AB 1436 Same-Day Voter Registration

Assemblymember Mike Feuer

Citizen participation in elections is the bedrock of our representative democracy. Unfortunately, existing voter registration deadlines unnecessarily limit voter participation in California elections. AB 1436 will increase eligible voter participation and accessibility while protecting against fraud. It creates a process for conditional voter registration, which allows for same-day registration and voting. This would be made available at all county elections office headquarters beginning 14 days prior to an election and including Election Day.

PURPOSE

Currently, individuals who are eligible to vote must submit a voter affidavit at least 15 days prior to an election. Unfortunately, the registration deadline hinders voter participation. This is illustrated by the ten states that allow some form of same-day registration and voting. All but one of them have higher voter participation rates than California—where only 44.1% of eligible voters participated in the 2010 general election. In comparison, Iowa, Wisconsin and Minnesota had respective rates of 50.0%, 52.1%, and 55.4% in the 2010 general election. Research also shows that same-day registration and voting lead to increased participation. North Carolina implemented same-day voter registration in 2007 and saw an 8% increase in voter turnout during the 2008 presidential election compared to the 2004 presidential election.

AB 1436 addresses California's low voter participation rate through the creation of a conditional voter registration process, which would provide same-day registration and voting. Beginning 14 days prior to an election and including Election Day, a county elections office headquarters would offer conditional voter registration. This should lead to greater voter participation rates, which will provide election results that better reflect the opinions of the population. Additionally, this bill will benefit unregistered voters as well as those who have outdated registration.

To ensure accuracy of eligibility and prevent fraud, on-site verification will be required for conditional voter registrants. The new registrant would then vote using a provisional ballot, which requires a second instance of voter verification before being counted. This will prevent overlapping registration and double-voting. To further deter unlawful behavior, this bill increases the maximum penalty for a misdemeanor in voter fraud from $10,000 to $25,000. Though voter fraud has not been an issue in states that have same-day registration and voting, setting penalties that reflect the severity of such violations is important in assuring a well-functioning electoral process.

California counties vary greatly in geographic expanse and population. This can have the effect of limiting access to a county elections office headquarters. To increase the accessibility of same-day registration and voting, AB 1436 authorizes counties to offer same-day registration and voting at other sites in addition to the central headquarters.

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