4, approved June 22, 1988, rewrote the first sentence, which prior thereto read, "Any person, otherwise qualified to vote under the provisions of section one A but whose name is not included in the current annual registrar of voters of the city or town where he claims the right to vote, may qualify for voting upon application to the registrars of voters of said city or town."; in the third sentence, substituted "qualified" for "registered"; and in the fourth sentence, deleted "which shall be cast in the polling places designated under the provisions of section twenty-four" following "such ballots".

2007 Electronic Update.

St.1996, c. 454, § 7, approved Jan. 2, 1997, in the first sentence, substituted "eight o'clock post meridian of the twentieth" for "ten o'clock post meridian of the twenty-eighth".

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M.G.L.A. 51 § 1F

LIBRARY REFERENCES

2007 Electronic Update.

- Elections ↪118.
- United States ↪25.
- Westlaw Topic Nos. 144, 393.
- C.J.S. United States § 46.

RESEARCH REFERENCES

2007 Electronic Update.

**Treatises and Practice Aids**

18C Mass. Prac. Series § 38.8, Qualification of Voters.

NOTES OF DECISIONS

- In general 1**
- Ballot form 2**
- Delivery of ballot 3**

1. In general

This section applies only to those individuals who are absent from the city or town or unable to register in person for reasons other than physical disability, at the time registration closes before a presidential election. Op.Atty.Gen., Oct. 29, 1979, p. 98.

This section was enacted to allow those citizens who are absent during the registration periods to qualify to vote for president and vice president, including citizens who are absent during the registration sessions but who will be present on election day. Op.Atty.Gen., Oct. 29, 1979, p. 98.

2. Ballot form

Persons qualifying for registration under this section, shall receive only the short presidential ballot. Op.Atty.Gen., Oct. 29, 1979, p. 98.

3. Delivery of ballot

Absentee ballots provided under this section may be mailed or delivered in person at the office of the clerk. Op.Atty.Gen., Oct. 29, 1979, p. 98.

M.G.L.A. 51 § 1F, MA ST 51 § 1F

Current through Ch. 218, of the 2007 1st Annual Session.

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M.G.L.A. 51 § 1F

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M.G.L.A. 51 § 26

c

Effective: [See Text Amendments]

MASSACHUSETTS GENERAL LAWS ANNOTATED  
PART I. ADMINISTRATION OF THE GOVERNMENT (CH. 1-182)  
TITLE VIII. ELECTIONS (CH. 50-57)  
CHAPTER 51. VOTERS  
SESSIONS FOR REGISTRATION  
→ § 26. Registration sessions

As used in this section and section forty-two H, "election" shall include every state, city or town primary, preliminary election, election, or town meeting. The registrars, for the purpose of registering voters, shall hold such day and evening sessions as the town, by by-law, or the city, by ordinance, shall prescribe and such other sessions at locations as they deem necessary to allow voters to register and they may for such purposes, use mobile registration units; provided, however, that except as provided in sections thirty-four and fifty, registration for the next election shall take place no later than eight o'clock in the evening on the twentieth day preceding such election and no later than eight o'clock in the evening on the tenth day preceding a special town meeting. Mailed affidavits of registration postmarked before midnight on the final day to register for an election shall be effective for such election, as provided in section forty-two G. If a postmark is unclear or illegible, a mailed affidavit shall be accepted until the fifth day after the final day to register. In any city or town in which the annual city or town election is held on the first Monday in March, in a year when the presidential primary is held, the registration sessions held by the election commissioners or registrars of voters in preparation for the city or town election shall also serve as registration sessions for the primary. If any person applies for registration during a period prior to a regular or special preliminary, primary or election when registration to qualify as a voter in such preliminary, primary or election is prohibited by the provisions of this section, such person, if otherwise qualified, shall be registered and his name shall be placed on the voting lists as a registered voter for all later preliminaries, primaries or elections.

Current through Ch. 218, of the 2007 1st Annual Session.

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M.G.L.A. 51 § 47

C

Effective: [See Text Amendments]

Massachusetts General Laws Annotated Currentness  
Part I. Administration of the Government (Ch. 1-182)  
Title VIII. Elections (Ch. 50-57)  
Chapter 51. Voters (Refs & Annos)  
Manner of Registration (Refs & Annos)

→ § 47. Rejection of defective affidavit of registration; notices to person named

If, after examination of an affidavit of registration, it appears to the registrars from the facts set forth in the affidavit that the person is not qualified to be registered as a voter or that the affidavit is incomplete, they may decline to enter his name on the annual register. The registrars shall notify any person whose name is not so entered and give him a reasonable opportunity to remedy the defects in his affidavit. If the registrars are still not satisfied that the affidavit meets the requirements of this chapter, they shall not accept it and shall forthwith inform the person thereof.

CREDIT(S)

Amended by St.1945, c. 715, § 9; St.1973, c. 1137, § 9B.

HISTORICAL AND STATUTORY NOTES

2007 Main Volume

- St.1892, c. 351, § 25.
- St.1893, c. 417, § 52.
- St.1898, c. 548, § 51.
- R.L.1902, c. 11, § 50.
- St.1907, c. 560, §§ 50, 456.
- St.1913, c. 835, §§ 50, 503.

St.1945, c. 715, § 9, in the first sentence, inserted "who has been" and substituted "by a registrar or absent registration officer" for "therefor by a registrar", "such applicant" for "him", and "on" for "upon".

St.1945, c. 715, was approved July 25, 1945. Emergency declaration by the Governor was filed Aug. 2, 1945.

St.1973, c. 1137, § 9B, approved Dec. 4, 1973, and by § 11 made effective June 1, 1974, rewrote the section, which prior thereto read:

"If the registrars decline to register the name of a person who has been examined for registration and reported to them by a registrar or absent registration officer, they shall notify such applicant of their refusal, and give him a reasonable opportunity to be heard by them on his application. They shall upon the rejection of an applicant forthwith inform him thereof."

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M.G.L.A. 51 § 47

LIBRARY REFERENCES

2007 Electronic Update.

Elections ↪ 106.  
Westlaw Topic No. 144.

C.J.S. Elections § 46.

RESEARCH REFERENCES

2007 Electronic Update.

**ALR Library**

72 ALR 1232, Public Utilities: Capitalizing or Funding Bond Discount.

**Treatises and Practice Aids**

18C Mass. Prac. Series § 38.13, Manner of Registration.

39 Mass. Prac. Series § 1166, Exemption C--Personnel and Medical Files or Information and Unwarranted Invasions of Personal Privacy Exemption.

NOTES OF DECISIONS

**Class actions 1**

1. Class actions

Certification of correctional institution inmates as a class was warranted in action for injunctive and declaratory relief in regard to their alleged right to be registered as voters in town, in view of fact that main issue in the case was whether inmates' affidavits of registration established on their face that inmates were qualified voters entitled to be placed on town's voting roles and that no issues were raised in regard to residence and domicil of individual inmates. Ramos v. Board of Registrars of Voters of Norfolk (1978) 371 N.E.2d 1372, 374 Mass. 176. Declaratory Judgment ↪ 305

M.G.L.A. 51 § 47, MA ST 51 § 47

Current through Ch. 218, of the 2007 1st Annual Session.

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**CODE OF MASSACHUSETTS  
REGULATIONS**

**TITLE 950: OFFICE OF THE SECRETARY  
OF THE COMMONWEALTH**

**CHAPTER 57.00: VOTER REGISTRATION**

Current through November 30, 2007, Register #1092

57.04: Voter Registration by Mail

(1) Availability of Mail-in Forms.

(a) The state secretary shall prepare blank mail-in affidavits of voter registration and shall supply such mail-in affidavits to all city and town clerks. Mail-in affidavits of voter registration shall be available in English and Spanish and such other languages as the state secretary deems necessary.

(b) The state secretary shall, upon request, provide mail-in affidavits of voter registration in quantities he deems sufficient, to nongovernmental and private entities free of charge.

(c) Only mail-in affidavits of voter registration prepared by or with the approval of the state secretary pursuant to 950 CMR 57.04(1)(d) shall be used for any voter registration.

(d) Original Massachusetts mail-in affidavits of voter registration may not be photocopied or otherwise reproduced; provided however, that any person or organization may apply, in writing, to the state secretary for written permission to print such mail-in affidavits. All such mail-in affidavits of voter registration must be printed according to the printing specifications prescribed by the state secretary.

(e) National Voter Registration Forms as prescribed by the Federal Election Commission shall be accepted for purposes of registering to

vote in Massachusetts. A National Voter Registration Form shall be accepted on regular paper, provided, however, that the form itself is identical to that as prescribed by the Federal Election Commission. No National Voter Registration form shall be accepted if it contains any additional verbiage or graphics other than those contained on the official form such as commercial logos, organizational or contact information.

(2) Responsibilities of Registrant.

(a) The registrant shall complete all information on the mail-in affidavit of voter registration, and sign the affidavit. If the registrant is prevented by physical disability from completing or signing the mail-in affidavit, the registrant may authorize another person to complete and sign the affidavit on his or her behalf. The assisting person shall then sign the mail-in affidavit in the designated area.

(b) The registrant may return the mail-in affidavit of voter registration to the registrars of the city or town where he or she resides:

1. by mail;
2. by personal delivery; or
3. by delivery to a third person who delivers the affidavit of voter registration to the registrars on behalf of the registrant.

(3) Responsibilities of Registrars.

(a) The registrars of voters must accept mail-in affidavits of voter registration from registration agencies, from individuals, and from organizations conducting voter registration.

(b) Upon receipt of a completed mail-in

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950 MA ADC 57.04

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950 CMR 57.04

affidavit of voter registration, the registrars shall add the person's name, residential address and effective date of registration to the annual register of voters.

(c) If the mail-in affidavit of voter registration is incomplete, the registrars shall notify the registrant and provide an opportunity to remedy the defect. This notification must be oral or written, and the registrant may supply such information, in writing, or in person.

(d) If the mail-in affidavit of voter registration is not signed by the registrant or by a person assisting a registrant, the registrars; shall return the mail-in affidavit of voter registration to the registrant with a written request that it be so signed and returned to the registrars.

(e) If the Massachusetts mail-in affidavit of voter registration is on a photocopied or otherwise unauthorized form, the registrars shall notify the registrant that the form is unacceptable, and send the voter an original mail-in affidavit. A National Voter Registration form may be photocopied or printed from the internet in the same format as prescribed by the Federal Election Commission.

(f) If, within 20 days after notification by the registrars, the registrant fails to supply the missing information, other than political designation, or fails to return a completed original mail-in form, the mail-in affidavit of voter registration shall be rejected, and the registrant shall be notified in writing of the rejection.

(g) If the registrant fails to supply a political designation, the registrant shall be registered as "unenrolled".

(h) The registrars shall send an acknowledgment notice to each registrant upon final disposition of a mail-in affidavit of voter registration.

(i) If the acknowledgment notice, other than a notice rejecting the affidavit of voter

registration, is returned as undeliverable, the registrars shall designate the voter as inactive, send the registrant a confirmation notice, and remove the registrant from the voting list if he or she fails to respond to the confirmation notice and does not either:

1. vote in at least one of the next two biennial state elections following the mailing of such confirmation notice; or

2. take any other action that restores the voter to "active" status, including but not limited to signing a nomination paper or petition at the same address, or voting or attempting to vote at a municipal election, or town meeting.

(j) If the printed name on the mail-in affidavit of voter registration is not identical to the signed name, the voter shall be registered in accordance with the printed name.

(4) Effective Date for Mail-in Registration.

(a) A registrant is deemed to be a registered voter as of the date the completed mail-in affidavit of voter registration is postmarked or on the day that it is hand delivered to the registrars.

(b) Mail-in affidavits of voter registration postmarked before midnight on the last day to register for an election shall be effective for such election.

(c) If a postmark is unclear or illegible, a mail-in affidavit of voter registration received by the registrars no later than five days after the final day to register shall be effective for that election.

(d) If a mail-in affidavit of voter registration is postmarked after the deadline to register for an election, the registrant's name shall be added to the annual register for all subsequent elections and the registrars shall so notify the registrant in the acknowledgment notice.

950 MA ADC 57.04

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950 CMR 57.04

(e) If a mail-in affidavit of voter registration is missing any information, other than a signature, when received by the registrars, or is on a photocopied or otherwise unauthorized form, the registrant is deemed to be a registered voter as of the time the mail-in affidavit of voter registration is postmarked or hand delivered to the registrars, provided the registrant supplies the missing information, other than political designation, or returns an original mail-in affidavit, within 20 days after notification pursuant to 950 CMR 57.04(3)(f).

(f) If a mail-in affidavit of voter registration is missing a signature, and that signature is supplied by the registrant within 20 days after notification by the registrars pursuant to 950 CMR 57.04(3)(f), the registrant is deemed to be a registered voter as of the date the new mail-in affidavit is postmarked or hand delivered to the registrars.

<General Materials (GM) - References,  
Annotations, or Tables>

Mass. Regs. Code tit. 950, § 57.04, 950 MA ADC 57.04

950 MA ADC 57.04  
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