

Nevada



N.R.S. 293.524

C

West's Nevada Revised Statutes Annotated Currentness

Title 24. Elections

Chapter 293. Elections (Refs & Annos)

Registration of Voters; Registrars

→293.524. Registration at time of application for issuance or renewal of driver's license or identification card; use of forms submitted to Department to correct information in registrar of voters' register; regulations

1. The Department of Motor Vehicles shall provide an application to register to vote to each person who applies for the issuance or renewal of any type of driver's license or identification card issued by the Department.
2. The county clerk shall use the applications to register to vote which are signed and completed pursuant to subsection 1 to register applicants to vote or to correct information in the registrar of voters' register. An application that is not signed must not be used to register or correct the registration of the applicant.
3. For the purposes of this section, each employee specifically authorized to do so by the Director of the Department may oversee the completion of an application. The authorized employee shall check the application for completeness and verify the information required by the application. Each application must include a duplicate copy or receipt to be retained by the applicant upon completion of the form. The Department shall, except as otherwise provided in this subsection, forward each application on a weekly basis to the county clerk or, if applicable, to the registrar of voters of the county in which the applicant resides. The applications must be forwarded daily during the 2 weeks immediately preceding the fifth Sunday preceding an election.
4. The county clerk shall accept any application to register to vote which is obtained from the Department of Motor Vehicles pursuant to this section and completed by the fifth Sunday preceding an election if he receives the application not later than 5 days after that date. Upon receipt of an application, the county clerk or field registrar of voters shall determine whether the application is complete. If he determines that the application is complete, he shall notify the applicant and the applicant shall be deemed to be registered as of the date of the submission of the application. If he determines that the application is not complete, he shall notify the applicant of the additional information required. The applicant shall be deemed to be registered as of the date of the initial submission of the application if the additional information is provided within 15 days after the notice for the additional information is mailed. If the applicant has not provided the additional information within 15 days after the notice for the additional information is mailed, the incomplete application is void. Any notification required by this subsection must be given by mail at the mailing address on the application not more than 7 working days after the determination is made concerning whether the application is complete.
5. The county clerk shall use any form submitted to the Department to correct information on a driver's license or identification card to correct information in the registrar of voters' register, unless the person indicates on the form that the correction is not to be used for the purposes of voter registration. The Department shall forward each such form to the county clerk or, if applicable, to the registrar of voters of the county in which the person resides in the same manner provided by subsection 3 for applications to register to vote.
6. Upon receipt of a form to correct information, the county clerk shall compare the information to that contained in the registrar of voters' register. If the person is a registered voter, the county clerk shall correct the information

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N.R.S. 293.524

to reflect any changes indicated on the form. After making any changes, the county clerk shall notify the person by mail that his records have been corrected.

7. The Secretary of State shall, with the approval of the Director, adopt regulations to:

(a) Establish any procedure necessary to provide an elector who applies to register to vote pursuant to this section the opportunity to do so;

(b) Prescribe the contents of any forms or applications which the Department is required to distribute pursuant to this section; and

(c) Provide for the transfer of the completed applications of registration from the Department to the appropriate county clerk for inclusion in the election board registers and registrar of voters' register.

Added by Laws 1987, p. 2143. Amended by Laws 1989, p. 1874; Laws 1991, pp. 1684, 2223; Laws 1993, p. 2194; Laws 1995, pp. 680, 2275; Laws 2001, c. 520, § 125; [FN1] Laws 2001, c. 581, § 25, eff. Oct. 1, 2001; Laws 2003, c. 312, § 9, eff. Oct. 1, 2003; Laws 2003, c. 382, § 29, eff. Jan. 1, 2004; Laws 2003, c. 232, § 18, eff. Oct. 1, 2003.

[FN1] See Historical and Statutory Notes below for effective date information.

HISTORICAL AND STATUTORY NOTES

2001 Legislation

Laws 2001, c. 520, § 241, Subsec. 1, provides:

"This section, sections 1 to 41, inclusive, 43 to 54, inclusive, 56, 57, 59 to 223, inclusive, 227 to 240, inclusive, and 242 of this act become effective upon passage and approval for the purpose of authorizing any preliminary activities necessary to ensure that the provisions of this act are carried out in an orderly fashion and on July 1, 2001, for all other purposes."

For related provisions of Laws 2001, c. 520, see Historical and Statutory Notes under NRS 293.277.

2003 Legislation

Technical changes were made to conform with Legislative Counsel Bureau revisions (2003).

LAW REVIEW COMMENTARIES

Review of Selected Nevada Legislation (1987 Session). 1987 Pac.L.J.Rev.Nev.Legis. 98.

LIBRARY REFERENCES

Elections ¶95, 97.

Westlaw Key Number Searches: 144k95; 144k97.

C.J.S. Elections §§ 36 to 38.

N. R. S. 293.524, NV ST 293.524

Current through the 2005 73rd Regular Session and the 22nd Special Session

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N.R.S. 293.524

of the Nevada Legislature, statutory and constitutional provisions effective as a result of approval and ratification by the voters at the November 2006 General Election, and technical corrections received from the Legislative Counsel Bureau (2006).

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N.R.S. 293.560

C

West's Nevada Revised Statutes Annotated Currentness

Title 24. Elections

▣ Chapter 293. Elections (Refs & Annos)

▣ Registration of Voters; Registrars

→293.560. Close of registration; election; hours office of county clerk to be open during last days before registration closes; publication of day registration closes; offices of county clerk, certain county facilities and ex officio registrars allowed to be open on last Friday of October in even-numbered years; elector required to register to vote in person during certain period; hours of operation for county facility for voter registration

1. Except as otherwise provided in NRS 293.502, registration must close at 9 p.m. on the third Tuesday preceding any primary or general election and at 9 p.m. on the third Saturday preceding any recall or special election, except that if a recall or special election is held on the same day as a primary or general election, registration must close at 9 p.m. on the third Tuesday preceding the day of the elections.

2. The office of the county clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the last days before the close of registration, according to the following schedule:

(a) In a county whose population is less than 100,000, the office of the county clerk must be open during the last day before registration closes.

(b) In all other counties, the office of the county clerk must be open during the last 5 days before registration closes.

3. Except for a special election held pursuant to chapter 306 or 350 of NRS:

(a) The county clerk of each county shall cause a notice signed by him to be published in a newspaper having a general circulation in the county indicating:

(1) The day that registration will be closed; and

(2) If the county clerk has designated a county facility pursuant to NRS 293.5035, the location of that facility.

If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in this State.

(b) The notice must be published once each week for 4 consecutive weeks next preceding the close of registration for any election.

4. The offices of the county clerk, a county facility designated pursuant to NRS 293.5035 and other ex officio registrars may remain open on the last Friday in October in each even-numbered year.

5. For the period beginning on the fifth Sunday preceding any primary or general election and ending on the third Tuesday preceding any primary or general election, an elector may register to vote only by appearing in person at the office of the county clerk or, if open, a county facility designated pursuant to NRS 293.5035.

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N.R.S. 293.560

6. A county facility designated pursuant to NRS 293.5035 may be open during the periods described in this section for such hours of operation as the county clerk may determine, as set forth in subsection 3 of NRS 293.5035.

Added by Laws 1960, p. 277. Amended by Laws 1963, p. 1376; Laws 1964, p. 3; Laws 1967, p. 862; Laws 1971, p. 448; Laws 1973, pp. 351, 896; Laws 1975, p. 943; Laws 1977, p. 914; Laws 1979, pp. 268, 534; Laws 1981, p. 959; Laws 1985, pp. 1098, 1902; Laws 1987, p. 22; Laws 1993, pp. 2197, 2406; Laws 1995, pp. 699, 2631; Laws 1997, pp. 60, 3468; Laws 1999, p. 2411, effective January 1, 2000; Laws 2003, c. 312, § 10, eff. Oct. 1, 2003; Laws 2003, c. 382, § 33, eff. Jan. 1, 2004; Laws 2005, c. 116, § 3, eff. July 1, 2005.

HISTORICAL AND STATUTORY NOTES

2003 Legislation

Technical changes were made to conform with Legislative Counsel Bureau revisions (2003).

2005 Legislation

Technical corrections were made to conform with Legislative Counsel Bureau revisions (2005).

LIBRARY REFERENCES

Elections ↔105.
Westlaw Key Number Search: 144k105.
C.J.S. Elections § 39.

N. R. S. 293.560, NV ST 293.560

Current through the 2005 73rd Regular Session and the 22nd Special Session of the Nevada Legislature, statutory and constitutional provisions effective as a result of approval and ratification by the voters at the November 2006 General Election, and technical corrections received from the Legislative Counsel Bureau (2006).

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N.R.S. 293.5235

C

West's Nevada Revised Statutes Annotated Currentness

Title 24. Elections

Chapter 293. Elections (Refs & Annos)

Registration of Voters; Registrars

→ 293.5235. Registration of voters by mail; penalty

1. Except as otherwise provided in NRS 293.502, a person may register to vote by mailing an application to register to vote to the county clerk of the county in which he resides. The county clerk shall, upon request, mail an application to register to vote to an applicant. The county clerk shall make the applications available at various public places in the county. An application to register to vote may be used to correct information in the registrar of voters' register.

2. An application to register to vote which is mailed to an applicant by the county clerk or made available to the public at various locations or voter registration agencies in the county may be returned to the county clerk by mail or in person. For the purposes of this section, an application which is personally delivered to the county clerk shall be deemed to have been returned by mail.

3. The applicant must complete the application, including, without limitation, checking the boxes described in paragraphs (b) and (c) of subsection 10 and signing the application.

4. The county clerk shall, upon receipt of an application, determine whether the application is complete.

5. If he determines that the application is complete, he shall, within 10 days after he receives the application, mail to the applicant:

(a) A notice informing him that he is registered to vote and a voter registration card as required by subsection 6 of NRS 293.517; or

(b) A notice informing him that the registrar of voters' register has been corrected to reflect any changes indicated on the application.

6. Except as otherwise provided in subsection 5 of NRS 293.518, if the county clerk determines that the application is not complete, he shall, as soon as possible, mail a notice to the applicant informing him that additional information is required to complete the application. If the applicant provides the information requested by the county clerk within 15 days after the county clerk mails the notice, the county clerk shall, within 10 days after he receives the information, mail to the applicant:

(a) A notice informing him that he is registered to vote and a voter registration card as required by subsection 6 of NRS 293.517; or

(b) A notice informing him that the registrar of voters' register has been corrected to reflect any changes indicated on the application.

If the applicant does not provide the additional information within the prescribed period, the application is void.

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N.R.S. 293.5235

7. The applicant shall be deemed to be registered or to have corrected the information in the register:

(a) If the application is received by the county clerk or postmarked not more than 3 working days after the applicant completed the application, on the date the applicant completed the application; or

(b) If the application is received by the county clerk or postmarked more than 3 working days after the applicant completed the application, on the date the application is received by the county clerk.

8. If the applicant fails to check the box described in paragraph (b) of subsection 10, the application shall not be considered invalid and the county clerk shall provide a means for the applicant to correct the omission at the time the applicant appears to vote in person at his assigned polling place.

9. The Secretary of State shall prescribe the form for an application to register to vote by mail which must be used to register to vote by mail in this State.

10. The application to register to vote by mail must include:

(a) A notice in at least 10-point type which states:

NOTICE: You are urged to return your application to register to vote to the County Clerk in person or by mail. If you choose to give your completed application to another person to return to the County Clerk on your behalf, and the person fails to deliver the application to the County Clerk, you will not be registered to vote. Please retain the duplicate copy or receipt from your application to register to vote.

(b) The question, "Are you a citizen of the United States?" and boxes for the applicant to check to indicate whether or not the applicant is a citizen of the United States.

(c) The question, "Will you be at least 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether or not the applicant will be at least 18 years of age or older on election day.

(d) A statement instructing the applicant not to complete the application if the applicant checked "no" in response to the question set forth in paragraph (b) or (c).

(e) A statement informing the applicant that if the application is submitted by mail and the applicant is registering to vote for the first time, the applicant must submit the information set forth in paragraph (a) of subsection 2 of NRS 293.2725 to avoid the requirements of subsection 1 of NRS 293.2725 upon voting for the first time.

11. Except as otherwise provided in subsection 5 of NRS 293.518, the county clerk shall not register a person to vote pursuant to this section unless that person has provided all of the information required by the application.

12. The county clerk shall mail, by postcard, the notices required pursuant to subsections 5 and 6. If the postcard is returned to the county clerk by the United States Postal Service because the address is fictitious or the person does not live at that address, the county clerk shall attempt to determine whether the person's current residence is other than that indicated on his application to register to vote in the manner set forth in NRS 293.530.

13. A person who, by mail, registers to vote pursuant to this section may be assisted in completing the application to register to vote by any other person. The application must include the mailing address and signature of the person who assisted the applicant. The failure to provide the information required by this subsection will not result in the application being deemed incomplete.

14. An application to register to vote must be made available to all persons, regardless of political party affiliation.

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N.R.S. 293.5235

15. An application must not be altered or otherwise defaced after the applicant has completed and signed it. An application must be mailed or delivered in person to the office of the county clerk within 10 days after it is completed.

16. A person who willfully violates any of the provisions of subsection 13, 14 or 15 is guilty of a category E felony and shall be punished as provided in NRS 193.130.

17. The Secretary of State shall adopt regulations to carry out the provisions of this section.

Added by Laws 1991, p. 1680. Amended by Laws 1993, p. 2193; Laws 1995, pp. 1267, 2273, 2763; Laws 1997, pp. 233, 664, 666, 2784, 2793; Laws 2001, c. 581, § 24, eff. Oct. 1, 2001; Laws 2003, c. 303, § 20, eff. Oct. 1, 2003; Laws 2003, c. 382, § 27, eff. Jan. 1, 2004; Laws 2005, c. 504, § 2.5.

HISTORICAL AND STATUTORY NOTES

2003 Legislation

Technical changes were made to conform with Legislative Counsel Bureau revisions (2003).

Laws 1997, c. 118 does not apply to offenses committed before October 1, 1997.

CROSS REFERENCES

Additional penalties generally, see NRS 193.163 et seq.

Additional punishment, felonies affecting school property or activity, see NRS 193.161.

City elections, transfer of registration when residence changed within same city or changed within same precinct, right of elector to vote, see NRS 293C.525.

City elections, voters who register pursuant to this section, voting in person required, exceptions, see NRS 293C.265.

Classification of felonies, see NRS 193.120.

Punishment for attempted felonies, see NRS 193.330.

LIBRARY REFERENCES

Elections ¶95, 97, 103, 309.

Westlaw Key Number Searches: 144k95; 144k97; 144k103; 144k309.

C.J.S. Elections §§ 36 to 38, 43, 324, 334.

N. R. S. 293.5235, NV ST **293.5235**

Current through the 2005 73rd Regular Session and the 22nd Special Session of the Nevada Legislature, statutory and constitutional provisions effective as a result of approval and ratification by the voters at the November 2006 General Election, and technical corrections received from the Legislative Counsel Bureau (2006).

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New Hampshire



N.H. Rev. Stat. § 654:27

Revised Statutes Annotated of the State of New Hampshire Currentness
Title LXIII. Elections
 [Ⓜ] Chapter 654. Voters and Checklists (Refs & Annos)
 [Ⓜ] Checklists: All State Elections

→654:27 Session for Correction.

In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on the Saturday 10 days prior to the election and upon which all hearings shall be finally closed; provided that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted and shall be published in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice.

HISTORY

Source. 1979, 436:1. 1990, 119:4, eff. June 18, 1990. 1996, 36:1, eff. June 23, 1996. 1998, 194:3, eff. Aug. 17, 1998. 2001, 272:1, eff. Sept. 14, 2001. 2003, 27:2, eff. July 1, 2003.

Amendments--2003. Substituted "7:30" for "8:00" in the first sentence.

--**2001.** Substituted "8:00" for "9:00", and inserted "and at the discretion of the supervisors for extended hours."

--**1998.** Added the second sentence.

--**1996.** Deleted "on at least 2 occasions before any state election, the last of which shall be" following "city or town" and "however" following "provided" and made a minor change in punctuation in the first sentence and deleted the second and third sentences.

--**1990.** Added "provided, however, that if the Saturday falls on a holiday weekend, that session shall be held on Tuesday, 7 days prior to the election, between 7:00 p.m. and 9:00 p.m." following "closed" in the first sentence, and deleted "at least" preceding "2 hours" and substituted "7:00" for "6:00" in the second sentence.

N.H. Rev. Stat. § 654:27, NH ST § 654:27

Current through end of 2007 Reg Sess.

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New Jersey



N.J.S.A. 19:31-6



Effective: January 01, 2006

New Jersey Statutes Annotated Currentness

Title 19. Elections

Subtitle 6. Registration of Voters

Chapter 31. Municipalities Having Permanent Registration

Article 2. Registration and Transfers (Refs & Annos)

→ 19:31-6. Methods of registration; in person or by mail

Any person qualified to vote in an election shall be entitled to vote in the election if the person shall have registered to vote on or before the 21st day preceding the election by:

a. registering in person at any offices designated by the commissioner of registration for providing and receiving registration forms;

b. completing a voter registration form while applying for a motor vehicle driver's license from an agent of the Division of Motor Vehicles, as provided for in section 24 of P.L.1994, c. 182 (C.39:2-3.2);

c. completing and returning to the Attorney General or having returned thereto a voter registration form received from a voter registration agency, as defined in subsection a. of section 26 of P.L.1994, c. 182 (C.19:31-6.11), while applying for services or assistance or seeking a recertification, renewal or change of address at an office of that agency;

d. completing and returning to the Attorney General a voter registration form obtained from a public agency, as defined in subsection a. of section 15 of P.L.1974, c. 30 (C.19:31-6.3); e. completing and returning to the Attorney General or having returned thereto a voter registration form received from a door-to-door canvass or mobile registration drive, as provided for in section 19 of P.L.1974, c. 30 (C.19:31-6.7);

f. completing and returning to the Attorney General a federal mail voter registration form, as prescribed in subsection (b) of section 9 of the "National Voter Registration Act of 1993," (42 U.S.C. s. 1973gg et seq.);

g. completing and returning to the Attorney General or the appropriate county clerk an application for a federal postcard application form to register to vote, as provided for in the "Overseas Absentee Voting Act" (42 U.S.C. s. 1973ff-1 et seq.) and section 4 of P.L.1976, c. 23 (C.19:59-4); or

h. completing a provisional ballot affirmation statement and voting the provisional ballot in the previous election, if the person who submitted the provisional ballot in that election is determined not to be a registered voter.

When the commissioner has designated a place or places other than his office for receiving registrations, the commissioner shall cause to be published a notice in a newspaper circulated in the municipality wherein such place or places of registration shall be located. Such notice shall be published pursuant to R.S.19:12-7.

Any office designated by the commissioner of registration for receiving registration forms shall have displayed, in a conspicuous location, registration and voting instructions. These instructions shall be the same as those provided

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N.J.S.A. 19:31-6

for polling places under R.S.19:9-2 and shall be provided by the commissioner.

CREDIT(S)

Amended by L.1940, c. 135, p. 294, § 2; L.1945, c. 36, p. 93, § 1; L.1947, c. 168, p. 753, § 18; L.1952, c. 60, p. 379, § 1; L.1955, c. 133, p. 619, § 1; L.1974, c. 30, § 7; L.1975, c. 15, § 2, eff. Feb. 14, 1975; L.1991, c. 429, § 10; L.1994, c. 182, § 5; L.2005, c. 139, § 8, eff. Jan. 1, 2006.

HISTORICAL AND STATUTORY NOTES

2007 Electronic Update

2005 Legislation

L.2005, c. 139, § 20, approved July 7, 2005, provides:

"This act shall take effect on January 1, 2006, except that the county commissioners of registration may take such anticipatory action as may be needed to effectuate the purposes of this act."

Statements: Committee statement to Assembly, No. 42--L.2005, c. 139, see N.J.S.A. § 19:14-21.1.

1999 Main Volume

For effective date and application of L.1991, c. 429, see note set out under § 19:8-3.1.

L.1994, c. 182, § 46, approved Dec. 20, 1994, provides:

"This act shall take effect immediately [Dec. 20, 1994] but shall remain inoperative until January 1, 1995."

Short Title: L.1994, c. 182, §§ 1 to 46, popularly known as the "Motor Voter Law", enacted §§ 19:31-6a, 19:31-6.11 to 19:31-6.13, 19:31-7.1, 19:31-29, 19:31-30, 19:34-1.1, 26:1A-36.3a, 30:4D-19.1, 30:6-1.6, 30:6D-27.1, 34:16-29.1, 38A:3-6.19, 39:2-3.2, 39:3-10m, 40:33-8.2, 40:33-13.9a, 40:54-12.2, 40:54- 29.13a, 44:8-158, 44:10-5.9, 52:14-34.7, amended §§ 19:31-1 to 19:31-3, 19:31- 5, 19:31-6, 19:31-6.3 to 19:31-6.5, 19:31-6.7, 19:31-10, 19:31-11, 19:31-13, 19:31-15 to 19:31-17, 19:31-23, 19:31-24, 19:31-26, 34:1A-12.4, 44:1-24.2, 52:18A-24.1, repealed §§ 19:31-1.1, 19:31-9, 19:31-11.1, 19:31-27, 19:31-28, 19:32-15 to 19:32-20, 19:32-38 to 19:32-43 and 39:2-3.1, and enacted provisions set out as notes under these sections.

Source: L.1930, c. 187, ¶384, p. 847.

LIBRARY REFERENCES

1999 Main Volume

- Elections ↻106.
- Westlaw Topic No. 144.
- C.J.S. Elections §§ 39, 46.

RESEARCH REFERENCES

2007 Electronic Update

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N.J.S.A. 19:31-6

ALR Library

116 ALR 5th 1, Sufficiency of Technical and Procedural Aspects of Recall Petitions.

Treatises and Practice Aids

34 N.J. Prac. Series § 6.4, Election Administration--Registration of Voters.

NOTES OF DECISIONS

Designated places of registration 2

Duty of election officials 1

Noncompliance 5

Oath or affirmation 3

Questioning of applicant 4

1. Duty of election officials

There is a responsibility upon the commissioner of registration to assure that only properly qualified persons be registered. *Cabrera v. Board of Elections of Camden County*, D.C.N.J.1972, 350 F.Supp. 25.

County board of elections has responsibility to assure that only properly qualified persons are registered to vote. *Carroll v. Cobb*, 139 N.J.Super. 439, 354 A.2d 355 (A.D.1976). Elections ↪ 103

2. Designated places of registration

Where this section provides that commissioner of registration shall receive registration applications at commissioner's office "or at such other place or places as may from time to time be designated by him * * * for registration," and where county commissioner of registration scheduled off-premises registration during 1970 on 19 different occasions and had scheduled registration in three centrally located shopping centers on three Saturdays in September, registered voter could not by way of mandamus seek to have commissioner directed to permit such registered voter and other qualified volunteers to act as volunteer registrars at high schools, colleges, business areas and other suitable areas in the county. *Edelstein v. Ferrell*, 120 N.J.Super. 583, 295 A.2d 390 (L.1972). Mandamus ↪ 74(2)

It is necessary to publish a notice in the local newspaper before any place, other than the office of the county board of elections, may be designated as a place for the registration of voters, and it would be unlawful to accept registrations at any place so designated until at least 10 days after the publication of such notice. *Op.Atty.Gen.*, Sept. 18, 1953, No. 36.

3. Oath or affirmation

The oath or affirmation which applicant must subscribe as part of the process of registration for election may be administered in any language. *Atty.Gen.F.O.*1959, No. 19.

4. Questioning of applicant

Function of municipal clerk with respect to voter registration is simply to assure that applicant is able to and does complete form properly under oath and affix thereto either his signature or mark; if applicant is unable for any reason to complete form or give affirmative answers to questions concerning age, citizenship and residence,

N.J.S.A. 19:31-6

application may not be received. Carroll v. Cobb, 139 N.J.Super. 439, 354 A.2d 355 (A.D.1976). Elections 103

Where plaintiffs answered questions on voter registration form, all that remained to be done by municipal clerk was to comply with statutory direction to transmit daily to commissioner of registration all filled out forms, and clerk was without power to subject a class to questioning beyond all other applicants. Carroll v. Cobb, 139 N.J.Super. 439, 354 A.2d 355 (A.D.1976). Elections 103

5. Noncompliance

Fact that voters were registered at places other than official places for registration described in this section, that municipal clerk failed to transport registration forms to county board of elections daily as required by § 19:31-7, and that in fact some were so transmitted after the fortieth day before the election, did not require setting aside of results of election of city councilmen in election contest, where it was not contended that voters so registered lacked qualifications for voting, and it was not claimed that any voter was in fact registered within 40 days' period preceding the election. In re Smock, 5 N.J.Super. 495, 68 A.2d 508 (L.1949). Elections 116

N. J. S. A. 19:31-6, NJ ST 19:31-6

Current with laws through L.2007, c. 204, and J.R. No. 12

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N.J.S.A. 19:31-6.1



Effective: January 01, 2006

New Jersey Statutes Annotated Currentness

Title 19. Elections

Subtitle 6. Registration of Voters

Chapter 31. Municipalities Having Permanent Registration

Article 2. Registration and Transfers (Refs & Annos)

→19:31-6.1. Acceptance of applications for registration during certain period prior to election; ineligibility to vote

Notwithstanding any other provisions of the Title to which this act is a supplement, any person authorized by law to accept applications for voter registration shall accept, during the 20-day period prior to any election, the application for registration of all eligible voters who shall personally appear for registration before such person, or the registration card mailed or delivered to such person, but no eligible voter so registered shall be entitled to vote in the election immediately following said 20-day period. Any person registered under the provisions of this act shall be advised that he will not be eligible to vote in the election immediately forthcoming but will be eligible to vote in elections held thereafter.

Applications for registration pursuant to the provisions of this act shall be received at such place or places as may be designated by any duly authorized election official.

CREDIT(S)

L.1966, c. 177, § 1, eff. June 18, 1966. Amended by L.1974, c. 30, § 8; L.2005, c. 139, § 9, eff. Jan. 1, 2006.

HISTORICAL AND STATUTORY NOTES

2007 Electronic Update

2005 Legislation

L.2005, c. 139, § 20, approved July 7, 2005, provides:

"This act shall take effect on January 1, 2006, except that the county commissioners of registration may take such anticipatory action as may be needed to effectuate the purposes of this act."

Statements: Committee statement to Assembly, No. 42--L.2005, c. 139, see N.J.S.A. § 19:14-21.1.

1999 Main Volume

Title of Act:

An Act concerning elections and supplementing Title 19 of the Revised Statutes. L.1966, c. 177.

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N.J.S.A. 19:31-6.1

LIBRARY REFERENCES

1999 Main Volume

Elections ↪106.
Westlaw Topic No. 144.
C.J.S. Elections §§ 39, 46.

RESEARCH REFERENCES

2007 Electronic Update

Treatises and Practice Aids

34 N.J. Prac. Series § 6.4, Election Administration--Registration of Voters.

N. J. S. A. 19:31-6.1, NJ ST 19:31-6.1

Current with laws through L.2007, c. 204, and J.R. No. 12

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N.J.S.A. 19:31-6.3



Effective: January 01, 2006

New Jersey Statutes Annotated Currentness

Title 19. Elections

Subtitle 6. Registration of Voters

▣ Chapter 31. Municipalities Having Permanent Registration

▣ Article 2. Registration and Transfers (Refs & Annos)

→ 19:31-6.3. Registration by registration form; employees or agents of public agency

a. As used in this section, "public agency" shall mean:

The Division of Worker's Compensation, the Division of Employment Services and the Division of Unemployment and Temporary Disability Insurance, established initially by section 5 of P.L.1948, c. 446 (C.34:1A-5), in the Department of Labor;

The Division of Taxation in the Department of the Treasury, continued under section 24 of P.L.1948, c. 92 (C.52:18A-24);

The New Jersey Transit Corporation, established pursuant to section 4 of P.L.1979, c. 150 (C.27:25-4);

Any free county library established under the provisions of article 1 of chapter 33 of Title 40 of the Revised Statutes;

Any regional library established under the provisions of P.L.1962, c. 134 (C.40:33-13.3 et seq.);

Any free public library established under the provisions of article 1 of chapter 54 of Title 40 of the Revised Statutes;

Any joint free public library established under the provisions of P.L.1959, c. 155 (C.40:54-29.3 et seq.);

Any public institution of higher education as included under the provisions of N.J.S.18A:62-1;

Any eligible institution, as defined by subsection a. of section 3 of P.L. 1979, c. 132 (C.18A:72B-17), that receives financial assistance, aid, or grants from State funds;

Any office or commercial establishment where State licenses or permits, other than licenses or permits issued by a professional or occupational board established under the laws of this State, are available to individual members of the public; and

Any recruitment office of the New Jersey National Guard.

b. Any person entitled to register to vote may register as a voter in the election district in which that person resides at any time prior to the 21st day preceding any election by completing a registration form described in section 16 of P.L.1974, c. 30 (C.19:31-6.4) and submitting the form to the commissioner of registration of the county wherein

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N.J.S.A. 19:31-6.3

the person resides or alternatively, in the case of a registration form provided by the employees or agents of a public agency or a voter registration agency, as defined in subsection a. of section 26 of P.L.1994, c. 182 (C.19:31-6.11), to those employees or agents or to the Attorney General. Any registration form addressed to a commissioner of registration may be mailed to or delivered to the office of that commissioner, and in the case of a registration form available at a public agency, the form shall be mailed to the Attorney General or delivered to the commissioner of registration in the county of the registrant. A registration form postmarked, stamped or otherwise marked as having been received from the registration applicant, on or before the 21st day preceding any election shall be deemed timely.

CREDIT(S)

L.1974, c. 30, § 15. Amended by L.1974, c. 51, § 4, eff. June 25, 1974; L.1991, c. 318, § 1, eff. Feb. 18, 1992; L.1994, c. 182, § 6; L.2003, c. 36, § 1, eff. April 4, 2003; L.2005, c. 139, § 10, eff. Jan. 1, 2006.

HISTORICAL AND STATUTORY NOTES

2007 Electronic Update

2005 Legislation

L.2005, c. 139, § 20, approved July 7, 2005, provides:

"This act shall take effect on January 1, 2006, except that the county commissioners of registration may take such anticipatory action as may be needed to effectuate the purposes of this act."

Statements: Committee statement to Assembly, No. 42--L.2005, c. 139, see N.J.S.A. § 19:14-21.1.

1999 Main Volume

L.1994, c. 182, § 46, approved Dec. 20, 1994, provides:

"This act shall take effect immediately [Dec. 20, 1994] but shall remain inoperative until January 1, 1995."

Title of Act:

An Act concerning voter registration, amending R.S. 19:6-1, 19:14-21, 19:14-25, 19:31-2, 19:31-3, 19:31-5, 19:31-6, 19:31-7, 19:31-11, 19:31-13, 19:31-18, 19:49-4, P.L.1966, c. 177, section 1 and P.L.1947, c. 347 section 2 and supplementing chapter 31 of Title 19 of the Revised Statutes, L.1974, c. 30.

CROSS REFERENCES

Voter registration, choice of political party affiliation, see N.J.S.A. §§ 19:23-45, 19:23-45.1.

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Elections ↻98.
Westlaw Topic No. 144.
C.J.S. Elections § 40.

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N.J.S.A. 19:31-6.3

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2007 Electronic Update

Treatises and Practice Aids

34 N.J. Prac. Series § 6.4, Election Administration--Registration of Voters.

N. J. S. A. 19:31-6.3, NJ ST 19:31-6.3

Current with laws through L.2007, c. 204, and J.R. No. 12

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New Mexico



NM ST § 1-4-5.1

Page 1

N. M. S. A. 1978, § 1-4-5.1



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West's New Mexico Statutes Annotated Currentness

▣ Chapter 1. Elections

▣ Article 4. Registration of Electors

→ § 1-4-5.1. Method of registration; form

A. A qualified elector may apply for registration by mail, in the office of the secretary of state or county clerk or with a registration agent or officer.

B. A person may request certificate of registration forms from the secretary of state or any county clerk in person, by telephone or by mail for that person or for other persons.

C. Except as provided in Subsection D of this section, a qualified elector who wishes to register to vote shall fill out completely and sign the certificate of registration. The qualified elector may seek the assistance of any person in completing the certificate of registration.

D. A qualified elector who has filed for an order of protection pursuant to the provisions of the Family Violence Protection Act and who presents a copy of that order from a state or tribal court to the registration officer shall not be required to provide physical residence address information on the certificate of registration.

E. Completed certificates of registration may be mailed or presented in person by the registrant or any other person to the secretary of state or presented in person by the registrant or any other person to the county clerk of the county in which the registrant resides.

F. If the registrant wishes to vote in the next election, the completed and signed certificate of registration shall be delivered or mailed and postmarked at least twenty-eight days before the election.

G. Upon receipt of a certificate of registration, the secretary of state shall send the certificate to the county clerk in the county where the qualified elector resides.

H. Only when the certificate of registration is properly filled out, signed by the qualified elector and accepted for filing by the county clerk as evidenced by the county clerk's signature or stamp and the date of acceptance thereon and when notice has been received by the registrant shall it constitute an official public record of the registration of the qualified elector.

I. The secretary of state shall prescribe the form of the certificate of registration, which form shall be a postpaid mail-in format and shall be printed in Spanish and English. The certificate of registration form shall be clear and understandable to the average person and shall include brief but sufficient instructions to enable the qualified elector to complete the form without assistance. The form shall also include:

- (1) the question "Are you a citizen of the United States of America?" and boxes for the applicant to check to indicate whether the applicant is or is not a citizen;

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NM ST § 1-4-5.1

Page 2

N. M. S. A. 1978, § 1-4-5.1

(2) the question "Will you be at least eighteen years of age on or before election day?" and boxes for the applicant to check to indicate whether the applicant will be eighteen years of age or older on election day;

(3) the statement "If you checked 'no' in response to either of these questions, do not complete this form.";

(4) a statement informing the applicant that:

(a) if the form is submitted by mail by the applicant and the applicant is registering for the first time in New Mexico, the applicant must submit with the form a copy of: 1) a current and valid photo identification; or 2) a current utility bill, bank statement, government check, paycheck, student identification card or other government document, including identification issued by an Indian nation, tribe or pueblo, that shows the name and current address of the applicant; and

(b) if the applicant does not submit the required identification, the applicant will be required to do so when voting in person or absentee; and

(5) a statement requiring the applicant to swear or affirm that the information supplied by the applicant is true.

L. 1993, Ch. 314, § 7; L. 1993, Ch. 316, § 7; L. 1997, Ch. 209, § 1; L. 2003, Ch. 356, § 11, eff. July 1, 2003; L. 2005, Ch. 270, § 20, eff. July 1, 2005; L. 2007, Ch. 336, § 4, eff. April 2, 2007.

CROSS REFERENCES

Family Violence Protection Act, see § 40-13-1 et seq.

Inspection of Public Records Act, see § 14-2-1 et seq.

Public Records Act, see § 14-3-1 et seq.

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Elections ◊106.

Westlaw Key Number Search: 144k106.

C.J.S. Elections § 46.

NMSA 1978, § 1-4-5.1, NM ST § 1-4-5.1

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NM ST § 1-4-8

Page 1

N. M. S. A. 1978, § 1-4-8

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West's New Mexico Statutes Annotated Currentness

▣ Chapter 1. Elections

▣ Article 4. Registration of Electors

→ § 1-4-8. Duties of county clerk; acceptance of registration; close of registration; federal qualified electors and overseas voters; late registration

A. For qualified electors other than federal qualified electors or overseas voters, the following provisions shall apply:

(1) the county clerk shall receive certificates of registration at all times during normal working hours, except that the clerk shall close registration at 5:00 p.m. on the twenty-eighth day immediately preceding any election at which the registration books are to be furnished to the precinct board;

(2) registration shall be reopened on the Monday following the election;

(3) for purposes of a municipal or school election, the registration period for those precincts within the municipality or school district is closed at 5:00 p.m. on the twenty-eighth day immediately preceding the municipal or school election and is opened again on the Monday following the election;

(4) during the period when registration is closed, the county clerk shall receive certificates of registration and other documents pertaining thereto but shall not file the certificate of registration in the registration book until the Monday following the election, at which time a voter identification card shall be mailed to the registrant at the address shown on the certificate of registration;

(5) when the twenty-eighth day prior to any election referred to in this section is a Saturday, Sunday or legal holiday, registration shall be closed at 5:00 p.m. of the next succeeding regular business day for the office of the county clerk; and

(6) the county clerk shall accept for filing any certificate of registration that is subscribed and dated on or before the twenty-eighth day preceding the election and received by the county clerk before 5:00 p.m. on the Friday immediately following the close of registration. The county clerk shall accept for filing any mailed certificate of registration postmarked not less than twenty-eight days prior to any election referred to in this section and received by 5:00 p.m. on the Friday immediately following the close of registration. The county clerk shall accept for filing any certificate of registration accepted at a state agency designated pursuant to Section 1-4- 5.2 NMSA 1978 not later than twenty-eight days prior to any election.

B. For federal qualified electors and overseas voters, the county clerk shall accept a certificate of registration by electronic transmission from a voter qualified to apply for and vote by absentee ballot in the county if the transmission is received before 5:00 p.m. on the Friday immediately preceding the election.

L. 1969, Ch. 240, § 66; L. 1971, Ch. 317, § 5; L. 1973, Ch. 118, § 1; L. 1975, Ch. 255, § 36; L. 1985, Ch. 207, § 2; L. 1987, Ch. 327, § 2; L. 1993, Ch. 314, § 9; L. 1993, Ch. 316, § 9; L. 1995, Ch. 198, § 4, eff. April 6, 1995; L. 2003, Ch. 355, § 2; L. 2005, Ch. 270, § 21, eff. July 1, 2005.

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NM ST § 1-4-8

Page 2

N. M. S. A. 1978, § 1-4-8

Formerly 1953 Comp., § 3-4-8.

CROSS REFERENCES

Secretary of state, election seminars, see § 1-2-5.

LIBRARY REFERENCES

Elections ↪ 103, 106.
Westlaw Key Number Searches: 144k103; 144k106.
C.J.S. Elections § 46.

NMSA 1978, § 1-4-8, NM ST § 1-4-8

Current through the First Regular and First Special Session of the 48th
Legislature (2007)

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New York



▷

Effective: January 1, 2006

Mckinney's Consolidated Laws of New York Annotated Currentness
Election Law (Refs & Annos)

Chapter Seventeen. Of the Consolidated Laws (Refs & Annos)

▣ Article 5. Registration and Enrollment of Voters

▣ Title II. Registration and Enrollment

→ § 5-210. **Registration and enrollment and change of enrollment upon application**

1. In addition to local registration and veterans' absentee registration as provided in this chapter, any qualified person may apply personally for registration and enrollment, change of enrollment by mail or by appearing at the board of elections on any day, except a day of election, during the hours that such board of elections is open for business.

2. (a) Application forms for use pursuant to this section shall be furnished by a county board of elections to any person requesting such form. Application forms sent outside of the United States to a country other than Canada or Mexico, shall be sent airmail. Each county board of elections shall also cause such application forms to be as widely and freely distributed as possible.

(b) The board of elections shall mail an application for registration by mail and information on how the person may re-register to each person for whom it receives notice pursuant to the provisions of subdivision four of section 5-402 of this article that such person has moved into such city or county unless such person is already registered from the address listed in such notice.

3. Completed application forms, when received by any county board of elections and, with respect to application forms promulgated by the federal election commission, when received by the state board of elections, or showing a dated cancellation mark of the United States Postal Service or contained in an envelope showing such a dated cancellation mark which is not later than the twenty-fifth day before the next ensuing primary, general or special election, and received no later than the twentieth day before such election, or delivered in person to such county board of elections not later than the tenth day before a special election, shall entitle the applicant to vote in such election, if he or she is otherwise qualified, provided, however, such applicant shall not vote on a voting machine until his or her identity is verified. Any county board of elections receiving an application form from a person who does not reside in its jurisdiction but who does reside elsewhere in the state of New York, shall forthwith forward such application form to the proper county board of elections. Each board of elections shall make an entry on each such form of the date it is received by such board.

4. Any qualified person who has been honorably discharged from the military after the twenty-fifth day before a general election or who has become a naturalized citizen after the twenty-fifth day before a general election may personally register at the board of elections in the county of his or her residence and vote in the general election held at least ten days after such registration.

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5. Statewide application forms shall be designed by the state board of elections, which shall conform to the requirements for the national voter registration form in the rules and regulations promulgated by the federal election commission and the federal Help America Vote Act, [FN1] and shall elicit the information required for the registration poll record. The form shall include such other information as the state board of elections may reasonably require to enable the board of elections to assess the eligibility of the applicant and to administer voter registration and other parts of the election process and shall also include the following information:

(a) Notice that those voters currently registered do not need to reregister unless they have moved outside of the city or county in which they were registered.

(b) Instructions on how to fill out and submit the form and that the form must be received by any county board of elections at least twenty-five days prior to the election at which the applicant may vote.

(c) Notice that registration and enrollment is not complete until the form is received by the appropriate county board of elections.

(d) Notice of a voter's right to register locally.

(e) A warning that it is a crime to procure a false registration or to furnish false information to the board of elections.

(f) Notice that political party enrollment is optional but that, in order to vote in a primary election of a political party, a voter must enroll in that political party, unless state party rules allow otherwise.

(g) Notice that the applicant must be a citizen of the United States, is or will be at least eighteen years old not later than December thirty-first of the calendar year in which he or she registers and a resident of the county or city to which application is made.

(h) Notice that a voter notification form will be mailed to each applicant whose completed form is received.

(i) The telephone number of the county board of elections and a toll free number at the state board of elections that can be called for answers to registration questions.

(j) A space for the applicant to indicate whether or not the voter is willing to serve on election day for a board of elections as an election inspector, poll clerk, interpreter or in other capacities.

(k) The form shall also include space for the following information, which must be contained on the inside of the form after it is folded for mailing:

(i) A space for the applicant to indicate whether or not he or she has ever voted or registered to vote before and, if so, the approximate year in which such applicant last voted or registered and his or her name and address at the time.

(ii) The name and residence address of the applicant including the zip code and apartment number, if any.

(iii) The date of birth of the applicant.

(iv) A space for the applicant to indicate his or her driver's license or department of motor vehicles non-driver photo ID number or the last four digits of his or her social security number or, if the applicant does not have either such number, a space for the applicant to indicate he or she does not have either.

(v) A space for the applicant to indicate whether or not he or she is a citizen of the United States and the statement “If you checked “no” in response to this question, do not complete this form.”

(vi) A space for the applicant to answer the question “Will you be 18 years of age on or before election day?” and the statement “If you checked “no” in response to this question, do not complete this form unless you will be 18 by the end of the year.”

(vii) A statement informing the applicant that if the form is submitted by mail and the applicant is registering for the first time, certain information or documents must be submitted with the mail-in registration form in order to avoid additional identification requirements upon voting for the first time. Such information and documents are:

(A) a driver's license or department of motor vehicles non-driver photo ID number; or

(B) the last four digits of the individual's social security number; or

(C) a copy of a current and valid photo identification; or

(D) a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter.

(viii) The gender of the applicant (optional).

(ix) A space for the applicant to indicate his or her choice of party enrollment, with a clear alternative provided for the applicant to decline to affiliate with any party.

(x) The telephone number of the applicant (optional).

(xi) A place for the applicant to execute the form on a line which is clearly labeled “signature of applicant” preceded by the following specific form of affirmation:

AFFIDAVIT: I swear or affirm that:

* I am a citizen of the United States.

* I will have lived in the county, city, or village for at least 30 days before the election.

* I meet all the requirements to register to vote in New York State.

* This is my signature or mark on the line below.

* All the information contained on this application is true. I understand that if it is not true I can be convicted and fined up to \$5,000 and/or jailed for up to four years.

which form of affirmation shall be followed by a space for the date and the aforementioned line for the applicant's signature.

(l) The mail voter registration application form developed by the federal election commission pursuant to the provisions of section nine of the National Voter Registration Act of 1993 42 USC 1973gg-7 shall be deemed to meet the requirements of this section. Any application for registration received on such an application form shall be accepted if the applicant is otherwise eligible to register to vote pursuant to the provisions of this article.

6. A person who willfully makes a material false statement in any application for registration and enrollment and/or transfer of registration and enrollment or special enrollment by mail, or who knowingly makes a false affirmation, or who offers or attempts to offer any application for registration and enrollment or transfer of registration and enrollment or special enrollment knowing that the applicant is not qualified to register or enroll, or transfer his or her registration and enrollment or to specially enroll, shall be guilty of a class E felony.

[6-a. Repealed. L.1994, c. 659, § 12, eff. Jan. 1, 1995]

7. Each county board of elections shall deliver a sufficient number of such uniform statewide application forms to each local post office within its county and keep such post office so supplied, with the request that the postmaster thereof make them available to the public for its use in participating in the electoral process.

8. Upon its receipt by the county board of elections, each application form shall be reviewed and examined by such board. If the application shall contain substantially all the required information indicating that the applicant is legally qualified to register and/or enroll as stated in his or her application, the county board of elections shall transfer all information on such application to the appropriate registration records. If requested by any member of the board, the application form of any voter, or group of voters, must be reviewed and examined by two such board members or two employees of the board representing different political parties. Such members or employees shall place their initials or other identifying information on the registration poll record of such voter or on a computer generated list of such registrations. Such lists shall be preserved in the same manner, and for the same time, as such registration poll records. If the application indicates that the voter does not have a driver's license or department of motor vehicles non-driver photo ID number or a social security number, the state board of elections shall, upon the transmission of voter information to the statewide voter registration list as required by section 5-614 of this article, assign such voter a unique identifier.

9. The county board of elections shall, promptly and in any event, not later than twenty-one days after receipt by it of the application, verify the identity of the applicant. In order to do so, the county board of elections shall utilize the information provided in the application and shall attempt to verify such information with the information provided by the department of motor vehicles, social security administration and any other lawful available information source. If the county board of elections is unable to verify the identity of the applicant within twenty-one days of the receipt of the application, it shall immediately take steps to confirm that the information provided by the applicant was accurately utilized by such county board of elections, was accurately verified with other information sources and that no data entry error, or other similar type of error, occurred. Following completion of the preceding steps, the county board of elections shall mail (a) a notice of its approval, (b) a notice of its approval which includes an indication that such board has not yet been able to verify the identity of the applicant and a request for more information so that such verification may be completed, or (c) a notice of its rejection of the application to the applicant in a form approved by the state board of elections. Notices of approval, notices of approval with requests for more information or notices of rejection shall be sent by nonforwardable first class or return postage guaranteed mail on which is endorsed "ADDRESS CORRECTION REQUESTED" and which contains a request that any such mail received for persons not residing at the address be dropped back in the mail. The voter's registration and enrollment shall be complete upon receipt of the application by the appropriate county board of elections. The failure of a county board of elections to verify an applicant's identity shall not be the basis for the rejection of a voter's application, provided, however, that such verification failure shall be the basis for requiring county board of elections to take the additional verification steps provided by this chapter. The notice shall also advise the registrant of the date when his registration and enrollment is effective, of the date and the hours of the next regularly scheduled primary or general election in which he will be eligible to vote, of the location of the polling place of the election district in which he is or will be a qualified voter, whether such polling place is accessible to physically handicapped voters, an indication that physically handicapped voters or voters who are ill or voters who will be out of the city or county on the day of the primary or general election, may obtain an absentee ballot and the phone number to call for absentee ballot applications, the phone numbers to call for location of polling places, to obtain registration forms and the phone number to call to indicate that the

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voter is willing to serve on election day as an inspector, poll clerk or interpreter. The notice of approval, notice of approval with request for more information or notice of rejection shall also advise the applicant to notify the board of elections if there is any inaccuracy. The form of such mail notification shall be prescribed by the state board of elections and shall contain such other information and instructions as it may reasonably require to carry out the purposes of this section. The request for more information shall inform the voter that "THE FAILURE TO CONTACT THE BOARD OF ELECTIONS AND CORRECT ANY INACCURACIES IN THE APPLICATION OR PROVIDE REQUESTED ADDITIONAL INFORMATION MAY RESULT IN A REQUEST FOR IDENTIFICATION AT THE POLLS IN ORDER TO CAST A VOTE ON A VOTING MACHINE." If such notice is returned undelivered without a new address, the board shall forthwith send such applicant a confirmation notice pursuant to the provisions of section 5-712 of this article and place such applicant in inactive status. The state board of elections shall prepare uniform notices by this section as provided for in subdivision eight of section 3-102 of this chapter.

10. If the board of elections has been unable to verify the identity of the applicant within forty-five days of the application, the board shall mail a second request for more information to the applicant. This notice shall inform the voter that "THE FAILURE TO CONTACT THE BOARD OF ELECTIONS AND CORRECT ANY INACCURACIES IN THE APPLICATION OR PROVIDE REQUESTED ADDITIONAL INFORMATION MAY RESULT IN A REQUEST FOR IDENTIFICATION AT THE POLLS IN ORDER TO CAST A VOTE ON A VOTING MACHINE." If the board of elections remains unable to verify the identity of the voter it shall so indicate with a notation next to the voter's name in the registration list. Such a voter may provide information to assist the county board to verify his or her identity at any time and such notation shall be removed by the board of elections upon such verification.

11. If the county board of elections suspects or believes that for any reason the applicant is not entitled to registration and enrollment, it shall make inquiry in reference thereto. If the board of elections shall find that the applicant is not qualified to register and enroll, the application shall be rejected and the applicant notified of such rejection and the reason therefor, no later than ten days before the day of the first primary or general election occurring at least twenty-five days after the filing of the application.

12. Whenever the county board of elections is not satisfied from an examination of an application for registration and enrollment, or after its initial inquiry, that the applicant is entitled to such registration or enrollment, it may order an investigation through any officer or employee of the state or county board of elections, police officer, sheriff or deputy sheriff.

13. An affidavit or a signed statement by any officer or employee of the state or county board of elections or any police officer, sheriff or deputy sheriff, that such person visited the premises claimed by the applicant as his or her residence and interrogated an inmate, house-dweller, keeper, caretaker, owner, proprietor or landlord thereof or therein as to such applicant's residence therein or thereat, and that he or she was informed by one or more such persons, naming them, that they knew the persons residing upon such premises and that the applicant did not reside upon such premises as set forth in his or her application, shall be sufficient authority for a determination by the board that the applicant is not entitled to registration or enrollment; but this provision shall not preclude the board from making such other determination, as the result of other inquiry, as it may deem appropriate.

14. Notwithstanding the entry by the county board of elections on the registration poll record of the information contained on an application form prescribed by this section, such entry shall not preclude the county board of elections from subsequently rejecting the application if it is not satisfied that the applicant is entitled to register and enroll as provided by this section, provided that the applicant is notified of such rejection and reasons therefor no later than ten days before the day of the first primary or general election occurring at least twenty-five days after the filing of such application form.

15. a. The county board of elections shall keep a record of applications for registration as they are received and at

McKinney's Election Law § 5-210

Page 6

least once each month, shall, upon request of the chairman of a political party in the county, give such chairman a complete list of the persons whose applications were approved together with their addresses and telephone numbers, and their election and assembly districts or wards, if any.

b. Not more than four times a year, on dates determined by the state board of elections, the county board of elections shall send to the chairman of each political party in the county a complete list of the persons whose applications were approved together with their addresses, their election and assembly districts or wards, if any, their party enrollments and an indication of whether such persons are eligible to vote in the primary elections to be held in that calendar year. Not more than twice a year, in even numbered years, on dates determined by the state board of elections, the county board of elections shall send a copy of such list to the state board of elections. In counties of over one hundred thousand population, each such list shall be, and in other counties each such list may be, cumulative and include the names of all such persons whose names do not appear in the annual enrollment lists last published by such board of elections, together with an indication of which such names did not appear on the previous list. Such lists may also include the names of those persons whose names do appear in the annual enrollment lists. Such lists shall be arranged in the same manner as the annual enrollment lists. Additional copies of such lists shall be available to the public at a charge not exceeding the cost of publication or reproduction.

CREDIT(S)

(L.1976, c. 233, § 1; amended L.1976, c. 234, § 23; L.1978, c. 9, § 30; L.1978, c. 373, §§ 40, 41, 42; L.1979, c. 522, § 1; L.1981, c. 37, § 1; L.1981, c. 685, § 1; L.1983, c. 365, § 1; L.1984 c. 407, § 1; 1985, c. 164, § 4; L.1985, c. 695, § 2; L.1985, c. 786, § 1; L.1988, c. 733, § 1; L.1990, c. 392, § 1; L.1991, c. 90, §§ 16 to 19; L.1991, c. 263, § 4; L.1992, c. 79, §§ 6, 7; L.1992, c. 473, § 1; L.1993, c. 27, § 1; L.1993, c. 60, § 31; L.1993, c. 682, § 1; L.1994, c. 85, § 1; L.1994, c. 659, §§ 6 to 13; L.1996, c. 116, § 1; L.1996, c. 200, §§ 2 to 6; L.2005, c. 179, § 3, eff. Jan. 1, 2006.)

[FN1] 42 USCA § 15301 et seq.

Current through L.2007, chapters 1 to 689.

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Effective:[See Text Amendments]

McKinney's Consolidated Laws of New York Annotated Currentness
Election Law (Refs & Annos)

Chapter Seventeen. Of the Consolidated Laws (Refs & Annos)

▣ Article 5. Registration and Enrollment of Voters

▣ Title II. Registration and Enrollment

→ § 5-211. Agency assisted registration

Each agency designated as a participating agency under the provisions of this section shall implement and administer a program of distribution of voter registration forms pursuant to the provisions of this section. The following offices which provide public assistance and/or provide state funded programs primarily engaged in providing services to persons with disabilities are hereby designated as voter registration agencies: designated as the state agencies which provide public assistance are the department of social services and the department of health. Also designated as public assistance agencies are all agencies of local government that provide such assistance. Designated as state agencies that provide programs primarily engaged in providing services to people with disabilities are the department of labor, office for the aging, division of veterans' affairs, office of mental health, office of vocational and educational services for individuals with disabilities, commission on quality of care for the mentally disabled, office of mental retardation and developmental disabilities, commission for the blind and visually handicapped, office of alcoholism and substance abuse services, the office of the advocate for the disabled and all offices which administer programs established or funded by such agencies. Additional state agencies designated as voter registration offices are the department of state and the division of workers' compensation. Such agencies shall be required to offer voter registration forms to persons upon initial application for services, renewal or recertification for services and change of address relating to such services. Such agencies shall also be responsible for providing assistance to applicants in completing voter registration forms, receiving and transmitting the completed application form from all applicants who wish to have such form transmitted to the appropriate board of elections. The state board of elections shall, together with representatives of the department of defense, develop and implement procedures for including recruitment offices of the armed forces of the United States as voter registration offices when such offices are so designated by federal law. The state board shall also make request of the United States Immigration and Naturalization Service to include applications for registration by mail with any materials which are given to new citizens. All institutions of the state university of New York and the city university of New York, shall, at the beginning of the school year, and again in January of a year in which the president of the United States is to be elected, provide an application for registration to each student in each such institution. The state board of elections may, by regulation, grant a waiver from any or all of the requirements of this section to any office or program of an agency, if it determines that it is not feasible for such office or program to administer such requirement.

1. The state board of elections shall adopt such rules and regulations as may be necessary to carry out the requirements of this section and shall prepare and distribute to participating agencies written instructions as to the implementation of the program and shall be responsible for establishing training programs for employees of

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participating agencies involved in such program. The state board of elections shall provide a toll free telephone to answer registration questions.

2. Strict neutrality with respect to a person's party enrollment shall be maintained and all persons seeking voter registration forms and information shall be advised that government services are not conditioned on being registered to vote. No statement shall be made nor any action taken to discourage the applicant from registering to vote.

3. If a participating agency provides services to a person with a disability at the person's place of residence, the agency shall offer the opportunity to complete a voter registration form at such place of residence.

4. Each participating agency shall provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as is provided by the agency with regard to the completion of its own form unless the applicant refuses such assistance.

5. Employees of a voter registration agency who provide voter registration assistance shall not:

(a) seek to influence an applicant's political preference or party designation;

(b) display any political preference or party allegiance;

(c) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or

(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 register or not to register has any bearing on the availability of services or benefits.

6. The state board of elections shall coordinate and monitor the distribution of voter registration forms by those state agencies, departments, divisions and offices selected to participate in the program to maximize the efficient and non partisan distribution of voter registration information and forms. The board shall also adopt such rules and regulations as may be necessary to require county boards and participating agencies to provide the state board with such information and data as the board deems necessary to assess compliance with this section and to compile such statistics as may be required by the federal elections commission.

7. Each participating agency, department, division and office that makes available voter registration forms shall prominently display promotional materials designed and approved by the state board of elections, informing the public of the existence of voter registration services.

8. Each participating agency, department, division or office that makes available voter registration forms pursuant to this section shall offer with each application for the services or assistance of such agency, department, division or office and with each recertification, renewal or change of address form relating to such service or assistance, a registration form together with instructions relating to eligibility to register and for completing the form except that forms used by the department of social services for the initial application for services, renewal or recertification for services and change of address relating to such services shall physically incorporate a voter registration application in a fashion that permits the voter registration portion of the agency form to be detached therefrom. Such voter registration application shall be designed so as to ensure the confidentiality of the source of the application. Included on each participating agency's application for services or assistance or on a separate form shall be:

(a) the question, "If you are not registered to vote where you live now, would you like to apply to register here today?"

(b) The [FN1] 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."

(c) boxes for the applicant to check to indicate whether the applicant would like to register or decline to register to vote.

(d) the statement in prominent type, "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME."

(e) the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."

(f) the statement, "If you believe that someone has interfered with your right to register or decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the state board of elections (address and toll free telephone number)."

(g) a toll free number at the state board of elections that can be called for answers to registration questions.

9. Disclosure of voter registration information, including a declination to register, by a participating agency, its agents or employees, for other than voter registration purposes, shall be deemed an unwarranted invasion of personal privacy pursuant to the provisions of subdivision two of section eighty-nine of the public officers law and shall constitute a violation of this chapter.

10. The form containing the declination to register to vote shall be retained by the recipient agency for the same period of time as such agency retains the accompanying application for services or for such shorter period of time as may be approved by the state board of elections.

11. The participating agency shall transmit the completed applications for registration and change of address forms to the appropriate board of elections not later than ten days after receipt except that all such completed applications and forms received by the agency between the thirtieth and twenty-fifth day before an election shall be transmitted in such manner and at such time as to assure their receipt by such board of elections not later than the twentieth day before such election.

12. Completed application forms, when received by a participating agency not later than the twenty-fifth day before the next ensuing primary, general or special election and transmitted by such agency to the appropriate board of elections so that they are received by such board not later than the twentieth day before such election shall entitle the applicant to vote in such election provided the board determines that the applicant is otherwise qualified.

13. The state board of elections shall provide application forms for use pursuant to this section except that any agency which uses a form other than such registration form shall be responsible for providing such form. Forms which vary in design and or content from the form approved by the state board of elections may only be used with the approval of such board.

14. Applications shall be processed by the board of elections in the manner prescribed by section 5-210 of this title or, if the applicant is already registered to vote from another address in the county or city, in the manner prescribed by section 5-208 of this title. The board shall send the appropriate notice of approval or rejection as required by either subdivision nine of such section 5-210 or subdivision five of such section 5-208.

15. The head of each participating agency shall take all actions which are necessary and proper for the

implementation of this section. Each agency head shall designate one person within the agency as the agency voter registration coordinator who will, under the direction of the state board of elections, be responsible for the voter registration program in such agency.

16. The state board shall develop and distribute public information and promotional materials relating to the purposes and implementation of this program.

17. Each agency designated as a participating agency under this section shall conduct a study and prepare a report to determine the feasibility, practicality and cost-effectiveness of designing their agency intake forms to serve also as voter registration forms that comply with state and federal law. Such study and report shall be completed by December 1, 1996. Copies of such reports shall be provided to the governor, the temporary president of the senate, the speaker of the assembly and the state board of elections. After submission of the report, participating agencies that determine that it is feasible, practical and cost-effective to have such forms also serve as voter registration forms shall do so upon the approval of the state board of elections. For each agency that determines it is feasible, practical and cost effective to use agency intake forms that serve also as voter registration forms, the state board of elections shall approve or disapprove such use within six months of the submission of the report by the agency.

CREDIT(S)

(Added L.1992, c. 79, § 8; amended L.1994, c. 659, § 14; L.1996, c. 200, §§ 7 to 9.)

[FN1] So in original. ("The" should be "the".)

Current through L.2007, chapters 1 to 689.

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McKinney's Election Law § 5-212

Page 1

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Effective:[See Text Amendments]

Mckinney's Consolidated Laws of New York Annotated Currentness
 Election Law (Refs & Annos)
 Chapter Seventeen. Of the Consolidated Laws (Refs & Annos)
 ▣ Article 5. Registration and Enrollment of Voters
 ▣ Title II. Registration and Enrollment
 → § 5-212. Motor vehicle registration

1. In addition to any other method of voter registration provided for in this article, any qualified person may apply for registration and enrollment by application made simultaneously and integrated with an application for a motor vehicle driver's license, a driver's license renewal or an identification card if such a card is issued by the department of motor vehicles in its normal course of business.

2. The department of motor vehicles, with the approval of the state board of elections, shall design a form or forms which shall, in addition to eliciting such information as may be required by the department of motor vehicles for a driver's license, a driver's license renewal, a change of address notification or an identification card, serve as an application for registration and enrollment, or a registration necessitated by a change of residence. The cost of such forms shall be borne by the department of motor vehicles.

3. The voter registration portion of such forms:

(a) shall not require any information that duplicates the information required on the application for the driver license portion and shall require only such additional information, including the applicant's signature, as will enable election officials to assess the applicant's eligibility to register to vote, prevent duplicate registration and to administer voter registration and other parts of the election process.

(b) shall include a statement of the eligibility requirements for voter registration and shall require the applicant to attest by his signature that he meets those requirements under penalty of perjury.

(c) shall inform the applicant, in print identical to that used in the attestation section of the following:

(i) voter eligibility requirements;

(ii) penalties for submission of false registration application;

(iii) that the office where applicant registers shall remain confidential and the information be used only for voter registration purposes;

(iv) if the applicant declines to register, his declination shall remain confidential and be used only for voter

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registration purposes;

4. Included on the form or on a separate form shall be:

(a) the question, "If you are not registered to vote where you live now, would you like to apply to register here today?"

(b) boxes for the applicant to check to indicate whether the applicant would like to register or decline to register to vote.

(c) the statement in prominent type, "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME."

(d) the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."

(e) the statement, "If you believe that someone has interfered with your right to register or decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the state board of elections (address and toll free telephone number)."

(f) a toll free number at the state board of elections that can be called for answers to registration questions.

5. The form containing the declination to register to vote shall be retained by the department of motor vehicles for the same period of time as such department retains the accompanying application for services or for such shorter period of time as may be approved by the state board of elections.

6. The department of motor vehicles shall transmit that portion of the form which constitutes the completed application for registration or change of address form to the appropriate board of elections not later than ten days after receipt except that all such completed applications and forms received by the department between the thirtieth and twenty-fifth day before an election shall be transmitted in such manner and at such time as to assure their receipt by such board of elections not later than the twentieth day before such election. All transmittals shall include original signatures.

7. Completed application forms received by the department of motor vehicles not later than the twenty-fifth day before the next ensuing primary, general or special election and transmitted by such department to the appropriate board of elections so that they are received not later than the twentieth day before such election shall entitle the applicant to vote in such election provided the board determines that the applicant is otherwise qualified.

8. Disclosure of voter registration information, including a declination to register, by the department of motor vehicles, its agents or employees, for other than voter registration purposes, shall be deemed an unwarranted invasion of personal privacy pursuant to the provisions of subdivision two of section eighty-nine of the public officers law and shall constitute a violation of this chapter.

9. Application forms shall be processed by the board of elections in the manner prescribed by section 5-210 of this title or, if the applicant is already registered to vote from another address in such county or city, in the manner prescribed by section 5-208 of this title. The board shall send the appropriate notice of approval or rejection as required by either subdivision nine of such section 5-210 or subdivision five of such section 5-208.

10. Strict neutrality with respect to a person's party enrollment shall be maintained and all persons seeking voter registration forms and information shall be advised that government services are not conditioned on being

registered to vote.

11. No statement shall be made nor any action taken to discourage the applicant from registering to vote.

12. The department of motor vehicles shall provide to each person who chooses to register to vote the same level of assistance provided to persons in connection with the completion of the agency's own forms, unless such person refuses such assistance.

13. The state board shall adopt such rules and regulations as may be necessary to carry out the requirements of this section. The board shall also adopt such rules and regulations as may be necessary to require county boards and the department of motor vehicles to provide the state board with such information and data as the board deems necessary to assess compliance with this section and to compile such statistics as may be required by the federal elections commission.

14. The state board shall develop and distribute public information and promotional materials relating to the purposes and implementation of this program.

15. The state board shall prepare and distribute to the department of motor vehicles written instructions as to the implementation of the program and shall be responsible for establishing training programs for employees of the department of motor vehicles involved in such program.

16. The commissioner of motor vehicles shall take all actions which are necessary and proper for the implementation of this section. The commissioner of motor vehicles shall designate one person within the agency as the agency voter registration coordinator who will, under the direction of the state board of elections, be responsible for the voter registration program in such agency.

CREDIT(S)

(Added L.1994, c. 659, § 15; amended L.1996, c. 200, §§ 10, 11.)

HISTORICAL AND STATUTORY NOTES

2007 Main Volume

L.1996, c. 200 legislation

Subd. 6. L.1996, c. 200, § 10, eff. June 25, 1996, made technical corrections.

Subd. 9. L.1996, c. 200, § 11, eff. June 25, 1996, added reference to the processing of applications pursuant to § 5-208; and, made technical corrections.

L.1994, c. 659 legislation

Section effective Jan. 1, 1995, but all necessary forms shall be prepared and printed far enough in advance to be available on that date, and any rules or regulations necessary for implementation shall be promulgated by that date, pursuant to L.1994, c. 659, § 55, set out as a note under Election Law § 5-211.

L.1994, c. 659, § 54, eff. Jan. 1, 1995, provided:

“a. Notwithstanding the requirements of sections 5-211 and 5-212 of the election law, section 5-211 as amended by section fourteen of this act [L.1994, c. 659] and section 5-212 as added by section fifteen of this act, the state board of elections is authorized to allow any agency required by such sections 5-211 and 5-212 to include or attach an application for voter registration as part of the agency form described in such sections, to use the registration form provided by the state board of elections in a procedure that assures that the opportunity to register to vote is an integral part of such agency's intake process, if the state board determines that such a procedure is necessary to implement the requirements of this act until such time as the forms required by such sections are available for use by such agency.

“b. Uniform statewide application forms and statewide application forms in use at any time prior to the effective date of the amendments to subdivision 5 of section 5-210 of the election law made by this act may continue to be used until the existing supplies of forms are exhausted and effective immediately any statewide application forms printed hereafter shall conform to the requirements of subdivision 5 of section 5-210 of the election law as amended by this act.”

Former Sections

Former § 5-212 was renumbered Election Law § 5-215.

NEW YORK CODES, RULES AND REGULATIONS

2007 Main Volume

Agency assisted registration, duties of participating agencies, see 9 NYCRR 6213.1 et seq., set out in the Election Law Appendix [ELEC App. 6213.1 et seq.].

LIBRARY REFERENCES

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Elections ↪ 106.
Westlaw Topic No. 144.
C.J.S. Elections § 46.

RESEARCH REFERENCES

2007 Electronic Update

Encyclopedias

NY Jur. 2d, Elections § 164, Transfer of Registration and Enrollment; Change of Address.

NY Jur. 2d, Elections § 179, Generally; Filing of Application With Department of Motor Vehicles.

NY Jur. 2d, Elections § 180, Assistance to Applicant.

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McKinney's Election Law § 5-212

Page 5

NY Jur. 2d, Elections § 181, Prohibition Against Disclosure of Voter Registration Information.

NY Jur. 2d, Elections § 182, Processing of Application by Board of Elections.

NY Jur. 2d, Elections § 183, Duties of State Board of Elections and Commissioner of Motor Vehicles.

NY Jur. 2d, Elections § 230, Confirmation Notices.

McKinney's Election Law § 5-212, NY ELEC § 5-212

Current through L.2007, chapters 1 to 689.

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North Carolina

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N.C.G.S.A. § 163-82.6

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 WEST'S NORTH CAROLINA GENERAL STATUTES ANNOTATED
 CHAPTER 163. ELECTIONS AND ELECTION LAWS
 SUBCHAPTER III. QUALIFYING TO VOTE
 ARTICLE 7A. REGISTRATION OF VOTERS
 →§ 163-82.6. Acceptance of application forms

(a) How the Form May Be Submitted.--The county board of elections shall accept any form described in G.S. 163-82.3 if the applicant submits the form by mail, facsimile transmission, transmission of a scanned document, or in person. The applicant may delegate the submission of the form to another person. Any person who communicates to an applicant acceptance of that delegation shall deliver that form so that it is received by the appropriate county board of elections in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (c) of this section for the next election.

(a1) Misdemeanors.--It shall be a Class 2 misdemeanor for any person to do any of the following:

- (1) To communicate to the applicant acceptance of the delegation described in subsection (a) of this section and then fail to make a good faith effort to deliver the form so that it is received by the county board of elections in time to satisfy the registration deadline in subdivision (1) or (2) of subsection (c) of this section for the next election. It shall be an affirmative defense to a charge of failing to make a good faith effort to deliver a delegated form by the registration deadline that the delegatee informed the applicant that the form would not likely be delivered in time for the applicant to vote in the next election.
- (2) To sell or attempt to sell a completed voter registration form or to condition its delivery upon payment.
- (3) To change a person's information on a voter registration form prior to its delivery to a county board of elections.
- (4) To coerce a person into marking a party affiliation other than the party affiliation the person desires.
- (5) To offer a person a voter registration form that has a party affiliation premarked unless the person receiving the form has requested the premarking.

(b) Signature. -- The form shall be valid only if signed by the applicant. An electronically captured image of the signature of a voter on an electronic voter registration form offered by a State agency shall be considered a valid signature for all purposes for which a signature on a paper voter registration form is used.

(c) Registration Deadlines for an Election. -- In order to be valid for an election, except as provided in G.S. 163-82.6A, the form:

- (1) If submitted by mail, must be postmarked at least 25 days before the election, except that any mailed application on which the postmark is missing or unclear is validly submitted if received in the mail not later than 20 days before the election,
- (2) If submitted in person, by facsimile transmission, or by transmission of a scanned document, must be received by the county board of elections by a time established by that board, but no earlier than 5:00 P.M.,

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N.C.G.S.A. § 163-82.6

on the twenty-fifth day before the election,

(3) If submitted through a delegatee who violates the duty set forth in subsection (a) of this section, must be signed by the applicant and given to the delegatee not later than 25 days before the election, except as provided in subsection (d) of this section.

(c1) If the application is submitted by facsimile transmission or transmission of a scanned document, a permanent copy of the completed, signed form shall be delivered to the county board no later than 20 days before the election.

(d) Instances When Person May Register and Vote on Election Day. -- If a person has become qualified to register and vote between the twenty-fifth day before an election and election day, then that person may apply to register on election day by submitting an application form described in G.S. 163-82.3(a) or (b) to:

- (1) A member of the county board of elections;
- (2) The county director of elections; or
- (3) The chief judge or a judge of the precinct in which the person is eligible to vote,

and, if the application is approved, that person may vote the same day. The official in subdivisions (1) through (3) of this subsection to whom the application is submitted shall decide whether the applicant is eligible to vote. The applicant shall present to the official written or documentary evidence that the applicant is the person he represents himself to be. The official, if in doubt as to the right of the applicant to register, may require other evidence satisfactory to that official as to the applicant's qualifications. If the official determines that the person is eligible, the person shall be permitted to vote in the election and the county board shall add the person's name to the list of registered voters. If the official denies the application, the person shall be permitted to vote a challenged ballot under the provisions of G.S. 163-88.1, and may appeal the denial to the full county board of elections. The State Board of Elections shall promulgate rules for the county boards of elections to follow in hearing appeals for denial of election day applications to register. No person shall be permitted to register on the day of a second primary unless he shall have become qualified to register and vote between the date of the first primary and the date of the succeeding second primary.

(e) For purposes of subsection (d) of this section, persons who "become qualified to register and vote" during a time period:

- (1) Include those who during that time period are naturalized as citizens of the United States or who are restored to citizenship after a conviction of a felony; but
- (2) Do not include persons who reach the age of 18 during that time period, if those persons were eligible to register while 17 years old during an earlier period.

Current through S.L. 2007-552 (End) of the 2007 Regular and Extra Sessions.

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Ohio



R.C. § 3503.19

C
BALDWIN'S OHIO REVISED CODE ANNOTATED
TITLE XXXV. ELECTIONS
CHAPTER 3503. VOTERS--QUALIFICATIONS; REGISTRATION
REGISTRATION

→3503.19 Registration procedures

(A) Persons qualified to register or to change their registration because of a change of address or change of name may register or change their registration in person at any state or local office of a designated agency, at the office of the registrar or any deputy registrar of motor vehicles, at a public high school or vocational school, at a public library, at the office of a county treasurer, or at a branch office established by the board of elections, or in person, through another person, or by mail at the office of the secretary of state or at the office of a board of elections. A registered elector may also change the elector's registration on election day at any polling place where the elector is eligible to vote, in the manner provided under section 3503.16 of the Revised Code.

Any state or local office of a designated agency, the office of the registrar or any deputy registrar of motor vehicles, a public high school or vocational school, a public library, or the office of a county treasurer shall transmit any voter registration application or change of registration form that it receives to the board of elections of the county in which the state or local office is located, within five days after receiving the voter registration application or change of registration form.

An otherwise valid voter registration application that is returned to the appropriate office other than by mail must be received by a state or local office of a designated agency, the office of the registrar or any deputy registrar of motor vehicles, a public high school or vocational school, a public library, the office of a county treasurer, the office of the secretary of state, or the office of a board of elections no later than the thirtieth day preceding a primary, special, or general election for the person to qualify as an elector eligible to vote at that election. An otherwise valid registration application received after that day entitles the elector to vote at all subsequent elections.

Any state or local office of a designated agency, the office of the registrar or any deputy registrar of motor vehicles, a public high school or vocational school, a public library, or the office of a county treasurer shall date stamp a registration application or change of name or change of address form it receives using a date stamp that does not disclose the identity of the state or local office that receives the registration.

Voter registration applications, if otherwise valid, that are returned by mail to the office of the secretary of state or to the office of a board of elections must be postmarked no later than the thirtieth day preceding a primary, special, or general election in order for the person to qualify as an elector eligible to vote at that election. If an otherwise valid voter registration application that is returned by mail does not bear a postmark or a legible postmark, the registration shall be valid for that election if received by the office of the secretary of state or the office of a board of elections no later than twenty-five days preceding any special, primary, or general election.

(B)(1) Any person may apply in person, by telephone, by mail, or through another person for voter registration forms to the office of the secretary of state or the office of a board of elections.

(2)(a) An applicant may return the applicant's completed registration form in person or by mail to any state or local office of a designated agency, to a public high school or vocational school, to a public library, to the office of a county treasurer, to the office of the secretary of state, or to the office of a board of elections.

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R.C. § 3503.19

(b) Subject to division (B)(2)(c) of this section, an applicant may return the applicant's completed registration form through another person to any board of elections or the office of the secretary of state.

(c) A person who receives compensation for registering a voter shall return any registration form entrusted to that person by an applicant to any board of elections or to the office of the secretary of state.

(d) If a board of elections or the office of the secretary of state receives a registration form under division (B)(2)(b) or (c) of this section before the thirtieth day before an election, the board or the office of the secretary of state, as applicable, shall forward the registration to the board of elections of the county in which the applicant is seeking to register to vote within ten days after receiving the application. If a board of elections or the office of the secretary of state receives a registration form under division (B)(2)(b) or (c) of this section on or after the thirtieth day before an election, the board or the office of the secretary of state, as applicable, shall forward the registration to the board of elections of the county in which the applicant is seeking to register to vote within thirty days after that election.

(C)(1) A board of elections that receives a voter registration application and is satisfied as to the truth of the statements made in the registration form shall register the applicant not later than twenty business days after receiving the application, unless that application is received during the thirty days immediately preceding the day of an election. The board shall promptly notify the applicant in writing of each of the following:

(a) The applicant's registration;

(b) The precinct in which the applicant is to vote;

(c) In bold type as follows:

"Voters must bring identification to the polls in order to verify identity. Identification may include a current and valid photo identification, a military identification that shows the voter's name and current address, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than this notification or a notification of an election mailed by a board of elections, that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by providing the last four digits of the voter's social security number and by casting a provisional ballot. Voters who do not have any of the above forms of identification, including a social security number, will still be able to vote by signing an affirmation swearing to the voter's identity under penalty of election falsification and by casting a provisional ballot."

The notification shall be by nonforwardable mail. If the mail is returned to the board, it shall investigate and cause the notification to be delivered to the correct address.

(2) If, after investigating as required under division (C)(1) of this section, the board is unable to verify the voter's correct address, it shall cause the voter's name in the official registration list and in the poll list or signature pollbook to be marked to indicate that the voter's notification was returned to the board.

At the first election at which a voter whose name has been so marked appears to vote, the voter shall be required to provide identification to the election officials and to vote by provisional ballot under section 3505.181 of the Revised Code. If the provisional ballot is counted pursuant to division (B)(3) of section 3505.183 of the Revised Code, the board shall correct that voter's registration, if needed, and shall remove the indication that the voter's notification was returned from that voter's name on the official registration list and on the poll list or signature pollbook. If the provisional ballot is not counted pursuant to division (B)(4)(a)(i), (v), or (vi) of section 3505.183 of the Revised Code, the voter's registration shall be canceled. The board shall notify the voter by United States mail of the cancellation.

(3) If a notice of the disposition of an otherwise valid registration application is sent by nonforwardable mail and is

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R.C. § 3503.19

returned undelivered, the person shall be registered as provided in division (C)(2) of this section and sent a confirmation notice by forwardable mail. If the person fails to respond to the confirmation notice, update the person's registration, or vote by provisional ballot as provided in division (C)(2) of this section in any election during the period of two federal elections subsequent to the mailing of the confirmation notice, the person's registration shall be canceled.

Current through 2007 File 37, 39 and 41 of the 127th GA (2007-2008),
apv. by 12/21/07, and filed with the Secretary of State by 12/24/07.

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R.C. § 3503.30

C

Baldwin's Ohio Revised Code Annotated Currentness

Title XXXV. Elections

▣ Chapter 3503. Voters--Qualifications; Registration (Refs & Annos)

▣ Registration

→ 3503.30 Mistake in registration form

When by mistake a qualified elector has caused himself to be registered in a precinct which was not his place of residence, the board of elections, on full and satisfactory proof that such error was committed by mistake, may, on his personal application and proof of his true residence, correct his registration form. The board may correct all errors occurring in the registration of electors when it finds that the errors subject to correction were not of fraudulent intent.

(1953 H 1, eff. 10-1-53; GC 4785-58)

HISTORICAL AND STATUTORY NOTES

Pre-1953 H 1 Amendments: 114 v 688; 113 v 334, § 58

CROSS REFERENCES

Possession of altered, false, forged, or counterfeit registration form forbidden, 3599.29

Purposely stated falsehoods in election documents forbidden; fine and imprisonment, 3599.36

LIBRARY REFERENCES

Elections ↔ 103, 108.

Westlaw Topic No. 144.

C.J.S. Elections §§ 41, 47.

RESEARCH REFERENCES

Encyclopedias

OH Jur. 3d Elections § 63, Checking and Correction of Registration Records.

R.C. § 3503.30, OH ST § 3503.30

Current through 2007 File 37, 39 and 41 of the 127th GA (2007-2008), apv. by 12/21/07, and filed with the Secretary of State by 12/24/07.

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