

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

Treva Thompson, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No.
	)	2:16-cv-783-ECM-SMD
	)	Class Action
John H. Merrill, in his official capacity	)	
as Secretary of State, <i>et al.</i> ,	)	
	)	
Defendants.	)	

SECRETARY OF STATE’S *SECOND* NOTICE CONCERNING COUNT 18

Count 18 of the supplemental complaint alleges that one or more of Alabama’s voter registration forms does not comply with the National Voter Registration Act of 1993 (NVRA). Doc. 93 at ¶¶ 91-101. It is the subject of pending dispositive motions. Docs. 95 & 97. Secretary of State Merrill previously notified this Court that facts pertinent to this Count are evolving. Doc. 161. He committed to inform the Court if the new voter registration forms that he had proposed took effect and, if so, his plan for rolling out the new forms. *Id.* He further noted that he would, of course, stand ready to provide any supplemental briefing that the Court might desire. *Id.* Thereafter, Plaintiffs filed a response to that notice in which they briefed their position and made the same commitment for further briefing. Doc. 164. The Alabama Administrative Procedure Act process has now concluded, and so Secretary Merrill hereby notifies the Court as follows:

1. The Secretary of State proposed changes, through the Alabama Administrative Procedure Act, to the State’s Mail-In Voter Registration Form and Agency-Based Voter Registration Application. The attached declaration of Ed Packard, **Exhibit 1**, confirms that the changes have taken effect, explains those changes, includes a copy of the new Mail-In Voter

Registration Form and the Agency-Based Voter Registration Application, and discusses the logistics involved in updating the voter registration forms.

2. As revised, Alabama's new Mail-In Voter Registration Form and new Agency-Based Voter Registration Application provide, as relevant here, that "(The list of disqualifying felonies is available on the Secretary of State's website at sos.alabama.gov/mtfelonies)" **Exhibit 1** at 2, 4, 7.

3. Paragraph 3 of the Secretary's original filing indicated that "the proposed changes do not moot the Plaintiffs' claims." Doc. 161 at ¶ 3. Plaintiffs' seized on this language in their subsequent filing and characterized it as a concession. Doc. 164 at 3. If it was a concession, all that was conceded is that nothing Secretary Merrill does satisfies the Plaintiffs. The filing was not a concession that Plaintiffs are entitled to the relief they seek or that their legal arguments have any merit whatsoever; the filing merely conveyed that the changes to the form are not what Plaintiffs have demanded.

4. That said, Secretary Merrill's changes to the form are very similar to those made by the U.S. Election Assistance Commission to the national voter registration form. Page 8 of that form, available at https://www.eac.gov/assets/1/6/Federal_Voter_Registration_ENG.pdf (last visited July 23, 2019) and attached hereto as **Exhibit 2**, includes the State Instructions for Alabama and says, in pertinent part, "To register in Alabama you must: . . . not have been convicted of a felony involving moral turpitude (or have had your civil and political rights restored). The list of moral turpitude felonies is available on the Secretary of State web site at: sos.alabama.gov/mtfelonies". This has apparently satisfied the EAC, which is "entrusted" to make this judgment for the federal form. *Fish v. Kobach*, 840 F.3d 710, 721 (10th Cir. 2016)) ("The contents of the mail-in Federal Form. . . are prescribed partly by statute, § 20508(b), and otherwise

entrusted to the administrative judgment of the EAC, a federal agency.”) (citations omitted); *see also* 52 U.S.C. § 20508(a)(2) (“The Election Assistance Commission-- . . . (2) in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office[]”).

5. Plaintiffs continue in their attempts to substitute their judgment for the Secretary’s own, *see* doc. 63 at 8, nitpicking at every opportunity. First, they complain that Secretary’s new form fails to make clear that “that not all felonies are disqualifying.” Doc. 164 at 2. That position is not persuasive. The voter registration form does not say that all felonies are disqualifying. To the contrary, it says that there exists a list of which felonies are disqualifying. That statement, naturally read, indicates that some felonies are not disqualifying. The voter registration forms further direct voters where they can find that list of disqualifying felonies on the internet.

6. Next, in a footnote, Plaintiffs complain about a poster that does list which felonies involve moral turpitude because it does not make clear – to their satisfaction – that only those felonies are disqualifying. Doc. 164 at 2 n. 1; doc. 164-1; doc. 164-2 at 269:23 – 271:3. Plaintiffs go so far as to say that Clay Helms, an employee of the Secretary of State’s office, acknowledged that the poster is unclear. Doc. 164 at 3 n.1. In fact, the deposition excerpt – which Plaintiffs filed – reflects that Plaintiffs were improperly trying to negotiate with the Secretary of State’s office during a deposition and, further, that Helms never said the poster was unclear, only that he would be willing to suggest Plaintiffs’ counsel’s proposed change. Doc. 164-2 at 268:20 – 271:4. Whether Plaintiffs’ counsel could arguably improve the poster is beside the point. The poster is not a voter registration form subject to Count 18, and Plaintiffs’ counsel have not been elected Alabama’s chief elections official.

7. It should be noted that Helms' deposition testimony confirms that the poster was amended to include the list of felonies of moral turpitude after Ala. Act No. 2017-378¹ established a comprehensive list of such felonies. Doc. 164-2 at 269:23-270:4. Before the 2017 Act, there was no comprehensive list, and so it would have been impossible for Alabama to have complied with Plaintiffs' reading of the NVRA. If the United States had ever sued the State of Alabama or her Secretary of State arguing that the voter registration form had to include a list of each and every disqualifying felony, that would have likely prompted a constitutional challenge to the NVRA as that interpretation would have interfered with the State's ability to set the requirements for voter registration.² That lawsuit never happened, but not because the United States has been shy about suing the State and/or the Secretary of State on election issues. The United States has sued on several occasions in the last dozen years³, and it threatened suit under the NVRA recently.⁴ But the United States has never advanced the Plaintiffs' Count 18 against Alabama. Instead, as

¹ Plaintiffs' counsel refers to "HB 282." Doc. 164- at 270:2. Ala. Act No. 2017-378 was House Bill 282 when it was being considered by the Alabama Legislature.

² The default rule is that the States set voter qualifications, even in federal elections. U.S. Const. Art. I § 2 cl. 1 (In House elections, "... Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature."); U.S. Const. Amend. XVII (Senators elected by the same electors as House Members); *see also* U.S. Const. Art. II § 1 cl. 2 (Presidential Electors need not even be selected by election); U.S. Const. Amend. XIV (recognizing the State's right to set qualifications and, specifically, to disenfranchise felons). The Constitution has, of course, been amended to impose some limits on that power, U.S. Const. Amend. XV (eliminating disenfranchisement based on "race, color, or previous condition of servitude"); U.S. Const. Amend. XIX (enfranchising women); U.S. Const. Amend. XXVI (lowering the voting age to 18), and to eliminate poll taxes, U.S. Const. Amend. XXIV.

³ *United States v. State of Alabama*, Case No. 2:06-cv-00225-MEF (M.D. Ala.) (Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)); *United States v. State of Alabama*, Case No. 2:06-cv-00392-WKW (M.D. Ala.) (Help America Vote Act (HAVA)); *United States v. State of Alabama*, Case No. 2:08-cv-00920-WKW (M.D. Ala.) (UOCAVA); *United States v. State of Alabama*, Case No. 2:12-cv-00179-MHT (M.D. Ala.) (UOCAVA, as amended).

⁴ Litigation was not filed, but USDOJ has posted the original Memorandum of Understanding online at <https://www.justice.gov/opa/file/793121/download> (last visited July 23, 2019).

noted, the United States – through the EAC – changed the federal voter registration form to reference the availability of the list and the Secretary then followed suit.

8. Even with the list of moral turpitude felonies delineated in statute, Plaintiffs’ demand too much. Just this year, the State created a new crime – aggravated theft by deception – and added it to the list of moral turpitude felonies. *See* Ala. Act No. 2019-513 (*inter alia*, amending Ala. Code § 17-3-30.1), attached as **Exhibit 3**. Under Plaintiffs’ theory, Alabama’s voter registration forms would be in violation of federal law the moment Ala. Act No. 2019-513 takes effect because those forms will not correctly list all the disqualifying felonies. Under the Secretary’s manner of informing the public about which felonies involve moral turpitude, the list on the website can be updated easily. Similarly, even replacing the Board of Pardons and Paroles posters is inexpensive and easy compared to recalling printed voter registration forms and printing and distributing new ones. *Compare Exhibit 1* at 2 (current quotes for printing 2,750,000 forms totaling \$125,078) *with Exhibit 4* (Summer 2017 quote for 300 posters totaling \$168.).

9. Section II of Plaintiffs’ response argues that the revised voter registration forms are inadequate to support “several” – they name two – agencies in fulfilling their responsibilities under Section 7 of the NVRA, 52 U.S.C. § 20506. Doc. 164 at 5-6. At least two responses are in order. First, Plaintiffs’ focus on the Alabama Law Enforcement Agency (ALEA) is misplaced because Section 7 does not apply to ALEA. Instead, ALEA is responsible for complying with Section 5, 52 U.S.C. § 20504. *Cf. n. 4* (resolution of threatened NVRA litigation concerning ALEA), *supra*; **Exhibit 5** (Statement of Interest of the United States) at 3-7 (explaining the United States’ view of the States’ obligations under Sections 5 and 7, as well as how Section 7 is meant to capture potential voters who do not have driver’s licenses and thus are not served by Section 5)⁵; *cf. also*

⁵ In citing this Statement, we neither adopt nor signal agreement with any other portion of

Acton NC v. Strach, 216 F.Supp.3d 597, 608 (M.D. N.C. 2016) (“Further, the NVRA sets forth detailed requirements regarding voter registration through each of the following three methods: Section 5 covers voter registration in connection with certain state motor vehicle transactions, often referred to as ‘motor voter’ registration; Section 6 covers voter registration by mail-in application; and Section 7 covers voter registration in connection with transactions for public assistance, disability services, and services provided by other designated agencies.”) (citations omitted). Second, even if Plaintiffs’ argument had merit as to other State agencies – which we do not concede – those agencies are not parties in this case and there is no claim in this case concerning their compliance with Section 7. *Compare* doc. 164 at 5-6 *with* docs. 1 and 93.

* * *

Count 18 – and all of the remaining claims pending before this Court – should be dismissed. In the alternative, the Court should award the Secretary of State summary judgment on Count 18 and dismiss the remaining claims.

Respectfully submitted,

Steve Marshall
Attorney General

James W. Davis (ASB-4063-I58J)
Deputy Attorney General

s/ Misty S. Fairbanks Messick
Winfield J. Sinclair (ASB-1750-S81W)
Misty S. Fairbanks Messick (ASB-1813-T71F)
Laura E. Howell (ASB-0551-A41H)
Brad Chynoweth (ASB-0030-S63K)
Assistant Attorneys General

the Statement or with the United States’ peculiar view that 28 U.S.C. § 517 authorizes it to file such Statements. We reserve all defenses as well as the right to argue that Section 7 is unconstitutional – should the issue actually arise in this or other litigation.

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Counsel for the State Defendants

CERTIFICATE OF SERVICE

I hereby certify that, on July 23, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Danielle Lang (dlang@campaignlegalcenter.org); James U. Blacksher (jblacksher@ns.sympatico.ca); Jessica Ring Amunson (jamunson@jenner.com); J. Gerald Herbert (gherbert@campaignlegalcenter.org); J. Mitch McGuire (jmcguire@mandabusinesslaw.com); Mark P. Gaber (mgaber@campaignlegalcenter.org); Michael E. Stewart (mstewart@jenner.com); Jason P. Hipp (jhipp@jenner.com); Jennifer J. Yun (jyun@jenner.com); Christopher W. Weller (cww@chlaw.com); and, Marc James Ayers (mayers@bradley.com).

s/ Misty S. Fairbanks Messick
Of Counsel

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TREVA THOMPSON, et al.,

Plaintiffs,

V.

STATE OF ALABAMA, ET AL.,

Defendants.

**CIVIL ACTION NO:
2:16-cv-783-ECM-SMD**

DECLARATION OF EDWARD PACKARD

- 1). My name is Edward Packard. I have been an employee of the Elections Division of the Alabama Secretary of State's Office for approximately 20 years. I am over the age of 19 and am qualified to give this declaration. The information included in this declaration is based on my personal knowledge. I was actively involved in the development of the Mail-In Voter Registration Form as well as the Agency-Based Voter Registration Application.
- 2). The Secretary of State promulgated new Mail-In Voter Registration Forms and new Agency-Based Voter Registration Applications through the Alabama Administrative Procedures Act process. A copy of the new Mail-In Voter Registration Form is Exhibit A and a copy of the new Agency-Based Voter Registration Application is Exhibit B.
- 3). The new rules/applications became effective on June 27, 2019. The changes to the applications are as follows:

- a) In the top right corner of the mail-in application and the top left corner of the agency application, listed under; “To register to vote in the State of Alabama, you must:,” bullet point 2 has been changed from “reside” to “live”.
 - b) At the bottom of both forms listed under “Voter Declaration...,” bullet point 4 adds the following language: “(The list of disqualifying felonies is available on the Secretary of State’s website at sos.alabama.gov/mtfelonies)”
- 4). Because of these changes to the forms, variants of these forms will also need to be reprinted. There are six variants of these forms.
- 5). The forms have not been printed as of this date. We have obtained quotes on the cost of printing new forms. Those quotes are attached to this declaration as Exhibit C.
- 6). It is projected that we will need to print 2,750,000 forms at a projected price of \$125,078.00.
- 7). The forms will be ordered in the near future. As soon as quotes can be reviewed and accepted the order will be made. Once the orders are complete they will be distributed as follows: Boards of Registrars, Alabama Medicaid Agency, Rehabilitation Services, WIC Program/Public Health, Department of Human Resources, and Public Libraries. It is uncertain how long this process will take, but it will be done as expeditiously as possible. Old forms will continue to be accepted.
- 8). A fillable PDF of the mail-in voter registration form is currently available at <https://www.sos.alabama.gov/sites/default/files/voter-pdfs/nvra-2.pdf>. The fillable PDF was updated on July 3, 2019.
- 9) We also have an online form that is completed electronically. It is available at https://www.alabamainteractive.org/sos/voter_registration/voterRegistrationWelcome.action.

The on-line voter registration form is updated regularly. I have checked the form today and it is updated to reflect the link to the list of moral turpitude felony crimes.

10) In the past we have had an app to assist voters register. Currently the app is not available in the Apple app store, and can only be accessed on Google by individuals owning an Android phone. We have been, and currently are, attempting to locate the creator of the app in an effort to revise the form and make the app available to Apple users.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July 22 2019.



Edward Packard

ex BA

State of Alabama Mail-In Voter Registration FormNVRA-2
2019.03.20

FOR USE BY U.S. CITIZENS ONLY ♦ FILL IN ALL BOXES ON THIS FORM ♦ PLEASE USE INK ♦ PRINT LEGIBLY

You can use this form to:

- ▶ Register to vote in Alabama.
- ▶ Update your voter registration record, if you have changed your name or address.

Deadline for submitting application:

Voter registration and updating of voter records is closed during the 14 days prior to each election in Alabama.

To register to vote in the State of Alabama, you must:

- ▶ Be a citizen of the United States.
- ▶ Live in Alabama.
- ▶ Be at least 18 years of age on or before election day.
- ▶ Not have been convicted of a disqualifying felony, or if you have been convicted, you must have had your civil rights restored.
- ▶ Not have been declared "mentally incompetent" by a court.

ID requested: You may send with this application a copy of valid photo identification. You will be required to present valid photo identification when you vote at your polling place or by absentee ballot, unless exempted by law. For more information, go to www.AlabamaVoterID.com or call the Elections Division: 800-274-8683.

① Are you a citizen of the United States of America?	☐ Yes ☐ No	ATTENTION! If you answer "No" to either of these questions, do not complete this application.
② Will you be 18 years of age on or before election day?	☐ Yes ☐ No	

③ Print Your Name: First _____ Middle _____ Last _____ Suffix _____ ④ Print Maiden Name / Former Name (if reporting a change of name) First _____ Middle _____ Last _____ Suffix _____ ⑤ Date of Birth (mm/dd/yyyy) _____ ⑥ Primary Telephone () _____ ⑦ Email Address _____	Alabama Driver's License or Non-Driver ID Number: STATE NUMBER IF YOU HAVE NO ALABAMA DRIVER'S LICENSE OR ALABAMA NON-DRIVER ID NUMBER Last four digits of Social Security number: ☐ I do not have an Alabama driver's license or Alabama non-driver ID or a Social Security number.
--	--

Addresses	Current	⑧ Address where you live: (Do not use post office box) Home Address (include apartment or other unit number if applicable) City _____ State _____ ZIP _____
	Old	Address where you receive your mail: Mailing Address, if different from Home Address City _____ State _____ ZIP _____
	Address where you were last registered to vote: (Do not use post office box) Former Address City _____ County _____ State _____ ZIP _____	

⑨ Sex (check one) ☐ Female ☐ Male ⑩ Race (check one) ☐ White ☐ Black ☐ Asian ☐ American Indian ☐ Hispanic ☐ Other	⑪ Place of Birth City _____ County _____ State _____ Country _____ ⑫ Map / Diagram If your home has no street number or name, please draw a map of where your house is located. Please include roads and landmarks. ⑬ Did you receive assistance? If you are unable to sign your name, who helped you fill out this application? Give name, address, and phone number (phone number is optional).
--	--

REGISTRARS USE ONLYDATE ☐ APPROVED ☐ DENIED

(mm/dd/yyyy)

County Pct _____

City Pct _____

Board member _____

Board member _____

Board member _____

Voter Declaration - Read and Sign Under Penalty of Perjury

- ▶ I am a U.S. citizen
- ▶ I live in the State of Alabama
- ▶ I will be at least 18 years of age on or before election day
- ▶ I am not barred from voting by reason of a disqualifying felony conviction (The list of disqualifying felonies is available on the Secretary of State's web site at: sos.alabama.gov/mtfelonies)
- ▶ I have not been judged "mentally incompetent" in a court of law

I solemnly swear or affirm to support and defend the constitution of the United States and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the United States or the State of Alabama by unlawful means and that the information contained herein is true, so help me God.

YOUR SIGNATURE _____**DATE**(mm/dd/yyyy) _____

If you falsely sign this statement, you can be convicted and imprisoned for up to five years.

The decision to register to vote is yours. If you decide to register to vote, the office at which you are submitting this application will remain confidential and will be used only for voter registration purposes. If you decline to register to vote, your decision will remain confidential and will be used only for voter registration purposes.



John H. Merrill - Secretary of State Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

To mail, put the address of your county Board of Registrars on the lines below.

[THIS SPACE FOR CURRENT ADDRESSES AND PHONE NUMBERS OF BOARDS OF REGISTRARS OFFICES]

YOUR ADDRESS:

.....

.....

.....

PUT
FIRST
CLASS
STAMP
HERE

MAIL TO:

BOARD OF REGISTRARS

.....

.....

.....

.....

ex B



STATE OF ALABAMA
AGENCY-BASED VOTER REGISTRATION APPLICATION
NVRA-1A

IF YOU ARE NOT REGISTERED TO VOTE WHERE YOU LIVE NOW, WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE TODAY?

- ☐ I want to apply to register to vote today.
- ☐ I want to change my address for voting purposes by use of this form.
- ☐ I do not want to apply to register to vote today.

IF YOU DO NOT CHECK ANY BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

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

Name _____ Date _____ Signature _____

Please detach lower portion and give to applicant

IF YOU DECIDE TO APPLY TO REGISTER TO VOTE, THE OFFICE WHERE YOU ARE SUBMITTING YOUR APPLICATION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU DECLINE TO REGISTER TO VOTE, YOUR DECISION WILL REMAIN CONFIDENTIAL AND WILL BE USED FOR VOTER REGISTRATION PURPOSES ONLY.

IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE OR YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, YOU MAY FILE A COMPLAINT WITH THE SECRETARY OF STATE AT STATE CAPITOL, 600 DEXTER AVENUE, SUITE E-208, MONTGOMERY, ALABAMA, 36130 OR BY CALLING 334-242-7210 OR 1-800-274-VOTE (1-800-274-8683).

State of Alabama Agency-Based Voter Registration Form

NVRA-1B
2019.03.04

FOR USE BY U.S. CITIZENS ONLY ♦ FILL IN ALL BOXES ON THIS FORM ♦ PLEASE USE INK ♦ PRINT LEGIBLY

To register to vote in the State of Alabama, you must:

- ▶ Be a citizen of the United States.
- ▶ Live in Alabama.
- ▶ Be at least 18 years of age on or before election day.
- ▶ Not have been convicted of a disqualifying felony, or if you have been convicted, you must have had your civil rights restored.
- ▶ Not have been declared "mentally incompetent" by a court.

FOR USE BY AGENCY OFFICIAL ONLY

Check one (1) box:

- ☐ Registrars
☐ Motor Voter
☐ State Designated Agency
☐ Agency-Based
☐ Disabilities Services Office

Signature of Agency Representative

Business Phone of Agency Representative

ID requested: You may send with this application a copy of valid photo identification. You will be required to present valid photo identification when you vote at your polling place or by absentee ballot, unless exempted by law. For more information, go to www.AlabamaVoterID.com or call the Elections Division: 800-274-8683.

- ① Are you a citizen of the United States of America? ☐ Yes ☐ No
 ② Will you be 18 years of age on or before election day? ☐ Yes ☐ No

ATTENTION! If you answer "No" to either of these questions, do not complete this application.

③ Print Your Name:

First Middle Last Suffix

Alabama Driver's
License or Non-
Driver ID Number:

STATE

NUMBER

④ Print Maiden Name / Former Name (if reporting a change of name)

First Middle Last Suffix

IF YOU HAVE NO ALABAMA DRIVER'S LICENSE
OR ALABAMA NON-DRIVER ID NUMBER

Last four digits of Social

Security number:

☐ I do not have an Alabama driver's license or Alabama non-driver ID or a social security number.

⑤ Date of Birth (mm/dd/yyyy) ⑥ Primary Telephone ⑦ Email Address

()
 ()

Addresses	Current	⑧ Address where you live: (Do not use post office box)	Home Address (include apartment or other unit number if applicable)	City	State	ZIP
		Address where you receive your mail:	Mailing Address, if different from Home Address	City	State	ZIP
		Address where you were last registered to vote: (Do not use post office box)	Former Address	City	County	State

⑨ Sex (check one)

☐ Female ☐ Male

⑩ Race (check one)

☐ White ☐ Black
☐ Asian ☐ American Indian
☐ Hispanic ☐ Other

⑪ Place of Birth City County State Country

⑫ Map / Diagram

If your home has no street number or name, please draw a map of where your house is located. Please include roads and landmarks.

⑬ Did you receive assistance?

If you are unable to sign your name, who helped you fill out this application? Give name, address, and phone number (phone number is optional).

REGISTRARS USE ONLY

DATE ☐ APPROVED ☐ DENIED

(mm/dd/yyyy)

County Pct _____

City Pct _____

Board member _____

Board member _____

Board member _____

Voter Declaration - Read and Sign Under Penalty of Perjury

- ▶ I am a U.S. citizen
- ▶ I live in the State of Alabama
- ▶ I will be at least 18 years of age on or before election day
- ▶ I am not barred from voting by reason of a disqualifying felony conviction (The list of disqualifying felonies is available on the Secretary of State's web site at: sos.alabama.gov/mtfelonies)
- ▶ I have not been judged "mentally incompetent" in a court of law

I solemnly swear or affirm to support and defend the constitution of the United States and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the United States or the State of Alabama by unlawful means and that the information contained herein is true, so help me God.

YOUR SIGNATURE

DATE (mm/dd/yyyy)

If you falsely sign this statement, you can be convicted and imprisoned for up to five years.

The decision to register to vote is yours. If you decide to register to vote, the office at which you are submitting this application will remain confidential and will be used only for voter registration purposes. If you decline to register to vote, your decision will remain confidential and will be used only for voter registration purposes.



John H. Merrill - Secretary of State

Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

ex. C

Form	Description	Quantity	Cost
1. NVRA-1AB	Agency-Based Voter Registration Application (2 part form) 2-Page form used by Department of Rehabilitation Services, WIC Program, Medicaid, Department of Human Resources	300,000	\$20,258
2. NVRA-1AB-M	Medicaid Variant of Agency-Based Form	300,000	\$20,258
3. NVRA-1B	Agency-Based Voter Registration Application (1-part form)	500,000	\$15,506
4. NVRA-2	Mail-In Voter Registration Application	750,000	\$41,175
5. NVRA-2-H	DHR Variant of Mail-In Voter Registration Application	300,000	\$17,130
6. NVRA-2-M	Medicaid Variant of Mail-In Voter Registration Application	600,000	\$10,751
		Total Cost:	\$125,078

**Walker360**

2501 E 5th Street
 Montgomery, AL 36107
 Phone: (334) 832-4975
 Fax: (334) 265-2408
 www.walker360.com

Quotation

76040

To:

Date 7/15/19
Salesperson House - State

Secretary of State
 Ed Packard
 600 Dexter Avenue
 Capitol Room-E-268
 Montgomery, AL 36103-5616
 Phone: (334) 242-4845
 Email: ed.packard@sos.alabama.gov

Dear Ed Packard

Thank you for allowing us to quote this for you. Please let me know if you have any questions.

Below are your detailed production specifications for this request

Description	AGENCY-BASED VOTER REGISTRATION FORM (NVRA-1B)	
Size	Final Size : 8.5 x 11	
Paper	110.0 lb Index-Line 38-\$150.71M Non Contract	
Ink	1/0	
Provided	Print Ready File - Offset	
Finishing	Finish Cutting	
Shipping	Shrink Wrap 250's, Carton Pack, Local Delivery	
Prices	Quantity	Prices
	500,000	
Schedule	Delivery dates are based on proof being returned as expected	
Tax	Tax is not included	

Sincerely,

Taylor Blackwell
 Taylor@Walker360.com

Customer Service -Felicia Hammonds
 Felicia@Walker360.com

Did you know that 96.1% of our customers are likely or very likely to refer us to friends and colleagues.

Thank You for giving us the opportunity to submit this quote. As always, quotes are based on a physical inspection of your originals and are valid for 30 days unless otherwise specified

Commodities/Services

Codes #96657
Vendor Code VC0004174
Estimate # 470021

DATE July 15th, 2019

TO Office of the Secretary of State
 Ed Packard

ITEM NVRA--1B
 Agency based Voter Registration Form

SIZE 8.5 x 11 Card

INKS 1/0 black ink

STOCK cover 110# white Index - Line #38 Springhill
 22.5 x 35 , \$150.71/ m sheets

ART PREP press ready

Packaging Loose in appropriate cartons

PROOFS PDF

QTY 500000

PRICE \$17,235.55

SIGNATURE

Prices are based on customer specifications.
 Jobs are reviewed upon receipt and are subject
 to additional charges if specifications change.
 Shipping charges not included.
 Acceptance of this estimate constitutes a firm purchase order
 and is subject to the terms listed. Terms: Net payable within 30 days.

**PREFERRED VENDOR**

4521

TROY HIGHWAY
 PARKWAY
 MONTGOMERY
 ALABAMA
 36116

Thank You

Jackie Pittman
Sales Rep

Evans2, Hugh

From: Packard, Ed
Sent: Thursday, July 18, 2019 9:44 AM
To: Brewer, David
Cc: Evans2, Hugh; Helms, Clay
Subject: Printing Request - NVRA-2
Attachments: NVRA-2 - Davis Direct.pdf; NVRA-2 - Wells.pdf

David ...

I am requesting approval for printing a supply of the form NVRA-2 in a quantity of 750,000 at a cost of \$41,175.00.

I have obtained price quotes from two vendors on the State contract for printing: Davis Direct and Wells (see attached). Wells offered the lowest price at \$41,175.00.

The public purpose of this purchase is to fulfill this office's duty to provide necessary forms and supplies pursuant to §17-3-57.

The cost of this purchase is to be paid from the Registration of Voters Fund (0100-053-0017-VRSS-0906).

Thank you.

--Ed

Ed Packard
Administrator of Elections
Office of the Secretary of State
State of Alabama

Phone: 334-242-4845
Cell: 334-324-6246
FAX: 334-242-2444

Commodities/Services

Codes #96657
Vendor Code VC0004174
Estimate # 4700031

DATE July 15th, 2019

TO Office of the Secretary of State
 Ed Packard

ITEM NVRA-2
 Mail-in Voter registration application

SIZE 8.5 x 12

INKS 1/1 black ink

STOCK cover 100# white tag - non contract - contract size is not compatible
 \$134.10 / m , 23 x 35

PERFORATION 2 perforations as needed , score
 1 strip of T-Tape
 Depending on the laser printer , T-Tape may not be laser safe

ART PREP press ready

PROOFS PDF

BINDING Shrink wrap in 250's
 5 packages per case in appropriately sized boxes

QUANTITY 750,000

SHIPPING FOB Montgomery

PRICE ~~\$41,175.00~~
 \$54.90 / M

SIGNATURE



PREFERRED VENDOR

4521
 TROY HIGHWAY
 PARKWAY
 MONTGOMERY
 ALABAMA
 36116

Prices are based on customer specifications.
 Jobs are reviewed upon receipt and are subject
 to additional charges if specifications change.

Acceptance of this estimate constitutes a firm purchase order
 and is subject to the terms listed. Terms: Net payable within 30 days.

Thank You

Jackie Pittman
Sales Rep



**Quotation:
48860**

July 18, 2019

SASOS
State of Alabama Secretary of State
Ed Packard

Description: STATE OF ALABAMA
MAIL-IN VOTER REGISTRATION APPLICATION
DHR VARIANT
(NVRA-2-H)

8 1/2 x 12
White 100# Tag*
Black/Black
2 Horizontal Perfs
1 Horizontal Score
250/Shrinkwrap
1,250/Carton
1/2" Removeable Transfer tape
No Overrun

Customer to supply: Files Ready for Output

Proofs: Electronic Proofs

Quantity	300,000
Price	\$20,348.00

***Note to purchasing director:** Davis is electing to outsource this project to a region forms manufacturer; therefore, we do not have specific paper cost information

****Specifications called for 90lb Index, Davis is quoting 100lb white tag**

Thank you for the opportunity to quote this project. Unless otherwise specified, all quotes are F.O.B Montgomery and do not include applicable sales tax. Quotes are valid for 30 days. Please refer to the quotation number when referencing this quote. If you have any questions concerning the specifications, please don't hesitate to call.

Laurie Ann Collins

Commodities/Services

Codes #96657
Vendor Code VC0004174
Estimate # 4700030

DATE July 15th, 2019

TO Office of the Secretary of State
 Ed Packard

ITEM NVRA-2-H
 Mail-in Voter registration application
 DHR Variant

SIZE 8.5 x 12

INKS 1/1 black ink

STOCK cover 100# white tag - non contract - contract size is not compatible
 \$134.10 / m , 23 x 35

PERFORATION 2 perforations as needed , score
 1 strip of T-Tape
 Depending on the laser printer , T-Tape may not be laser safe

ART PREP press ready

PROOFS PDF

BINDING Shrink wrap in 100's

QUANTITY 300,000

SHIPPING FOB Montgomery

PRICE **\$17,130.00**
 \$57.10/ m

SIGNATURE



PREFERRED VENDOR

4521
 TROY HIGHWAY
 PARKWAY

MONTGOMERY
 ALABAMA
 36116

Prices are based on customer specifications.
 Jobs are reviewed upon receipt and are subject
 to additional charges if specifications change.
 Shipping charges not included.
 Acceptance of this estimate constitutes a firm purchase order
 and is subject to the terms listed. Terms: Net payable within 30 days.

Thank You

Jackie Pittman
Sales Rep



**Quotation:
48862**

July 18, 2019

SASOS
State of Alabama Secretary of State
Ed Packard

Description: **STATE OF ALABAMA**
 AGENCY-BASED VOTER REGISTRATION - TWO-PART FORM
 (NVRA-1AB)

Customer to supply: Files Ready for Output

Proofs: Electronic Proof

NVRA 1-AB
8 1/2 x 11 overall size, Edge glued on the 8 1/2 way
White 20# Bond/White 125# Tag*
1 Horizontal Perf
Black/0
Part 1 Prints as Part 1
Part 2 prints as Part 2
250/Shrinkwrap
No overrun

Quantity	300,000
Price	\$23,128.00

***Note to purchasing director:** Davis is electing to outsource this project to a region forms manufacturer; therefore, we do not have specific paper cost information

****Specifications called for 50lb white wove and 110lb white Index, Davis is quoting 20lb white bond and 125lb white tag**

Thank you for the opportunity to quote this project. Unless otherwise specified, all quotes are F.O.B Montgomery and do not include applicable sales tax. Quotes are valid for 30 days. Please refer to the quotation number when referencing this quote. If you have any questions concerning the specifications, please don't hesitate to call.

Laurie Ann Collins

Commodities/Services

Codes #96657
Vendor Code VC0004174
Estimate # 4700029

DATE July 15th, 2019

TO Office of the Secretary of State
 Ed Packard

ITEM NVRA-1AB
 Agency-based Voter Registration - Two part form

SIZE 8.5 x 11

INKS 1/0 black ink (both parts)

STOCK cover First page: 50# uncoated, 23x35 line 19
 \$50.87 / m
 Second Page : 110# index Line # 38 , 22.5 x 35
 \$150.71/m

PERFORATION (1) micro perforation 8" down and parallel to top edge
 pad at top edge

ART PREP press ready

PROOFS PDF

BINDING Shrink wrap in 250's
 5 packages per case

SHIPPING FOB Montgomery

QTY 300,000.00

PRICE ~~\$20,258.00~~
 \$66.86 / m

SIGNATURE



**W E L L S
 M A I L I N G**

PREFERRED VENDOR
 4521
 TROY HIGHWAY
 PARKWAY
 MONTGOMERY
 ALABAMA
 36116

Prices are based on customer specifications.
 Jobs are reviewed upon receipt and are subject
 to additional charges if specifications change.
 Shipping charges not included.

Thank You

*Jackie Pittman
 Sales Rep*



**Quotation:
48863**

July 18, 2019

SASOS

State of Alabama Secretary of State

Ed Packard

**Description: STATE OF ALABAMA
AGENCY-BASED VOTER REGISTRATION - TWO-PART FORM
MEDICAID VARIANT
(NVRA-1AB-M)**

Customer to supply: Files Ready for Output

Proofs: Electronic Proof

NVRA 1-AB
8 1/2 x 11 overall size, Edge glued on the 8 1/2 way
White 20# Bond/White 125# Tag*
1 Horizontal Perf
Black/0
Part 1 Prints as Part 1
Part 2 prints as Part 2
250/Shrinkwrap
No overrun

Quantity	300,000
Price	\$23,128.00

***Note to purchasing director:** Davis is electing to outsource this project to a region forms manufacturer; therefore, we do not have specific paper cost information

****Specifications called for 50lb white wove and 110lb white Index, Davis is quoting 20lb white bond and 125lb white tag**

Thank you for the opportunity to quote this project. Unless otherwise specified, all quotes are F.O.B Montgomery and do not include applicable sales tax. Quotes are valid for 30 days. Please refer to the quotation number when referencing this quote. If you have any questions concerning the specifications, please don't hesitate to call.

Laurie Ann Collins

Commodities/Services

Codes #96657
Vendor Code VC0004174
Estimate # 4700029

DATE July 15th, 2019

TO Office of the Secretary of State
 Ed Packard

ITEM NVRA-1AB- M
 Agency-based Voter Registration - Two part form
 Medicaid Variant

SIZE 8.5 x 11

INKS 1/0 black ink (both parts)

STOCK cover First page: 50# uncoated, 23x35 line 19
 \$50.87 / m
 Second Page : 110# index Line # 38 , 22.5 x 35
 \$150.71/m

PERFORATION (1) micro perforation 8" down and parallel to top edge
 pad at top edge

ART PREP press ready

PROOFS PDF

BINDING Shrink wrap in 250's
 5 packages per case

SHIPPING FOB Montgomery

QTY 300,000.00

PRICE ~~\$20,258.00~~
 \$66.86 / m

SIGNATURE



PREFERRED VENDOR
 4521
 TROY HIGHWAY
 PARKWAY
 MONTGOMERY
 ALABAMA
 36116

Prices are based on customer specifications.
 Jobs are reviewed upon receipt and are subject
 to additional charges if specifications change.
 Shipping charges not included.

Thank You

Jackie Pittman
Sales Rep



Quotation:
48794

July 16, 2019

SASOS
State of Alabama Secretary of State

Description: Mail-In Voter Registration Application
Medicaid Variant (NVRA-2-M)

Customer to supply: Files Ready for Output

Proofs: Hard Copy Digital Color Proofs

Size: 8.50 X 11.00 No Bleeds

Stock: Line #189, Accent Opaque Text 70lb, 23 x 35, \$80.84

Inks: 1 / 1 Black Ink / Black Ink

Finishing: Trim & Pack Loose in Standard 30lb Cartons

Quantity	600,000
Price	\$13,275.00

Thank you for the opportunity to quote this project. Unless otherwise specified, all quotes are F.O.B Montgomery and do not include applicable sales tax. Quotes are valid for 30 days. Please refer to the quotation number when referencing this quote. If you have any questions concerning the specifications, please don't hesitate to call.

Laurie Ann Collins

Commodities/ServicesCodes #96657
Vendor Code VC000004174
Estimate # 470022

DATE July 15, 2019

TO Office of Secretary of State
Ed Packard

ITEM NVRA-2-M

SIZE 8.5 x 11 Flat

PAGES

INKS 1/1 black

STOCK Line #32 70# Accent wht. Opaque
17.5 x 22 @ \$41.67/M

PROOFS Sherpa

ART PREP furnished

BINDING trim to size

Packaging Loose in caes

Quantity 600,000

Total Price ~~\$10,751.00~~

DELIVERY local N/C

SIGNATURE

Prices are based on customer specifications.

Jobs are reviewed upon receipt and are subject

to additional charges if specifications change.

Shipping charges not included.

Acceptance of this estimate constitutes a firm
purchase order



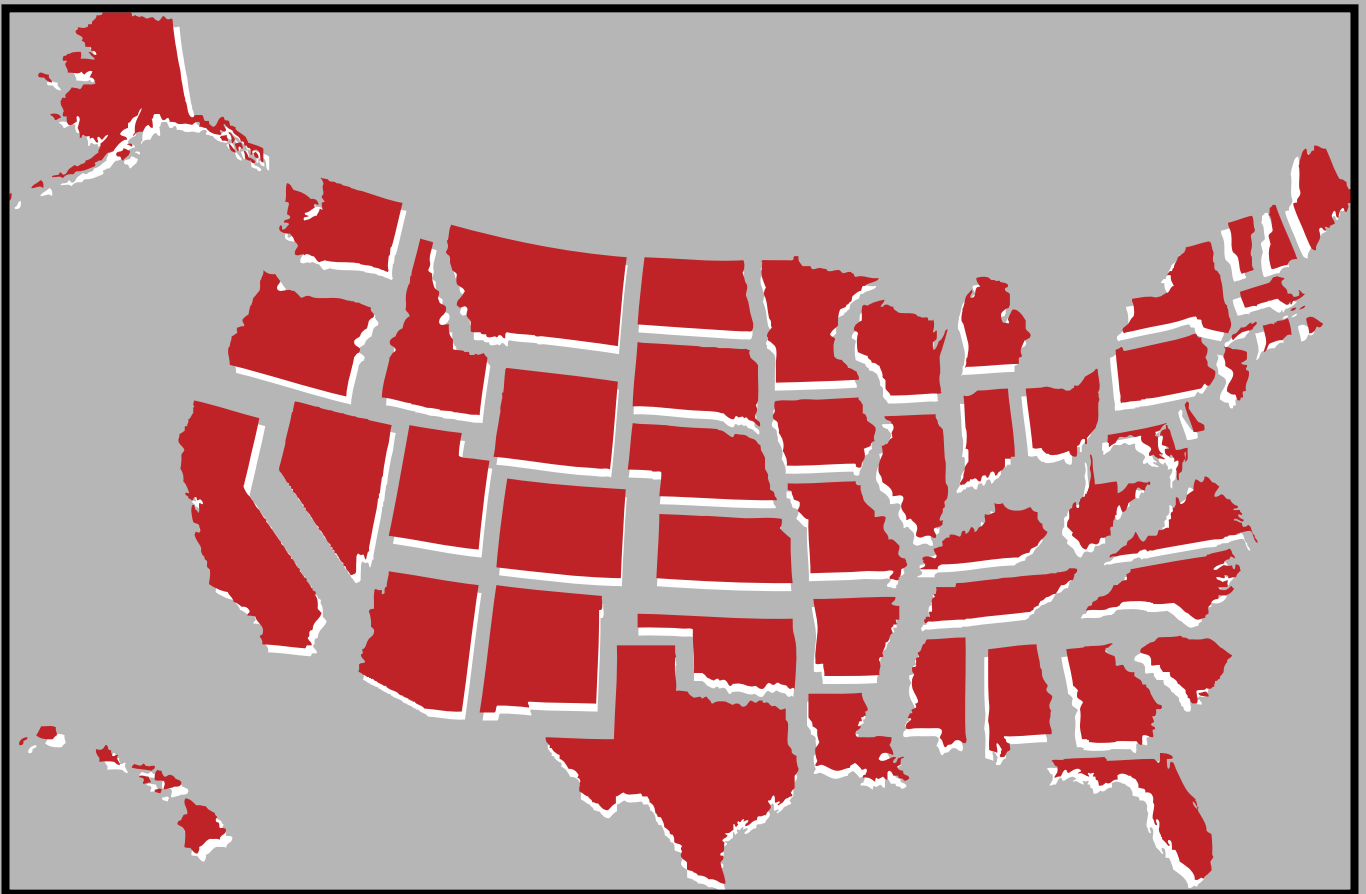
Thank You

Jackie Pittman

and is subject to the terms listed. Terms: Net payable
within 30 days.

Sales Rep

Register To Vote In Your State By Using This Postcard Form and Guide



For U.S. Citizens

General Instructions

Who Can Use this Application

If you are a U.S. citizen who lives or has an address within the United States, you can use the application in this booklet to:

- Register to vote in your State,
- Report a change of name to your voter registration office,
- Report a change of address to your voter registration office, or
- Register with a political party.

Exceptions

Please do not use this application if you live outside the United States and its territories and have no home (legal) address in this country, *or* if you are in the military stationed away from home. Use the Federal Postcard Application available to you from military bases, American embassies, or consular offices.

New Hampshire town and city clerks will accept this application only as a request for their own absentee voter mail-in registration form.

North Dakota does not have voter registration.

Wyoming law does not permit mail registration.

How to Find Out If You Are Eligible to Register to Vote in Your State

Each State has its own laws about who may register and vote. Check the information under your State in the State Instructions. All States require that you be a United States citizen by birth or naturalization to register to vote in federal and State elections. Federal law makes it illegal to falsely claim U.S. citizenship to register to vote in any federal, State, or local election. You **cannot** be registered to vote in more than one place at a time.

How to Fill Out this Application

Use both the Application Instructions and State Instructions to guide you in filling out the application.

- First, read the Application Instructions. These instructions will give you important information that applies to everyone using this application.
- Next, find your State under the State Instructions. Use these instructions to fill out Boxes 6, 7, and refer to these instructions for information about voter eligibility and any oath required for Box 9.

When to Register to Vote

Each State has its own deadline for registering to vote. Check the deadline for your State on the last page of this booklet.

How to Submit Your Application

Mail your application to the address listed under your State in the State Instructions. Or, deliver the application in person to your local voter registration office. The States that are required to accept the national form will accept copies of the application printed from the computer image on regular paper stock, signed by the applicant, and mailed in an envelope with the correct postage.

First Time Voters Who Register by Mail

If you are registering to vote for the first time in your jurisdiction and are mailing this registration application, Federal law requires you to show proof of identification the first time you vote. Proof of identification includes:

- A current and valid photo identification or
- A current utility bill, bank statement, government check, paycheck or government document that shows your name and address.

Voters may be exempt from this requirement if they submit a **COPY** of this identification with their mail in voter registration form. If you wish to submit a **COPY**, please keep the following in mind:

- Your state may have additional identification requirements which may mandate you show identification at the polling place even if you meet the Federal proof of identification.
- Do not submit original documents with this application, only **COPIES**.

If You Were Given this Application in a State Agency or Public Office

If you have been given this application in a State agency or public office, it is your choice to use the application. If you decide to use this application to register to vote, you can fill it out and leave it with the State agency or public office. The application will be submitted for you. Or, you can take it with you to mail to the address listed under your State in the State Instructions. You also may take it with you to deliver in person to your local voter registration office.

Note: The name and location of the State agency or public office where you received the application will remain confidential. It will not appear on your application. Also, if you decide not to use this application to register to vote, that decision will remain confidential. It will not affect the service you receive from the agency or office.

Application Instructions

Before filling out the body of the form, please answer the questions on the top of the form as to whether you are a United States citizen and whether you will be 18 years old on or before Election Day. If you answer no to either of these questions, you may not use this form to register to vote. However, state specific instructions may provide additional information on eligibility to register to vote prior to age 18.

Box 1 — Name

Put in this box your full name in this order — Last, First, Middle. Do not use nicknames or initials.

Note: If this application is for a change of name, please tell us in **Box A** (*on the bottom half of the form*) your full name before you changed it.

Box 2 — Home Address

Put in this box your home address (legal address). Do **not** put your mailing address here if it is different from your home address. Do **not** use a post office box or rural route without a box number. Refer to state-specific instructions for rules regarding use of route numbers.

Note: If you were registered before but this is the first time you are registering from the address in Box 2, please tell us in **Box B** (*on the bottom half of the form*) the address where you were registered before. Please give us as much of the address as you can remember.

Also Note: If you live in a rural area but do not have a street address, or if you have no address, please show where you live using the map in Box C (*at the bottom of the form*).

Box 3 — Mailing Address

If you get your mail at an address that is different from the address in Box 2, put your mailing address in this box. If you have no address in Box 2, you **must** write in Box 3 an address where you can be reached by mail.

Box 4 — Date of Birth

Put in this box your date of birth in this order — Month, Day, Year. *Be careful not to use today's date!*

Box 5 — Telephone Number

Most States ask for your telephone number in case there are questions about your application. However, you do not have to fill in this box.

Box 6 — ID Number

Federal law requires that states collect from each registrant an identification number. You must refer to your state's specific instructions for item 6 regarding information on what number is acceptable for your state. If you have neither a drivers license nor a social security number, please indicate this on the form and a number will be assigned to you by your state.

Box 7 — Choice of Party

In some States, you must register with a party if you want to take part in that party's primary election, caucus, or convention. To find out if your State requires this, see item 7 in the instructions under your State.

If you want to register with a party, print in the box the full name of the party of your choice.

If you do not want to register with a party, write "no party" or leave the box blank. Do not write in the word "independent" if you mean "no party," because this might be confused with the name of a political party in your State.

Note: If you do not register with a party, you can still vote in general elections and nonpartisan (nonparty) primary elections.

Box 8 — Race or Ethnic Group

A few States ask for your race or ethnic group, in order to administer the Federal Voting Rights Act. To find out if your State asks for this information, see item 8 in the instructions under your State. If so, put in Box 8 the choice that best describes you from the list below:

- American Indian *or* Alaskan Native
- Asian or Pacific Islander
- Black, *not* of Hispanic Origin
- Hispanic
- Multi-racial
- White, *not* of Hispanic Origin
- Other

Box 9 — Signature

Review the information in item 9 in the instructions under your State. Before you sign or make your mark, make sure that:

- (1) You meet your State's requirements, and
- (2) You understand **all** of Box 9.

Finally, sign your **full** name or make your mark, and print today's date in this order — Month, Day, Year. If the applicant is unable to sign, put in **Box D** the name, address, and telephone number (optional) of the person who helped the applicant.

Voter Registration Application

Before completing this form, review the General, Application, and State specific instructions.

Are you a citizen of the United States of America? ☐ Yes ☐ No		This space for office use only.				
Will you be 18 years old on or before election day? ☐ Yes ☐ No						
If you checked "No" in response to either of these questions, do not complete form. (Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)						
1	☐ Mr. ☐ Miss ☐ Mrs. ☐ Ms.	Last Name	First Name	Middle Name(s)	☐ Jr ☐ II ☐ Sr ☐ IV	
2	Home Address		Apt. or Lot #	City/Town	State	Zip Code
3	Address Where You Get Your Mail If Different From Above			City/Town	State	Zip Code
4	Date of Birth _____ Month Day Year		5 Telephone Number (optional)	6 ID Number - (See item 6 in the instructions for your state)		
7	Choice of Party (see item 7 in the instructions for your State)		8 Race or Ethnic Group (see item 8 in the instructions for your State)			
9	I have reviewed my state's instructions and I swear/affirm that: ■ I am a United States citizen ■ I meet the eligibility requirements of my state and subscribe to any oath required. ■ The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.			Please sign full name (or put mark) ▲ Date: MonthDayYear		

If you are registering to vote for the first time: please refer to the application instructions for information on submitting copies of valid identification documents with this form.

Please fill out the sections below if they apply to you.

If this application is for a **change of name**, what was your name before you changed it?

A	☐ Mr. ☐ Miss ☐ Mrs. ☐ Ms.	Last Name	First Name	Middle Name(s)	☐ Jr ☐ II ☐ Sr ☐ IV
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If you were **registered before but this is the first time you are registering from the address in Box 2**, what was your address where you were registered before?

B	Street (or route and box number)	Apt. or Lot #	City/Town/County	State	Zip Code
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If you live in a rural area but do not have a street number, or if you have no address, please show on the map where you live.

C	■ Write in the names of the crossroads (or streets) nearest to where you live. ■ Draw an X to show where you live. ■ Use a dot to show any schools, churches, stores, or other landmarks near where you live, and write the name of the landmark.		NORTH ↑
	<u>Example</u> Public School ●	● Grocery Store Woodchuck Road X	

If the applicant is unable to sign, who helped the applicant fill out this application? Give name, address and phone number (phone number optional).

D	
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Mail this application to the address provided for your State.

FOR OFFICIAL USE ONLY

FIRST CLASS
STAMP
NECESSARY
FOR
MAILING



Voter Registration Application

Before completing this form, review the General, Application, and State specific instructions.

Are you a citizen of the United States of America? ☐ Yes ☐ No		This space for office use only.				
Will you be 18 years old on or before election day? ☐ Yes ☐ No						
If you checked "No" in response to either of these questions, do not complete form. (Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)						
1	☐ Mr. ☐ Miss ☐ Mrs. ☐ Ms.	Last Name	First Name	Middle Name(s)	☐ Jr ☐ II ☐ Sr ☐ IV	
2	Home Address		Apt. or Lot #	City/Town	State	Zip Code
3	Address Where You Get Your Mail If Different From Above			City/Town	State	Zip Code
4	Date of Birth _____ Month Day Year		5 Telephone Number (optional)	6 ID Number - (See item 6 in the instructions for your state)		
7	Choice of Party (see item 7 in the instructions for your State)		8 Race or Ethnic Group (see item 8 in the instructions for your State)			
9	I have reviewed my state's instructions and I swear/affirm that: ■ I am a United States citizen ■ I meet the eligibility requirements of my state and subscribe to any oath required. ■ The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.			Please sign full name (or put mark) ▲ Date: MonthDayYear		

If you are registering to vote for the first time: please refer to the application instructions for information on submitting copies of valid identification documents with this form.

Please fill out the sections below if they apply to you.

If this application is for a **change of name**, what was your name before you changed it?

A	☐ Mr. ☐ Miss ☐ Mrs. ☐ Ms.	Last Name	First Name	Middle Name(s)	☐ Jr ☐ II ☐ Sr ☐ IV
----------	--	-----------	------------	----------------	--

If you were **registered before but this is the first time you are registering from the address in Box 2**, what was your address where you were registered before?

B	Street (or route and box number)	Apt. or Lot #	City/Town/County	State	Zip Code
----------	----------------------------------	---------------	------------------	-------	----------

If you live in a rural area but do not have a street number, or if you have no address, please show on the map where you live.

C	■ Write in the names of the crossroads (or streets) nearest to where you live. ■ Draw an X to show where you live. ■ Use a dot to show any schools, churches, stores, or other landmarks near where you live, and write the name of the landmark.		NORTH ↑
	<u>Example</u> Public School ● X	Route #2 Grocery Store Woodchuck Road	

If the applicant is unable to sign, who helped the applicant fill out this application? Give name, address and phone number (phone number optional).

D	
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Mail this application to the address provided for your State.

FOR OFFICIAL USE ONLY

FIRST CLASS
STAMP
NECESSARY
FOR
MAILING



State Instructions

Alabama

Updated: 08-31-2018

Registration Deadline — Voter registration is closed during the fourteen days preceding an election. Applications must be postmarked or delivered by the fifteenth day prior to the election.

6. ID Number. If you have one, you must provide your Alabama driver's license number or Alabama nondriver identification card number. If you do not have an Alabama driver's license or nondriver identification card, you must provide the last 4 digits of your Social Security number. If you have not been issued any of these numbers you must write the word "NONE" and a unique identifier will be provided for you.

7. Choice of Party. Optional: You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. You are required to fill in this box; however, your application will not be rejected if you fail to do so. See the list of choices under the Application Instructions for Box 8 (on page 2).

9. Signature. To register in Alabama you must:

- be a citizen of the United States
- be a resident of Alabama and your county at the time of registration
- be 18 years old before any election
- not have been convicted of a felony involving moral turpitude (or have had your civil and political rights restored). The list of moral turpitude felonies is available on the Secretary of State web site at: sos.alabama.gov/mtfelonies

- not currently be declared mentally incompetent through a competency hearing

- swear or affirm to "support and defend the Constitution of the U.S. and the State of Alabama and further disavow any belief or affiliation with any group which advocates the overthrow of the governments of the U.S. or the State of Alabama by unlawful means and that the information contained herein is true, so help me God"

Mailing address:

Office of the Secretary of State
P.O. Box 5616
Montgomery, AL 36103-5616

Alaska

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. You must provide one of the following identification numbers; Alaska Driver's License or Alaska State Identification Card Number. If you do not have an Alaska Driver's License or Alaska State Identification Card, you must provide the last four digits of your Social Security Number. If you do not have any of these identification numbers, please write "NONE" on the form. A unique identifying number will be assigned to you for voter registration purposes. This information is kept confidential. Having this information assists in maintaining your voter record and may assist in verifying your identity (Title 15 of the Alaska Statutes).

7. Choice of Party. You do not have to declare a party affiliation when registering to vote. If you

do not choose a party, you will be registered as Undeclared. Alaska has a closed primary election system. Each recognized political party has a separate ballot listing only candidates from that political party. Voters registered as a member of a political party may only vote that party's ballot. Voters registered as undeclared or non-partisan may choose one ballot from the ballots available.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Alaska you must:

- be a citizen of the United States
- be at least 18 years old within 90 days of completing this registration
- be a resident of Alaska
- not be a convicted felon (unless unconditionally discharged)
- not be registered to vote in another State

Mailing address:

Division of Elections
State of Alaska
PO Box 110017
Juneau, AK 99811-0017

Arizona

Updated: 03-01-2006

Registration Deadline — 29 days before the election.

6. ID Number. Your completed voter registration form must contain the number of your Arizona driver license, or non-operating identification license issued pursuant to A.R.S. § 28-3165, if the license is current and valid. If you *do not have* a current and valid Arizona driver license or non-operating identification license, you must

State Instructions

include the last four digits of your social security number if one has been issued to you. If you do not have a current and valid driver license or non-operating identification license or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the Secretary of State.

7. Choice of Party. If you are registered in a political party which has qualified for ballot recognition, you will be permitted to vote the primary election ballot for that party. If you are registered as an independent, no party preference or as a member of a party which is not qualified for ballot recognition, you may select and vote one primary election ballot for one of the recognized political parties.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Arizona you must:

- be a citizen of the United States
- be a resident of Arizona and your county at least 29 days preceding the next election
- be 18 years old on or before the next general election
- not have been convicted of treason or a felony (or have had your civil rights restored)
- not currently be declared an incapacitated person by a court of law

Mailing address:

Secretary of State/Elections
1700 W. Washington, 7th Floor
Phoenix, AZ 85007-2888

Arkansas

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or nonoperating identification number. If you do not have a driver's license or nonoperating identification, you must include the last four digits of your social security number. If you do not have a driver's license or a nonoperating identification or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.

7. Choice of Party. Optional. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Arkansas you must:

- be a citizen of the United States
- live in Arkansas at the address in Box 2 on the application
- be at least 18 years old before the next election
- not be a convicted felon (or have completely discharged your sentence or been pardoned)
- not claim the right to vote in any other jurisdiction
- not previously be adjudged mentally incompetent by a court of competent jurisdiction

Mailing address:

Secretary of State
Voter Services
P.O. Box 8111
Little Rock, AR 72203-8111

California

Updated: 06-18-2018

Registration Deadline — 15 days before the election; conditional

voter registration up to and including Election Day.

6. ID Number. When you register to vote, you must provide your California driver's license or California identification card number, if you have one. If you do not have a driver's license or ID card, you must provide the last four digits of your Social Security Number (SSN). If you do not include this information, you will be required to provide identification when you vote.

7. Choice of Party. If you wish to choose a party preference, please enter the name of the political party. If you do not want to choose a political party, enter "No Party Preference" in the space provided. California law allows voters who choose "No Party Preference" or have chosen a preference for a nonqualified political party to vote in the presidential primary election of any qualified political party that files a notice with the Secretary of State allowing them to do so. You can call 1-800-345-VOTE or visit www.sos.ca.gov to learn which political parties allow "No Party Preference" voters and voters who have disclosed a preference for a nonqualified political party to participate in their presidential primary election.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in California you must:

- be a citizen of the United States
- be a resident of California
- be at least 18 or older on Election Day to vote
- not currently in state or federal prison or on parole for the conviction of a felony

State Instructions

- not currently found to be mentally incompetent to vote by a court

Your signature is required. If you meet the requirements listed above, please sign and date the registration card in the space provided.

Mailing address:

Secretary of State
Elections Division
1500 11th Street, 5th Floor
Sacramento, CA 95814

Colorado

Updated: 10-16-2018

Registration Deadline — You may register up to, and on, Election Day. You must register 8 days or more before election day to have a ballot mailed to you. If you register less than 8 days before election day, then you must appear in person in your county to vote.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or identification number. If you do not have a driver's license or state issued identification, you must include the last four digits of your social security number. If you do not have a driver's license or a state issued identification or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.

7. Choice of Party. You may register with a party. If you leave this section blank you will not be registered with any party.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Colorado you must:

- be a citizen of the United States
- be a resident of Colorado for at least 22 days immediately before the Election in which you intend to vote
- be at least 16 years old, but you must be 18 years of age or older on the date of the election at which you intend to vote
- not be serving a sentence (including parole) for a felony conviction

Mailing address:

Colorado Secretary of State
1700 Broadway, Suite 200
Denver, Colorado 80290

Connecticut

Updated: 03-01-2006

Registration Deadline — 14 days before the election.

6. ID Number. Connecticut Driver's License Number, or if none, the last four digits of your Social Security Number.

7. Choice of Party. This is optional, but you must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Connecticut you must:

- be a citizen of the United States
- be a resident of Connecticut and of the town in which you wish to vote
- be 17 years old. You can vote when you turn 18
- have completed confinement and parole if previously convicted of a felony, and have had your voting rights restored by Registrars of Voters.

- not currently be declared mentally incompetent to vote by a court of law

Mailing address:

Secretary of State
Elections Division
30 Trinity Street
Hartford, CT 06106

Delaware

Updated: 04-18-2018

Registration Deadline — The 4th Saturday before a primary or general election, and 10 days before a special election.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or nonoperating identification number. If you do not have a driver's license or nonoperating identification, you must include the last four digits of your social security number. If you do not have a driver's license or a nonoperating identification or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. You may register to vote in Delaware if you:

- are a citizen of the United States, AND
- are a resident of Delaware; (Delaware is your home), AND
- will be 18 years old on or before the date of the next General Election.

You may not register to vote in Delaware if you:

State Instructions

- have been adjudged mentally incompetent. Adjudged mentally incompetent refers to a specific finding in a judicial guardianship or equivalent proceeding, based on clear and convincing evidence that the individual has a severe cognitive impairment which precludes exercise of basic voting judgment; OR
- were convicted of a felony and have not completed your sentence, OR
- were convicted of a disqualifying* felony and have not been pardoned.

*List of Disqualifying Felonies:

- murder or manslaughter, (except vehicular homicide);
- any felony constituting an offense against public administration involving bribery or improper influence or abuse of office, or any like offense under the laws of any state or local jurisdiction, or of the United States, or of the District of Columbia; or
- any felony constituting a sexual offense, or any like offense under the laws of any state or local jurisdiction or of the United States or of the District of Columbia.

Mailing address:

State of Delaware
Office of the State Election
Commissioner
905 S. Governors Ave., Suite 170
Dover, DE 19904

District of Columbia

Updated: 10-29-2003

Registration Deadline — 30 days before the election.

6. ID Number. Federal law now requires that all voter registration applications must include either the applicant's driver's license number or the last four digits of the applicant's social security number in order to be processed.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in the District of Columbia you must:

- be a citizen of the United States
- be a District of Columbia resident at least 30 days preceding the next election
- be at least 18 years old on or preceding the next election
- not be in jail for a felony conviction
- not have been judged "mentally incompetent" by a court of law
- not claim the right to vote anywhere outside D.C.

Mailing address:

District of Columbia Board of
Elections & Ethics
441 4th Street, NW, Suite 250
Washington, DC 20001-2745

Florida

Updated: 11-30-2011

Registration Deadline — 29 days before the election.

6. ID Number. If you have one, you must provide your Florida driver's license number or Florida identification card number. If you do not have a Florida driver's license or identification card, you must provide the last four digits of your social security number. If you have not

been issued any of these numbers, you must write the word "NONE."

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. You are requested, but not required, to fill in this box. See the list of choices under the Application Instructions for Box 8 (on page 2).

9. Signature. To register in Florida you must:

- be a citizen of the United States
- be a legal resident of both the State of Florida and of the county in which you seek to be registered
- be 18 years old (you may pre-register if you are at least 16)
- not be adjudicated mentally incapacitated with respect to voting in Florida or any other State, or if you have, you must first have your voting rights restored.
- not be a convicted felon, or if you are, you must first have your civil rights restored if they were taken away.
- swear or affirm the following: "I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, that I am qualified to register as an elector under the Constitution and laws of the State of Florida, and that all information in this application is true."

Mailing address:

State of Florida
Department of State
Division of Elections
The R.A. Gray Building
500 South Bronough St, Rm 316
Tallahassee, Florida 32399-0250

State Instructions

Georgia

Updated: 08-15-2013

Registration Deadline — The fifth Monday before any general primary, general election, or presidential preference primary, or regularly scheduled special election pursuant to the Georgia Election Code. In the event that a special election is scheduled on a date other than those dates prescribed by the Georgia Election Code, registration would close on the 5th day after the call.

6. ID Number. Federal law requires you to provide your full GA Drivers License number or GA State issued ID number. If you do not have a GA Drivers License or GA ID you must provide the last 4 digits of your Social Security number. Providing your full Social Security number is optional. Your Social Security number will be kept confidential and may be used for comparison with other state agency databases for voter registration identification purposes. If you do not possess a GA Drivers License or Social Security number, a unique identifier will be provided for you.

7. Choice of Party. You do not have to register with a party to take part in that party's primary, caucus or convention.

8. Race or Ethnic Group. You are requested to fill in this box. See the list of choices under the Application Instructions for Box 8 (on page 2).

9. Signature. To register in Georgia you must:

- be a citizen of the United States
- be a legal resident of Georgia and of the county in which you want to vote

- be 18 years old within six months after the day of registration, and be 18 years old to vote
- not be serving a sentence for having been convicted of a felony
- not have been judicially determined to be mentally incompetent, unless the disability has been removed

Mailing address:

Elections Division
Office of the Secretary of State
2 Martin Luther King Jr. Drive
Suite 802 Floyd West Tower
Atlanta, Georgia 30334

Hawaii

Updated: 06-18-2018

Registration Deadline — 30 days before the election.

6. ID Number. When you register to vote, you must provide your Hawaii driver's license or State identification number, if you have one. If you do not have a driver's license or ID number, you must provide the last four digits of your Social Security Number (SSN). If you do not have any of this information, the Clerk's Office will issue you a unique identification number, which will serve to identify you for voter registration purposes.

7. Choice of Party. A "choice of party" is not required for voter registration.

8. Race or Ethnic Group. Race or ethnic group information is not required for voter registration.

9. Signature. To register in Hawaii you must:

- be a citizen of the United States
- be a resident of the State of Hawaii

- be at least 16 years old (you must be 18 years old by election day in order to vote)
- not be incarcerated for a felony conviction
- not be adjudicated by a court as "non compos mentis"

Mailing address:

Office of Elections
State of Hawaii
802 Lehua Avenue
Pearl City, HI 96782

Idaho

Updated: 03-01-2006

Registration Deadline — 25 days before the election.

6. ID Number. Enter your driver's license number. If you have no driver's license, enter the last 4 digits of your social security number.

7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Idaho you must:

- be a citizen of the United States
- have resided in Idaho and in the county for 30 days prior to the day of election
- be at least 18 years old
- not have been convicted of a felony, and without having been restored to the rights of citizenship, or confined in prison on conviction of a criminal offense

Mailing address:

Secretary of State
P.O. Box 83720
State Capitol Bldg.
Boise, ID 83720-0080

State Instructions

Illinois

Updated: 08-14-2012

Registration Deadline — 28 days prior to each election.

6. ID Number. Your driver's license number is required to register to vote. If you do not have a driver's license, at least the last four digits of your social security number are required. If you have neither, please write "NONE" on the form. A unique identifier will be assigned to you by the State.

7. Choice of Party. Party registration or preference is not required for voter registration. However, when you apply for a primary ballot, you must indicate your party preference for that election.

8. Race or Ethnic Group. Leave blank.

9. Signature. A signature is required. If signature is missing from registration form, you will be notified your registration is incomplete.

To register in Illinois you must:

- be a citizen of the United States
- be a resident of Illinois and of your election precinct at least 30 days before the next election
- be at least 18 years old on or before the next election
- not be in jail for a felony conviction
- not claim the right to vote anywhere else

Mailing address:

State Board of Elections
2329 S. MacArthur Boulevard
Springfield, IL 62704

Indiana

Updated: 03-01-2006

Registration Deadline — 29 days before the election.

6. ID Number. Your state voter ID number is your ten digit Indiana issued driver's license number. If you do not possess an Indiana driver's license then provide the last four digits of your social security number. Please indicate which number was provided. (Indiana Code 3-7-13-13)

7. Choice of Party. Leave blank.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Indiana you must:

- be a citizen of the United States
- have resided in the precinct at least 30 days before the next election
- be at least 18 years of age on the day of the next general election
- not currently be in jail for a criminal conviction

Mailing address:

Election Division
Office of the Secretary of State
302 West Washington Street,
Room E-204
Indianapolis, IN 46204-2743

Iowa

Updated: 03-28-2008

Registration Deadline — Must be delivered by 5 p.m. 10 days before the election, if it is a state primary or general election; 11 days before all others.* Registration forms which are postmarked 15 or more days before an election are considered on time even if received after the deadline.

*If you fail to meet the voter registration deadlines above you can register and vote by following the guidelines for election day registration. You can find these on the Iowa Secretary of State's website: www.sos.state.ia.us/pdfs/elections/EDRbrochure.pdf.

6. ID Number. Your ID number is your Iowa driver's license number (or Iowa non-driver identification number) if you have one, if not then the last four digits of your social security number. The ID number you provide will be verified with the Iowa Department of Transportation or the Social Security Administration.

7. Choice of Party. You may, but do not have to, register with a party in advance if you want to take part in that party's primary election. You may change or declare a party affiliation at the polls on primary election day.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Iowa you must:

- be a citizen of the United States
- be a resident of Iowa
- be at least 17-1/2 years old (you must be 18 to vote)
- not have been convicted of a felony (or have had your rights restored)
- not currently be judged by a court to be "incompetent to vote"
- not claim the right to vote in more than one place
- give up your right to vote in any other place

Mailing address:

Elections Division
Office of the Secretary of State
Lucas Building-1st Floor
321 E. 12th Street
Des Moines, IA 50319

State Instructions

Kansas

Updated: 10-25-2013

Registration Deadline —

Postmarked or delivered 21 days before the election

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or nondriver's identification card number. If you do not have a driver's license or nondriver's identification card, you must include the last four digits of your social security number. If you do not have a driver's license or a nondriver's identification card or social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State. The number you provide will be used for administrative purposes only and will not be disclosed to the public. (KSA 25-2309).

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Kansas you must:

- be a citizen of the United States
- be a resident of Kansas
- be 18 by the next election
- have completed the terms of your sentence if convicted of a felony; a person serving a sentence for a felony conviction is ineligible to vote
- not claim the right to vote in any other location or under any other name
- not be excluded from voting by a court of competent jurisdiction

Mailing address:

Secretary of State
1st Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594

Kentucky

Updated: 03-01-2006

Registration Deadline — 29 days before the election.

6. ID Number. Your full social security number is required. It is used for administrative purposes only and is not released to the public (KRS 116.155). No person shall be denied the right to register because of failure to include social security number.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Kentucky you must:

- be a citizen of the United States
- be a resident of Kentucky
- be a resident of the county for at least 28 days prior to the election date
- be 18 years of age on or before the next general election
- not be a convicted felon or if you have been convicted of a felony, your civil rights must have been restored by executive pardon
- not have been judged "mentally incompetent" in a court of law
- not claim the right to vote anywhere outside Kentucky

Mailing address:

State Board of Elections
140 Walnut Street
Frankfort, KY 40601-3240

Louisiana

Updated: 02-28-2019

Registration Deadline — 30 days before the election.

6. ID Number. You must provide your Louisiana driver's license number or Louisiana special identification card number, if issued. If not issued, you must provide at least the last four digits of your social security number, if issued. The full social security number may be provided on a voluntary basis. If the applicant has neither a Louisiana driver's license, a Louisiana special identification card, or a social security number, the applicant shall attach one of the following items to his application: (a) a copy of a current and valid photo identification; or (b) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of applicant. Neither the registrar nor the Department of State shall disclose the social security number of a registered voter or circulate the social security numbers of registered voters on commercial lists (R.S. 18:104 and 154; 42 U.S.C. § 405).

7. Choice of Party. If you do not list a party affiliation, you may not be able to vote in the Presidential Preference Primary and party committee elections. Political party affiliation is not required for any other election.

8. Race or Ethnic Group.

Completing this box is optional. See the list of choices under the Application Instructions for Box 8 (on page 2).

State Instructions

9. Signature. To register in Louisiana you must:

- be a citizen of the United States
- be a resident of Louisiana (Residence address must be address where you claim homestead exemption, if any, except for a resident in a nursing home or veteran's home who may elect to use the address of the nursing home or veterans' home or the home where he has a homestead exemption. A college student may elect to use his home address or his address while away at school.)
- be at least 17 years old (16 years old if registering to vote with application for Louisiana driver's license or in person at registrar of voters office), and be 18 years old prior to the next election to vote
- not currently be under an order of imprisonment for conviction of a felony; or if under such an order (1) not have been incarcerated pursuant to the order within the last five years and (2) not be under an order of imprisonment related to a felony conviction for election fraud or any other election offense pursuant to R.S. 18:1461.2
- not be under a judgment of full interdiction for mental incompetence or limited interdiction where your right to vote has been suspended

Mailing address:

Secretary of State
Attention: Elections Division
P.O. Box 94125
Baton Rouge, LA 70804-9125

Maine

Updated: 08-14-2012

Registration Deadline — Delivered 21 business days before the election

(or a voter may register *in-person* up to and including election day).

6. ID Number. You must list your valid Maine driver's license number. If you don't have a valid Maine driver's license, then you must provide the last four digits of your Social Security Number. Voters who don't have either of these forms of ID must write "NONE" in this space.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention (unless otherwise permitted by a political party).

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Maine you must:

- be a citizen of the United States
- be a resident of Maine and the municipality in which you want to vote
- be at least 17 years old (you must be 18 years old to vote)

Mailing address:

Elections Division
Bureau of Corporations,
Elections and Commissions
101 State House Station
Augusta, ME 04333-0101

Maryland

Updated: 06-26-2008

Registration Deadline — 9:00 p.m. 21 days before the election.

6. ID Number. If you have a current, valid Maryland driver's license or a Motor Vehicle Administration identification card, you must enter the driver's license or identification number. If you do

not have a current, valid Maryland driver's license or Motor Vehicle Administration identification card, you must enter at least the last 4 digits of your social security number. However, please note, the disclosure of your full Social Security number is voluntary. The statutory authority allowing election officials to request your full Social Security number is Election Law Article, Section 3-202, Annotated Code of Maryland. The number will be used only for registration and other administrative purposes. It will be kept confidential.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Maryland you must:

- be a U.S. citizen
- be a Maryland resident
- be at least 18 years old by the next general election
- not be under guardianship for mental disability
- not have been convicted of buying or selling votes
- not have been convicted of a felony, or if you have, you have completed serving a court ordered sentence of imprisonment, including any term of parole or probation for the conviction.

Mailing address:

State Board of Elections
P.O. Box 6486
Annapolis, MD 21401-0486

Massachusetts

Updated: 03-01-2006

Registration Deadline — 20 days before the election.

State Instructions

6. ID Number. Federal law requires that you provide your driver's license number to register to vote. If you do not have a current and valid Massachusetts' driver's license then you must provide the last four (4) digits of your social security number. If you have neither, you must write "NONE" in the box and a unique identifying number will be assigned to you.

7. Choice of Party. If you do not designate a party of political designation in this box, you will be registered as unenrolled. Unenrolled voters may participate in party primaries. However, an unenrolled voter must enroll in a party on the day of the Presidential Preference Primary in order to participate in that primary.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Massachusetts you must:

- be a citizen of the United States
- be a resident of Massachusetts
- be 18 years old on or before the next election
- not have been convicted of corrupt practices in respect to elections
- not be under guardianship with respect to voting
- not be currently incarcerated for a felony conviction

Mailing address:

Secretary of the Commonwealth
Elections Division, Room 1705
One Ashburton Place
Boston, MA 02108

Michigan

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or state issued personal identification card number. If you do not have a driver's license or state issued personal identification card, you must include the last four digits of your social security number. If you do not have a driver's license or a state issued personal identification card or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.

7. Choice of Party. A "choice of party" is not required for voter registration.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Michigan you must:

- be a citizen of the United States
- be 18 years old by the next election
- be a resident of Michigan and at least a 30 day resident of your city or township by election day
- not be confined in a jail after being convicted and sentenced

Notice: Michigan law requires that the same address be used for voter registration and driver license purposes. Therefore, if the residence address you provide on this form differs from the address shown on a driver license or personal identification card issued by the State of Michigan, the Secretary of State will automatically change your driver license or personal identification card address to match the residence address entered on this form. If an address change is made, the Secretary of State will mail you an address update sticker for your driver license or personal identification card.

Caution: If you register by mail, you must vote in person at your assigned precinct the first time you vote, unless you are:

- disabled as defined by state law;
- 60 years of age or older; or
- temporarily residing overseas.

Mailing address:

Michigan Department of State
Bureau of Elections
P.O. Box 20126
Lansing, MI 48901-0726

Minnesota

Updated: 12-31-2008

Registration Deadline —

Delivered by 5:00 p.m. 21 days before the election (there is also election day registration at polling places).

6. ID Number. You are required to provide your Minnesota driver's license or state ID number to register to Vote. If you do not have a Minnesota driver's license or state ID then you will have to provide the last four digits of your social security number. If you have neither, please write "none" on the form.

7. Choice of Party. Leave blank.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Minnesota you must:

- be a citizen of the United States
- be a resident of Minnesota for 20 days before the next election
- maintain residence at the address given on the registration form
- be at least 18 years old on election day
- if previously convicted of a felony, your felony sentence has expired or been completed, or you have been discharged from the sentence

State Instructions

- not be under a court-ordered guardianship in which the right to vote has been revoked
- not be found by a court to be legally incompetent to vote.

Mailing address:

Secretary of State
60 Empire Drive, Suite 100
St. Paul, MN 55103-1855

Mississippi

Updated: 05-07-2010

Registration Deadline — 30 days before the election.

6. ID Number. You are required to provide your current and valid driver's license number or, if you don't have one, the last four digits of your social security number.

7. Choice of Party. Mississippi does not have party registration. Therefore, you do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Mississippi you must:

- be a citizen of the United States
- have lived in Mississippi and in your county (and city, if applicable) 30 days before the election in which you want to vote
- be 18 years old by the time of the general election in which you want to vote
- have not been convicted of murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement, armed robbery, extortion, felony bad check, felony shoplifting, larceny, receiving stolen property, robbery, timber larceny, unlawful taking of a motor

vehicle, statutory rape, carjacking, or bigamy, or have had your rights restored as required by law

- not have been declared mentally incompetent by a court

Note: State law changed by federal court order in 1998 and by state legislation in 2000. We now accept the form as registration for voting for all state and federal offices.

Mailing address:

Secretary of State
P.O. Box 136
Jackson, MS 39205-0136

Local county addresses:

You also may return completed applications to the county circuit clerk/registrar where you reside. A complete list of county circuit clerk/registrars is available on Mississippi's website at www.sos.ms.gov.

Missouri

Updated: 09-12-2006

Registration Deadline — 28 days before the election.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number. Your completed voter registration form must also include the last four digits of your social security number. (Section 115.155, RSMo). If you do not have a driver's license or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State. Any electronic media, printouts or mailing labels provided under this section shall not include telephone numbers and social security

numbers of voters. (Section 115.157, RSMo).

7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To vote in Missouri you must:

- be a citizen of the United States
- be a resident of Missouri
- be at least 17-1/2 years of age (you must be 18 to vote)
- not be on probation or parole after conviction of a felony, until finally discharged from such probation or parole
- not be convicted of a felony or misdemeanor connected with the right of suffrage
- not be adjudged incapacitated by any court of law
- not be confined under a sentence of imprisonment

Mailing address:

Secretary of State
P.O. Box 1767
Jefferson City, MO 65102-1767

Montana

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. You must provide your Montana driver's license number. If you do not have a Montana driver's license number then you must list the LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER. If you have neither a driver's license, nor a social security number, please write "NONE" on the form. The state of Montana will assign to you a unique identifying number.

State Instructions

7. Choice of Party. Montana does not require party registration to participate in any election.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Montana you must:

- be a citizen of the United States
- be at least 18 years old on or before the election
- be a resident of Montana and of the county in which you want to vote for at least 30 days before the next election
- not be in a penal institution for a felony conviction
- not currently be determined by a court to be of unsound mind
- meet these qualifications by the next election day if you do not currently meet them

Mailing address:

Secretary of State's Office
P.O. Box 202801
State Capitol
Helena, MT 59620-2801

Nebraska

Updated: 03-08-2018

Registration Deadline — The third Friday before the election (or delivered by 6 p.m. on the second Friday before the election).

6. ID Number. You must provide your Nebraska driver's license number. If you do not have a Nebraska driver's license number then you must list the last four digits of your social security number.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Nebraska you must:

- be a citizen of the United States
- be a resident of Nebraska
- be at least 18 years of age or will be 18 years of age on or before the first Tuesday after the first Monday of November
- not have been convicted of a felony, or if convicted, it has been at least two years since you have completed your sentence for the felony, including any parole term
- not have been officially found to be mentally incompetent

Mailing address:

Nebraska Secretary of State
Suite 2300, State Capitol Bldg.
Lincoln, NE 68509-4608

Nevada

Updated: 10-16-18

Registration Deadline — The deadline for mail-in voter registration is the fourth Tuesday before any primary or general election. This is the date by which a mail-in voter registration application must be postmarked. In-person voter registration remains available until 7:00 p.m. on the third Tuesday preceding any primary or general election. You may register to vote in person only by appearing at the office of the County Clerk/Registrar of Voters. The deadline for online voter registration at www.RegisterToVoteNV.gov is the Thursday preceding the first day of the early voting period.

6. ID Number. You must supply a Nevada driver's license number or Nevada ID card number if you have been issued one by the DMV. If you do not have a valid Nevada

driver's license or Nevada ID card, you must supply the last four digits of your Social Security Number. If you do not have a valid Nevada driver's license or Nevada ID card or a Social Security Number, please contact your County Clerk/Registrar of Voters to be assigned a unique identifier.

7. Choice of Party. You must register with a major political party if you want to take part in that party's primary election, caucus, or convention. If you register with a minor political party or as a nonpartisan, you will receive a nonpartisan ballot for the primary election.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Nevada you must:

- Be a citizen of the United States;
- Have attained the age of 18 years on the date of the next election;
- Have continuously resided in the State of Nevada, in your county, at least 30 days and in your precinct at least 10 days before the next election;
- Have not been convicted of a felony, or if so convicted, have your voting rights restored automatically by operation of law or pursuant to a court order or pardon;
- Not be determined by a court of law to be mentally incompetent; and
- Claim no other place as your legal residence.

Preregistration for 17 Year Olds — A person who is 17 years of age or older but less than 18 years of age and meets all other qualifications to vote in Nevada can preregister to vote using any of the means available for a person to register to vote. A person who is

State Instructions

preregistered to vote automatically becomes a registered voter on his or her 18th birthday.

Felony Convictions — Unless a person has been convicted of certain specified felonies, a person convicted of a felony in Nevada is automatically restored the right to vote upon: (1) honorable discharge from parole or probation; or (2) the completion of his or her sentence and release from prison. Individuals are not permitted to vote in Nevada if the person is currently in prison, on parole, or on probation for a felony conviction. More information regarding the restoration of voting rights can be found on the Nevada Secretary of State's website at: www.nvsos.gov.

Mailing address:

Secretary of State Elections
Division
101 North Carson Street, Suite 3
Carson City, NV 89701-4786

Voter registration applications may be returned to the Secretary of State's office at the address above, but to avoid possible delays, you are advised to return your completed voter registration application directly to your local county election official.

Local county addresses: To meet registration deadlines, especially during the two weeks before the mail-in voter registration deadline, you should return completed voter registration applications to your respective County Clerk/Registrar of Voters. A complete list of County Clerks and Registrars of Voters is available on the Nevada Secretary of State's website: www.nvsos.gov.

New Hampshire

Updated: 03-01-2006

Registration Deadline — New Hampshire town and city clerks will accept this application only as a request for their own absentee voter mail-in registration form, which must be received by your city or town clerk by 10 days before the election.

New Hampshire town and city clerks will accept this application only as a request for their own absentee voter mail-in registration form. You need to fill in only Box 1 and Box 2 or 3.

The application should be mailed to your town or city clerk at your zip code. These addresses are listed on the Secretary of State web site at www.state.nh.us/sos/clerks.htm

It should be mailed in plenty of time for your town or city clerk to mail you their own form and for you to return that form to them by 10 days before the election.

New Jersey

Updated: 03-28-2008

Registration Deadline — 21 days before the election.

6. ID Number. The last four digits of your Social Security number OR your New Jersey Driver's License number is required for voter registration. If you do not possess either of these identifications, please write "NONE" on the form. The State will assign a number that will serve to identify you for voter registration purposes.

7. Choice of Party. New Jersey's voter registration form does not provide a check-off for political party affiliation. A newly registered voter or voter who has never voted in a political party primary election can declare party affiliation at the polling place on the day of a primary election. In New Jersey, a primary election is only held for the Democratic and Republican parties. A voter may also file a political party declaration form to become a member of a political party. If a declared voter wished to change party affiliation he or she must file a declaration form 50 days before the primary election, in order to vote.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in New Jersey you must:

- be a citizen of the United States
- be at least 18 years of age by the time of the next election
- be a resident of this State and county at your address at least 30 days before the next election
- not be serving a sentence or on parole or probation as the result of a conviction of any indictable offense under the laws of this or another state or of the United States

Mailing address:

New Jersey Department of Law
and Public Safety
Division of Elections
PO BOX 304
Trenton, NJ 08625-0304

New Mexico

Updated: 03-01-2006

Registration Deadline — 28 days before the election.

State Instructions

6. ID Number. Your full social security number is required. This registration card containing your social security number will become part of the permanent voter registration records of your locality, which are open to inspection by the public in the office of the county clerk. However, your social security number and date of birth will remain confidential and will not be disclosed to the public. Computerized listings of limited voter registration information (without social security number or birth date) are available to the general public, and are furnished upon request to incumbent election officeholders, candidates, political parties, courts and non-profit organizations promoting voter participation and registration, for political purposes only (§1-5-19B, NMSA 1978).

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in New Mexico you must:

- be a citizen of the United States
- be a resident of the State of New Mexico
- be 18 years of age at the time of the next election
- not have been denied the right to vote by a court of law by reason of mental incapacity and, if I have been convicted of a felony, I have completed all conditions of probation or parole, served the entirety of a sentence or have been granted a pardon by the Governor.

Mailing address:

Bureau of Elections
325 Don Gaspar, Suite 300
Santa Fe, NM 87503

New York

Updated: 06-19-2014

Registration Deadline — 25 days before the election.

6. ID Number. Federal law requires that you provide your driver's license number to register to vote. If you do not have a driver's license then you will have to provide at least the last four digits of your social security number. If you have neither, please write "NONE" on the form. A unique identifying number will be assigned to you by your State.

7. Choice of Party. You must enroll with a party if you want to vote in that party's primary election or caucus.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in New York you must:

- be a citizen of the United States
- be a resident of the county, or of the City of New York, at least 30 days before an election
- be 18 years old by December 31 of the year in which you file this form (Note: You must be 18 years old by the date of the general, primary, or other election in which you want to vote)
- not be in jail or on parole for a felony conviction
- not currently be judged incompetent by order of a court of competent judicial authority
- not claim the right to vote elsewhere

Mailing address:

NYS Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

North Carolina

Updated: 03-01-2006

Registration Deadline — Postmarked 25 days before the election or received in the elections office or designated voter registration agency site by 5:00 p.m. 25 days before the election.

6. ID Number. Provide your North Carolina driver's license number, or North Carolina Department of Motor Vehicles ID number. If you do not have a driver's license, then list the last four digits of your social security number.

7. Choice of Party. You must register with a party to vote in that party's primary unless that party allows unaffiliated voters to vote in its primary. If you indicate a political party that is not a qualified party, or indicate no party, you will be listed as "Unaffiliated".

8. Race or Ethnic Group. You are required to fill in this box. However, your application will not be rejected if you fail to do so. See the list of choices under the Application Instructions for Box 8 (on page 2).

9. Signature. To register in North Carolina you must:

- be a citizen of the United States
- be a resident of North Carolina and the county in which you live for at least 30 days prior to the election
- be 18 years of age by the day of the next general election
- have your rights of citizenship restored if you have been convicted of a felony
- not be registered or vote in any other county or state

Mailing address:

State Board of Elections
P.O. Box 27255
Raleigh, NC 27611-7255

State Instructions

North Dakota

Updated: 03-01-2006

North Dakota does not have voter registration.

Ohio

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your social security number is requested. Providing this number is voluntary. This information allows the Board of Elections to verify your registration if necessary (O.R.C. 3503.14). [Federal law requires that you provide your driver's license number to register to vote. If you do not have a driver's license then you will have to provide at least the last four digits of your social security number. If you don't have either number you will have to write "NONE" on the form and the State will assign you a number.]

7. Choice of Party. You do not register with a party if you want to take part in that party's primary election. Party affiliation is established by voting at a primary election.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Ohio you must:

- be a citizen of the United States
- be a resident of Ohio
- be 18 years old on or before election day. If you will be 18 on or before the day of the general election, you may vote in the primary election for candidates only.
- not be convicted of a felony and currently incarcerated
- not be found incompetent by a court for purposes of voting

Mailing address:

Secretary of State of Ohio
Elections Division
180 E. Broad Street — 15th Floor
Columbus, OH 43215

Oklahoma

Updated: 10-29-2003

Registration Deadline — 25 days before the election.

6. ID Number. The last four digits of your social security number are required. (Oklahoma Title 26, Section 4-112) In addition, your Oklahoma driver's license number is requested.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Oklahoma you must:

- be a citizen of the United States and a resident of the State of Oklahoma
- be 18 years old on or before the date of the next election
- have not been convicted of a felony, for which a period of time equal to the original sentence has not expired, or for which you have not been pardoned
- not now be under judgment as an incapacitated person, or a partially incapacitated person prohibited from registering to vote

Mailing address:

Oklahoma State Election Board
Box 528800
Oklahoma City, OK 73152-8800

Oregon

Updated: 03-01-2006

Registration Deadline — 21 days before the election.

6. ID Number. Federal law requires that you provide your driver's license number to register to vote. If you do not have a driver's license then you will have to provide at least the last four digits of your social security number. If you have neither, you will need to write "NONE" on the form. A unique identifying number will instead be assigned to you by your State.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Oregon you must:

- be a citizen of the United States
- be a resident of Oregon
- be at least 18 years old by election day

Mailing address:

Secretary of State
Elections Division
141 State Capitol
Salem, OR 97310-0722

Pennsylvania

Updated: 03-01-2006

Registration Deadline — 30 days before an election or primary.

6. ID Number. You must supply a Driver's License Number, if you have one. If you do not have a Driver's License Number, you must supply the last four digits of your

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social Security Number. If you do not have a Social Security Number, please write "NONE" in the box.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election.

8. Race or Ethnic Group. You are requested to fill in this box. See the list of choices under the Application Instructions for Box 8 (on page 2).

9. Signature. To register in Pennsylvania you must:

- be a citizen of the United States at least one month before the next election
- be a resident of Pennsylvania and your election district at least 30 days before the election
- be at least 18 years of age on the day of the next election

Mailing address:

Office of the Secretary of
the Commonwealth
210 North Office Bldg.
Harrisburg, PA 17120-0029

Rhode Island

Updated: 03-28-2008

Registration Deadline — 30 days before the election.

6. ID Number. The applicant shall be required to provide his/her Rhode Island driver's license number if the applicant has been issued a current and valid Rhode Island driver's license. In the case of an applicant who has not been issued a current and valid driver's license he/she must provide the last four (4) digits of his/her social security number. An applicant, who has neither, will be assigned a unique identifying number by the State of Rhode Island.

7. Choice of Party. In Rhode Island, a person must register with a party if he/she wishes to take part in that party's primary election. A person who fails to register with a party at the time of registration may, if he/she chooses, register with a party on the day of that party's primary and take part in that party's primary election. If a person does not register with a party, he/she can still vote in general elections and non-partisan primary elections.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Rhode Island you must:

- be a citizen of the United States
- be a resident of Rhode Island for 30 days preceding the next election
- be 18 years old by election day
- not be currently incarcerated in a correctional facility due to a felony conviction
- not have been lawfully judged to be mentally incompetent

Mailing address:

Rhode Island State Board of
Elections
50 Branch Ave.
Providence, RI 02904-2790

South Carolina

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. Your full social security number is required. It is required by the South Carolina Code of Laws and is used for internal purposes only. Social security number does not appear on any report produced by the State Election Commission nor is it released to any unauthorized

individual. (South Carolina Title 7-5-170)

7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. You are required to fill in this box. Your application may be rejected if you fail to do so. See the list of choices under the Application Instructions for Box 8 (on page 2).

9. Signature. To register in South Carolina you must:

- be a citizen of the United States
- be at least 18 years old on or before the next election
- be a resident of South Carolina, your county and precinct
- not be confined in any public prison resulting from a conviction of a crime
- never have been convicted of a felony or offense against the election laws, or if previously convicted, have served your entire sentence, including probation or parole, or have received a pardon for the conviction
- not be under a court order declaring you mentally incompetent
- claim the address on the application as your only legal place of residence and claim no other place as your legal residence

Mailing address:

State Election Commission
P.O. Box 5987
Columbia, SC 29250-5987

South Dakota

Updated: 03-01-2006

Registration Deadline — Received 15 days before the election.

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6. ID Number. Your driver's license number is requested. If you do not have a valid driver's license, you must provide the last four digits of your social security number.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in South Dakota you must:

- be a citizen of the United States
- reside in South Dakota
- be 18 years old by the next election
- not be currently serving a sentence for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system
- not have been adjudged mentally incompetent by a court

Mailing address:

Elections, Secretary of State
500 E. Capitol
Pierre, SD 57501-5070

Tennessee

Updated: 08-31-2018

Registration Deadline — 30 days before the election.

6. ID Number. Your full social security number is required. Social security number, if any, is required for purposes of identification and to avoid duplicate registration (TCA 2.2.116).

7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Optional.

9. Signature. To register in Tennessee you must:

- be a citizen of the United States
- be a resident of Tennessee
- be at least 18 years old on or before the next election
- not have been convicted of a felony, or if convicted, have had your voting rights restored
- not be adjudicated incompetent by a court of competent jurisdiction (or have been restored to legal capacity)

Mailing address:

Coordinator of Elections
Tennessee Tower, Seventh Floor
312 Rosa L. Parks Ave.
Nashville, TN 37243-1102

Texas

Updated: 03-01-2006

Registration Deadline — 30 days before the election.

6. ID Number. You must provide your driver's license number to register to vote. If you do not have a driver's license then you will have to provide at least the last four digits of your social security number. If you have neither, please write "NONE" on the form. A unique identifying number will instead be assigned to you by your State.

7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Texas you must:

- be a citizen of the United States
- be a resident of the county in which the application for registration is made
- be at least 17 years and 10 months old (you must be 18 to vote)

- not be finally convicted of a felony, or if a convicted felon, you must have fully discharged your punishment, including any incarceration, parole, supervision, period of probation or be pardoned.
- have not been declared mentally incompetent by final judgment of a court of law

Mailing address:

Office of the Secretary of State
Elections Division
P.O. Box 12060
Austin, TX 78711-2060

Utah

Updated: 03-28-2008

Registration Deadline — 30 days before the election for mail-in applications; 15 days before the election for walk-in registrations at the county clerk's office.

6. ID Number. Your completed voter registration form must contain your state issued driver's license number or nonoperating identification number. If you do not have a driver's license or nonoperating identification, you must include the last four digits of your social security number. If you do not have a driver's license or a nonoperating identification or a social security number, please write "NONE" on the form. A unique identifying number will be assigned by the State.

7. Choice of Party. Declaring a party is not required in order to register to vote. However, Utah's election law allows each political party to choose whom it will allow to vote in its primary election. If you do not affiliate with a party, you may be restricted from voting in the primary.

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8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Utah you must:

- be a citizen of the United States
- have resided in Utah for 30 days immediately before the next election
- be at least 18 years old on or before the next election
- not be a convicted felon currently incarcerated for commission of a felony
- not be convicted of treason or crime against the elective franchise, unless restored to civil rights
- not be found to be mentally incompetent by a court of law

Mailing address:

Office of the Lieutenant
Governor
P.O. Box 142325
Salt Lake City, UT 84114

Vermont

Updated: 07-29-2008

Registration Deadline — Delivered to the town clerk before 5:00 PM on the Wednesday before the election.

6. ID Number. You must provide your Vermont Driver's license number, or if none, the last 4 digits of your Social Security number. If you do not have a Vermont Driver's license or a Social Security number, please write "NONE" on the form. The Secretary of State's office will assign you a unique identifying number.

7. Choice of Party. Vermont does not require party registration to participate in any election.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Vermont you must:

- be a citizen of the United States
- be a resident of Vermont
- be 18 years of age on or before election day
- have taken the following Oath: You solemnly swear (or affirm) that whenever you give your vote or suffrage, touching any matter that concerns the state of Vermont, you will do it so as in your conscience you shall judge will most conduce to the best good of the same, as established by the Constitution, without fear or favor of any person [Voter's Oath, Vermont Constitution, Chapter II, Section 42]

By signing in Box 9, you are attesting that you have sworn or affirmed the Vermont voter's oath as printed above.

Mailing address:

Office of the Secretary of State
Director of Elections
26 Terrace Street
Montpelier, VT 05609-1101

Virginia

Updated: 11-30-2011

Registration Deadline — Delivered 22 days before the election.

6. ID Number. Your full social security number is required. Your social security number will appear on reports produced only for official use by voter registration and election officials and, for jury selection purposes, by courts. Article II, §2, Constitution of Virginia (1971).

7. Choice of Party. You do not have to register with a party if you want to take part in that party's primary election, caucus, or convention.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Virginia you must:

- be a citizen of the United States
- be a resident of Virginia and of the precinct in which you want to vote
- be 18 years old by the next May or November general election
- not have been convicted of a felony, or have had your civil rights restored
- not currently be declared mentally incompetent by a court of law

Mailing address:

Virginia State Board of Elections
1100 Bank Street, 1st floor
Richmond, VA 23219

Washington

Updated: 9-24-2012

Registration Deadline — 29 days before the election (or delivered in-person to the local voter registration office until 8 days before the election).

6. ID Number. You must provide your Washington driver's license or state ID card number. If you do not have a Washington driver's license, or state ID card, you must provide the last four digits of your Social Security Number. Failure to provide this information may prevent your registration from being processed.

7. Choice of Party. You are not required to designate your party affiliation to register in Washington.

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in Washington you must:

- be a citizen of the United States
- be a legal resident of Washington State, your county and precinct for

State Instructions

30 days immediately preceding the election in which you want to vote

- be at least 18 years old by election day

- not be convicted of infamous crime, unless restored to civil rights

Mailing address:

Secretary of State
Elections Division
P.O. Box 40229
Olympia, WA 98504-0229

West Virginia

Updated: 09-12-2006

Registration Deadline — 21 days before the election.

6. ID Number. Enter your driver's license number. If you do not have a driver's license number, enter the last four numbers of your social security number. If you do not have a driver's license number or a social security number, an identification number will be assigned to you.

7. Choice of Party. You must register with a party if you want to take part in that party's primary election, caucus, or convention (unless you request the ballot of a party which allows independents to vote)

8. Race or Ethnic Group. Leave blank.

9. Signature. To register in West Virginia you must:

- be a citizen of the United States
- live in West Virginia at the above address
- be 18 years old, or to vote in the primary be 17 years old and turning 18 before the general election
- not be under conviction, probation, or parole for a felony, treason or election bribery

- not have been judged "mentally incompetent" in a court of competent jurisdiction

Mailing address:

Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770

Wisconsin

Updated: 08-31-2018

Registration Deadline —

Postmarked at least 20 days before the election; or completed in the office of the town, village, or city clerk up to 5:00 p.m. on the Friday before the election; or completed at the polling place on Election Day.

Wisconsin also permits online voter registration – Visit <https://myvote.wi.gov> up to 20 days before the election if the voter has a current and valid Wisconsin driver license or state-issued ID card.

2. Home Address. Along with your voter registration form, you must send a proof-of-residence document with your complete first and last name and residential address, such as a copy of your current and valid Wisconsin driver license or state ID card, real estate tax bill, utility bill no older than 90 days, bank statement, paycheck or paystub, or a check or document issued by a unit of government. A full list is available at <http://elections.wi.gov>.

6. ID Number. Provide your unexpired Wisconsin driver license or DOT-issued ID card number. If you do not have a current and valid DOT-issued driver license or ID card, provide the last four digits of your social security number.

7. Choice of Party. Not required.

8. Race or Ethnic Group. Not required.

9. Signature. To register in Wisconsin you must:

- be a citizen of the United States
- be a resident of Wisconsin and have resided at the registration address for at least 10 days.
- be at least 18 years old
- not have been convicted of treason, felony or bribery, or if you have, your civil rights have been restored after completion of your sentence or a pardon
- not have been found by a court to be incapable of understanding the objective of the electoral process
- not make or benefit from a bet or wage depending on the result of an election
- not have voted at any other location in the same election.

Mailing address:

Mail your completed registration form and a copy of your proof-of-residence document to your municipal clerk's office. You can find your municipal clerk here: <https://myvote.wi.gov/en-US/MyMunicipalClerk>

If you cannot find your municipal clerk's address, you may mail it to:

Wisconsin Elections
Commission
212 East Washington Avenue,
Third Floor
P.O. Box 7984
Madison, WI 53707-7984

(Note: applications may be returned to the Wisconsin Elections Commission office at the address above, but to avoid possible delays, you are advised to return your completed voter registration application directly to your municipal clerk's office.)

State Instructions

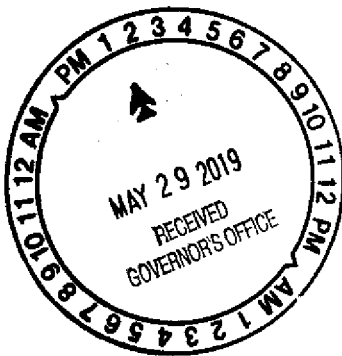
Wyoming

Updated: 03-01-2006

Wyoming by law, cannot accept this form unless State law is changed.

ACT #2019- 513

1 HB57
2 198793-4
3 By Representative Sells
4 RFD: Judiciary
5 First Read: 05-MAR-19
6 PFD: 03/04/2019



HB57

1
2 ENROLLED, An Act,

3 Relating to crimes and offenses; to add Section
4 13A-8-2.1 to the Code of Alabama 1975, to provide for the
5 crime of aggravated theft by deception; to amend Sections
6 15-22-33, 15-22-54, and 17-3-30.1, Code of Alabama 1975, to
7 provide sanctions for parole violations relating to aggravated
8 theft by deception; to provide that aggravated theft by
9 deception is a crime of moral turpitude; and in connection
10 therewith would have as its purpose or effect the requirement
11 of a new or increased expenditure of local funds within the
12 meaning of Amendment 621 of the Constitution of Alabama of
13 1901, now appearing as Section 111.05 of the Official
14 Recompilation of the Constitution of Alabama of 1901, as
15 amended.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 13A-8-2.1 is added to the Code of
18 Alabama 1975, to read as follows:

19 §13A-8-2.1.

20 (a) A person commits the crime of aggravated theft
21 by deception if he or she does any of the following:

22 (1) He or she commits a theft of foreign or domestic
23 funds, cash, or cash equivalent, that includes, but is not
24 limited to, stocks, bonds, investments, or retirement

HB57

1 accounts, that exceeds two hundred thousand dollars (\$200,000)
2 in value, if obtained by deception.

3 (2) He or she commits a theft of public funds or
4 revenue of any state, county, or municipal government agency
5 or department, or any governmental or political subdivision
6 that exceeds one hundred thousand dollars (\$100,000) in value,
7 if obtained by deception.

8 (b) The limitations period for any prosecution under
9 this section does not commence or begin to accrue until the
10 discovery of the facts constituting the deception, after which
11 the prosecution shall be commenced within six years.

12 (c) Aggravated theft by deception is a felony with a
13 range of punishment of five to 30 years' imprisonment and a
14 fine of up to sixty thousand dollars (\$60,000) per violation.

15 (d) Notwithstanding any other law, the maximum
16 probation period shall not exceed 10 years unless otherwise
17 authorized by law.

18 (e) A conviction for aggravated theft by deception
19 shall be treated as a Class A or Class B felony for purposes
20 of Section 15-18-8.

21 (f) A person may be charged with attempt, criminal
22 solicitation, or criminal conspiracy to commit aggravated
23 theft by deception if he or she engages in the conduct defined
24 in Sections 13A-4-1, 13A-4-2, or 13A-4-3. A violation shall be

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1 punished the same as if the crime was completed pursuant to
2 this section.

3 Section 2. Sections 15-22-33, 15-22-54, and
4 17-3-30.1, Code of Alabama 1975, are amended to read as
5 follows:

6 "§15-22-33.

7 "No person released on parole shall be discharged
8 from parole prior to the expiration of the full maximum term
9 for which he or she was sentenced unless the Board of Pardons
10 and Paroles chooses to discharge the parolee earlier based on
11 review of the parolee under guidelines established pursuant to
12 subdivision (6) of subsection (b) of Section 15-22-37 and the
13 parolee was not convicted of a violent offense as defined in
14 Section 12-25-32 or a violation of Section 13A-8-2.1. The
15 Board of Pardons and Paroles, however, may relieve a prisoner
16 on parole from making further reports and may permit such
17 prisoner to leave the state or county if satisfied that this
18 is for the best interests of society.

19 "§15-22-54.

20 "(a) The period of probation or suspension of
21 execution of sentence shall be determined by the court and
22 shall not be waived by the defendant, and the period of
23 probation or suspension may be continued, extended, or
24 terminated. However, except as provided in Section 32-5A-191
25 relating to ignition interlock requirements, in no case shall

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1 the maximum probation period of a defendant guilty of a
2 misdemeanor exceed two years, nor shall the maximum probation
3 period of a defendant guilty of a felony exceed five years,
4 except as provided in Section 13A-8-2.1. When the conditions
5 of probation or suspension of sentence are fulfilled, the
6 court shall, by order duly entered on its minutes, discharge
7 the defendant.

8 "(b) The court granting probation may, upon the
9 recommendation of the officer supervising the probationer,
10 terminate all authority and supervision over the probationer
11 prior to the declared date of completion of probation upon
12 showing a continued satisfactory compliance with the
13 conditions of probation over a sufficient portion of the
14 period of the probation. At least every two years, and after
15 providing notice to the district attorney, the court shall
16 review the probationer's suitability for discharge from
17 probation supervision if the probationer has satisfied all
18 financial obligations owed to the court, including
19 restitution, and has not had his or her supervision revoked.

20 "(c) At any time during the period of probation or
21 suspension of execution of sentence, the court may issue a
22 warrant and cause the defendant to be arrested for violating
23 any of the conditions of probation or suspension of sentence,
24 upon which the court shall hold a violation hearing. No
25 probationer shall be held in jail awaiting such violation

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1 hearing for longer than 20 business days, unless new criminal
2 charges are pending. If the hearing is not held within the
3 specified time, the sheriff shall release the probation
4 violator unless there are other pending criminal charges. A
5 judge shall have authority to issue a bond to a probationer
6 for release from custody.

7 "(d) Except as provided in Chapter 15 of Title 12,
8 any probation officer, police officer, or other officer with
9 power of arrest, when requested by the probation officer, may
10 arrest a probationer without a warrant. In case of an arrest
11 without a warrant, the arresting officer shall have a written
12 statement by the probation officer setting forth that the
13 probationer has, in his or her judgment, violated the
14 conditions of probation, and the statement shall be sufficient
15 warrant for the detention of the probationer in the county
16 jail or other appropriate place of detention until the
17 probationer is brought before the court. The probation officer
18 shall forthwith report the arrest and detention to the court
19 and submit in writing a report showing in what manner the
20 probationer has violated probation.

21 "(e) After conducting a violation hearing and
22 finding sufficient evidence to support a probation violation,
23 the court may revoke probation to impose a sentence of
24 imprisonment, and credit shall be given for all time spent in
25 custody prior to revocation. If the probationer was convicted

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1 of a Class D felony and his or her probation is revoked, the
2 incarceration portion of any split sentence imposed due to
3 revocation shall be limited to two years or one-third of the
4 original suspended prison sentence, whichever is less.

5 However, in all cases, excluding violent offenses defined
6 pursuant to Section 12-25-32 and classified as a Class A
7 felony, ~~and sex offenses~~, defined pursuant to Section
8 15-20A-5, and aggravated theft by deception offenses pursuant
9 to Section 13A-8-2.1, the court may only revoke probation as
10 provided below:

11 "(1) Unless the underlying offense is a violent
12 offense as defined in Section 12-25-32 and classified as a
13 Class A felony or an offense of aggravated theft by deception
14 as defined in Section 13A-8-2.1, when a defendant under
15 supervision for a felony conviction has violated a condition
16 of probation, other than arrest or conviction of a new offense
17 or absconding, the court may impose a period of confinement of
18 no more than 45 consecutive days to be served in the custody
19 population of the Department of Corrections. By April 29,
20 2016, the Department of Corrections shall develop and
21 implement a streamlined process to transport and receive the
22 probationer into its custody population and shall identify
23 and, if possible, implement policies aimed at reducing the
24 administrative delays, if any, in transferring to the
25 Department of Corrections the physical custody of the

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1 probationer and those whose probation has been revoked. Such
2 process shall be developed in cooperation with the Alabama
3 Sheriffs' Association and the Association of County
4 Commissions of Alabama. Such process shall include the most
5 cost-effective method to process sanctioned probation
6 violators for the maximum 45-day confinement period and shall
7 provide that the Department of Corrections shall reimburse the
8 state mileage rate, as determined by the Alabama Comptroller's
9 Office, to the county for any state inmate sanctioned as a
10 probation violator and transferred to or from a Department of
11 Corrections facility by the county. Upon completion of the
12 confinement period, the remaining probation period or
13 suspension of sentence shall automatically continue upon the
14 defendant's release from confinement. The court shall not
15 revoke probation unless the defendant has previously received
16 a total of three periods of confinement under this subsection.
17 For purposes of revocation, the court may take judicial notice
18 of the three total periods of confinement under this
19 subsection. A defendant shall only receive three total periods
20 of confinement under this subsection. The maximum 45-day term
21 of confinement ordered under this subsection for a felony
22 shall not be reduced by credit for time already served in the
23 case. Any such credit shall instead be applied to the
24 suspended sentence. In the event the time remaining on the

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1 imposed sentence is 45 days or less, the term of confinement
2 shall be for the remainder of the defendant's sentence.

3 "(2) The total time spent in confinement under this
4 subsection shall not exceed the term of the defendant's
5 original sentence.

6 "(3) Confinement shall be immediate. The court shall
7 be responsible for ensuring that the circuit clerk receives
8 the order revoking probation within five business days. The
9 circuit clerk shall insure that the Department of Corrections
10 receives necessary transcripts for imposing a period of
11 confinement within five business days of its receipt of the
12 court's order.

13 "(4) If a probation violator, as described in
14 subdivision (1), is presented to the county jail for
15 confinement and the probation violator has a serious medical
16 condition, the confinement of the probation violator creates a
17 security risk to the jail facility, or the jail is near, at,
18 or over capacity, the sheriff may refuse to admit the
19 probation violator. If while in custody of the county jail the
20 probation violator develops a serious medical condition, the
21 confinement of the probation violator creates a security risk
22 to the facility, or the county jail reaches near, at, or
23 overcapacity, the sheriff may release the probation violator
24 upon notification to the probation officer and to the court
25 who has jurisdiction over the probation violator. A sheriff

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1 and his or her staff shall be immune from liability for
2 exercising discretion pursuant to Section 36-1-12 in refusing
3 to admit a probation violator into the jail or releasing a
4 probation violator from jail under the circumstances described
5 above.

6 "(f) In lieu of the provisions of subsections (c).
7 through (e), when a probationer violates his or her probation
8 terms and conditions imposed by the court, his or her
9 probation officer may, after administrative review and
10 approval by the officer's supervisor, require the probationer
11 to submit to behavioral treatment, substance abuse treatment,
12 GPS monitoring, such other treatment as determined by the
13 board or supervising officer, or a period of confinement in a
14 consenting jail facility as specified in subdivision (10) of
15 Section 15-22-52.

16 "(g) Prior to imposing a sanction provided under
17 subsection (f) and pursuant to subdivision (10) of Section
18 15-22-52, the probationer must first be presented with a
19 violation report, with the alleged probation violations and
20 supporting evidence noted. The probationer may file a motion
21 with the court to conduct a probation violation hearing within
22 10 days. The probationer shall be given notice of the right to
23 such hearing and advised of the right (i) to a hearing before
24 the court on the alleged violation in person, with the right
25 to present relevant witnesses and documentary evidence; (ii)

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1 to retain and have counsel at the hearing and that counsel
2 will be appointed if the probationer is indigent; and (iii) to
3 confront and cross examine any adverse witnesses. Upon the
4 signing of a waiver of these rights by the probationer and the
5 supervising probation officer, with approval of a supervisor,
6 the probationer may be treated, monitored, or confined for the
7 period recommended in the violation report and designated in
8 the waiver. However, the probationer shall have no right of
9 review if he or she has signed a written waiver of rights as
10 provided in this subsection.

11 "(h) The board shall adopt guidelines and procedures
12 to implement the requirements of this section, which shall
13 include the requirement of a supervisor's approval prior to a
14 supervising probation officer's exercise of the delegation of
15 authority authorized by subsection (f).

16 "§17-3-30.1.

17 "(a) This section shall be known and may be cited as
18 the Felony Voter Disqualification Act.

19 "(b) (1) The Legislature finds and declares that:

20 "a. Article VIII of the Constitution of Alabama of
21 1901, now appearing as Section 177 of Article VIII of the
22 Official ReCompilation of the Constitution of Alabama of 1901,
23 as amended, provides that Alabama citizens shall lose the
24 right to vote when convicted of a crime only if the conviction
25 was for a felony involving moral turpitude.

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1 "b. Under general law, there is no comprehensive
2 list of felonies that involve moral turpitude which disqualify
3 a person from exercising his or her right to vote. Neither
4 individuals with felony convictions nor election officials
5 have a comprehensive, authoritative source for determining if
6 a felony conviction involves moral turpitude and is therefore
7 a disqualifying felony.

8 "(2) The purposes of this section are:

9 "a. To give full effect to Article VIII of the
10 Constitution of Alabama of 1901, now appearing as Section 177
11 of Article VIII of the Official Recompilation of the
12 Constitution of Alabama of 1901, as amended.

13 "b. To ensure that no one is wrongly excluded from
14 the electoral franchise.

15 "c. To provide a comprehensive list of acts that
16 constitute moral turpitude for the limited purpose of
17 disqualifying a person from exercising his or her right to
18 vote.

19 "(c) For purposes of Article VIII of the
20 Constitution of Alabama of 1901, now appearing as Section 177
21 of Article VIII of the Official Recompilation of the
22 Constitution of Alabama of 1901, as amended, a person is
23 disqualified to vote by reason of conviction of a felony
24 involving moral turpitude only when convicted of any of the
25 following offenses in a degree constituting a felony:

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1 "(1) Murder as defined in the following sections:
2 "a. Subdivision (1) of subsection (a) of Section
3 13A-5-40.
4 "b. Subdivision (2) of subsection (a) of Section
5 13A-5-40.
6 "c. Subdivision (3) of subsection (a) of Section
7 13A-5-40.
8 "d. Subdivision (4) of subsection (a) of Section
9 13A-5-40.
10 "e. Subdivision (5) of subsection (a) of Section
11 13A-5-40.
12 "f. Subdivision (6) of subsection (a) of Section
13 13A-5-40.
14 "g. Subdivision (7) of subsection (a) of Section
15 13A-5-40.
16 "h. Subdivision (8) of subsection (a) of Section
17 13A-5-40.
18 "i. Subdivision (9) of subsection (a) of Section
19 13A-5-40.
20 "j. Subdivision (10) of subsection (a) of Section
21 13A-5-40.
22 "k. Subdivision (11) of subsection (a) of Section
23 13A-5-40.
24 "l. Subdivision (12) of subsection (a) of Section
25 13A-5-40.

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1 "m. Subdivision (13) of subsection (a) of Section
2 13A-5-40.

3 "n. Subdivision (14) of subsection (a) of Section
4 13A-5-40.

5 "o. Subdivision (15) of subsection (a) of Section
6 13A-5-40.

7 "p. Subdivision (16) of subsection (a) of Section
8 13A-5-40.

9 "q. Subdivision (17) of subsection (a) of Section
10 13A-5-40.

11 "r. Subdivision (18) of subsection (a) of Section
12 13A-5-40.

13 "s. Subdivision (19) of subsection (a) of Section
14 13A-5-40.

15 "t. Section 13A-6-2.

16 "(2) Manslaughter as defined in Section 13A-6-3.

17 "(3) Assault as defined in Section 13A-6-20, except
18 for subdivision (5) of subsection (a) of Section 13A-6-20, and
19 Section 13A-6-21.

20 "(4) Kidnapping in the first degree as defined in
21 Section 13A-6-43.

22 "(5) Kidnapping in the second degree as defined in
23 Section 13A-6-44.

24 "(6) Rape as defined in Sections 13A-6-61 and
25 13A-6-62.

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1 "(7) Sodomy as defined in Sections 13A-6-63 and
2 13A-6-64.

3 "(8) Sexual torture as defined in Section
4 13A-6-65.1.

5 "(9) Sexual abuse as defined in Sections 13A-6-66,
6 13A-6-67, and 13A-6-69.1.

7 "(10) Enticing a child to enter a vehicle for
8 immoral purposes as defined in Section 13A-6-69.

9 "(11) Facilitating solicitation of unlawful sexual
10 conduct with a child as defined in Section 13A-6-121.

11 "(12) Electronic solicitation of a child as defined
12 in Section 13A-6-122.

13 "(13) Facilitating the on-line solicitation of a
14 child as defined in Section 13A-6-123.

15 "(14) Traveling to meet a child for an unlawful sex
16 act as defined in Section 13A-6-124.

17 "(15) Facilitating the travel of a child for an
18 unlawful sex act as defined in Section 13A-6-125.

19 "(16) Human trafficking as defined in Sections
20 13A-6-152 and 13A-6-153.

21 "(17) Terrorism as defined in Section 13A-10-152.

22 "(18) Soliciting or providing support for an act of
23 terrorism as defined in Section 13A-10-153.

24 "(19) Hindering prosecution of terrorism as defined
25 in Section 13A-10-154.

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1 "(20) Endangering the water supply as defined in
2 Section 13A-10-171.

3 "(21) Possession, manufacture, transport, or
4 distribution of a destructive device or bacteriological or
5 biological weapon as defined in Section 13A-10-193.

6 "(22) Selling, furnishing, giving away, delivering,
7 or distribution of a destructive device, a bacteriological
8 weapon, or biological weapon to a person who is less than 21
9 years of age as defined in Section 13A-10-194.

10 "(23) Possession, manufacture, transport, or
11 distribution of a detonator, explosive, poison, or hoax device
12 as defined in Section 13A-10-195.

13 "(24) Possession or distribution of a hoax device
14 represented as a destructive device or weapon as defined in
15 subsection (c) of Section 13A-10-196.

16 "(25) Attempt to commit an explosives or destructive
17 device or bacteriological or biological weapons crime as
18 defined in Section 13A-10-197.

19 "(26) Conspiracy to commit an explosives or
20 destructive device or bacteriological or biological weapons
21 crime as defined in Section 13A-10-198.

22 "(27) Hindrance or obstruction during detection,
23 disarming, or destruction of a destructive device or weapon as
24 defined in Section 13A-10-199.

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1 "(28) Possession or distribution of a destructive
2 device or weapon intended to cause injury or destruction as
3 defined in Section 13A-10-200.

4 "(29) Treason as defined in Section 13A-11-2.

5 "(30) Dissemination or public display of obscene
6 matter containing visual depiction of persons under 17 years
7 of age involved in obscene acts as defined in Section
8 13A-12-191.

9 "(31) Possession and possession with intent to
10 disseminate obscene matter containing visual depiction of
11 persons under 17 years of age involved in obscene acts as
12 defined in Section 13A-12-192.

13 "(32) Parents or guardians permitting children to
14 engage in production of obscene matter as defined in Section
15 13A-12-196.

16 "(33) Production of obscene matter containing visual
17 depiction of persons under 17 years of age involved in obscene
18 acts as defined in Section 13A-12-197.

19 "(34) Distribution, possession with intent to
20 distribute, production of obscene material, or offer or
21 agreement to distribute or produce, as defined in Section
22 13A-12-200.2.

23 "(35) Trafficking in cannabis, cocaine, or other
24 illegal drugs or trafficking in amphetamine and
25 methamphetamine as defined in Section 13A-12-231.

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1 "(36) Bigamy as defined in Section 13A-13-1.

2 "(37) Incest as defined in Section 13A-13-3.

3 "(38) Torture or other willful maltreatment of a
4 child under the age of 18 as defined in Section 26-15-3.

5 "(39) Aggravated child abuse as defined in Section
6 26-15-3.1.

7 "(40) Prohibited acts in the offer, sale, or
8 purchase of securities as defined in Section 8-6-17.

9 "(41) Burglary as defined in Sections 13A-7-5 and
10 13A-7-6.

11 "(42) Aggravated theft by deception as defined in
12 Section 13A-8-2.1.

13 "~~(42)~~ (43) Theft of property as defined in Sections
14 13A-8-3 and 13A-8-4.

15 "~~(43)~~ (44) Theft of lost property as defined in
16 Sections 13A-8-7 and 13A-8-8.

17 "~~(44)~~ (45) Theft of trademarks or trade secrets as
18 defined in Section 13A-8-10.4.

19 "~~(45)~~ (46) Robbery as defined in Sections 13A-8-41,
20 13A-8-42, and 13A-8-43.

21 "~~(46)~~ (47) Forgery as defined in Sections 13A-9-2
22 and 13A-9-3.

23 "~~(47)~~ (48) Any crime as defined by the laws of the
24 United States or by the laws of another state, territory,
25 country, or other jurisdiction, which, if committed in this

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1 state, would constitute one of the offenses listed in this
2 subsection.

3 "(d) Nothing in this section shall be interpreted as
4 determining moral turpitude for any purpose other than
5 disqualifying a person from exercising his or her right to
6 vote.

7 "(e) The felonies involving moral turpitude listed
8 in subsection (c) are the only felonies for which a person,
9 upon conviction, may be disqualified from voting. Additional
10 felonies may be added to the list in subsection (c) only by
11 amendment to this section."

12 Section 3. Although this bill would have as its
13 purpose or effect the requirement of a new or increased
14 expenditure of local funds, the bill is excluded from further
15 requirements and application under Amendment 621, now
16 appearing as Section 111.05 of the Official ReCompilation of
17 the Constitution of Alabama of 1901, as amended, because the
18 bill defines a new crime or amends the definition of an
19 existing crime.

20 Section 4. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.

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Mac McLellan

Speaker of the House of Representatives

[Signature]

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 25-APR-19, as amended.

Jeff Woodard
Clerk

Senate

28-MAY-19

Passed

APPROVED

6-10-19

TIME

2:08

Kay Ivey
GOVERNOR

Alabama Secretary Of State

Act Num.....: 2019-513
Bill Num....: H-57

Recv'd 06/10/19 04:18pmSLF

July

HOUSE ACTION

I HEREBY CERTIFY THAT THE
RESOLUTION AS REQUIRED IN
SECTION C OF ACT NO. 81-889
WAS ADOPTED AND IS ATTACHED
TO THE BILL, H.B. 57

YEAS 96 NAYS 0

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE
NOTICE & PROOF IS ATTACHED
TO THE BILL, H.B. _____
AS REQUIRED IN THE GENERAL
ACTS OF ALABAMA, 1975 ACT NO.
919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees _____

SENATE ACTION

DATE: _____

20__

RD 1 RFD

This Bill was referred to the Standing
Committee of the Senate on _____

and was acted upon by such Committee in
session and is by order of the Committee
returned therefrom with a favorable report
w/amend(s) _____ w/sub _____ by a vote of

yeas 60 nays 0 abstain 0

this _____ day of May 2019

Chairperson

DATE: _____

20__

RF

RD 2 CAL

DATE: _____

20__

RE-REFERRED

RE-COMMITTED

Committee _____

I hereby certify that the Resolution as
required in Section C of Act No. 81-889
was adopted and is attached to the Bill,
HB 57

YEAS _____

NAYS 0

PATRICK HARRIS,

Secretary



QUOTATION

TO:

PAR Board of Pardons & Parole
 Division Director-Bd Operation
 P.O. Box 302405
 Montgomery, AL 36130-2405
 (334)242-8777 Fax: (334)353-7272

ATTN: Akisha B. Jones

SHIP TO:

PAR Board of Pardons & Parole
 Division Director-Bd Operation
 301 S Ripley Bldg D
 Montgomery, AL 36104-
 USA
 (334)242-8777 Fax: (334)353-7272

ATTN: Akisha B. Jones

Quote No.	Date	Cust No	S/M	Your Referenced Inquiry	Delivery Promise	F.O.B.	Expiration
0007834	7/31/2017	000174	SD	YOUR RFQ	ARO	OUR DOCK	90
Item	Quantity	UM	Part	Description	Price \$	Extension \$	
001	300	EA	COV0209I-4C	17x22 Finish, 4-Color, 1-sided Stock: 110# White Index Moral Turpitude/ReadyVote17x22 Due Date: 08/31/17 <			

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ACTION NC, DEMOCRACY NORTH
CAROLINA, NORTH CAROLINA A.
PHILIP RANDOLPH INSTITUTE, SHERRY
DENISE HOLVERSON, ISABEL NAJERA,
and ALEXANDRIA MARIE LANE,

Plaintiffs,

v.

KIM WESTBROOK STRACH,
in her official capacity as Executive Director
of the North Carolina State Board of
Elections, RICK BRAJER,
in his official capacity as Secretary of the
North Carolina Department of Health and
Human Services, KELLY THOMAS,
in his official capacity as Commissioner of
the North Carolina Division of Motor
Vehicles, and NICK TENNYSON,
in his official capacity as Secretary of the
North Carolina Department of Transportation,

Defendants.

Civil Action No.
1:15-cv-1063-LCB-JEP

STATEMENT OF INTEREST OF THE UNITED STATES

The United States respectfully submits this Statement of Interest pursuant to 28 U.S.C. § 517, which authorizes the Attorney General to attend to the interests of the United States in any pending lawsuit. This matter implicates the interpretation and application of the National Voter Registration Act (NVRA), 52 U.S.C. § 20501, *et seq.*, a statute over which Congress accorded the Attorney General broad enforcement authority. *See* 52 U.S.C. § 20510(a). The United States has a substantial interest in ensuring that the NVRA is properly interpreted and uniformly enforced around the country.

Defendant Kim Strach's motion to dismiss misstates the law under Sections 5 and 7 of the NVRA in several important respects. The United States files this Statement for the limited purpose of articulating proper NVRA standards. It takes no position on any other issue before this Court.

I. BACKGROUND

On December 15, 2015, Plaintiffs sued the Executive Director of the North Carolina State Board of Elections and the heads of the North Carolina Department of Transportation (DOT), Division of Motor Vehicles (DMV), and Department of Health and Human Services (DHHS), alleging various violations of Sections 5 and 7 of the NVRA. *See generally* Complaint (ECF No. 1). Relevant to this Statement of Interest, Plaintiffs allege that (1) DHHS, a mandatory voter registration agency under Section 7 of the NVRA, *id.* ¶¶ 6, 42, violates Section 7 by failing to provide required voter registration services to public assistance clients and applicants who conduct covered transactions remotely (*i.e.*, through the internet, telephone, or mail), *id.* ¶ 65; (2) DHHS also violates Section 7 by failing to ensure that private organizations with which it contracts to help implement its programs provide required voter registration services to individuals who conduct covered transactions with those contractors, *id.* ¶ 64; and (3) DOT and DMV violate Section 5 by failing to provide required voter registration services to individuals renewing or submitting a change of address for a North Carolina driver's license through the DMV's online portal, *id.* ¶¶ 85-89.

On March 17, 2016, Defendant Kim Strach moved to dismiss. (ECF No. 28.) Among other things, Defendant Strach contends that North Carolina public assistance

agencies and the North Carolina DMV may restrict NVRA-mandated voter registration opportunities solely to clients who appear in person and that those agencies may lawfully withhold voter registration services from individuals who apply for a driver's license or public assistance by phone, internet, or mail ("remote transactions"). See Mem. in Support of Mot. to Dismiss on Behalf of Def. Strach 17-19 (ECF No. 29) ("Strach Mem."). Second, Defendant Strach maintains that private organizations with which the State has contracted to provide public assistance services on its behalf need not offer voter registration services. *Id.* at 19-20.

II. STATUTORY FRAMEWORK

Congress passed the NVRA "to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office." 52 U.S.C. § 20501(b)(1). Congress found that the right to vote is fundamental; that federal, state, and local governments have a duty to promote the exercise of that right; and that discriminatory and unfair registration laws and procedures can negatively affect voter participation in federal elections and disproportionately harm voter participation by groups including the poor and persons with disabilities. See *id.* § 20501(a); *Harkless v. Brunner*, 545 F.3d 445, 449 (6th Cir. 2008).

The NVRA requires states to provide at least three ways for citizens to register to vote for federal elections: (1) as part of the application, renewal, or change of address for a driver's license or similar identification; (2) by mail; and (3) through state-designated voter registration agencies. See 52 U.S.C. §§ 20504–20506; *Young v. Fordice*, 520 U.S. 273, 275 (1997). Section 4(a), captioned, "In general," sets out these three modes by

which voter registration opportunities are guaranteed by the NVRA. 52 U.S.C. § 20503(a). As its title suggests, Section 4(a) does no more than identify a state’s general obligation to “establish procedures” for voter registration in each of these circumstances. *Id.*¹ The NVRA’s next three provisions set forth detailed requirements regarding voter registration through each of these three methods: voter registration in connection with certain state motor vehicle transactions, often referred to as “motor voter” (Section 5), voter registration by mail-in application (Section 6), and voter registration in connection with transactions for public assistance, disability services, and services provided by other designated agencies (Section 7). *Id.* §§ 20504–20506. This case involves motor voter registration under Section 5, *id.* § 20504, and agency-based registration under Section 7, *id.* § 20506.

A. Section 5

Section 5 requires states to provide citizens an opportunity to register to vote (or update their voter registration) while they apply for or renew their driver’s license or other identification issued by a state motor vehicle agency.² If an applicant is already registered to vote, a driver’s license application or renewal must include the opportunity

¹ While certain states are exempt from the NVRA’s requirements, *see* 52 U.S.C. § 20503(b), North Carolina is not one of them.

² Section 5 provides that “[e]ach State motor vehicle driver’s license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office unless the applicant fails to sign the voter registration application.” 52 U.S.C. § 20504(a)(1); *see also id.* § 20502(3) (defining “motor vehicle driver’s license” to include “any personal identification document issued by a State motor vehicle authority”); *id.* § 20504(c) (providing that a voter registration application shall be integrated with the driver’s license application).

to update the registrant's existing voter registration. *Id.* § 20504(a)(2). In addition, a change of address form submitted for driver's license purposes must also serve as notification of a change of address for voter registration, absent a written declination by the registrant. *Id.* § 20504(d).

Section 5 requires that each state's motor vehicle authority transmit the completed voter registration portions of an application for a driver's license to the appropriate election official within certain timeframes. *Id.* § 20504(e).

B. Section 7

Under Section 7 of the NVRA, states must designate as voter registration agencies (VRAs) all offices in the state that provide (1) public assistance, or (2) state-funded programs primarily serving persons with disabilities. 52 U.S.C. § 20506(a)(2)(A)-(B). Congress designed the agency-based registration provisions "specifically to increase the registration of 'the poor and persons with disabilities who do not have driver's licenses and will not come into contact with [motor vehicle agencies].'" *Harkless*, 545 F.3d at 449 (quoting H.R. REP. NO. 103-66, at 19 (1993) (Conf. Rep.), as reprinted in 1993 U.S.C.C.A.N. 140, 144); see also *Nat'l Coal. for Students with Disabilities Educ. and Legal Def. Fund v. Gilmore*, 152 F.3d 283, 292 (4th Cir. 1998).

In establishing these mandatory designations, "Congress rejected a system that would 'permit States to restrict their agency program and defeat a principal purpose of this Act – to increase the number of eligible citizens who register to vote.'" *United States v. New York*, 700 F. Supp. 2d 186, 201 (N.D.N.Y. 2010) (quoting H.R. REP. NO. 103-66, at 19). Congress thus required states to designate public assistance agencies and covered

disabilities services offices as agencies providing voter registration services, without exception, explaining that “[t]he only way to assure that no State can create an agency registration program that discriminates against a distinct portion of its population is to require that the agencies designated in each State include an agency that has regular contact with those who do not have driver’s licenses.” H.R. REP. NO. 103-66, at 19.

Beyond designating “mandatory” VRAs under Section 7(a)(2), each state must also designate additional offices as VRAs under Section 7(a)(3), but may decide which federal, state, local, or non-governmental offices to select. *See* 52 U.S.C. § 20506(a)(3)(A)-(B); *Gilmore*, 152 F.3d at 285-86 (describing the NVRA’s mandatory and discretionary designation requirements).

Section 7 also prescribes what designated VRAs must do. Section 7(a)(4) requires all designated VRAs to distribute voter registration application forms, offer assistance in completing such forms, and accept and timely transmit completed registration forms to appropriate state election officials. 52 U.S.C. § 20506(a)(4)(A); *see also New York*, 700 F. Supp. 2d at 201 (stating that “[o]ffices designated as mandatory or discretionary VRAs must . . . furnish voter registration application forms to applicants, offer applicants assistance with the completion of those forms, and accept completed forms for transmittal”); *Gilmore*, 152 F.3d at 286 (same).

Section 7(a)(6) imposes additional and more particularized obligations on a certain subset of designated VRAs. *See* 52 U.S.C. § 20506(a)(6). Under this provision, those VRAs “that provide[] service or assistance in addition to conducting voter registration” must also “distribute with each application for such service or assistance, and with each

recertification, renewal, or change of address . . . the mail voter registration application form” unless “the applicant, in writing, declines to register to vote.” *Id.* §

20506(a)(6)(A). Section 7(a)(6) also requires these VRAs to provide their clients and applicants with a voter preference form that, among other things, provides the opportunity to record in writing a client’s desire to register to vote or decline the opportunity to register. *Id.* § 20506(a)(6)(B). For a client who wishes to register to vote, Section 7(a)(6) requires VRAs to provide not only general assistance, but “the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms, unless the applicant refuses such assistance.” *Id.* § 20506(a)(6)(C).

III. ARGUMENT

“A Rule 12(b)(6) motion to dismiss ‘challenges the legal sufficiency of a complaint considered with the assumption that the facts alleged are true.’” *Luna-Reyes v. RFI Constr., LLC*, 109 F. Supp. 3d 744, 748 (M.D.N.C. 2015) (quoting *Francis v. Giacomelli*, 588 F.3d 186, 192 (4th Cir. 2009)). Because Defendant Strach’s construction of the NVRA conflicts with the statute’s plain language and existing case law, it should be rejected.

A. A Complaint Alleging that the State Fails to Offer Voter Registration during Remote Transactions at DMVs and Public Assistance Agencies States a Claim for Relief under the NVRA

1. Section 5 of the NVRA Requires States to Offer Voter Registration Opportunities When DMV Clients Conduct Remote Transactions

Defendant Strach argues that North Carolina need not provide voter registration opportunities to DMV clients who conduct NVRA-covered transactions remotely, as opposed to in person. *See* Strach Mem. 17-19.³ This is incorrect. Section 5’s plain language is broad in scope and applies to both remote and in-person transactions.

“The starting point for any issue of statutory interpretation . . . is the language of the statute itself.” *United States v. Bly*, 510 F.3d 453, 460 (4th Cir. 2007). Thus, under well-settled rules of statutory construction, the “most reliable indicator” of Congress’s intent is “the plain language of the statute.” *Soliman v. Gonzales*, 419 F.3d 276, 281-82 (4th Cir. 2005). Here, Sections 5(a) and (d) of the NVRA require North Carolina DMVs to provide voter registration opportunities as part of “each” application for or renewal of a driver’s license or non-driver identification card and “any” change of address form submitted for driver’s license or non-driver identification card purposes. 52 U.S.C. §§ 20504(a)(1), (d). No language restricts this expansive mandate to in-person transactions only.

³ Although Defendants Brayer, Thomas, and Tennyson did not move to dismiss Plaintiffs’ complaint on this basis, *see generally* Jt. Mem. in Support of Mot. to Dismiss (ECF No. 32), they have raised this argument in opposition to Plaintiffs’ motion for preliminary injunction. *See* Jt. Mem. In Opp’n to Pls.’ Mot. for Preliminary Injunction 27-28 (ECF No. 69). The discussion that follows would apply equally to them.

Congress’s use of “each” and “any” should be “given their common and ordinary meaning.” *Gilmore*, 152 F.3d at 288. “Each,” as used in the statute, is all-encompassing. It ordinarily means “[b]eing one of two or more considered individually; every.” *American Heritage College Dictionary* 430 (3rd ed. 1997); *see also* *Sierra Club v. EPA*, 536 F.3d 673, 678 (D.C. Cir. 2008). Similarly, “any” means what it naturally says, “[o]ne, some, every, or all without specification.” *American Heritage College Dictionary* 61; *U.S. v. Gonzalez*, 520 U.S. 1, 5 (1997).

Congress’s use of “any” and “each” to modify “application” conveys a deliberately vast scope covering every application and form—including those submitted remotely. *See Gilmore*, 152 F.3d at 290 (explaining, in a similar context, that “all” as a modifier “suggests an expansive meaning” because it is a word of “great breadth”); *Georgia State Conf. of the NAACP v. Kemp*, 841 F. Supp. 2d 1320, 1329 (N.D. Ga. 2012) (holding that Congress’s use of the word “each” in Section 7(a)(6) of the NVRA communicated an “unambiguous” mandate to provide voter registration services to all applicants for public assistance “without limitation,” including those who did not appear in person). When, as here, Congress’s “intent is clear from the plain text, ‘then this first canon is also the last: judicial inquiry is complete.’” *Ojo v. Lynch*, 813 F.3d 533, 539 (4th Cir. 2016) (quoting *Barnhart v. Sigmon Coal Co.*, 534 U.S. 438, 462 (2002)). Accordingly, North Carolina must provide voter registration services to each DMV applicant, not just those who appear in person.

Defendant Strach suggests that a reference to “the office at which the applicant submits a voter registration application,” in Section 5(c)(2)(D)(iii),⁴ creates a remote transaction exception to Section 5’s voter registration mandate. Strach Mem. 18. Not so. Her approach, which takes a single phrase out of context, undercuts common canons of statutory construction and misinterprets the NVRA’s plain language.

Defendant’s reading would upend the NVRA, as statutes “are not read as a collection of isolated phrases.” *S.E.C. v. Pirate Investor LLC*, 580 F.3d 233, 254 (4th Cir. 2009) (quoting *Abuelhawa v. United States*, 556 U.S. 816 (2009)). Instead the phrase “the office” must be read in the context in which it is used. *In re Coleman*, 426 F.3d 719, 725 (4th Cir. 2005); *Lynch*, 813 F.3d at 539. Section 5(c)(2)(D) is a notice provision, specifying information that must be given to an individual applying for or renewing a driver’s license or non-driver identification card. Section 5(c)(2)(D)(iii) notifies applicants for voter registration that aspects of the process will be kept confidential. And as used in Section 5(c)(2)(D)(iii), the reference to “the office at which the applicant submits a voter registration application” merely gives notice that the *identity* of the institution offering the voter registration opportunity will be confidential. That is,

⁴ Section 5(c)(2)(D)(iii) states:

The voter registration application portion of an application for a State motor vehicle driver’s license— . . . shall include, in print that is identical to that used in the attestation portion of the application— . . . a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes

52 U.S.C. § 20504(c)(2)(D)(iii).

in context, the reference offers assurance that the fact that an individual registered *at the DMV* (whatever that institution may be called in a particular state) will be kept confidential; it does not refer to a particular brick-and-mortar building with a specific designated street address at which an individual must personally appear. And this notice provision does not negate the NVRA's guarantee of the right to register to vote concurrently with "any" covered DMV transaction. *See id.* § 20504(c)(2)(D); *accord Gilmore*, 152 F.3d at 292 (concluding that the term "office" as used in Section 7(a)(2)(B) means "a subdivision of a government department or institution"); *Kemp*, 841 F. Supp. 2d at 1330-31 (rejecting the argument that the language "at an office" in Section 7 of the NVRA imposed a "locational or in-person limitation[]").

Other NVRA provisions support this view. *See Lynch*, 813 F.3d at 539 (courts must "read the words in their context and with a view to their place in the overall statutory scheme") (internal citation and quotation marks omitted). For instance, the Section 5 confidentiality notice Defendant cites mirrors the one in Section 9, which addresses the Election Assistance Commission's national mail-in voter registration form. *Compare* 52 U.S.C. § 20504(c)(2)(D) *to id.* § 20508(b)(4) (both requiring the same statement notifying applicants that "the office at which" voter registration applications are submitted "will remain confidential"). "The normal rule of statutory construction assumes that identical words used in different parts of the same act are intended to have the same meaning." *Sorenson v. Sec'y of the Treasury*, 475 U.S. 851, 860 (1986) (citation and internal quotation marks omitted); *see also Wood v. Comm'r*, 955 F.2d 908, 913 (4th Cir. 1992).

Congress created the mail-in voter registration form so that citizens could register to vote by mail without having to appear in person at an office. *See* 52 U.S.C. § 20503(a)(2); *id.* § 20505 (providing for voter registration through mail-in applications). But under Defendant’s proposed construction, the phrase “the office” in the confidentiality notice of Section 9 would limit use of the national *mail-in* voter registration application to an in-person appearance at an office—a nonsensical result that would effectively nullify the NVRA’s mail-in voter registration provisions. This argument should be rejected. *See Griffin v. Oceanic Contractors, Inc.*, 458 U.S. 564, 575 (1982) (statutory interpretations “produc[ing] absurd results are to be avoided if alternative interpretations consistent with the legislative purpose are available”); *Clark v. Absolute Collection Svs., Inc.*, 741 F.3d 487, 491 (4th Cir. 2014) (“[A] court should avoid an interpretation that renders any clause, sentence, or word . . . superfluous, void, or insignificant.”) (alteration in original; citation and internal quotation marks omitted).

Congress crafted the NVRA to provide broad voter registration opportunities. Neither Section 5’s language nor its legislative purpose suggest that Congress intended to restrict its application to in-person transactions only and permit the denial of voter registration opportunities to all other DMV clients. *See* 52 U.S.C. § 20504; *id.* § 20501(b)(1) (“The purpose[] of this Act [is] . . . to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office.”). Section 5 furthers Congress’s goals by requiring North Carolina to provide voter registration opportunities with “each” and “any” covered DMV transaction. Because the

plain language of the statute is unambiguous, consistent, and coherent, the inquiry simply ends there. *United States v. Abuagla*, 336 F.3d 277, 278 (4th Cir. 2003).

2. Section 7 of the NVRA Requires States to Offer Voter Registration Opportunities When Agency Clients Conduct Remote Transactions

Defendant Strach also claims that Section 7 of the NVRA applies solely to in-person transactions at specific, physical offices (such as those providing public assistance or disability services).⁵ Like her argument about Section 5’s scope, Defendant’s reading of Section 7 is inconsistent with the NVRA’s plain text and Congress’s intent. And it has been rejected by the two federal district courts that have addressed the question.

As always, the “starting point for any issue of statutory interpretation . . . is the language of the statute itself.” *Bly*, 510 F.3d at 460. Defendant Strach contends that because *Section 4* of the NVRA requires states to offer voter registration “in person” at offices designated under Section 7, *Section 7* must apply *only* to in-person transactions. Strach Mem. 17-18. She is incorrect. As noted, Section 4 of the NVRA requires states generally to “establish procedures to register to vote . . . by application in person” at all offices designated under Section 7. 52 U.S.C. § 20503(a). Section 7(a)(4), in turn, prescribes the voter registration services that must be made available at all designated VRAs. *See* 52 U.S.C. § 20506(a)(4). But Section 7(a)(6) goes further. It requires a subset of VRAs—those that provide “service or assistance” through an application

⁵ Again, Defendants Brayer, Thomas, and Tennyson did not move to dismiss Plaintiffs’ complaint on this basis but have raised this argument in opposition to Plaintiffs’ motion for preliminary injunction. *See* Jt. Mem. In Opp’n to Pls.’ Mot. for Preliminary Injunction 23-24. The discussion that follows would apply equally to them.

process—to do more than simply provide in-person voter registration opportunities. “[I]n addition to conducting voter registration” generally, those VRAs must also “distribute with *each* application for such service or assistance, and with *each* recertification, renewal, or change of address form relating to such service or assistance . . . (i) the mail voter registration application form.” 52 U.S.C. § 20506(a)(6)(A)(i) (emphasis added). During these covered transactions, VRAs must also distribute the distinct voter registration preference form, *id.* § 20506(a)(6)(B), and offer assistance in completing the voter registration form, *id.* § 20506(a)(6)(C).

No language restricts Section 7(a)(6)’s application to in-person transactions only. To the contrary, just like Section 5, Section 7(a)(6) requires states to offer voter registration with “each” covered transaction. And as noted, “each” is a comprehensive term. *See supra* at 9. Section 7 does not, therefore, permit states to deny voter registration opportunities to citizens conducting covered transactions remotely.⁶

The two federal district courts to address the issue have so held. In *Ferrand v. Schedler*, 2012 WL 1570094 (E.D. La. May 3, 2012), *vacated in part on jurisdictional*

⁶ The Fourth Circuit’s decision in *Gilmore*, 152 F.3d 283, is not to the contrary. *Contra* Def. Strach Reply Mem. In Support of Mot. to Dismiss 10-11 (“Strach Reply”). In *Gilmore*, the Fourth Circuit held that states must designate as mandatory VRAs under Section 7(a)(2)(B) “state-funded offices that provide services to disabled students at public colleges.” *Gilmore*, 152 F.3d at 288. The court did not, as Defendant contends, define “office” as “a physical place.” Strach Reply 11. Rather, the court concluded that the term “office” in Section 7(a)(2)(B) means “a subdivision of a government department or institution,” and “includes an office providing services to disabled students at a public college.” 152 F.3d at 292. Nothing in *Gilmore* excludes from Section 7(a)(6)’s coverage remote transactions that clients conduct with such offices, and applying *Gilmore*’s definition to Section 7(a)(6) does nothing to limit the State’s obligations under that Section to in-person transactions. *See* 52 U.S.C. § 20506(a)(6).

grounds sub nom. Scott v. Schedler, 771 F.3d 831, 837, 841-42 (5th Cir. 2014), defendants argued that Section 7 of the NVRA applies to in-person transactions only. The court disagreed. Analyzing the statute’s text and legislative intent, the court concluded that Section 7(a)(6)’s requirements apply to “each” covered applicant and client transaction, not just in-person transactions conducted at the physical location of the assistance office. *See id.* at *9-*12. In other words, the court held that Section 7(a)(6)(A)’s plain text indicates its “application to both in person transactions and remote transactions, including those via the internet, telephone and mail.” *Id.* at *9.⁷

The court in *Georgia State Conference of N.A.A.C.P. v. Kemp* faced the same issue and reached the same conclusion. Relying on the NVRA’s “unambiguous” text, it held that when a VRA offers applications for public assistance,

it must, *without limitation*, also distribute a voter registration form and a voter preference form. There is no clear textual basis in the operative language of Section 7 paragraph (a)(6) [for a construction] ... which limits the application of the mandatory distribution of forms to only those instances when such application, recertification, renewal, or change of address is made in person.

Kemp, 841 F. Supp. 2d at 1329 (emphasis added) (citation and internal quotation marks omitted). The court explained that “[t]o sustain [defendant’s] position, the court would be forced to ignore the ordinary meaning of the plain language of Section 7 paragraph (a)(6), and the court declines to do so.” *Id.* (citing *Tenn. Valley Auth. v. Hill*, 437 U.S. 153, 173 (1978) (declining to read in an exception to the Endangered Species Act where the “language admits of no exception”)).

⁷ Although the Fifth Circuit vacated the remote transactions decision because the plaintiffs in that case lacked standing to raise the issue, it did not suggest that the district court’s underlying analysis was incorrect.

Defendant Strach nonetheless argues that language in the voter preference form supports her view. *See* Def. Strach’s Mem. in Opp’n to Pls.’ Mot. for Preliminary Injunction 15 (ECF No. 68). This too is incorrect. The preference form is a means to heighten the salience of voter registration, to confirm that the choice to register is offered to someone engaging the office for other service or assistance, and to record the applicant’s decision to apply for voter registration or forego such application. The language in the preference form upon which Strach relies—“If you are not registered to vote where you live now, would you like to apply to register to vote *here today*?”—merely focuses on the applicant’s opportunity to register to vote at the time he or she is in contact with the office. 52 U.S.C. § 20506(a)(6)(B)(i) (emphasis added). It does not unravel the specific requirements imposed by Section 7(a)(6). That is why the *Kemp* court rejected this argument explicitly, concluding that “ambiguous words such as ‘here’ or phrases such as ‘at an office’ in other provisions” should not be read to impose “a limitation that these words and phrases do not demand and that would contradict the plain language of Section 7 paragraph (a)(6).” 841 F. Supp. 2d at 1331.⁸

⁸ The U.S. Department of Justice, which is responsible for enforcing the NVRA, 52 U.S.C. § 20510(a), has provided the following guidance for applying Section 7 in this context: “Many Section 7 designated agencies [and] offices routinely provide services [or] assistance such as application for, or renewal of, services or change-of-address notification through the internet, by telephone, or by mail. States should ensure the availability of voter-registration opportunities to individuals using such remote service [or] assistance opportunities.” The National Voter Registration Act of 1993 (NVRA): Questions and Answers ¶ 24, http://www.justice.gov/crt/about/vot/nvra/nvra_faq.php (last visited May 19, 2016). The Department’s policy statements “reflect a body of experience and informed judgment to which courts and litigants may properly resort for guidance.” *Federal Express Corp. v. Holowecki*, 552 U.S. 389, 399 (2008) (citation and internal quotation marks omitted). They are “entitled to a measure of respect.” *Id.* (citation and internal quotation marks omitted); *see also Martin v. Occupational Safety &*

In short, Section 7's scope is broad and not restricted to in-person transactions only. Defendant Strach's contrary view "ignore[s] the ordinary meaning of the plain language of Section 7." *Id.* at 1329. It is simply incorrect.⁹

B. Plaintiffs Have Sufficiently Alleged that North Carolina has Delegated Administration of Public Assistance Programs to Third-Party Contractors to State a Claim Under Section 7

Defendant Strach also argues that Plaintiffs have failed to state a claim under Section 7 of the NVRA because a state is not liable for NVRA violations committed by third parties with whom the state contracts to perform public assistance services on its behalf.¹⁰ Strach Mem. 20. She is incorrect.

Under Section 7, "[e]ach State shall designate as voter registration agencies . . . all offices in the State that provide public assistance." 52 U.S.C. § 20506(a)(2)(A). This includes all offices providing public assistance at the state's behest. *See Gilmore*, 152 F.3d at 290 ("[T]he use of the word 'all' to modify 'offices' suggests an expansive

Health Review Comm'n, 499 U.S. 144, 157 (1991) (noting "informal interpretations are still entitled to some weight"); *Knox Creek Coal Corp. v. Sec'y of Labor*, 811 F.3d 148, 160 (4th Cir. 2016) (concluding that "deference is still due" to a federal agency's litigating positions).

⁹ Defendant's resort to proposed legislation introduced but never enacted by recent Congresses, *see* Strach Mem. 19, is unavailing. Putting aside that these cited bills do not address remote transactions under Section 5 or 7 of the NVRA, "failed legislative proposals are a particularly dangerous ground on which to rest an interpretation of a prior statute. . . . Congressional inaction lacks persuasive significance because several equally tenable inferences may be drawn from such inaction, including the inference that the existing legislation already incorporated the offered change." *Cent. Bank of Denver v. First Interstate Bank of Denver*, 511 U.S. 164, 187 (1994) (internal citations and quotation marks omitted).

¹⁰ Defendant Brajer, the DHHS Secretary, does not advance any similar argument. However, the following discussion would apply equally to him as to Defendant Strach.

meaning because ‘all’ is a term of great breadth.”). When, as alleged here, the State has contracted with local community-based organizations to undertake certain functions related to the administration of a public assistance program on the State’s behalf, those organizations must be treated as mandatory VRA offices as well. This contractual relationship provides “a sufficiently close nexus between the State and the challenged action of the regulated entity so that the action of the latter may be fairly treated as that of the State itself.” *Disabled in Action of Metro. N.Y. v. Hammons*, 202 F.3d 110, 122 (2d Cir. 2000) (citation and internal quotation marks omitted).¹¹

Moreover, courts have routinely held that state agencies cannot avoid liability under the NVRA by delegating NVRA compliance responsibilities to other entities, as Defendant seeks to do here. For example, a federal district court in New York analyzed the impact of the state’s delegation of public assistance and disability services to local officials on its NVRA responsibilities. The court concluded that “[i]t would be plainly unreasonable to permit a mandatorily designated State agency to shed its NVRA responsibilities because it has chosen to delegate the rendering of its services to local municipal agencies.” *United States v. New York*, 255 F. Supp. 2d 73, 79 (E.D.N.Y. 2003). And a different court in a different action similarly held New York responsible for ensuring that NVRA-mandated voter registration services were provided by disability services offices of community colleges to which the state had delegated “the provision of

¹¹ While the court in *Hammons* concluded that certain medical offices that assisted individuals with completion of Medicaid applications were not mandatory VRAs, the offices at issue provided such assistance voluntarily and “in order to obtain Medicaid reimbursement and not pursuant to statute or by virtue of a contractual relationship with the City or State.” *Hammons*, 202 F.3d at 116, 123.

higher education services.” *United States v. New York*, 700 F. Supp. 2d at 205; *see also Scott v. Schedler*, 771 F.3d 831, 838-39 (5th Cir. 2014) (concluding that the NVRA “centralizes responsibility in the state”); *Harkless*, 545 F.3d at 451-53 (holding Ohio’s chief election official responsible for Section 7’s implementation and enforcement despite the state’s attempt to delegate responsibility to local government agencies).¹²

The principle is reflected in federal regulation as well. Several federally funded public assistance programs are at the core of those programs administered by states and captured in Section 7 of the NVRA. Federal regulations governing several of these federal public assistance programs note the obligation of the administering state agencies to provide NVRA voter registration services. *See, e.g.*, 45 C.F.R. 205.50(a)(4)(iv) (Social Security); 42 C.F.R. 431.307(d) (Medicaid). These regulations likewise require that the state agencies administering those programs not delegate away to other entities their authority over, or obligations under, those programs. *See* 45 C.F.R. 205.100 (Social Security); 42 C.F.R. 431.10 (Medicaid); *see also Robertson v. Jackson*, 972 F. 2d 529, 533 (4th Cir. 1992) (“Although the state is permitted to delegate administrative responsibility for the issuance of food stamps, ‘ultimate responsibility’ for compliance with federal requirements nevertheless remains at the state level.” (quoting *Woods v. United States*, 724 F.2d 1444, 1447-48 (9th Cir. 1984))).

¹² The U.S. Department of Justice’s guidance regarding Section 7 quoted above, *supra* note 8, also states as follows: “When a state contracts with a private entity to administer services in an agency that is required to offer voter registration, the ultimate responsibility for ensuring provision of voter registration services remains with the state, and the voter registration requirements under the NVRA remain the same.” The National Voter Registration Act of 1993 (NVRA): Questions and Answers ¶ 24, http://www.justice.gov/crt/about/vot/nvra/nvra_faq.php (last visited May 19, 2016).

The NVRA is also similar in this non-delegation principle to other federal statutes and constitutional provisions that impose obligations on states, such as the Rehabilitation Act, Americans with Disabilities Act, and Equal Protection Clause of the Fourteenth Amendment. *See Castle v. Eurofresh, Inc.*, 731 F.3d 901, 910 (9th Cir. 2013) (a state is “obligated to ensure that [the private defendant]—like all other State contractors—complies with federal laws prohibiting discrimination on the basis of disability”); *Henrietta D. v. Bloomberg*, 331 F.3d 261, 286 (2d Cir. 2003) (a state is “liable to guarantee that those it delegates to carry out its programs satisfy the terms of its promised performance, including compliance with the Rehabilitation Act”); *id.* at 286-87 (citing cases involving other federal statutes); *see also Stanley v. Darlington Cnty. Sch. Dist.*, 84 F.3d 707, 713 (4th Cir. 1996) (“Because the Fourteenth Amendment imposes direct responsibility on a state to ensure equal protection of the laws ‘to any person within its jurisdiction,’ a state’s delegation to a political subdivision of the power necessary to remedy the constitutional violation does not absolve the state of its responsibility to ensure that the violation is remedied.”).

Accordingly, North Carolina cannot avoid Section 7 liability by contracting away the provision of public assistance services. Defendant Strach’s arguments to the contrary should be rejected.

IV. CONCLUSION

For all the foregoing reasons, the Court should apply the proper legal standards under Sections 5 and 7 of the NVRA to resolve Defendant Strach’s motion to dismiss.

Dated: May 20, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE OF DISCOVERY

I hereby certify that on May 20, 2016, I electronically filed the foregoing Statement of Interest of the United States, using the CM/ECF system, which will send notification of such filing to all counsel of record.

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