

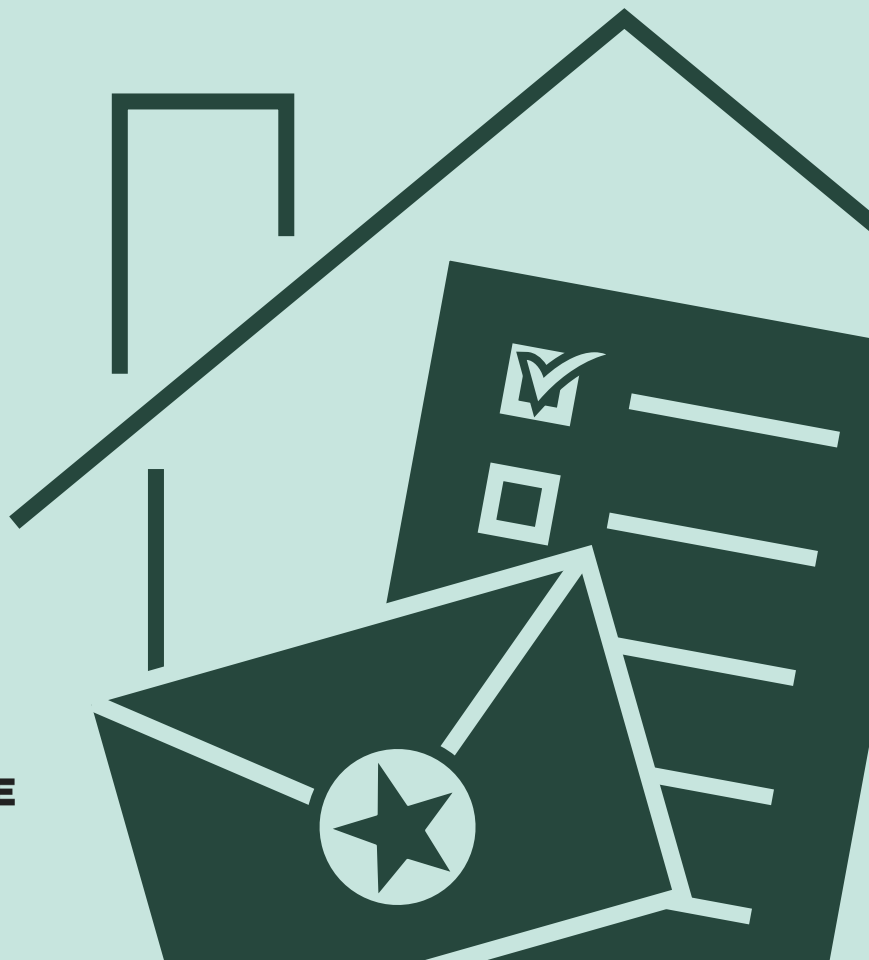


July, 2020

Vote By Mail for Secure Elections in 2020 — and Beyond

A Step-by-Step Guide for New Mexico

In-depth materials and guidelines for local election administrators, secretaries of states, legislators, and advocates to help New Mexico handle more mailed-out ballots.

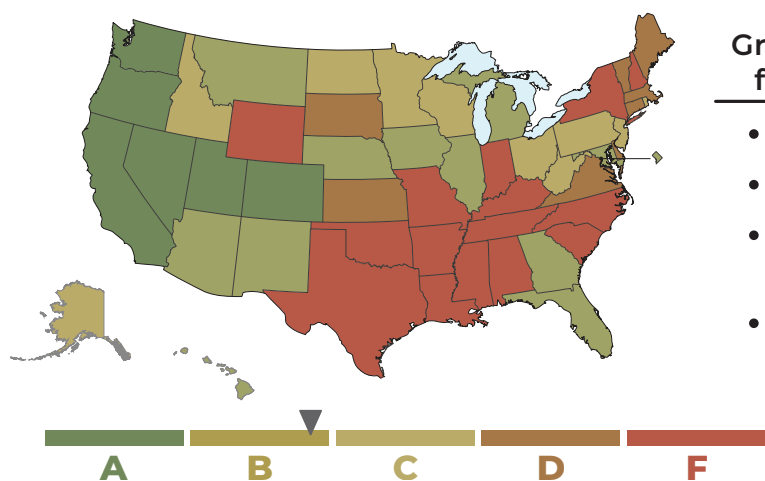


Voting in New Mexico

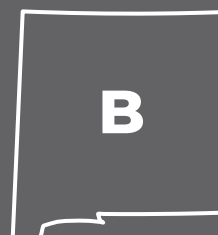


New Mexico has nearly 1.3 million registered voters in its 33 counties, ranging from 726 in Harding County to 420,000 in Bernalillo County. In the 2018 election, while many New Mexicans voted early, only 9 percent of voted absentee. This ranged from 2 percent in McKinley County to 24 percent in Harding County. Of that election's 3,589 poll workers, 52 percent were age 60 or older—an age group at a higher risk for severe illness from COVID-19.

In advance of the June 2 primary, Secretary of State Maggie Toulouse Oliver sent all eligible voters absentee ballot request forms and launched an online absentee ballot request portal. More than 40 percent of eligible voters cast their votes—a record turnout for a presidential primary since at least 2008, and nearly two-thirds of voters did so by mail—almost 10 times as many as in the 2016 primary.



New Mexico's grade for Vote By Mail preparedness



Ways in which New Mexico is already prepared



- Allows early in-person voting starting three weeks before Election Day.
- Provides a prepaid postage return envelope for mailed ballots.
- Allows any voter to request an absentee ballot.
- Is a member of the Electronic Registration Information Center (ERIC).
- Uses voters' signatures to verify ballots.
- Allows county clerks to start processing ballots at least five days before Election Day.
- New Mexico requires ballot tracking.
- Voters can register to vote and request an absentee ballot online

Who We Are

Sightline is a nonpartisan nonprofit think tank with a 25-year history. We are based in the Pacific Northwest, where many states already conduct all-mail elections. We are grateful for feedback and research from many policy experts, elections officials, and leaders committed to safe, secure democracy, particularly the National Conference of State Legislators and the [National Vote at Home Institute](#).

The Moment

American election officials face an urgent challenge to secure the 2020 elections. As poll workers and voters grapple with the coronavirus pandemic, many jurisdictions are already unable to find enough workers to run their usual polling places, and many Americans are seeking to cast their ballot from home, rather than risk contagion in a crowded polling place in November.

About This Resource

We hope that New Mexico election officials, advocates, and legislators will find this resource useful as they work to handle more Vote By Mail ballots in 2020 and beyond.

Local election officials and **secretaries of state** will find in-depth information including practical nuts-and-bolts advice, materials and guidelines from election administrators with experience in conducting all-mail elections, and information about vendors and costs.

Legislators will find tried-and-tested policies, along with sample language from states that have successfully implemented those policies. Even if New Mexico lawmakers don't act in time for November 2020, the experience of hastily trying to secure elections this year may create a greater political appetite for reforms to strengthen democracy in New Mexico beyond 2020.

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For Local Election Officials

1. Coordinate with USPS.

To ensure that the United States Postal Service (USPS) is able to process ballots in a timely manner, election administrators can [contact the local USPS](#) election mail coordinator to discuss the design, timing and volume of election materials. The USPS can review all materials to ensure the design, wording, and colors meet their guidelines, and sign off on the printer's proofs. Election administrators can also discuss the date, time, and location for delivery of ballots to the Post Office, to ensure the Post Office is prepared. For example, King County, Washington, election administrators send a letter alerting USPS to the number, type, and timing of ballots they expect to deliver each election.

USPS may also be able to help election administrators access the National Change of Address Linkage (NCOA) to update voters' addresses. New Mexico is already a member of the Electronic Registration Information Center (ERIC) which uses NCOA data to help New Mexico keep voter lists up-to-date. However, voters may have moved since the last state update and local officials can access the latest address information for their voters. Having the most up-to-date addresses will ensure each ballot reaches the right voter, reducing the costs of re-mailing ballots.

Resources:

- Look up your [local point of contact at the USPS](#).¹
- [USPS Election Mail Kit](#).²
- Follow [USPS Election Mail guidelines](#).³
- Election officials can report problems to USPS through [electionmail.org](#).⁴
- A 2020 [webinar](#) on [best practices for tracking and reporting](#), and the [slides](#).⁵
- CISA Guidance on [Managing an Increase in Outbound Ballots](#)⁶
- [Vote at Home Policy and Research Guide](#), pg 19.⁷

¹ <https://about.usps.com/gov-services/election-mail/political-mail-map.htm>

² <https://about.usps.com/kits/kit600.pdf>

³ <https://about.usps.com/gov-services/election-mail/>

⁴ <https://electionmail.org/>

⁵ <https://www.techandciviclife.org/vote-at-home/>

⁶ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=56>

⁷ <https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf#page=19>

Example Guidance Language:

- [Oregon Procedures Manual 2020](#).⁸
- [Alaska Vote by Mail Project](#).⁹
- [Ohio Election Official Manual](#), pgs 5-22.¹⁰

2. Design ballots and envelopes that are easy to use.

Well-designed envelopes, ballots, forms, and instructions help voters fill out their ballots and return them without mistakes, decreasing processing time and minimizing the chance that ballots will be flagged, thrown out, or not counted. In contrast, poorly designed instructions or ballots can cause voters to fill out their ballot incorrectly or incompletely so that their vote is not counted.¹¹

Ensure election materials are easy so that voters who may be voting by mail for the first time don't make mistakes. For example, first-time absentee voters may not know they need to sign the outside of their envelope, so putting their name under the signature line and simple clear instructions can help prompt them and reduce the number of ballots that you need to spend extra time processing. Also, pre-filling the absentee application form can help voters complete it correctly (See Recommendation 9).

Color-coded envelopes can help the USPS sort the mail quickly and accurately, and including space for voters' contact information can help election officials reach voters promptly in the event of a missing or mismatched signature. Experienced election officials and design experts have developed guidelines and templates for election materials, as described in the resources below.

Another important way to assist voters is to design and distribute voter education booklets to help guide voters through the process. For example, Anchorage, Alaska moved to All Vote By Mail in 2018. In addition to a robust [community education campaign](#), the city extended hours for a call center in the month leading up to the election. Here's an example of their [voter information flyer](#). Make all the above voter materials and web

⁸ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=26

⁹ https://www.muni.org/departments/assembly/clerk/elections/documents/vote%20by%20mail%20project%20final%20report%20mas%201026%20annual%20report_030819.pdf#page=5

¹⁰ https://www.ohiosos.gov/globalassets/elections/directives/2019/dir2019-11_eom.pdf#page=197

¹¹ https://www.washingtonpost.com/video/opinions/dont-let-mail-in-voting-be-thwarted-by-badly-designed-ballots/2020/05/18/1cce7c56-5312-44a8-afa9-fb813970f854_video.html

portal available in multiple languages to reach all voters. In total, the Brennan Center for Justice estimates the cost for voter education materials at between [50 cents to 88 cents per person](#).

Resources:

- The Center for Civic Design¹² has a series [design guidelines for election officials](#), based on solid research and best practices. These include resources on designing envelopes and forms, such as: vote at home [envelopes and information](#), a field guide to [designing vote at home envelopes and ballots](#), Vote By Mail [envelope design](#), [writing ballot instructions voters can understand](#), [creating forms that help voters take action](#).¹³ They also have guidelines about educational materials, such as: How to [design voter education booklets and flyers](#), [creating accessible online information](#), and [Providing materials in multiple languages](#).¹⁴
- A 2020 [webinar](#) on [best practices for envelope design](#), and the [slides](#).¹⁵
- USPS guidance on [designing election mail](#).¹⁶
- A 2020 webinar on [preparing helpful supplementary materials](#); and the [slides](#) from Anchorage, Alaska which moved to all Vote By Mail in 2018.¹⁷
- Cybersecurity and Infrastructure Security Agency [Voter Education Guidance](#).¹⁸

Example Legislative Language:

Revised Codes Washington [29A.40.091](#). Envelopes, declaration, and instructions—Voter's oath—Overseas and service voters—Return of ballots—County auditor's name.¹⁹

Ballots and envelopes must have the date of election printed on them. Return envelopes must have space for a telephone number, which is used if the signature is mismatched.

¹² Jurisdictions in Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin have worked with the Center for Civic Design and 1 in 4 voters have used their designs.

¹³ <https://civicdesign.org/fieldguides/>

¹⁴ <https://civicdesign.org/fieldguides/>

¹⁵ <https://www.techandciviclife.org/vote-at-home/>

¹⁶ <https://about.usps.com/election-mail/design-election-mail.htm>

¹⁷ <https://vimeo.com/393307242> and <https://www.techandciviclife.org/wp-content/uploads/2020/01/PDF-VAH-Webinar-2-Preparing-helpful-supplementary-materials.pdf>

¹⁸ https://www.cisa.gov/sites/default/files/publications/election_education_outreach_absentee_508.pdf

¹⁹ <http://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1520-S.SL.pdf>

Revised Codes Washington [29A.36](#). Ballots and other voting forms.²⁰

Detailed guidance on formatting, contracts with vendors, sample ballots, and instructions.

Example Guidance Language:

- Washington State [Ballot Format Checklist](#) 2019.²¹
- Washington Administrative Code [434-230](#) Ballots.²²
- Washington Administrative Code [434-230-010](#) Sample Ballots.²³
- Colorado [Elections Policy Manual](#), pg 26.²⁴
- Oregon [VBM Manual](#), pg 23.²⁵

3. Implement robust signature verification.

New Mexico election officials already have experience verifying signatures to protect against fraud while also avoiding mistaken voter disenfranchisement.²⁶ As your county handles more ballots by mail due to COVID-19, here are steps you may take to implement efficient and effective signature verification.

First, digitize the voter signatures you have on file. The more signatures you can digitize, the more accurate the verification can be.²⁷ You can use signatures from each voter's registration, their absentee ballot request form, prior mailed ballots, and also their signatures from the DMV or other state agencies.

Second, train enough workers to inspect signatures. You can model your training program on procedures developed in Washington, Oregon, and Colorado (See Resources). Forensic scientists, possibly from yours or a neighboring state's patrol, can help train your workers.

²⁰ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.36>

²¹ <https://www.sos.wa.gov/assets/elections/administrators/2019-ballot-format-checklist.pdf>

²² <https://apps.leg.wa.gov/wac/default.aspx?cite=434-230>

²³ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-230-010&pdf=true>

²⁴ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=26>

²⁵ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=23

²⁶ To verify the identity of voters who can't sign due to disability, you can give the option to fill out a form enabling them to use a signature stamp.

²⁷ <https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf#page=18>

Third, implement a two-stage signature review. In the first stage, trained workers or specialized equipment compares the signature on the envelope to the digitized signatures on file. If the signatures match, the ballot is moved to an "accepted" pile, but if there is a discrepancy it is moved to a "flagged for further review" pile. In King County, Washington, trained inspectors flag around 2.5 percent of ballots during this initial review. Flagged ballots then go to another team of trained workers who closely examine the ballots and decide whether to accept or challenge them. King County inspectors challenge about 1 percent of signatures.

Finally, for all challenged signatures, notify voters and give them an opportunity to respond so that their ballot can still be counted (See Recommendation 10).

Resources:

- The Colorado Secretary of State has a helpful "Signature Verification Guide" with examples.²⁸
- The elections administrator in King County, Washington has a Signature Verification Training presentation, including signature examples and examples of common problems with signatures.²⁹
- Voters' signatures change over time, so if you don't have a recent signature on file for a voter, you can ask them to update it. The elections administrator in King County, Washington has an example of a form they send to voters.³⁰ In preparation for moving to an All Vote By Mail election, Hawaii recently sent a postcard to all their registered voters asking for an updated signature for reference.³¹
- 45 minute [webinar](#) about signature verification from Oregon Secretary of State Elections Division.³²
- Election Assistance Commission [Signature Verification Cure Process](#).³³
- Tour of election facilities [King County, Washington](#).³⁴
- Oregon [signature stamp attestation](#) form.³⁵

²⁸ <https://www.sos.state.co.us/pubs/elections/docs/SignatureVerificationGuide.pdf>

²⁹ Zip file available at <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip>. In folder "ballot processing," file called "Signature Verification training Updated.pptx"

³⁰ Zip file available at <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip>. In folder "ballot processing," file called "Signature-update-letter-April-May 2016-English.pdf"

³¹ <https://elections.hawaii.gov/main/sign-sealed-and-counted-securing-your-vote/>

³² <https://www.youtube.com/watch?v=UKiYGONnNT0&feature=youtu.be>

³³ https://www.eac.gov/sites/default/files/electionofficials/vbm/Signature_Verification_Cure_Process.pdf

³⁴ <https://kingcounty.gov/depts/elections/education-and-outreach/take-a-tour.aspx>

³⁵ <https://sos.oregon.gov/elections/Documents/SEL540.pdf>

- Hawaii [drive for signature updates](#) in advance of VBM primary.³⁶
- CISA [Ballot Verification](#) and [Signature Verification and Cure Process](#).³⁷

Example Legislative Language:

Revised Codes Washington [29A.40.110](#). Processing incoming ballots.³⁸

Verification may be conducted by approved automatic verification systems. Variation in signature between the return envelope and the registration record due to initials or common nicknames is permitted as long as the surname is the same and the handwriting matches.

Example Guidance Language:

- Washington Administrative Codes [434-250-120](#).³⁹
- Oregon [VBM Manual](#), pg 35; Oregon [Appendix on Evaluating Signatures](#).⁴⁰

4. Provide secure drop boxes.

In states that mail out all ballots, most voters return them to secure drop boxes, rather than via the USPS. To accommodate this, counties should provide enough drop boxes to make them easily accessible to all voters. Each county should have at least one box that is available 24/7; more populous counties should aim to have one drop box per 10,000 voters. Drop boxes are especially important if New Mexico continues to require receipt of ballots by election day. Voters looking to turn their ballot in on election day can drop it at a drop box instead of dropping it in a mailbox and risking it missing the deadline (See Recommendation 13).

Many jurisdictions site some drop boxes inside government buildings. However, boxes available 24/7 are more frequently used than those inside buildings and only open during

³⁶ <https://elections.hawaii.gov/main/sign-sealed-and-counted-securing-your-vote/>

³⁷ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=48> and <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=63>

³⁸ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.110>

³⁹ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-120>

⁴⁰ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=35 and https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=83

business hours. Outside drop boxes need to be in well-lit areas covered by security cameras. Boxes should also be secure, only allowing election officials to access ballots.

In 2018, Oregon and Washington,⁴¹ two states that mail out all ballots, had one drop box per 8,800⁴² and 10,000⁴³ voters, respectively. King County, Washington strategically sited its drop boxes to ensure that 95% of voters lived within [3 miles of a box](#). Election administrators should place drop boxes approximately one month before elections and publicize locations on their website and in local news outlets.

Election officials should be prepared for voters to drop off ballots in precincts and jurisdictions other than their own.

Cost/Savings:

- Drop boxes used in King County, Washington cost \$5,235 each and installation cost around \$20,000 to install a total of 37 drop boxes.⁴⁴
- In Pierce County, Washington each drop box cost between \$7,000 and \$10,000 to purchase and install.
- Other counties have paid between \$2,100 and \$3,500 to purchase and install drop boxes. Operational costs per box appear to be anywhere between \$300 to \$4,000 per box, per election season.⁴⁵

Resources:

- [Bipartisan Policy Center 2020](#).⁴⁶
- Mailed-Out Ballot Return Choices, National [Vote At Home Institute, 2018](#).⁴⁷
- Washington Counties [Ballot Drop Box Webinar](#).⁴⁸

⁴¹ <https://www.sos.wa.gov/assets/elections/ballot%20drop%20boxes%202019%20general%20election.pdf> ; <https://www.sos.wa.gov/elections/general-election-2019.aspx>

⁴² In 2018, Oregon had 311 drop boxes (one per 8,800 voters) with 165 of those boxes available 24/7.

⁴³ In 2018, Washington had 471 drop box (one per 10,000 voters) with 323 of those boxes available 24/7. <https://www.sos.wa.gov/assets/elections/ballot%20drop%20boxes%202019%20general%20election.pdf> ; <https://www.sos.wa.gov/elections/general-election-2019.aspx>

⁴⁴ <https://kingcounty.gov/~media/depts/elections/about-us/reports/bdol-expansion-plan.ashx?la=en>

⁴⁵ <https://wsac.org/wp-content/uploads/2019/12/WSAC-et-al-v-State-of-Washington.pdf>

⁴⁶ https://bipartisanpolicy.org/wp-content/uploads/2020/01/Bipartison_Elections-Task-Force_R01_crops.pdf#page=28

⁴⁷ <https://www.voteathome.org/wp-content/uploads/2018/12/Optimizing-ballot-return-choices.pdf>

⁴⁸ <https://www.youtube.com/watch?v=pBRYsy9LlcU&feature=youtu.be>

- King County Ballot Drop Box resources detail their vendors, ballot collection procedures, and tier system, which is based on expected ballot volume.⁴⁹
- [Laserfab Vote Armor](#) produces the heavy-duty drop boxes used in many states from Washington to Colorado.

Example Legislative Language:

Revised Code of Washington [29A.40.170](#). Ballot drop boxes.⁵⁰

Details required drop box security measures and requires at least one drop box per 15,000 voters.

Example Guidance Language:

- Washington State Clearinghouse Notification on [Ballot Drop Boxes in All Communities](#).⁵¹
- Washington Administrative Codes [434-250-100](#). Ballot deposit sites.⁵²
- Oregon [VBM Manual](#), pgs 10-15.⁵³

5. Provide Election Day voting centers for in-person voting.

Even if counties mail out all or most ballots, they should still provide in-person voting locations for those that prefer in-person voting, need additional assistance, or do not have a reliable mailing address. Each county should have at least one in-person center (it could be the county elections office), and more populous counties should aim to have one center per 30,000 voters. These locations will need an electronic poll book and the ability to print ballots on demand based on each voter's address.

Even states that conduct elections completely by mail still offer some in-person options. California mandates one voting center per 1,000 voters. In Oregon, voters can vote in-

⁴⁹ Zip file available at <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip>. In folder "Ballot drop boxes," multiple files.

⁵⁰ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.170>

⁵¹ <https://www.sos.wa.gov/assets/elections/auditorsctp/17-01%20ballot%20drop%20boxes%20in%20all%20communities.pdf>

⁵² <https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-100>

⁵³ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=10

person at any county elections office. Though Colorado still opens voting centers on Election Day, the state was able to reduce the number of poll workers from 16,000 to fewer than 4,000⁵⁴ after implementing Vote By Mail.⁵⁵ The shift decreased labor cost per vote from \$4.71 to \$1.96.

According to the GAO, costs for polling sites can range from free (if using an existing agency facility) to \$300 per day to rent a location. Employee costs to staff a voting center can range from \$100-\$235 per day.

Resources:

- [VAH 2018](#) - Mail out ballot return options.⁵⁶
- King County, Washington guidance on Vote Centers.⁵⁷

Example Legislative Language:

Revised Codes Washington [29A.40.160](#). Voting centers.⁵⁸

Each county must have a voting center, open from 18 days before the election, which must be accessible for voters with disabilities.

Example Guidance Language:

- Washington Administrative Code [434-250-105](#). Voting Centers.⁵⁹
- Colorado [Elections Policy Manual](#), pg 35.⁶⁰
- Oregon [VBM Manual](#), pgs 10-15.⁶¹

⁵⁴ <https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf>

⁵⁵ <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/03/colorado-voting-reforms-early-results>

⁵⁶ <https://www.voteathome.org/wp-content/uploads/2018/12/Optimizing-ballot-return-choices.pdf>

⁵⁷ Zip file available at <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip>. In folder "Vote centers."

⁵⁸ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.160>

⁵⁹ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-105>

⁶⁰ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=35>

⁶¹ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=10

6. Consider using a professional printer and ballot sorter.

Many counties use professional printers and ballot sorters rather than printing ballots and envelopes and sorting them in-house. The move can save money and increase staff efficiency. According to the Brennan Center, printing costs [21.4 to 35 cents per ballot](#). The volume efficiencies in moving to an all Vote By Mail system result in lower per-voter printing costs. In Colorado, per vote total printing costs decline from [\\$6.86 to \\$3.04 per voter](#) after implementing full Vote By Mail.

Resources:

- Many Northwest counties use [K&H Integrated Print Solutions](#) to securely print their ballots and envelopes.⁶²
- [Runbeck Election Services](#) has capacity to serve 10 percent of American voters.⁶³
- [BlueCrest](#) serves 30 counties.⁶⁴
- Many Oregon counties use Ryder Graphics⁶⁵ and Reprographics⁶⁶ to print and mail ballots.
- Some jurisdictions on the East Coast use Phoenix Graphics⁶⁷
- Tri-Tek provides ballot sorting and signature verification services.⁶⁸

Example Guidance Language:

- Colorado [Elections Policy Manual](#), pg 26.⁶⁹
- Oregon [VBM Manual](#), pg 23.⁷⁰

⁶² <http://www.khprint.com/>

⁶³ <https://runbeck.net/>

⁶⁴ <https://www.bluecrestinc.com/solutions/vote-by-mail-relia-vote/>

⁶⁵ <http://rydergraphics.net/>

⁶⁶ <http://reproprinting.com/>

⁶⁷ <https://www.phoenix-graphics.com/absentee-mail>

⁶⁸ <https://tritektech.com/>

⁶⁹ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=26>

⁷⁰ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=23

7. Count ballots at a secure centralized facility.

Counting ballots in a secure, centralized facility enhances election security, transparency and efficiency. As noted in the resources section, election administrators in King County, Washington, count ballots in guarded facilities with continuous security camera monitoring, in addition to their ballot tracking system. By setting up security surveillance equipment in ballot processing areas and streaming the footage online, voters can see for themselves how secure and transparent your vote counting procedures are. As with all election procedures, prepare for election day by rehearsing processes and timing various stages.

To the extent possible according to your state laws, counties that don't have an appropriate facility could coordinate with counties that do.

Resources:

- [FAQ](#) and [more information](#) about security and accountability from King County, Washington.⁷¹
- CISA [Inbound Ballot Process Recommendations](#).⁷²

Example Guidance Language:

- Washington Administrative Codes [434-261-045](#). Secure Storage.⁷³
- Oregon [VBM Manual](#), pg 8.⁷⁴

8. Invest in high-speed centralized equipment.

High-speed equipment can check unique barcodes on envelopes, sort envelopes, compare signatures against digital files, and tabulate ballots. For the 12 counties in New Mexico with 25,000 or more registered voters,⁷⁵ investing in centralized equipment will allow you

⁷¹ <https://kingcounty.gov/depts/elections/about-us/security-and-accountability/frequently-asked-questions.aspx> and <https://www.kingcounty.gov/depts/elections/about-us/security-and-accountability.aspx>

⁷² <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=43>

⁷³ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-261-045>

⁷⁴ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=8

⁷⁵ Bernalillo, Chaves, Doña Ana, Eddy, Lea, McKinley, Otero, Rio Arriba, Sandoval, San Juan, Santa Fe, Valencia

to efficiently process a high volume of absentee ballots. You will have reduced labor costs for every election for years to come. As your population increases, your high-speed equipment will be able to handle the increased number of ballots. Your county will be able to count ballots and finalize results faster.

Machines themselves may cost [in the range of \\$50,000 to \\$100,000](#),⁷⁶ but counties usually purchase a contract installation and maintenance along with a new machine, and the total costs can be steep. For example, in 2017, King County, Washington purchased new scanning equipment for an average of about \$130,000 per scanner. In 2015, Solano County, California purchased a machine plus five years of maintenance for [\\$482,388](#). And, in 2017, Anchorage, Alaska spent [\\$610,599](#) to purchase a Bell and Howell Envelope Intake and Signature Verification System, plus an additional \$56,790 contract for installation and continued support.

Five counties (Bernalillo, Doña Ana, Sandoval, Santa Fe, Valencia) have high-speed centralized tabulators. Seven counties (Chaves, Eddy, Lea, McKinley, Otero, Rio Arriba, San Juan) have more than 25,000 registered voters and no centralized equipment of any speed. They might consider investing in equipment this year. Counties that are not able to handle the volume of mailed ballots could contact the counties that do have high-speed scanners and make arrangements to coordinate use of equipment.

Resources:

- NCSL's [Elections Technology Toolkit | Voting Machines and Beyond](#).⁷⁷
- Cybersecurity and Infrastructure Security Agency [Inbound Ballot Recommendations](#), pg 3.⁷⁸

⁷⁶ <https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures>

⁷⁷ <https://www.ncsl.org/research/elections-and-campaigns/elections-technology-toolkit.aspx>

⁷⁸ https://www.cisa.gov/sites/default/files/publications/inbound-ballot_process_final_508.pdf#page=3

For Secretaries of State

Clerks could independently implement these, but a coordinated statewide effort would be more effective.

9. Mail absentee applications to every registered voter.

Mailing absentee application forms to every registered voter in New Mexico will increase absentee voting, reducing crowds on election day that could spread COVID-19. Several counties in Wisconsin mailed out absentee ballot application forms in advance of the April 2020 primary to great success: 67 percent voted⁷⁹ (a high turnout for a primary) and 90 percent of those voted absentee, leaving polling places uncrowded for the few voters who came in-person.⁸⁰ In the absences of leadership at the state level, counties officials could individually choose to mail out application forms to voters in their jurisdiction, but it would be more effective as a coordinated statewide effort.

In addition to boosting absentee voting rates, mailing out application forms can provide two more benefits: the signed form will provide clerks with a recent voter signature to use when verifying the ballot (See Recommendation 3), and it will help clerks update voter addresses so that more ballots will reach voters in November. To give enough time for undeliverables to come back to the clerk's office and for them to follow up with those voters to find out their current mailing address, aim to mail out application forms at least two months in advance of the election. To get a higher level of uptake, pre-fill the forms with information on file about that voter (such as name and address). That way voters can review, update as needed, sign and return. Use plain language to ensure voters fill out the form correctly, saving clerks time (See Recommendation 2).

New Mexico law allows the secretary of state (or individual clerks) to choose whether to send applications to voters. The county will have to pay to print the and mail the application forms which should cost less than \$2.00 per voter,⁸¹ and will also pay for the labor of processing the forms. Because New Mexico requires voters to fill out a form again for every election, you will need to pay to mail and process forms again in August and November. To save the substantial cost on local clerks of mailing and processing absentee application forms each time, the legislature could allow a "single sign-up" option so that

⁷⁹ <http://www.wfbvillage.org/DocumentCenter/View/1091/April-2020---Election-Results>

⁸⁰ <https://www.motherjones.com/politics/2020/04/whitefish-bay-coronavirus/>

⁸¹ <https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures>

voters who want to continue voting absentee can do so without further paperwork (See Recommendation 12).

Resources:

- CISA Guidance on [Helping Voters Request a Mail in Ballot](#).⁸²

10. Implement a formal notify and cure process.

If a voter forgets to sign their ballot return envelope, or if their signature doesn't match the signature on file, they deserve the chance to cure the error and have their vote count. Nineteen states have laws requiring clerks to notify voters if there is a problem with their signature. To prevent absentee voters from being unintentionally disenfranchised due to errors in the signature on their envelope, the New Mexico legislature could pass a law requiring clerks to notify voters of problems with their signature, and laying out a process for voters to cure. In the absences of such a state law, each clerk could implement their own process to notify voters of problems and give them a chance to cure.

The process has two main steps: first, notify the voter of any problems with their signature. Ideally, notify them within 24 hours of their ballot being flagged. To ensure they receive the notification, you could send it via multiple channels if you have the voter's contact information, such as mail, phone, email, and text.

Second, allow the voter to cure. You can give voters the option to come into an election office or vote center and re-sign the ballot or show identification. If coming to an office in person is their only option, voters may be understandably upset, especially during a pandemic, so you could offer them other options such as signing an affidavit affirming their identity and sending it in via mail, email or [text](#).⁸³ [Eighteen states](#) allow voters to "cure" signature problems;⁸⁴ the deadline ranges from 2-21 days after election day. The National Vote At Home Institute recommends giving voters at least 3 business days after election day.⁸⁵

⁸² <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=70>

⁸³ [Arapahoe County](#), Colorado enables voters to cure their signature via text. See: <https://www.txt2vote.com/>

⁸⁴ Arizona, California, Colorado, Florida, Hawaii, Illinois, Nevada, Ohio, Oregon, Rhode Island, Utah, and Washington

⁸⁵ <https://www.voteathome.org/wp-content/uploads/2020/05/NVAHI-50-State-Policy-Analysis.pdf>

Example Legislative Language:

Arizona Revised Statutes [16-550](#). Receipt of voter's ballot; cure period.⁸⁶

Arizona allows signatures to be corrected until the fifth business day for elections including federal offices and until the third business day after the election for all other elections. The election officials must make reasonable efforts to contact the voter.

California Elections Code § [3019\(c\)-\(e\)](#). Vote by Mail Application and Voting Procedures.⁸⁷

Election officials must notify voters at least eight days prior to certification if signatures need verification. Voters can verify signatures until 5pm, two days prior to election certification. Voters can mail, email, fax or hand-deliver verification. If the signatures compare, then the voter's signature is updated for future elections.

Hawaii Revised Statutes § [11-106](#). Deficient return identification envelopes.⁸⁸

Election clerks must notify voters by mail, email, or telephone. Voters have five business days after the election to cure the deficiency.

Ohio Revised Codes [3509.06](#) (E). Counting absent voters' ballots.⁸⁹

Ohio allows voters to correct signatures or other identifying information until the seventh day after the election. Voters must be notified by mail and may provide information by mail or in person.

Oregon Revised Statutes [254.431](#). Special procedure for ballots challenged due to failure to sign return envelope or non matching signature; public record limitation.⁹⁰

Voters can correct signatures up to 14 days after the election. The filing officer may disclose the name and address of electors whose ballots were challenged 8 days after the election.

Example Guidance Language:

- [Arizona 2019 Election Procedures](#), pg 82.⁹¹
- Washington State Clearinghouse Notification on [Unsigned Ballots and Mismatched Signatures](#).⁹²

⁸⁶ <https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/16/00550.htm>

⁸⁷ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=3019

⁸⁸ https://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/HRS0011/HRS_0011-0106.htm

⁸⁹ <http://codes.ohio.gov/orc/3509.06>

⁹⁰ https://www.oregonlegislature.gov/bills_laws/ors/ors254.html

⁹¹ https://azsos.gov/sites/default/files/2019_ELECTIONS_PROCEDURES_MANUAL_APPROVED.pdf#page=82

⁹² <https://www.sos.wa.gov/elections/auditorsctp/clearinghouse/2012/1205.pdf>

- Washington Administrative Codes [434-261-050](#), regarding unsigned ballot declarations or mismatched signatures.⁹³
- Colorado [Elections Policy Manual](#), pg 52.⁹⁴
- King County election administrator's information packet.⁹⁵

⁹³ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-261-050>

⁹⁴ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=52>

⁹⁵ Zip file available at <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip>. In folder "ballot processing,"

For Lawmakers

11. Account for voters with non-traditional addresses.

Native American voters living on tribal lands often have non-USPS-standard mailing addresses, making it difficult for them to register to vote and receive ballots in the mail. They may have many family members living at the same address, and some states may not allow them all to receive a ballot. Or they may use a USPS box to receive mail, but live far from the nearest USPS office or election center, making it more difficult to receive and return their ballot in a timely fashion.⁹⁶ Eligible voters experiencing homelessness or housing insecurity may also not have a home address. Your state should make sure these voters can receive a ballot and securely vote.

New Mexico should allow multiple eligible voters to use the same mailing address. Living with others to save on housing costs should not diminish any American's right to vote. Your state can allow native people to [designate a building on the Nation's land to receive their ballot](#). Especially in areas where people live far from a USPS office, you can temporarily install drop boxes or vote centers on tribal lands to ensure that voters have viable options for returning their ballots.

You can allow homeless community members to receive their ballots at a [shelter, park, motorhome](#), or other identifiable location. Alternatively, they can list the county elections office as their mailing address and pick up their ballots in person there. They can return their ballot to the elections office or a secure drop box.

Example Legislative Language:

Colorado Revised Statutes [1-2-102](#). Rules for determining residence.⁹⁷

For voter registration residence, voters can identify a location in the county that they return to regularly, such as a shelter, services provider, park, campground, vacant lot, business address, or other physical location. If the registration residence does not have a mailing address, voters must also provide a mailing address.

⁹⁶ <https://www.theguardian.com/commentisfree/2020/may/22/mail-in-voting-native-americans-election>

⁹⁷ https://www.sos.state.co.us/pubs/info_center/laws/Title1/Title1Article2.html

Oregon Revised Statutes [247.038](#). Registration of person who is homeless or resides in identifiable location.⁹⁸

Individuals who are homeless or reside in shelters, vehicles, marinas or other identifiable locations cannot be denied the opportunity to register to vote. Residence addresses can be descriptions of the physical location of the person or the office of the county clerk.

Revised Codes of Washington [29A.08.112](#). Voters without traditional residential addresses.⁹⁹

Voter registration accepts non-traditional addresses, defined as narrative descriptions of the voter's physical location. No person can be disqualified for lacking a traditional address. Voters must provide a mailing address. Tribes may designate a government building to serve as a mailing address for residents.

Example Guidance Language:

- Oregon [Vote By Mail Procedures Manual](#) and [Oregon Secretary of State](#).¹⁰⁰
- Colorado Secretary of State [FAQs](#) and [Election Rules](#).¹⁰¹
- Washington State Clearinghouse Notification on [Voters Without Traditional Addresses](#).¹⁰²

12. Give voters a single sign-up option.

Twelve states plus DC give voters a "single sign-up" option whereby they can apply once to vote absentee and permanently continue receiving ballots in the mail unless they are removed from the permanent absentee voter list. These include the five states that conduct all elections by mail, plus Arizona, California, DC, Michigan, Montana, Nevada, New Jersey, Pennsylvania, and DC. Another six states¹⁰³ maintain a permanent absentee voter list for certain voters, usually those who are elderly and/or disabled.¹⁰⁴

⁹⁸ https://www.oregonlegislature.gov/bills_laws/ors/ors247.html

⁹⁹ <https://apps.leg.wa.gov/rcw/default.aspx?cite=29A.08.112>

¹⁰⁰ https://sos.oregon.gov/elections/Documents/vbm_manual.pdf#page=19 and <https://sos.oregon.gov/voting/Pages/homeless-confidential.aspx>

¹⁰¹ <https://www.sos.state.co.us/pubs/elections/FAQs/foreclosureHomelessFAQ.html> and https://www.sos.state.co.us/pubs/rule_making/CurrentRules/8CCR1505-1/Rule2.pdf#page=3

¹⁰² https://www.sos.wa.gov/_assets/elections/auditorsctp/19-04%20voters%20without%20traditional%20addresses.pdf

¹⁰³ Kansas, Massachusetts, Missouri, New York, West Virginia, and Wisconsin

¹⁰⁴ <https://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx>

However, thirty-two states, including yours, require all voters to apply for an absentee ballot every election, or every two years. But nearly [half or even two-thirds of absentee ballot applicants](#) also applied to vote absentee in the last major election cycle. Even if voters know they want to keep getting their ballot in the mail, they have to fill out paperwork again and again. Not only is this a burden for the voter, it's a drain on election officials who must process and enter application data every year. Minimizing paperwork by giving voters the option to sign up for a permanent absentee list could cut costs and save time.

The potential savings are significant. According to a [US Government Accountability Office report](#), in the 2008 presidential election, Contra Costa County in California spent \$1.37 per ballot to process permanent absentee ballots versus \$10.64 per ballot to process each nonpermanent absentee ballot. Much of the nearly eight fold administrative cost increase came from handling individual ballot requests.

In New Mexico's June 2nd primary, 238,000 voters cast their votes via absentee ballot.¹⁰⁵ Most or all of those voters may wish to vote absentee again in November, but they will all have to apply again. If the state legislature acts quickly, it could create a single-signup option in 2020 and authorize election officials to send a postcard to any voter who already requested an absentee ballot this year asking if they want to opt-in to continue receiving ballots by mail. This would save resources for clerks and voters during this busy year.

Example Legislative Language:

Arizona [16-544](#). Permanent early voting list; civil penalty; violation; classification.¹⁰⁶

Voters can request permanent absentee ballots to in state addresses in writing or through an online portal. Notices are sent before elections to allow voters to change addresses or opt out of absentee voting. If the notice is undeliverable, the voter is moved off the permanent absentee list.

California Elections Code [3206](#). Permanent Vote By Mail Application and Procedures.¹⁰⁷

In counties that are not fully VBM, voters may request to be on the permanent Vote By Mail list. Voters can apply online. Permanent status ends if the voter does not vote in four consecutive state-wide general elections.

¹⁰⁵ <https://www.krqe.com/news/politics-government/elections/november-election-may-produce-an-all-time-high-of-voter-turnout-in-new-mexico/>

¹⁰⁶ <https://www.azleg.gov/ars/16/00544.htm>

¹⁰⁷ http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=3206

Montana Code [13-13-212](#). Application for absentee ballot -- special provisions -- absentee ballot list for subsequent elections.¹⁰⁸

Voters can request permanent absentee ballots. They will be mailed ballots for subsequent elections as long as they have not filed a change of address with USPS. If they have, they are sent a form to request an address update.

New Jersey Statutes Annotated [19:63-3\(a\)\(1\)](#) Procedure for user of mail-in ballot.¹⁰⁹

Voters may choose to receive mail in ballots for all future elections. Voters can request in writing if they wish to no longer receive mail in ballots.

Nevada Revised Statutes § [293.3165\(1\)](#) Specialized procedure to request absent ballot for all elections at which registered voter is eligible to vote; requirements for issuing, voting and returning such absent ballot.¹¹⁰

Nevada allows all voters to receive absentee ballots for all future elections. If the ballot is undeliverable or the voter has had their registration cancelled under [NRS 293.530](#).¹¹¹

Example Guidance Language:

- Arizona [Elections Procedures Manual](#), pg 49.¹¹²

13. Allow counties to accept ballots postmarked by Election Day.

In 2018, only 240 mailed-out ballots in New Mexico were rejected. But, of those that were rejected, over 30 percent were rejected due to late receipt. That amounts to 74 New Mexico voters whose votes weren't counted. More New Mexicans are likely to want to vote absentee this year, and a similar rejection rate for ballots received after election day could disenfranchise even more voters.

¹⁰⁸ https://leg.mt.gov/bills/mca/title_0130/chapter_0130/part_0020/section_0120/0130-0130-0020-0120.html

¹⁰⁹ https://nj.gov/state/dos-statutes-elections-19-60-63.shtml#ele_19_63_3

¹¹⁰ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec3165>

¹¹¹ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec530>

¹¹² https://azsos.gov/sites/default/files/2019_ELECTIONS_PROCEDURES_MANUAL_APPROVED.pdf#page=63

Thirteen states¹¹³ accept ballots postmarked by election day and received within a certain period afterwards, usually around 10 days. This gives absentee voters the same freedom as in-person voters to mark their ballot and turn it in on election day. It also avoids confusion because voters don't have to guess how many days it could take the Postal Service to deliver their ballot; they know their deadline is election day. Allowing clerks to count ballots received or postmarked on election day and received within 10 days increases voter engagement and makes elections more representative of the people.

If you are not able to accept ballots received after election day, make this very clear to voters. In the ballot materials, tell voters not to put their ballot in the mail any later than the Wednesday before Election Day. And start running PSA's a few days before that to remind voters of the practical cut-off date, and that if they miss the deadline to drop it in the mail, they may drop it in a secure drop-box or at a voting center up until election day (See Recommendations 4 and 5).

Example Legislative Language:

Alaska Statutes § [15.20.081\(e\)](#). Absentee voting in general; applying for absentee ballot by mail or electronic transmission.¹¹⁴

Ballots must be postmarked by election day and received by the close of business on the 10th day after the election.

Illinois Compiled Statutes [10 § 5/19-8\(c\)](#). Time and place of counting ballots.¹¹⁵ ICS [10 § 5/18A-15](#). Validating and counting provisional ballots.¹¹⁶

Ballots must be postmarked by election day. Ballots received after election day without postmark shall be accepted if the certification date is on or before election day. Ballots must be received by 14 days after the election.

¹¹³ Alabama, Alaska, California, Illinois, Kansas, Maryland, New Jersey, New York, North Carolina, North Dakota, Texas, Washington, and West Virginia

¹¹⁴ <http://www.akleg.gov/basis/statutes.asp#15.20.081>

¹¹⁵ <http://ilga.gov/legislation/ilcs/documents/001000050K19-8.htm>

¹¹⁶ <http://ilga.gov/legislation/ilcs/documents/001000050K18A-15.htm>

Kansas Statutes [25-1132](#). Advance voting; delivery of ballots; where; deadline for receiving ballots.¹¹⁷

Absentee ballots can be received after polls close as long as they were postmarked before or on election day and are received by 3 days after the election. This second standard is not recommended as USPS first class standard used to be 1-3 days, but is now 2-5 days.

Nevada Revised Statutes § [293.317\(1\)\(b\), \(2\)](#). Procedure for timely returning absent ballot; treatment of absent ballot when postmark cannot be determined.¹¹⁸ NRS [293.333\(2\)](#) Procedure for depositing absent ballots in ballot box; period for counting of absent ballots.¹¹⁹

Ballots must be postmarked on or before the date of the election and received by 7 days after the election. If postmark is illegible but ballot is received within 3 days of election, it is considered valid.

North Carolina General Statutes [163-231](#). Voting absentee ballots and transmitting them to the county board of elections.¹²⁰

Absentee ballots can be received after polls close as long as they were postmarked before or on election day and are received by 3 days after the election. This second standard is not recommended as USPS first class standard used to be 1-3 days, but is now 2-5 days.

Example Guidance Language:

- Alaska Administrative Code [25.560](#). Timeliness of absentee by-mail ballot.¹²¹

14. Allow voters to request replacement ballots online.

Occasionally, voters might lose, destroy, spoil, or never receive their ballot in the mail. These voters need to be able to quickly, conveniently, and securely request a replacement. To best accommodate voters, especially during coronavirus, county clerks can give voters

¹¹⁷ http://www.kslegislature.org/li/b2019_20/statute/025_000_0000_chapter/025_011_0000_article/025_011_0032_section/025_011_0032_k/

¹¹⁸ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec317>

¹¹⁹ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec333>

¹²⁰ https://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_163.html

¹²¹ <http://www.akleg.gov/basis/aac.asp#6.25.560>

the option to request a replacement ballot not only in-person, but in writing, over the phone, or online.

To ensure security, election officials should only send replacement ballots once they confirm that the voter has not already voted. Unique barcodes on each ballot will ensure that only one ballot per voter is counted. Each voter will only be able to vote once; if the election official receives two ballots with the same unique barcode, only the first one received will be counted.

Printing and mailing ballots costs between \$1.26 to \$2.35. Your state can reduce the need for replacement ballots by keeping voter records up to date and making it easy for voters to update their address online (See Recommendations 1 and 16).

Example Legislative Language:

Oregon Revised Statutes § [254.470 \(7\)](#). Procedures for conducting election by mail; rules.¹²²

Voters may obtain replacement ballots if the ballot is destroyed, lost, spoiled, or was not received. Replacement ballots need not be mailed if within 5 days of election. They will be available at the office of the county clerk.

Revised Codes of Washington [29A.40.070](#). Date ballots mailed—Replacement ballots.¹²³

Registered voters may obtain replacement ballots if the ballot is destroyed, lost, spoiled or not received. The voter may obtain a replacement by telephone request, mail, electronically, or in person.

Example Guidance Language:

- [Oregon Procedures Manual 2020](#).¹²⁴
- Alaska Instructions for [Online Ballot Delivery](#).¹²⁵
- Minnesota [Absentee Voting Administration Guide](#), pg 30.¹²⁶

¹²² https://www.oregonlegislature.gov/bills_laws/ors/ors254.html

¹²³ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.070>

¹²⁴ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=51

¹²⁵ <http://www.elections.alaska.gov/Core/votingbyonline.php>

¹²⁶ <http://www.co.wadena.mn.us/DocumentCenter/View/904/absentee-voting-administration-guide#page=30>

15. Allow community organizations to collect and deliver sealed ballots.

Twenty states allow anyone to deliver another voter's sealed and signed ballot. By allowing community organizations to help deliver completed and signed ballots, New Mexico can increase voter turnout and help further enfranchise voters who face difficulty voting. For example, this policy can help voters who may lack access to a vehicle or who do not have access to consistent mail service.¹²⁷

Ballot tracking and robust signature verification can prevent would-be ballot harvesters from collecting blank ballots and filling them in. Fraudsters can't access voters' signature files, and voters will notice if the tracking system reports their ballot as both delivered and returned, but they never received it.

Example Legislative Language:

Oregon Revised Statutes 254.470 (6)(d). Procedures for conducting election by mail.¹²⁸

Allows anyone to deliver a completed and sealed ballot, as long as they do so within 2 days of receiving the ballot from the voter.

16. Automatically register voters and update their address.

Seventeen states and DC [automatically register](#) eligible voters who prove their identity to a government agency such as the Department of Motor Vehicles.

It works like this: if a citizen interacts with a New Mexico state agency like the DMV, the agency sends their information to the Secretary of State, who adds them to the voter rolls or updates their address. New Mexico's Secretary of State then sends voters a postcard letting them know of the change so they can opt-out if they didn't want to be registered to vote, or return their voter registration to their previous address if they didn't really move.

¹²⁷ <https://www.azcentral.com/story/news/politics/elections/2020/01/27/arizona-ballot-harvesting-law-discriminates-minority-voters-ninth-circuit/4589610002/>

¹²⁸ <https://www.oregonlaws.org/ors/254.470>

This is more efficient and accurate than New Mexico's "opt-in" process which requires voters to fill out change of address forms. By streamlining and updating their data across agencies, states with automatic registration have cleaner and more up-to-date voter lists, meaning mailed ballots are more likely to reach the voter. Citizens may always choose whether they want to be registered, but "opt-out" systems result in higher voter participation.

Resources:

- [Oregon Procedures Manual 2020](#).¹²⁹
- [Brennan Center study](#) on the impact of Automatic Voter Registration.¹³⁰

Example Legislative Language:

Illinois Compiled Statutes [10 § 5/1A-16.1](#). Automatic voter registration; Secretary of State.¹³¹

Most DMV interactions can serve as a dual purpose application for voter registration, address changes or name changes. No further identification is needed, but the Secretary of State will verify voter registration eligibility. Voters can opt out of registration during a DMV interaction. Other agencies are also implementing automatic voter registration.

Maryland Election Law Code Annotated [§ 3-203](#). Electronic Voter Registration System.¹³²

Most transactions at the DMV, Health Benefits Exchange, local departments of social services, and the mobility certification office will automatically transmit voter registration applications or updates unless the voter opts out.

Michigan State Constitution [§ 4 \(1\)\(d\)](#). Place and manner of elections. Michigan Compiled Laws [168.493a](#). Automatic voter registration; qualifications; option to opt-out; information added to qualified voter file; erroneous registration not a violation.¹³³

Michigan constitutionally guarantees the right to be automatically registered to vote at the DMV. Most DMV interactions will lead to automatic voter registration or registration address updates unless the voter opts out or is not a citizen.

¹²⁹ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=16

¹³⁰ https://www.brennancenter.org/sites/default/files/publications/2019_04_AVR_Report_Final_0.pdf

¹³¹ <http://www.ilga.gov/legislation/ilcs/documents/001000050K1A-16.1.htm>

¹³² <https://codes.findlaw.com/md/election-law/md-code-elec-law-sect-3-203.html>

¹³³ [http://www.legislature.mi.gov/\(S\(2hthlf15z4s0fhn5famvyrgo\)\)/mileg.aspx?page=getObject&objectName=mcl-168-493a](http://www.legislature.mi.gov/(S(2hthlf15z4s0fhn5famvyrgo))/mileg.aspx?page=getObject&objectName=mcl-168-493a)

Oregon Revised Statutes [247.017](#). Transfer of voter registration materials to Secretary of State from Department of Transportation; opt-out of voter registration; rules.¹³⁴

The DMV provides the secretary of state with voter information including the electronic signature of every voter that qualifies to vote. County clerks then notify voters to allow voters to opt out or register a political party affiliation.

Example Guidance Language:

- Georgia and Colorado launched automatic voter registration [without state legislation](#).¹³⁵ Georgia initiated automatic voter registration by updating its drivers registration [form](#) in 2016.¹³⁶ The Department of Driver Services forwards new voter registration and information for updating purposes to the Secretary of State.
- Colorado administratively rolled out automatic voter registration at DMV locations in 2017. Colorado's automatic voter registration and updates can be seen in the license renewal and change of address [forms](#).¹³⁷ As of 2019, the Department of Health Care Policy and Financing is [statutorily](#) required to transmit voter registration information to the Secretary of State.¹³⁸

¹³⁴ https://www.oregonlegislature.gov/bills_laws/ors/ors247.html

¹³⁵ <https://www.ajc.com/news/state--regional-govt--politics/automatic-registration-leads-surge-new-georgia-voters/97PMHrv8anlB66TfKdlUtk/>

¹³⁶ https://dds.georgia.gov/sites/dds.georgia.gov/files/related_files/document/MAIL%20IN%20RENEWAL%20PACKET%20-%20February%202019%20UPD.pdf

¹³⁷ <https://www.colorado.gov/pacific/dmv/forms-licenses>

¹³⁸ <https://casetext.com/statute/colorado-revised-statutes/title-1-elections/general-primary-recall-and-congressional-vacancy-elections/article-2-qualifications-and-registration-of-electors/part-5-mail-registration-and-registration-at-voter-registration-agencies/section-1-2-5025-transfer-of-voter-registration-information-to-secretary-of-state>