UCLA School of Law Williams Institute

RESEARCH THAT MATTERS

The Potential Impact of Voter Identification Laws on Transgender Voters in the 2026 General Election

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Will Tentindo
Nathan Cisneros
Jody L. Herman
Raksha Kopparam

Contents

Executive Summary . . . 2
- Key Findings . . . 2

Introduction . . . 4
- Voter Registration Requirements and Voter ID Laws in the US . . . 5
- Voter ID Laws and Voter Participation . . . 8
- State Voter Identification Laws in the November 2026 General Election . . . 10
- Processes and Costs Associated with Updating Required Identity Documents . . . 12

Results . . . 15
- Voter ID Laws and Their Potential Impact on Transgender Voters in the 2026 General Election . . . 15
- Possession of Accurate IDs Among Transgender People in the US . . . 15
- States with Default In-Person Voting and State-Level Voter ID Laws . . . 17
- States with Default Mail Voting or no State-Level Voter ID Laws . . . 20

Conclusion . . . 22

Sources and Methods . . . 23
- Estimated Transgender Voting-Eligible Population . . . 23
- Categorization of States and Population Estimates . . . 24

Authors . . . 26
- Acknowledgments . . . 26
- Suggested Citation . . . 26

Appendix . . . 27

Executive Summary

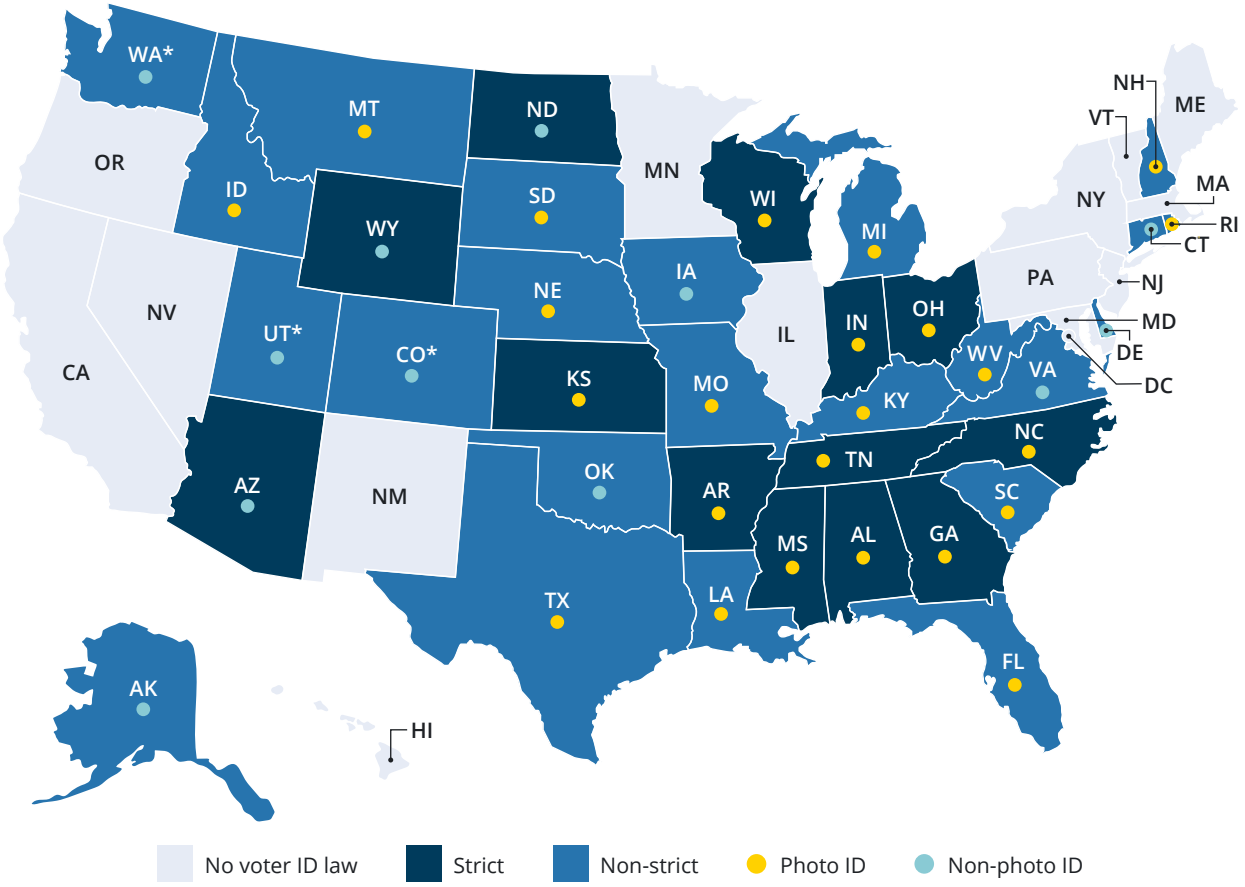
Transgender people face unique obstacles to obtaining identity documents (ID) that match their gender identity. Identity documents that do not match a person's gender, such as a person's name or gender marker, create obstacles to participating in many facets of public life, including voting. Such obstacles may affect voting in the 36 states with voter ID laws, especially the 33 that conduct their elections primarily in person. In these states, voters encounter additional verification requirements at the polls, in addition to federal standards for voter registration and eligibility determination. The strictest of these voter ID laws require voters to present government-issued photo ID at the polling place, and provide no alternative for voters who do not have a photo ID, or, as is often the case for transgender voters, have an inaccurate photo ID.

The Williams Institute analyzed voter ID laws across the United States in the lead-up to the November 2026 general election. Notably, since the 2024 presidential election, voters in at least 19 states face new restrictions for the 2026 general election that were not in place for the 2024 general election. As a result, we found that as many as 323,700 transgender Americans who are eligible to vote may find it difficult to do so because of voter ID laws, including 113,700 who could face disenfranchisement in states with strict photo ID requirements.

Key Findings

- An estimated 1,301,900 transgender adults in the U.S. are eligible to vote in the November 2026 general election.
- Forty-two states conduct their elections primarily in person at polling places, as opposed to primarily by mail.
    - Over 993,600 voting-eligible transgender Americans live in states that conduct their elections primarily in-person.
    - An estimated 43% of these individuals (425,300) lack identity documents that correctly reflect their name or gender.
    - These individuals may face barriers to voting in person because of a mismatch with their information as listed on voter registration rolls or otherwise because of voter ID laws.
- Thirty-three of the states that primarily conduct their elections in person at the polls also have voter ID laws. Voter ID laws can be strict or non-strict, and some require a photo ID, while others require different forms of identification.
    - About 657,300 voting-eligible transgender Americans live in these states.
    - Nearly half of these, or 323,700 individuals, do not have an ID that correctly reflects their name and/or gender.
    - Approximately 113,700 voting-eligible transgender people live in the states with the strictest voter ID laws (where government-issued photo ID is required to vote and few or no alternatives are available) and do not possess a valid ID.
    - These eligible voters could face substantial barriers and potential disenfranchisement in the November 2026 general election.

- Transgender people who are young adults, people of color, students, people with low incomes, people experiencing homelessness, and people with disabilities are likely overrepresented among the 323,700 voting-eligible transgender people who may face barriers to voting due to voter ID laws in the 2026 election cycle.



Note: *These states conduct their elections by mail by default. As our analysis focuses on in-person voting, we discuss these states separately.

Introduction

Transgender people who live in a gender different from the one assigned to them at birth face unique obstacles to obtaining identity documents that reflect their gender.[1] Having identity documents that do not match one's gender, including in name or gender marker, can cause problems for transgender people during a variety of activities, such as when applying for a job or housing, or when interacting with police officers or other government officials.[2] Transgender citizens with identity documents that do not match their gender may also encounter obstacles to voting. Under federal requirements, individuals across the United States are required to provide their driver's license number or the last four digits of their Social Security number when registering to vote if they have one of these forms of identification.[3] If a voter does not provide one of those numbers or registers to vote by mail for the first time, they may also need to show an acceptable form of identification at the polls.[4]

In addition to these federal voter registration requirements, 36 U.S. states have further voter identification laws ("voter ID laws"). These laws require voters to provide identification every time they vote at a polling place.[5] Voter ID laws can be strict or non-strict, and some require a photo ID, while others require different forms of identification. The strictest voter ID laws require voters to present a government-issued photo ID at the polls and offer no alternative for voters who do not have one.

Each election year since 2012, the Williams Institute has released reports on the potential impact of voter ID laws on transgender voters in the United States.[6] These reports describe the problems transgender people may face when voting in states with voter ID laws, particularly those with the strictest voter ID laws that require photo identification and do not offer alternatives to confirm a person's identity. This report presents an update on findings from these prior studies, with an emphasis on states with voter ID laws and where in-person voting is the default expectation for voters, as opposed to states that conduct their elections fully by mail.

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[1] James, S.E., Herman, J.L., Durso, L.E., & Heng-Lehtinen, R. (2024). *Early Insights: A Report of the 2022 U.S. Transgender Survey*. National Center for Transgender Equality. https://transequality.org/sites/default/files/2024-02/2022%20USTS%20Early%20Insights%20Report_FINAL.pdf; James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). *The Report of the 2015 U.S. Transgender Survey*. National Center for Transgender Equality. https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf. Individuals who are nonbinary and/or intersex may have additional barriers to accessing IDs that match their gender due to the lack of availability of gender marker options other than "M" or "F" in most states. According to the Movement Advancement Project (MAP), an "X" gender marker is available for driver's licenses in 22 states and the District of Columbia. Movement Advancement Project, Equality Maps, available at: https://mapresearch.org/equality-map/identity-document-laws-and-policies/#gender-neutral-markers. The U.S. State Department formerly offered an "X" designation on U.S. passports. See U.S. Department of State. (n.d.). *Sex Markers in Passports*. https://travel.state.gov/en/passports/apply/unique-needs/sex-markers.html. Currently, there do not exist reliable state-level estimates of the nonbinary or intersex populations. Additionally, we do not have reliable information about the status of identity documents for nonbinary or intersex individuals if they do not identify as transgender. Based on available data sources, this report provides estimates only for individuals who identify as transgender and live all the time according to their gender identity.

[2] James, S.E., et al. (2024); James, S.E., et al. (2016).

[3] *See* U.S. Election Assistance Commission. (2026a). *State Voting Requirements & Information*. https://www.usvotefoundation.org/state-voter-information; U.S. Election Assistance Commission. (2026b). *National Mail Voter Registration Form*. https://www.eac.gov/sites/default/files/eac_assets/1/6/Federal_Voter_Registration_ENG.pdf

[4] U.S. Election Assistance Commission. (2026a).

[5] National Conference of State Legislatures. (2026). *Voter ID Laws*. https://www.ncsl.org/elections-and-campaigns/voter-id

[6] For the 2024 report, see Herman, J.L., Cisneros, N., Mahowald, L., Tentindo, W. (2024). *The Potential Impact of Voter Identification Laws on Transgender Voters in the 2024 General Election*. The Williams Institute, UCLA School of Law. https://williamsinstitute.law.ucla.edu/publications/trans-voter-id-impact/

Since our last report in 2024, many states have changed their voting laws. Specifically, between January 1, 2025 and May 1, 2026, at least 19 states passed 44 laws that restrict their voting procedures.[7] Additionally, since our 2024 report, as a result of changes to their voter identification requirements, we have updated how we categorize three states.[8] We use the most current estimates of the size of the transgender population across the United States, along with data from the 2022 U.S. Transgender Survey (USTS).[9] We calculate that in the November 2026 general election, as many as 323,700 voting-eligible transgender people may face barriers to voting due to voter ID laws, including nearly 113,700 potential voters who could face disenfranchisement in states with strict photo ID requirements.

Voter Registration Requirements and Voter ID Laws in the US

In the United States, voter identification requirements begin when registering to vote.[10] The Help America Vote Act of 2002 ("HAVA") is a federal law that requires states to collect a driver's license number or the last four digits of a Social Security number on voter registration forms.[11] If a voter does not provide one of these numbers or registers to vote by mail, they must provide identification to election officials when they vote at the polls.

In addition to federal voter registration requirements, states may impose their own voter ID requirements. Voter ID laws require voters to provide some form of identification when voting. Since HAVA was enacted in 2002, an increasing number of states have adopted stricter voter ID provisions that require all voters to present proof of identity to poll workers to vote on a regular ballot.[12] Early versions of these laws date back to 1950, when South Carolina became the first state to require that voters verify their identity at the polls.[13] In 1965, the federal government enacted the Voting Rights Act to address the history of racial discrimination in voting that particularly impacted Black Americans.[14] Between 1965 and 2013, the Voting Rights Act required federal preclearance of changes to state voting laws in certain states with such a history. States subject to preclearance were determined by a coverage formula.[15] In 2013, in *Shelby*

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[7] Brennan Center for Social Justice. (2026). *State Voting Laws Roundup: 2025 in Review.* https://www.brennancenter.org/our-work/research-reports/state-voting-laws-roundup-2025-review; Brennan Center for Social Justice. (2026). *State Voting Laws Roundup: May 2026.* https://www.brennancenter.org/our-work/research-reports/state-voting-laws-roundup-may-2026

[8] See Sources and Methods section, and National Conference of State Legislatures. (2026). *Voter ID Laws*. https://www.ncsl.org/elections-and-campaigns/voter-id. Others may categorize states differently based on additional factors. See Chaisson, H. (2024). The Impermissibility of Sex as a Voter Qualification. *Virginia Law Review*, *110*(4), 984-1026. https://virginialawreview.org/articles/the-impermissibility-of-sex-as-a-voter-qualification/?utm_source=rss&utm_medium=rss&utm_campaign=the-impermissibility-of-sex-as-a-voter-qualification. Our final determination on the categorization for each state considered these differing conclusions.

[9] Herman, J.L., & Flores, A.R. (2025). *How Many Adults and Youth Identify as Transgender in the United States?* The Williams Institute, UCLA School of Law. https://williamsinstitute.law.ucla.edu/publications/trans-adults-united-states; James, S.E., et al. (2024). Additional analyses of 2022 USTS data completed by the authors.

[10] North Dakota is the only state that does not require voter registration. Voter registration identification requirements based on the Help America Vote Act of 2002 (HAVA) (52 U.S.C. §§ 20901–21145) are met instead by a state law requiring all voters to show identification when voting. U.S. Election Assistance Commission. (2026a); U.S. Election Assistance Commission. (2026b).

[11] Help America Vote Act of 2002 (HAVA) (52 U.S.C. §§ 20901–21145).

[12] Biggers, D. R., & Hanmer, M. J. (2017). Understanding the adoption of voter identification laws in the American states. *American Politics Research, 45*(4), 560-588. https://doi.org/10.1177/1532673X16687266

[13] Biggers, D. R., & Hanmer, M. J. (2017); 1950 S. C. Acts 2059-2116, 2094 (No. 858).

[14] See Shelby County, Ala. v. Holder, 570 U.S. 529, 534-37 (2013).

[15] See Clarke, K. (2013). *Reflecting On the 10th Anniversary of Shelby County v. Holder*. U.S. Department of Justice. https://www.justice.gov/opa/blog/reflecting-10th-anniversary-shelby-county-v-holder

County v. Holder, the Supreme Court found the coverage formula unconstitutional, thereby releasing all jurisdictions from the preclearance requirement.[16] Described by the Department of Justice as "a turning point for voting rights in the United States," *Shelby County* enabled states to more easily enact restrictions on voting, such as voter ID laws.[17] Within a day after the decision was released, three of the states previously included in the coverage formula enacted or were able to enforce formerly barred voter ID requirements.[18] For example, Texas enacted a strict voter ID law the day of the decision, which was later ruled in federal court to have a racially discriminatory effect.[19] While that law was struck down in court, another voter ID law was enacted in Texas the next year and upheld.[20] One analysis found that at least 25 new voter ID laws were enacted in the decade following the *Shelby County* decision.[21]

The second Trump administration has declared voter identification to be a key policy priority.[22] The Safeguard American Voter Eligibility Act, more commonly known as the SAVE America Act, is a proposed piece of federal legislation that has taken numerous forms but generally imposes additional requirements on voting or voter registration.[23] Under the version of that legislation passed by the U.S. House of Representatives, new requirements would include nationwide adoption of photo ID to vote and proof of citizenship when registering to vote.[24] If enacted, the law would require government-issued proof of citizenship.[25] For many people, this means their birth certificate.[26] However, this requirement would be particularly burdensome on anyone who has changed their name, including transgender people, because of the additional costs and documentary evidence needed to link their birth certificate with proof of their name change.[27]

Should it become law, we would consider the SAVE America Act to be a strict photo ID law.[28] It requires photo ID when voting.[29] In addition, if someone does not have an acceptable form of photo ID, the SAVE America Act would require them to vote on a provisional ballot, then present their ID later, or attest to a religious objection to being photographed, for their provisional ballot to count.[30] In addition to the strict

[16] Shelby County, Ala. v. Holder, 570 U.S. 529 (2013).

[17] Clarke, K. (2013).

[18] Brennan Center for Justice. (2018). *The Effects of Shelby County v. Holder*. https://www.brennancenter.org/our-work/research-reports/effects-shelby-county-v-holder?limit=all

[19] Brennan Center for Justice. (2018); Clarke, K. (2013); Veasy v. Abbott, 830 F. 3d 216, 272 (5th Cir. 2016).

[20] Veasy v. Abbott, 888 F.3d 792, 795 (5th Cir. 2018) ("the Texas legislature passed a law designed to cure all the flaws cited in evidence when the case was first tried. The legislature succeeded in its goal.").

[21] Singh, J. & Carter, S.(2024). *States Have Added Nearly 100 Restrictive Laws Since SCOTUS Gutted the Voting Rights Act 10 Years Ago.* Brennan Center for Justice. https://www.brennancenter.org/our-work/analysis-opinion/states-have-added-nearly-100-restrictive-laws-scotus-gutted-voting-rights

[22] The White House. (n.d.). The SAVE America Act. https://www.whitehouse.gov/saveamerica/

[23] S. 1383, 119th Cong. (2025). https://www.congress.gov/bill/119th-congress/senate-bill/1383/text

[24] S. 1383, 119th Cong. (2025) at § 2.

[25] S. 1383, 119th Cong. (2025) at § 2(b).

[26] See Orey, W., Weil, M., & Lempert, J. (2026). *Six Things to Know About the SAVE America Act*. Bipartisan Policy Center. https://bipartisanpolicy.org/article/five-things-to-know-about-the-save-act/

[27] See Seong-eun Bergsten, S. (2026*). SAVE Americas Act Would Harm Women, Trans People*. Human Rights Watch. https://www.hrw.org/news/2026/03/30/save-americas-act-would-harm-women-trans-people; League of Women Voters. (2025). *How Voter ID Laws Suppress Transgender Voters*. https://www.lwv.org/blog/how-voter-id-laws-suppress-transgender-voters

[28] See also, NCSL Staff. (2026). *9 things to know about the proposed SAVE America Act*. National Conference of State Legislatures. https://www.ncsl.org/state-legislatures-news/details/9-things-to-know-about-the-proposed-save-america-act

[29] S. 1383, 119th Cong. (2025) at § 3.

[30] S. 1383, 119th Cong. (2025) at § 303a(A)(2).

policy around provisional ballots, the types of acceptable identification are narrow.[31] Not only would this impact states that do not have a strict photo ID requirement, but an analysis from the Institute for Responsive Government found that not a single state had a voter ID policy that would satisfy the terms of the SAVE America Act.[32] Even in states that have a strict photo ID requirement, the SAVE America Act would prohibit states from accepting student IDs, government benefit IDs, veterans IDs, or firearm permits, among others, as means to establish voting eligibility.[33] The increased photo ID requirements that states would be forced to adopt could therefore result in a far greater number of transgender people experiencing difficulty when voting.

As part of its messaging about the SAVE America Act, the Trump administration has criticized state laws that permit acceptance of mail-in ballots.[34] Through an executive order on March 31, 2026, the administration sought to impose greater federal oversight of mail-in ballots, including by calling for federal rulemaking on the subject by the U.S. Postal Service (USPS) and directing the Department of Homeland Security and the Social Security Administration to create a list of eligible voters.[35] Key provisions of that executive order were enjoined by a federal court.[36] However, after the Trump administration sought review of that decision, the Supreme Court issued a stay on August 24, 2026.[37] This Supreme Court decision allows the Trump administration to begin implementing portions of the executive order while the case proceeds through the appeals process.

However, the impact of this decision on the 2026 midterm election remains unclear as of August 31, 2026. On August 21, 2026, the USPS issued a final rule adopting changes in response to the March executive order.[38] However, a second injunction in a separate but related lawsuit prevents the USPS from implementing changes before the November 2026 general election.[39] Without a stay of the injunction in this second lawsuit, the USPS is still barred from implementing the changes outlined in the executive order and the final rule. These intertwined court cases follow the June 2026 Supreme Court ruling upholding states' authority to count mail-in ballots received after Election Day.[40]

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[31] Acceptable forms are state-issued driver's licenses or identification cards, U.S. passport, military identification, or a Tribal identity document. All must be valid and have a photo and expiration date. See S. 1383, 119th Cong. (2025) at §303a(c).

[32] Institute for Responsive Government. (n.d.). *State-by-state in-person voter ID changes required under the SAVE America Act*. https://responsivegov.org/research/voter-id-changes-required-under-the-save-america/

[33] Institute for Responsive Government. (n.d.).

[34] The White House. (n.d.).

[35] Exec. Order No. 14,399, 91 Fed. Reg. 17,125 (2026). https://www.whitehouse.gov/presidential-actions/2026/03/ensuring-citizenship-verification-and-integrity-in-federal-elections/ ("Ensuring Citizenship Verification and Integrity in Federal Elections").

[36] State of California v. Trump, No. 26-cv-11581 (D. Mass, June 25, 2026).

[37] Application for a Stay of Injunction, *Trump v. California*, No. 26A (S. Ct. July 27, 2026), https://www.supremecourt.gov/DocketPDF/26/26A124/417370/20260727144320600_Trump%20v.%20California%20Application%20and%20Appendix.pdf; Trump v. California, 609 U. S. (Aug. 24, 2026), https://www.supremecourt.gov/opinions/25pdf/26a124_hgci.pdf.

[38] 91 Fed. Reg. 54,966 (Aug. 26, 2026), https://www.federalregister.gov/public-inspection/2026-17238/ballot-mail-for-federal-elections.

[39] League of Women Voters of Mass. v. Trump, 2026 WL 2322705, No. 1:26-cv-11549-IT (D. Mass., Aug. 11, 2026), *appeal filed*, League of Women Voters of Mass. v. Trump, No. 26-01944 (1st Cir., Aug. 19, 2026).

[40] Watson v. Republican Nat'l Comm., 609 U.S. (June 29, 2026).

Voter ID Laws and Voter Participation

In recent years, scholars have attempted to assess the effects of voter ID laws on voter turnout.[41] Results have been mixed.[42] Most recent scholarship has observed minor effects on aggregate turnout, but evidence suggests that in an era of very tight elections, such effects might be important for determining outcomes.[43] For example, a recent study using voting data from 1984 to 2020 found little change in aggregate turnout following the adoption of strict voter ID laws.[44] However, when looking at subpopulations, several scholars have observed that Hispanic and Black voters are more likely than white voters to be asked for identification.[45] Moreover, scholars have found that perceptions about the ease or difficulty of voting can affect voter turnout.[46] There is some evidence that, even after a state relaxes its voter ID requirements, voters can be discouraged from going to the polls.[47] Additionally, research has found that poll workers sometimes request voter identification even in states without voter ID laws.[48] This last finding points to the special role of election administration, such as poll worker training, in ensuring equal access to the ballot box.

These registration and voting dynamics may be affected when an eligible voter's gender identity or expression does not match their sex assigned at birth. A recent study found that transgender and gender-diverse people encounter more problems when attempting to vote as compared to cisgender people.[49]

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[41] Highton, B. (2017). Voter identification laws and turnout in the United States. *Annual Review of Political Science*, *20*, 149-167. https://doi.org/10.1146/annurev-polisci-051215-022822.

[42] Hajnal, Z., Lajevardi, N., & Nielson, L. (2017). Voter identification laws and the suppression of minority votes. *The Journal of Politics*, *79*(2), 363-379. https://doi.org/10.1086/688343; Grimmer, J., Hersh, E., Meredith, M., Mummolo, J., & Nall, C. (2018). Obstacles to estimating voter ID laws' effect on turnout. *The Journal of Politics*, *80*(3), 1045-1051. https://doi.org/10.1086/696618; Fraga, B. L., & Miller, M. G. (2022). Who do voter id laws keep from voting? *The Journal of Politics*, *84*(2), 1091-1105. https://doi.org/10.1086/716282; Cantoni, E., & Pons, V. (2021). Strict ID laws don't stop voters: Evidence from a US nationwide panel, 2008–2018. *The Quarterly Journal of Economics*, *136*(4), 2615-2660. https://doi.org/10.1093/qje/qjab019

[43] Grimmer, J., & Hersh, E. (2024). How Election Rules Affect Who Wins. *Journal of Legal Analysis*, *16*(1), 1-25. https://doi.org/10.1093/jla/laae001; Harden, J. J., & Campos, A. (2023). Who benefits from voter identification laws? *Proceedings of the National Academy of Sciences*, *120*(7). https://doi.org/10.1073/pnas.2217323120

[44] Lipkovitz, R. (2025). Strict voter identification laws and turnout: Differential effects by election type and adoption timing. *Research & Politics*, *12*(4), 1–8. https://doi.org/10.1177/20531680251401762. The author finds no turnout effect in states that adopted strict voter ID laws before 2008 and a modest decline for those that adopted from 2008 onward in presidential elections. In contrast, the author finds a modest increase in turnout during midterm elections following the adoption of strict voter ID laws. In contrast, Noah McKinnie Braun, using voter registration microdata in Virgina finds a negative effect of new voter ID laws in the state, noting that the effect may happen through declines in voter registrations rather than voter turnout. McKinne Braun also notes that registration drives might offset some of the observed negative effect of such laws. See Braun, N. (2025). Voter ID laws impact turnout through registration [Working paper]. https://www.dropbox.com/scl/fi/8ayul8dua6vq1to819y4j/JMP-Voter-ID-Laws-Impact-Turnout-Through-Registration.pdf.

[45] Atkeson, L. R., Kerevel, Y. P., Alvarez, R. M., & Hall, T. E. (2014). Who asks for voter identification? Explaining poll-worker discretion. *The Journal of Politics*, *76*(4), 944-957. https://doi.org/10.1017/S0022381614000528; Cobb, R. V., Greiner, D. J., & Quinn, K. M. (2012). Can voter ID laws be administered in a race-neutral manner? Evidence from the city of Boston in 2008. *Quarterly Journal of Political Science*, *7*(1), 1-33. https://ssrn.com/abstract=1625041; Fraga, B. L., et al. (2022). Recent research has also found, in the other direction, that an increase in universal or no fault vote by mail had similar positive effects across racial groups, including among Black Americans. This contrasts with earlier research that found Black Americans may be more reluctant to adopt vote by mail, preferring instead to cast a ballot in person. See Martinez, M., Trexler, A., & SoRelle, M. (2026). Election administration and voting behavior among Americans of color. *Journal of Race, Ethnicity, and Politics*, 1–22. https://doi.org/10.1017/rep.2026.10069

[46] Coll, J. A. (2025). Who thinks it is easy to register and vote? *American Politics* Research, *53*(4), 384–394. https://doi.org/10.1177/1532673X251327166

[47] One analysis found that strict voter ID in North Carolina reduced voter participation during the election in which the rule was in place, but it also decreased voter turnout in subsequent elections when strict photo ID was not required. See Grimmer, J., & Yoder, J. (2022). The durable differential deterrent effects of strict photo identification laws. *Political Science Research and Methods*, *10*(3), 453-469. https://doi.org/10.1017/psrm.2020.57

[48] Stewart, C. (2013). Voter ID: Who has them? Who shows them? *Oklahoma Law Review, 66*(1), 21-52. https://digitalcommons.law.ou.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1063&context=olr

[49] Strode, D., Storm, T., & Flores, A. R. (2025). Transgender and gender-diverse people disproportionately report problems while trying to vote compared to cisgender people. *The Journal of Politics*, *87*(3), 1190-1203. https://doi.org/10.1086/732978

Yet studies evaluating voter registration and voter turnout among transgender Americans find mixed effects at the national level. One study found that transgender people are less likely to be registered to vote than their cisgender peers, even when controlling for factors like age and economic status.[50] Others have found that transgender Americans are more likely to be registered to vote and to vote.[51]

Whatever the aggregate effects, states with stricter voter ID laws and more difficult requirements to accessing accurate IDs increase the likelihood that transgender people will encounter problems voting.[52] As described in this report, and in the prior reports in this series, transgender individuals face unique hurdles to acquiring accurate ID and may face greater scrutiny at polling places because of their gender identity. In states with voter ID laws, poll workers may exercise discretion in requesting that a voter show their ID.[53] This could lead to discrimination against those whose IDs do not match their gender identity or presentation.

Some protections against this type of discrimination may be available, but this area of law remains untested. For example, legal scholars have argued that transgender people may be entitled to protections against discrimination at the ballot box under the Nineteenth Amendment to the U.S. Constitution.[54] The Nineteenth Amendment states that "[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."[55] Although the amendment does not define "sex," it is possible that such protections would extend to transgender people. In *Bostock v. Clayton County*, the Supreme Court held that gender identity was "inextricably bound up with sex" in the context of employment discrimination under Title VII.[56] Some courts have since extended this *Bostock*-based reasoning to contexts other than Title VII.[57] However, the Supreme Court has repeatedly declined to extend *Bostock*'s reasoning or heightened constitutional protections to other types of laws that burden transgender people.[58]

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[50] Strode, D., & Flores, A. R. (2021). Voter registration rates and traits by sexual orientation and gender expression. *Public Opinion Quarterly*, *85*(3), 913-928. https://doi.org/10.1093/poq/nfab042. The authors point out that the only measure available to identify gender identity in their study (from the Cooperative Congressional Election Study) is much broader than the measures commonly used, and as a result the proportion of non-cisgender respondents was much higher than is found elsewhere.

[51] Bowers, M. M., & Whitley, C. T. (2020). Assessing voter registration among transgender and gender non-conforming individuals. *Political Behavior, 42(1),* 143-164. https://doi.org/10.1007/s11109-018-9489-x; Advocates for Trans Equality Education Fund. (2024). *Civic Engagement in the 2022 U.S. Transgender Survey*. https://transequality.org/sites/default/files/2024-08/USTS_2022CivicEngagementReport_Final.pdf

[52] Strode, et al. (2025).

[53] Atkeson, et al. (2014); Cobb, et al. (2012); Garofoli, J. (2019, October 25). *California to start first-in-the-nation training to help transgender voters*. San Francisco Chronicle. https://www.sfchronicle.com/politics/article/California-to-start-first-in-the-nation-training-14560805.php

[54] See Nicole R. Gabriel. (2020). Resurrecting the Nineteenth Amendment: Why Strict Voter ID Laws Unconstitutionally Discriminate Against Transgender Voters. *Idaho Law Review*, *56*(2). https://digitalcommons.law.uidaho.edu/idaho-law-review/vol56/iss2/4

[55] U.S. Const. amend. XIX.

[56] Bostock v. Clayton County, 590 U.S. 644, 660-661 (2020).

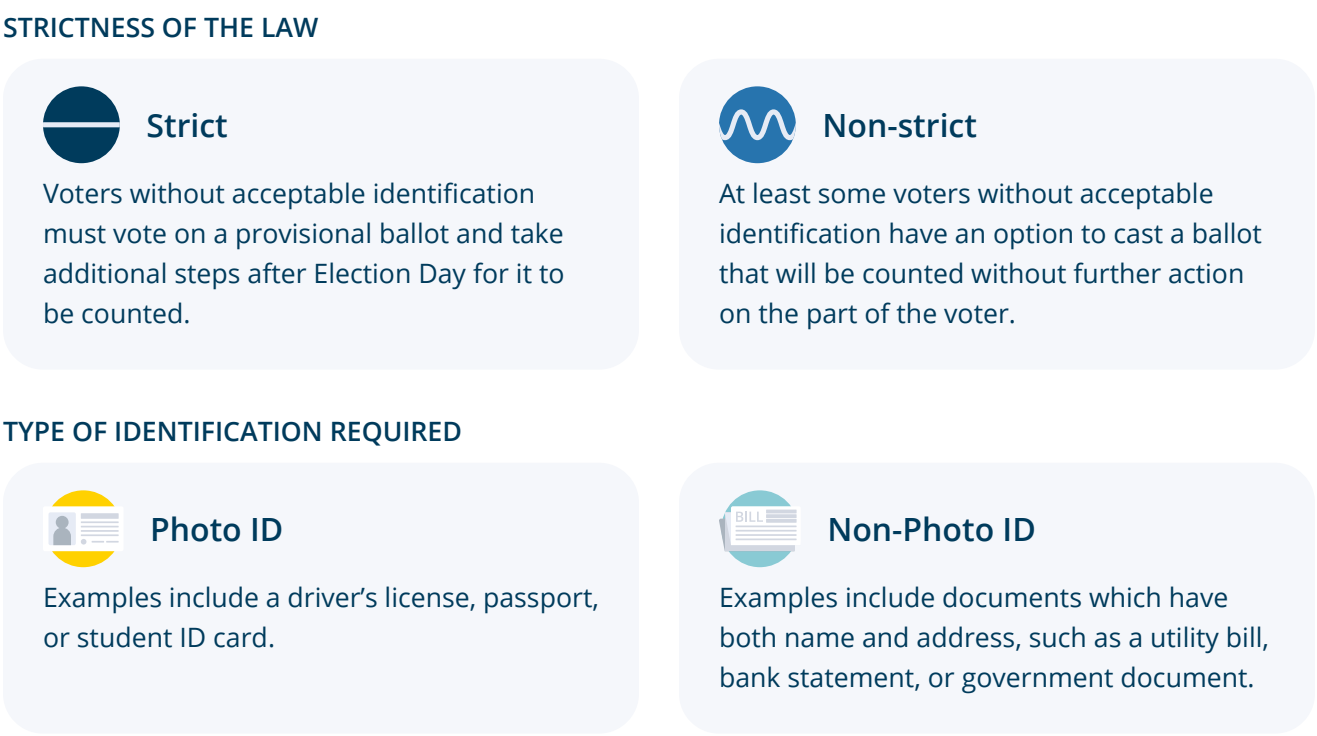
[57] See, e.g, Anderson v. Crouch, 169 F.4th 474 (4th Cir. 2026) ("under Fourth Circuit precedent, *Bostock* controls our analysis of Title IX, and by extension, the Affordable Care Act"); A.C. ex. rel. M.C. v. Metropolitan Sch. Dist. of Martinsville, 75 F.4th 760, 767 (7th Cir. 2023) (applying *Bostock* to Title IX); Doe v. Snyder, 28 F.4th 103, 114 (9th Cir. 2022) (directing a lower court to apply *Bostock* to Section 1557 of the Affordable Care Act). But also see, e.g., Louisiana v. U.S. Dep't of Educ., 737 F.Supp.3d 377, 397-98 (June 2024, W.D. La) ("However, the Supreme Court specifically did not determine whether Bostock applied to other federal laws… there exists a split among the courts as to the application of Bostock to Title IX, with some courts finding that Bostock applies to Title IX and others finding that it does not… the Court finds that Bostock does not apply to Title IX") (internal citations omitted).

[58] Skrmetti v. U.S., 605 U.S. 495 (June 2025) ("The Court declines to address whether *Bostock*'s reasoning reaches beyond the Title VII context"); West Virginia v. B.P.J. by Jackson, 609 U.S. (June 30, 2026) (holding that "*Bostock* [is] not relevant in this very different statutory and factual context of sports laws" that restrict transgender women and girls from competing on sports teams for women and girls).

State Voter Identification Laws in the November 2026 General Election

As of August 31, 2026, 36 states have voter ID laws that will be in effect for the November 2026 general election. These voter ID laws can be categorized based on the availability of options for voters who do not have the required identification (their "strictness") and on whether the identification must include a photo (see Figure 1). In this report, we use the categorization of strict/not strict and photo/non-photo put forward by the National Conference of State Legislatures, with some modification.[59] Table 1 categorizes the 36 states with voter identification laws in 2026 by the strictness of the laws and whether photo ID is required. (See the Sources and Methods section below for more information on classification.)

Figure 1. Types of identification required and strictness of voter ID laws



Strict and non-strict voter ID laws: States with non-strict voter ID laws provide other options for at least some voters who do not have an accepted form of ID. For example, several states allow voters to sign an affidavit testifying that they are the elector whose name appears on the registered voter list. In others, signatures on the ballot are compared to those on the voter registration form. In strict states, voters without an accepted form of ID may be limited to voting by provisional ballot. These ballots are not counted unless the voter returns to an election official with an accepted form of ID within a specified timeframe.[60] We consider the voter ID laws of 13 states to be strict and those of 23 states to be non-strict.

[59] See National Conference of State Legislatures. (2026). *Voter ID Laws*. https://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx. See Sources and Methods section for instances where we differ from NCSL on a state's categorization under this framework.

[60] For example, a voter in Kansas (a strict photo ID state) who does not have proper identification would need to present "a valid form of identification… before the meeting of the county board of canvassers." KAN. STAT. ANN. § 25-2908 (2026).

Photo and non-photo voter ID laws: States may also require different types of identity documents. Some states require voters to bring in a government-issued photo ID, such as a driver's license or U.S. passport, to vote on a regular ballot at the polls. States that do not require a voter's ID to include a photo may instead accept documents that show the voter's name and address, such as a utility bill or bank statement. Among states with voter ID laws, 24 states require photo IDs, and 12 states accept non-photo IDs.

Default in-person voting and vote-by-mail: Nine states in the U.S. conduct elections by mail by default; all registered voters in these states are sent mail-in ballots (sometimes referred to as absentee ballots). This includes three states with non-strict, non-photo voter ID laws (Colorado, Utah, and Washington) and six jurisdictions with no voter ID laws (California, D.C., Hawaii, Nevada, Oregon, and Vermont).[61] Many other states allow voters to vote by mail, but voters in those states must apply to take advantage of that option, and by default, voting is done in person at the polls.

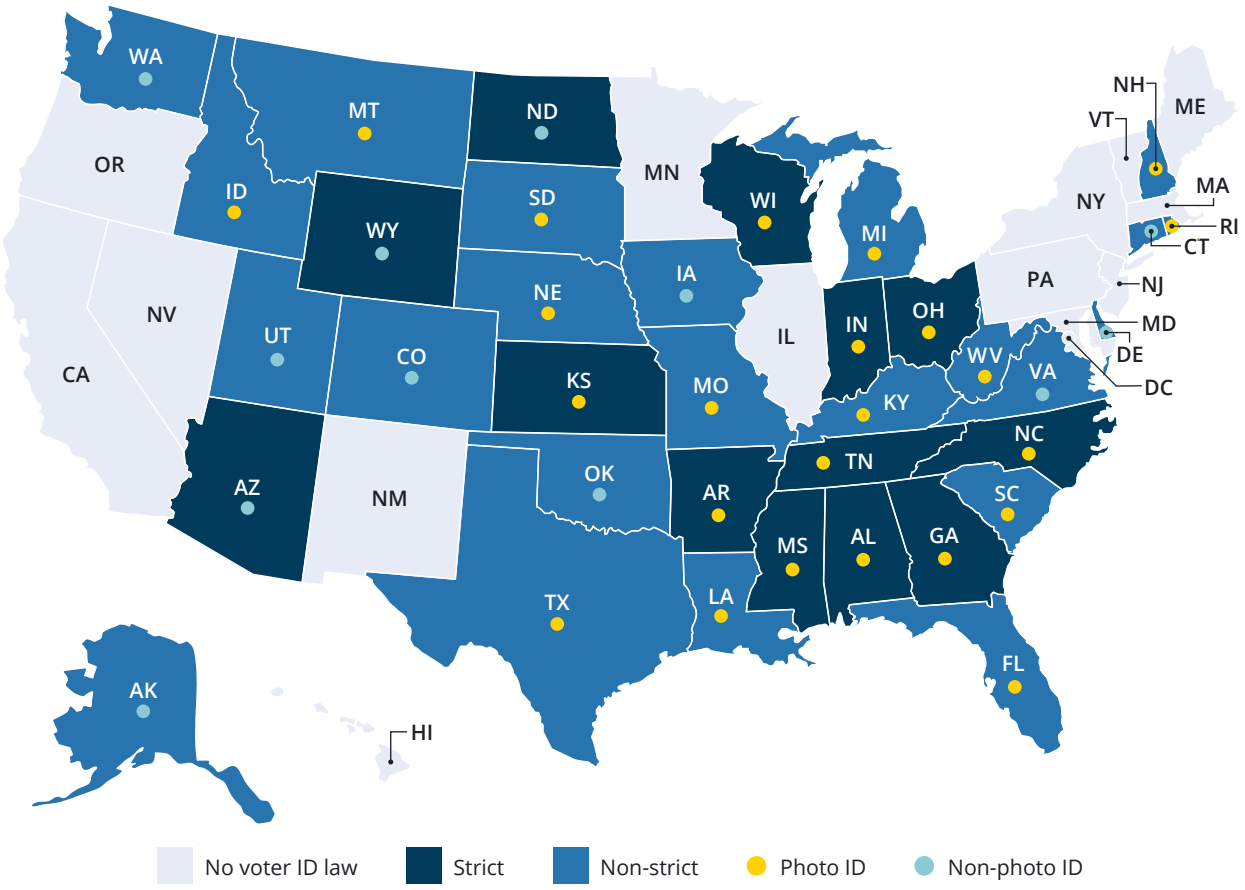
Table 1. Voter ID laws in the United States by photo ID requirements and strictness (36 states)

Strictness	Photo ID	Non-Photo ID
Strict	Alabama	Arizona
	Arkansas	North Dakota
	Georgia	Wyoming
	Indiana	
	Kansas	
	Mississippi	
	North Carolina	
	Ohio	
	Tennessee	
	Wisconsin	
Non-Strict	Florida	Alaska
	Idaho	Colorado*
	Kentucky	Connecticut
	Louisiana	Delaware
	Michigan	Iowa
	Missouri	Oklahoma
	Montana	Utah*
	Nebraska	Virginia
	New Hampshire	Washington*
	Rhode Island	
	South Carolina	
	South Dakota	
	Texas	
	West Virginia	

Note: *These states conduct their elections by mail by default. As our analysis focuses on in-person voting, we discuss these states separately.

[61] National Conference of State Legislatures. (2026). *Table 18: States With Mostly Mail Elections*. https://www.ncsl.org/elections-and-campaigns/table-18-states-with-all-mail-elections. Vermont's law pertains to General Elections only.

Figure 2. Voter ID laws in the United States by photo ID requirements and strictness



Processes and Costs Associated with Updating Required Identity Documents

Some eligible voters in the U.S. may face challenges obtaining the types of identity documents required to vote in their state. For instance, they may not have the means or the ability to obtain the required voter identification because of poverty, disability, or a religious objection to being photographed.[62] A recent study estimated that, in 2020, about 12% of voting-age Americans did not have a driver's license, and that about 6% of Americans lacked either a valid (not expired) passport or a valid driver's license.[63] Among respondents to the 2022 U.S. Transgender Survey who were registered to vote in the 2020

[62] See Fisher, E.A., Garrett, R.S., & Whitaker, L.P. (2016). *State Voter Identification Requirements Analysis, Legal Issues, and Policy Considerations*. Congressional Research Service. https://sgp.fas.org/crs/misc/R42806.pdf; Vote.gov. (2024). *Voting with a Disability*. https://vote.gov/guide-to-voting/disability; Brougher, C. (2012). *Legal Analysis of Religious Exemptions for Photo Identification Requirements*. Congressional Research Service. https://www.everycrsreport.com/files/20120905_R40515_dbb3d7977a05b49d8c9fdbc00ddc8d2d7806feb2.pdf

[63] Hanmer, M. & Novey, S. (2023). *Who Lacked Photo ID In 2020?: An Exploration of the American National Election Studies.* University of Maryland Center for Democracy and Civic Engagement. https://www.voteriders.org/wp-content/uploads/2023/04/CDCE_VoteRiders_ANES2020Report_Spring2023.pdf. Earlier estimates found the share of voting age Americans without an ID as high as 19%, and that 20% of registered voters may not have a valid driver's license. See U.S. Government Accountability Office. (2014). *Elections: Issues related to state voter identification laws.* https://www.gao.gov/assets/gao-14-634.pdf, and Stewart, C. (2013).

general election, 21% did not have a driver's license, and 53% did not have a U.S. passport.[64] Additionally, possession of valid IDs varies notably by race and ethnicity among voting-age Americans. People identified as Black or as Hispanic were about twice as likely to lack any form of government-issued photo ID as people identified as white or Asian.[65] Prior research has also demonstrated more broadly that people of color, the elderly, those who have lower incomes, and those experiencing homelessness are less likely than others to have such identity documents.[66]

Many transgender voters face the unique added burden of needing to update their IDs with their correct name, photo, and gender marker once they begin to live in accordance with their gender identity. This administrative burden can be challenging and costly, as laws vary substantially across states and federal agencies.[67] For instance, some states do not permit gender marker changes on birth certificates, and some require proof of gender-affirming surgical care or a court order in order to change the gender marker on their IDs.[68] According to the Movement Advancement Project, eight states prohibit changes to an individual's gender marker on their driver's license as of July 2026, up from three since our 2024 report.[69] Ten states prohibit changes to an individual's gender marker on their original birth certificate, up from five.[70] Seven states prohibit corrections on both documents.[71] At least one federal circuit court has held that a state prohibition on gender marker changes on birth certificates was constitutional.[72] In 2025, the federal Department of State also imposed new rules requiring that the sex marker on U.S. passports reflect only an individual's sex assigned at birth.[73] This was challenged by transgender passport holders and temporarily upheld at a preliminary stage by the Supreme Court.[74]

In addition to these states that prevent government agencies from changing gender markers going forward, Kansas has become the first state to enact a statute that also applies retroactively.[75] Kansas' law explicitly invalidates birth certificates and previously issued driver's licenses that have a gender marker that does not correspond with the person's sex assigned at birth.[76] Other states have considered or

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[64] James, et al. (2024). Additional analyses of 2022 USTS data completed by the authors.

[65] Stewart, C. (2013); Hanmer, M. & Novey, S. (2023).

[66] The Brennan Center for Justice at NYU School of Law. (2006). *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification.* https://www.brennancenter.org/our-work/research-reports/citizens-without-proof; Wiltz, T. (2017). *Without ID, Homeless Trapped in Vicious Cycle*. Stateline. https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/05/15/without-id-homeless-trapped-in-vicious-cycle; Hanmer, M. & Novey, S. (2023).

[67] Brown, T. N. T., & Herman, J. L. (2016). *Voter ID laws and their added costs for transgender voters*. The Williams Institute, UCLA School of Law. https://williamsinstitute.law.ucla.edu/publications/voter-id-laws-costs-trans-voters/.

[68] Movement Advancement Project. (2026). *Identity documents laws and policies*. https://mapresearch.org/equality-map/identity-document-laws-and-policies/

[69] Herman, J.L., (2024); Movement Advancement Project. (2026) at "Driver's Licenses"; See also, Advocates for Trans Equality. (n.d.) *Identity Documents Center*. https://transequality.org/documents

[70] Movement Advancement Project. (2026) at "Birth Certificates."

[71] Movement Advancement Project. (2026).

[72] Gore v. Lee, 107 F.4th 548 (6th Cir. 2024).

[73] See Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government, Exec. Order 14,168, 90 Fed. Reg. 8,615 (January 30, 2025); 30-Day Notice of Proposed Information Collection: Application for a U.S. Passport, 90 Fed. Reg. 9,652 (Feb. 15, 2025); U.S. Passport Renewal Application for Eligible Individuals, DS-82, 90 Fed. Reg. 9,800 (Feb. 18, 2025).

[74] *Donald J. Trump, President of the United States, et al. v. Ashton Orr, et al.*, No. 25A319, 607 U.S. (Nov. 6, 2025) (granting application for stay).

[75] Alatidd, J. & Santucci, J. (2026, February 26). *First-of-its-kind law revokes IDs and enacts bathroom rules.* USA Today. https://www.usatoday.com/story/news/nation/2026/02/26/kansas-transgender-law-drivers-licenses-bathroom-bill/88876772007/

[76] S.B. 244, 2026 Kan. Leg. (2025-206), https://kslegislature.gov/b2025_26/bills/sb244/ (driver's license provision codified at Kan. Stat § 8-243(g) (2026)). See also ACLU, *Doe v. State of Kansas* (March 6, 2026), https://www.aclukansas.org/cases/doe-v-state-of-kansas/

adopted other restrictive policies. For example, Florida has threatened criminal or civil liability for those attempting to correct a driver's license to reflect their gender identity if it does not align with the person's sex assigned at birth.[77]

Even where changing the name and/or sex marker on an ID is feasible, process requirements may impose substantial, sometimes insurmountable, barriers to obtaining accurate IDs for some transgender individuals.[78] For example, many aspects of the process to obtain an accurate ID also impose financial costs, such as court orders, physician letters, and fees for new ID cards.[79] Transgender people are more likely to report living at or near poverty than the U.S. general population, and may have more difficulty overcoming such financial barriers.[80] Additionally, some states require proof of certain medical procedures, such as genital surgery, to change a birth certificate.[81] These requirements, which can be expensive for an individual to meet, may also be out of reach for health reasons, as not all transgender people will need gender-affirming medical or surgical care.[82]

Research has found that transgender individuals living in states with more burdensome requirements for changes to identity documents are less likely to have IDs that match their gender.[83] These barriers contribute to the substantial numbers of transgender people without correct IDs. For instance, among the adult respondents to the 2022 U.S. Transgender Survey who lived all the time in accordance with their gender identity, 75% reported having a driver's license. Of those, 42% reported having either an incorrect name or an incorrect gender marker on their license.[84]

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[77] Kynoch, Robert. (2024). *Driver License Operation Manual-Issuance requirements-IR08-Gender requirements (Recission*) [Memorandum]. https://s3.documentcloud.org/documents/24424120/ir08-gender-requirements-12624-memo.pdf. However, a group of eight members of Congress representing Florida argued that this policy change violated the Federal REAL ID Act. See Frost, M. A. [@RepMaxwellFrost]. (2026, February 2). *Alongside my Democratic colleagues in FL, I just sent a letter calling on the federal government to step in and* [Images attached] [Post]. X. https://x.com/RepMaxwellFrost/status/1753515079256166630

[78] Brown, et al. (2016); Movement Advancement Project. (2020).

[79] Brown, et al. (2016).

[80] Badgett, M. V. L., Choi, S. K., & Wilson, B. D. M., (2019, October). *LGBT poverty in the United States: A study of differences between sexual orientation and gender identity groups*. The Williams Institute, UCLA School of Law. https://williamsinstitute.law.ucla.edu/publications/lgbt-poverty-us/

[81] Movement Advancement Project. (2026) at "Birth Certificates."

[82] Brown, et al. (2016); Solotke, M.T., Liu, P., Dhruva, S.S., Gulanski, B., Shah, N.D., Ross, J.S. (2020). Medicare Prescription Drug Plan Coverage of Hormone Therapies Used by Transgender Individuals. *LGBT Health*, *7*(3). https://pubmed.ncbi.nlm.nih.gov/32267818/

[83] Herman, J.L. & O'Neill, K. (2021). *Gender marker changes on state ID documents: State-level policy impacts*. The Williams Institute, UCLA School of Law. https://williamsinstitute.law.ucla.edu/publications/gender-marker-policies/

[84] James, S.E., et al. (2024). Additional analyses of 2022 USTS data completed by the authors.

Results

Voter Identification Laws and Their Potential Impact on Transgender Voters in the 2026 General Election

During an election, election officials and poll workers decide whether voters meet the requirements to vote at the polls.[85] Poll workers examine the voter registration rolls and, in states that require voter ID at the polls (henceforth "voter ID states"), assess whether voters have the required form of identification. A voter's ID must sufficiently identify the voter and match the voter's information as listed in the voter registration rolls. Without voter registration information, and in voter ID states, where required identification must match the voter's gender (in name, gender marker, or both), poll workers tasked with assessing the identity of potential voters may find that a transgender voter's name on the voter registration rolls, required ID (if applicable), and appearance do not match. This could be a reason to deny the voter the ability to vote using a regular ballot.

Previous research has shown that certain racial groups are more likely to be asked for identification when voting in person.[86] Unfortunately, we do not have good national or state-level measures for how election officials and poll workers treat transgender voters at the polls if the voter's registered name and/or ID does not match their gender. However, 22% of adult respondents to the 2022 USTS reported having negative experiences, in general, after showing identity documents that did not match their gender presentation.[87] Adult respondents reported being verbally harassed (17%), denied services or benefits (12%), being asked to leave the venue where they presented the identification (5%), and being assaulted or attacked (2%) after presenting inaccurate IDs.[88] Furthermore, adult respondents reported being denied equal treatment or service (6%) and being verbally harassed (6%) by staff when seeking government benefits or assistance when they believed staff knew they were transgender.[89] These findings suggest that some transgender people without correct ID documents will face barriers to voting at the polls.

Possession of Accurate IDs Among Transgender People in the US

Among transgender adult citizens who responded to the 2022 USTS, 49% said that they have no form of identification that lists their correct name, and 54% had no form of ID that represented their correct gender.[90] An estimated 58% had no form of identification that correctly represented both their name and gender (Figure 3; Appendix Table A1). 2022 USTS data suggests that transgender citizens are more likely to have no accurate IDs if they are young adults (18-24; 78%), people of color (60%), students (66%), are living at or near 100% of the federal poverty line (67%), experienced homelessness in the past year (66%), or have disabilities (66%) (Figure 4; Appendix Table A2).

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[85] United States Election Assistance Commission. (August 2024). *Poll Worker Resources*. https://www.eac.gov/help-america-vote.

[86] Atkeson, et al. (2014).; Cobb, et al. (2012).

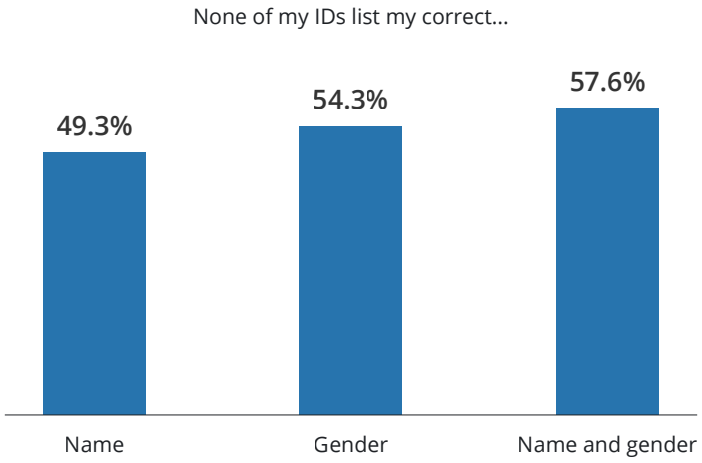
[87] James, S.E., et al. (2024).

[88] James, S.E., et al. (2024). Additional analyses of 2022 USTS data completed by the authors.

[89] James, S.E., et al. (2024). Additional analyses of 2022 USTS data completed by the authors.

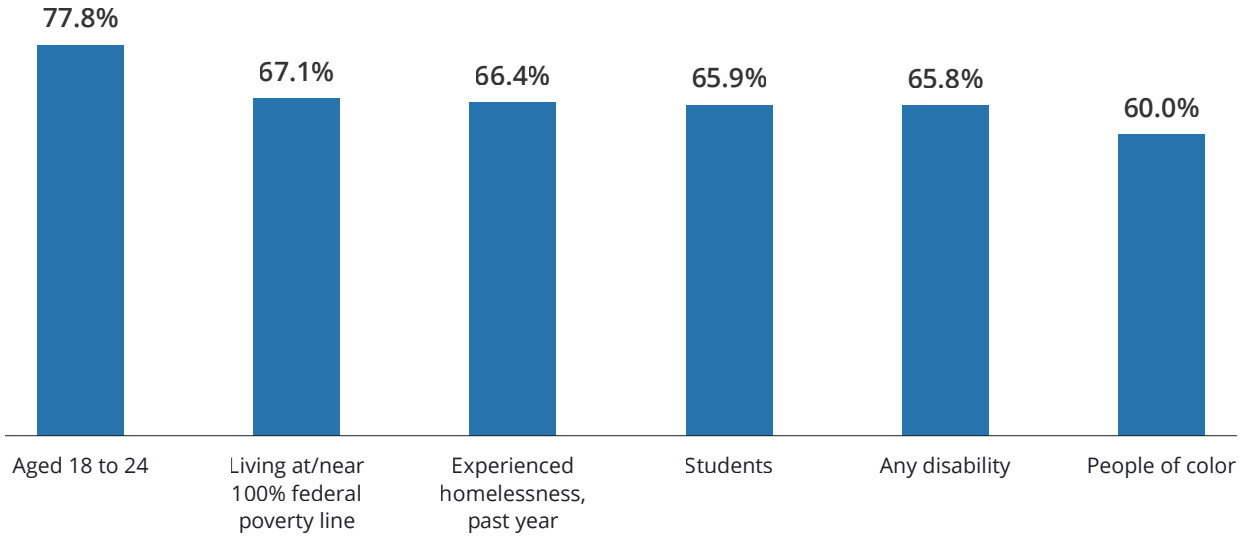
[90] Findings presented in this paragraph are based on analyses completed by the authors, using the 2022 U.S. Transgender Survey dataset. For more information on the U.S. Transgender Survey, conducted by the National Center for Transgender Equality (now Advocates for Equality Education Fund), visit www.ustranssurvey.org.

Figure 3. Possession of identity documents among transgender citizen respondents to the 2022 US Transgender Survey



Note: See Appendix Table A1 for confidence intervals and n.

Figure 4. Possession of no identity documents with the correct name and gender among transgender citizen respondents to the 2022 US Transgender Survey, by selected subgroups



Note: See Appendix Table A2 for confidence intervals, n, and significance tests.

Below, we first describe findings for states with default in-person voting and state-level voter ID laws. We provide further analyses of these states to separately examine those with photo voter ID laws (strict and non-strict) and those with non-photo ID laws (strict and non-strict). Finally, we describe states that have default mail voting or have no state-level voter ID law.

States with Default In-Person Voting and State-Level Voter ID Laws

Default in-person voting: Across the United States, we estimate that 993,600 voting-eligible transgender people live in the 42 states where elections are conducted in person by default (i.e., excluding states where all registered voters receive ballots by mail by default). Forty-three percent (43%) of these eligible voters (425,300 individuals) do not have an ID that correctly lists their name and/or gender. When voting in these states, transgender voters will interact with poll workers when they vote unless they are able to apply for an option to vote by mail, such as an absentee ballot.

Default in-person voting and voter ID laws: An estimated 657,300 transgender-eligible voters live in the 33 states with default in-person voting and voter ID laws. Approximately 49% (323,700) of these eligible voters report that they do not have identification that matches their gender identity and meets the requirements in their state (meaning IDs with the correct name and, in states that require photo ID, the correct name and gender marker). These voters could be challenged by poll workers or election officials who find that their voter registration information, ID, and appearance do not match. In strict voter ID states, these voters could be required to vote on a provisional ballot, and their vote will not be counted unless they can later provide acceptable information or required identification.

States with Photo ID Laws

Twenty-four states require voters to present a photo ID when voting at the polls (Tables 2a & 2b). Since photo identification frequently includes a gender marker, we estimate the number of voting-eligible transgender people who have no ID that lists their correct name and gender marker. If the name or gender marker on an identity document is incorrect, voting-eligible transgender people in these states may face barriers to voting or be unable to vote.

Strict photo ID law states: Ten states have photo ID laws that we consider to be strict. An estimated 217,300 transgender eligible voters live in these states, 52% of whom (113,700 individuals) do not have any IDs with their correct name or gender marker. In three of these states, transgender people are prohibited from correcting the gender marker on both their driver's license and their birth certificate. These 113,700 potential voters may face substantial barriers to voting, including possible disenfranchisement, in the November 2026 general election.

Non-strict photo ID law states: Fourteen states have photo ID laws that we do not consider strict. In these states, voters without an ID that meets the state's requirements have other options that may still allow them to cast a ballot. There is considerable variation in these other options across states, potentially making it more difficult for voters without the required ID to navigate such rules. Even when these options are available, however, the expectation of a photo ID may constitute a unique barrier for transgender voters, potentially leading to negative interactions with poll workers or election officials and even disenfranchisement. In two of these states, transgender people are prohibited from correcting the gender marker on both their driver's license and their birth certificate. We estimate that 330,900 voting-eligible transgender people live in these fourteen states, including 52% (172,500) who do not have any ID that correctly lists their name and gender.

Table 2a. Voting-eligible transgender population without identity documents or records with their correct name and gender in states with strict photo ID laws for the 2026 election

State	Transgender voting-eligible population (VEP)	Percentage of transgender VEP with no IDs with correct name and gender	Transgender eligible voters with no IDs with the correct name and gender
Alabama*	11,500	69.2%	7,900
Arkansas	6,400	47.4%	3,000
Georgia	26,900	52.6%	14,100
Indiana†	21,700	56.2%	12,200
Kansas†	14,300	58.6%	8,400
Mississippi	9,000	72.7%	6,500
North Carolina	22,700	54.1%	12,300
Ohio	53,600	41.4%	22,200
Tennessee†	28,400	54.7%	15,500
Wisconsin	22,900	50.6%	11,600
Total	**217,300**	**52.4%**	**113,700**

Note: Figures rounded to the nearest 100. Totals may not add up precisely due to rounding. *See Sources and Methods: Categorization of states and population estimates for further explanation on Alabama's categorization. † State also prohibits gender marker corrections on both birth certificates and driver's licenses.

Table 2b. Voting-eligible transgender population without identity documents or records with their correct name and gender in states with non-strict photo ID laws for the 2026 election

State	Transgender voting-eligible population (VEP)	Percentage of transgender VEP with no IDs with correct name and gender	Transgender eligible voters with no IDs with the correct name and gender
Florida†	88,800	50.0%	44,500
Idaho	6,600	57.3%	3,800
Kentucky	15,000	62.0%	9,300
Louisiana	10,800	62.7%	6,800
Michigan	47,100	48.7%	23,000
Missouri	23,700	59.1%	14,000
Montana	4,400	51.4%	2,200
Nebraska	9,400	37.9%	3,600
New Hampshire*	7,700	25.6%	2,000
Rhode Island	5,700	38.8%	2,200
South Carolina	23,300	69.1%	16,100
South Dakota	5,100	48.7%	2,500
Texas†	77,000	50.1%	38,600
West Virginia	6,300	65.2%	4,100
Total	**330,900**	**52.1%**	**172,500**

Note: Figures rounded to the nearest 100. Totals may not add up precisely due to rounding. *See Sources and Methods: Categorization of states and population estimates for further explanation on New Hampshire's categorization. † State also prohibits gender marker corrections on both birth certificates and driver's licenses.

States with Non-Photo Voter ID Laws

Nine states with default in-person voting and voter ID laws accept IDs that do not include a photo (Tables 3a & 3b). As stated above, three states conduct general elections by mail and also have non-photo voter ID laws for voters who choose to vote in person. Such IDs could include utility bills or bank statements with name and address listed, or other documents that do not necessarily have a photo. In these states, transgender voters may face barriers to voting if their identification does not reflect their correct name.

Strict non-photo ID law states: Three states have non-photo voter ID laws that we consider to be strict. We estimate that 37,600 voting-eligible transgender people live in these strict non-photo ID states, 40% of whom (15,000 individuals) do not have identification that lists their correct name. In these states, if a poll worker or election official finds that the name, ID, and the voter's appearance do not match, the voter may be required to vote on a provisional ballot. In these strict non-photo ID states, the voter must submit an acceptable ID to an election official within a specified time frame. Failure to do so could mean the voter's ballot will not count.

Non-strict non-photo ID law states: We estimate that an additional 71,500 voting-eligible transgender people live in the six states that have default in-person voting and non-strict, non-photo voter ID laws (Table 3b). In two of these states, transgender people are prohibited from correcting the gender marker on both their driver's license and their birth certificate. Approximately 31% (22,400 individuals) do not have any identification that lists their correct name in these states. In these states, voters without an acceptable ID may be able to pursue other options to have their ballot counted, such as signing an affidavit attesting to their identity or having their signature on their ballot compared to their voter registration signature. However, transgender people may still face barriers to voting in these states if a poll worker or election official believes the voter is not the individual listed on the voter registration rolls.

Table 3a. Voting-eligible transgender population without identity documents or records with their correct name in states with strict non-photo ID laws for the 2026 election

State	Transgender voting-eligible population (VEP)	Percentage of transgender VEP with no IDs with correct name	Transgender eligible voters with no IDs with the correct name
Arizona	33,000	38.6%	12,700
North Dakota	1,700	18.9%	300
Wyoming	2,900	66.9%	1,900
Total	**37,600**	**39.9%**	**15,000**

Note: Figures rounded to the nearest 100. Totals may not add up precisely due to rounding.

Table 3b. Voting-eligible transgender population without identity documents or records with their correct name in states with non-strict non-photo ID laws for the 2026 election

State	Transgender voting-eligible population (VEP)	Percentage of transgender VEP with no IDs with correct name	Transgender eligible voters with no IDs with the correct name
Alaska	3,200	28.7%	900
Connecticut	15,700	30.6%	4,800
Delaware	6,100	37.3%	2,300
Iowa†	10,100	31.3%	3,200
Oklahoma†	9,500	46.7%	4,400
Virginia	27,100	25.4%	6,900
Total	**71,500**	**31.1%**	**22,400**

Note: Figures rounded to the nearest 100. Totals may not add up precisely due to rounding. † State also prohibits gender marker corrections on both birth certificates and driver's licenses.

States with Default Mail Voting or No State-Level Voter ID Laws

We expect that transgender voters in states with default mail voting and in states with no voter ID laws will face fewer barriers to casting their votes. However, the lack of an ID or an inaccurate ID may still create challenges, including perceived mismatches between an individual's gender presentation and the name listed on their voter registration, if they vote in person at the polls. In these states, when voting at the polls, transgender voters would tell poll workers their name as reflected on their voter registration in order to receive a ballot. Poll workers or election officials could question a person's eligibility to vote if they do not believe that the name on the voter rolls matches the voter, such as when a name is traditionally masculine or feminine, and the voter appears to not match that gender. Prior research has found that as many as one in ten voters in states without voter ID laws have been asked by poll workers for identification.[91] An estimated 31% of all voting-eligible transgender people in these states do not have identification that lists their correct name.

States with default vote by mail: Eight states and Washington, D.C. conduct elections by mail by default (Table 4a).[92] In these jurisdictions, all registered voters are sent mail-in ballots (sometimes referred to as absentee ballots). These jurisdictions still offer in-person voting at the polls, which voters can use if they so choose, but the majority return their ballots by mail or at drop-off locations.[93] These nine jurisdictions include three states with non-strict, non-photo ID voter ID laws (Colorado, Utah, and Washington). These states verify absentee/mail ballots according to their normal procedures; such procedures include signature verification of the voter and/or witnesses and the inclusion of a copy of ID or state identification numbers, according to each state's policy.[94] We estimate that 31% of transgender eligible voters in these nine "all-mail" jurisdictions, or 95,500 individuals, are without an ID that lists their correct name.

[91] Stewart, C. (2013).

[92] National Conference of State Legislatures. (2026). *Table 18: States With Mostly Mail Elections*. https://www.ncsl.org/elections-and-campaigns/table-18-states-with-all-mail-elections

[93] MIT Election Data + Science Lab. (2021). *Voting by mail and absentee voting.* Massachusetts Institute of Technology. https://electionlab.mit.edu/research/voting-mail-and-absentee-voting

[94] National Conference of State Legislatures. (2026). *Table 14: How states verify voted absentee/mail ballots*. https://www.ncsl.org/research/elections-and-campaigns/vopp-table-14-how-states-verify-voted-absentee.aspx

States with no voter ID law: Nine states have no state-level voter ID laws and have default in-person voting (Table 4b). Although there are no voter ID laws, transgender voters must still interact with poll workers in order to vote unless they are able to apply for an option to vote by mail, such as an absentee ballot. We estimate that 30% of the transgender eligible voters in these states, or 101,600 individuals, do not have an ID that lists their correct name.

Table 4a. Voting-eligible transgender population without identity documents or records with their correct name in jurisdictions with default mail elections for the 2026 election

State	Transgender voting-eligible population (VEP)	Percentage of transgender VEP with no IDs with correct name	Transgender eligible voters with no IDs with the correct name
California	165,300	32.7%	54,000
Colorado	29,200	37.0%	10,800
District of Columbia	4,100	28.5%	1,200
Hawaii	5,900	8.6%	500
Nevada	11,100	29.9%	3,300
Oregon	24,800	22.9%	5,700
Utah	15,700	46.4%	7,300
Vermont	4,800	21.1%	1,000
Washington	47,300	24.8%	11,700
Total	**308,200**	**31.0%**	**95,500**

Note: Figures rounded to the nearest 100. Totals may not add up precisely due to rounding.

Table 4b. Voting-eligible transgender population without identity documents or records with their correct name in states with no voter ID laws and in-person elections for the 2026 election

State	Transgender voting-eligible population (VEP)	Percentage of transgender VEP with no IDs with correct name	Transgender eligible voters with no IDs with the correct name
Illinois	39,600	34.5%	13,700
Maine	8,500	22.0%	1,900
Maryland	22,600	29.9%	6,800
Massachusetts	42,900	22.1%	9,500
Minnesota	37,400	25.9%	9,700
New Jersey	35,800	30.3%	10,800
New Mexico	4,200	26.8%	1,100
New York	97,300	30.1%	29,300
Pennsylvania	48,000	39.5%	19,000
Total	**336,300**	**30.2%**	**101,600**

Note: Figures rounded to the nearest 100. Totals may not add up precisely due to rounding.

Conclusion

Voter identification requirements create a unique barrier to accessing the right to vote for some transgender citizens who would otherwise be eligible to vote. Many transgender people do not have ID documents that list their correct name and gender. Nationally, in states with default in-person voting, we estimate that 425,300 transgender eligible voters do not have ID documents that correctly list their name and/or gender. Transgender people who are young, people of color, have disabilities, have low incomes, are experiencing homelessness, or are students may be more likely to lack correct IDs. Voters without correct IDs and updated registrations could be challenged by poll workers based on the name on the voter registration rolls or a perceived mismatch in gender, creating a barrier to voting.

An estimated 323,700 transgender eligible voters have no correct IDs and live in the 33 states with default in-person voting and additional, more stringent voter ID laws beyond the federal requirements. Approximately 113,700 of these eligible voters live in states with strict photo ID laws, which present the greatest barriers to voting. These voters could be disenfranchised if they are unable to obtain accurate IDs and correct their voter registration before the election. Requirements for changing one's name and gender marker on state IDs vary widely, and can be difficult, time-consuming, and costly to meet. In some states, correcting IDs is not permitted under the law.[95]

Voter ID laws may create barriers to voting for substantial numbers of eligible voters, which can have an outsized impact in elections decided by a relatively small margin. For example, in the November 2020 presidential election, Joe Biden won the state of Georgia by 11,779 votes.[96] We estimate that there are 14,100 transgender eligible voters in Georgia who lack accurate IDs. Georgia's voter ID law is among the strictest in the United States. Similarly, in the November 2016 presidential election, Donald Trump won the state of Michigan by 10,704 votes (out of 4,799,284 votes cast).[97] We estimate that there are approximately 23,000 transgender eligible voters in Michigan who do not have accurate IDs. Perhaps most famously, the November 2000 presidential election was decided by several hundred votes in Florida.[98] We estimate that as many as 44,500 voting-eligible transgender Floridians do not have accurate IDs.

In this study, we find that transgender voters face special barriers to acquiring accurate ID and may face greater scrutiny at polling places because of their gender identity or expression. Voter ID laws, therefore, create a unique—and in some cases insurmountable—barrier to voting for a substantial number of transgender people. States can take steps to improve access to the ballot for transgender voters, including changing voter ID laws, making the process of obtaining accurate IDs simpler and more affordable, training poll workers, and reducing barriers to voting more broadly. For instance, in 2019, the State of California began an official program to train poll workers on how to properly assist transgender voters to better secure their right to vote at the polls.[99]

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[95] Movement Advancement Project. (2026).

[96] Brumback, Kate. (2020, December 7). *Georgia again certifies election results showing Biden won*. The Associated Press. https://apnews.com/article/election-2020-joe-biden-donald-trump-georgia-elections-4eeea3b24f10de886bcdeab6c26b680a

[97] Michigan Department of State. (2016). *2016 Michigan Election Results.* https://mielections.us/election/results/2016GEN_CENR.html

[98] Elving, Ron. (2018, November 12). *The Florida Recount Of 2000: A Nightmare That Goes On Haunting*. NPR. https://www.npr.org/2018/11/12/666812854/the-florida-recount-of-2000-a-nightmare-that-goes-on-haunting

[99] Garofoli, J. (2019, October 25). *California to start first-in-the-nation training to help transgender voters.* San Francisco Chronicle. https://www.sfchronicle.com/politics/article/California-to-start-first-in-the-nation-training-14560805.php

Sources and Methods

This report relies on information on voter ID laws from the National Conference of State Legislatures, state population estimates from the 2024 American Community Survey 5-year estimates, state estimates of the number of adults who identify as transgender from the Williams Institute, and published results and new analyses of data from the 2022 U.S. Transgender Survey (USTS), conducted by the National Center for Transgender Equality (now Advocates for Trans Equality Education Fund).

Estimated Transgender Voting-Eligible Population

The 2022 USTS provides information about the status of both the name and gender marker on respondents' identity documents and records, their citizenship, gender identity, and other factors related to voting eligibility. While the USTS is not considered a nationally representative sample of the U.S. transgender population, it provides the best available data to estimate the number of voting-eligible transgender people who could face barriers to voting or disenfranchisement in the November 2026 general election.

To obtain an estimate of each state's transgender voting-eligible population, we first start with an estimate of the percentage of adults in each state who identify as transgender, according to 2025 estimates by the Williams Institute.[100] This percentage was multiplied by the total adult citizen population in each state according to the 2024 American Community Survey 5-year estimates.[101] We assume that the percent of citizens who identify as transgender does not differ from the percentage of the full population of a state that identifies as transgender. This estimated number of transgender adult citizens in a state is then multiplied by the 2022 USTS estimate of the percent of transgender adult citizens in each state who live all the time in a gender different from their sex assigned at birth. In states that disenfranchise some or all individuals who have been convicted of certain crimes, we rely on USTS estimates to exclude the proportion of transgender individuals in those states who have been in jail or prison in the past 5 years.[102] This results in an estimated number of transgender people in each state who are eligible to vote and live all the time according to their gender identity.

Transgender voting-eligible population = (State adult U.S. citizen population) x (Percent of adult population in state who identify as transgender) x (Percent of citizen transgender population who are living all the time in a gender different from their sex assigned at birth) x (Percent of transgender population not incarcerated in the last 5 years in states that have criminal disenfranchisement)

[100] Herman, et al. (2025).

[101] American Community Survey. (2024). *Table ID B29001: Citizen, voting-age population by age* (2024 5-year Estimates). U.S. Census Bureau. https://data.census.gov/cedsci/table?q=B29001%20&tid=ACSDT5Y2020.B29001

[102] Brennan Center for Justice at NYU School of Law. (2026). Can People Convicted of a Felony Vote? https://www.brennancenter.org/our-work/research-reports/can-people-convicted-felony-vote

The percentage of voting-eligible transgender adults who possess the required identity documents is estimated based on each state's policies. In states that require photo ID, we consider the percentage of voting-eligible respondents who have IDs with both the correct name and correct gender marker among respondents to the USTS. In states that require an ID but do not require that the ID have a photo, we only consider how many respondents have IDs with the correct name. We considered making changes to our calculations in light of Kansas's new restrictions on identity documents for transgender people, discussed above. We concluded that the conservative approach would be to maintain consistency in our calculations and not adjust the model in light of this policy change. It is likely that more transgender Kansans now have inaccurate identity documents as a result of policy changes in that state since the data collection period for the 2022 USTS.

The USTS questions this report relies on to understand the status of respondents' names and genders on their identity documents do not account for the types of IDs respondents held.[103] The questions only ask whether all, some, or none of a respondent's IDs list the correct name or gender. The conservative assumption is made here that all transgender respondents to the USTS who responded to these questions actually have the identity documents they would need to register and to vote. As mentioned above, among USTS respondents who were registered to vote in the 2020 general election, 21% did not have a driver's license, and 53% did not have a U.S. passport.[104]

Categorization of States and Population Estimates

States' voter ID laws were categorized based on categories created by the National Conference of State Legislatures and our own examination of state laws.[105] We depart from NCSL's categorization for two states. First, although the NCSL categorizes Alabama as "non-strict," we consider the state "strict" for purposes of this study. According to the NCSL, Alabama was not categorized as strict because a voter could cast a ballot without the required ID if the voter is identified by two election officials as an eligible voter. Because as many as 22% of transgender respondents to the 2022 USTS reported negative experiences, including harassment or denial of services, when presenting inaccurate IDs, we consider this provision a substantial burden to transgender voters and have classified Alabama as "strict" for purposes of this study and in prior versions of this report.[106] Second, New Hampshire is categorized as non-strict because, at the time of writing, a federal court reinstated the ability for a voter to attest to their identity.[107] Without the court's intervention, the state would be classified as strict, consistent with NCSL's categorization as of August 31, 2026.

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[103] James, et al. (2024). Additional analyses of 2022 USTS data completed by the authors; Q21.15 (name) and Q21.18 (gender) are worded as follows: Thinking about how your NAME/GENDER is listed on all of your IDs and records that list your name/gender, such as your birth certificate, driver's license, passport, etc. Which of the statements below is most true? Response options: All of my IDs and records list the name/gender I prefer; Some of my IDs and records list the name/gender I prefer; None of my IDs and records list the name/gender I prefer.

[104] James, et al. (2024). Additional analyses of 2022 USTS data completed by the authors.

[105] National Conference of State Legislatures. (2026). *Voter ID Laws.* https://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx. For a list of recent studies that have relied on the NCSL's classification, see Highton, B. (2017). Voter identification laws and turnout in the United States. *Annual Review of Political Science*, *20,* 149-167. https://doi.org/10.1146/annurev-polisci-051215-022822

[106] James, S.E., et al. (2024). For a list of other studies that reclassify Alabama, see Cantoni, E., & Pons, V. (2021).

[107] New Hampshire Youth Movement v. Scanlan, 2026 DNH 062, No. 1:24-cv-00291-SE, 2026 WL 1500857 (D. N.H., May 28, 2026), *appeal filed*, New Hampshire Youth Movement v. Scanlan, No. 26-1740 (1st Cir., June 22, 2026).

Additionally, because we are primarily concerned with in-person access to the polls and interaction with poll workers, we consider separately the eight states and Washington, D.C. that conduct elections by mail by default (California, Colorado, Hawaii, Nevada, Oregon, Utah, Vermont, and Washington), although three of these states have non-strict, non-photo ID voter ID laws (Colorado, Utah, and Washington). The majority of voters in these states return their ballots by mail or at drop boxes, and we assume that transgender voters there would do the same, and therefore be less likely to vote in person and have a negative interaction with a poll worker.[108] Such voters' ballots would be verified according to their state's normal methods for verifying absentee/mail ballots, and any apparent inconsistencies regarding name, gender marker, and personal appearance would not be challenged by poll workers on election day. Transgender voters in these states, especially those who have faced barriers to accessing accurate legal records, may still face additional challenges or mistreatment when registering to vote or if they choose to vote in-person. In all other states, in-person voting is the default. While many states allow voters to vote absentee by mail without requiring an excuse, voters must take action to use this option.

[108] MIT Election Data + Science Lab. (2021, March).

Authors

Will Tentindo, J.D., is a Staff Attorney at the Williams Institute.

Nathan Cisneros, M.S., is the HIV Criminalization Project Director at the Williams Institute.

Jody L. Herman, Ph.D., is the Reid Rasmussen Senior Scholar of Public Policy at the Williams Institute.

Raksha Kopparam, B.A., is a Research Data Analyst at the Williams Institute.

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FOR MORE INFORMATION

The Williams Institute, UCLA School of Law
williamsinstitute@law.ucla.edu
williamsinstitute.law.ucla.edu

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Appendix

Table A1. Possession of correct identity documents among adult transgender citizen respondents to the 2022 USTS survey

ID documents with...	Amount of correct documents	%	95% CI
The correct name (n=48,023)	All my IDs list the correct name	26.9%	[26.0, 27.7]
	Some of my IDs list the correct name	23.8%	[23.1, 24.5]
	None of my IDs list the correct name	49.3%	[48.4, 50.2]
The correct gender (n=46,242)	All my IDs list the correct gender	18.9%	[18.2, 19.7]
	Some of my IDs list the correct gender	26.8%	[26.0, 27.6]
	None of my IDs list the correct gender	54.3%	[53.3, 55.2]
The correct name and gender (n=45,578)	All of my IDs list my correct name and gender	17.2%	[16.4, 17.9]
	Some of my IDs list my correct name and gender	25.2%	[24.4, 26.0]
	None of my IDs list my correct name and gender	57.6%	[56.7, 58.6]

Note: Analyses of 2022 USTS data completed by the authors. Column percentages, weighted. Ns vary due to missingness. CI: confidence interval.

Table A2. Possession of correct identity documents among adult transgender citizen respondents to the 2022 USTS survey by select demographic characteristics

Demographic	No IDs with correct name and gender		Some or all IDs have correct name and gender		F
	%	95% CI	%	95% CI	p-value
Age	**n=21,617**		**n=19,699**		
18 to 24	77.8%	[76.8, 78.8]	22.2%	[21.2, 23.2]	**0.00**
25 to 44	54.3%	[53.0, 55.7]	45.7%	[44.3, 47.0]	
45 to 64	38.7%	[35.9, 41.5]	61.3%	[58.6, 64.1]	
65 plus	25.1%	[21.9, 28.6]	74.9%	[71.4, 78.1]	
Race, ethnicity	**n=24,993**		**n=20,408**		
White, non-Hispanic	56.1%	[55.0 ,57.2]	43.9%	[42.8, 45.0]	**0.00**
Black, non-Hispanic	50.2%	[46.0, 54.3]	49.8%	[45.7, 54.0]	
Asian, non-Hispanic	55.5%	[51.3, 59.6]	44.5%	[40.4, 48.7]	
AIAN, non-Hispanic	61.7%	[51.4, 71.0]	38.3%	[29.0, 48.6]	
Latine or Hispanic	65.2%	[62.5, 67.8]	34.8%	[32.2, 37.5]	
Multiracial/other race	62.1%	[59.5, 64.6]	37.9%	[35.4, 40.5]	
Race, ethnicity	**n=24,993**		**n=20,408**		
White, non-Hispanic	56.1%	[55.0, 57.2]	43.9%	[42.8, 45.0]	**0.00**
All POC	60.0%	[58.4, 61.6]	40.0%	[38.4, 41.6]	

Demographic	No IDs with correct name and gender		Some or all IDs have correct name and gender		F
	%	95% CI	%	95% CI	p-value
Student status	n=25,050		n=20,479		
Not a current student	56.1%	55.1, 57.2	43.9	42.8, 44.9	**0.00**
Current student	65.9%	64.1, 67.6	34.2	32.4, 35.9	
At/near poverty	n=22,381		n=19,307		
No	51.5%	50.4, 52.7	48.5	47.3, 49.6	**0.00**
Yes	67.1%	65.4, 68.8	32.9	31.2, 34.6	
Past-year homelessness	n=43,824		n=712		
No	57.4%	[56.5, 58.3]	42.6%	[41.7, 43.5]	**0.00**
Yes	66.4%	[59.7, 57.6	33.7%	[27.6, 40.3]	
Any disability	n=25,076		n=20,495		
No	48.5%	[47.1, 49.8]	51.5%	[50.2, 52.9]	**0.00**
Yes	65.8%	[64.5, 67.0]	34.3%	[33.1, 35.5]	

Note: Analyses of 2022 USTS data completed by the authors. Row percentages, weighted. Ns vary due to missingness. CI: confidence interval. Bold p-values are statistically significant (Rao-Scott chi-square test).

Table A3. Transgender voting eligible population (VEP) by state, rounded

State	Transgender VEP
Alabama	11,500
Alaska	3,200
Arizona	33,000
Arkansas	6,400
California	165,300
Colorado	29,200
Connecticut	15,700
Delaware	6,100
District of Columbia	4,100
Florida	88,800
Georgia	26,900
Hawaii	5,900
Idaho	6,600
Illinois	39,600
Indiana	21,700
Iowa	10,100
Kansas	14,300
Kentucky	15,000

State	Transgender VEP
Louisiana	10,800
Maine	8,500
Maryland	22,600
Massachusetts	42,900
Michigan	47,100
Minnesota	37,400
Mississippi	9,000
Missouri	23,700
Montana	4,400
Nebraska	9,400
Nevada	11,100
New Hampshire	7,700
New Jersey	35,800
New Mexico	4,200
New York	97,300
North Carolina	22,700
North Dakota	1,700
Ohio	53,600
Oklahoma	9,500
Oregon	24,800
Pennsylvania	48,000
Rhode Island	5,700
South Carolina	23,300
South Dakota	5,100
Tennessee	28,400
Texas	77,000
Utah	15,700
Vermont	4,800
Virginia	27,100
Washington	47,300
West Virginia	6,300
Wisconsin	22,900
Wyoming	2,900

Note: This table includes transgender adult citizens who are living all the time according to their gender identity. Those who could be disenfranchised by criminal disenfranchisement laws are also excluded. See Sources and Methods for more details.