



Results as of February 23, 2007  
36 State/Territories Responded

State	State Voting Residency Requirements with specific references to college students
AK	<p><b>Alaska Statute 15.05.010</b> "A person may vote at any election who: (3) has been a resident of the state and of the house district in which the person seeks to vote for at least 30 days just before an election."</p> <p>Per Alaska Statute 15.05.020, a person may not be considered to have gained a residence solely by reason of presence nor may a person lose it solely by reason of presence while [...] a student at an institution of learning. Additionally, a person may only have one residence. A residence is a place where a person's habitation is fixed, and, if absent, the person has the intention to return. A person does not lose residence if the person leaves home and goes to another place for temporary purposes only with the intent of returning. A person loses residence in Alaska if the person votes in another state's election.</p>
AL	<p>Any citizen who resides in Alabama may register to vote. Applicants may register the same day they move into the state.</p>
AR	<p>Under Arkansas law, college students may register to vote either in their home county or in the county where their college or university is located. The student must make a determination as to where he/she intends to reside for the purposes of voting. In Arkansas, you must register to vote in your county of domicile. Generally, domicile is defined as the place where you live and/or the place where you intend to return if you leave the state or county.</p>
AZ	<p>In Arizona voters must be residents of the State for 29 days prior to the election. Residency is defined as physical presence with an intent to remain. As long college students meet this requirement, they are residents for voting purposes</p>
CA	<p>California has 29-day durational residency requirement for candidates to run, but a 15-day cut-off for registering to vote in an upcoming election. College students can register to vote at their dormitories or where they live while attending school, if they care to, or they may remain registered at their parents' homes and vote by mail. They must, of course, be registered in only one place. Registration and domicile are a combination of physical presence and intention.</p> <p>For more information, there is a "<i>Guide to Voter Registration in California</i>" on our website that addresses this and much more at</p>





	because they live in a dorm or other temporary housing unit because we cannot determine their intent.
IN	College student "permanent residence" whether school or home": "According to Indiana State law (Indiana Code 3-5-5-7), a person does not gain residency in a precinct for which the person has moved only for temporary employment, educational purposes, or other purposes without the intent of making a permanent home in the precinct. In other words, unless you intend to make the county where your school is located your permanent home; you need to register to vote from your permanent residence and vote in person at that precinct's polling location on Election Day or vote absentee-by-mail. If you change your permanent residence to your school residence, you will need to re-register at that new address. Dorms are just fine for permanent addresses -- there is no mention of that in the law. The other thing that we clarified with legislation last year was the idea that students cannot be challenged (and thus have to vote by provisional ballot) simply because of their campus address. from the Indiana Voter's Bill of Rights: "A person may not challenge the right of an individual to vote at an election in the precinct solely on the basis of the individual's: 1. enrollment in an educational institution; or 2. registration to vote at an address that is housing provided for students by the educational institution."
LA	"actual bona fide resident of this state, and the parish, municipality, if any, and precinct in which" you choose to register to vote. You may have more than one residence, but must choose one to register to vote at and if you have a homestead exemption, you must choose that residence. A student may choose as his residence either where he resides while attending school or where he resides when not attending school, but must choose one. He is not required to have an intent to reside indefinitely at the place where he offers to register. Here's a link to our law. <a href="http://www.legis.state.la.us/lss/lss.asp?doc=81242">http://www.legis.state.la.us/lss/lss.asp?doc=81242</a>
KS	Kansas law defines residency for voter registration purposes in KSA 25-407, which I've pasted below. The word intent is there, so it allows the person to determine their residence. It hard for anyone else to disprove their intent to return to that address. This allows college students to choose where they register to vote, as long as they only register and vote once. Some choose their college dorm or apartment, some choose to be registered back home with mom and dad. This provision in law also benefits military personnel, nursing home residents, and others who find them displaced for long periods of time
MD	In Maryland, residence for voter registration purposes is defined by domicile (the place where an individual has his/her home and intends to return. A college student may have his dorm as his domicile for voting purposes
MI	We have a provision in our law that says a person neither gains nor loses residency by virtue of attending college. This was meant to say you cannot gain residency because you move to a town where the college if the intent of the move was to attend college. Our state supreme court declared that unconstitutional back in 1971-72. We treat college students no differently than any other person. If they want to declare the dorm their residence, that's okay. However, one's voting and driving addresses must be the same.
MN	In Minnesota, students may choose to vote at home or in the precinct where they live while attending school, depending on where they consider their residence to be. The specific statute defining how to determine residence is in M.S. 200.031. Parts (b), (c) and (f) could apply to the student who considers their home to be their residence. Parts (a), (d) and (h) could apply to the student who considers where they live while attending school to be their residence:  <b>200.031, Minnesota Statutes 2006</b>  Copyright © 2006 by the Office of Revisor of Statutes, State of Minnesota.  <b>200.031 DETERMINATION OF RESIDENCE.</b>

Residence shall be determined in accordance with the following principles, so far as they may be applicable to the facts of the case:

- (a) the residence of an individual is in the precinct where the individual's home is located, from which the individual has no present intention of moving, and to which, whenever the individual is absent, the individual intends to return;
- (b) an individual does not lose residence if the individual leaves home to live temporarily in another state or precinct;
- (c) an individual does not acquire a residence in any precinct of this state if the individual is living there only temporarily, without the intention of making that precinct home;
- (d) if an individual goes into another state or precinct with the intention of making it home or files an affidavit of residence there for election purposes, the individual loses residence in the former precinct;
- (e) if an individual moves to another state with the intention of living there for an indefinite period, the individual loses residence in this state, notwithstanding any intention to return at some indefinite future time;
- (f) except as otherwise provided in this section, an individual's residence is located in the precinct where the individual's family lives, unless the individual's family is living in that precinct only temporarily;
- (g) if an individual's family lives in one precinct and the individual lives or does business in another, the individual's residence is located in the precinct where the individual's family lives, unless the individual establishes a home in the other precinct and intends to remain there, with or without the individual's family;
- (h) the residence of a single individual is in the precinct where the individual lives and usually sleeps;
- (i) the mere intention to acquire a new residence, is not sufficient to acquire a new residence, unless the individual moves to that location; moving to a new location is not sufficient to acquire a new residence unless the individual intends to remain there;
- (j) the residence of an individual who is working temporarily in any precinct of this state is

	<p>in the precinct where the individual's permanent home is located;</p> <p>(k) the residence of an individual who is living permanently in a soldiers' home or nursing home is in the precinct where the home is located;</p> <p>(l) if an individual's home lies in more than one precinct or political subdivision, the residence of the individual is in the precinct in which a majority of the room in which the individual usually sleeps is located;</p> <p>(m) if an individual's home is destroyed or rendered uninhabitable by fire or natural disaster, the individual does not lose residence in the precinct where the home is located if the individual intends to return to the home when it is reconstructed or made habitable.</p>
MS	<p>The requirements of a qualified elector may be found in <i>Miss. Code Ann. § 23-15-11</i> which provides that every inhabitant of this state, except those who have been declared mentally incompetent by a court of competent jurisdiction, who is a citizen of the United States of America, eighteen (18) years old and upwards, who has resided in this state for thirty (30) days and for thirty (30) days in the county in which he offers to vote, and for thirty (30) days in the incorporated city or town in which he offers to vote, and who shall have been duly registered as an elector pursuant to Section 23-15-33, and who has never been convicted of any crime listed in Section 241, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his residence, and shall be entitled to vote at any election. Any person who will be eighteen (18) years of age or older on or before the date of the general election and who is duly registered to vote not less than thirty (30) days prior to the primary election associated with such general election, may vote in such primary election even though such person has not reached his or her eighteenth birthday at the time such person offers to vote at such primary election. No others than those above included shall be entitled, or shall be allowed, to vote at any election.</p>
MT	<p>13-1-112. Rules for determining residence. For registration, voting, or seeking election to the legislature, the residence of an individual must be determined by the following rules as far as they are applicable:</p> <p>(1) The residence of an individual is where the individual's habitation is fixed and to which, whenever the individual is absent, the individual has the intention of returning.</p> <p>(2) An individual may not gain or lose a residence while kept involuntarily at any public institution, not necessarily at public expense; as a result of being confined in any prison; or solely as a result of residing on a military reservation.</p> <p>(3) (a) An individual in the armed forces of the United States may not become a resident solely as a result of being stationed at a military facility in the state.</p> <p>(b) An individual may not acquire a residence solely as a result of being employed or stationed at a training or other transient camp maintained by the United States within the state.</p> <p>(c) A member of a reserve component of the United States armed forces who is stationed outside of the state but who has no intent of changing residency retains resident status.</p> <p>(4) An individual does not lose residence if the individual goes into another state or other district of this state for temporary purposes with the intention of returning, unless the individual exercises the election franchise in the other</p>



	<p>(3) if a person is homeless, the county in which the person is living.</p> <p>In Nebraska college students may choose to register with the address of where they are living while attending college or, they may choose to maintain their voting residence at the home of their parents, or guardians where they lived, when they registered prior to leaving to attend college.</p>
NC	<p>§ 163-57. Residence defined for registration and voting.</p> <p>All election officials in determining the residence of a person offering to register or vote, shall be governed by the following rules, so far as they may apply:</p> <p>(1) That place shall be considered the residence of a person in which that person's habitation is fixed, and to which, whenever that person is absent, that person has the intention of returning.</p> <p>a. In the event that a person's habitation is divided by a State, county, municipal, precinct, ward, or other election district, then the location of the bedroom or usual sleeping area for that person with respect to the location of the boundary line at issue shall be controlling as the residency of that person.</p> <p>b. If the person disputes the determination of residency, the person may request a hearing before the county board of elections making the determination of residency. The procedures for notice of hearing and the conduct of the hearing shall be as provided in G.S. 163-86. The presentation of an accurate and current determination of a person's residence and the boundary line at issue by map or other means available shall constitute prima facie evidence of the geographic location of the residence of that person.</p> <p>c. In the event that a person's residence is not a traditional residence associated with real property, then the location of the usual sleeping area for that person shall be controlling as to the residency of that person. Residence shall be broadly construed to provide all persons with the opportunity to register and to vote, including stating a mailing address different from residence address.</p> <p>(2) A person shall not be considered to have lost that person's residence if that person leaves home and goes into another state, county, municipality, precinct, ward, or other election district of this State, for temporary purposes only, with the intention of returning.</p> <p>(3) A person shall not be considered to have gained a residence in any county, municipality, precinct, ward, or other election district of this State, into which that person comes for temporary purposes only, without the intention of making that county, municipality, precinct, ward, or other election district a permanent place of abode.</p> <p>(4) If a person removes to another state or county, municipality, precinct, ward, or other election district within this State, with the intention of making that state, county, municipality, precinct, ward, or other election district a permanent residence, that person shall be considered to have lost residence in the state, county, municipality, precinct, ward, or other election district from which that person has removed.</p> <p>(5) If a person removes to another state or county, municipality, precinct, ward, or other election district within this State, with the intention of</p>

	<p>remaining there an indefinite time and making that state, county, municipality, precinct, ward, or other election district that person's place of residence, that person shall be considered to have lost that person's place of residence in this State, county, municipality, precinct, ward, or other election district from which that person has removed, notwithstanding that person may entertain an intention to return at some future time.</p> <p>(6) If a person goes into another state, county, municipality, precinct, ward, or other election district, or into the District of Columbia, and while there exercises the right of a citizen by voting in an election, that person shall be considered to have lost residence in that State, county, municipality, precinct, ward, or other election district from which that person removed.</p> <p>(7) School teachers who remove to a county, municipality, precinct, ward, or other election district in this State for the purpose of teaching in the schools of that county temporarily and with the intention or expectation of returning during vacation periods to live where their parents or other relatives reside in this State and who do not have the intention of becoming residents of the county, municipality, precinct, ward, or other election district to which they have moved to teach, for purposes of registration and voting shall be considered residents of the county, municipality, precinct, ward, or other election district in which their parents or other relatives reside.</p> <p>(8) If a person removes to the District of Columbia or other federal territory to engage in the government service, that person shall not be considered to have lost residence in this State during the period of such service unless that person votes in the place to which the person removed, and the place at which that person resided at the time of that person's removal shall be considered and held to be the place of residence.</p> <p>(9) If a person removes to a county, municipality, precinct, ward, or other election district to engage in the service of the State government, that person shall not be considered to have lost residence in the county, municipality, precinct, ward, or other election district from which that person removed, unless that person votes in the place to which the person removed, and the place at which that person resided at the time of that person's removal shall be considered and held to be the place of residence.</p> <p>(9a) The establishment of a secondary residence by an elected official outside the district of the elected official shall not constitute prima facie evidence of a change of residence.</p> <p>(10) For the purpose of voting a spouse shall be eligible to establish a separate domicile.</p> <p>(11) So long as a student intends to make the student's home in the community where the student is physically present for the purpose of attending school while the student is attending school and has no intent to return to the student's former home after graduation, the student may claim the college community as the student's domicile. The student need not also intend to stay in the college community beyond graduation in order to establish domicile there. This subdivision is intended to codify the case law. (19th amendt. U.S. Const.; amendt. State Const., 1920; 1901, c. 89, s. 15; Rev., s. 4316; C.S., s. 5937; Ex. Sess. 1920, c. 18, s. 1; 1933, c. 165, s. 4; 1945, c. 758, s. 7; 1955, c. 871, s. 2; 1967, c. 775, s. 1; 1981, c. 184; 1991, c. 727, s. 5.1; 1993 (Reg. Sess., 1994), c. 762, s. 22; 2001-316, s. 1; 2005-428, s. 3(b); 2006-262, s. 2.1.)</p>
NM	NM requires individuals to register by physical address, either at the dorm or a family member address.
NY	In NYS residency for all voters is governed by Election Law sections 5-102 and 5-104 (see below).





of absence for any of the following reasons:

(1) Employment or service outside of the state intimately connected with military operations or with the federal government, including the spouse and dependents of an elector so employed;

(2) Confinement in a correctional facility;

(3) Being a patient in a hospital, convalescent home, nursing home or rest home, or like facility; or

(4) Attendance as a student at an academic institution, including the spouse and dependents of an elector who is a student.

(b) The following shall be considered prima facie evidence of a person's residence for voting purposes:

(1) The address furnished to the division of motor vehicles for the voter's operator's license;

(2) The address from which the voter's motor vehicle is registered;

(3) The address from which the voter filed his last federal income tax return;

(4) The address from which the voter filed his last state income tax return;

(5) The address furnished to the companies from which the voter has obtained retail credit cards;

(6) The address furnished to the financial institutions where the voter maintains accounts;

(7) The address furnished to the tax collector and/or assessor in those communities where the voter owns taxable real or personal property for the purpose of notification to him or her;

(8) The address furnished to the insurance companies with which the voter maintains policies;

(9) The address furnished to the voter's employer;

(10) The address furnished by the voter to any business, professional, union, or fraternal organizations of which he or she is a member;

(11) The address furnished to governmental agencies with which the voter has contact;

(12) The address of a hospital, convalescent home, nursing home or rest home, or like facility at which the voter has been a patient or resident for the preceding thirty (30) days or longer;

	(13) The address furnished to the United States postal service on a change of address form as verified by the United States postal service.
SC	<p>Be a citizen of the United States of America.</p> <p>§ Be 18 years of age (Become 18 on or before the next election).</p> <p>§ Not laboring under disabilities named in the South Carolina Constitution.</p> <p>§ Be a resident of South Carolina and reside in the county and polling precinct where the voter wishes to register.</p> <p>§ The address they list is their only legal place of residence, and they do not claim any other address as their legal residence</p> <p>§ Not under a current court order declaring the voter mentally incompetent</p> <p>§ Not be confined in any public prison resulting from a conviction of a crime.</p> <p>§ Not been convicted of a felony or any offense against the election laws, unless the voter has served his entire sentence, including probation and parole time, or has received a pardon. (7-5-120)</p> <p>Students may register to vote where they attend college only if they prove that they are a resident. Residency is defined in Section 7-1-25. (see 3.20)</p> <p>An Informal Opinion of the S.C. Attorney General dated October 16, 2001 provides guidance for student registration (emphasis added):</p> <p>“...<b>A student cannot be held to a higher standard of residency than any other applicant.</b> However, just as in any other case in which the local board questions the qualifications of the voter, the board can inquire further to ensure that the student meets the residency requirements of Section 7-1-25...”</p> <p>“...We would caution against one practice... <b>A student applicant should not be denied registration solely because the student lists a dormitory as his address.</b> This practice has been challenged in other jurisdictions and struck down as violative of the U.S. Constitution. While this fact may be a basis for further investigation by the voter registration board, a student certainly may live in a dormitory and satisfy the requirements of Section 7-1-25...”</p> <p>“...The statutory inclusion of the definition of domicile in Section 7-1-25 reflects a change in S.C. law toward a less stringent standard of residency for applicants. As always, the intent of the applicant is critical for determining residency. However, as opposed to the previous standard, in which the applicant must have intended to remain in the community permanently or indefinitely, <b>the standard now requires the applicant to have only a present intention to remain in the community.</b> With respect to college students, we would expect the statutory amendment to reduce barriers to registration...”</p> <p>Many boards accept as proof of residence any one of the additional ID documents for mail-in voter registration applications listed in the Help</p>

	<p>America Vote Act of 2002. This list appears on the mail-in voter registration application:</p> <p>“...a copy of a current, valid photo ID or a copy of a current utility bill, bank statement, paycheck, or other government document that shows your name and address in this county.”</p> <p>College students who live on campus face at least one unique barrier to providing these proofs of residency. Most students who live in dormitories receive their mail at a campus post office box. Documents listing a post office box are not satisfactory as the applicant must register at a physical address. In such cases, the student should be directed to obtain from the college or university administration a letter stating the physical address of the building in which the student resides. In the case of state colleges and universities, this letter could serve as a “government document.” In the case of private colleges and universities, the letter could be viewed as a “utility bill,” considering the school provides the students utilities at the dormitory.</p>
SD	<p>College students can either register with their "home" address or with their "dorm" address.</p> <p><b>12-1-4. Criteria for determining voting residence.</b></p> <p>For the purposes of this title, the term, residence, means the place in which a person has fixed his or her habitation and to which the person, whenever absent, intends to return.</p> <p>A person who has left home and gone into another state or territory or county of this state for a temporary purpose only has not changed his or her residence.</p> <p>A person is considered to have gained a residence in any county or municipality of this state in which the person actually lives, if the person has no present intention of leaving.</p> <p>If a person moves to another state, or to any of the other territories, with the intention of making it his or her permanent home, the person thereby loses residence in this state.</p>
TX	<p>If you're a student that spends several weeks or months a year in different locations, but want to vote in Texas, you will need to decide which place in Texas is the geographic location you consider to be your permanent home to which you intend to return after any temporary absence. When you are describing your residence on the voter application, please remember that you are making a factual statement to the best of your knowledge and belief. You are presumed under Texas law to be in the best position to make a factual determination concerning where your residence is for registration purposes. However, you cannot register in more than one location; if you register at a voter registration drive in one county, but put another Texas county as your home on the application, <i>your application will be forwarded to the Texas county of your residence description.</i></p> <p>If you are registered at one location in Texas, and will be away from your home Texas county during early voting and on election day, and wish to vote by mail, you can <a href="#">request that a ballot by mail</a> be sent to you. See general instructions for early voting by mail <a href="http://www.sos.state.tx.us/elections/pamphlets/earlyvote.shtml">http://www.sos.state.tx.us/elections/pamphlets/earlyvote.shtml</a>.</p> <p>If you need to travel overseas, see our special section on overseas voting procedures. <a href="http://www.sos.state.tx.us/elections/pamphlets/federalapp.shtml">http://www.sos.state.tx.us/elections/pamphlets/federalapp.shtml</a></p> <p>If you consider yourself a permanent resident of another state, you will need to consult with the authorities in that state for their registration and</p>



