



# State Policies for Voting by Members of Tribal Nations

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# Today's Presentation

- Overview of NCSL
- Recent legislation
- Other things states are doing

# How NCSL Strengthens Legislatures

## Policy Research

NCSL provides trusted, nonpartisan policy research and analysis

## Connections

NCSL links legislators and staff with each other and with experts

## Training

NCSL delivers training tailored specifically for legislators and staff

## Meetings

NCSL meetings facilitate information exchange and policy discussions

## State Voices in D.C.

NCSL represents and advocates on behalf of states on Capitol Hill

# National Caucus of Native American State Legislators (NCNASL)

- With 89 members from 21 states, the National Caucus of Native American State Legislators:
  - Provides a forum for discussion among Native American legislators.
  - Works to increase awareness of diverse Native American cultures.
  - Supports state-tribal communications to encourage open dialogue, understanding and cooperation.
  - Provides research, training, and educational services to American Indian, Alaska Native and Native Hawaiian state legislators.

# Topics of Legislation

Identification

Voter Registration

Polling Locations and Ballot Drop Boxes

Study and Advisory Committees

# Identification for Registration and Voting

## Indiana

- HB 1485 in 2021 added tribal IDs to the list of acceptable identification to vote in person

## Wyoming

- HB 26 in 2020 allowed tribal ID cards to be used to register to vote

## Washington

- SB 5079 in 2019 specified that a tribal identification card does not have to include a residential address or an expiration date to be considered valid for voting

# Voter Registration

## Washington Native American Voting Rights Act (SB 5079 in 2019)

- A nontraditional address (a narrative description of the voter's residence) may be used by voters residing on an Indian reservation or Indian lands
- Tribal government buildings may be designated to serve as a residential address or mailing address or both for voters living on an Indian reservation or on Indian lands (if it is in the precinct where the voter lives)
- Tribal identification cards may be used for online voter registration.
- Tribes may request state facilities on tribal lands or that serve tribal communities to provide voter registration services

# Voter Registration

## Colorado

- HB 1278 in 2019 specified that an eligible elector who lives on an Indian reservation but who does not have a residence address recognized by the United States Postal Service may register to vote using the address of the tribal council headquarters or any other address approved by the secretary of the tribal council
- SB 276 in 2023 expanded automatic voter registration to include tribal data. “The tribe, upon approval from the tribal council, may provide to the secretary of state’s office of a list of tribal members eligible to vote in an election conducted pursuant to this Title 1...”



# Voting Locations and Ballot Drop Boxes

## Washington

- SB 5079 in 2019 required county auditors to establish at least one ballot drop box on the Indian reservation site selected by the tribe and permitted tribes to designate at least one building as a ballot pickup and collection location at no cost to the tribe

## Colorado

- HB 1278 in 2019 permitted tribal councils to request a voter service and polling center and ballot drop-off locations within the boundaries of the reservation
- SB 276 in 2023 clarified that the tribal council may request either 2 or 4 days of in-person voting before election day and on election day

## Nevada

- SB 492 in 2017 permitted tribes to request polling places on reservations.
- SB 327 in 2023 required counties to establish polling places and ballot drop boxes at locations approved by the Indian tribe

# Voting Locations and Hours

## New Mexico

- HB 231 in 2021 required tribal sign off for moving polling locations or modifying voting hours

## Montana

- SB 196 in 2021 required the governing body of an Indian reservation to sign off before shortening the hours of polling places on Indian reservations

# Legislative Study Committees

California Native  
American Voting  
Accessibility  
Committee (2020)

Montana State-Tribal  
Relations Committee  
Study (2019)

New Mexico Native  
American Voting  
Task Force  
(SoS 2017)

Nebraska  
Commission on  
Indian Affairs  
(introduced 2024)

# Other Ideas States are Considering

- Nevada's extension of the electronic ballot transmission system to tribal members residing on an Indian reservation or Indian colony
- Designating entities serving Native communities as voter registration agencies
- Improving geocoding options for identifying addresses, which could include Plus Codes or next generation 9-1-1 systems
- Providing election documents, including voting materials, educational materials and "I Voted" stickers in Native languages
- Improving translation services and recruiting bilingual election workers to assist voters in areas with language diversities



# Thank You

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