



Wendy Underhill, Director, Elections & Redistricting  
January 18, 2022





- The nation's bipartisan organization serving legislators and legislative staff across the 50 states and U.S. territories
- Services include:
  - Policy Research
  - Training
  - Connections
  - State Voice in D.C.
  - Meetings

## Who is NCSL?





## Today's Agenda

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1. 2022 election enactments
2. Voter list maintenance
3. Post-election audits
4. Possible 2023 topics

## 1. 2022 Enactments

**Voter Registration Application**

Before completing this form, review the General, Application, and State specific instructions.  
 If you checked "No" in response to either of these questions, do not complete form.

Are you a citizen of the United States of America?  
 Will you be 18 years old on or before election day?

(Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)

1 Last Name

2 First Name

3 Apt. or Lot #

4 City/Town

5 Middle Name(s)

6 State

7 Home Address

8 Address Where You Get Your Mail If Different From Above

9 Date of Birth

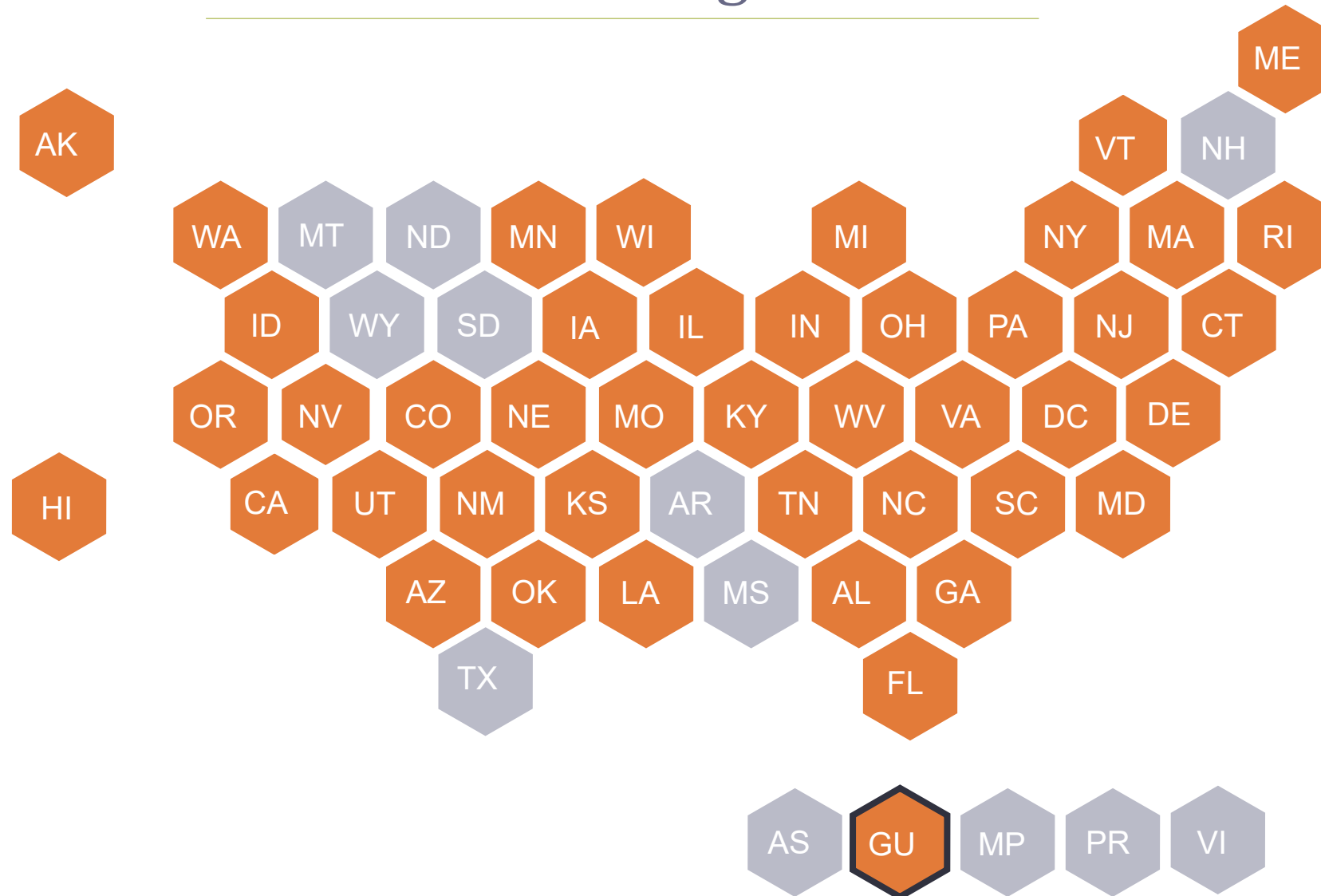
10 Telephone Number (optional)

11 Race or Ethnic Group  
 (See item 8 in the instructions for your State)

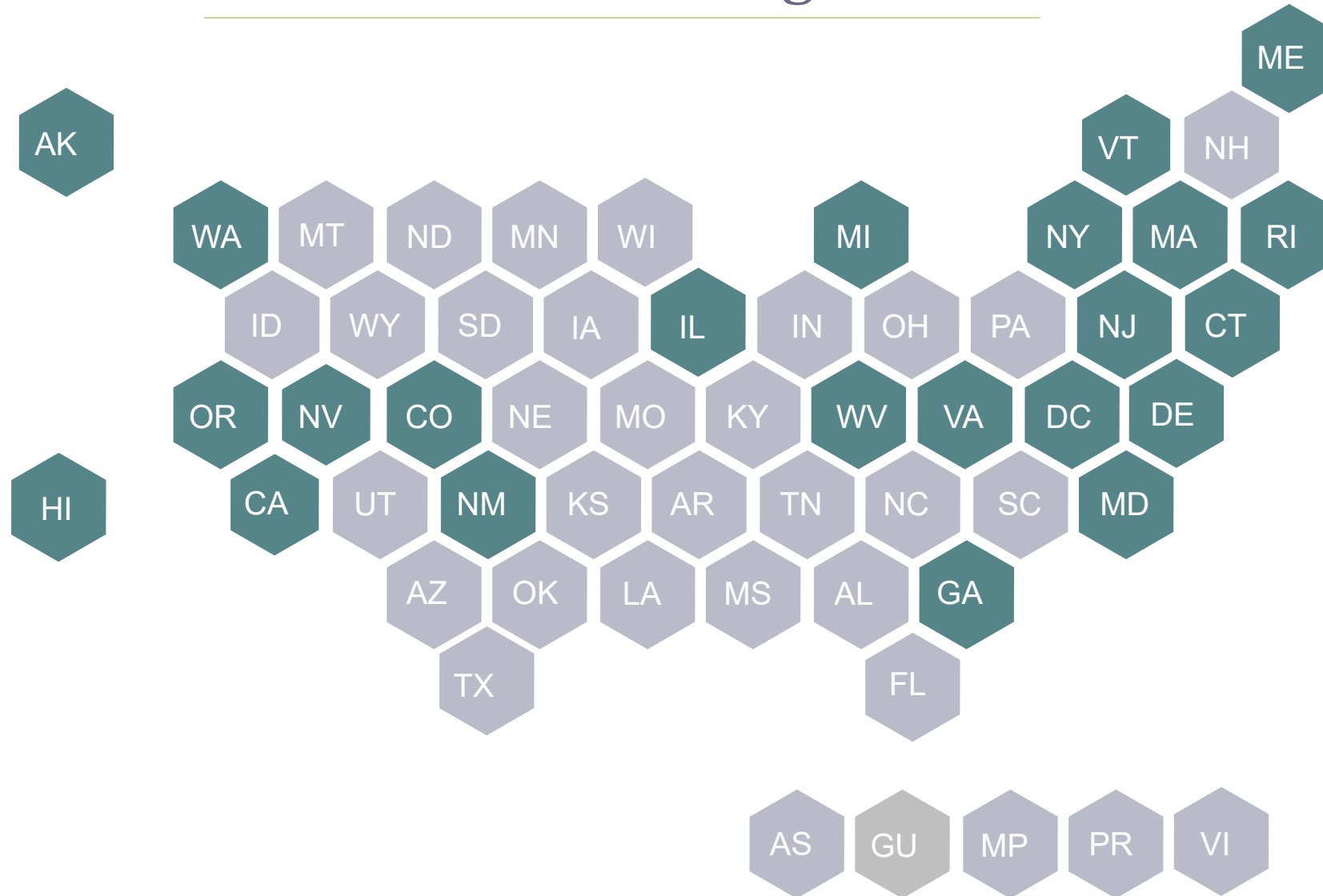
12 Choice of Party  
 (See item 7 in the instructions for your State)

13 Please sign full name

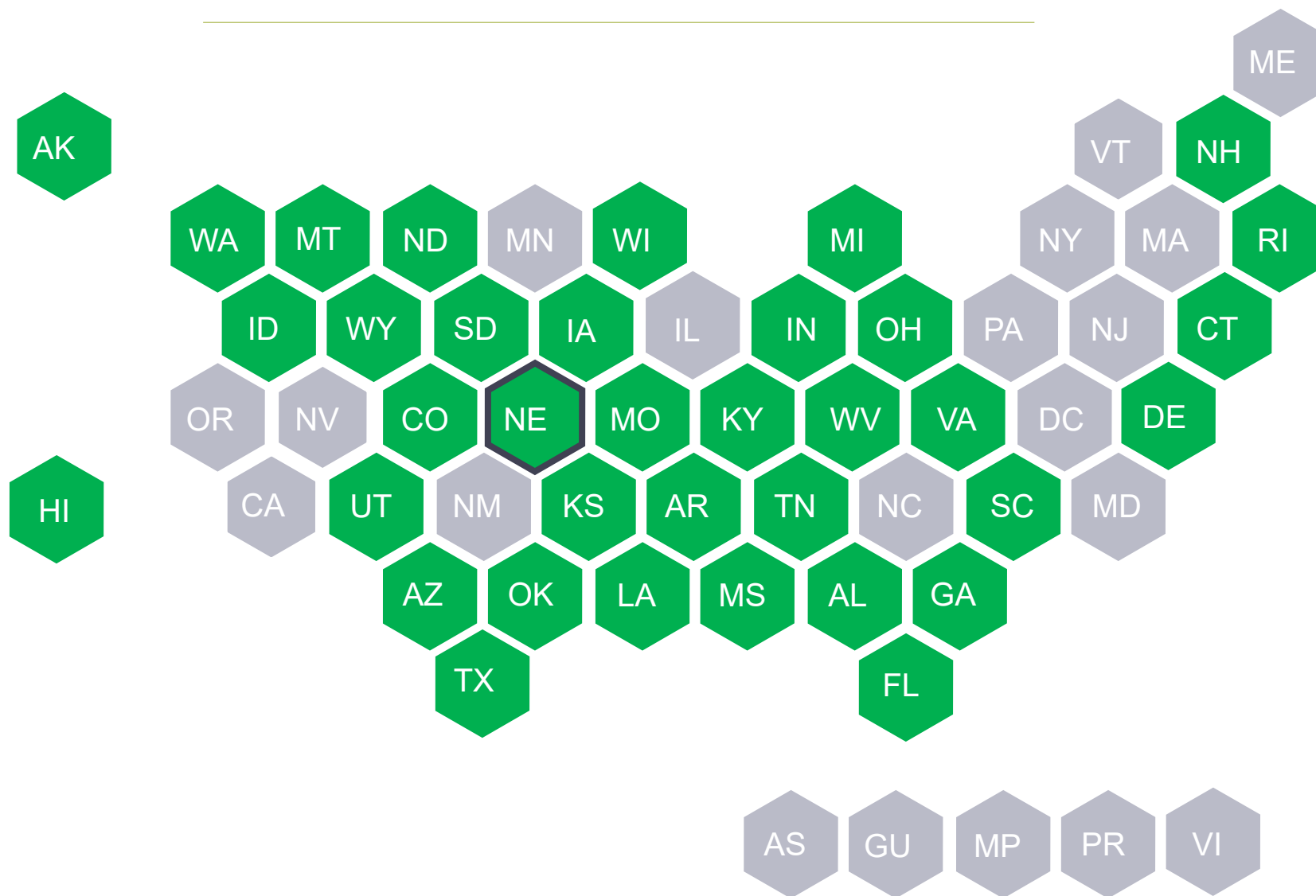
# Online Voter Registration



# Automated Voter Registration



# Voter ID Laws





FL: Free IDs for those with financial hardship

ME: Added tribal IDs

NH: Established provisional voting

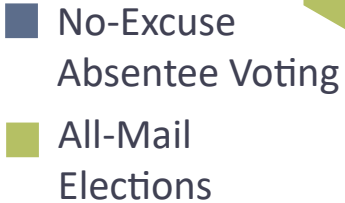
UT: Required ID when voting if not provided at registration



## Voter ID 2022 Enactments

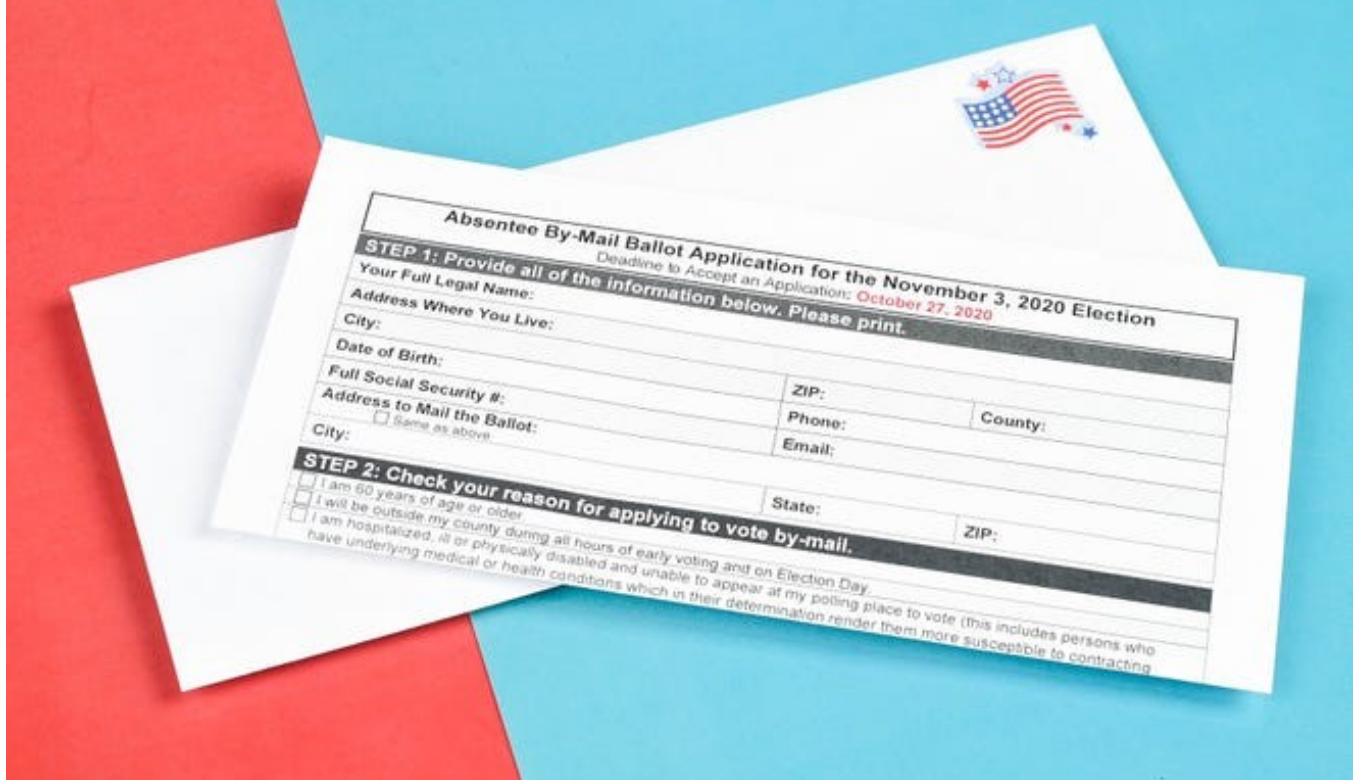
For in-person voting





- NJ, RI, SC, WY: Allowed absentee/mail processing to begin sooner
- IN, SC: Added additional ID requirements
- NJ: Created permanent absentee list
- RI, WV: Authorized electronic ballots for some voters

## Finetuning Absentee/Mail Voting (2022 Enactments)





- 45 states have some kind of ballot tracking system
- AZ, MI, NY: Authorized ballot tracking systems in 2022

## Ballot Tracking

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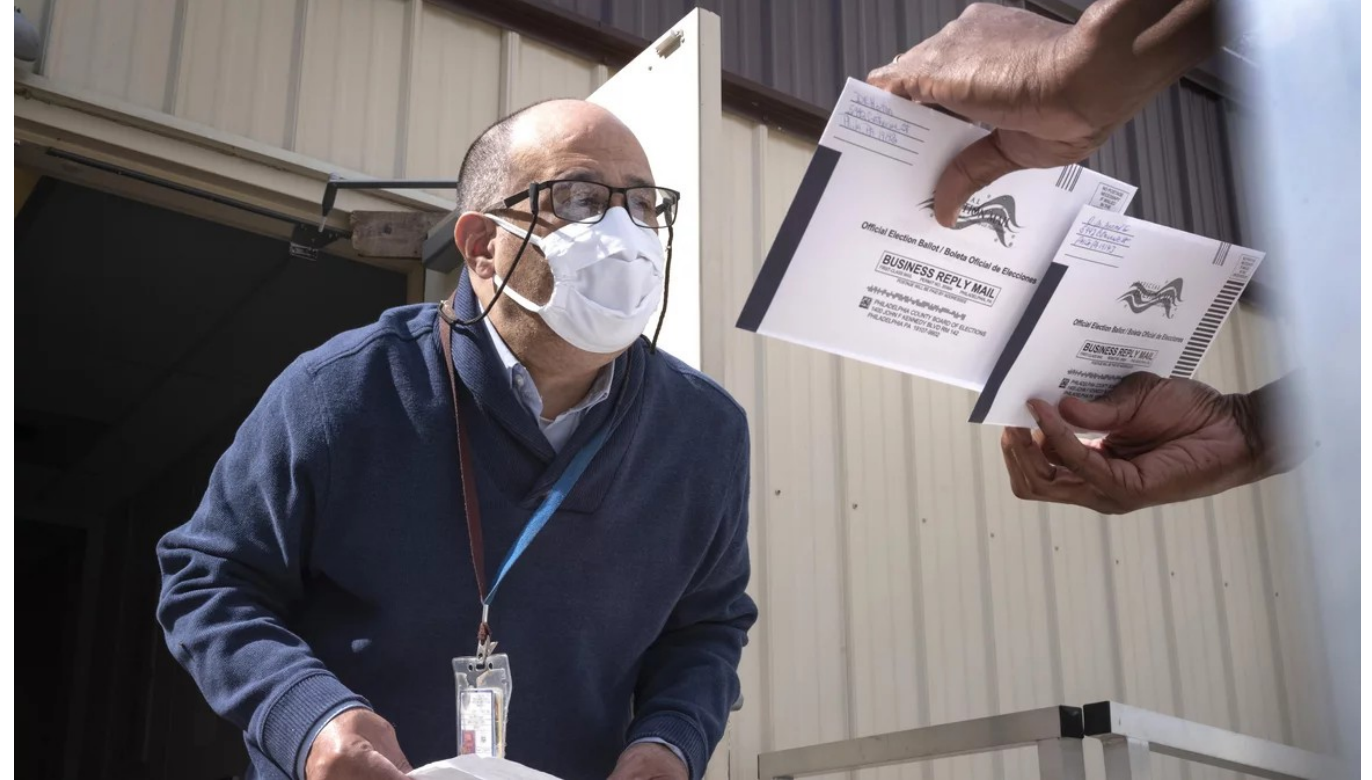


- CO: Prohibited open carry within 100 feet
- MI: Required drop boxes
- MO: Prohibited drop boxes
- UT: 24-hour surveillance
- WA: Prohibited electioneering within 25 feet



## Ballot Drop Boxes Enactments in 2022

- 24 states allow voters to cure their ballots
- LA: Created ballot cure process in 2022



## Ballot Cure Processes

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## 2. Voter Registration List Maintenance

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Foundational – registration was the original way states verified voter status

Must follow federal law

The list is never perfect



- Minors reach 18
- People become citizens
- People pass away
- Voters move and don't update their voter registration or even address with Post Office



## Why Keeping Voter Lists Up-to-Date is Hard

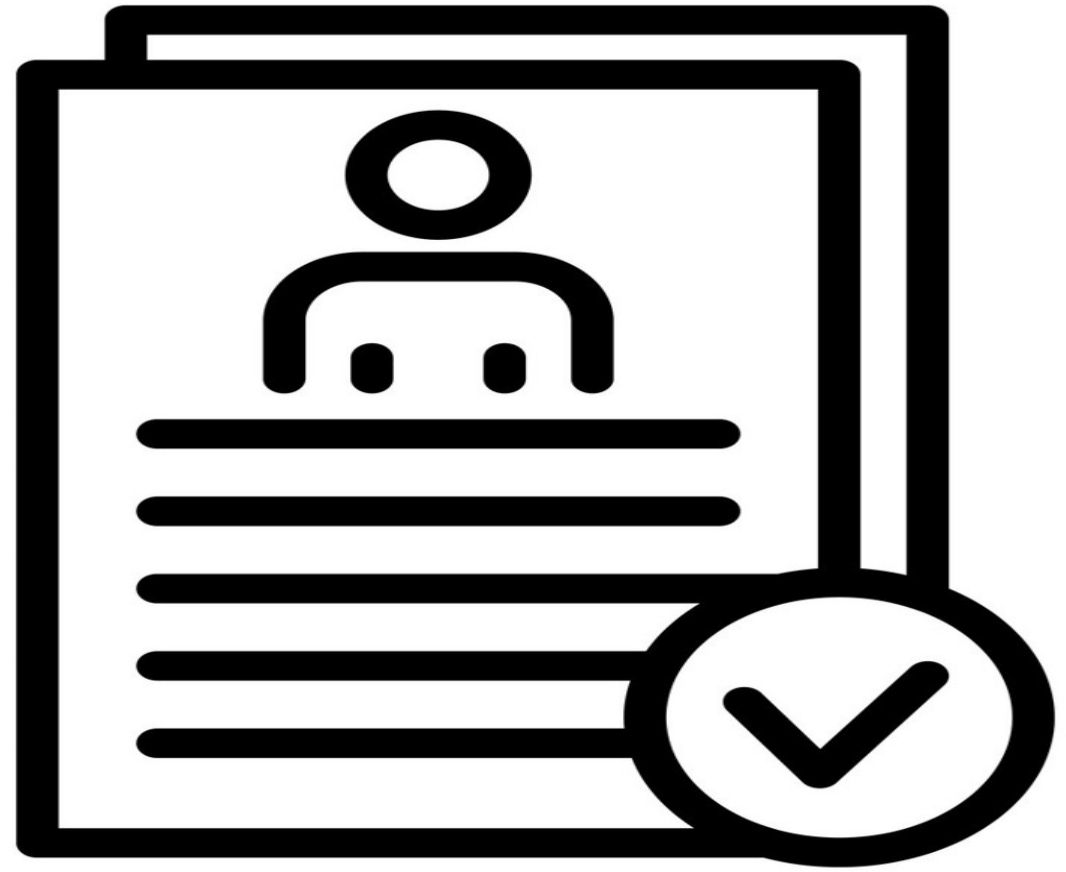
## National Voter Registration Act (1993)

- Requires DMV registration option
- Maintenance must be completed 90 days before Election Day
- Sets standards for voter registration deadlines and list maintenance



## Federal Voter List Maintenance Requirements

- Death Records (State, Federal)
- Prison Records
- National Change of Address
- Jury Lists
- Voter's Request—of course!



## Data Sources to Check

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## Electronic Registration Information Center

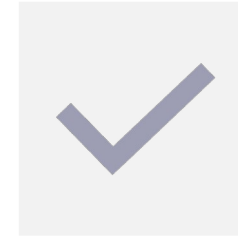
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- Checks records against NCOA, Social Security, etc.
- Checks against other states' records
- Sends reports—each state is responsible for its own maintenance operations
- Requires outreach to people who are eligible but not registered

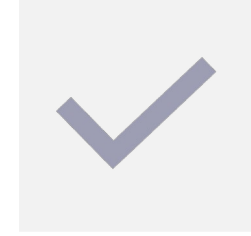


# Legislative Options for List Maintenance

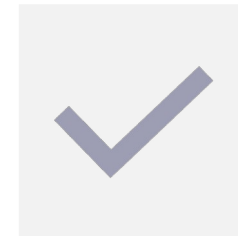
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Require activities  
more frequently

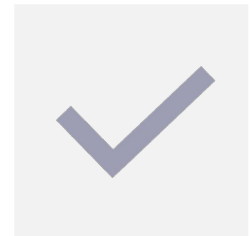


Compare data with  
other sources, states



Require regular  
reports to legislature

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Create online removal  
tool for voters

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“A systematic, independent and documented process for obtaining audit evidence and evaluating the evidence objectively to determine the extent to which the audit criteria are fulfilled.”

*Election Auditing: Key Issues and Perspectives,  
MIT Election Data and Science Lab and MIT/Cal  
Tech Voting Technology Project*



## 3. Post-Election Audits

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## Post-Election Audit Types

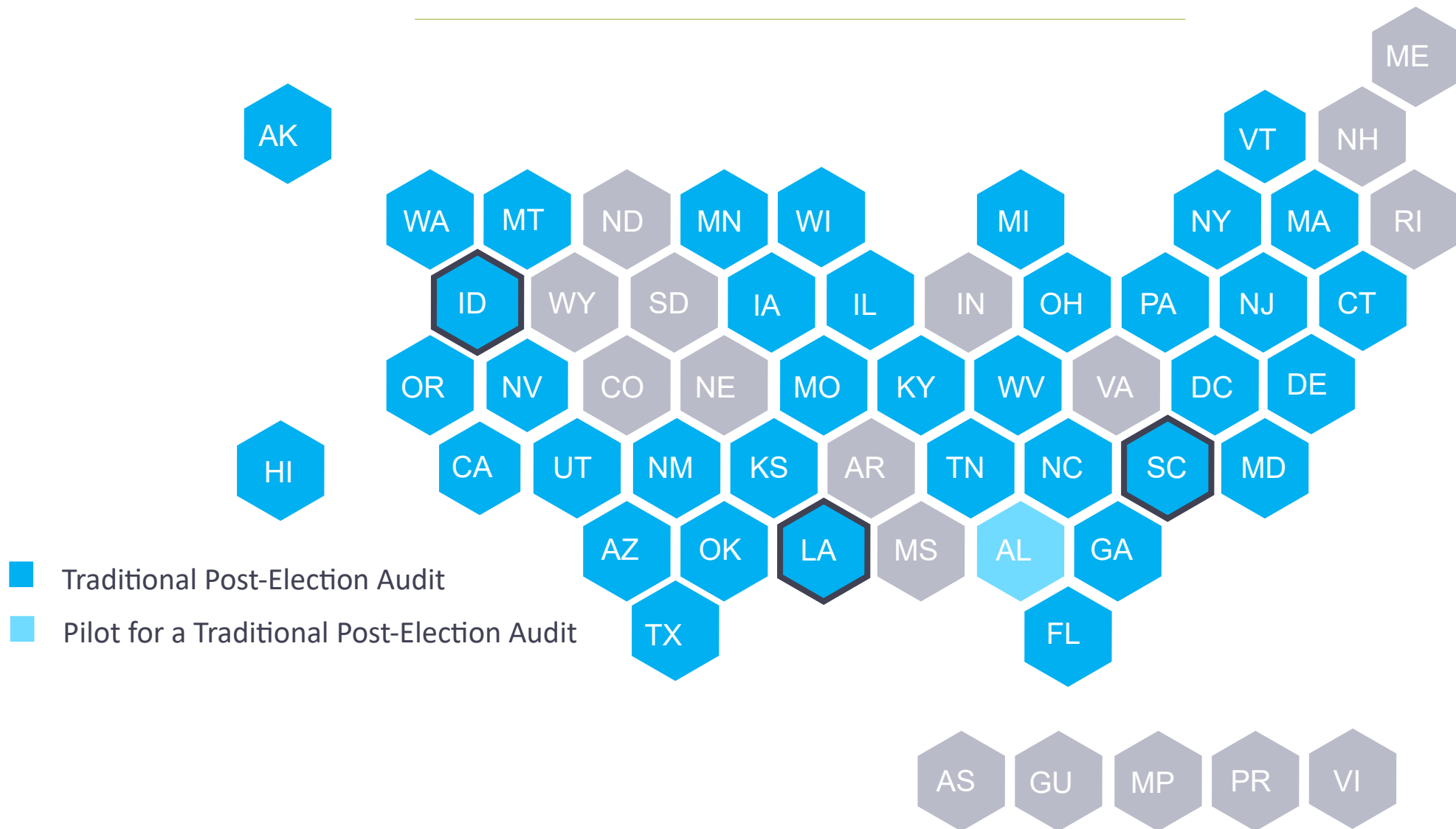
- Goal: To check paper ballots or records against the results produced by the voting system
- Two main types:
  - Traditional: Set # of ballots audited
  - Risk-limiting: # of ballots audited is statistically based, dependent on closeness of race

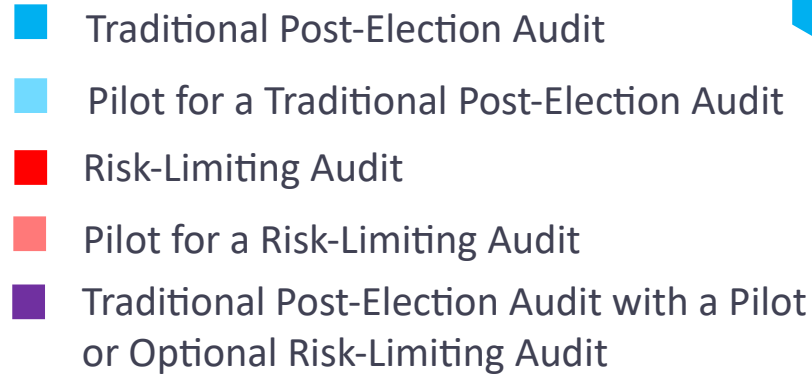
- Audit efficiently—may need fewer ballots to review
- Verify equipment counted correctly
- If done before certification, can correct errors in vote tabulation



## Risk-limiting audits

# Traditional Post-Election Audits







## 4. Other Election Trends to Watch

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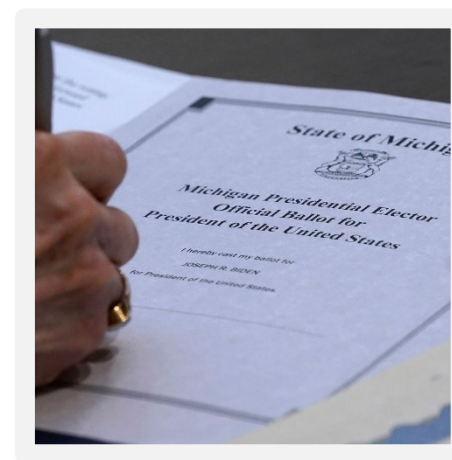
Primary Types  
& Dates

Presidential  
& State



Poll Workers  
& Watchers

Training,  
Qualifications



Presidential  
Electors

New Federal  
Law



Emergency Plans

Clarity,  
Authority



Funding

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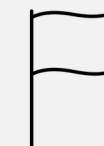
Uniformity

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Cybersecurity

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Federal certification

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# Voting Tech

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# Questions?

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[Wendy.Underhill@ncsl.org](mailto:Wendy.Underhill@ncsl.org)

303.856.1379

