

DEMOCRACY'S FUTURE:

**Proposals to Expand Access
to Registration and Voting
for a New Generation**



TABLE OF CONTENTS

INTRODUCTION	4
ABOUT	7
PREREGISTRATION	8
ON-CAMPUS VOTER REGISTRATION AND VOTING INFORMATION	11
RESIDENCY RULES AFFECTING STUDENTS	18
STUDENT ID AND IDENTIFICATION REQUIREMENTS	23
ON-CAMPUS POLLING PLACES	29
HIGH SCHOOL AND COLLEGE STUDENTS SERVING AS POLL WORKERS	36

INTRODUCTION

The 2018 federal midterm election saw significant increases in youth voter participation compared to the 2014 midterm election. Yet a significant gap still exists between the youngest voters and their older counterparts. Systemic barriers and structural problems remain, and in some states are on the rise. Advocates and policymakers can address this participation gap and ensure that the new generation of young people becomes the next generation of voters by expanding access to registration and voting.

This resource identifies key barriers to youth registration and voting and opportunities to expand access. It provides best practices, useful background information, and concrete solutions including model legislation and policies to expand access to this new generation of voters. Its components span the civic engagement spectrum from voter registration and voter education to the ability to cast a valid ballot.

Key policy areas include:

Preregistration of 16- and 17-Year-Olds

Expanding voter registration to include preregistration for young voters prepares them for voting when they turn 18, automatically registers them as voters, gets them on the list to receive information from election officials, and makes updates more efficient.

On-Campus Voter Registration and Voter Information Opportunities

States can expand voter registration and voter information available to students through a variety of reforms connected to their institutions that make student registration easier and more efficient.

Residency Rules Affecting Students

Residency rules can—but should not—interfere with students' rights to register and vote where they live, including on campus.

Student ID as Voter ID

States with voter ID laws should always include student IDs in the acceptable forms of identification.

On-Campus Polling Places

Campus polling places during early voting and on Election Day offer students the same opportunity to vote in their community as other voters.

Students as Poll Workers

Student poll workers are a win-win for election officials. They are a pool of tech-savvy and bilingual community members, and students can deepen their civic engagement connections and service.

Format of Each Section

Each section highlights a current issue and provides context in terms of how youth and students are affected. It then outlines efforts to expand or limit the policy and what impact it has had. Model legislation is outlined for each section and draws upon existing state statutes as examples.

Our goal is to arm state policymakers and advocates with policies, language and rationales for promoting and adopting these ideas. Our hope is more policies will be enacted that will lead to a higher level of youth voting participation in our democracy.

The footnotes include many specific citations to election codes and examples of statutory language. They are there as a reference and can provide additional examples for policy makers.

ABOUT

Fair Elections Center is affiliated with and began as the Fair Elections Legal Network (FELN) which was established in 2006 by Washington D.C. public interest lawyer Bob Brandon and former Congresswoman Elizabeth Holtzman. The Center was established in 2017 as its own 501(c)(3) organization to continue the work of FELN. The organization grew out of a meeting on February 6, 2006 attended by over 60 voting rights and mobilization organizations and a number of pro bono election lawyers. The purpose of the meeting was to gauge support for creating a national network of pro bono election lawyers who could provide support for year-round, proactive election reforms at the state and local level and provide centralized staff to help organizations navigate the intricacies of the election laws in order to increase voter participation.

Fair Elections Center continues that work with its staff of attorneys and advocates, delivers nonpartisan creative solutions to the complex web of barriers that have been erected over time to prevent segments of our citizens from reaching their full American potential. Working alongside other national and state groups, the Center works to make the processes of voter registration, voting, and election administration as accessible as possible for every American, with a special focus on student and other underrepresented voters. To this end, Fair Elections Center engages in a wide variety of advocacy efforts, including producing reports, talking points and fact sheets, providing state voter guides, submitting testimony to legislatures, conducting trainings and seminars for organizations and their supporters, litigating voting rights cases in state and federal court, and working directly with local election officials and Secretaries of State to ensure that the right to vote is protected and expanded. We provide election law expertise to state-based civic engagement coalitions and direct help to organizations representing various constituencies that need help as they plan their voter engagement programs, encounter problems, or need help engaging elections officials.

In 2012, Fair Elections Center launched Campus Vote Project (CVP) to expand its work around student voting issues. CVP works with universities, community colleges, faculty, students and election officials to reduce barriers to student voting. CVP's goal is to help campuses institutionalize reforms that empower students with the information they need to register and vote.

PREREGISTRATION

ISSUE

Preregistration is a process that allows U.S. citizens who are not yet old enough to vote to complete a voter registration form and be automatically added to the voter rolls when they reach voting age, regardless of when the next election occurs. This is distinguishable from statutes that only allow citizens who will be of voting age by the next election to submit a voter registration form prior to turning 18.

Historically, young voters have turned out at lower rates than older voters, with the latter voting at double the rate of young voters in midterm election years.¹ Surveys have also shown that younger citizens are more likely to not be registered because they missed a deadline or did not understand the process, whereas similar numbers of younger and older citizens responded they were not registered because they were not interested in voting.² Research also notes that Americans' interest in elections increases as Election Day approaches. Given that many states have registration deadlines between 20 and 30 days before Election Day this creates a problem that disproportionately affects younger Americans.³ Unlike many older voters who registered in a previous election and do not have to reregister, young people are often first-time voters. Newly eligible voters often do not think or know about the need to register until closer to Election Day, which in many cases is after registration deadlines have already passed.

By allowing for preregistration at age 16 we can limit the negative impacts of existing voter registration systems on newer voters. Preregistration at this age aligns with these citizens' initial interactions with a state department of motor vehicles and facilitates voter registration efforts in high schools. These are two of the best opportunities to provide voter registration services to this population in a centralized and coordinated way before they disperse to join the work force or enroll at a college or university.

Preregistration is a crucial tool for increasing youth voter turnout. Election officials generally only provide important voting information about upcoming elections such as precinct location changes or sample ballots to individuals already on the voter rolls. Additionally, states provide an array of different fail-safes for voters who have moved since registering to vote. By using preregistration to ensure more young voters are on the rolls, they will receive notices from

¹ See <https://civicyouth.org/wp-content/uploads/2011/04/The-CPS-youth-vote-2010-FS-FINAL1.pdf>, Figure 1: Voter Turnout by Age, 1974-2010

² See <https://civicyouth.org/2014-midterms-why-half-of-youth-dont-register-to-vote>

³ See Estimating Voter Registration Deadline Effects with Web Search Data, Street, Murray, Blitzer, Patel available at: www.cambridge.org/core/journals/political-analysis/article/estimating-voter-registration-deadline-effects-with-web-search-data/E7372BEBD1B64253105F06B9B37A1161 (using Google search trends to estimate that an additional 3-4 million Americans would have registered for the 2012 elections but for the registration deadline in their state).

election officials, and can update their address as needed similarly to other voters, generally a more streamlined process than a new registration. Two empirical studies of preregistration have found statistically significant increases in youth turnout attributable to preregistration.⁴

CURRENT OVERVIEW

Sixteen states plus the District of Columbia allow for preregistration.⁵ California, Colorado, Delaware, District of Columbia, Florida, Hawaii, Louisiana, Maryland, Massachusetts, North Carolina, Oregon, Rhode Island, Utah, and Washington⁶ allow preregistration by 16-year-olds, and Maine, Nevada, and New Jersey allow it for 17-year-olds.

Some states also have processes to allow 17-year-olds to register either upon reaching a certain milestone such as 17 years and six months, or do not set specific ages but allow the submission and processing of registration applications if the voter will be 18 years old by the next general election. Given the variability and limiting elements of these statutes, they are not defined as preregistration here.

MODEL LEGISLATION ⁷

Insert a new subsection into any existing statute on voter registration eligibility:

Every person who is otherwise qualified to register and is at least sixteen years of age may preregister and update the person's preregistered information by any means authorized for registered voters. Upon meeting the voter registration requirements of this section, the person is automatically registered.

⁴ McDonald and Thornburg, 13 N.Y.U. J. Legis. & Pub. Pol'y 551 (2010) Registering the Youth through Voter Preregistration, available at <http://www.nyuylpp.org/wp-content/uploads/2012/11/Michael-P.-McDonald-Matthew-Thornburg-Registering-the-Youth-Through-Voter-Preregistration.pdf>; Holbein and Hilygus, Making Young Voters: The Impact of Preregistration on Youth Turnout, American Journal of Political Science, 61, 2, (505-507), (2017) available at <https://onlinelibrary.wiley.com/doi/abs/10.1111/ajps.12177>

⁵ CAL. ELEC. CODE § 2102(d); COLO. STAT. § 1-2-101; D.C. CODE § 1-1001.07(a-2); 15 DEL. CODE § 1701(b); FLA. STAT. § 97.041(1)(b); HAW. STAT. § 11-12; La. Stat. §§ 18:101(A)(2)&(3), 18:114; MASS. GEN. LAWS CH. 51 § 42; ME. STAT. tit. 21-A, § 155; MD. CODE, ELEC. LAW § 3-102(a); 3 N.C. GEN. STAT. § 163-82.1(d); NEV. STAT. § 293.5235; N.J. STAT. § 19:31-5; OR. STAT. § 247.016; R.I. GEN. LAWS § 17-9.1-33(b); UT Code 20A-2-101.1.

⁶ Wash. Ch. Laws 2018-109 (effective July 1, 2019), available at <http://lawfilesexst.leg.wa.gov/biennium/2017-18/Pdf/Bills/Session%20Laws/House/1513-S2.SL.pdf>.

⁷ States that allow 17-year-olds to vote in primary elections if they will be 18 by the corresponding general election, will need to modify this language accordingly.

ON-CAMPUS VOTER REGISTRATION AND VOTING INFORMATION

ISSUE

Since 1964, young voters between the ages of 18 and 24 have consistently turned out at lower rates than all other age groups.⁸ Narrowing the registration gap among young people is an important part of improving youth turnout. Colleges and universities can play an important role in influencing whether students vote.⁹

CURRENT OVERVIEW

Section 487(a)(23) of the Higher Education Act of 1965 (HEA) references the National Voter Registration Act of 1993 (NVRA) and requires institutions of higher education in the 44 NVRA-covered states and the District of Columbia who receive federal funds to make a good faith effort to distribute voter registration forms to students.¹⁰ These schools must make the voter registration forms widely available to students and distribute the forms individually to degree or certificate program students who are physically in attendance at the institution.¹¹ Institutions may physically or electronically distribute voter registration forms. However, if email is used, the communication must contain an acceptable voter registration form or an internet address where the form can be downloaded, and the electronic message must be devoted exclusively to voter registration.¹²

The NVRA requires certain state agencies to provide voter registration, including distribution and acceptance of voter registration applications, allows states to voluntarily designate “state or local government offices... such as schools” as voter registration agencies, and allows nongovernmental offices to be designated with their consent.¹³ Designees can include public higher education institutions such as community colleges and universities.¹⁴

Agencies designated as NVRA agencies must distribute voter registration applications, assist applicants in completing voter registration forms (unless the applicant refuses help), and accept the completed forms for submission to election officials.¹⁵

⁸ U.S. Census Bureau. Young-Adult Voting: An Analysis of Presidential Elections, 1964-2012 (April 2014), available at <https://www.census.gov/prod/2014pubs/p20-573.pdf>.

⁹ Harvard Kennedy School Institute of Politics, Spring 2018 Youth Poll, available at <https://iop.harvard.edu/spring-2018-poll> (“College and university administrations top the list of most trusted institutions in survey.”).

¹⁰ See efforts to improve the Higher Education Act’s voter registration requirements through the Help Students Vote Act; www.booker.senate.gov/?p=press_release&id=775; <https://younginvincibles.org/hsva-intro>

¹¹ 34 C.F.R. § 668.14(d).

¹² 20 U.S.C. § 1094; see also <http://ifap.ed.gov/dpccletters/GEN1317.html>. Exempt states are Idaho, Wyoming, Wisconsin, North Dakota, Minnesota, and New Hampshire and the requirement does not include U.S. territories.

¹³ 52 U.S.C. § 20506(a)(3)(B)

¹⁴ Some offices within a university may be required NVRA agencies under federal law because they provide state-funded disability services. 52 U.S.C. § 20506(a)(2). This discussion does not implicate those specific requirements.

¹⁵ 52 U.S.C. § 20506(a)(4)(A).

States implement these statutes in different ways. Several states have designated colleges and universities as NVRA agencies.¹⁶ For example, Louisiana gives the Secretary of State the authority to designate voter registration agencies,¹⁷ and the Secretary has designated all public colleges and universities as NVRA agencies, as well as all private colleges and universities with their permission.¹⁸ New Mexico also established college and university registration as part of its NVRA implementation, and the regulations require each university and college to appoint one person to be in charge of and responsible for all voter registration activities and require the individual to monitor supplies of registration forms, train other employees when necessary, and coordinate voter registration activities with local and state election officials.¹⁹ Students must be provided with the opportunity to register to vote simultaneously with their registration at a university or college and must be provided the same degree of assistance, including bilingual assistance, when necessary, in completing a voter registration form as the school offers students in completing the school's own forms.²⁰

Many states have enacted policies to expand campus registration other than designation of schools as NVRA agencies and beyond the HEA requirement. A number of states require forms or electronic voter registration opportunities to be provided on a specific schedule, such as at the beginning of the school year or — especially useful for students — during online course registration each term or semester.²¹

In addition to requiring distribution of forms, public institutions of higher education in Connecticut must assist applicants who request assistance in completing voter registration application forms.²² Several state statutes require distribution of voter registration forms and specify some kind of publicity requirement to make sure students are aware of the opportunity to obtain forms and register.²³

¹⁶ E.g., Or. Rev. Stat. Ann. § 247.208; Or. Admin. R. 165-005-0055; La. R.S. 18:116; 31 La. Admin. Code Pt II, 503.

¹⁷ La. R.S. 18:116.

¹⁸ 31 La. Admin. Code Pt II, 503.

¹⁹ N.M. Admin. Code 1.10.8 Appendix.

²⁰ N.M. Admin. Code 1.10.8.

²¹ N.Y. Elec. Law § 5-211 (McKinney); Cal. Elec. Code § 2146; see also Iowa Code Ann. § 48A.23 (opportunity to register at least once a year); Colo. Rev. Stat. Ann. § 1-2-213.5 (institutions that utilize electronic course registration must link to secretary of state voter registration during or just after course registration); Wash. Rev. Code Ann. § 29A.08.310 (higher education institutions must link to the state voter registration website, including a prompt to ask the student if they wish to register).

²² Conn. Gen. Stat. Ann. § 9-23p.

²³ E.g., Mass. Gen. Laws Ann. ch. 51, § 42E; 25 Pa. Cons. Stat. Ann. § 1327(c).

Going beyond distribution and publicity around voter registration applications are states that seek collaboration between educational institutions and students to most effectively facilitate student voter participation. Arizona law requires the governing boards of the state university and community college systems in conjunction with their respective student government associations to “adopt a plan to increase student voter registration and voting in elections that includes,” among other things, providing information on voter registration and voting during activities such as student orientation or the issuance of student IDs, having voter registration materials in high-traffic areas, providing links and website content on election information on campus websites, accommodating on-campus polling places, and allowing excused absence from class for the purpose of voting.²⁴ Minnesota is not covered by the HEA or NVRA provisions, but the state has a statute that requires “[a]ll postsecondary institutions that enroll students accepting state or federal financial aid shall provide voter registration forms to each student as early as possible in the fall quarter” and “[i]nstitutions shall consult with their campus student government in determining the most effective means of distributing the forms and in seeking to facilitate election day registration of students...”²⁵

POLICY SOLUTIONS

One efficient policy option would be to designate schools as voter registration agencies under the NVRA. Such schools would then be required to distribute, collect, and offer assistance completing forms. Schools in non-NVRA states could also be similarly required by state statute to distribute and collect voter registration forms and offer assistance.

At a minimum, schools should be required to accept and submit registration forms to election officials, giving students a convenient option that does not require them to go off campus to turn in a paper form, or find a stamp and mail it in.

As a number of states already do, schools should also be required to offer registration to students on a regular basis, for example at course registration and additional specific events, such as orientation and move-in day. By building in regular opportunities to register into interactions the school already has with students they can be encouraged to register by a trusted messenger.

If a state decides to designate colleges and universities as NVRA agencies or otherwise determines

²⁴ Az. Stat. § 15-1895

²⁵ Mn. Stat. §201.1611. See also <https://www.fairelectionscenter.org/blog-mn-colleges-and-voter-reg>

that schools will distribute and collect voter registration forms, policymakers will need to determine whether to make a particular office or individual responsible for the collection and submission of forms such as a dean of student affairs or other office.²⁶ Alternatively, a statute could require that the school designate a responsible person.

One example of a state that has established a strong set of policies to support student voter registration is California. There, community colleges and state university campuses with online course registration systems must provide students the opportunity to register to vote by submitting an application to the state's online voter registration system during course registration.²⁷ The Secretary of State is also required to provide voter registration forms each year to every high school, community college, California State University and University of California campus.²⁸ The statute also offers suggestions for other means for schools to comply with the legislature's intent that every high school and college student be provided the opportunity to register and that schools do everything in their power to ensure that students are provided the opportunity and means to apply to register to vote. The statute suggests this may include "providing voter registration forms at the start of the school year, including voter registration forms with orientation materials; placing voter registration forms at central locations, including voter registration forms with graduation materials; or providing hyperlinks to and the [website address for the Secretary of State's online voter registration system] in notices sent by electronic mail to students and placed on the website of the high school, college, or university."²⁹

In 2018, the state began requiring online voter registration to be integrated into the enrollment process at community colleges and California State University institutions.³⁰ The law also requires covered schools to designate a contact person and provide their contact information to the Secretary of State.³¹

All of these policies can be improved by making sure student leaders have a seat at the table and are involved in determining the best nonpartisan ways to engage their peers in the registration and voting process. This can easily be accomplished by requiring each school in the state to adopt a plan specific to its institutional resources, capacity, and student population,

²⁶ Policymakers should also consider that agency designations made under the NVRA are voluntary for nonpublic institutions, but duties under state law could be made mandatory across public and private schools.

²⁷ Cal Elec. Code § 2146(c)(1).

²⁸ Cal Elec. § 2146.

²⁹ Cal Elec. § 2146.

³⁰ Cal Elec. § 2147.

³¹ Cal Elec. § 2148.

with input from student leaders, on the most effective way to engage students in the democratic process.³² There is a national movement to assist campuses in drafting these types of plans and it is at the core of what the Campus Vote Project does, so for more information contact us at info@campusvoteproject.org.³³

MODEL REGULATIONS AND LEGISLATION ³⁴

To designate higher education institutions as NVRA agencies:

The [state's chief election official] hereby designates the following as voter registration agencies pursuant to 52 U.S.C. § 20506:

1. [Other agencies]
2. Public institutions of higher education.

To mandate school collection of registration forms:

Public institutions of higher education shall distribute voter registration application forms and accept completed voter registration application forms for transmittal to the appropriate election official.

To require distribution of forms and/or online registration during course registration and enrollment:

Public institutions of higher education shall, through an automated program, in coordination with the [state chief election official], permit students, during the class registration process [and/or institution's enrollment process], to apply to register to vote online by submitting a voter registration application electronically.

Public institutions of higher education that do not offer electronic course registration shall make voter registration forms available at all locations where students may register for courses. Public institutions of higher education shall also make voter registration forms available throughout the year to students during regular business hours at a conspicuous location.

³² See also voluntary commitments between the California Secretary of State and colleges and universities through MOU's to undertake similar collaborative efforts. www.sos.ca.gov/administration/news-releases-and-advisories/2016-news-releases-and-advisories/secretary-padilla-announces-historic-partnership-largest-four-year-public-university-system-nation-register-students-vote

³³ See Campus Vote Project and NASPA's work with the Voter Friendly Campus designation, www.voterfriendlycampus.org and the Students Learn Students Vote Coalition, www.studentslearnstudentsvote.org.

³⁴ All of the following regulations and statutes could be amended to also include private institutions of higher education and/or high schools, especially in states with preregistration for 16 or 17-year olds.

To designate a contact person at schools:

Each public institution of higher education shall appoint one person to be in charge of and responsible for all voter registration activities. This person will monitor supplies of registration forms, monitor access to the electronic voter registration system as applicable, train other employees when necessary, and coordinate voter registration activities with local and state election officials.

To require each school to adopt a plan for student voter registration and distribute nonpartisan election information in conjunction with student leaders:

The [state higher education board] in consultation with the recognized student government of the individual community colleges and universities under its jurisdiction shall adopt a plan each year to increase student voter registration and voting in elections that includes but is not limited to:

1. Information about voter registration and voting opportunities made available each term.
2. Voter registration materials at central campus locations and high-traffic areas.
3. Broad dissemination of information regarding:
 - Voter registration deadlines
 - Deadlines for requesting and returning ballots by mail
4. Links on institutional and administrative websites that direct students to voter registration websites.
5. Directions on institutional and administrative websites that detail the voter registration process.
6. Reasonable accommodations to county election officials for on-campus early voting and polling locations.
7. Encouragement to student government organizations to coordinate activities aimed at increasing voter registration and election turnout.
8. Policies to allow excused absence from classes for the purpose of voting.

Each institution's plan shall be made publicly available and shared with the [state chief election officer].

RESIDENCY RULES AFFECTING STUDENTS

ISSUE

Students have the ability to register and vote at their campus residence or a prior home residence. Of course, they cannot register and vote in both locations – they must choose one. Whether the student lives in campus housing, rents a home or apartment near campus, or lives at home with their family, the student is a resident in one of those locations and can register and vote in that location. There have been undemocratic efforts to disqualify students from claiming residency when they live on campus or are present in their school’s community for what the legislature may deem a “temporary purpose” (i.e. going to school). Any statutory references that inhibit a student’s ability to register and vote in their school location should be removed from the election code. To further clarify the issue, state statutes should make clear that students may choose to register at their campus addresses.

CURRENT OVERVIEW

Proactive Statutes to Clarify Student Voter Registration

Some states have helpful policies that explicitly assist students in establishing residency for voting purposes. For example, Indiana statutes expressly allow a college student to use either their school-year address or their home address for voter registration.³⁵ Iowa’s statute is explicit in permitting a student who maintains a residence in two separate locations in Iowa – their school address and their parents’ address in the State – to use either as a voting residence.³⁶ Additionally, the Iowa Secretary of State’s website indicates that students who are out-of-state for tuition purposes are still able to choose to register and vote at their college address.³⁷ Louisiana law goes a step further in accommodating student voter registration. Their statutes provide that students who chose to register at their school address are exempt from the

³⁵ Ind. Code Ann. § 3-5-5-7(b). The relevant section provides:

(b) The following apply to a student attending a postsecondary educational institution in Indiana:

- (1) A student who applies to register to vote shall state the student’s residence address.
- (2) A student has only one (1) residence for purposes of this title.
- (3) A student may state the student’s residence as either of the following, but not both:
 - (A) The address where the student lives when the student attends the postsecondary educational institution where the student pursues the student’s education.
 - (B) The address where the student lives when the student is not attending the postsecondary educational institution where the student pursues the student’s education.

³⁶ Iowa Code Ann. § 48A.5A(5) (“A student who resides at or near the school the student attends, but who is also able to claim a residence at another location under the provisions of this section, may choose either location as the student’s residence for voter registration and voting purposes.”).

³⁷ <https://sos.iowa.gov/elections/pdf/collegestudentbrochure.pdf>.

“intent to remain” requirement of domicile for voting purposes. This includes both in-state and out-of-state students studying in Louisiana who wish to vote in Louisiana.³⁸

North Carolina state law expressly allows college students to register to vote at their college address, even if they intend to leave the campus community after graduation. This is generally a positive policy, however, the state confuses the issue by barring students who intend to move home after graduation from registering at their campus addresses.³⁹

Other statutes to expand residency for students have also been introduced. South Carolina’s SB 678 sought to establish voting residency for anyone living in a community to attend college, if the student has been enrolled for at least one semester. The bill did not advance through the legislature in the 2017-2018 session.⁴⁰ Although a provision that established a student’s residence in the college community would have been helpful, the restriction to those who have already been enrolled for a full semester was problematic.

Undemocratic Efforts to Prevent Student Voter Registration

Some state policies attempt to use residency to restrict student voting. For example, in 2017, the New Hampshire legislature passed SB 3 related to proof of domicile for voting in the state.⁴¹ When registering to vote either before or on Election Day, the bill requires voters to prove their domicile by supplying documentary evidence of New Hampshire domicile, such as an in-state driver’s license, or other proof of “verifiable action” that establishes domicile. Many of these “verifiable actions” are those students have no reason to undertake such as renting or purchasing a home or enrolling a child in school. If people do not have evidence of “actions carrying out [their] intent to be domiciled” at their voting address or do not follow up with authorities, the statute subjects them to official action and investigation to determine domicile, including penalties.

SB 3 is the subject of an ongoing legal challenge, and the penalty provisions are currently enjoined.⁴² Compounding these restrictions, the legislature passed HB 1264, which by changing

³⁸ La. Stat. Ann. § 18:101(C) (“Any bona fide full-time student attending an institution of higher learning in this state may choose as his residence and may register to vote either at the place where he resides while attending the institution or at the place where he resides when not attending such institution, but he shall not have more than one residence at any one time for purposes of registering to vote. Such a student need not have an intent to reside indefinitely at the place where he offers to register.”).

³⁹ N.C. Gen. Stat. § 163A-842(12).

⁴⁰ www.scstatehouse.gov/sess122_2017-2018/bills/678.htm

⁴¹ N.H. Rev. Stat. § 654:2.

⁴² Order on Pending Motions, League of Women Voters of New Hampshire v. Gardner, Case No. 226-2017-CV-00433 (N.H. Sup. Ct. Sept. 12, 2017), available at <https://www.courts.state.nh.us/caseinfo/pdf/civil/LeaguevNH/091217league-order.pdf>

the legal definition of domicile for the purpose of voting, will have the effect of placing a post-election poll tax on out-of-state students who register to vote in the state. This new law requires students to register their cars in-state if they want to vote in New Hampshire, thus further restricting student voting in the state.

Unfortunately, other legislatures have also introduced bills that threaten student residency for voting purposes. Arizona's HB 2260 was introduced in 2017 and would have barred students from listing a dorm address as evidence of their residency in the state. The bill did not move through the House and was never put to a floor vote. Similarly, in 2017, LD 155 was introduced in Maine's legislature. This bill would have imposed additional hurdles to student voter registration. Under the bill, any application listing a dorm or on-campus address could only be approved if the registrar verified that the applicant's driver's license or state ID lists the student's dorm address, the student's car (if he or she has one) is registered in the state, or the student pays personal income tax in Maine. The bill did not pass. Bills like these spread misinformation about students' ability to register and vote, say "STAY OUT" to prospective students considering attending a college or university in one of these states, and most likely are unconstitutional.⁴³

Providing Students Accurate Information on Voter Registration

Informal guidance can also be a source of positive influence on students' ability to register to vote. For example, Florida has included language in their "Voter Residency in Florida" reference guide that reaffirms a student's ability to register to vote using the student's campus address: "A student's residential address is the address the student intends to be his or her permanent address as stated on the application – just like any other applicant who affirms indefinitely a Florida legal residential address and no matter how long he or she ends up staying."⁴⁴ Additionally, the guidance indicates that a communal university mail address is satisfactory. Similarly, the Minnesota Secretary of State's website makes it clear that college students may register at their college address as long as they consider it "home."⁴⁵ States, such as Nevada, New Jersey, South Dakota, Texas, and many others make it clear students may register at a home or college residence.⁴⁶ Pennsylvania even includes information that students may register at their college address directly on the state's voter registration forms.⁴⁷

⁴³ See *Symm v. United States*, 439 U.S. 1105 (1979) (affirming a holding that voter registration practices treating college students differently for other community members based solely on student status violated the 26th Amendment).

⁴⁴ https://soe.dos.state.fl.us/pdf/DE_Guide_0003-Voter_Residency_Updated_06-2014.pdf

⁴⁵ www.sos.state.mn.us/elections-voting/register-to-vote/im-a-college-student

⁴⁶ Nevada: www.nvsos.gov/sos/elections/election-resources/faqs, New Jersey: www.njelections.org/voting-information-college-students.html, South Dakota: <https://sdsos.gov/elections-voting/voting/college-students.aspx>, Texas: www.votetexas.gov/voting/index.html#students

⁴⁷ www.pavoterservices.pa.gov/documents/VoterApplication_English.pdf

Some election official website guidance is problematic, however. As an example, the Maryland elections website instructs college students to register to vote at their campus address only if they have no intention of moving back home, which misconstrues present intent requirements and misleads students about their choices.⁴⁸

MODEL LEGISLATION

Insert a new subsection into any existing statute on qualification to register to vote:

A person attending a postsecondary educational institution within the state, who meets all other requirements to register to vote, may register and vote at the address where they reside to attend that postsecondary educational institution.

⁴⁸ www.elections.state.md.us/voter_registration/students.html

STUDENT ID AND IDENTIFICATION REQUIREMENTS

ISSUE

There are basically two types of identification requirements for the voting process. The first category includes state voter ID laws which require voters to show or submit ID before casting a ballot.⁴⁹ The second category includes identification requirements for voter registration, such as the federal Help America Vote Act (HAVA) ID requirement for voters registering for the first time in a state by mail, and the documentary proof of residence requirement for all registration applicants in Wisconsin, the only one of its kind in the nation. Sometimes college and university photo ID cards are accepted in satisfaction of these requirements; sometimes they are not. Often there is widespread confusion among election officials, poll workers, and voters as to whether student IDs can be used to register and vote.

Student IDs are given to nearly every college student after providing proof of their identity upon enrollment. Most student IDs are photo IDs. They increasingly contain other security features and are used for granting access to buildings and rooms, and even as debit cards at on- and off-campus businesses. Student IDs are convenient and secure options that should be accepted voter ID.

CURRENT OVERVIEW

State Voter Identification Requirements

Thirty-five states have some form of in-person voter ID law in place, but the list of acceptable IDs varies substantially from state to state. Some states have expansive lists including photo and non-photo forms of ID, with many of these states offering an alternative procedure to presenting ID at the polls. The remaining 15 states plus the District of Columbia have no in-person voter ID law. 18 of the 35 voter ID states permit voters without ID to sign a personal identification affidavit instead of presenting ID, cast a provisional ballot that will be counted if the signature matches the registration database, or otherwise authorize alternative verification of the voter's identity. These states are Alaska, Arkansas, Connecticut, Delaware, Florida, Hawaii, Idaho, Louisiana, Michigan, Missouri, Montana, New Hampshire,⁵⁰ Oklahoma, Rhode Island, South Dakota, Utah, Washington, and West Virginia.

⁴⁹ A handful of voter ID laws also apply to absentee voting but this brief focuses on in-person voting requirements.

⁵⁰ New Hampshire allows both college and high school student ID cards, but starting with the November 2018 midterm elections, the state requires these IDs be issued or expired no more than five years before the election.

That leaves 17 “strict voter ID” states, meaning states that will reject a ballot if the voter cannot present an accepted form of ID.⁵¹ 7 of those 16 strict voter ID states, Arizona, Iowa, North Dakota, Ohio, South Carolina, Tennessee, and Texas, do not accept student ID cards. There is quite a bit of variation between the ID laws on this list. South Carolina, Tennessee and Texas’s laws are all strict photo ID requirements.⁵² In fact, Tennessee’s law explicitly excludes student ID cards while permitting all other forms of photo identification issued by public postsecondary institutions to faculty, staff, visiting faculty, and even contractors.⁵³ However, Arizona, Iowa, North Dakota, and Ohio allow for some non-photo forms of ID. Arizona’s law allows the voter to present two forms of non-photo ID with a name and address in lieu of one form of photo ID. Iowa allows voters to show the non-photo voter ID card they are sent in the mail. In Ohio, public colleges and universities may issue current documents to students with their name and current address sufficient as “government documents,” and private colleges and universities may issue students living on campus a current utility bill with a current address that students can use as voter ID. These “zero-balance” utility bills, indicating the student has already paid for utilities, are acceptable voter ID in Ohio, but student photo IDs are impermissible.⁵⁴ North Dakota has the strictest voter ID law in the country with a North Dakota driver’s license being the only regularly available ID accepted as voter ID. Tribal government IDs and a long-term health care certificate which can be issued by nursing homes, are also accepted but these are only available to very limited and specific groups.⁵⁵

The other 10 strict voter ID states accept student IDs but there is variation in what kinds of student IDs are acceptable and what information the student ID must contain for it to be used as voter ID. Georgia and Indiana only accept public university and college ID cards, and Indiana’s public institution student IDs must contain expiration dates. Georgia maintains a list of public school IDs that are valid voter IDs.⁵⁶ While Kentucky technically accepts public and private

⁵¹ ALA. CODE § 17-9-30; ARIZ. STAT. § 16-579; COLO. STAT. §§ 1-1-104(19.5)(a), 1-7-110; GA. CODE § 21-2-417; IND. CODE §§ 3-5-2-40.5, 3-11-8-25.1; IOWA CODE § 48A.10A; KAN. STAT. §§ 25-2908, 25-1122, 8-1324; KY. STAT. § 117.227; 31 KY. ADMIN. REGS. 4:010; MISS. CODE § 23-15-563; N.C. CODE §163A-1145.1; N.D. CENT. CODE § 16.1-05-07; OHIO CODE § 3505.18; S.C. CODE § 7-13-710; TENN. CODE § 2-7-112; TEX. ELEC. CODE §§ 63.001, 63.0101; VA. CODE § 24.2-643; WIS. STAT. §§ 5.02(6m), 6.79(2a).

⁵² Due to litigation, Texas’ voter ID law has gone through several iterations. The statute currently in force, which was passed in response to prolonged litigation, requires photo ID from a limited list but allows voters who have none of these to show other forms of ID, including some non-photo IDs, and use a “reasonable impediment” affidavit to give a reason why they don’t have a photo ID. South Carolina also provides an alternative to voters who attest to facing a “reasonable impediment” in obtaining a voter ID. However, because these exemptions are not available to all voters, the standards are ambiguous, and in Texas voters using the affidavit must still show non-photo ID, we have classified these two states as strict voter ID states.

⁵³ Fair Elections Center brought a challenge to this discriminatory exclusion but the case was ultimately unsuccessful. See www.fairelectionscenter.org/tennesseevoterid.

⁵⁴ Election Official Manual, 7-10 available at www.sos.state.oh.us/globalassets/elections/directives/2017/dir2017-10_eom.pdf.

⁵⁵ See <https://vip.sos.nd.gov/idrequirements.aspx>

⁵⁶ See <http://sos.ga.gov/admin/files/acceptableID.pdf>.

college and university IDs, the state’s voter ID law requires IDs to contain a signature, so it is unclear how many student IDs actually qualify. Wisconsin accepts student ID cards from public and private colleges and universities as long as the ID contains a name, photo, signature, issuance date, expiration date that is not more than two years after the issuance date, and is presented with proof of current enrollment such as a tuition fee receipt or an enrollment verification letter. A number of Wisconsin colleges and universities have updated their IDs to contain these elements or will issue a compliant ID upon request, but others have not taken these steps. North Carolina passed a new strict photo voter ID law in a lame duck session at the end of 2018 that purports to allow the use of student IDs from North Carolina public and private higher education institutions and the state’s community college system.⁵⁷ However, this is completely illusory as each individual institution must submit an application, under penalty of perjury, for approval by the State Board of Elections for their institutions student IDs to be allowed as voter ID. Additionally, the list of accepted institutions’ IDs will only be updated once every four years. North Carolina’s inclusion of student IDs is a complete smokescreen, as is the Wisconsin law, which has been mired in litigation for years.⁵⁸ The remaining five states – Alabama, Colorado, Mississippi, Kansas, and Virginia – accept all public and private college and university student IDs.

Registration ID Requirements

The federal Help America Vote Act (HAVA) contains an identification requirement for those who register for the first time in a state by mail.⁵⁹ Such first-time mail-in registrants must either submit or show “a current and valid photo identification” or “a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.”⁶⁰ Registrants matched against a “State identification record,” such as a Department of Motor Vehicles database or the Social Security Administration database, are exempt from the federal ID requirement.⁶¹ HAVA does not further define the categories of acceptable IDs, so states have flexibility to interpret this provision. Additionally, one state in the nation – Wisconsin – requires all registration applicants to submit documentary proof of residence containing the voter’s name and address.⁶²

⁵⁷ North Carolina’s voter ID law includes a “reasonable impediment” exception modeled off of South Carolina’s and as such we classify it as a strict photo voter ID law.

⁵⁸ There are already federal and state court lawsuits filed over the North Carolina voter ID law. See Southern Coalition for Social Justice state court case *Holmes v. Moore*, www.southerncoalition.org/voterid and the North Carolina State Conference of the NAACP federal case *NC NAACP v. Cooper*, https://gallery.mailchimp.com/00c219b41147a122d806d723e/files/01ed560f-44ed-4170-b5d3-8154c8583be6/Complaint_ijn.pdf.

⁵⁹ 52 U.S.C. § 21083(b).

⁶⁰ *Id.*

⁶¹ 52 U.S.C. § 21083(b)(3)(B).

⁶² Kansas and Arizona have enacted and implemented documentary proof of citizenship requirements for new voter registration applications. *Ariz. Rev. Stat. § 16-166(F)*; *Kan. Stat. Ann. § 25-2309*. These requirements have also suppressed younger voters registering for the first time in those states.

State legislatures can enact legislation expressly labeling postsecondary educational institutions' photo IDs as a valid form of identification for first-time mail-in registrants satisfying the HAVA ID requirement. Private and public college and university student IDs are easily deemed "current and valid photo identification," but in the absence of express state laws, practices vary for acceptance of student photo IDs.

Another possibility for states is to permit students to use a tuition fee receipt, enrollment verification letter, class schedule or official document from a public postsecondary institution since those qualify as "government document[s]," so long as the document "shows the name and address of the voter."⁶³ State and local election officials can and should interpret the HAVA ID requirement to embrace such forms of official state college or university documents. To remove any confusion and ambiguity, statutes governing registration identification should be amended to expressly include these forms of identification and documentation which are widely held by college and university students.

MODEL LEGISLATION

State Voter ID Requirements

It is very easy to modify a voter ID law to permit the use of student ID cards. The list of acceptable IDs should be amended to broadly include student IDs issued in the relevant state. The law should never impose any conditions or require any features for the student ID card beyond a name and a photo, since voter ID laws are simply being used by poll workers to confirm the voter's identity. Any additional conditions or required features should be eliminated from these statutes. In addition to college and university student photo IDs, several states also accept student photo IDs issued by high schools.⁶⁴

Insert a new subsection into any existing statute enumerating accepted forms of voter ID:

A photo identification card issued by an accredited postsecondary institution of education in the state.

Registration ID Requirements

For the HAVA ID requirement and registration requirements such as the proof of residence requirement in Wisconsin, state law should ensure an identification card issued by an accredited

⁶³ 52 U.S.C. §§ 21083(b)(2)(A)(i)(II), (ii)(II) requires the acceptable documents to contain both a name and address, whereas the photo ID requirements of 52 U.S.C. §§ 21083(b)(2)(A)(i)(I), (ii)(I) do not require that an address be present.

⁶⁴ See N.H. Stat. § 659:13; VA. Code § 24.2-643; W. Va. Code, § 3-1-34

postsecondary institution of education in the state qualifies as HAVA ID under the first prong of the requirement.⁶⁵

State election codes should also be amended to ensure documents issued by a public higher education institution in the state, such as tuition fee receipts, enrollment verification letters, class schedules and other official documents all suffice as HAVA ID under the second prong of the requirement, as “government documents.” These laws should make clear that as long as the official document issued by a public college or university contains the student’s name and address – even if it is an on-campus residential housing address – it satisfies the first-time registrant’s HAVA ID requirement.⁶⁶

Insert a new subsection into any existing statute enumerating accepted HAVA photo ID:

A photo identification card issued by an accredited postsecondary institution of education in the state.

Insert a new subsection into any existing statute enumerating accepted HAVA name-and-address ID:

Any official document issued by a state postsecondary institution of education containing the voter registration applicant’s name and current address.

⁶⁵ 52 U.S.C. §§ 21083(b)(2)(A)(i)(I), (ii)(I).

⁶⁶ 52 U.S.C. §§ 21083(b)(2)(A)(i)(II), (ii)(II).

ON-CAMPUS POLLING PLACES

ISSUE

State laws regarding voter registration and voting, influence whether young adults vote.⁶⁷ Seven out of 10 states with the top youth turnout have measures that make voting more accessible.⁶⁸ Blanket assessments of young voter turnout often do not include factors contributing to lower turnout rates, especially barriers erected to limit youth access to polling places. Given that those under 35 are the least likely age group to own a car and many 18- and 19-year-olds do not even have driver's licenses, it can be very difficult for them to reach early voting and Election Day voting sites.⁶⁹ Travel to off-campus voting sites is further exacerbated for many on-campus students by prohibitions on having vehicles at school due to parking constraints, or even outright vehicle bans for freshman and/or sophomores.⁷⁰ Barriers also include excluding college or university campuses from hosting polling sites by law, and local elections officials blatantly refusing to allow on-campus voting sites, and moving existing polling places off-campus.

CURRENT OVERVIEW

In some states, polling place or early voting locations are constrained by state law. For example, some states classify the types of locations or buildings allowed or preferred for early voting or Election Day polling locations.⁷¹ Unfortunately, legislators and other government officials have used such statutes to exclude campus polling places.

In 2011, the Florida legislature passed sweeping restrictive voting legislation, including restrictions to the early voting sites that could be designated by county supervisors of elections.⁷² Following litigation over this omnibus bill, the Florida legislature passed a law pulling back on these restrictions and allowing county election officials to designate as early voting sites, among other facilities, civic centers, stadiums, convention centers, and government-owned community centers.⁷³ Despite these designations, however, in 2014, the Florida Department of State issued a

⁶⁷ The Center for Information & Research on Civic Learning and Engagement, *Why Youth Voting Matters* (2016), available at <http://civicyouth.org/quick-facts/youth-voting>; See also <https://civicyouth.org/yesi-spotlight-facilitative-election-laws>

⁶⁸ *Id.*

⁶⁹ www.federalreserve.gov/econresdata/notes/feds-notes/2016/the-young-and-the-carless-the-demographics-of-new-vehicle-purchases-20160624.html;
www.umtri.umich.edu/what-were-doing/news/more-americans-all-ages-spurning-drivers-licenses;
<http://umtri.umich.edu/our-results/publications/update-percentage-young-persons-drivers-license-continues-drop>

⁷⁰ www.nbcnews.com/feature/freshman-year/vexing-vehicular-question-freshmen-drive-or-not-drive-n413086.

⁷¹ See, e.g., Fla. Stat. § 101.657; Mich. Comp. L. § 168.662; Virginia Department of Elections the Handbook, Chapter 3 Polling Places available at www.elections.virginia.gov/GREBHandbook/Files/GREB%202018.pdf.

⁷² Fla. H.B. 1355 (2011).

⁷³ Fla. Stat. § 101.657 (effective Jan. 1, 2014).

legal opinion indicating that, a student union at the University of Florida could not be considered a “convention center” or “government-owned community center” because the student union was a college or university-affiliated facility.⁷⁴ For a number of years, due to this restrictive interpretation, Florida’s local election officials were limited in their ability to designate campus buildings as early voting sites. However, in 2018, several organizational plaintiffs and students challenged the interpretation, and a federal court held that it intentionally discriminated against young people and thus violated the 26th Amendment.⁷⁵ Based on the court ruling, the state rescinded its 2014 opinion limiting designation of campus facilities as early voting sites. As a result, early voting sites were established at many campuses in 2018.⁷⁶

Refusal: The location of polling sites, including campus polling places, is largely within election officials’ discretion. Unfortunately, a number of bad actors across the country have abused this discretion to restrict students’ access to voting sites.

One such example concerns Bard College and the Dutchess County (NY) Board of Elections, which has a history of illegally suppressing student voting through strict registration procedures and other means.⁷⁷ Among other measures taken to target student voters, election officials have repeatedly denied students the opportunity to have a polling place on campus, including on the grounds that there are insufficient numbers of student voters, a particularly insidious argument given their own history of suppressing registration and student voting access. Bard’s nearest polling place is miles away down an unlit, high-speed road with no pedestrian sidewalk and is inaccessible by public transportation. Moreover, the location is unsuitable to accommodate large voter turnout and has limited room for voters using mobility aids.⁷⁸ Bard students presented

⁷⁴ Florida Dep’t of State, Advisory Op. DE-14-01, Re: DE 14-01 Early Voting- Facilities, Locations - §101.657, Florida Statutes (Jan. 17, 2014) (rescinded), available at <http://opinions.dos.state.fl.us/searchable/pdf/2014/de1401.pdf>.

⁷⁵ League of Women Voters of Fla., Inc., v. Detzner, No. 4:18-CV-2§51-MW/CAS, 314 F. Supp. 3d 1205 (N.D. Fla. July 24, 2018).

⁷⁶ See <https://www.fairelectionscenter.org/blog-early-voting-on-fl-campuses>; and www.news4jax.com/news/elections/early-voting-begins-on-college-campuses-in-florida (noting that Florida State University, University of North Florida, University of West Florida, University of Florida, two of Miami Dade College’s, and Edward Waters College all hosted early voting sites in addition to others around the state).

⁷⁷ E.g., Citrin, Muni, Questionnaire Incites Controversy, *The Bard Observer* (Sept. 20, 1996, available at http://www.bard.edu/library/archive/newspapers/students/Observer/1996/OB96_09_20.pdf). In an attempt to keep Bard students from voting, the Board of Elections required students to complete a “supplemental questionnaire” to register to vote locally. The “supplemental questionnaire” required students to answer questions regarding how much financial support they received from their parents, their school year, and their planned destinations for winter and summer vacation. Id. Students were then systematically barred from registering to vote in the county based on failure to meet residency requirements. See Letter from Dutchess County Bd. of Elec. to Michael Chameides (April 19, 1999), available at <https://cce.bard.edu/files/2018/09/Residence-Questionnaire.pdf>. This practice stood until 2004 when a coalition of students, school administrators, civil rights organizations, and a bipartisan group of local elected officials banded together to challenge the legality of the requirement. See Elections@Bard, <https://cce.bard.edu/election>.

⁷⁸ Elections@Bard, The Fight for a Polling Place, <https://cce.bard.edu/election>.

a data-based proposal highlighting that 68% of the eligible voters in the voting district encompassing Bard's campus reside on Bard properties and would be able to access the proposed on-campus polling site on foot. Moreover, the Bard campus offered its facilities for use as a polling site.⁷⁹ Given the school's willingness and the improvements in accessibility, the denial of a more appropriate polling place is particularly egregious.

Relocation: Another means of manipulating the ability of students to vote is to move existing on-campus polling places or early voting locations to less convenient or inaccessible off-campus locations. Such moves are particularly problematic for on-campus residents and especially those who rely on public transportation to travel to off-campus locations. For example, students at Appalachian State University used to be able to cast their early ballots at an on-campus polling place.⁸⁰ After a change in administration in 2013, the Watauga County Board of Elections eliminated the site for the 2014 midterm elections.⁸¹ Following a lawsuit, a court ordered the board to return the early voting site to campus, and the trial judge held that the only intent of the decision to eliminate the site appeared to be to discourage student voting.⁸² Despite the court order to return the site to campus in the previous election, the majority of the Watauga County Board of Elections again tried to remove the early voting site for the 2016 primaries, but was overruled by the State Board of Elections.⁸³ Even in the face of tremendous turnout at the on-campus early voting site for the primary⁸⁴ members of the Watauga Board of Elections again tried to undermine student access to the early voting site for the 2016 general election by moving it from a central location at the student union to a flood-prone poorly-ventilated facility it had previously selected

⁷⁹ Elections@Bard, Sample Letter of Support, <http://inside.bard.edu/wwwmedia/files/2805039/2/Letter%20of%20Support.pdf>.

⁸⁰ Anderson v. N.C. Bd. of Elections, No. COA14-1369, 2-4 (N.C. Ct. App. 2016), available at <https://appellate.nccourts.org/opinions/?c=2&pdf=33090>.

⁸¹ Anderson v. N.C. Bd. of Elections, No. COA14-1369, 2-4 (N.C. Ct. App. 2016), available at <https://appellate.nccourts.org/opinions/?c=2&pdf=33090>. The Watauga County Board of Elections' first plan to eliminate an on-campus polling place in 2013, subsequently withdrawn, consisted of combining three Boone city precincts into a super-precinct servicing over 9,000 voters in an off-campus location over a mile walk from campus down a road with no pedestrian sidewalk and no public transportation. www.thenation.com/article/north-carolina-republicans-escalate-attack-student-voting/ (The Watauga County Board of Elections succeeded with their next plan in 2013 which relocated the on-campus polling site at the student union to a flood-prone event hall with poor ventilation and no back-up power. Jesse Wood, Searching for Elusive Common Ground on Watauga County BOE, Legends to be Precinct on ASU Campus (Sept. 4, 2013), www.hcpress.com/news/searching-for-elusive-common-ground-on-watauga-county-boe-legends-to-be-precinct-on-asu-campus.html.

⁸² Actions of the Watauga Board of Elections Ruled "Unconstitutional" (Oct. 13, 2014), <http://blog.wataugawatch.net/2014/10/actions-of-watauga-board-of-elections.html>

⁸³ SBOE Mandates Watauga BOE To Include Early Voting Site for Primary at App State (Feb. 10, 2016), www.hcpress.com/news/sboe-mandates-watauga-boe-to-include-early-voting-site-for-primary-at-app-state.html.

⁸⁴ www.hcpress.com/front-page/more-than-1500-early-vote-on-first-day-943-of-those-vote-at-app-state-site.html

as a polling site in 2013. The university chancellor rejected the proposal, and the site was maintained at the student union in spite of the board's attempts.⁸⁵

POLICY SOLUTIONS

Conducting elections is largely within the states' power and responsibility, and despite minimal federal standards for federal elections, state systems vary vastly. Guidance regarding polling place locations is generally provided for in the states' election codes, but local boards of elections are often given a large degree of discretion when choosing locations.

The bipartisan Presidential Commission on Election Administration addressed needed improvements for polling places and recommended that polling places must: (1) have room to comfortably accommodate voters; (2) be accessible to voters with disabilities; (3) have adequate infrastructure such as internet and telephone connections; (4) offer adequate parking; and (5) be located in reasonable proximity to the population of voters that it is intended to serve.⁸⁶ The Commission recommended schools be utilized as polling places as schools generally meet these requirements.⁸⁷ State election laws should reflect these recommendations.

Various policy options exist to expand the availability of campus polling places. The preferable option is to mandate on-campus polling locations where the resident student population or enrollment meets a certain threshold. By tying Election Day polling place locations to the resident population and early voting locations to enrollment, election jurisdictions can ensure the polling place offerings are a good match for the needs of students. Depending on the existing structure of the relevant state statutes, other options could also improve on campus voting access.

MODEL LEGISLATION

Insert into existing statute on location of voting sites

Mandate on-campus polling locations: A state's election code should require Election Day voting sites to be established at public institutions of higher education. Where the state offers

⁸⁵ Doug Chapin, ASU Student Union To Host Early Voting After Chancellor Rejects Alternate Site (Sept. 14, 2016), <http://editions.lib.umn.edu/electionacademy/2016/09/14/asu-student-union-to-host-early-voting-after-chancellor-rejects-alternate-site>.

⁸⁶ Presidential Commission on Election Administration, *The American Voting Experience: Report and Recommendations of the Presidential Commission on Election Administration* (2014) available at www.eac.gov/assets/1/6/Amer-Voting-Exper-final-draft-01-09-14-508.pdf.

⁸⁷ *Id.* at 33. (The Commission does not specify a type of school.)

early or absentee-in-person voting, election jurisdictions should be required to establish early voting locations at colleges or universities.⁸⁸

Mandating Voting Sites at Institutions of Higher Education⁸⁹

- (a) Each election jurisdiction shall designate and establish voting sites on the campus of each public institution of higher education in the jurisdiction;
- (b) Each election jurisdiction shall designate and establish early voting sites on the campus of each public institution of higher education in the jurisdiction;
- (c) Each private institution of higher education in the jurisdiction should cooperate with the election jurisdiction to designate and establish voting sites on their campus;
- (d) Each private institution of higher education in the jurisdiction should cooperate with the election jurisdiction to designate and establish early voting sites on their campus.

Preferential location: State election laws should list institutions of higher education on any list of preferred voting site locations.⁹⁰

- (a) In selecting polling places, the local elections office shall, wherever possible select

⁸⁸ See 10 ILCS 5/1-12:

§ 1-12. Public university voting.

(a) Each appropriate election authority shall, in addition to the early voting conducted at locations otherwise required by law, conduct early voting, grace period registration, and grace period voting at the student union on the campus of a public university within the election authority's jurisdiction. . . . Each public university shall make the space available at the student union for, and cooperate and coordinate with the appropriate election authority in, the implementation of this subsection (a). . . .

(c) For the purposes of this Section, "public university" means the University of Illinois, Illinois State University, Chicago State University, Governors State University, Southern Illinois University, Northern Illinois University, Eastern Illinois University, Western Illinois University, and Northeastern Illinois University.

⁸⁹ Another potential solution to providing access to students if providing voting sites at all public institutions of higher education is not feasible is requiring a set number of residents in the precinct first. Cf. Nev. Revised Stat. § 293.2735 (requiring polling place to be established at residential development exclusively for elderly persons based on residence population threshold and consent of the development).

Mandating Voting Sites at Institutions of Higher Education by Population

- (e) Each election jurisdiction shall designate and establish voting sites on the campus of each public institution of higher education in the jurisdiction with student resident population exceeding [XX];
- (f) Each election jurisdiction shall designate and establish early voting sites on the campus of each public institution of higher education in the jurisdiction with enrollment exceeding [XX];
- (g) Each private institution of higher education in the jurisdiction with student resident population exceeding [XX] should cooperate with the election jurisdiction to establish voting sites on their campus;
- (h) Each private institution of higher education in the jurisdiction with enrollment exceeding [XX] should cooperate with the election jurisdiction to establish early voting sites on their campus.

⁹⁰ An example of this type of structure is found in Pennsylvania law, which gives preferred status to schoolhouses, municipal buildings, or other public buildings. Student centers or other accessible on-campus buildings at public universities or colleges could easily be added to such a list. See 25 Pa. Stat. § 2727.

[existing statutory preferred voting sites], and facilities at public institutions of higher education for that purpose.

Expanding Limited Options: In a state that only allows election officials to choose limited location types for polling places or early voting locations, at a minimum, facilities at institutions of higher education should be explicitly included in the list.⁹¹ An alternative fix would be to revise such statutes to allow election officials to choose any suitable location.

⁹¹ See Fla. Amendment Barcode 562969 to HB 7013 (2013) (amendment would have added institutional facilities in the Florida College System to the list of options for early voting sites).

HIGH SCHOOL AND COLLEGE STUDENTS SERVING AS POLL WORKERS

ISSUE

Recruiting young people to serve as poll workers is another effective way to engage them in the electoral process and ensure young voters' interests are well-served. College and university students aged 18 and up can generally serve if they meet the state's other requirements, and many states also permit minors to serve as poll workers, though they typically restrict what positions they can fill and what duties they can perform.

Through these youth poll worker programs, young people become well-versed in election rules and procedures and can shepherd other eligible student voters through the process, including voter ID requirements. Recruiting younger poll workers benefits both youth voter turnout and long-term civic engagement but it also helps identify an additional pool of election workers that are often needed to work the polls. This is readily apparent as almost half of jurisdictions reported difficulty requiring poll workers for the 2016 elections, and that over half of all poll workers were 61 or older, and all most all poll workers are 41 or older.⁹² Younger voters have deep familiarity with the 21st century technologies used in the voting process, including tablets, and many are bilingual members of language-minority communities and can provide useful assistance at the polls. As election technology becomes more advanced and our communities become more diverse, local election officials routinely search for computer-literate and bilingual poll workers to ensure smooth and efficient operations on Election Day.

CURRENT OVERVIEW

How can we encourage more young people to serve as poll workers? States and local jurisdictions have been experimenting.

First, there is the legal framework. States have to authorize 16- and 17-year-olds to serve as poll workers. The overwhelming majority of states permit 16- and 17-year-old high school and college students to serve as poll workers on Election Day. While generally a person must be eligible to vote in order to serve as a poll worker, including such requirements as U.S. citizenship and in-state residence, 40 states in the country plus the District of Columbia have lowered the minimum age for poll worker recruitment below the voting-eligible age. These laws typically also require enrollment in a secondary or postsecondary educational institution in the state, a parent or guardian's permission, a principal or college dean's approval or nomination, the maintenance of sufficient academic standing, and attendance at a training session.

⁹² Election Assistance Commission's The Election Administration and Voting Survey, 2016 Comprehensive Report, pages 13-14, available at www.eac.gov/assets/1/6/2016_EAVS_Comprehensive_Report.pdf (finding that 56% of poll workers were 61 or older, and 82% of poll workers were 41 or older).

In Missouri, state law suggests that schools may offer a course on state election law and make it a prerequisite.⁹³ Minor students who serve as poll workers are typically restricted in what positions they can be assigned, excused from missing classes, compensated like adult poll workers and, in some states, restricted from working outside the hours set by child labor laws.

Twenty-nine states plus the District of Columbia have lowered the age to 16 years old, including: Alaska, Arizona, California, Colorado, Connecticut, the District of Columbia, Delaware, Florida, Georgia, Idaho, Indiana, Kansas, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Mexico, North Dakota, Rhode Island, South Carolina, Texas, Utah, Vermont, West Virginia, Wisconsin and Wyoming.⁹⁴ An additional 10 states have lowered the minimum to 17 years old: Iowa, Kentucky, Louisiana, Maine, Maryland, New Hampshire, New York, North Carolina, Pennsylvania and Tennessee.⁹⁵ A small caveat must be made for Kentucky, which only permits certain 17-year-olds to work on Election Day—those who will be 17 by the time of the general election, such that they can only begin serving at age 17 in the

⁹³ Mo. Rev. Stat. § 115.104(7).

⁹⁴ Alaska Stat. § 15.10.120(a); Alaska Stat. § 15.05.010; Alaska Stat. § 15.10.108; Ariz. Rev. Stat. § 16-531(A); Ariz. Rev. Stat. § 16-121(A); Ariz. Rev. Stat. §§ 16-531(G)-(I); Cal. Elec. Code §§ 12302(a)-(b); Cal. Elec. Code § 2000(b); Col. Rev. Stat. § 1-6-101(1); Col. Rev. Stat. § 1-2-101(1)(a); Col. Rev. Stat. §§ 1-6-101(2), 1-6-101(7); Conn. Gen. Stat. § 9-258; Conn. Gen. Stat. § 9-436(d); Conn. Gen. Stat. §§ 9-233, 9-235, 9-12(a); Conn. Gen. Stat. § 9-235d; D.C. Code Ann. § 1-1001.05(e)(4); D.C. Code Ann. § 1-1001.02(2)(a); 15 Del. Code Ann. § 1701; 15 Del. Code Ann. § 4701(a); Fla. Stat. § 102.012(2); Fla. Stat. § 97.041(1); Ga. Code Ann. § 21-2-92; Ga. Code Ann. §§ 21-2-92(a), 21-2-92(c); Idaho Code § 34-303; Ind. Code §§ 3-6-6-1, 3-6-6-2(c), 3-6-6-3(c), 3-6-6-5(c); Ind. Code §§ 3-7-13-1(1), 3-7-13-2; Ind. Code § 3-6-6-39; Kan. Const., art. 5, § 1; Kan. Stat. Ann. § 25-2804(b); Mass. Gen. Laws ch. 54, § 11, Mass. Gen. Laws ch. 54, § 12; Mass. Gen. Laws ch. 51, § 1; Mass. Gen. Laws Ch. 54, §§ 11B, 12; Mass. Gen. Laws Ch. 149, § 66; Mich. Comp. Laws §§ 168.677(1), 168.677(4) § 168.346; Mich. Comp. Laws § 168.492; Minn. Stat. § 204B.19(1); Minn. Stat. § 201.014(1)(a); Minn. Rules 8240.1655; Minn. Stat. § 204B.19(6); Miss. Code Ann. § 23-15-231; Miss. Code Ann. § 23-15-11; Miss. Code Ann. § 23-15-240; Mo. Rev. Stat. § 115.085; Mo. Rev. Stat. § 115.133; Mo. Rev. Stat. § 115.104; Neb. Rev. Stat. § 32-231(1); Neb. Rev. Stat. § 32-110; Neb. Const. art. VI, § 1; Neb. Rev. Stat. §§ 32-223(5), 32-230(7); Nev. Rev. Stat. Ann. § 293.217(1); Nev. Rev. Stat. Ann. § 293.485; Nev. Rev. Stat. Ann. § 293.2175; Nev. Rev. Stat. Ann. § 293C.222; N.J. Stat. Ann. §§ 19:6-2(a)(1)-(2); N.J. Const. Art. II, Sec. 1, Para. 3; N.J. Stat. Ann. §§ 19:6-2(a)(3), 19:6-2(a)(4); N. M. Stat. Ann. §§ 1-2-7, 1-2-8; N.M. Stat. Ann. § 1-1-4; N.M. Const. art. VII § 1; N.M. Stat. Ann. §§ 1-2-7(D)-(E); N.D. Cent. Code § 16.1-05-02(1)(a); N.D. Cent. Code § 16.1-01-04(1); N.D. Cent. Code § 16.1-05-02(1)(b); N.D. Cent. Code §§ 16.1-05-02(1)(b)-(d); R.I. Gen. Laws §§ 17-11-6, 17-11-7.1, 17-11-12, 17-11-12.1; R.I. Const. art. 2, § 1; R.I. Gen. Laws § 17-1-3; S.C. Code Ann. § 7-13-110; S.C. Const. art. II, § 4; S.C. Code Ann. § 7-5-610; S.C. Code Ann. § 7-13-110; Tex. Elec. Code §§ 32.051(a)(1) & (c); Tex. Elec. Code § 11.002(1); Tex. Elec. Code § 32.0511; Utah Code Ann. § 20A-5-601; Utah Code Ann. § 20A-5-602; Utah Code Ann. § 20A-2-101(1)(c); Vt. Stat. Ann. tit. 17, § 2452(a); Vt. Stat. Ann. tit. 17, §§ 2454(a)-(b); W. Va. Code § 3-1-28(a); W. Va. Code § 3-2-2(a); W. Va. Code § 3-2-2(a); W. Va. Code § 3-1-29(a)(4); Wis. Stat. § 7.30(2)(a); Wis. Stat. § 6.02(1); Wis. Stat. § 7.30(2)(am); Wis. Stat. § 7.30(6)(am); Wyo. Stat. Ann. § 22-8-101(b)&(c); Wyo. Stat. Ann. §§ 22-8-102, 22-8-106; Wyo. Stat. Ann. § 22-3-102(a)(ii).

⁹⁵ Iowa Code §§ 49.13(1), 49.13(6); Iowa Code § 48A.5; Ky. Rev. Stat. Ann. § 117.045(9); Ky. Const. § 145; Ky. Rev. Stat. Ann. § 117.045(9); La. Rev. Stat. Ann. § 18:424(B)(1); La. Rev. Stat. Ann. §§ 18:101(A)(1)-(2); La. Rev. Stat. Ann. §§ 18:425(B)(5), 18:426(A)(4); 21-A Me. Rev. Stat. § 501(3); 21-A Me. Rev. Stat. § 503(1); 21-A Me. Rev. Stat. § 111(2); 21-A Me. Rev. Stat. § 503(2)(C); Md. Elec. Law § 10-202(a)(1); Md. Elec. Law § 3-102(a); Md. Elec. Law § 10-202(a)(2)(ii); N.H. Rev. Stat. Ann. § 658:3; N.H. Const. part. 1, Art. 11; N.H. Rev. Stat. Ann. § 658:7-a; N.H. Rev. Stat. Ann. § 658:7; N.Y. Elec. Law §§ 3-400(6), 3-400(8); N.Y. Elec. Law § 3-401(5); N.Y. Elec. Law § 5-102; N.C. Gen. Stat. § 163-41(a); N.C. Gen. Stat. § 163-55; N.C. Gen. Stat. § 163-42.1; 25 Pa. Stat. § 2672(a); 25 Pa. Stat. § 1301(a); Tenn. Code Ann. § 2-4-103(a); Tenn. Code Ann. § 2-4-103(e); Tenn. Code Ann. § 2-2-104.

preceding primary election. The final state – Illinois – has no age minimum as long as the prospective poll worker is enrolled as a junior or senior in high school or as a college student.⁹⁶

The remaining states require a poll worker to be at least 18 years old.⁹⁷ Alabama, Montana, Oklahoma and South Dakota make that a definitive restriction without exceptions.⁹⁸ Arkansas and Virginia both give county officials the discretion to create page programs for 16- and 17-year-olds.⁹⁹ These programs allow minors to observe the process and help set up the polling site or direct voters, but they are not given the responsibilities of an actual poll worker. Fairfax County, Virginia has established such a program but many other counties and municipalities have not.

Some states expressly require that poll workers be registered or preregistered as 16- and 17-year-olds in order to serve. Despite the minimum age requirement of 18, Louisiana has been forward-thinking and allowed college and university students to work at the polls, even if they remain registered in another state. This ensures the state does not deprive itself of a large pool of tech-savvy, potential poll workers simply because they are college students who remain registered at their permanent address.

The requirement to work a full day of 12 to 16 hours is a common barrier for high school and college students who want to serve as poll workers, but there is an easy way to eliminate this issue. While local election officials often have the authority to set poll worker hours, state legislators can and should make the availability of part-time or half-day shifts express in the election codes. Many more students would sign up if they did not have to work every hour the polling place was open and miss classes. Eleven states have expressly made this allowance

⁹⁶ 10 Ill. Comp. Stat. § 5/13-4(a)(7); 10 Ill. Comp. Stat. § 5/14-1(b)(7); 10 Ill. Comp. Stat. § 5/4-2; 10 Ill. Comp. Stat. §§ 5/13-4(b)-(c); 10 Ill. Comp. Stat. § 5/14-1(c). Hawaii and Ohio are excluded from these 40 states because their local election officials are only permitted to hire 16-year-olds or 17-year-olds who will be 18 on or before the next general election, respectively, if there are no qualified individuals aged 18 or older. Haw. Rev. Stat. Ann. § 11-72(b)(1); Haw. Rev. Stat. Ann. § 11-11; Ohio Rev. Code Ann. § 3501.22(A); Ohio Rev. Code Ann. §§ 3501.22(B)-(D); Ohio Rev. Code Ann. § 3503.01(A); Ohio Rev. Code Ann. § 3503.011. This report's authors are aware of no data showing these provisions have actually been invoked to allow 16- and 17-year-olds to serve in these states, and the unavailability of all qualified adults seems unlikely, so these two states are tallied separately.

⁹⁷ Oregon and Washington have no need for poll workers because they conduct all-mail elections.

⁹⁸ Ala. Code § 17-8-1(a), Ala. Code § 17-3-30; Mont. Code Ann. § 13-4-107(1); Mont. Code Ann. § 13-1-111(1)(b); Mont. Admin. R. § 44-3-2102(4); 26 Okla. Stat. § 2-131; Okla. Const. art. 3, § 1; 26 Okla. Stat. § 4-101; S.D. Codified Laws § 12-15-2; S.D. Codified Laws § 12-3-1; S.D. Const., art. VII, § 2; S.D. Codified Laws § 13-27-6.1;

⁹⁹ Ark. Code Ann. § 7-4-109(a)(1); Ark. Code Ann. § 7-1-101(33); Ark. Const. Amend 51 § 6; Ark. Code Ann. § 7-4-116; Ark. Code Ann. § 7-4-117; Va. Code Ann. § 24.2-115; Va. Code Ann. § 24.2-101; Va. Const. art. II, § 1; Va. Code Ann. 24.2-604(H);

in their state election codes: Alabama, Arkansas, Indiana, Maryland, Minnesota, Missouri, New Jersey, Pennsylvania, Rhode Island, Texas and Virginia.¹⁰⁰ Others should follow suit.

Beyond the legal architecture, local election officials have significant freedom to experiment with different poll worker recruitment tactics and programs, as well as to utilize these young assistant poll workers in different ways. Student poll worker programs recruiting from both high schools and colleges can provide a broader pool of potential staff. These types of student poll worker programs are mutually beneficial, in that they also serve as valuable educational opportunities for students who participate in the program. Furthermore, one of the most notable benefits of student poll worker programs is the gap they fill in terms of language assistance for voters. Many students from minority language communities are bilingual and can serve as a conduit between election officials and limited English proficient voters.

A number of local jurisdictions have created excellent programs for young poll workers. Minneapolis has created a Student Election Judge (SEJ) Trainee Program.¹⁰¹ The city has implemented a program in which an SEJ Coordinator works directly with the city's high schools and teachers to go into the classroom to recruit and work as a liaison with the Election Judge Coordinator on schedules and assignments. In 2017, 268 students participated in the SEJ Program in Minneapolis. Of the 212 students who participated in 2016 as sophomore and juniors, 43% returned as election judges in 2017.¹⁰² In the 2017 survey of SEJs, 76% of 124 respondents reported they were more likely to vote when they turned 18 as a result of the SEJ program, and 92% said they better understood how to vote.¹⁰³ Students who participated in 2017 came from 25 schools across the metropolitan area, including public, charter, and private schools.¹⁰⁴ SEJs also provide language assistance to voters at the polls in languages other than English. SEJs in 2017 were "twice as likely as their adult counterparts to report being bilingual, with 35% of students speaking another language compared to 17% of adult election judges."¹⁰⁵ In 2016, SEJs were over three times more likely to be bilingual than adult election judges.¹⁰⁶ This included "96

¹⁰⁰ Ala. Code § 17-8-1(c); Ark. Code Ann. § 7-4-107(d); Ind. Code §§ 3-6-6-10(a)-(b); Md. Elec. Law § 10-202(e); Minn. Stat. § 204B.22(1)(b); Mo. Rev. Stat. § 115.081(5); N.J. Stat. Ann. § 19:6-9.1; 25 Pa. Stat. § 2682.2(b); R.I. Gen. Laws § 17-11-13(d); Tex. Elec. Code §§ 32.072(a)-(b); Va. Code Ann. § 24.2-115.1.

¹⁰¹ Student Election Judge Program, City of Minneapolis, available at <http://vote.minneapolismn.gov/judges/STUDENT-JUDGE>.

¹⁰² Minneapolis Elections & Voter Services, 2017 Student Election Judge Survey Results ("2017 Survey Results"), at 3 (on file with Fair Elections Center).

¹⁰³ Id. at 4.

¹⁰⁴ Id. at 5.

¹⁰⁵ Id. at 6.

¹⁰⁶ Minneapolis Elections & Voter Services, Minneapolis Student Election Judge Program (on file with Fair Elections Center).

students who reported being fluent in a language other than English,” including Somali, Spanish, Hmong, Oromo, and others, and 66 of them assisted voters in that language on Election Day.¹⁰⁷ Finally, Minneapolis Elections & Voter Services also reports that SEJs were essential in the transition from paper to electronic poll books, and that “[s]ome students returning in 2018 have been promoted to a poll book and registration specialist role, taking charge of overseeing the poll book station in their precinct.”¹⁰⁸

In Chicago, the Student Leaders in Elections program, run by the Chicago Lawyers’ Committee for Civil Rights Under Law, Inc. and the Chicago Board of Election Commissioners, recruited college students to work in three elections in 2014 and 2015. More than 1,578 college students served as poll workers during at least one of the three elections, through this highly successful program. A final report on the program found that email worked no better or worse in recruitment—fully 480 students were recruited via an email from their university. This suggests that online recruitment and application tools like workelections.com may facilitate student poll worker recruitment. 500 students served more than once. Community college students were more likely to serve in a second election: 51% to 32%. 378 students who served as poll workers through the Chicago Program (28% of the total) were bilingual. The rates at which bilingual, Spanish-speaking students showed up on Election Day and served in all three elections were nine points higher than that of other students. 73% of students who served in two elections served in a third. This program found direct evidence that college students’ familiarity with emerging election technologies allowed for precincts to report results faster. College students also eliminated the need for backup poll workers in three precincts since they were willing to work outside their precincts.¹⁰⁹

Community colleges are an especially important source for tech savvy, bilingual poll workers. According to the American Association of Community Colleges, there are over 12 million students attending community college in the U.S., representing 41% of all U.S. undergrads, and these schools are found in almost every community. Community colleges represent a diverse group of students nationwide. Among undergraduates, 56% of Native American students, 52% of Hispanic students, 43% of African-American students, and 40% of Asian/Pacific Islander students attend community colleges. Additionally, 40% of entering students at community colleges are first-generation college students, often from immigrant and language minority communities.¹¹⁰

¹⁰⁷ 2017 Survey Results at 6.

¹⁰⁸ Minneapolis Elections & Voter Services, Minneapolis Student Election Judge Program (on file with Fair Elections Center).

¹⁰⁹ Chicago Lawyers’ Committee for Civil Rights Under Law, Inc., Student Leaders in Elections: A Case Study in College Poll Worker Recruitment (2015), at 1-3, 6, 8-10, available at https://static1.squarespace.com/static/5871061e6b8f5b2a8ede8ff5/t/593037a5f5e231c4f233424b/1496332201490/Student_Leaders_in_Elections_Report_2015.pdf.

¹¹⁰ See American Association of Community Colleges, Fast Facts, available at www.aacc.nche.edu/research-trends/fast-facts.

MODEL POLICIES AND LEGISLATION

To maximize the number of students serving as poll workers, states should enact the following policies:

- A poll worker or election judge may serve at any age, if the individual is currently enrolled in a secondary or accredited postsecondary institution, regardless of U.S. citizenship status.
- Voter registration or preregistration is not a prerequisite for serving as a poll worker or election judge. However, a poll worker or election judge who has not yet reached the age of 18 shall secure a letter of permission from his/her school, parent, or guardian and serve as a part of a structured poll worker program.
- A poll worker or election judge who is enrolled in a secondary or postsecondary institution may work a half-day shift with a morning or afternoon start time.
- Online poll worker applications shall be made available and include a field for bilingual applicants to record their language skills.

Insert a subsection into existing statute on poll worker eligibility:

- (a) Individuals may serve as a poll worker regardless of voter registration status or eligibility to register to vote; and
- (b) Individuals under the age of 18 may serve as poll workers if they are enrolled in a secondary of postsecondary institution of education



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